

This meeting will accommodate virtual and in-person attendance. Those desiring to participate virtually are encouraged to join the meeting via Zoom using the information provided. The meeting will be broadcast via Zoom, City View Channel 192, on the City's website, and on the City's YouTube Channel.



Agenda
Hearing Examiner Meeting
Monday, October 10, 2022
Richland City Hall ~ Council Chamber
625 Swift Boulevard
[Zoom](#) ~ Public Telephone Access: (206) 337-9723 or (253) 215-8782
Meeting ID No. 872 2126 7401

Hearing Examiner: Gary McLean

Staff Liaison: Planning Manager Stevens

Public Hearing - 6:00 p.m.

Public Hearing Explanation:

Old Business - Public Hearing:

1. S2021-102 Villa Vista Townhomes Preliminary Plat Continued
2. S2022-101 Veneto Villagio Preliminary Plat Continued

New Business - Public Hearing:

Adjournment

The next Hearing Examiner Meeting will be scheduled as needed.

This meeting is broadcast live on CityView Channel 192 and online at ci.richland.wa.us

Richland City Hall is ADA accessible. Any individual who has difficulty attending the meeting in-person may request to provide comments remotely. (Ch. 42.30 RCW) Requests for sign interpreters, audio equipment, and/or other special services must be received 48 hours prior to the meeting by calling the City Clerk's Office at 509-942-7389.



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 10/10/2022

Agenda Category: Old Business - Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

S2021-102 Villa Vista Townhomes Preliminary Plat Continued

Department:

Development Services

Recommended Motion:

Staff recommends approval of the Preliminary Plat of Villa Vista (S2021-102).

Summary:

Nor Am Investment, LLC has submitted a request to subdivide 13.31 acres into 68 residential lots allowing for the development of attached single-family townhomes (S2021-102). The request was returned to the applicant in order to address issues concerning the Badger Mountain South TIA and the Badger Mountain South LUDR, specifically in regards to how the proposal meets the overall intent of the Specialty Retail District.

In response to the Hearing Examiner's Remand Order the applicant has provided a detailed response letter, revised preliminary plat map, as well as a supplemental Master Agreement Consistency Recommendation (MACR) for the Villa Vista preliminary plat.

Staff recommends approval of the Preliminary Plat of Villa Vista subject to conditions of approval included in the staff report.

Attachments:

1. Villa Vista Site Plan
2. FULL Staff Report - Villa Vista Remand S2021-102

**Vicinity
Map**

Item: Preliminary Plat - Villa Vista Townhomes
Applicant: NorAm Invesments LLC c/o Geoff Clark
File #: S2021-102



**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Villa Vista Townhomes - Preliminary Plat

LOCATION: North side of Trowbridge Boulevard, approximately 1,050-feet east of Dallas Road in the Badger Mountain South master planned community (APN 1-32982BP4732021)

APPLICANT: Nor Am Investment, LLC c/o Geoff Clark

FILE NO.: S2021-102 - Remand

DESCRIPTION: Request to subdivide 13.31 acres into 68 residential lots allowing for the development of attached single-family townhomes

PROJECT TYPE: Type III Preliminary Plat

HEARING DATE: October 10, 2022

REPORT BY: Mike Stevens, Planning Manager

RECOMMENDED ACTION: Approval subject to completion of proposed conditions

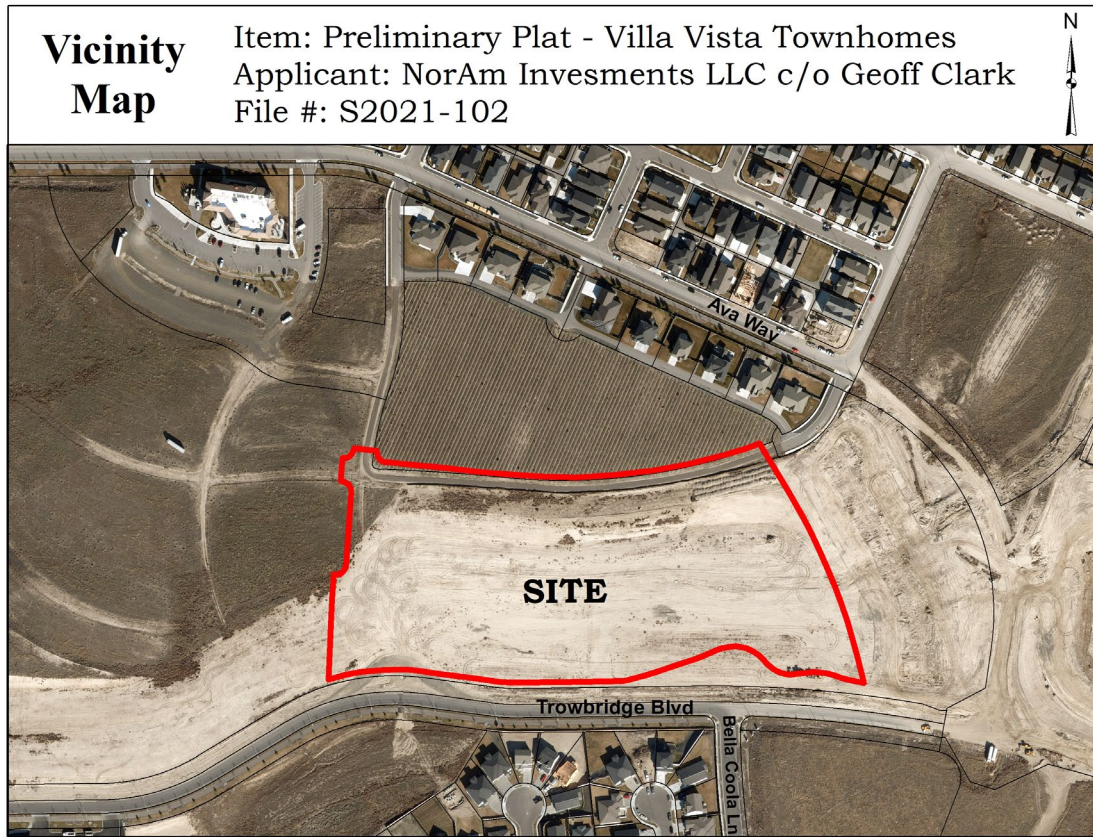


Figure 1 - Vicinity Map

PROJECT HISTORY

On June 14, 2021 the Richland Hearing Examiner conducted a public hearing in regard to the proposed preliminary plat commonly referred to as Villa Vista Townhomes (S2021-102). The proposal was to divide approximately 13.31 acres into 68 single-family residential lots and four (4) tracts. The plat proposed the creation of four residential blocks with two (2) looped private shared driveways together with four (4) tracts for small parking lots designated for guest parking.

On September 29, 2021 the Richland Hearing Examiner issued his decision on the proposed preliminary plat. The Hearing Examiner remanded the item back to the applicant and reopened the public hearing in order for the applicant to make modifications and corrections to the proposal necessary to demonstrate compliance with applicable city codes and policies, including without limitation those that fully satisfy applicable provisions of city codes and BMS LUDR provisions; and those that will be based upon a final, approved TIA, for projects in the BMS community.

This staff report supplements the staff report for the June 14, 2021 public hearing and is intended to address the remand order for which this new public hearing is required. Staff has purposely not re-written and included the original analysis provided in the first staff report as it pertains to the site's location, zoning, comprehensive plan designation, etc. Furthermore, staff has not prepared any additional Findings of Fact or Conclusions of Law as the Hearings Examiner has the original staff report and will undoubtedly want to create their own Findings of Fact and Conclusions of Law based upon their final decision.

REMAND ORDER

The Hearing Examiner concluded that the application/proposal could not be approved unless it complied with applicable LUDR provisions and identified specific transportation improvements that would be in place at the time of occupancy, or an appropriate financial commitment in place to complete such improvements within six years of approval. Specifically, the Hearing Examiner indicated that the applicant had not demonstrated how their application fulfilled the intent of the Specialty Retail District, nor were the specific transportation improvements needed for this project identified and confirmed by City engineers. So, rather than deny the application, the Hearing Examiner remanded the item back to the applicant/developer in order to address issues concerning the Badger Mountain South TIA and the Badger Mountain South LUDR, specifically in regards to how the proposal meets the overall intent of the Specialty Retail District.

In response to the Hearing Examiner's Remand Order the applicant has provided a detailed response letter (Exhibit 13), revised preliminary plat map (Exhibit 14), as well as a supplemental Master Agreement Consistency Recommendation (MACR) for the Villa Vista preliminary plat (Exhibit 15).

In regard to the Traffic Impact Analysis (TIA), the applicant indicates that the City Traffic Engineer will provide a letter outlining traffic mitigations required for this project as required in the Master Agreement Section 7.2. While it does not appear that the City Traffic Engineer has provided a letter, the conditions of approval provided by Public Works indicates that the development is subject to the Traffic Impact Fee Program, which results in new developments having to pay a proportionate share towards established traffic mitigation projects. In this case, the new development(s) will be paying towards the mitigation projects set forth in the new Traffic Impact Analysis for the Badger Mountain South region, thus fulfilling the transportation mitigation requirements.

In regard to the LUDR and Intent of the Specialty Retail District, the applicant has responded by stating that the original "intent" of the Specialty Retail District (BMS-SD-SR) was developed in conjunction with the City of Richland and the Port of Kennewick as part of the overall Master Agreement and that the Port of Kennewick and the City of Richland failed to uphold their end of the agreement

while Nor Am worked in good faith to fulfill their obligation by developing the master plan, mass grading the site, conducting an effluent water study for wine making operations, selling seven (7) acres of the Specialty Retail District to Goose Ridge Winery to grow wine grapes and worked on a student-participation partnership with the Washington State University's Viticulture Program.

The applicant indicates that the LUDR outlines various land uses allowed by district in LUDR 2.C, Land Use Table. Furthermore, the applicant believes that the Master Agreement allows for flexibility in the type of and timing of development based upon market conditions (Section 4.1.11 of the Master Agreement). As a result, the applicant argues that while the proposed development does not comply specifically with the "intent" it does comply with the Master Agreement and LUDR and that based upon Section 8.1 of the Master Agreement "if a development application is consistent with the Master Agreement, it shall be approved."

In addition, the applicant argues that the Hearing Examiner has misinterpreted the requirement for site-plan review outlined in LUDR Section 1.J. While LUDR Section 1.J does require a site plan review, it also refers to RMC 23.48 (Exhibit 21), which specifically exempts the formal site plan review process for Planned Unit Developments (RMC 23.48.050) and since the Badger Mountain South community is a Planned Unit Development, the site plan review process occurs during the review by the Master Plan Administrator (MPA) and subsequent issuance of a MACR to the City of Richland, not during a separate site plan review process.

REVISED PROJECT

The revised preliminary plat map has been modified to include several design features which will help meet the requirements outlined in LUDR Section 8.C. Those modifications include:

1. Tract 69 to consist of 9,695 s.f. of parking, primary trail and landscaping;
2. Tract 70 to consist of 3,576 s.f. of parking and landscaping;
3. Tract 71 to consist of 5,121 s.f. of parking and landscaping;
4. Tract 72 to consist of 10,632 s.f. of landscaping and secondary trail (open space along NE property line); and
5. Tract 73 to consist of 2,696 s.f. of landscaping and primary trail (mid-block crossing between Bellaview and Sotto St.).

Each of these Tracts are to be classified as Civic by the LUDR.

STAFF ANALYSIS

Staff acknowledges that the LUDR provides an "intent" for the Specialty Retail District. However, it is not clear to staff how the "intent" of a district can dictate the layout of lots within land proposed for subdivision. How the land is intended

to be used is ultimately decided by the list of allowed uses within each of the different districts. In this particular case, while the developer had originally intended the land to be used for a “wine village”, the list of allowed uses specifically allows residential uses such as single-family and multi-family with a caveat that multi-family housing includes the following Building Types – Live/work; Row house; Commercial/Mixed-use/Liner over commercial and Stacked Units. Without having a disclaimer limiting the amount of Specialty Retail District that can be used for residential purposes the Specialty Retail District Standards (LUDR 4.A.2) serve as the governing section which should be used for the future development of the properties. Staff concludes that the “standards” provide the design criteria that shall be met, not the “intent” section. This is further exemplified by LUDR 1.C.a, which states:

The LUDR, when accompanied with the other Master Agreement conditions, is designed to establish a set of City regulations that are specific to the Badger Mountain South Master Plan Community. As such, these more specific regulations regarding zoning districts, allowable land uses, permit requirements for allowable land uses, and site design and development standards, will be used instead of the corresponding regulations for other parts of the City.

Finally, LUDR 1.C.10 states:

The LUDR is intended to be a living document that will evolve to meet market and site conditions as well as ensure the project is constructed in the desired sustainable, walkable, and green manner.

PUBLIC NOTICE

Application Date:	June 17, 2022
Notice of Hearing Mailed:	July 22, 2022
Notice of Hearing Posted:	July 25, 2022
Notice of Hearing Published:	August 23, 2022
Public Hearing:	*August 18, 2022

*(Continued to September 12, 2022 and subsequently continued to October 10, 2022)

A combined notice of application and public hearing was provided by mailing notices to property owners within 300 feet. Public hearing notices were distributed through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 18.

SEPA

A Supplemental Final Environmental Impact Statement was completed for this site at the time the City adopted a subarea plan for the Badger Mountain South area in 2010. The property was annexed at that time and the City adopted a

Planned Action Ordinance (19.50 RMC, Exhibit 7 – original staff report). The effect of the Planned Action Ordinance is that standard SEPA review is not required, provided that any project proposed within the boundaries of the master planned community is consistent with the master plan and with the mitigation measures identified in the adopted SEPA documents. Projects determined to be consistent with the subarea plan, the master agreement between the City and Nor Am Investment and the mitigation measures enumerated in the adopted SEPA documents are issued a Planned Action Consistency Determination (PACD). The City issued a PACD for the revised application on July 19, 2022 (Exhibit 17).

PUBLIC COMMENTS

Owners of properties within 300-feet of the plat site were directly notified of the project by way of USPS mailing. At the time this report was prepared, city staff received numerous comment letters from the general public regarding the proposed plat. Public comments are incorporated into this report as Exhibit 19. The general underlying theme from the public is that they would like the applicant/developer to remain committed to establishing a wine-village in this location and that constructing townhomes would defeat the intent of the Specialty Retail District.

AGENCY COMMENTS

A variety of public agencies and City departments were given an opportunity to comment on the proposal. Comments from the Richland Public Works have been incorporated into the list of approval conditions inserted at the end of this report and all other comments received are included as part of Exhibit 20.

RECOMMENDED CONDITIONS

Should the Hearing Examiner decide to approve the proposed preliminary plat staff has included a list of recommended conditions which are included at the end of this report.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the preliminary plat application for the Villa Vista Townhomes preliminary plat (S2021-102) and recommends approval of the request subject to conformance with the following conditions of approval:

Pre-Plat Specific Conditions

1. The preliminary plat is not showing any phase lines. Phasing is not required but if the project is to be phased during construction phasing lines need to be shown on the pre-plat map.

2. Street names are not reviewed or vested until construction plans are submitted for review. The street names included on the pre-plat may not be approved or available during the construction plan review process.

General Conditions:

3. All final, approved plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed, all information shall be supplied in full size (and electronic) format. Electronic copies of the construction plans are required prior to the pre-con meeting along with the multiple sets of paper drawings. When construction of the public infrastructure has been substantially completed, the applicant shall provide paper and electronic record drawings in accordance with the City's "Record Drawing Requirements". The electronic record drawings shall be submitted in an AutoCAD format compatible with the City's standard CAD software. The final record drawings shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
4. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
5. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way construction permit prior to beginning work, per RMC Chapter 12.08. The applicant shall pay a plan review fee based on a cost-per-sheet of engineering infrastructure plans. This public infrastructure plan review fee shall apply each time a project is submitted for review. This fee will be different for commercial projects versus subdivision projects. Please visit the Public Works Private Development page on the City's webpage to find the current per-sheet fee. A permit fee in the amount equal to 3% of the construction costs of the work within the right-of-way or easement will be collected at the time the construction permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the approved plan submittal.

6. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of plat acceptance. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final plat acceptance.
7. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Engineering Division at 942-7500 to schedule a pre-construction conference.
8. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
9. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final platting.

Design Standards:

10. Public improvement design shall follow the following general format:
 - A. All materials and workmanship shall be in conformance with the latest revision of the City of Richland Standard Specifications and Details, Public Infrastructure Design Guidelines and the current edition of the State of Washington Standard Specifications for Road, Bridge, and Municipal Construction. Please confirm that you have the latest set of standard specs and details by visiting the City's web page.
 - B. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
 - C. All utilities shall be extended to the adjacent property (properties) at the time of construction.
 - D. The minimum centerline finish grade shall be no less than 0.30% and the maximum centerline finish grade shall be no more than 10.0% for local streets. 12% can be allowed for local streets for short distances.
 - E. The minimum centerline radius for local streets shall be 100-feet.
 - F. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - G. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.

- H. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
11. If the project will be built in phases the applicant shall submit a comprehensive master plan for the sanitary sewer, domestic water, storm drainage, electrical, street lighting and irrigation system for the entire project prior to submitting plans for the first phase to assure constructability of the entire project. This includes the location and size of any storm retention ponds that may be required to handle runoff.
12. If the City Fire Marshal requires a secondary emergency vehicle access, it shall be included in the construction plan set and be designed to the following standards:
- A. 2-inches compacted gravel, minimum (temp. SEVAs only).
 - B. 2% cross-slope, maximum.
 - C. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
 - D. Be 20-feet in width.
 - E. Have radii that are accommodating with those needed for City Fire apparatus.

Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.

13. SURVEY MONUMENT DESTRUCTION:

All permanent survey monuments existing on the project site shall be protected. If any monuments are destroyed by the proposed construction the applicant shall retain a professional land surveyor to replace the monuments and file a copy of the record survey with the City.

- A. No survey monument shall be removed or destroyed (*the physical disturbance or covering of a monument such that the survey point is no longer visible or readily accessible*) before a permit is obtained from the Department of Natural Resources (DNR). WAC 332-120-030(2) states "It shall be the responsibility of the governmental agency or others performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or other activity

for the purpose of locating and referencing any known or existing survey monuments.” (RCW 58.09.130).

- B. Any person, corporation, association, department, or subdivision of the state, county or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. (WAC 332-120-030(2)).
- C. Survey monuments are those monuments marking local control points, geodetic control points, and land boundary survey corners. (WAC 332-120-030(3)).

When a monument must be removed during an activity that might disturb or destroy it, a licensed Engineer or Land Surveyor must complete, sign, seal and file a permit with the DNR.

It shall be the responsibility of the designing Engineer to identify the affected monuments on the project plans and include a construction note directing them to the DNR permit.

Traffic & Streets:

- 14. The Villa Vista Townhome preliminary plat is subject to the City’s traffic impact fee program (RMC 12.03). Since this property is included within the traffic impact fee program, and since staff analysis and the draft Badger Mountain South Traffic Impact Analysis indicates the project will not create impacts requiring traffic mitigation outside of the plat boundaries, therefore no offsite improvements are required for this plat.
- 15. As shown on the preliminary plat application, both Bellaview Avenue and Syrah Avenue appear to be reconstructed and dedicated as public streets, based on the right of way widths indicated. The City supports this as the best approach to providing a well-designed system of public street access to this and adjacent parcels. At their existing connections to Ava Way both Bellaview Ave. and Syrah Ave. are currently established as privately owned tracts, but it is indicated on the pre-plat that these will be improved and dedicated for public access purposes. These improvements shall meet public street standards.
- 16. A note will be shown on the face of the final plat stating that Trowbridge Blvd. is classified as a “Minor Arterial Street”. Subsequently, no driveways accessing parcels will be allowed directly onto it.
- 17. Any roads narrower than 32-feet shall have parking restricted on one side, and any roads narrower than 27-feet shall have parking restricted on both

- sides. Street signs indicating restricted parking shall be installed prior to final platting at the developer's expense. The restricted parking areas shall be indicated on the construction plans and the final plat. All signage will be installed by the developer prior to final platting.
18. Sidewalks shall be installed along all public right-of-way frontages that building lots do not front on during construction of those phases (e.g., storm drainage ponds, parks, parking areas, etc.).
 19. The developer and his engineer shall demonstrate on the construction plans that all future driveway entrances, sidewalks and pedestrian ramps will meet City and ADA requirements.
 20. Pedestrian ramps shall be designed to current City Standard Details and PROWAG Standards to be compliant with federal ADA Standards. Adequate right-of-way shall be provided at corners to allow for at least 1-foot of ROW behind the concrete ped. ramp landing. Crosswalks between pedestrian ramps shall be designed to City standards. Crosswalks at stop-controlled intersections shall have cross-slopes less than 2%. Crosswalks crossing thru-streets shall have cross-slopes less than 5%. The road profile shall be designed to accommodate this.
 21. The vision-clearance triangle needs to be shown on all corner lots on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
 22. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turning movements, including turnaround. No solid waste vehicle will be allowed to back more than 50-feet after accessing a waste receptacle.
 23. If the project is to be constructed in phases, all dead-end streets longer than 150-feet that will be continued later need to have temporary turnarounds built at the end of them. If the temporary turnaround is not located within the final plat an easement with a 50-foot radius will be required.

Domestic Water:

24. The closest available watermain is located in Trowbridge Blvd. to the south, and in the 4-Plex project to the east. It shall be the responsibility of the developer to extend a watermain from both of these locations onto this property to serve domestic water at the time of plat construction. This water

- main shall be sized to adequately supply domestic water and fire flows to the proposed development and other, future developments to the west and north.
25. In accordance with municipal code, domestic water mains shall be extended to the adjoining properties adjacent to the preliminary plat, provided they are in the correct pressure zone.
 26. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations or oversizing of the main where needed.
 27. The fire hydrant layout shall be approved by the City Fire Marshal.
 28. In accordance with Richland Municipal Code Chapter 18.16.080, an irrigation source and distribution system, entirely separate from the City's domestic water system, shall be provided for this development. *Construction plans will not be accepted for review until adequate and viable proof of an irrigation source is made available by the developer.* The designing Engineer shall submit plans for the proposed irrigation system to the Irrigation District with jurisdiction over the property at the same time that they are submitted to the City for construction review. Plans shall be reviewed and accepted by said irrigation district prior to issuance of a Right-of-Way permit by the City. Easements shall be provided on the final plat for this system where needed.

Sanitary Sewer:

29. There is an existing sanitary sewer main crossing this proposed development. It shall be the responsibility of the developer to provide easements where necessary, and to adjust all existing sewer appurtenances to finished grade per city standards. A 10-foot wide exclusive sanitary sewer easement shall be provided for any sewer main that is outside of the public Right-of-Way. Wider easements are required for mains that are buried deeper than 10-feet. If any manholes are located outside of the public Right-of-Way, maintenance truck access to said structure may be required.
30. Sanitary sewer shall be extended to the adjoining properties adjacent to the preliminary plat.

Storm Water:

31. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. The Developer shall be responsible for compliance with the permit conditions. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition, a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered.
32. All public storm drainage systems shall have their flow rate and storage capacity designed by a professional engineer following the core elements defined in the latest editions of the Stormwater Management Manual for Eastern Washington, the current Richland municipal codes, the Phase II Municipal Stormwater Permit, and the City's "Public Infrastructure Construction Plan Requirements and Design Guidelines". The storm water calculations shall be stamped by a professional engineer and shall include a profile of the storm system showing the hydraulic grade line. The calculations should include an accurate delineation of the contributing drainage area to accurately size the stormwater facilities. Passing the storm water downhill to an existing storm system will require an analysis of the downstream storm system to determine its capability of accepting the storm water without being overwhelmed. The applicant's design shall provide runoff protection to downstream property owners.
33. If any existing storm drainage or ground water seepage drains onto the proposed site, said storm drainage shall be considered an existing condition, and it shall be the responsibility of the property developer to design a system to contain or treat and release the off-site storm drainage.
34. If there are any natural drainage ways across the proposed pre-plat, the engineered construction plans shall address it in accordance with Richland Municipal code 24.16.170 ("Easements-watercourses").
35. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.

36. Prior to or concurrent with the submittal of the first phase the developer shall provide a Geotechnical report including the percolation rate of the soils in the area of any storm retention ponds. If the project constructs a storm retention pond then the engineer will need to demonstrate that the pond will drain itself within 72 hours after the end of a storm event, and not have standing water in it longer than that. Engineering solutions are available for retention ponds that do not percolate within 72 hours.
37. As per RMC chapter 24.20.070 and the City of Richland's Comprehensive Stormwater Management Plan, the storm drainage system installed as part of this plat may need to be oversized in order to handle the additional flow from future developments in the vicinity. The storm drainage system for this development, both its conveyance and retention / infiltration components, shall be designed to effectively manage runoff from upstream properties that can be anticipated to convey stormwater onto this property because of a pre-development runoff condition, or as a result of flows discharged that are in excess of the design storm from the upstream property. Additionally, as this property is upslope of developed properties the stormwater system shall include provisions for possible discharge of runoff onto downslope properties from storms in excess of the design storm as described above. Those provisions may be required to include off-site downslope conveyance facilities and/or flowage easements allowing for the conveyance of stormwater to and across downslope properties.
38. The amount of post-development storm runoff from the proposed site shall be in compliance with RMC Chapter 16.06.
39. Stormwater collection pipes may need to be extended to the adjoining properties adjacent to the plat.
40. The parcel occupied by the stormwater basin shall be identified as a separate parcel or tract on the final plat and shall be dedicated to the City stormwater utility. The design of the basin shall include access features meeting the city's needs for maintenance.
41. The developer shall consider the long-term appearance of the storm basin, particularly if it will occupy a prominent location in the development. The City's typical storm pond maintenance practices consist of semi-annual vegetation trimming and silt and debris removal. If the pond location is deemed by City staff as being in a prominent location the developer shall design and install fencing and/or landscaping to mitigate the pond's visible character for the surrounding properties. If the City requires this type of treatment to the pond site the developer may propose landscaping treatments consistent with the development and establish

maintenance responsibilities to remain with the development. These maintenance responsibilities shall be noted on the final plat. Basins designed as detention and evaporative basins need to include plantings that will tolerate or thrive in standing water. Planting designs for areas not routinely exposed to water shall include plants that will thrive without irrigation unless the developer intends to maintain an irrigated pond site. At a minimum the landscaping plan should be consistent with the City's intended maintenance standard as described above.

42. The developer shall be responsible for landscaping the storm pond and for its maintenance and the plantings through the one-year infrastructure warranty period. At 11 months after the final acceptance date the developer shall clean the storm system and basin of all accumulated oil, sediment, and debris. After this maintenance is completed and inspected the City will begin routine maintenance of the system and basin. The developer shall replace any plantings that have failed to survive the warranty period. The developer shall also perform trimmings required to control weeds in excess of 18-inches in height for the 12-months following the date of final plat acceptance.

Solid Waste:

43. Due to limited space and tight corners, all lots that take access off of a private drive may have to transport their garbage cans to a location acceptable for solid waste pick-up.

Final Platting Requirements:

44. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat
45. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final acceptance. Off-site ("third party") easements or right-of-way for City infrastructure are the responsibility of the developer to obtain. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the

Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.

46. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of plat construction and prior to final plat acceptance by the City.
47. Ten-foot wide public utility easements will be required on the final plat along both sides of all right-of-ways within the proposed plat. They will also be required where the plat is adjacent to an existing right-of-way.
48. The vision-clearance triangle needs to be shown on all corner lots on the final plat document, in accordance with RMC Chapter 12.11.020.
49. The final plat shall include notes identifying all common areas including the private streets and tracts and acknowledging the ownership and maintenance responsibility by the homeowners association. A note shall be added to the face of the final plat that states: *"The private drives are for the use and benefit of the homeowners that abut said roads, and are to be maintained by said owners. The City of Richland accepts no maintenance responsibility for these private drives"*.
50. A note shall be added to the face of the plat that states: *"The private drives within this plat are fire lanes and parking is restricted. The required no-parking signs shall be installed by the developer where applicable."*
51. Any roads narrower than 32-feet shall have parking restricted on one side, and any roads narrower than 27-feet shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developer's expense. The restricted parking areas shall be indicated on the final plats.
52. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the property owners to maintain.
53. A one-foot "No access / screening easement" will be required along the Trowbridge Blvd. Right of Way.
54. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
55. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.

EXHIBIT LIST (Numbering continued from first staff report)

13. Applicant Narrative Regarding Remand Order
14. Updated Preliminary Plat
15. Updated Master Agreement Consistency Recommendation (MACR)
16. Updated Master Agreement Consistency Determination (MACD)
17. Updated Planned Action Consistency Determination (PACD)
18. Public Notices & Affidavits
19. Public Comments
20. Agency Comments
21. RMC 23.48
22. Continuance Request (September 12, 2022 to October 10, 2022)

Exhibit 13

Applicant Response to Remand Order by the Hearing Examiner (File Number S2021-102)

The responses below pertain to the Discussion of Relevant Facts and Legal Authority numbers 8 – 13 and 14 contained within the Remand Order dated September 29, 2021.

8. The City of Richland Traffic Engineer will provide a letter outlining the traffic mitigations required for this project as required in the Master Agreement Section 7.2.
9. See response to #8 above
10. See response to #8 above
11. See response to #8 above
12. See response to #8 above
13. The original “intent” of the Specialty Retail District (BMS-SD-SR) was developed in conjunction with the City of Richland and the Port of Kennewick. The following section from the Master Agreement between Nor Am and the City of Richland outlines how the original intent was created:

16. **CITY’S CONTRIBUTION TO SPECIAL DISTRICT-SPECIALTY RETAIL IMPROVEMENTS.**

16.1 The Port of Kennewick is considering investing in the Specialty Retail District in Badger Mountain South in order to construct a world class pedestrian-oriented destination village, which will include numerous uses related to the agricultural products of the region, including wines and grapes (See LUDR, Exhibit C). It is also intended to include class rooms, meeting areas, hotel, restaurants, and other related uses, all centered around a common pedestrian corridor. The City is also desirous of investing funds to stimulate tourism and economic development. If the City invests lodging tax revenues in improvements to this district in order to stimulate tourism, then the amount of lodging taxes generated from Badger Mountain South shall not be used in the annual revenue calculation required by paragraph 15.2.

16.2 The parties intend to enter into further agreements regarding the preparation of a master site plan for the specialty retail area, and the design and construction of certain improvements within the specialty retail area, including a business incubator building, a public meeting area, and related public facilities. It is contemplated that that the agreement will be a three party agreement between the City, the Port of Kennewick, and Nor Am and will include an investment by all parties.

16.3 It is anticipated that the Master Site Plan will be completed by September, 2011, and construction will occur in 2012 and 2013.

Nor Am, the City of Richland, and The Port of Kennewick developed the intent of the Specialty Retail District as a wine village during the creation of the Master Agreement and the LUDR. Nor Am worked in good faith to fulfill their obligation under this agreement by developing the master plan, mass grading the site, conducting a effluent water study for wine making

operations, selling 7 acres of the Specialty Retail District to Goose Ridge Winery to grow wine grapes, and working on a student-participation partnership with the Washington State University's Viticulture Program. Nor Am worked in good faith to develop the intent of this district based on the Master Agreement.

The City of Richland and the Port of Kennewick did not enter into an agreement with Nor Am for the wine village. Even though the City of Richland and the Port of Kennewick did not support the wine village as outlined in the Master Agreement, Nor Am, as a land owner, has worked over the past 8 years to find a developer/partner for the wine village without any success. While Nor Am would love to find a development partner that would develop a wine village as discussed in LUDR Section 4.B, no such development partner has come forward. After 8 years of work and associated costs, we feel the intent needs to be adjusted to accommodate the allowed land uses outlined in LUDR Section 2.C.

The Master Agreement allows for flexibility in the type of and timing of development based on market conditions (see Section 4.1 (11) of the Master Agreement). Additionally, the LUDR clearly defines land uses allowed by district in LUDR 2.C Land Use Table. The land uses are clearly stated as allowed or not allowed in the specific districts. These uses have been accepted by the City of Richland and Nor Am and should inform both parties what land uses are allowed or not allowed. As stated in the Master Agreement Section 8.1 "if a development application is consistent with the Master Agreement, it shall be approved."

We believe the decision to remand this plat based on LUDR Section 4.B.1 does not take into consideration the history of the creation of this section, the flexibility in the type and timing of development outlined in the Master Agreement Section 4.1 (11), or the allowed land uses in LUDR Section 2.C.

The updated Villa Vista layout incorporates several of the design features outlined in LUDR Section 8.C including clearly defined entries/monumentation, usable open space, pedestrian pathways, links to public space/BMS trail system, and a tree-lined walkway/plaza with seating areas.

14. In the hearing examiner response, it states "the requirement for multi-family development containing an aggregate of 7 or more dwelling units regardless of the number of structures, commercial buildings, and commercial building complexes, all civic buildings, and all development in a Special District, a site-plan review is required."

LUDR Section 1.J outlines the process for a site plan review. This process requires a review by the Master Plan Administrator (MPA). The MPA reviews the proposed project and issues a MACR to the City of Richland if the project meets the requirements of the LUDR. RMC 23.48 specifically exempts the formal site plan review process for Planned Unit Developments (RMC 23.48.050). As such, the process in 1.J is completed by the MPA issuing a compliance MACR to the City for review before a building permit is issued. The MACR includes a review of the developer's specific plan and how that plan complies with each applicable section of the LUDR and Master Agreement.

This preliminary plat application process for Villa Vista is covered under LUDR Section 1.J “Plat or Subdivision”. The site plan review for this project will take place once a developer submits a plan for the land use action covered in this application.

An example of this process can be taken from the BMS 4-Plex project approved in 2018 (file number S2018-101). This plat is also located in the Specialty Retail District. It was correctly reviewed and approved using the “Plat or Subdivision” process outlined in LUDR Section 1.J. At the time of the application and subsequent approval, it would have been impossible to conduct a Site Plan Review as outlined in LUDR Section 1.J as the developer had not chosen a builder that would be designing and constructing the project. Additionally, it would have been very difficult during the preliminary plat/subdivision stage to show entry monumentation, trail connectivity, gathering areas, green spaces, or sitting areas because the specific buildings and layouts were not completed yet. The land use was approved as an allowed use in LUDR Table 2.C.

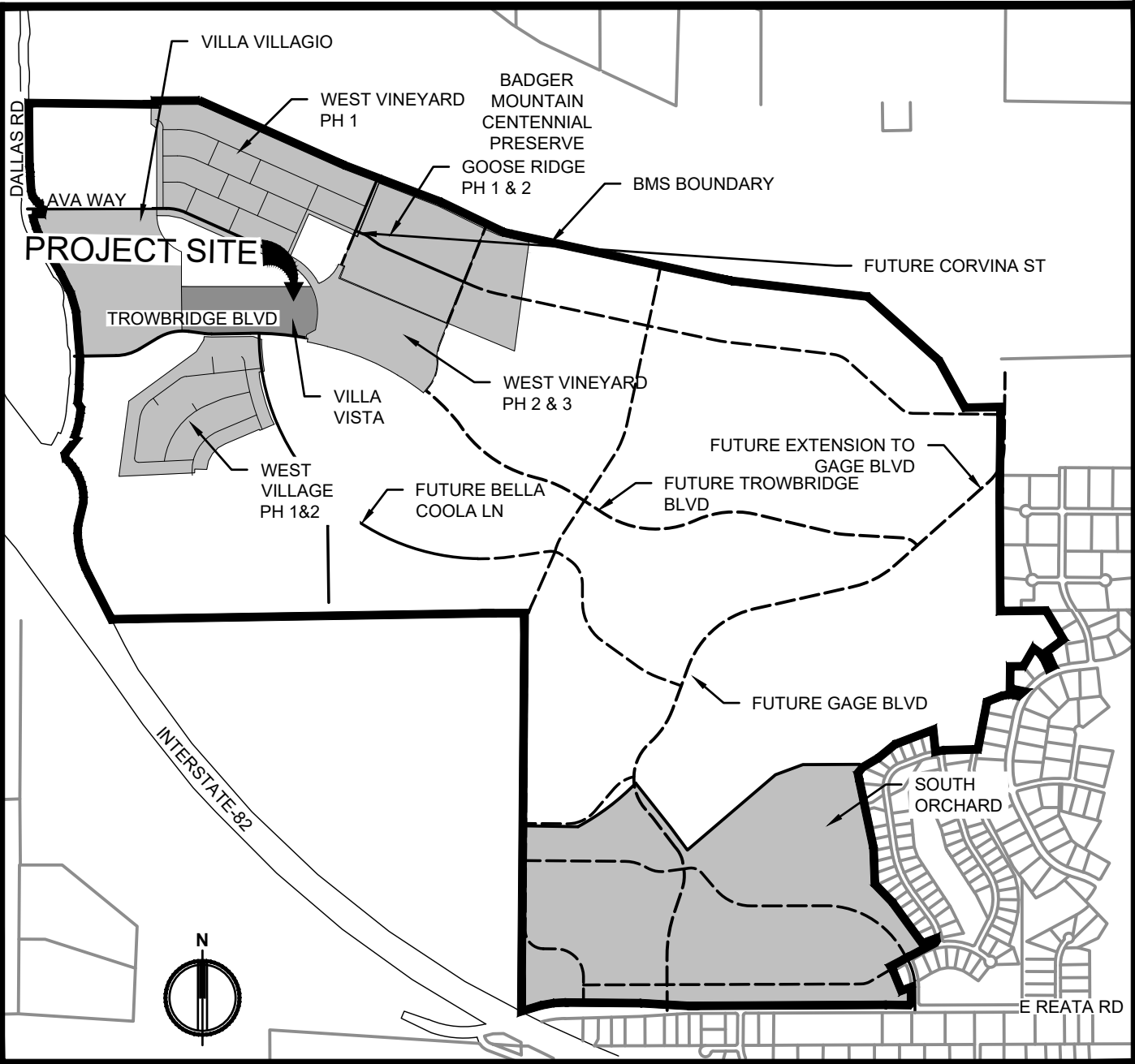
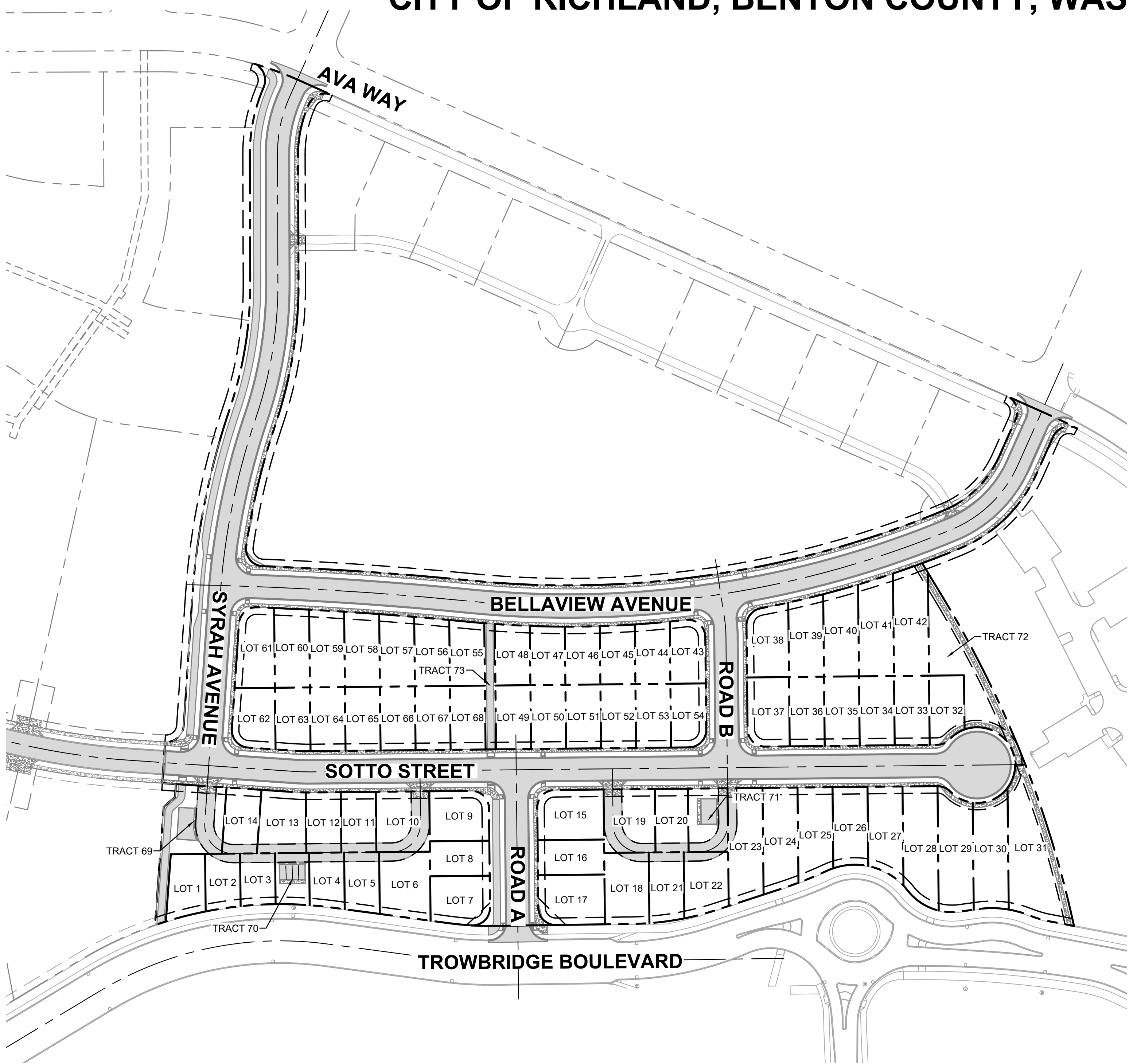
Once a builder was chosen for the project, the MPA began working with the builder to verify compliance with the applicable LUDR Sections. The builder provided a site plan showing entry monumentation, trail connectivity with adjacent projects, public gathering/covered gazebo areas, public green space, and approved building architecture (building siting, sustainable features, building height, exterior lighting, landscaping, parking, building colors, porches etc).

The MPA will issue a MACR approval to the City of Richland for review before a building permit is issued. The City will also review the MACR and the site/building plans to verify compliance with the LUDR and Master Agreement and will issue building permits once those requirements are satisfied.

This is the same process proposed for Villa Vista. The current application is for a Plat or Subdivision review. The land developer has not selected a builder or a specific product type for Villa Vista. Once builders approach the land developer with proposals, the MPA will review those proposals against the allowed uses in LUDR Table 2.C along with the other site requirements and architectural requirements and will follow the Site Plan review process outlined in LUDR Table 1.J.

Even without knowing the specific building type, the land developer has included several design features in the Preliminary Plat that help meet the requirements outlined in LUDR Section 8.C. Additional requirements from that section, along with other pertinent requirements of the LUDR, will be reviewed by the MPA and the City of Richland during the Site Plan Review process once a builder is chosen.

BMS VILLA VISTA
LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 N., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



VICINITY MAP
NOT TO SCALE

APPLICANT

NOR AM INVESTMENT, LLC
12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242
CONTACT: GEOFF CLARK
PH: (253) 677-3402

CIVIL ENGINEER

AHBL INC
5804 ROAD 90, STE H
PASCO, WA 99301
CONTACT: KALEB MAPSTEAD
PH: (509) 380-5883

LAND SURVEYOR

ROGERS SURVEYING INC.
1455 COLUMBIA PARK TRAIL, STE 201
RICHLAND, WASHINGTON 99352
CONTACT: DAVE BAALMAN, PLS
PHONE: (509) 783-4141

SITE ADDRESS

UNDETERMINED
RICHLAND, WA 99352

PARCEL NO.

1-3298-2BP-4732-021
1-3298-2BP-4732-004
1-3298-2BP-4732-016
1-3298-2BP-4732-018

UTILITIES

WATER: CITY OF RICHLAND
SEWER: CITY OF RICHLAND
IRRIGATION: BMD
TELEPHONE: CHARTER & ZIPLY
POWER: RES
GAS: CNGC

BASIS OF BEARING

DATUM - NAD 83/91
BASIS OF BEARING - NORTH 77°19'12" EAST ALONG A LINE BETWEEN THE FOLLOWING TWO POINTS: WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, MONUMENT DESIGNATED AS "ERIE AZI", POINT IDENTIFICATION NUMBER 2668. BRASS DISK STAMPED "ERIE" SET AT GROUND LEVEL, ATOP FIRST SADDLE EASTERLY OF RADIO TOWERS AT THE PEAK OF BADGER MOUNTAIN, APPROXIMATELY 10 FEET NORTH OF THE GRAVEL ACCESS ROAD.
N = 330320.261°
E = 1940161.471°

VERTICAL DATUM

NAVD 88
BENCHMARK 1 - ELEVATION = 801.875' PER CITY OF RICHLAND SURVEY DEPARTMENT. SOUTHWEST CORNER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE WILLAMETTE MERIDIAN. BRASS DISK WITH "X" IN CASE, CENTERLINE OF DALLAS ROAD, APPROXIMATELY 0.75 MILES NORTH OF INTERSTATE 82, EXIT 104.
BENCHMARK 2 - ELEVATION = 1489.377' PER WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, ALSO DESIGNATED AS "ERIE AZI", POINT IDENTIFICATION NUMBER 2668. BRASS DISK STAMPED "ERIE" SET AT GROUND LEVEL, ATOP FIRST SADDLE EASTERLY OF RADIO TOWERS AT THE PEAK OF BADGER MOUNTAIN, APPROXIMATELY 10 FEET NORTH OF THE GRAVEL ACCESS ROAD.

TOPOGRAPHIC NOTE

THE EXISTING CULTURAL AND TOPOGRAPHIC DATA SHOWN ON THESE DRAWINGS HAS BEEN PREPARED, IN PART, BASED UPON INFORMATION FURNISHED BY OTHERS. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, AHBL CANNOT ENSURE ACCURACY AND THUS IS NOT RESPONSIBLE FOR THE ACCURACY OF THAT INFORMATION OR FOR ANY ERRORS OR OMISSIONS WHICH MAY HAVE BEEN INCORPORATED INTO THESE DRAWING AS A RESULT.



Project Title:
BMS VILLA VISTA

Client:
NOR AM INVESTMENT, LLC

12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

Job No.
2200925.11

Issue Set & Date:
PRELIMINARY PLAT

04.14.2022



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Revisions:	

Sheet Title:
COVER

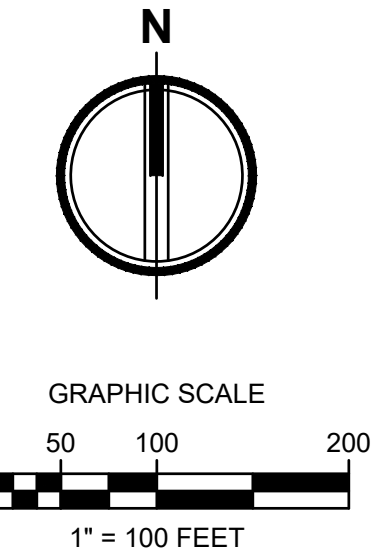
Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No.

C001
1 of 7 Sheets



Know what's below.
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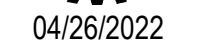


Project Title:
BMS VILLA VISTA

12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

2200925.11

04.14.2022



badger
mountain
SOUTH

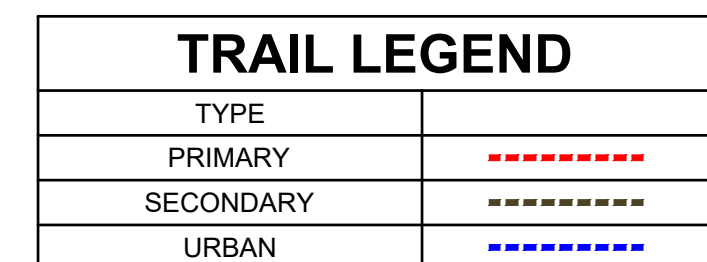
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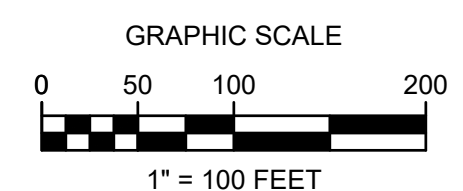
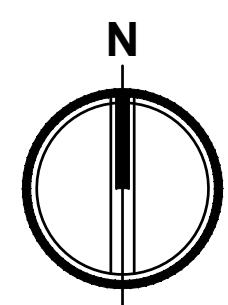
DISTRICTS & TRAILS

Sheet No. _____

2 of 7 Sheets



LUDR DISTRICT LEGEND			
DISTRICT		LUDR SECTION	
BMS-SD-SR	SPECIALITY RETAIL	4.B	
BMS-CIVIC		3.F	



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BMS VILLA VISTA
LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 N., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

LEGAL DESCRIPTION

132-982-BP47-32021
THAT PORTION SECTION 35 TOWNSHIP 9 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN, SITUATE IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

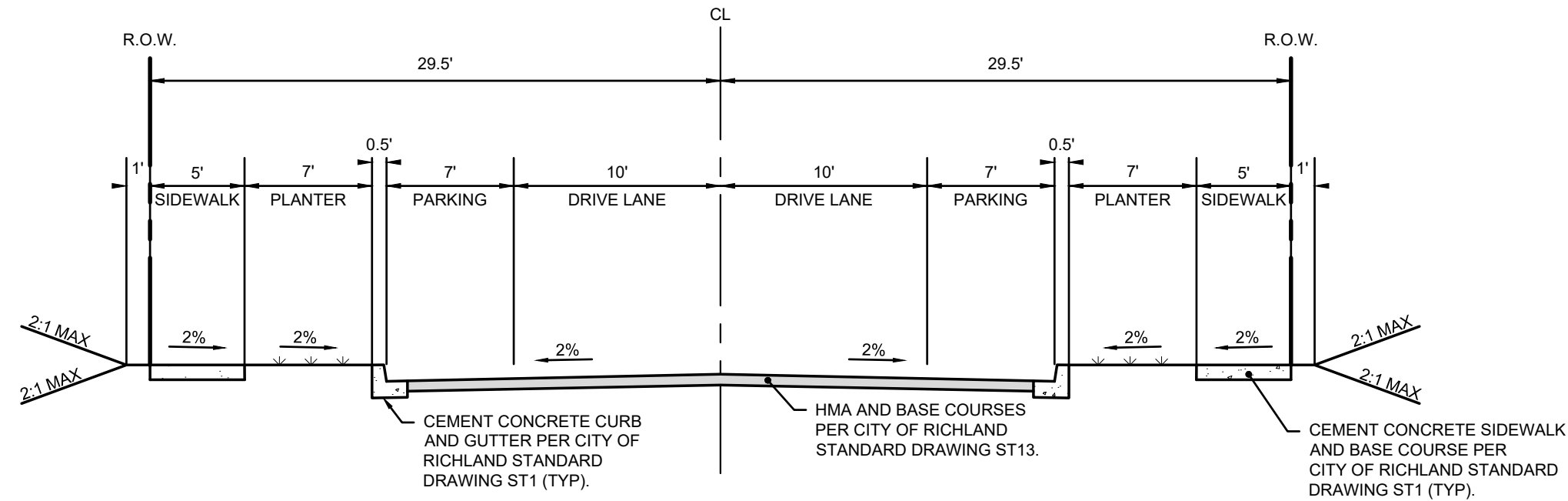
BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 35; THENCE NORTH 89°36'32" EAST 251.93 FEET ALONG THE SOUTH LINE THEREOF TO THE WESTERLY BOUNDARY OF THE PLAT OF FALCONCREST PHASE 1, ACCORDING TO THE SURVEY THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 454, RECORDS OF BENTON COUNTY; THENCE THE FOLLOWING SIX COURSES ALONG SAID WEST BOUNDARY:

THENCE NORTH 40°19'46" WEST 302.59 FEET; THENCE NORTH 81°23'35" WEST 162.94 FEET; THENCE NORTH 73°12'44" WEST 86.11 FEET; THENCE NORTH 71°28'34" WEST 64.92 FEET; THENCE NORTH 56°09'06" WEST 63.84 FEET; THENCE NORTH 31°49'48" WEST 58.05 FEET; THENCE THE FOLLOWING TEN COURSES ALONG THE EAST BOUNDARY OF THAT PARCEL SHOWN AS 'NEW PARCEL C' ON RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS, PAGE 4447, RECORDS OF BENTON COUNTY:

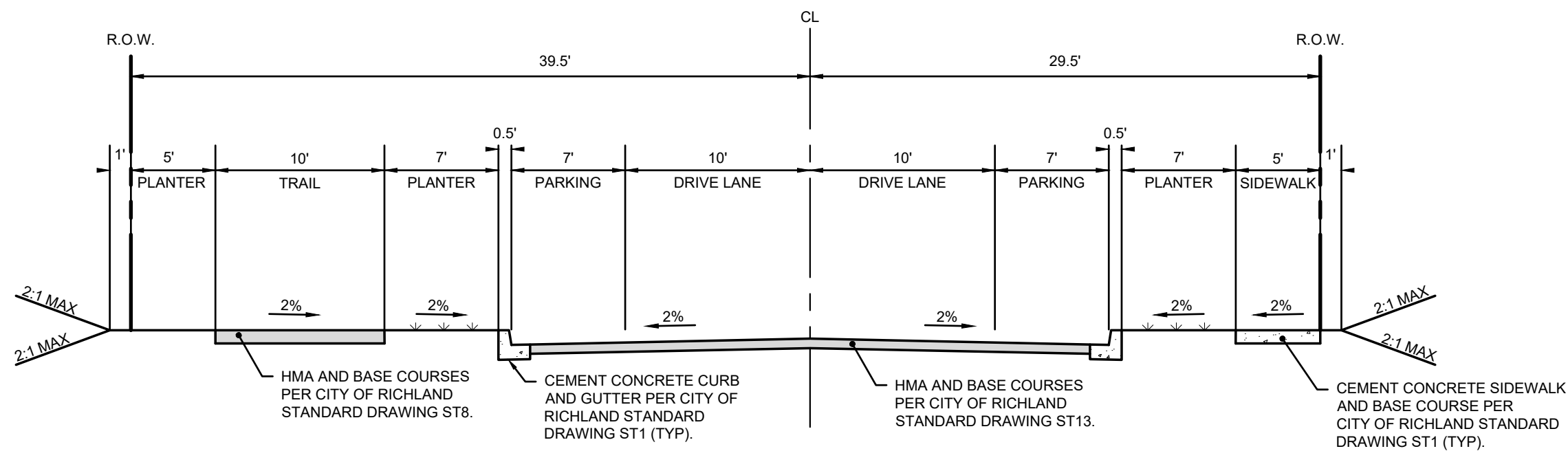
THENCE NORTH 31°49'48" WEST 28.98 FEET; THENCE NORTH 19°07'53" WEST 79.85 FEET; THENCE NORTH 14°39'43" WEST 99.48 FEET; THENCE NORTH 35°03'49" WEST 282.98 FEET; THENCE NORTH 25°17'12" WEST 292.48 FEET; THENCE NORTH 52°39'38" WEST 84.48 FEET; THENCE NORTH 45°13'49" WEST 110.55 FEET; THENCE NORTH 27°35'28" WEST 74.85 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 357.00 FEET; THENCE NORTHEASTERLY 17.87 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°52'06" (THE LONG CHORD OF SAID CURVE BEARS NORTH 55°49'37" EAST 17.87 FEET); THENCE NORTH 35°36'25" WEST 50.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 35°36'25" WEST 4.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 303.00 FEET; THENCE SOUTHWESTERLY 98.14 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°33'27" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 63°46'49" WEST 97.71 FEET) THENCE SOUTH 80°53'57" WEST 61.03 FEET; THENCE SOUTH 80°59'05" WEST 71.45 FEET; THENCE SOUTH 80°53'57" WEST 60.46 FEET; THENCE NORTH 08°08'55" EAST 254.75 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF FALCONCREST LOOP, AS DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NUMBER 2018-028654, RECORDS OF BENTON COUNTY; THENCE THE FOLLOWING SIX COURSES ALONG SAID RIGHT OF WAY LINE:

T
HENCE SOUTH 76°19'56" EAST 7.02 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 227.00 FEET; THENCE SOUTHEASTERLY 64.80 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°21'19"; THENCE NORTH 87°18'45" EAST 91.18 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 173.00 FEET; THENCE EASTERLY 45.17 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°57'40"; THENCE SOUTH 77°43'35" EAST 173.70 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHERLY 56.74 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 130°01'48"; THENCE SOUTH 52°18'13" WEST 20.51 FEET; TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 573.00 FEET; THENCE SOUTHWESTERLY 63.84 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 06°22'59"; THENCE SOUTH 58°41'12" WEST 86.09 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS OR 1.67ACRES, MORE OR LESS.



1 LOCAL STREET SECTION WITH EDGE TYPE A
NOT TO SCALE



3 LOCAL STREET SECTION WITH EDGE TYPE A & B
NOT TO SCALE



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BMS VILLA VISTA OPEN SPACE

TRAILS

EQUIVALENT TRAIL LENGTHS SHALL BE APPLIED TO THE LENGTH OF TRAIL CONSTRUCTED MULTIPLIED BY THE APPROPRIATE TRAIL FACTOR BELOW:

CITY PRIMARY TRAIL	1.0
PRIMARY TRAIL	1.0
SECONDARY TRAIL	0.6
EQUESTRIAN TRAIL	0.8 (WHERE SHOWN ON LUDR TRAIL PLAN)
URBAN TRAIL	1.0

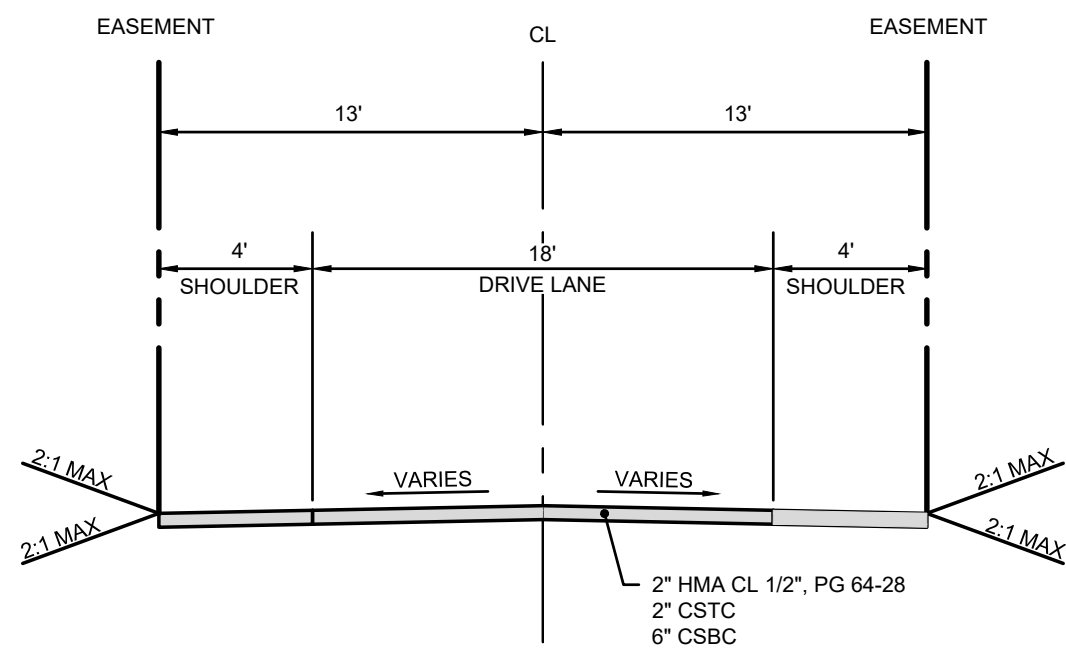
TRAIL LOCATION	LENGTH	LENGTH FACTOR	EQUIVALENT LENGTH	RU
GREEN BELT TRAIL - TRACT 69 (PRIMARY)	205 L.F.	205 L.F. * 1.0 =	205.0 L.F.	@ 16 L.F. / RU 12.8
SYRAH AVENUE TRAIL - (PRIMARY)	943 L.F.	943 L.F. * 1.0 =	943.0 L.F.	@ 16 L.F. / RU 58.9
ROAD A TRAIL - (PRIMARY)	176 L.F.	176 L.F. * 1.0 =	176.0 L.F.	@ 16 L.F. / RU 11.0
GREEN BELT TRAIL - TRACT 73 (PRIMARY)	179 L.F.	179 L.F. * 1.0 =	179.0 L.F.	@ 16 L.F. / RU 11.2
GREEN BELT TRAIL - TRACT 72 (SECONDARY)	563 L.F.	563 L.F. * 0.6 =	337.8 L.F.	@ 16 L.F. / RU 21.1
TOTAL			1,840.8 L.F.	115.0

TOTAL ALLOWABLE RU

TRAILS	115.0 RU
PARKS	0 RU
TOTAL	115.0 RU

MISCELLANEOUS OPEN SPACE

TRACT	AREA (SF)	AREA (ACRES)
69 - PARKING/TRAIL/LANDSCAPING	9,695	0.22
70 - PARKING/LANDSCAPING	3,576	0.08
71 - PARKING/LANDSCAPING	5,121	0.12
72 - LANDSCAPING/TRAIL	10,632	0.24
73 - LANDSCAPING/TRAIL	2,896	0.06
TOTAL	31,720	0.72



2 ALLEY SECTION
NOT TO SCALE



5804 Road 90, Suite H Pasco, WA 99301
509.380.5883 TEL 253.383.2572 www.ahbl.com WEB

Project Title:

BMS VILLA VISTA

Client:

NOR AM
INVESTMENT, LLC

12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

Job No.

2200925.11

Issue Set & Date:

PRELIMINARY PLAT

04.14.2022



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A.

A.

A.

A.

Revisions:

Sheet Title:

GREEN SPACE CALCS

Designed by:

KDM

Drawn by:

KDM

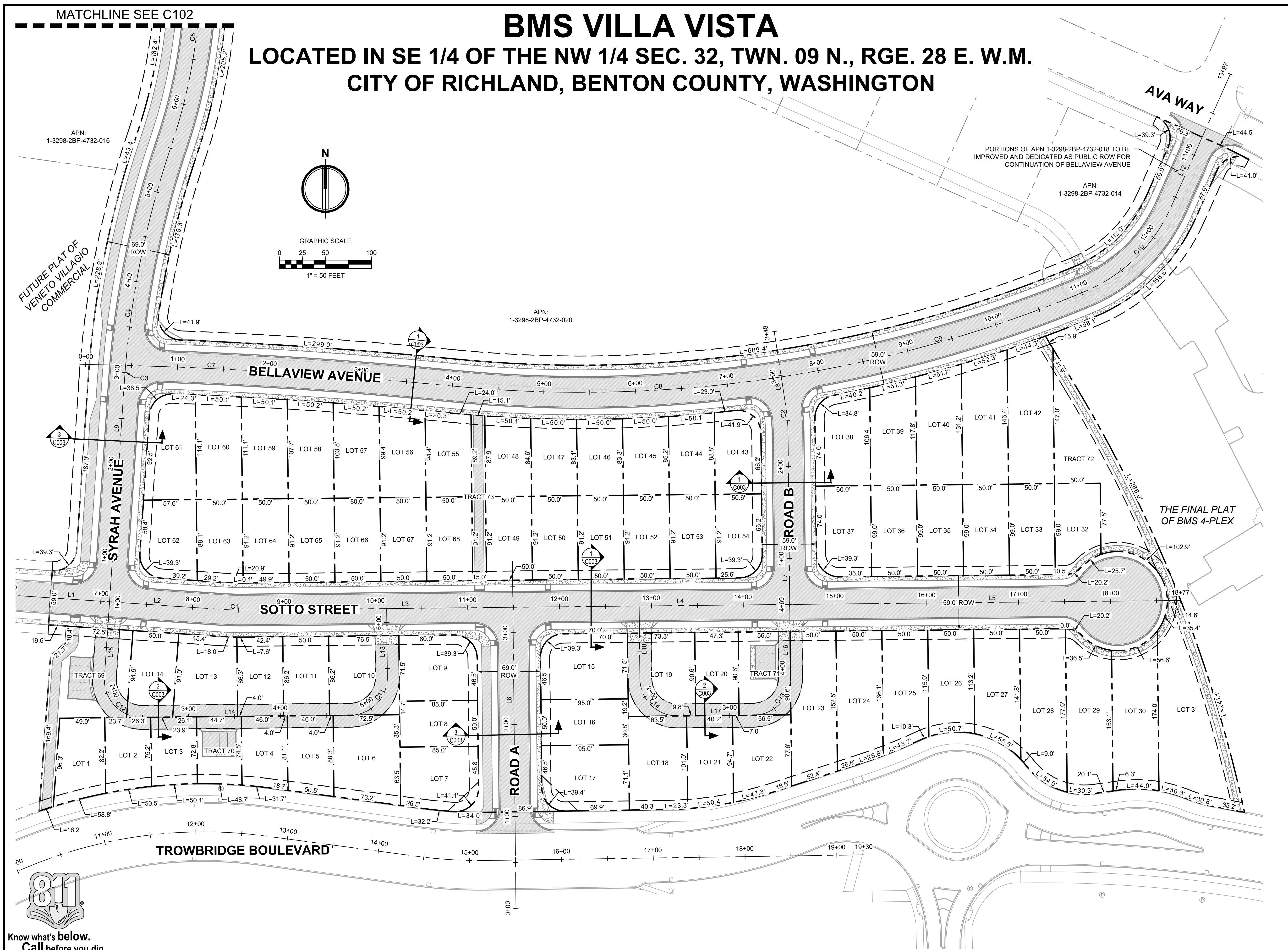
Checked by:

EMF

Sheet No.

C003

3 of 7 Sheets





TACOMA • SEATTLE • SPOKANE • TRI-CITIES

5804 Road 90, Suite H Pasco, WA 99301
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Project Title:
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Revisions:

Sheet Title:
LOT LAYOUT

Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No.
C101
4 of 7 Sheets

BMS VILLA VISTA
LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 N., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

LOT AREA TABLE	
LOT	AREA (S.F.)
1	4,669
2	3,915
3	3,681
4	3,886
5	4,237
6	6,783
7	5,693
8	4,250
9	5,941
10	6,593
11	4,311
12	4,311
13	5,928
14	4,649
15	6,656
16	4,750
17	6,644
18	6,463
19	6,642
20	4,285
21	4,919
22	5,520
23	8,018
24	7,225
25	6,307

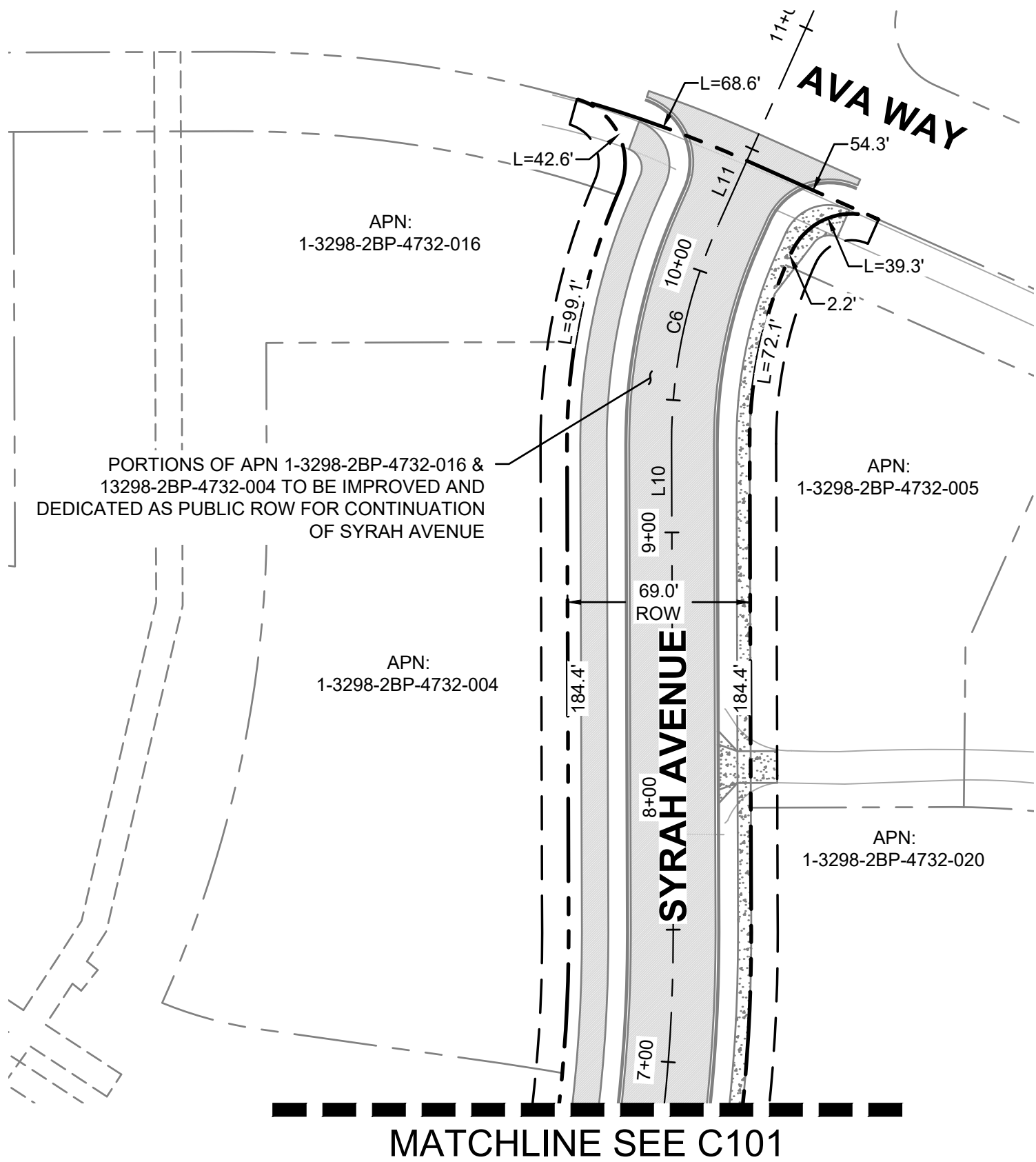
LOT AREA TABLE	
LOT	AREA (S.F.)
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27	6,204
28	8,217
29	8,336
30	7,841
31	13,208
32	4,570
33	4,952
34	4,952
35	4,952
36	4,952
37	5,809
38	5,942
39	5,598
40	6,217
41	6,931
42	7,676
43	4,448
44	4,344
45	4,205
46	4,153
47	4,187
48	4,306
49	4,561
50	4,561

LOT AREA TABLE	
LOT	AREA (S.F.)
51	4,561
52	4,561
53	4,561
54	4,477
55	4,588
56	4,846
57	5,081
58	5,290
59	5,474
60	5,632
61	5,996
62	5,083
63	4,499
64	4,561
65	4,561
66	4,561
67	4,561
68	4,561

CENTERLINE LINE TABLE				
LINE TAG	BEARING	DISTANCE	START STATION	END STATION
L1	S86° 08' 28.47"E	236.67	5+95.77	8+32.45
L2	S86° 08' 28.47"E	236.67	5+95.77	8+32.45
L3	N89° 24' 55.10"E	1020.81	8+55.71	18+76.52
L4	N89° 24' 55.10"E	1020.81	8+55.71	18+76.52
L5	N89° 24' 55.10"E	1020.81	8+55.71	18+76.52
L6	N0° 35' 04.90"W	275.21	0+52.50	3+27.71
L7	N0° 35' 04.90"W	186.70	0+50.00	2+36.70
L8	N8° 47' 38.86"W	32.90	2+65.36	2+98.26
L9	N3° 51' 31.53"E	241.45	0+50.00	2+91.45
L10	N0° 11' 18.79"W	184.39	7+48.96	9+33.35
L11	N24° 02' 57.00"E	156.98	10+17.95	11+74.94
L12	N24° 02' 57.00"E	109.05	12+37.70	13+46.75
L13	N0° 35' 04.90"W	74.72	5+40.44	6+15.15
L14	N89° 24' 56.86"E	226.24	2+49.80	4+76.03
L15	S3° 51' 31.53"W	82.21	1+00.00	1+82.21
L16	N0° 35' 04.90"W	79.15	3+90.00	4+69.15
L17	N89° 24' 55.10"E	82.05	2+43.55	3+25.60
L18	S0° 35' 04.90"E	79.15	1+00.00	1+79.15

CENTERLINE CURVE TABLE					
CURVE TAG	CHORD BEARING	CHORD LENGTH	RADIUS	START STATION	END STATION
C1	S88° 21' 46.68"E	23.26	300.00	8+32.45	8+55.71
C2	N4° 41' 21.88"W	28.63	200.00	2+36.70	2+65.36
C3	N4° 19' 53.49"E	16.64	1008.50	2+91.45	3+08.09
C4	N11° 46' 30.02"E	244.79	1008.50	3+08.09	5+53.49
C5	N9° 16' 42.83"E	194.58	591.50	5+53.49	7+48.96
C6	N11° 55' 49.10"E	83.98	200.00	9+33.35	10+17.95
C7	S86° 23' 03.63"E	355.92	4991.50	0+43.44	3+99.43
C8	N88° 25' 56.43"E	359.01	1427.00	3+99.43	7+59.39
C9	N74° 17' 57.37"E	343.20	1427.00	7+59.39	11+03.42
C10	N45° 43' 15.30"E	131.10	177.50	11+03.42	12+37.70
C11	N44° 24' 55.98"E	57.98	41.00	4+76.03	5+40.44
C12	S43° 21' 45.80"E	60.19	41.00	1+82.21	2+49.80
C13	N44° 24' 55.10"E	57.98	41.00	3+25.60	3+90.00
C14	S45° 35' 04.90"E	57.98	41.00	1+79.15	2+43.55

TRACT AREA TABLE		
TRACT #	AREA (SF)	USE
TRACT 69	9,695	PARKING / PRIMARY TRAIL / LANDSCAPING
TRACT 70	3,576	PARKING / LANDSCAPING
TRACT 71	5,121	PARKING / LANDSCAPING
TRACT 72	10,632	LANDSCAPING / SECONDARY TRAIL
TRACT 73	2,696	LANDSCAPING / PRIMARY TRAIL



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509.380.5883 TEL 253.383.2572 www.ahbl.com WEB

Project Title:
BMS VILLA VISTA

Client:
NOR AM INVESTMENT, LLC

12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

Job No.
2200925.11

Issue Set & Date:
PRELIMINARY PLAT

04.14.2022



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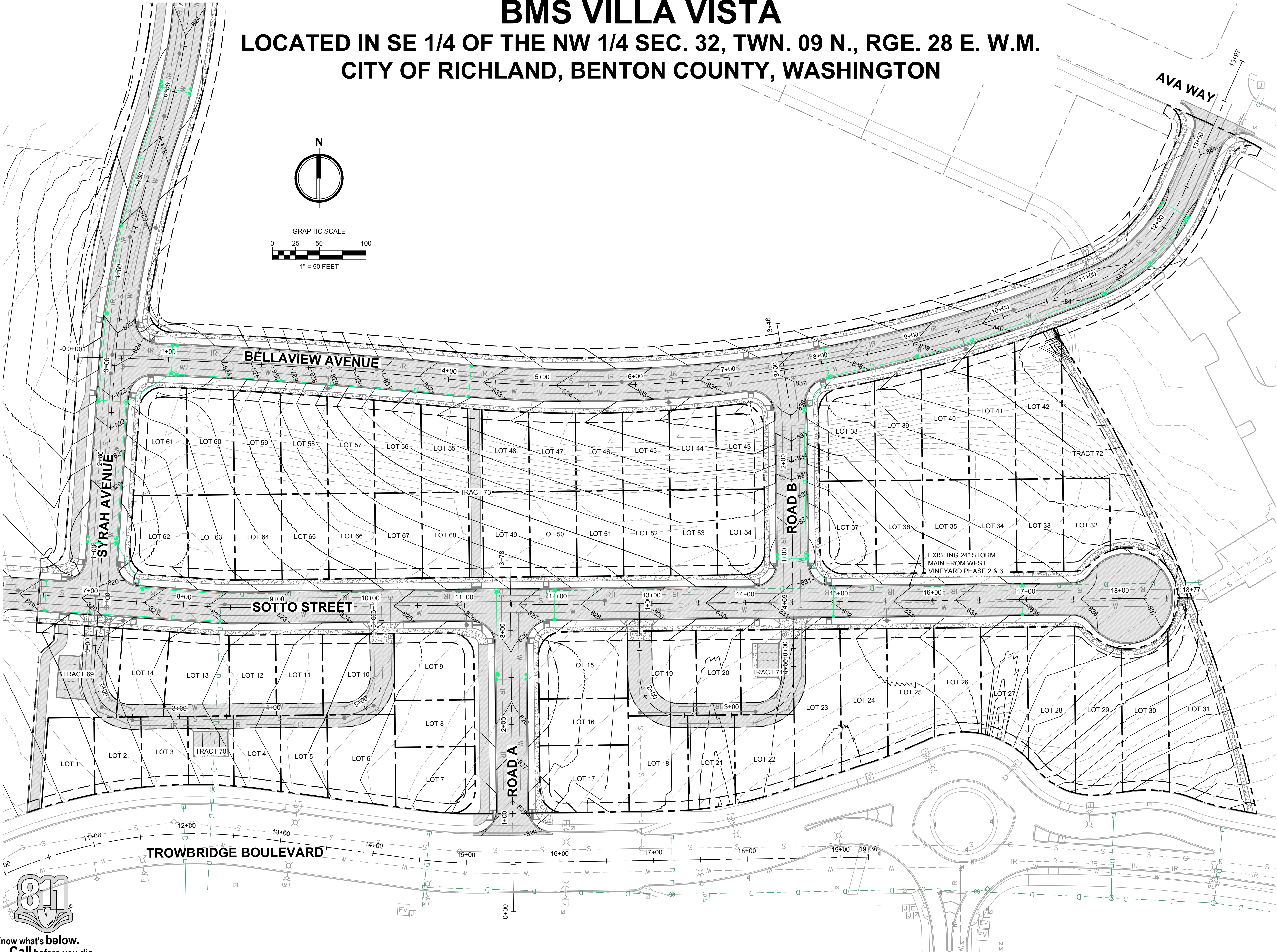
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Revisions:	

Sheet Title:
LOT TABLES

Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No.
C102
5 of 7 Sheets

BMS VILLA VISTA
LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 N., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



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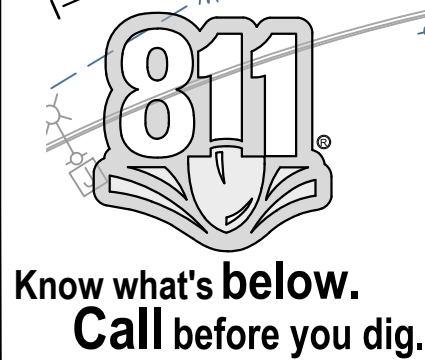
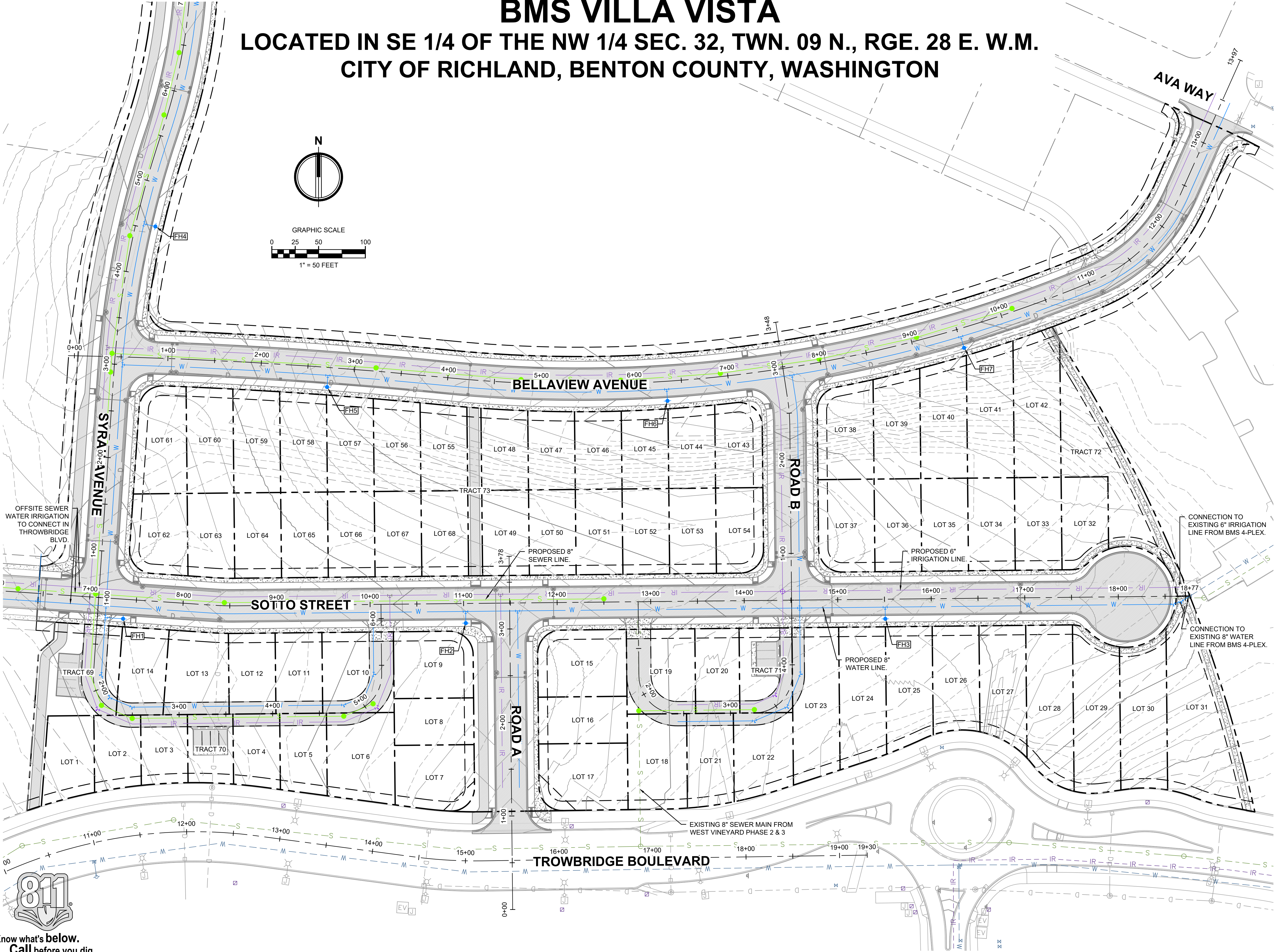
Revisions:

Sheet Title:
GRADING & DRAINAGE PLAN

Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No.
C201
6 of 7 Sheets

BMS VILLA VISTA
LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 N., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



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5804 Road 90, Suite H Pasco, WA 99301
509.380.5883 TEL 253.383.2572 www.ahbl.com WEB

Project Title:
BMS VILLA VISTA

Client:
NOR AM INVESTMENT, LLC

12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

Job No.
2200925.11

Issue Set & Date:
PRELIMINARY PLAT

04.14.2022



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Revisions:	

Sheet Title:
UTILITY PLAN

Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No.
C301
7 of 7 Sheets

Exhibit 15

Badger Mountain South

Master Agreement Consistency Recommendation (MACR) Supplement to the Preliminary Plat Application for Villa Vista

Executive Summary

The successful development of the Badger Mountain South Master Plan Community requires close attention to the detailed planning and standards created in the adopted Master Agreement, specifically to the Land Use and Development Regulations as found in Exhibit C of the Master Agreement, commonly identified as the LUDR (Land Use and Development Regulations). The LUDR standards are designed to go beyond the more typical City requirements or standards because they are seen by the Master Developer as building blocks to creating a walkable and sustainable community.

The LUDR establishes a process for the review of development applications that is intended to integrate into the existing City application processes, and yet provide the close attention to LUDR standards without adding significant review time by City staff. This is accomplished by requiring each development application to meet all City code submittal requirements and, at the same time, undergo a review for consistency with the standards of the LUDR. This latter review is completed by the Badger Mountain South Master Plan Administrator who makes a written recommendation of consistency to the City's Development Services Manager. A final "Master Agreement Consistency Determination" is issued by the City after the Manager's review.

The document that follows is the Master Plan Administrator's recommendation for a determination of consistency for this application. It includes a review of all relevant standards found in the LUDR related to a preliminary plat application. The standards are cited, the specific responses are provided for this application, and the Reviewer Comment section adds other pertinent information. The document concludes with references to other relevant Master Agreement provisions that are met with this application.

The applicant has stated that this plat will be finalized in one phase. The conditions of the approved Preliminary Plat, the Master Agreement, and specifically, the LUDR must be met before it will be finalized.

Badger Mountain South
Master Agreement Consistency Recommendation (MACR)
Supplement to the Preliminary Plat Application for
Villa Vista

Date: April 26, 2022

The purpose of completing the MACR is to ensure that the applicant has met the special requirements for Badger Mountain South, as found in the Land Use and Development Regulations (LUDR). It also allows City staff to be assured that the Master Developer is meeting the terms and obligations of the approved Master Agreement, as it applies to each development activity in Badger Mountain South.

The MACR will be completed by the applicant, as indicated, and submitted with other Preliminary Plat materials, as required in Richland Municipal Code (RMC) Chapter 24.12. It is recommended that the applicant has met with the Master Developer prior to completion of this Supplement.

1. Applicant name, address and contact information:

South Richland Communities
PO Box 1307
Gig Harbor, WA 98335
Contact: Geoff Clark
253-677-3402

2. Project name:

Villa Vista

3. Project description including site size in acres:

A subdivision of 13.13 acres total area; 66 lots created all within Badger Mountain South, lying adjacent to and east of Dallas Road and north of Interstate 82.

4. Is phasing proposed? Please explain:

The project will be completed in one phase

5. Regulating Plan District(s) (see LUDR p. 2-2):

Specialty Retail (BMS-SD-SR)

6. What is the name of the neighborhood? (See LUDR pp. 7-1 through 7-3).

Neighborhoods: *Veneto Villaggio*

7. What is proposed use? See Allowable Use Table (see LUDR p. 2-3).

Row Houses

8. What building types are likely to be developed here? (See LUDR p. 2-4):

2- and 3-unit shared wall, zero lot line row houses

Section 1

This is the introduction and administration section of the LUDAR and thus it is not applicable to this review.

Section 2

This section identifies the Regulating Plan Districts and permitted land uses.

Please define the District for this application:

District Type:

Specialty Retail (BMS-SD-SR)

Does the requested use meet the requirements outlined in 2.C Land Use?

Yes; see note P-4 on land use table 2.C

Does the requested use meet the Building Type requirements outlined in 2.D Building Type?

Yes; Special districts are not regulated by building type

Section 3

This section identifies the district development standards for five of the districts in Badger Mountain South. Not included are the standards for the three specialty districts which are found in Section 4.

Section 4

This section identifies the special district development standards. The Special Districts are outlined in section 2.B.

Does the proposed project meet the intent of the Special District development standards? Explain.

Yes; The Special District development standards are intended to accommodate a wide variety of uses meant to encourage shopping, dining, business offices, entertainment centers, and multi-family residences for a pedestrian-friendly, integrated development.

Section 16 of the Master Agreement between The City of Richland and Nor Am outlines how the original intent (LUDR Section 4.B) of the Specialty District was created. The Master Agreement states the following:

16. **CITY'S CONTRIBUTION TO SPECIAL DISTRICT-SPECIALTY RETAIL IMPROVEMENTS.**

16.1 The Port of Kennewick is considering investing in the Specialty Retail District in Badger Mountain South in order to construct a world class pedestrian-oriented destination village, which will include numerous uses related to the agricultural products of the region, including wines and grapes (See LUDR, Exhibit C). It is also intended to include class rooms, meeting areas, hotel, restaurants, and other related uses, all centered around a common pedestrian corridor. The City is also desirous of investing funds to stimulate tourism and economic development. If the City invests lodging tax revenues in improvements to this district in order to stimulate tourism, then the amount of lodging taxes generated from Badger Mountain South shall not be used in the annual revenue calculation required by paragraph 15.2.

16.2 The parties intend to enter into further agreements regarding the preparation of a master site plan for the specialty retail area, and the design and construction of certain improvements within the specialty retail area, including a business incubator building, a public meeting area, and related public facilities. It is contemplated that that the agreement will be a three party agreement between the City, the Port of Kennewick, and Nor Am and will include an investment by all parties.

16.3 It is anticipated that the Master Site Plan will be completed by September, 2011, and construction will occur in 2012 and 2013.

The Port of Kennewick and the City of Richland did not enter into an agreement with Nor Am for the Specialty Retail District as outlined in the Master Agreement. Conversely, Nor Am created the conceptual drawings, graded the land, conducted an effluent water study for wine-making operations, and sold 7 acres of the Specialty Retail District to Goose Ridge Winery to plant a vineyard. Additionally, Nor Am secured commitments from Washington State University's viticulture program to partner with the parties to have students work in the vineyard and get "hands on" experience in the wine village. Once the Port of Kennewick and the City of Richland backed out of their initial commitments, the conversations with Washington State University were terminated.

Nor Am's actions prove they worked in good faith to create the wine village as outlined in the intent of the Specialty District as outlined in the LUDR section 4.B without the support of the intended partners in the Master Agreement. Nor Am has tried unsuccessfully to secure additional partners/developers for the wine village in the 8 years since the Port of Kennewick and the City of Richland backed out of their commitments in the Master Agreement.

Section 4 of the Master Agreement outlines the intent and purpose of the Master Agreement. Section 4.1 (11) states the purpose and intent of the Master Agreement is to "provide flexibility in uses and timing of development to accommodate market trends and conditions". Additionally, Table 2.C in the LUDR outlines the allowed uses in each district in Badger Mountain South. As listed in Table 2.C, the lot layout for the Villa Vista project is an approved land use in the Specialty District.

Section 5

This section identifies the open space, trails, and community facilities that will be constructed in Badger Mountain South.

Badger Mountain South - MA Section 25.3

"As part of the Master Plan Consistency Determination described in Paragraph 23, the City, shall consult with the Master Agreement Administrator, and the applicant in determining the appropriate share of infrastructure and mitigation costs that shall be borne by the proposed development and how that development's share of infrastructure and mitigation relates to the overall infrastructure and mitigation that is required for buildout of Badger Mountain South."

Does the number of residential lots trigger additional MA Exhibit D, Green Infrastructure Improvements?

Yes **X** No

Please explain:

Green Infrastructure Improvements are required and as found in the Master Agreement Exhibit D, are linked to the numbers of residential units (RU) developed.

In the case of Villa Vista Townhomes Preliminary Plat, 68 units are anticipated for a total of 68 RU. With the improvements identified below, this Preliminary Plat meets the requirements of the Master Agreement, Exhibit D.

For planning purposes, it is assumed that the Green Infrastructure requirements of 68 RU will be provided in the following manner:

<u>Requirement</u>	<u>Improvement Required/Provided</u>
Primary and Secondary Trails	<u>City Primary</u>
400 LF of equivalent trail to	Trail 0 LF
be created per 25 RU, which	<u>Primary Trail</u>
equals 16 LF per RU.	1088 LF Required
So, 68 RU=1088 Equivalent	1225.7 LF Provided along
LF Required Villa Vista	Trowbridge frontage of Villa Vista
exceeds requirement	205 LF Provided tract 69
Equivalent trail lengths shall	943 LF Provided Syrah Ave
be applied be the length of	176 LF Provided Road A
trail constructed multiplied by	179 LF Provided Tract 73
the appropriate trail factor	
below:	<u>Secondary Trail</u>
City Primary Trail =	563 LF Provided Tract 72
1 Primary Trail = 1	
Secondary Trail = .6	<u>Equestrian Trail</u>
Equestrian Trail = .8 (where	0 LF
shown on trail plan)	
Urban Trail = 1	<u>Urban</u>
	<u>Trail 0 LF</u>
Parks	
0.375 AC of park area to be	.96 AC of park area required.
created per 25 RU, which	To be accounted for in the COR Park
equals 0.015 AC, or 650 SF,	on 32 acres adjacent to the project
per RU.	

Other Comments:

Nor Am Investment, LLC and South Richland Communities, LLC are currently supporting the COR in ongoing planning of a large park adjacent to this project. The park will also contain required trails. NAI and SRC currently plan to construct the park and all Green Infrastructure requirements are to be satisfied with this park. Therefore, this requirement is deemed to have been met.

Section 6

This section identifies the street layout for the arterial collectors, the proposed layout for the internal collector streets, and the right-of-way standards for each street type in the Badger Mountain South Development.

Is a public street to be constructed?

Yes ☒ No ☐

Provide separate sheet with street type and edge type(s) indicated.

See the proposed preliminary plat.

See attached City of Richland letter to address traffic mitigations.

Section 7

This section establishes the framework for creating the pedestrian-scaled, walkable community of Badger Mountain South by outlining the process for using Block Standards to subdivide land.

LUDR 7.B.2 identifies the Block Size and Configuration should meet the following Block Dimension Standards: Block length= 1000' max., except in VMU District= 400' max. Identify the following for the smallest and largest blocks:

Block length: Smallest: 282 ft.; largest: 866 ft

LUDR 7.B.4 addresses alleys and front facing blocks. Please answer the following: Does the proposal include only blocks to be constructed with alleys?

Yes ☐ No ☒

If yes, skip to LUDAR 7.B.5.a below; otherwise please select response:

Do those blocks with direct street access lots (i.e., without alleys) meet the following criteria:

1. Non-alley load lots do not front onto a Collector Street, except in single-loaded, perimeter location; or, are located in the NE District; or, where located in an area where two districts abut (NG to NE District).

Yes ☒ No ☐

2. Non-alley load lots are not across from a Civic District space.

Yes ☒ No ☐

Per the LUDR 3.E.1, in the NE District houses are typically accessed by streets. Per LUDR 7.B.4.d(1), direct street access lots are permitted onto a Collector Street when they are (i) located in the BMS-NG District; (ii) when they are in the BMS-NG District and are located along the perimeter of the BMS project boundary; or (iii) when they are located in the BMS-NG District where that district abuts the BMS-NE District.

Does this preliminary plat include any areas where the NE and NG districts abut?

Yes ☐ No ☒

LUDR 7.B.5.a Other Block Requirements -In the Village Mixed Use (VMU), Neighborhood Collector (NC), and Neighborhood General (NG) Districts, two (2) building types required on each block; see Section 2.D. for Building Type Table. Identify Building Types proposed if known or enter N/A:

N/A for this District type

LUDR 7.B.4 Dead-end alleys greater than 150' ft. are not permitted; are dead end alleys greater than 150' proposed?

Yes No X

Section 8

This section identifies the design standards for each of the Building Types allowed within the Districts. Much of the review for Section 8 takes place during the MACR 2 process as outlined in LUDR Section 1.J. This application is being reviewed as part of the "Plat or Subdivision" process in table 1.J. This preliminary plat process covers up to "Step 5" in the Plat or Subdivision review process. Steps 6-9 and the "Site Plan Review" process take place once a builder proposes a project on one of the lots created as part of this process. At that point, the MPA and the City of Richland review the proposal against the requirements of 8.C. Some of the common design standards listed in section 8.C can be outlined during the preliminary plat process, but it is impossible to review all requirements without a specific building type proposal from the end user.

LUDR 8.B - 8.P Lot Size by District and Proposed Building Type. In LUDAR 7.B.5.a (above), proposed Building Types were identified for this project. Do the proposed lot size(s) meet the Building Types lot standards?

Yes X No

Please describe:

Special Districts are not regulated by Building Type. See Section 4 for District intent and standards. See also 8.C for Common Design Standards applicable to all districts.

LUDR 8.C 1- The preliminary plat identifies tracts that will be used for open space and public gathering areas. Specifically, tract 72 will be used as a green open space with a covered sitting area and trails that connect to the 7-acre vineyard, the BMS 4-plex project/Ava Way, and the primary trail along Trowbridge that leads to the Ravine trail system and the 30-acre City of Richland Park. Tracts 69, 70, and 71 will also be reviewed during the MACR 2 process as potential open spaces. Villa Vista will also place clear entry monumentation at the entrances off Trowbridge and Syrah to clearly define the project. The entry monumentation design will be coordinated with the BMS 4-plex project and the BMS-CMU project to create consistency in design.

LUDR 8.C.2- Villa Vista provides a linked pedestrian circulation pathway as identified on the plans. This project will link through the BMS 4-Plex project to the Ava Way primary trail, creates 3 points of connection with the Trowbridge primary trail, links Ava Way to Trowbridge on a primary trail, has a walking path to the tract 72 open space from Bellaview, Trowbridge, and the BMS 4-plex, creates a 15' tree-lined walkway from Sotto Street to Bellaview and the vineyard, and creates a connection to the future BMS-CMU walking path.

Other common design features found in 8.C will be reviewed during the MACR 2 process as outlined in LUDR section 1.J

Recommendation of Consistency:

It is my opinion as the Master Plan Administrator that the application as submitted is consistent with the intent and the purpose of the Master Agreement relative to this plat dated 04/14/2022 and the approved LUDR.

Signature: 

Date: 04/26/2022

Exhibit 16



www.ci.richland.wa.us

Development Services Dept.
Planning Division
625 Swift Blvd.
Richland, WA 99352
Telephone 509-942-7794
Fax 509-942-7764

July 19, 2022

MASTER AGREEMENT CONSISTENCY DETERMINATION - REMAND

For: Updated Preliminary Plat Application of Villa Vista Townhomes, a Badger Mountain South Development (S2021-102)

Applicant: South Richland Communities, LLC

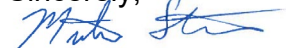
Project Description: A subdivision of 13.31 acres into 68 residential lots and five tracts as depicted on the updated preliminary plat submittal.

Consistency Determination Type: Level 1

Master Agreement Consistency Recommendation: The Richland Planning Department received a revised master agreement consistency recommendation from the Badger Mountain South Master Program Administrator on May 17, 2022.

After completing the review of the preliminary plat application of Villa Vista Townhomes, evaluating it against the standards contained in the adopted Land Use and Development Regulations (LUDR) for the Badger Mountain South Community and the Master Agreement between the City of Richland and Nor Am Investments, LLC and after reviewing the recommendation of the Badger Mountain South Master Program Administrator, I find that the application is consistent with the Master Agreement and the LUDR and hereby issue this Master Agreement Consistency Determination. This determination is made with the understanding that a traffic impact analysis has been provided to the city and that the Villa Vista Townhomes plat may not move forward with development until such time the traffic revisions recommended in the TIA and agreed upon by the City Public Works office, have been completed.

Sincerely,



Mike Stevens
Planning Manager

Exhibit 17



www.ci.richland.wa.us

Development Permitting Division

625 Swift Blvd.

Richland, WA 99352

Telephone 509-942-7794

Fax 509-942-7764

July 19, 2022

PLANNED ACTION CONSISTENCY DETERMINATION - REMAND

For: Updated Preliminary Plat Application of Villa Vista Townhomes, a Badger Mountain South Development (S2021-102)

Applicant: South Richland Communities, LLC

Project Description: A subdivision of approximately 13.31 acres into 68 residential lots and five tracts as depicted on the updated preliminary plat submittal based upon the Richland Hearing Examiner's Remand Order.

Master Agreement Consistency Determination: Issued July 19, 2022.

After completing the review of the updated preliminary plat application of Villa Vista and evaluating it in light of the mitigating conditions established in the Final Supplemental Environmental Impact Statement prepared for the Badger Mountain South Subarea Plan and as delineated as Exhibit B in the Master Agreement between the City of Richland and Nor Am Investments, LLC, the City finds the following:

1. The Villa Vista preliminary plat meets the description for a planned action as defined in City code and that as conditioned, the project will implement any applicable conditions or mitigation measures identified in RMC 19.50 (Consistency with Development Regulations and SEPA);
2. The Villa Vista preliminary plat is consistent with the City of Richland Comprehensive Plan and the Badger Mountain Subarea Plan;
3. The Villa Vista preliminary plat is consistent with the Master Agreement between the City and Nor Am Development, LLC regarding development of Badger Mountain South, as evidenced by the Master Agreement Consistency Determination issued by the City on July 19, 2022;
4. The probable significant adverse environmental impacts of the proposed project have been adequately addressed in the Planned Action Ordinance

- [RMC 19.50.030 (B)] and as described in the Badger Mountain South Planned Action Consistency Determination for Villa Vista preliminary plat;
5. The Villa Vista preliminary plat is not an essential public facility, as defined in RCW 36.70A.200.
 6. Based on the foregoing, a SEPA threshold determination or EIS is not required.
 7. The following environmental mitigation conditions shall apply to the Villa Vista Townhomes preliminary plat:
 - a. Erosion control measures as required by City of Richland shall be implemented; vegetative cover on exposed soils shall be provided as soon as practicable following clearing and grading activities; water of exposed soils shall be performed in accordance with Benton Clean Air Authority requirements; soils shall be compacted at densities appropriate for planned uses.
 - b. The applicants shall submit a dust control plan to the Benton County Clean Air Authority for their review and approval. All construction work shall be performed in accordance with the provisions of the approved dust control plan.
 - c. The applicants shall submit an erosion control plan to the City of Richland Public Works Department for their review and approval based on the Washington State Department of Ecology Stormwater Management Manual for Eastern Washington. All construction work shall be performed in accordance with the provisions of the approved erosion control plan which shall be consistent with City standards.
 - d. The applicants shall conform to City noise standards.
 - e. Transportation mitigation measures shall be applied pursuant to the most recent traffic impact analysis prior to recording any phase of Villa Vista. The mitigation measures identified therein shall be implemented in accordance with the planned action ordinance as conditioned by the Richland Public Works Department.
 - f. Potable water systems shall be designed and constructed in accordance with City standards.
 - g. Sewer systems shall be designed and constructed in accordance with City standards.
 - h. All residential dwelling units shall be constructed with a residential fire sprinkler system.
 - i. Energy conservation measures and sustainability standards as established in the LUDR shall apply to new construction within the proposed project.



Mike Stevens,
SEPA Responsible Official

July 19, 2022

Exhibit 18



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (S2021-102) REMAND

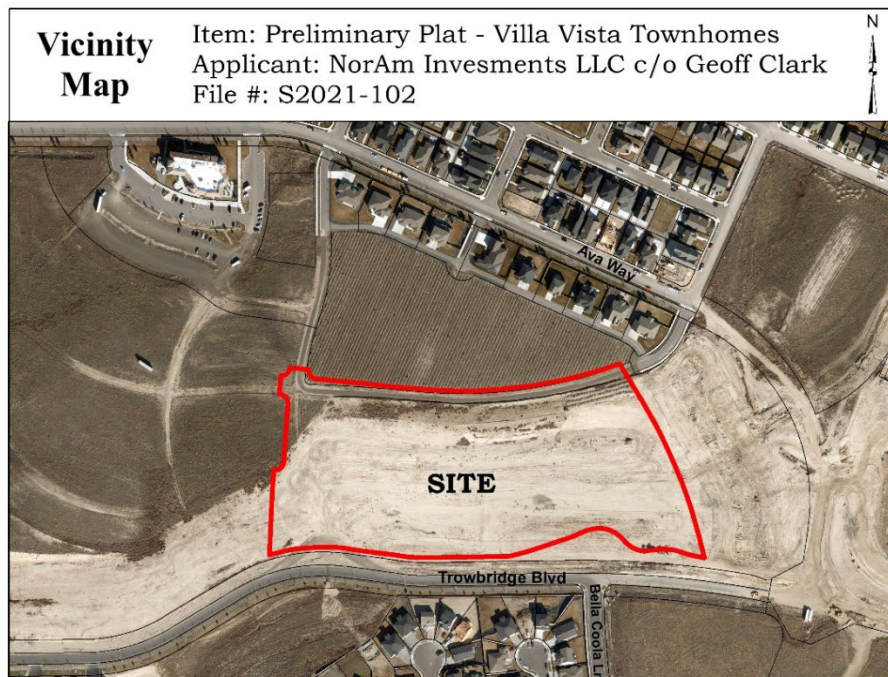
Notice is hereby given that Geoff Clark has filed an updated application on behalf of NorAm Investments, LLC in response to the Richland Hearing Examiner's Remand Order pertaining to the Preliminary Plat of Villa Vista Townhomes (S2021-102). The updated proposal is to subdivide a 13.31-acre site into 68 residential lots and five (5) tracts. The project site is located along the north side of Trowbridge Boulevard, approximately 1,050-feet east of Dallas Road in the Badger Mountain South master planned community (APN 1-32982BP4732021). The plat proposes an average lot size of 5,867 square feet.

The Richland Hearings Examiner will conduct a public hearing and review of the updated application at 6:00 p.m., Thursday, August 18, 2022. All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland website (www.ci.richland.wa.us).

Environmental Review: The proposal is not subject to specific environmental review. Environmental impacts of Badger Mountain South, a master planned community, have previously been analyzed. The final environmental impact statement and related file information are available to the public and can be viewed at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, August 8, 2022 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Written comment will not be accepted after 6 p.m. on August 17, 2022; however, verbal comments may be presented during the public hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration, Title 24 Plats and Subdivisions, the Badger Mountain South Land Use & Development Regulations and the Badger Mountain South Master Agreement. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.

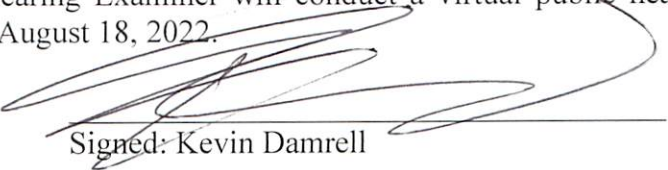


AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Kevin Damrell, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.
2. On the 22nd day of July, 2022, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING (S2021-102) to the attached list of individuals via regular USPS on the date indicated above. The Richland Hearing Examiner will conduct a virtual public hearing and review of the application on Thursday, August 18, 2022.


Signed: Kevin Damrell

SIGNED AND SWORN to before me this 22nd day of July, 2022 by Kevin Damrell.




Notary Public in and for the State of Washington,

Print Name

Residing at Jennifer Schuster
625 Swift Blvd, Richland 99352

My appointment expires: 4-25-23



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (S2021-102) REMAND

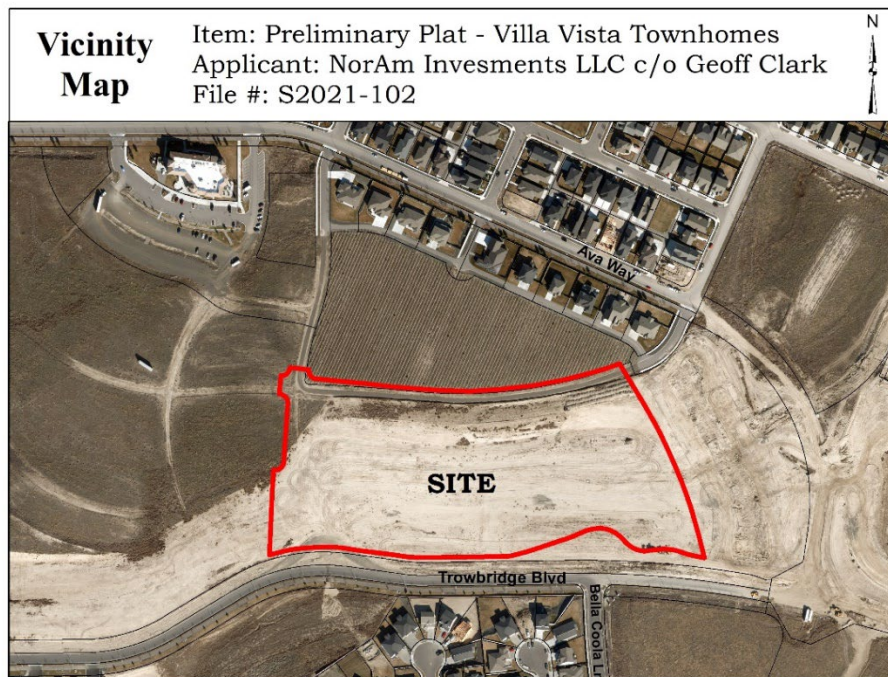
Notice is hereby given that Geoff Clark has filed an updated application on behalf of NorAm Investments, LLC in response to the Richland Hearing Examiner's Remand Order pertaining to the Preliminary Plat of Villa Vista Townhomes (S2021-102). The updated proposal is to subdivide a 13.31-acre site into 68 residential lots and five (5) tracts. The project site is located along the north side of Trowbridge Boulevard, approximately 1,050-feet east of Dallas Road in the Badger Mountain South master planned community (APN 1-32982BP4732021). The plat proposes an average lot size of 5,867 square feet.

The Richland Hearings Examiner will conduct a public hearing and review of the updated application at 6:00 p.m., Thursday, August 18, 2022. All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland website (www.ci.richland.wa.us).

Environmental Review: The proposal is not subject to specific environmental review. Environmental impacts of Badger Mountain South, a master planned community, have previously been analyzed. The final environmental impact statement and related file information are available to the public and can be viewed at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, August 8, 2022 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Written comment will not be accepted after 6 p.m. on August 17, 2022; however, verbal comments may be presented during the public hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration, Title 24 Plats and Subdivisions, the Badger Mountain South Land Use & Development Regulations and the Badger Mountain South Master Agreement. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.



NOR AM INVESTMENT LLC 12513 DUBOIS AVE SW LAKEWOOD, WA 98498-5242	HOEKEMA DALE & DEBRA 3900 E LATTIN RD WEST RICHLAND, WA 99353	HOEKEMA DALE & DEBRA 3900 E LATTIN RD WEST RICHLAND, WA 99353
DEWEY TRUSTEES ROBERT A & KATHERINE E 140 N LINCOLN AVE FULLERTON, CA 92831	MELESSE TADESSE & GEBRETSADIK KONJIT KASSA 2371 BELLAVIEW AVE RICHLAND, WA 99352	KELLER KEVIN & KIM 3710 CANYON LAKES DR L106 KENNEWICK, WA 99337
HOEKEMA DALE & DEBRA 3900 E LATTIN RD WEST RICHLAND, WA 99353	HOEKEMA JONATHAN O & YEE-CHEN 4535 BARBERA ST RICHLAND , WA 99352	LAWRENCE TRUSTEE DAMON E 4524 AWA WAY RICHLAND , WA 99352
KADLEC REGIONAL MEDICAL CENTER PROVIDENCE ST. JOSEPH HEALTH 1801 LIND AVE SW RENTON, WA 98057	BADGER MOUNTAIN SOUTH COMMUNITY ASSOCIATION BMS COMMUNITY ASSOCIATION 12513 AVE DUBOIS SW LAKEWOOD , WA 98498	SIKH SOCIETY OF TRI CITIES 1903 JADWIN AVE RICHLAND, WA 99354
NOR AM INVESTMENT LLC 12513 DUBOIS AVE SW LAKEWOOD, WA 98498-5242	WOOD J. LYN & JANECE 5015 AWA WAY RICHLAND, WA 99352	NOR AM INVESTMENT LLC 12513 DUBOIS AVE SW LAKEWOOD, WA 98498-5242
MARCEAR BRENT A & CYNTHIA A 4756 VINEYARD ESTATE LANE RICHLAND , WA 99352	HELMANN AMANDA C 4594 VINEYARD ESTATE LANE RICHLAND , WA 99352	CHAVEZ MILTON JAMES & AMANDA 4566 VINEYARD ESTATE LN RICHLAND , WA 99352
BROWN ANDREA L & GREGORY B 4546 VINEYARD ESTATE LN RICHLAND, WA 99352	PFEIFFER RUSSELL & THRALL BARB 4518 VINEYARD ESTATE LANE RICHLAND, WA 99352	AFFLECK DANIEL MCIVER & LYNNDELL SUHADOLNIK 4504 VINEYARD ESTATE LANE RICHLAND, WA 99352
NOR AM INVESTMENT LLC 12513 DUBOIS AVE SW LAKEWOOD, WA 98498-5242	NOR AM INVESTMENT LLC 12513 DUBOIS AVE SW LAKEWOOD, WA 98498-5242	MONSON DEVELOPMENT WASHINGTON LLC 63615 E JACOBS RD BENTON CITY, WA 99320
ANZUREZ ANTONIO & RACHEL 2246 MORRIS AVE RICHLAND , WA 99352	HOWARD ANTHONY 2234 MORRIS AVE RICHLAND , WA 99352	YOUNG JOHN PATRICK & BRIANNA LAVONNE 2222 MORRIS AVE RICHLAND, WA 99352
MURRI REED 1245 GAGE BLVD RICHLAND , WA 99352	TUTTLE MATTHEW JAMES & JACQUELINE BEATRICE 2233 MORRIS AVE RICHLAND , WA 99352	TORRES JOHN A & ELIZABETH A 2245 MORRIS AVE RICHLAND , WA 99352

SANDERS LISA 2268 SEVILLA CT RICHLAND , WA 99352	SWISHER KEVIN & KRISTIN 2113 HARRIS AVE RICHLAND, WA 99354	KNOX JAMES M & MAYRA G 2244 SEVILLA CT RICHLAND, WA 99352
SABRI ALI & TAMEEMI DHUHA AL 2232 SEVILLA CT RICHLAND, WA 99352	IVANOV PAUL & ANITA H 3019 DUPORTAIL ST #176 RICHLAND, WA 99352	BORNINO ANGELA & ANTHONY 2243 SEVILLA CT RICHLAND , WA 99352
GOODRICH STEVEN E & ANGIE V 4844 SMITTY DRIVE RICHLAND , WA 99352	DEGEORGE MARK A & TIFFANY K 4856 SMITTY DRIVE RICHLAND , WA 99352	DALLAS GASOLINE LLC 5304 W CANAL DR KENNEWICK, WA 99336
BADGER DEVELOPERS LLC PO BOX 1307 GIG HARBOR, WA 98335	BADGER MOUNTAIN SOUTH COMMUNITY ASSOCIATION BMS COMMUNITY ASSOCIATION 12513 AVE DUBOIS SW LAKEWOOD , WA 98498	BADGER MOUNTAIN SOUTH COMMUNITY ASSOCIATION BMS COMMUNITY ASSOCIATION 12513 AVE DUBOIS SW LAKEWOOD , WA 98498
CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF L 50 EASE NORTH-TEMPLE ST SALK LAKE CITY, UT 84150	NOR AM INVESTMENT LLC 12513 DUBOIS AVE SW LAKEWOOD, WA 98498-5242	JUANITA COTTAGES LLC 10829 NE 58TH ST #B KIRKLAND, WA 98033
GOOSE RIDGE ESTATES HOA 63615 E JACOBS RD BENTON CITY, WA 99320	BECKSTROM BRYAN & CARRILLO CHEROKEE 4468 POTLACH ST RICHLAND, WA 99352	NEW TRADITION HOMES INC 11815 NE 113TH ST STE 110 VANCOUVER, WA 98662
NEW TRADITION HOMES INC 11815 NE 113TH ST STE 110 VANCOUVER, WA 98662	TITAN HOMES LLC 2485 ROBERTSON DR RICHLAND, WA 99354	ZAMORA SHARON CATHERINE & BRUMFIELD SCOTT 4424 LOLO WAY RICHLAND , WA 99352
JK MONARCH LLC PO BOX 188 PUYALLUP, WA 98371	NEW TRADITION HOMES INC 11815 NE 113TH ST STE 110 VANCOUVER, WA 98662	JK MONARCH LLC PO BOX 188 PUYALLUP, WA 98371
SMILEY NICHOLAS RYAN & COURTNEY MARIE 4453 LOLO WAY RICHLAND, WA 99352	WEST VINEYARD OWNERS ASSOCIATION C/O HOA COMMUNITY SOLUTIONS PO BOX 364 GIG HARBOR, WA 98335-0364	WEST VINEYARD OWNERS ASSOCIATION C/O HOA COMMUNITY SOLUTIONS PO BOX 364 GIG HARBOR, WA 98335-0364

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Kevin Damrell**, who, being first duly sworn upon oath deposes and says:

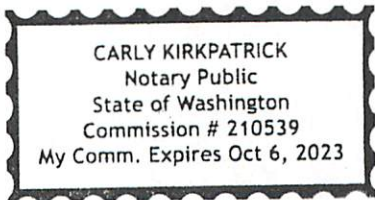
1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

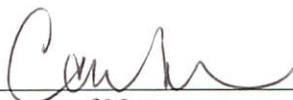
2. On the 25th day of July, 2022, I posted the attached NOTICE OF PUBLIC HEARING, File Number S2021-102 (Preliminary Plat of Villa Vista) in the following locations:

Along Trowbridge Blvd approximately 1000 feet east of Dallas Road


Signed: Kevin Damrell

SIGNED AND SWORN to before me this 25th day of July, 2022, by Kevin Damrell.




Signature of Notary

Printed Name

Notary Public in and for the State of Washington,

Residing in Richland, WA

My appointment expires: Oct. 6, 2023



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	308020	Print Legal Ad - IPL0086748	D2586000 4401 HE PHN	\$176.04	1	73 L

Attention: Jennifer Anderson

CITY OF RICHLAND/LEGALS
625 SWIFT BLVD. MS-05
RICHLAND, WA 99352

CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING REMAND (S2021-102)

Notice is hereby given that Geoff Clark has filed an updated application on behalf of NorAm Investments, LLC in response to the Richland Hearing Examiner's Remand Order pertaining to the Preliminary Plat of Villa Vista Townhomes (S2021-102). The updated proposal is to subdivide a 13.31-acre site into 68 residential lots and five (5) tracts. The project site is located along the north side of Trowbridge Boulevard, approximately 1,050 feet east of Dallas Road in the Badger Mountain South master planned community (APN 1-32982BP4732021). The plat proposes an average lot size of 5,867 square feet.

The Richland Hearing Examiner will conduct a public hearing and review of the application on **Monday, September 12, 2022 at 6:00 p.m.** All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland's website at www.ci.richland.wa.us.

Environmental Review: The proposal is not subject to specific environmental review. Environmental impacts of Badger Mountain South, a master planned community, have previously been analyzed. The final environmental impact statement and related file information are available to the public and can be viewed at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, September 5, 2022, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Written comments will not be accepted after 6:00 p.m. on September 11, 2022; however, verbal comments may be presented during the public hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration and Title 24 Plats and Subdivisions. Appeal procedures of decisions related to the above-referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above-referenced address with questions related to the available appeal process.

Published: Tuesday, August 23, 2022
IPL0086748
Aug 23 2022

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Stephanie Hatcher, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 08/23/2022, and ending on 08/23/2022 and that said newspaper was regularly distributed to its subscribers during all of this period.

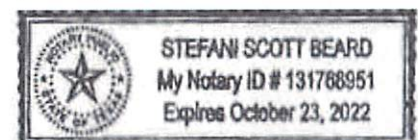
Stephanie Hatcher

(Signature of Legals Clerk)

Sworn to and subscribed before me this 26th day of August in the year of 2022

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

Exhibit 19

Stevens, Mike

From: Cunnina2 <cunningham.aaron238@gmail.com>
Sent: Tuesday, August 2, 2022 1:23 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102 [Corrected Subject Line]

Dear Mr. Stevens,

When my wife and I moved here last fall, the wine village became one of the main drivers for us choosing to purchase a home in Badger Mountain South. Because of this, we have built excitement for all that we will be able to experience within walking distance of our front door. Finally, we found a place we are proud to call home. It is disheartening to know that the vision we were sold was dishonestly replaced for a plan that would negatively affect the future dynamic of this community. Incorporating the wine village as originally intended will encourage long term investment, sustainability, and *healthy* growth for our community. Moving away from this will greatly jeopardize these prospects. We implore you to hold the developers accountable to the vision our residents invested so heavily in for themselves and their families.

Sincerely,
Aaron Cunningham

Sent from my iPhone

Stevens, Mike

From: Agnes Strasser <astrasser579@gmail.com>
Sent: Friday, August 5, 2022 5:00 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista

My husband and I have been extremely disappointed in our investment in BMS.

We moved here based on the promises and pictures put forth in the advertising - we wanted a sustainable walking community with a Business District, Speciality District and the other things we were promised.

Please don't let our community be negatively impacted by greed - we don't need more housing, but we do need the amenities we were promised.

Land is a precious commodity and we need to safeguard its use.

Thank you,

Bill and Agnes Strasser

Sent from my iPad

Stevens, Mike

From: Ali Sabri <eng-ansabri@hotmail.com>
Sent: Saturday, August 6, 2022 1:54 PM
To: Stevens, Mike
Subject: Response to Notice Villa Vista S2021-102

Dear City of Richland,

I, Ali Sabri – Dhuha Altameemi – Alhasan Natheer – Alhusian Natheer would like to express our strong rejection for building townhouses in front of our backyard. When we bought our house we considered privacy, mountain view and additionally we have been told the area will be changed to parks and open space that have wine village and market we can walk to, we don't recall houses will be built in front our backyard. We strongly reject the idea of building houses and we would like parks and open space to be placed here.

Thank you,

Ali \ Dhuha & Family

2232 Sevilla Ct,

Richland, WA 99352

571.485.1642

Stevens, Mike

From: Amy Hood <amy.hood79@gmail.com>
Sent: Monday, August 8, 2022 9:32 PM
To: Stevens, Mike
Subject: Badger Mountain South commercial use area & wine village

Follow Up Flag: Follow up
Flag Status: Flagged

It has recently been brought to my attention that the land originally marketed and promised to the residents of Badger Mountain South as commercial use and a wine village may be sold off for housing. I truly hope the city of richland does not allow NorAm to bait and switch the homeowners who originally invested in the “sustainable” community that Badger Mountain South was marketed as. Please hold NorAm to the original plan they marketed to us, and to you, the city of Richland. This was promised to us over the last 5 years. I’ve bought two homes in this community, banking on this. Please show the community you will continue to invest in the long term vision for the city. Give the homeowners the infrastructure they need to continue to make this community a model of what sustainability and local healthy commerce can look like.

Amy Morris
2544 Anvil Ct.

Sent from my iPhone

Stevens, Mike

From: Ashley Marsh <acmarsh8@gmail.com>
Sent: Friday, August 5, 2022 4:31 PM
To: Stevens, Mike
Subject: Public comments village vista 2021-02

To whom it may concern,

We absolutely would be devastated if there are more townhomes/residential housing put in this area. We were promised restaurants, grocery store, vineyards... etc. It really impacts the investment on our home when the developer changes the plans. This could be such a wonderful desired area to live if the right business come out here! I don't know anybody who wants more housing out here! Thanks for listening.

Sent from my iPhone

Stevens, Mike

From: Ashley Peterson <pongahead@msn.com>
Sent: Sunday, August 7, 2022 8:55 AM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Good morning Mr. Stevens –

I wanted to reach out on behalf of my neighborhood, West Village, off of Dallas Road in Richland. I bought into this neighborhood in 2018 (in fact, mine was the very house built off of Trowbridge!) and when my family grew, we stayed in the neighborhood and bought a second home in 2021. This area has always held the promise of a sustainable, walkable community with a grocery store and specialty retail (specifically a wine village with shops and restaurants). Every advertisement boasted walking paths, green spaces, and the ability to walk or bike to anything you could want to do. Now, it seems this lifestyle is being threatened by greedy developers looking to profit off of packing more and more multi-family properties into what space is left. There have been quotes circulating, gaslighting everyone who lives here, that state that this was never promised to us. That we are all crazy. I have photos of billboard signs off of Ava by the mercantile with maps advertising the wine village. This was not just our realtors and builders telling us what we wanted to hear. I believe we should get the neighborhood we were promised. It would be sustainable and profitable for the city as planned and does not need to be changed. The value of these homes would jump drastically. The quality of life for this community would increase immensely.

Thank you for taking this into consideration,
Ashley Peterson

Stevens, Mike

From: Braden Bakke <braden.bakke@hotmail.com>
Sent: Sunday, August 7, 2022 5:26 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

To whom it may concern,

I am writing to express my concern regarding the future development of the Badger Mountain South Community. Before moving here, we did some research to get a better understanding of the future plans for the neighborhood, and one of the many things that was promised was a wine village. This is still mentioned today on the Badger Mountain South website, where it says: "...we eagerly await the new wine village and its vast array of amenities including an amphitheater, hotel, event center, cinema, as well as selection of both casual and sophisticated dining experiences." On the same website, they have a page dedicated to this wine village (<https://badgermountainsouth.com/find-a-home-old/wine-village/>). They are now planning to scrap the wine village and put in 68 townhouses.

Please help hold the developers accountable and make them create part of the community they had initially promised.

Thanks,
Braden Bakke

Stevens, Mike

From: Brent marcear <BMarcear@msn.com>
Sent: Wednesday, August 3, 2022 8:42 PM
To: Stevens, Mike
Subject: Opposition to putting townhomes in the specialty retail area off trowbridge

I have lived in Badger Mountain South for 5 years. We bought and built here based on a vision that was to include retail businesses in this area. This development was to take 20-30 years to build out. It has not even been ten years yet. There is no going back if this area is developed for townhomes. I am not opposed to the townhomes as there is plenty of land available to put them. Once the park is put in to the east of this land, I believe that business people will start to look for land to meet the original intention of the specialty district. Please give it more time!

Thank you,
Brent Marcear
4756 Vineyard Estate Lane
Richland

Get [Outlook for iOS](#)

Stevens, Mike

From: Bryan Beckstrom <beckstrom12@gmail.com>
Sent: Monday, August 1, 2022 8:14 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Dear City of Richland,

We are writing this email with the intent that you will uphold the heavily marketed vision of Badger Mountain South. When we purchased our home this last year, our realtor sold us on the benefits regarding the master community with paths, green space and parks, and small local business. She pointed out where a wine village would be. We researched several other communities in the area. On the BMS website it showed a vision that we connected too. I purchased a home not only as a place to grow roots but as an investment for the future and it is DIRECTLY across from this wine village as this was such a unique community, instead of finding a closer or more established community. You can imagine my sense of betrayal when I discovered that my dream home and community that was to be steps away from the wine village and other community-focused businesses now being turned into a condo farm. To further add to this insult the developers continue to deceive and have removed the key points in this new attempt to replace the last area with townhomes.

I am incredibly frustrated as a citizen to have purchased a home in what I was told by multiple real estate agents, builders, and the developer that this would be a green and sustainable community with a wine village to celebrate the agriculture of our area. Now my home is to be directly across from condos and townhomes. I would not have purchased this home in this location had I known the truth. I paid a premium for to be next to the wine village and other amenities. Now my home value will plummet due to increased traffic in the area, elevated crime, and lack of amenities that are still heavily marketed for this area. This is a type of bait and switch tactic and it leaves a sour taste in your mouth. Ultimately, if NorAm gets its way this leaves both the city and the developer open to litigation.

I ask you to do the right thing, and put an end to this farce. There are alternative ideas on how to keep true to what was promised, the developer should be working with the residents to find common ground and propose a win-win solution not a win-lose, and by that I mean a win for the developer and a loss for everyone else involved.

Stevens, Mike

From: Carlos Fernandez <fernandezcarlosa@gmail.com>
Sent: Wednesday, August 3, 2022 12:30 PM
To: Stevens, Mike
Subject: Re: Response to Villa Vista S2021-102

El mié, 3 ago 2022 a las 12:28, Carlos Fernandez (<fernandezcarlosa@gmail.com>) escribió:

To whom it may concern,

I would like to express my concern about the promised Wine Village that has now become just a promise. When I purchased the home I was told this was going to be an area for wineries and that was the reason why I bought here.

That instead the plan is to build 68 townhouses is a complete disrespect to all the neighbors. Please continue with the original plan of making this area a Wine Village.

Thank you in advance for your time and assistance in this matter.

Regards,

Dr. Carlos A. Fernandez

Stevens, Mike

From: Carlos Fernandez <fernandezcarlosa@gmail.com>
Sent: Wednesday, August 3, 2022 12:29 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

To whom it may concern,

I would like to express my concern about the promised Wine Village that has now become just a promise. When I purchased the home I was told this was going to be an area for wineries and that was the reason why I bought here.

That instead the plan is to build 68 townhouses is a complete disrespect to all the neighbors. Please continue with the original plan of making this area a Wine Village.

Stevens, Mike

From: cherokee carrillo <cccarrillo5@gmail.com>
Sent: Monday, August 1, 2022 7:55 PM
To: Stevens, Mike
Subject: Response to Villa Vista s2021-102

Dear city of Richland,

I write this email in frustration but also in hope that you will do the right thing regarding badger mountain south. When purchasing my home just last year I was specifically told by my realtor regarding the master community with paths, green space and parks, and small local business. She even pointed out where a wine village would be located with local shops, amphitheater, and more. We researched several other communities and even on the BMS website it showed this vision that I connected with. I purchased a home DIRECTLY across from this wine village/specialty district as this was such a unique community, instead of finding a closer or more established community. You can imagine my sense of betrayal when I found out that my dream home that was supposed to be steps away from the wine village, is now being turned into condos. To further add insult to injury, the developers continue to deceive and remove the key points in this new attempt to replace the last area with townhomes.

I am incredibly frustrated as a citizen to have purchased a home in what I was told by multiple real estate agents, builders, and the developer about a green sustainable community with a wine village to celebrate the agriculture of our area. Now I'm facing my home to be directly across from condos and townhomes. I would not have purchased this home and the location which I paid a premium for to be next to the wine village had I known this. My home value will sink, and now I feel cheated. This is pure fraud what has happened here and needs to be addressed by the city.

I ask you to do the right thing, we were promised a vision of something better than a suburb, but face the nightmare of a condo/townhome farm o. I understand it's difficult to get a business to back the specific wine aspect, but this is not what the wine village was about. There can be a common ground as other key aspects of the wine village involve restaurants, outdoor meeting area, amphitheater, local shops. The developer should be working on the residents to find this plan to fulfill the rest of what was promised in this specialty district area, not line his pockets. I feel this con will put the developer and city at risk for litigation by the many residents deceived who are fighting hard to make things right. Please keep them accountable for advertising and promises made to the many residents of badger mountain south.

Best regards,

Cherokee Carrillo



West Village Phase 5 recorded the end of January - homes are quickly being built and sold. West Vineyard Phase 2 was available starting 6/23/2021. Check out the newly available lot and homes in this rapidly growing community



Taken right off BMS website 8/1/2022 lying to the public

Stevens, Mike

From: Chris Pope <java_jonez@yahoo.com>
Sent: Monday, August 8, 2022 7:23 PM
To: Stevens, Mike
Cc: Gwendolyn Pope
Subject: Response to Villa Vista S2021-102

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

My wife and I relocated from the Seattle area to the Tri-Cities last year. It was a pretty big decision for us, but we were drawn to the Badger Mountain South location within the Tri-Cities because of the vision and dare I say promise of certain neighborhood amenities such as walkable pathways, everything within walking distance, a nice wine village to socialize with friends and neighbors, parks and community center and businesses. Everything described made us feel I like we could move here and enjoy the community well into our retirement years. As a result, we decided to have our "forever home" built here. Mind you, we could have chosen several other locations that would have afforded us many of these things, but not quite in the way that BMS was designed to be.

The future plan to build a wine village right in our neighborhood was a very big draw, as we imagined how cool that would be to have it in our own backyard. We read up on the plans and read through the Master Agreement which were approved by the City Council in 2010. We fell in love with the concept images of fountains, cafes, wine tasting, nice gathering spaces to spend time with friends...all within walking distance of our home. This piece of desert will turn into an amazing place to call home, was what we thought. Now we find out that the wine village is in jeopardy. What's more, many of the other plans for our community are in the same boat.

But, what really irks me is this new proposal to replace the wine bvillage with townhomes! If I had wanted to move to a neighborhood that had townhomes and other factors to overcrowd where I live, I'd have chosen differently. As it stands, this proposal is absurd. How can this classic bait and switch be tolerated? These are people's lives and happiness we're talking about. I hope to not be just another business transaction and I know that all of our other disappointed neighbors feel the same. Please put an end to this proposal. It would be a sad day if this goes through.

Best regards,

Chris Pope

-Chris

Stevens, Mike

From: DJ Halverson <dj_halverson@msn.com>
Sent: Saturday, August 6, 2022 4:10 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Hello,

I received a notice that Badger Mountain South, the community I live in, is at risk of losing the Wine Village and will possibly be replaced with 68 townhomes. This change from what was marketed since we started looking for a home here is very concerning because it's one of the reasons why we purchased in this community. With BMS being so far away from other businesses and fun activities, this change will surely reduce the growth of our investment of buying a home here. We have built relationships with many other home owners in this community and I'll stress that this decision to not follow through with the original plans will not be taken lightly and there will be some moving out of this area. I hope this email does not fall on deaf ears and will be taken seriously in the consideration of future development plans for BMS.

Thank you,
DJ Halverson

Stevens, Mike

From: Elias Nakouzi <eliasnakouzi@gmail.com>
Sent: Tuesday, August 2, 2022 8:47 PM
To: Stevens, Mike
Subject: Villa Vista S2021-102

Dear City Hearing Examiner,

It is unfortunate to learn that the Villa Vista development could be cancelled. We invested in this community because we believed in Richland City when they advertized the amenities in this community:

<https://m.youtube.com/watch?v=F0io-DVnBQI>

Sadly, the only thing that remains of this plan is that it's a "fairly compact development."

Please consider the impact of this development on the community.

Best,
Elias

Stevens, Mike

From: gswihart@gmail.com
Sent: Tuesday, August 2, 2022 1:24 PM
To: Stevens, Mike
Subject: Response to Village Vista S2021-102

Good afternoon, Mr. Stevens.

I am writing to report my concerns with the development of Villa Vista & 68 new shared wall town homes where a proposed Wine Village was to be. I believe NorAm might have acted in good faith when they proposed a wine village but cannot say for certain that their actions over the past eight years have proven anything.

I do know that when we purchased our home four years ago, we were purchasing a home with the hopes of Badger Mountain South becoming the Badger Mountain South as advertised. Badger Mountain South is still advertising a Wine Village and shops we can walk to. Between Nor Am & The City of Richland the idea of "Live Here, Work Here, Play Here.", is being taken away from us for what? Row houses and I assume tax revenue.

I would like to believe there will be a school built & possibly that future fire station within the park area, but I do have my doubts.

Nor Am & The City of Richland sold the residents of Badger Mountain South a vision and they are still using that same vision to sell homes without letting anyone know the vision is nothing more than a marketing ploy. I believe the City of Richland & Nor Am should be accountable for making sure the vision that was sold to people in Badger Mountain South becomes a reality. By adding more low-cost housing you are only hurting the investments of those that believed in the vision of Badger Mountain South.

Best,
Geoffrey Swihart

Stevens, Mike

From: GWENDOLYN POPE <GWENDOLYN_POPE@msn.com>
Sent: Tuesday, August 2, 2022 8:44 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Hello,

My name is Gwendolyn and my husband and I recently relocated to West Vineyard from the Greater Seattle Area. We were drawn to this location because of the description of the amenities, walkable pathways, everything within walking distance, a nice wine village to socialize with friends and neighbors, parks and community center and businesses. Everything to really build a community with pride of ownership for the years to come. We envisioned living here and enjoying the community well into our retirement years.

My husband and I enjoy good wine. The future plan to build a wine village right in our neighborhood was a very big draw. We read up on the plans, read through the Master Agreement which were approved by the City Council in 2010. We fell in love with the concept images of fountains, cafes, wine tasting, nice gathering spaces to spend time with friends...all within walking distance of our home! This piece of desert will turn into an oasis!

"Just a walkable few blocks away from many homes is a park or a community gathering place where people can come together to barbeque, play sports or have a quiet conversation."

"Tourists will find their way to the distinctive Badger Mountain South Wine Village and related shops where they can stay to explore the many tasting rooms and view demonstration vineyard that have many sustainable features..."

I understand this Vision Statement was to guide future planning efforts, "to provide quality and choice in housing, shopping, employment, education, transportation and recreation...with a **healthy BALANCE** of market-driven, private sector uses along with a range of public facilities, open space, parks and trail uses."

THIS is what we paid into, invested in, and dreamed about seeing it become a reality. We invested in the future and the draw that the wine village will bring to our home's value.

Last week we heard that a proposal was being submitted to build 68 townhomes instead of the wine village. Very utterly heart breaking! Please do not let this happen. This is false advertising. We did not buy into yet another sea of suburban homes...but a true balance of public and private in a well developed community.

As you review the proposal for townhomes to replace what was envisioned, please remember that this wine village is what sold us and many others to move to this to such a special place. Don't give into the lure of the dollar, but uphold the original plan in creating a quality lifestyle of leisure and entertainment that the wine village would support.

Sincerely,
Gwendolyn Pope

Heather Nicholson
4717 Barbera St.
Richland, WA 99352

July 31, 2022

Hearing Examiner Gary McLean
c/o mstevens@ci.richland.wa.us

Dear Hearing Examiner McLean:

I'm writing to you to help defend the Badger Mountain South Specialty Retail District. As before, I have a vested interest in this property as this community is my home. Some things have changed since the last time I was at a Hearing Examiner's meeting. I now serve as a volunteer on the City of Richland's Planning Commission. I'm not submitting this under the title of Planning Commissioner, but as a resident of the community.

Suffice to say, I really care about my community. I was disheartened the remanded Villa Vista plat showed back up with very little changes. I've done analysis on some key points made in the refiled application and present my research on the pages that follow.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Nicholson", with a stylized, flowing script.

Heather Nicholson
702-981-3237
Hansen.hch@gmail.com

EXECUTIVE SUMMARY

The latest Badger Mountain South Villa Vista plat submission (S2021-102) does not adequately address the remand criteria established on September 29, 2021 and therefore should be remanded once again.

A primary reason for remanding the proposed Villa Vista plat in September 2021 was because it didn't meet the intent set forth in the LUDR or Master Agreement. As you stated in the Remand Order, "the property owner and primary developer of properties in the Specialty Retail District has yet to present an application for any proposal that would directly achieve the intent for such district."

Before you is the resubmitted application. Overall, the plat has changed very little and once again fails to achieve the intent for the Specialty Retail District. Instead, the applicant is attempting to change the plat approval criteria by incorrectly applying Clause 4.1 (11) of the Master Agreement.

Additionally, the application also contains other concerning factors as they relate to:

- Wine Village Pursuit vs. Marketing
- Lack of Response to Public Comments
- Proximity to the City's 30 Acre Park
- Parks and Construction Responsibilities
- No Plaza / Town Square

Flexibility in the LUDR and Master Agreement happens in the Code Amendment Process; not plat applications and Hearing Examiner meetings.

In the newly submitted plat paperwork, Nor Am posits that their plat should not have been remanded. They argue the LUDR and Master Agreement are intended to “provide flexibility in uses and timing of development to accommodate market trends and conditions.” While this flexibility is a real thing in both documents, it has an established process which must be followed and cannot be applied by either party at will. The flexibility of these documents is provided through the City’s Code Amendment process, not in plat applications or Hearing Examiner meetings. According to RMC 19.90.060 *Timing and order of consideration of suggested amendments*:

Suggested amendments to the comprehensive plan, subarea plan or development regulations shall be considered at least once each calendar year, but the comprehensive plan shall be amended no more often than once each calendar year...The city council shall initiate consideration of suggested amendments by motion requesting the planning commission to prepare a recommendation.

Nor Am has gone to the City multiple times to request revisions to the LUDR. It was amended first in 2012 and again in 2014 to allow for 3 car garages and larger yards. In 2015 the LUDR was amended to eliminate 44 block parks, increase maximum block length, and change houses from alley loaded to front loaded. In 2016 changes were made to decrease the community’s sustainability principles. All of these changes went through the proper process of City and Nor Am approval.

Now, what’s interesting, is that the LUDR is currently being amended. There are so many proposed amendments it’s taken almost 8 months for the Planning Commission to work through them. What’s not on the docket to be amended is the Specialty Retail District. In fact, in a Planning Commission meeting dated 3/23/2022 the applicant said “I’m not going to talk a lot about section 3 and 4, of course, we’ll be scrolling through those tonight, but there’s very few changes to any of those pages (30:37 mark, City View).” So Nor Am is currently going through the LUDR amendment process, is openly avoiding amending the Specialty Retail District, while concurrently resubmitting a plat which would effectively eliminate the District altogether.

In their response to Remand Order point 13, the applicant quotes section 8.1 of the Master Agreement: “If a development application is consistent with the Master Agreement, then it shall be approved.” In order for the proposed plat to be consistent with the Master Agreement, Nor Am would have to amend both the LUDR and the Master Agreement to change the intent of the Specialty Retail District. Today, the intent of the Specialty Retail district in both documents remains the same as it was when it was originally created. In their own words, “Nor Am, the City of Richland, and The Port of Kennewick developed the Intent of the Specialty Retail District as a wine village.” (Applicant Response to Remand Order pg 2, section 13)

LUDR Page 1-2 Section 1.C.10 reads:

*...The intent is that **the most current LUDR** be used to evaluate permit applications and projects are not vested to a current version of this document. (emphasis added)*

The most current version of the LUDR is what must be used to evaluate this plat application. The most current version of the LUDR indicates the intent of the Specialty Retail District is "...to support and provide development opportunities for the growing interest in local and regional agricultural products, in particular the local wine industry." Furthermore, at this point all parties have agreed on the District's intent. The intent of the Specialty Retail District is not reflected in this application. This alone should be enough to warrant remanding the Villa Vista application again.

Active pursuit of the wine village appears to have ceased prior to the first Villa Vista plat application, but marketing for it continued until 2022.

The applicant has spent the last 10 years looking for a partner to develop the wine village. Because this didn't work, they argue they shouldn't be held to the district's intent any longer.

This notion also came up in the January 26th, 2022 Planning Commission meeting which you can watch on City View. Lawrence White, the head of Nor Am, explained that Nor Am initially went all-in on the wine village concept. However, in that time they never had a nibble and now they've realized they need to develop the area into something else. At the 14:29 second mark, Chair Maier asked Lawrence White "when did you stop pursuing a wine village?" He couldn't (or wouldn't) answer the question directly.

There is certainly a huge difference between actively pursuing a wine village, and being open to a business asking to establishing a wine business on your property. It does not sound like Nor Am has proactively looked for Winery opportunities since the City of Richland and the Port of Kennewick pulled out of their agreement in 2014. Contrarily, and as was stated in Mr. Pfeiffer's attachments in 2021, the developer was actively advertising the wine village to potential home buyers when the Villa Vista plat was first proposed. In fact, it wasn't until after the 1/26/22 Planning Commission meeting that their website was adjusted to remove the links to the wine village. However, if you go to Google and type in "Badger Mountain South Wine Village", the first result still takes you to their Wine Village advertisements on badgermountainsouth.com. A large swath of Badger Mountain South residents were at that meeting expressing their desire for the wine village, and sharing how they learned about it through their Realtors and marketing materials. Many people purchased a home here because they were excited for the wine village.

Attracting businesses to newly developing areas takes time. That's why the Master Agreement is in effect until 2035. It's entirely possible the applicant was marketing the wine village too early. 10 years ago, there would have been almost no houses built. Expecting businesses to outlay significant capital expenses when there was no one in close proximity may have been an impossible task. Now that there's thousands of residents in the immediate area thanks to BMS, Richland, Kennewick, and West Richland. This seems like the ideal time to be fully pursuing these partners. Even the developer acknowledges the scales have changed. As Darrin Sweeney said in a Tri-City Herald article¹ dated May 6th, 2022, "We're really excited about having enough rooftops to bring in the commercial development." Given that the wine village was actively marketed to home buyers up until this year, it only seems fair that more time is allowed to pass before the promise of the wine village is totally gone.

(1)*Tri-City Herald Article Titled: "Richland's Badger Mountain South readies for restaurants, retail, thousands more homes" *Tri-City Herald* [Richland, Washington}, 6th May, 2022. Online

LACK OF RESPONSE TO PUBLIC COMMENTS

Residents are a key stakeholder, and their input should be addressed.

The City Hearing Examiner recommended that the applicant address the detailed concerns in the unchallenged comments from Mr. Pfeiffer. The resubmitted request makes no attempt to address those public concerns. As shown in the previous section, many public concerns have been aired about Villa Vista. It's alarming that public input hasn't been addressed as recommended in the Remand Order.

PROXIMITY TO CITY'S 30 ACRE PARK

The Villa Vista plat is not adjacent to the City's 30 acre park.

The application states:

.96 AC of park area required. To be accounted for in the COR Park on 32 acres adjacent to the project

The 30 acre park is **not** adjacent to the Villa Vista plat. It's roughly a quarter mile away and families living in Villa Vista will have to cross an Arterial Collector Street. This would be appropriate for older children, but certainly not for younger kids.

To better illustrate this point, we've included aerial photographs, taken on 7/30/2022 by Andrew Taylor. As there is some distortion caused by the wide angle lens, we have included an aerial photo from both viewpoints.



PARKS AND CONSTRUCTION RESPONSIBILITIES

The application doesn't meet Parks / Open Space requirements. It also raises key responsibility questions.

The Green Infrastructure plan was created at the onset of the BMS development to ensure that every neighborhood in our community has accessible open space, parks, and walking trails. Due to the large volume of Residential Units being proposed in this plat, Green Infrastructure calculations prescribe that almost an acre's worth of park be developed in the Specialty District:

Parks

0.375 AC of park area to be created per 25 RU, which equals 0.015 AC, or 650 SF, per RU.

.96 AC of park area required. To be accounted for in the COR Park on 32 acres adjacent to the project

The usable Open Space provided in the newly submitted plat is Tract 72, which comes in at 10,632 square feet. This is roughly $\frac{1}{4}$ acre worth of land:

TRACT AREA TABLE		
TRACT #	AREA (SF)	USE
TRACT 69	9,695	PARKING / PRIMARY TRAIL / LANDSCAPING
TRACT 70	3,576	PARKING / LANDSCAPING
TRACT 71	5,121	PARKING / LANDSCAPING
TRACT 72	10,632	LANDSCAPING / SECONDARY TRAIL
TRACT 73	2,696	LANDSCAPING / PRIMARY TRAIL

This proposal doesn't meet the minimum requirements prescribed by the Master Agreement. To this point, the application states:

Nor Am Investment, LLC and South Richland Communities, LLC are currently supporting the COR in ongoing planning of a large park adjacent to this project. The park will also contain required trails. NAI and SRC currently plan to construct the park and all Green Infrastructure requirements are to be satisfied with this park. Therefore, this requirement is deemed to have been met.

We reached out to Joe Schiessl, Deputy City Manager and Acting Director for Parks & Public Facilities, to better understand this statement. He responded:

We are in escrow for the purchase of the 30 acre West Village Park now. We are nearly finished with construction documents for the first phase of the park and will be selecting our design builder for the Fire station project in the next few months. Both projects plus the land purchase are funded by the City without contribution from others (outside of a state library grant we have submitted).

Nor Am needs to better clarify their statements regarding their plans to construct the 30 acre park as it seems misaligned with the response from the City.

Also worth noting is a provision in the Master Agreement which would allow for Nor Am, or other entities, to make public park improvements. They would then earn public impact fee credits which could be used towards offsetting park impact fees in other parts of the community. However, section 17.8 says the following:

If Nor Am earns additional park impact fee credits for improvements it makes in the West Village Park, these credits may be used by Nor Am at any time to offset park impact fees for residential permits within the West Village, West Vineyard or East Garden neighborhoods.

As per the MACR, Villa Vista falls in the Veneto Villaggio Neighborhood:

6. What is the name of the neighborhood? (See LUDR pp. 7-1 through 7-3).

Neighborhoods: *Veneto Villaggio*

Therefore these credits would not apply/offset in this scenario.

NO PLAZA / TOWN SQUARE

There is no gathering space for events, festivals, and other community wide activities.

The LUDR (4.B.1) states the Specialty District is intended to: “Provide a gathering place for group events, festivals and other community-wide activities.” To accommodate this goal, Section 5.D of the LUDR states that “Plazas are intended to be incorporated into all commercial, retail and mix-use Districts within Badger Mountain South.” It further prescribes them to be located “at intersections of Primary Pedestrian Streets”.

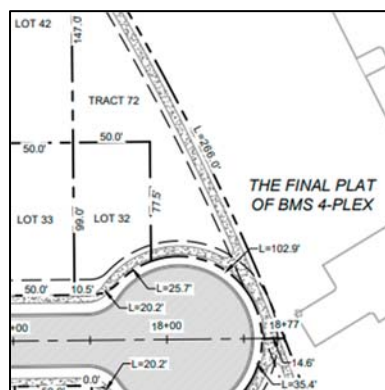
1. DESCRIPTION - PLAZA/TOWN SQUARE

- a. **Definition** - A “hardscape” open space is designed as a community gathering space and supports amenities to commercial development. Plazas are intended to be incorporated into all commercial Districts within Badger Mountain South. The size and location of Plazas will be determined during site plan review as the developer of commercial spaces identify and design Plaza and/or common open space areas within each commercial development.
- b. **Location** - All Commercial, retail and mixed-use areas; actual location determined at time of platting.
- c. **Size**
 - (1) Minimum width: 20 ft.
 - (2) Minimum depth: 20 ft.
- d. **Standards**
 - (1) Plaza/Town Squares will be spatially defined by building frontages, and located at intersections of Primary Pedestrian Streets.
 - (2) Landscaping and irrigation will be based on Landscape Guiding Principles, Section 11.B.
 - (3) Landscape materials to be selected from Section 11.F. or 11.G and will include 5 shade trees per acre, minimum 2” caliper.
 - (4) Decorative landscape planters, see Section 11.C.
 - (5) Electrical power sources as required.
 - (6) See Section 13.C for Site Improvement standards for:
 - i. Specialty paved surfaces
 - ii. Pedestrian-scale lighting
 - iii. Benches and/or removable seating
 - iv. Tables
 - v. Trash/recycling receptacles
 - vi. Bike racks
- e. **Additional Required Amenities:**

Each Plaza/Town Square will contain at least (1) one of the following additional amenities:

 - (1) Water features/interactive fountains
 - (2) Kiosks
 - (3) Public art, per Section 13.C.10

There’s no Plaza/Town Square or gathering place for group events, festivals and other community-wide activities. Tract 72 is at the end of a cul-de-sac directly between three lots and a quadplex and is a quarter-acre in size. This is clearly not a spot to hold a large gathering of any kind, and is therefore not aligned with the intent and requirements shown above.



Stevens, Mike

From: Humberto Torres <berto@blucanarycapital.com>
Sent: Tuesday, August 2, 2022 8:03 PM
To: Stevens, Mike
Subject: response to Villa Vista,

To whom it may concern,

When I bought a home in badger I was told by developer and builder that there would be family homes, a wine tasting village that included restaurants and no plans to erect townhomes. This seems like we were duped.

I for one do not like the idea of having proposed businesses now swapped for townhomes. What a disappointment. I am seriously considering selling my home and leaving the district.

Concerned Homeowner

Humbeeto Torres

Stevens, Mike

From: Michelangelo Lauer <michelangelolauer@gmail.com>
Sent: Monday, August 1, 2022 9:43 AM
To: Stevens, Mike; jtimking@comcast.net
Subject: Public Comments for Villa Vista S2021-102.

To All:

The purchase of my home last year April 2021 was based on what was to come to Goose Ridge Estates Development Area. A wine village, retail shops, schools, parks and all within walking distance. Perfect for a nice retirement or family community. All owner occupied no rental units. This was part of the reason for the higher price of the homes which also would result in higher property taxes. Since moving in I have heard nothing but negative comments about what we are not going to receive. Such as the parks (counting retention ponds as parks) wine village and retail shops within walking distance. These were all the Great things I was told about before my purchase and now it seems as though we were conned into buying something that is not going to happen. I would hope the city officials of Richland would do the correct thing and keep the plan as promised to all that have purchased property here. Why would you allow this developer to cheat folks who have moved and settled here when we could have bought for less somewhere else?

Sincerely
James King

Stevens, Mike

From: Jarrod Hicks <jarroddjames91@live.com>
Sent: Tuesday, August 2, 2022 5:43 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

To whom it may concern,

As a home owner in Badger Mountain South, it is becoming frustrating that the most attractive amenities that were used to sell us on buying a home in the area are not being created.

BMS SD-SR is the only plot of land set aside for wine related businesses/structures. No winery will want to build next to townhomes...

Regards,
Jarrod Hicks

Sent from [Mail](#) for Windows

Stevens, Mike

From: Jason Brown <jvolbrown@gmail.com>
Sent: Tuesday, August 2, 2022 9:49 AM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Dear Mr. Stevens,

I am writing in regard to a proposal to build 68 townhomes, this is NOT what was planned or marketed to our community. It is not okay to switch things up, when this is what was promised and many people bought homes with the understanding we would have businesses built out here, not townhomes.

Please do not change the proposal. No townhomes.

Sincerely,
Jason Brown

Stevens, Mike

From: Jayna Steed <jaynasteed@gmail.com>
Sent: Friday, August 5, 2022 8:19 AM
To: Stevens, Mike
Subject: Badger mountain south

Dear Mr Stevens

I am adding my voice to the many that would like to save our retail area and not divide that part of our neighborhood into lots for condo's. We moved to this area to have it be a fun walkable family environment. In my experience living many different places, putting in compact housing, increasing car traffic and creating parking for those residents is not the community we were promised or is what we are hoping to live around. We would love to see the developer maintain his original proposals and not just add high density housing for the sake of a payout or demand. We hope you enforce this integrity for the future of our neighborhood and to set a standard for other developers to be held accountable for promises made and follow through to be held firm.

Thank you,

Jayna Steed
6012 Smitty Dr

Stevens, Mike

From: Jeff Hall <jeffhall1332@gmail.com>
Sent: Monday, August 8, 2022 11:54 AM
To: Stevens, Mike
Subject: Response to Villa Vista

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Stevens,

This email is to go on record FOR the Wine Village development and AGAINST the building of 68 townhomes.

My wife and I purchased our home in Badger Mtn South 2 years ago. At that time there was extensive marketing for the Wine Village and the unique values it would provide to our community. This proposed development was one of the chief reasons we bought our home. The City of Richland needs to reject the proposals to build these townhouses and force the developer to keep his word to hundreds of homeowners. I urge you to do the right thing and consider the history and facts when making your assessments.

Thank you

Jeff M Hall
2546 Morris Ave
Richland, WA 99352
360-609-0106

Stevens, Mike

From: Jessica <jlzing@gmail.com>
Sent: Monday, August 1, 2022 8:56 AM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Dear Mike Stevens,

I am writing today to oppose the proposal by the developer to turn the speciality retail district into townhomes. I moved into Badger Mountain South in 2017. I was told all about the future wine village and its amenities by my realtor. There used to be a sign on Ava Way pointing to the future site of Veneto Villaggio. It was a factor for me in deciding to move to this neighborhood.

While I recognize NorAm's efforts to find a partner to build the specialty retail district for many years, the fact of the matter is that it is likely that not enough people were living in the Badger Mountain South area to generate business interest during this time. This appears to be changing now, as evidenced by a "gas station coming soon" sign newly placed at the intersection of Ava Way and Dallas Road.

I propose that more time and efforts be made to find partners to build this district before giving up on it entirely.

Sincerely,
Jessica Zering Cheyney and Allen Cheyney

Stevens, Mike

From: jesus montes de oca <jesusmontesdeoca88@gmail.com>
Sent: Sunday, August 7, 2022 5:59 PM
To: Stevens, Mike
Subject: Response to Villa Vista s2021-102

We purchased land and built our home on Brodie Lane on the promise of there would be a wine village and an atmosphere we would be proud to be a part of. You the representatives for city of Richland need to hold these developers accountable for their actions, hold them to the agreement and for what they presented to us the members of the community. They don't care what happens to the land after they get paid it's up to you guys to make sure they are held accountable for very best as it was promised to us.

Stevens, Mike

From: jillnmnr@aol.com
Sent: Friday, August 5, 2022 2:57 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

To Whom It May Concern,

I am writing in response to some recent information I received regarding the proposed development in the Badger Mountain South neighborhood. There are a lot of residents who bought homes in this particular development with the understanding that there was going to be a wine village and retail shops in the area off of Dallas road between Trowbridge Blvd and Ava Way. There is talk that they are now planning on potentially scrapping that and building town homes instead. I received drawings of the proposed plans and discussed this in great detail with my realtor while I was house hunting last year. It showed a very unique development which was the determining factor that I used when deciding where I wanted to buy my new home.

This community is very passionate about the value the wine village would bring to our neighborhood. Having access to cafes, wineries, and shops would be so amazing since we really don't have anything close by. I feel that it's important that we honor the agreements and promises made to our community.

Thank you for your time.
Jill Russell
West Village Resident

Stevens, Mike

From: joann kochoff <jkochoff@yahoo.com>
Sent: Thursday, August 4, 2022 11:25 AM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

When we purchased our home in West Village three years ago we were told some specific things about what was planned for this community. The wine village, shops and other community projects like parks, walking trails, the church, school, sports fields and businesses we could walk to are some of the reasons we chose to live here. There are lots of very unhappy homeowners living here who want their voices to be heard about this. We definitely don't need more townhomes/apartments nearby!!

Please hear us and consider what is important to quality community living here in badger Mountain community Park

Sent from my iPhone

Stevens, Mike

From: Jody Hough <jodyhoughsales@gmail.com>
Sent: Tuesday, August 2, 2022 10:10 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Hello,

This is a message in response to the information we have been given about the Wine Village, businesses and parks/open spaces that we were told were part of the upcoming construction when we bought our home. It seems they may be replaced by 68 townhomes/sold off to other developers. This is very frustrating to say the least, as one of the main draws to this neighborhood was the Wine Village, walkable businesses, parks and open spaces. **We fell in love not with what the neighborhood was, but what it was promised to be in the future.**

We have a very young son, and chose this neighborhood, Badger Mountain South for specific reasons, several of which seem to be disappearing.

I know you're likely getting emails about this exact thing from many people, so I will keep it short and leave you with this ... You're only as good as your word, whether a parent, a teacher, postal worker or ... a developer. I hope that you choose to make good on your promises to the people who loved your vision and believed in your promises enough to buy the homes in your development.

Thank you for your time,

Jody Hough Sales

Stevens, Mike

From: John M. Watt <wattjohn54@gmail.com>
Sent: Tuesday, August 2, 2022 8:34 AM
To: Stevens, Mike
Subject: Wine Village at Badger Mountain South

To: mstevens@ci.richland.wa.us

Subject: Veneto Villagio S2022-101

To whom it may concern,

Like many people in the Tri-Cities, we moved here within the last few years from a big city for the "small town feel". For us, it was Portland. A big reason we chose to invest and build in the Badger Mountain South neighborhood was the Developers selling us on the idea that the neighborhood would soon feel like "a little piece of home" for us with planned amenities including walk/bikes trails, shopping, and a hub for fun events right within walking distance. It was an idea we loved and chose to invest in. In the beginning, if we had been told our neighborhood would become cookie cutter streets and now a planned development of row houses instead of those aforementioned amenities, with the only shopping being a Country Mercantile and a gas station, we would have chosen to plant our family and investment elsewhere.

The Developers pre things for the Badger Mountain South neighborhoods, and the members that were pro Developers to be held a vision in tact for what they we were all sold on. Too allowed to take the easy don't care about what they foregoing the promised favor of quicker profits. I Community, and in this it would destroy Badger Mountain South the future. Whatever is to these Developers, and we children, so we need to have ideas that we were promised right. Please don't let them easy way out. We beg you and their investments in development. Do what is Community members so we were here from the start shape this area into the place any family to call home.

Thank you for your time,
Julie, Shane and Lucas \

I could not have said it any better. Please do the right thing for the community.

Thank you,
John M. Watt
3998 Barbera St.
Richland, WA 99352

Stevens, Mike

From: Melissa Kasper <melissakasper7@gmail.com>
Sent: Sunday, July 31, 2022 12:45 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

Hello,

My family lives in West Village and just heard that the developer is trying to remove the wine village yet again and instead build multiple townhomes. This is very upsetting and wrong.

When we decided to build a home in this community we were told the wine village was coming. We were excited to live in a community with things to do, shopping, etc. We were excited to live in a place with such a strong sense of community to be coming soon.

Right now all there are are homes. We are on the outskirts of town and without more shopping or business this area will suffer. We were told and looking forward to this area being a destination and now it's just going to be a pocket of homes where we have to drive 15 minutes to do anything. This is not ok and not what we were sold on.

We feel that townhouses do not add value to our community and is absolutely not what we were told would be coming here when we chose to move our family here and build the home of our dreams. We would not have built here had we known that this would be happening. We were sold on the idea that this community would be a all inclusive/self sustained destination community where we could live, work and play and raise our family here. The changes the developer is proposing is destroying this promised idea and would create a community that we no longer want to live in.

This is very upsetting to us, please do not approve the build of these townhomes and please hold the developer accountable to complete the community in which we were promised and based on life on.

Thank you,
Jordan and Melissa Kasper
2596 Rinas Rd
Richland, WA 99352

Stevens, Mike

From: Joshua Taylor <jtaylor0554@gmail.com>
Sent: Tuesday, August 2, 2022 7:59 AM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

To whom it may concern,

My wife and I decided to build our home, raise our children and hopefully retire in Badger Mountain South (BMS) primarily because of what was, and still is ,advertised the community would become. Our builder, New Tradition Homes, also emphasized the uniqueness of the community, especially the Wine Village and all its amenities. After moving into our home on Jodie St in West Village in 2020, it has become apparent that the developer has no intent on fulfilling their obligations to the families that have already purchased and those continuing to invest in BMS. In my opinion, removing the Wine Village from the the plan would remove everything unique about this promising community.

The developer should be held accountable to the home buyers in BMS and the City of Richland to build what was originally agreed upon and continues to be advertised to the public.

Thank you for your time,

Josh and Sarah Taylor

Stevens, Mike

From: Julie Webb <JulieNicole3422@hotmail.com>
Sent: Monday, August 1, 2022 1:25 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-2022

To whom it may concern,

My family and I are not wine drinkers but the main reason we purchased land and built our home on McEwan Drive in Badger Mountain South neighborhood was because of the feel we would get from living in a little Community that was presented to us by our Windermere realtors, JJ and Teresa Coats. As well as the presentation we were shown by the developers website and YouTube videos. We were also assured numerous times by our builder, New Tradition Homes that there would be a Wine Village atmosphere that we'd be proud to be apart of.

You, the Representatives for City of Richland, need to hold these developers accountable for their actions and hold them to their agreement and what they presented to you, and the members of this Community time and time again. They don't care what happens to the land after they get paid, so it's up to you to make sure they are held accountable and make Badger Mountain South the very best that it can be (and was promised to be).

Thank you for your time,
Julie, Shane and Lucas Webb

Stevens, Mike

From: Katie Storey <docktdmd@aol.com>
Sent: Monday, August 8, 2022 7:04 PM
To: Stevens, Mike
Subject: Wine village

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Stevens,

I am a resident in West Village in the Badger Mountain South neighborhood. I wanted to add my voice to the other residents who feel disillusioned by what we were told would be built in our area. It was stated a wine village would be built and boutique shopping areas. The developer marketed that at the time I was buying my house January/February of 2020. I would like them to fulfill the vision they presented. I ask you to support the residents of our community in our quest to fulfill what was promised to us.

Thank you for your consideration of this matter.

Katie Storey
4572 Ruth Ct
Richland, WA 99352

Sent from my iPhone

Stevens, Mike

From: Kelly Hansen <kellylittle.design@gmail.com>
Sent: Monday, August 1, 2022 1:59 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

To whom it may concern,

In 2019 my husband and I decided to move back from Seattle to our hometown region. One of the major deciding factors in building within Badger Mountain South was the Wine Village. From the moment we did our research online to an actual tour, the main focal point was a "Specialty Retail District... [with a] world-class pedestrian-oriented destination village, which will include numerous uses related to the agricultural products of the region, including wines and grapes..." that would "stimulate tourism and economic development" ([source 16.1 here](#)). We visited [the Badger Mountain South website](#) which featured plans for this wine village, which remain there to this day, we also [watched a video](#) and [read an article](#). Furthermore, we built with New Tradition, and our sales representative, Candie Bruchman, reiterated multiple times that this Village would be breaking ground soon. As a former Prosser resident, I know firsthand the impact these types of commerce opportunities have on local communities, both monetarily and overall community morale. I was delighted to be a member of the West Village, and the idea of such a unique community in the Tri-Cities was exciting.

I am extremely disheartened to hear that the developers have since changed plans and intend to turn this land into townhomes. Not only were buyers misled, but this decision is only to the benefit of the developers, who will build their homes, collect their money, and leave. While I can appreciate the nuances of business and the changes in the economy due to Covid and the recession, I also think the city has an obligation to hold developers accountable for overselling features of a neighborhood that they don't intend to make good on. These proposals were put forward over 10 years ago and were only further engrained in buyers' decisions due to extensive marketing material and talk tracks. Not only were buyers misled, but home builders and realtors were too, putting their integrity as business people at stake. If these updated proposals are accepted, not only will the city walk away from a beautiful and unique business opportunity, they will lose the trust of the homeowners living in Badger Mountain South long after developers.

Thank you for your time,
Kelly Hansen

Stevens, Mike

From: Kelly Knurbein <kelylynn1@yahoo.com>
Sent: Tuesday, August 2, 2022 4:24 PM
To: Stevens, Mike
Cc: Stephen Sevall
Subject: Public Comments for Villa Vista S2021-102

Good afternoon,

My husband and I built and live in a home in the West Village neighborhood of Badger Mountain South Development on Smitty Drive.

When we began the process of potentially purchasing another new home, we stumbled upon Badger Mountain South (BMS). Signs were posted along Dallas Road enticing passersby of what it would be like to live in a neighborhood that offered sustainable living, a walkable neighborhood, work where you live environment, a new type of lifestyle, specialty shops, a thriving retail core, open spaces, and a wine village. All of that read great, sounded amazing and just what we were looking for without having to relocate out of the area. It drew us in to take a look at BMS. We were greeted in the neighborhood with different builders, represented by numerous realtors, who all relayed the same information that the signs said on the road about BMS, and promoted the more upscale living environment that BMS had to offer, unlike any other Tri-Cities neighborhood. We were directed to online videos of what BMS was to become and what we had to look forward to if we decided to invest our money into a property in the development. After careful consideration, we decided to sell our home and build a new home within BMS. We were so excited at the thought of what this type of living could provide for our family and the value that would be added to owning a home that was so close to a wine village and specialty retail shops.

That is where the fairy tale neighborhood stops. We fell for it all hook, line, and sinker to what they advertised and used as enticement. We were told by New Tradition Homes, their representative Kelly Montebianco, and our realtors Shawna Brown and Jaime Bocek everything that was to come to this neighborhood. The wine village was even still being sold out to the public at the Parade of Homes when there were several in the neighborhood. The whole idea of the wine village to potential buyers was a bait and switch tactic. Even several months ago the wine village was still being used as bait to lure buyers in.

We chose to build here for what was going to be available to our family. A piece of that was the wine village. It was going to be great for my husband and myself, not only for the value it would add to our home, but we were excited of being able to get out of the house and not be too far from home and still available to our children if needed. It was also going to be great for the community as a whole and a wine village would promote a lot of our local wineries and farmers. Allowing the developers to take away what was promised to us as homebuyers, will have financial negative impact to the community. Don't allow them to build more townhomes! Hold them accountable to build what we were promised.

I am pleading for You, the Representatives for the City of Richland, to hold these developers accountable for their actions, hold them liable to their agreements and presentations they made to the City, and most importantly to what was presented to the members of this community time and time again.

Thank you for your time,

Kelly and Stephen Sevall

Stevens, Mike

From: Kelly Nelson <trentonandkelly@gmail.com>
Sent: Monday, August 8, 2022 10:26 AM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

Follow Up Flag: Follow up
Flag Status: Flagged

To whom it may concern,

Hi! I am writing this letter on behalf of my family to share our concerns about the removal of the Wine Village in the Badger Mountain South community. We chose to purchase and build our home in Badger Mountain South because of the master plan to have a wine village in our community. Our realtor from New Traditions clearly communicated that there would be a wine village here and so did the Badger Mountain South website: <https://badgermountainsouth.com/find-a-home-old/wine-village/>. This is one of the main reasons we purchased our home here. We wanted to be within walking distance to these amenities.

I am very upset to hear that the developer wants to build townhouses instead of the wine village. This is not what was communicated or promised to us. I am expecting, as the representatives for the city of Richland, that you hold the developer accountable to following through with the plan that was communicated to all of us here in Badger Mountain South.

Thank you!
Kelly Nelson

Stevens, Mike

From: Ken Mead <meadken@hotmail.com>
Sent: Wednesday, August 3, 2022 5:04 PM
To: Stevens, Mike
Subject: Response to Villa Vista S201-102

This is Ken Mead at 4608 Vineyard Estate Lane. I am a retired firefighter with 20 years of service with the City of Richland.

I became aware of the Badger Mountain South concept and proposed development many years ago while at the fire department and hearing discussions and comments from the Fire Marshall's office. I was interested and liked all that I was hearing about features of this then proposed development; including the self-contained nature, wine village and other features. I was very lucky to be able to acquire a lot and build our dream home.

As a long-term resident of Richland, I have seen many developers come to the area, make a large profit, then leave with the money and no regard for the future of the City.

While I appreciate the work and investment that the original developers have made, it is easy to see that they have already made a sizeable return on their investment. I do not want to see another case of take the money and run with the community left to face the future without the community that was promised.

It became clear in the winter of 2018-2019 that most of the rest of the City staff really did not know that we were even here. I do not want to see our community forgotten and left on our own to solve the future problems from taking the easy way out and forgetting about the vision of how the area was to be developed.

Stevens, Mike

From: Kristi Geris <kgeris@anchoragea.com>
Sent: Tuesday, August 2, 2022 11:01 AM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Hello,

I'm writing because I'm concerned about the proposal to build 68 townhouses instead of the marketed wine village in Badger Mountain South. Is this true? Thanks! -kristi 😊

Kristi Geris | ANCHOR QEA, LLC
Senior Scientist

kgeris@anchoragea.com
Tri-Cities WA
C 360.220.3988

ANCHOR QEA,LLC

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Stevens, Mike

From: Kurtis Reser <kurtis_reser24@hotmail.com>
Sent: Sunday, July 31, 2022 10:39 AM
To: Stevens, Mike
Subject: Public Comment for Villa Vista S-2021-102

To Whom It May Concern

I am a resident of the West Vineyard Community and I am concerned about the the prospect of building townhomes in place of the promised Wine Village. When my family made the decision to move to the West Vineyard Community, it was due in large part to the prospect of having a unique community that offered more than just houses. We were sold by the idea that we could walk to shopping, parks, entertainment, and community. We moved out of our location close to Gage Blvd, because we were excited about an area that was both vibrant and community based, as promised. Having an that unique town center will attact people and grow property values, adding townhomes will do the opposite and lead to an overcrowded community and take away from the community experience. Thank you for taking my thoughts into consideration.

Kurtis Reser

Stevens, Mike

From: Kyle Beck <kylebeck_34@yahoo.com>
Sent: Tuesday, August 2, 2022 6:53 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Good Afternoon

In 2015 we started looking for property to build our forever home here in Richland. We spent lots of time searching for that right piece of property. We wanted something that was at least 1 acre and not far from everything. We finally found this new and exciting neighborhood off Dallas Road that had all over these exciting things promised like a wine village and small-town feel. We bought our 1 acre lot and built out home in 2016 and have been waiting for this "Wine Village" to be built. Recently we heard that the land when the wine village will go may be sold to have 68 town homes built in place of the Wine Village. When we heard this the dreams of this being our forever home started to fade. We are so disappointed in the developer and city for even considering this. I hope the decision is made to not sell the land for EVEN MORE houses to be built here.

Thank you for your time

Kyle Beck

Stevens, Mike

From: Les Abercrombie <les.abercrombie@outlook.com>
Sent: Wednesday, August 3, 2022 6:23 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

As a homeowner in Badger Mountain South – 4187 Corvina, thank you for considering my recommendation to reject the proposal to replace the wine village with townhouses.

The wine village and specialty retail as marketed in the LUDR was an important part of our decision to purchase in this community. We are in the wine business and acknowledge that the past 2 years have been difficult for wineries. Please encourage Nor Am to redouble their efforts to follow through with the plan to develop the Wine Village. It may well take additional time and development to realize the vision of the LUDR of a walkable community with a wine village and specialty retail.

Similar wine facilities are successful in Richland, Kennewick, Prosser, Vancouver Woodinville, etc. etc.

Thank you

Les Abercrombie III, MPS, SHRM-SCP
les.abercrombie@outlook.com
206.713.3861
<https://www.linkedin.com/in/lesabercrombie3>

Stevens, Mike

From: Lisa Smith <lisasmith@outlook.com>
Sent: Monday, August 1, 2022 1:18 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Hi,

I am writing as a homeowner in Badger Mountain South neighborhood to oppose the building of 68 townhomes instead of a wine village. Building that many townhomes in our neighborhood will definitely change the feeling of the neighborhood and is against what we were told was the plan for BMS.

Regards,
Lisa Smith

Stevens, Mike

From: Lou Buchholtz <lkjack@hotmail.com>
Sent: Wednesday, August 3, 2022 4:51 PM
To: Stevens, Mike
Subject: Badger Mountain South sustainable community threatened once again

I am very disappointed about the wine village and am not ok with the 68 townhouses.

i am disappointed that they even told us this when we built.

Also agree business we can walk to we all have families and eat out I believe our little village would support a business.

i was excited when I heard about the park that my grandkids and I could walk too they have one on the Mercatile side, why not us!!!!

I am so disappointed with all things that were promised and are now not happening. This is one of the reasons we were do excited about this part of tri cities. Very very disapointed !!!!!!!

Stevens, Mike

From: Lynn Ibatuan <lynnibatuan@gmail.com>
Sent: Sunday, July 31, 2022 6:51 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

I'm sad to hear that the Wine Village is trying to be ousted from the plans by the developers. I do not feel it would be beneficial to our neighborhood to put in a huge townhouse hub.

We were told when we bought in this area we would see small businesses and exciting new features. Where is the Wine Village, the Kadlec Clinic, and other nice amenities??

We weren't supposed to have low rent housing in our area either!

So we were duped into thinking it was going to be an up and coming community of families and individuals with nice open spaces and venues.

This will be the second or third time we've been denied what was sold to us by the developer and the realtors involved with the false advertising!

Tired of empty promises! Tired of lying developers!

Make them continue with what was sold to us when we bought into this nice community!

We deserve better treatment than a big buck quick sale proposal filled with untruths!

Sincerely,
Lynn Ibatuan
Camillia Avenue
Richland

Stevens, Mike

From: Mariah Ochoa <mariah.ochoa@outlook.com>
Sent: Monday, August 1, 2022 4:45 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

To Whom it May Concern,

I am writing this email regarding the Wine Village in the Badger Mountain South Community. My family recently moved into our home in this neighborhood. We moved from the west side of the state and choose Badger Mountain South for the community and access to amenities. The Wine Village was shared with us by relators and research into the LUDR. I urgently request that you keep this part of the community for current and future residents and tourism.

Thank you,
Mariah Ochoa

Stevens, Mike

From: Mark McCormick <markmcc1@att.net>
Sent: Friday, August 5, 2022 3:45 PM
To: Stevens, Mike
Subject: Badger South Proposed Changes

Hi,

I want to lend support to maintaining the intent of the wine village area as it was proposed and sold. There are plenty of other areas to continue residential development. With the uncertainty of the economy future It makes sense to not make substantial land use changes to the area. The Tri-Cities certainly needs a major commercial draw area to serve the growing community. The approved plans did just that. It is a well planned community in my opinion and the intent should be maintained without substantial changes.

Thank you for your review. While we reside in the adjoining community the Badger South Plan has major effects on the adjacent communities.

Mark

Mark McCormick
6903 S Coulee Vista Drive
Kennewick, WA 98338
(707)292-7028

Stevens, Mike

From: Matt Tuttle <mj_tuttle@hotmail.com>
Sent: Thursday, August 4, 2022 2:12 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

City of Richland,

Thank you for the opportunity to publicly address the proposed Villa Vista townhomes.

My family and I relocated from Texas in late summer 2018, investing a lot of time and due diligence in determining which part of the Tri-Cities we wanted to establish our new roots. While there were some nice communities and choices out there, Badger Mountain South in Richland, and the vision of a sustainable community with parks, businesses and a destination wine village, is what we fell in love with and decided to live. We moved into our new home in winter 2019.

The original concepts, artist renderings, and visions showed a community of neighborhoods that shared open parks, schools, churches, shops, businesses, and medical facilities—all anchored by a quaint, picturesque wine village that would provide fun, relaxing places to gather, meet neighbors, and enjoy everything eastern Washington has to offer. This wine village would also be a destination for others to enjoy that same experience, creating a cornerstone area for Tri-Cities.

That vision is why we are here; it is why we chose Badger Mountain South, and I firmly believe that same vision was alluring to the City of Richland at concept phase as well. Without one of kind, unique visions like Badger Mountain South, then all neighborhoods quickly look the same. However, with Badger Mountain South's special landscape, it's access to roads, and where this neighborhood can head, that vision can be upheld, and this area can be a special, unique part of the Tri-Cities—and a place folks from around the region would like to visit.

I'm not sure what is driving the change in that vision—corporate profits, potential property tax revenue, perhaps even ennui to finalize the vision. Making a special community is not easy...but that effort is what makes them special. Badger Mountain South, and the promises that were issued just a few years ago, has everything ready to ultimately become that special place; the final pieces just need to be added.

I ask the City of Richland review committees to read all the emails about this topic from current residents to be reminded of that vision, its importance to those that live here, and the importance that vision has to Richland and the Tri Cities. This vision moves one's heart and just breathes what a special place can look like. The developer saw that, current residents saw it, artists saw it, and I know the City of Richland saw it. Make that vision a reality; this special parcel of land is deserving of meeting its potential as a community and as a destination. Thank you.

Matt & Jacki Tuttle
2233 Morris Ave.
Richland, WA 99352
mj_tuttle@hotmail.com

Stevens, Mike

From: Megan Bjornberg <meganbjornberg@yahoo.com>
Sent: Tuesday, August 2, 2022 12:33 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

Dear Mr. Stevens;

First, I want to thank you for taking the time to receive and consider public comments. When making the decision regarding where to purchase our home, we ultimately decided on Badger Mountain South due to the future vision of the neighborhood and community. The promises of "a place to shop, play, and live a full and comfortable life inside a vibrant and growing community."

The wine village and its "vast array of amenities including an amphitheater, hotel, event center, cinema, as well as selection of both casual and sophisticated dining experiences" was extremely attractive to us as prospective buyers. Focusing further on this promise, it seemed that purchasing here would be a sound decision as the location would continue to appreciate.

Replacing the vision with 68 townhomes is inappropriate to all homeowners who were sold on the idea of the wine village. As a bait and switch, it feels predatory.

I can, to this day, pull up a multitude of home listings that continue to make the promise of a wine village. One of the builders that is actively selling this promise is New Tradition Homes.

I am attaching additional links that were provided when we were looking to purchase a house in the area. Losing the wine village prevents growth in a positive direction that we had hoped for and makes us seriously consider what our future in the neighborhood will be.

Being fed lies should result in recourse. The developer needs to fulfill their obligations.

Thank you for your time.

Megan Bjornberg
509-929-4035



[Wine Village – Badger Mountain South](#)

[Badger Mountain South Wine Village | Visit A Winery](#)

Stevens, Mike

From: Natalie Williams <natalieibcl@gmail.com>
Sent: Monday, August 1, 2022 11:14 PM
To: Stevens, Mike
Subject: Badger Mountain South Development

Please protect the Wine Village and keep our neighborhood walkable. Being able to get groceries and work nearby is important. Making sure that kids are protected by connecting areas with safe paths.

Thank you,
Natalie Williams

BMS Issue # 2: Protecting our Business Districts

Honest question, would any of you walk, or bike, across a 50mph road to get groceries or lunch? Would you feel safe sending your kids across Dallas RD on foot or by scooter? If not, then this topic needs your support.

This issue requires a lot of background information and it's probably a little boring- but it needs your support too. I feel like all of these submissions came through at the same time to overload us. Please don't let that happen!

First, let's talk about what sustainability mean for our community?

Sustainability has a lot of different meanings. The documents that govern BMS are pretty specific about what it means for us. It means:

- 1) Walking, or hopping on a bike, to shop, grab lunch, or buy groceries. It means not having to jump in a car for everything. It means being able to find employment close to your home.
- 2) It also means we generate enough tax revenue from the business districts that the City of Richland can afford to keep up with caring for and maintaining our community in the long run. (Watch this link if you're interested in learning more about this principle: <https://www.youtube.com/watch?v=VVUeqxXwCA0>)

What land is available and what's left?

Badger Mountain South has 3 areas Zoned for Business Districts. These districts are highlighted in the attached picture. These commercial districts are intended to be built with their Specialty Use in mind.

1. Specialty Retail is supposed to be where the Wine Village is located. As you guys are probably aware from my posts yesterday, the developer wants to use up the remaining 13 acres there and put in 68 townhomes. If this were to happen, BMS would completely lose one of its three commercial districts.
2. The Commercial Mixed-Use District. In the case of this area, its Specialty Use is intended to be "a major employment center and a destination for shopping, higher-level education, dining, office use and other employment centers, Multi-family/Mixed use housing, entertainment and recreation. (LUDR Page 4-3, Section 4.C.1)"

Kadlec currently owns a portion of the northern area. Through the City Planning Commission meetings, it's become public knowledge that the developer is looking to create a gated, age restricted community with the rest of the land north of Ava Way.

This leaves the remaining land south of Ava Way for commercial use on this side of Dallas Road. This is where the Country Mercantile is located and where the Veneto Villagio plat comes in.

The proposed plat has nothing concerning about it on the surface. The developer wants to split it up into 13 lots. I don't know what the developer has planned for these lots. They honestly could be businesses for all I know! However, these lots could also be turned into anything allowed in the land use table in the LUDR. What I am specifically concerned about is that these lots could all become town homes. Other than intent, there is nothing in the LUDR which specifically ensures some of these lots are saved for businesses.

I feel this is a better safe than sorry situation. As the developer's past and current actions with the Wine Village shows, they feel intent is not binding.

If this land gets divided up and sold into lots that then become Townhomes, we're out 2 business districts in Badger Mountain South. At that point all that's left is the Destination Retail District.

3. Destination Retail is intended to be a destination for the region; not just our community. If this is the only Business District left in Badger Mountain South, then our community on this side of Dallas Road gets sufficiently cheated out of the walkable, sustainable community we were promised.

What does this mean?

Under the proposed plans, the only businesses you'll be able to walk to would be Kadlec, Country Mercantile, the gas station and whatever happens with the Veneto Villagio lots.

What can You do?

We need you to write another letter to Mike Stevens at comments are due this Friday, August 5th by 5pm.. Title this email: Veneto Villagio S2022-101.

The Hearing Examiner meeting for Veneto Villagio is the same meeting for the Wine Village. If you attend the virtual meeting on August 18th, you'll be there for both issues.

What can I write about?

1) Did you move here on the promise of a walkable and sustainable community?

2) Would you like to see protections on the Business Districts to guarantee the intent in those districts are met?

You can look at LUDR Chapter 4 to get a feel for what our business districts are supposed to be.

Thank you to everyone who has taken the time to help out in different ways! Let's keep spreading the word and taking action- it will make a difference!

Stevens, Mike

From: Navdeep Gill <navgill92@gmail.com>
Sent: Tuesday, August 2, 2022 9:40 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

To Whom It May Concern:

My wife and I moved to the TriCities and the Badger Mountain South community, we chose with promises made of a wine village. I understand there is a bottom line cash flow concern for the developers/city, however this community will be nothing more than a failed suburb without the infrastructure of desirable and high quality businesses to build the community around. This is an opportunity that requires some commitment as opposed to an immediate cash out. I call on you to honor what was originally promised, something that will grow the TriCities, several more townhomes will not build the community atmosphere that will attract visitors and make our community a shining light of the TriCities.

Thank you,
Nav Gill

Stevens, Mike

From: Niki Swanson <nikibarnes_66@yahoo.com>
Sent: Monday, August 1, 2022 12:25 PM
To: Stevens, Mike
Subject: Wine Village

Hello,

I'm writing you in regards to the developers wanting to scratch the Wine Village in Badger Mountain South. I specifically build my home there with the promise and vision of this beautiful wine village. The developers has been very dishonest and it is extremely upsetting! This isn't a shirt I've purchased and can return because the description wasn't accurate, I've built my home here after seeing the map of where the wine village would be in proximity to my home. I don't understand how misleading all these people can be legal, it's for sure not moral. Please do not allow this to happen.

Sincerely,

Niki Swanson

Sent from my iPhone

Stevens, Mike

From: Paris Bernhardt <parisbernhardt@gmail.com>
Sent: Wednesday, August 3, 2022 10:35 AM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Hi,

I purchased a home on White Drive that closed escrow on 6/13/22. I was told that the area was a planned community and local retail would be part of it.

I have to say that I am not in favor of townhomes replacing Wine Village. It's not favorable to always drive 15 plus minutes to the nearest store, restaurant (which is really lacking), pharmacy and so on.

My husband is a senior and walking around the area and to local businesses is a positive rather than townhomes.

AND of extreme importance is local trails and parks. Walking to local businesses is a priority and equally important is that realtors and builders are not telling those of us that recently bought that the plan is to scrap business within walking distance. It's NOT OK to not tell us that the "plan" is not as it was represented.

Thanks,

Paris Bernhardt
Richard Levy

Stevens, Mike

From: Patrick Maag <pmaag09@gmail.com>
Sent: Monday, August 8, 2022 7:32 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Follow Up Flag: Follow up
Flag Status: Flagged

Mike - our family moved into the south badger development because of the allure of a walkable, green, sustainable, and attractive vision for the community. This included schools, retail, green space, and entertainment opportunities. Deviating from the master plan would severely harm the value proposition of the development and put the city's integrity in question. We have plenty of already designated room for housing, but what our development needs most at this time are the amenities that other developments around Tri Cities already have: restaurants, retail, green space, and maybe most importantly a grocery store. The plan agreed to by the city of Richland is what has driven property values in this area. Changing the plan could change the trajectory of the development.

We had high hopes for this development, and would be severely disappointed to have the figurative goal posts moved on us after we have invested in the community. Please carefully consider amending your plans and consider the perspectives of the actual residents of the community.

My best,
Patrick Maag
Resident of Goose Ridge Estates

Stevens, Mike

From: Ralph Sanner <bearscat11@gmail.com>
Sent: Monday, August 8, 2022 6:44 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Steven's,

Please maintain the promised:

1] Wine Village

2] Businesses we can walk to:

This appealed to us. It is important to our residents and people considering a move here [I have been asked by friends/families contemplating movingadr here; depending on the outcome of businesses & services being built here will their decision be made. I have suggested they wait as it doesn't look like the developers & city have decided to follow through on their promises for business/services & Wine Village.

I hope that this letter will be considered as if the promises are fulfilled, one can have pride, feel like we will have a sustainable future. The grand picture will be one of friendly, sustainable [we can rely on our city, community, neighbors] and a place to live safely, comfortably and reliably!

Ralph & Bernadita Sanner
4573 Ruth Court, Richland, WA 99352.

Stevens, Mike

From: Rayce Miller <rmiller_22@hotmail.com>
Sent: Friday, August 5, 2022 11:24 AM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Mr. Stevens,

My name is Rayce Miller and I am a resident of Badger Mountain South. I am writing you in regards to the wine village, Veneto Villaggio and what may or may not have been promised. My wife and I recently moved into this neighborhood at the beginning of this year. We were very excited about the future plans to this development and all of the potential it has. One particular development was the wine village. Our little community at Badger Mountain South feels like a little oasis away from Tri-Cities and this is the whole reason we decided to buy a house here. I don't believe the goal is to have every house stacked on each other and crammed together. I feel as though adding town homes to this development would do that and brings down the potential this area has for the other residence. We were told that a park is going in with small businesses, trails, community center and others. If this land is used for townhomes and bringing in more people one on top of another it makes me not want to live here. The whole point of coming out to this area was to get away from everyone so close together and having a better flow to things. I know a bunch of people in our community is upset that the potential townhomes might be a thing and the wine village might not happen. This is a big reason most people moved out here and to be honest homes aren't cheap. When you make the big decision to spend over \$500,000 for a home you are also not just buying the home but a piece of the community and what happens to it. I strongly urge the City to reconsider putting in town homes here, this is not a good look on the City or it's members as they make this decision. All residence were promised a wine village and are expecting that and if town homes take its place just for extra money that is a bad look.

Thank you for taking the time to read this.

Sincerely,
Rayce Miller

Final Villa Vista response to 2nd application 8-3-2022

Russell Pfeiffer

4518 Vineyard Estate Lane

Richland, WA 99352

8-3-2022

Hearing Examiner Gary McLean

c/o mstevens@ci.richland.wa.us

Dear Hearing Examiner McLean:

I profess that I am not a professional writer, nor marketer, and have limited if any tech skills with a computer for spreadsheets, illustrations, or attachments. I will do my best to present my viewpoints in an organized manner for your further review.

I am writing in response to the latest Notice of Application for the continued attempt for the Villa Vista (S2021-102) proposal. I am against the current application for the latest version of the Villa Vista project. There seems to be very little in the way of changes from the last proposal and am very disappointed that the Intent of the Specialty Retail District has not been met once again and needs to be defended for the betterment of our community.

1)

According to the **Badger Mountain Subarea Plan**, page #29, which is still what is on the City of Richland website it states as follows,

Badger Mountain Specialty Retail:

The Badger Mountain Specialty Retail (BMSR) commercial designation is identified for areas that will be developed to have a particular draw for tourists or other visitors, while also providing goods and services to the local population. This land use designation is only found within the Badger Mountain South area. It is intended that areas identified as BMSR be developed according to distinct design standards found in the related Badger Mountain South Development Agreement to ensure that a sense of cohesiveness is achieved through coordinated use of building materials, landscaping, signage and lighting. Its location near the freeway interchange will allow the creation of an attractive and inviting entry to South Richland and will concentrate the impact from more auto-oriented uses away from the primary residential neighborhoods. The area identified as BMSR is being planned to develop as the Badger Mountain South Wine Village and would include a variety of uses and employers such as a wine business incubator, other wineries, demonstration vineyards, boutique hotel, other retail, and goods and services associated with wineries and hospitality in general. The concept plan also includes a public

gathering plaza, outdoor amphitheater and sustainable design demonstration features. The build out of the Badger Mountain South Wine Village would occur in stages dependent upon market conditions.

Badger Mountain Destination Retail:

Badger Mountain Destination Retail (BMDR) is a land use designation applicable to properties in Badger Mountain South that lie west of Dallas Road at the I-82 interchange. The purpose of this designation is to capture retail and other commercial users that provide goods and services to both the nearby neighborhoods and to the traveling public. At full build out this area would contain a well-conceived and well-designed retail center with a variety and mix of uses, including anchor stores, multi-screen theater, restaurants, service stations, as well as a major, stand-alone retailer. This district is especially suitable for freeway-related uses, including high volume retail, food and specialty stores. Uses here would be sited using the design guidelines found in the Badger Mountain South Development Agreement in order to provide an attractive southern gateway to the City of Richland and to the neighborhoods within the Badger Mountain Subarea.

There does not appear to be anything in this document that states anything about putting in stand alone housing in the Specialty Retail or the Destination Retail designs.

2)

In the master agreement Between the City and NOR AM there is picture of what the proposed Specialty District is to look like when finished. It is the same picture in the attachments below in the LUDR picture of 4.B

MASTER AGREEMENT BETWEEN THE CITY OF RICHLAND AND NOR AM INVESTMENT, LLC REGARDING THE COMMUNITY KNOWN AS BADGER MOUNTAIN SOUTH

On page #44 It shows a proposed picture of what the Special Retail District is supposed to look like when its finished. (I was not able copy and post the picture)

These things are all still available to the public if they were looking to get an idea of what the area is supposed to look like in the years to come.

3)

In the LUDR in section 4.A It seems very clear what the Specialty Retail District is supposed to be.

In Section 2.A and 2.B it shows a color coordinated map showing the Specialty Retail area in dark Magenta(?) The area that is marked for mixed use is in the Teal blue to the left. Where NOR AM is proposing to build Row homes in their application is in the Magenta which is clearly not a "mixed use" area according to the attachments on the next page. The application should be for the Teal blue area if they were still able to fulfill the Intent issue; which they clearly do not.

(See attachments at the end of this letter)

4)

In the latest application it discusses on pages 3-4 why they think they should be able to build the Villa Vista project. I contend that their argument of the usage of LUDR table 2.C is a mis-interpretation of the Special Retail Intent and that the Table 2.C is in direct contradiction to the Special District "Legend" of 2.A & the picture of the shaded areas in 2.B.

Table 2.C is also in direct contradiction to the Special Retail District "Intent" located in 4.A and 4.B

If Table 2.C is to be followed as small print in the LUDR, then the small print of 4.A.2.d should be followed as well.

d. Spaces between buildings shall be considered for design purposes as common spaces to be shared among all users in the District and should be designed to function in this way, unless necessary for essential uses such as utility services, waste collection, or delivery services.

I assume that there will be no fences and that any and all spaces outside of any building will be considered "common space" and not private property able to be used by anyone in the District.

5)

Prior approval to build the 12 4-plexes in an area in the Special Retail District does not give implicit approval to build Villa Vista. The 12 4-plexes were hastily approved without community discussion. The community at large was not notified of the hearing process and only 2 homes were notified based on an outdated (my opinion) process of only notifying (2 homeowners) homes that were within a very short distance of the proposed project at the time.

Based in the Remand Order by Hearing Examiner Gary McLean, Items numbered #15-18 specifically:

15. While some comments in the record generally indicate that the applicant may be under the impression that previous plat approvals in the same district should serve as a basis to justify this application, which completely ignores the "intent" of projects in the Specialty Retail District, such an assumption would be a mistake. Even if previous plat approvals did not focus on some provisions in the LUDR, such a circumstance does not excuse the requirement to comply with applicable LUDR provisions in any subsequent application(s).

16. Based on well-established common law, the proper action on a land use decision cannot be foreclosed because of a possible past error or failure to apply or enforce a provision of applicable development requirements. The BMS LUDR provisions and their full effect should not be forfeited by the action or inaction of any staff member or government official that may have been in disregard or oversight of a City code section or LUDR provision. The public has an interest in zoning that cannot thus be set at naught. (See analysis provided in *Dykstra v. Skagit County*, 97 Wn. App. 670, 985 P.2d 424 (Div. 1, 1999), petition for review denied, 140 Wn.2d 1016, 5 P.3d 8 (2000); citing *City of Mercer Island v. Steinmann*, 9 Wn. App. 479, 483, 513 P.2d 80 (1973), and *Buechel v. Department of Ecology*, 125 Wn.2d 196, 211, 884 P.2d 910 (1994). The Washington Supreme Court even applied this rationale in the context of water rights, where the Department of Ecology originally acted ultra vires in measuring a water right, it did not act arbitrarily and capriciously in abandoning an unlawful practice and switching to new practice. See *Department of Ecology v. Theodoratus*, 135 Wn.2d 582, 957 P.2d 1241 (1998).

17. With respect to this application, the intent language for the Specialty Retail District is elevated in its significance based on facts in this record, that establish how the 13+ acres covered by the proposed plat are likely to be the last truly vacant portions of land in the BMSSD-SR "Specialty Retail" District of the greater BMS master planned community. To date, the property owner and primary developer of properties in the Specialty Retail District has REMAND ORDER RE: VILLA VISTA TOWNHOMES PROJECT APPLICATION FOR PRELIMINARY PLAT APPROVAL IN THE BMS MASTER PLANNED COMMUNITY – FILE NO. S2021-102 Page 8 of 9 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 GARY N. MCLEAN HEARING EXAMINER FOR THE CITY OF RICHLAND CITY HALL – 505 SWIFT BOULEVARD

RICHLAND, WASHINGTON 99352 yet to present an application for any proposal that would directly achieve the intent for such district, as set forth in Sec. 4.B.1 of the LUDR.

18. Simply put, approving a standard townhouse project as proposed, that appears to be completely absent of any design features or amenities listed in the "intent" section of the LUDR for the special district where it is located, would not be in the public interest.

6)

Based in the Remand Order by Hearing Examiner Gary McLean, certain "unchallenged" items brought forth by myself, Russell Pfeiffer, acting as a representative of West Vineyard HOA, have not been answered. Nor has a suitable explanation been given by the applicant that fulfills the "intent" of the LUDR for the Specialty Retail District.

In the Remand Order Item #19 explain why and how the current application fulfills the intent of the LUDR for the specific district where it is located. It would also be helpful if the applicant addressed the detailed concerns in the unchallenged comments from Mr. Pfeiffer, included in the record as Exhibit 9A.

7)

The road plan in the application is somewhat of a mystery. They have several maps showing the roads through the proposed development. Only one of the maps (pg 16 of the proposed application) shows any measurements of the road widths (Syrah in between the proposed connection of Sotto and Ava). The overall measurement is 69 ft. There is no mention of the road width for Bellaview (from Syrah to Ava).

On page 15 of the proposed application they show various road size drawings but fail to mention where they will be applied on any of their plat maps.

Design #1 Local Street Edge type A is an overall 59 ft with the actual street including parking of 34 ft.

Design #2 Alley Section is an overall width of 26 ft including the shoulder; 18 ft without shoulders.

Design #3 Local Street Edge type A & B is an overall width of 69 ft including the trail and sidewalks with the actual street including parking of 34 ft.

According to the one measurement in the proposed drawings, the only road size that seems to match the drawing design (pg 16) would be Design #3 where Syrah connects Sotto and Ava.

In this is the case, is Syrah supposed to be a “Connector” street the same size as Ava?

Is Bellavue supposed to be a “Connector” street the same size as Ava?

The issue with Syrah is if the road is to be 69 ft wide (including trails, etc), it will need to be re-constructed to be 47 ft wider than what it currently is. The only direction that it could be made wider at the connection point of Ava (between Ava and Vineyard Estate Lane along Syrah) would be to move into the currently existing drainage pond. The other direction is private property and the actual current road size is 22 ft. along the private property line and vineyard.

The other issue is the width of Bellavue. There is not a determination for the width of Bellavue on any of the proposed application maps. The actual road width of Bellavue is 22 ft. According to the LUDR’s, Bellavue is not wide enough from the connection of Ava to Vineyard Estate Lane and beyond. To be a “collector”, local street, or alternative local street it would need to be widened at an extreme minimum of 6 ft. This would prove to be difficult since private property is on one side and the infrastructure of the 12 4-plexes is being built as I write this.

8)

In Section #5 of the proposed application, it talks about its use of open space and parks to be included in the 30 acre park to be constructed down the road. Part of their justification is that the 30 acre park is “adjacent” to the Villa Vista project. The use of the word “Adjacent” is a stretch at best if you look at the definition of the word. We are supposed to be led to believe it is right next door connecting the properties. As far as I can tell, this is not the case from any of the maps I have been able to see. In the proposal there is a bit of confusion (for me at least). I have been told the park to be constructed is 30 acres. In the proposal, Section #5 on Pages 4 & 5, I feel as if I am led to believe that Villa Vista is giving more acreage to the park in compensation for not using the proper amount of “open space” or “parks” in the development itself.

.96 AC of park area required. To be accounted for in the COR Park on 32 acres adjacent to the project

The proposal is also attempting to be using part of its “open space” for parking lots. I am under the impression that this has been dealt with at previous commissioner meetings and that is not the proper use of “open spaces”. Section #5 on page 5 also makes me feel like the applicant is being magnanimous by “supporting the COR in ongoing planning of the park”. This sounds like they are working with the parks department in developing the park. I have reached out to the parks department to confirm or deny this. I am waiting for a reply from Julie Jackson in the department. She contacted me and said she would be finding out the answer or who I needed to talk with to get the answer. I have not heard back yet from our last correspondence which was Tuesday August 2nd.

Nor Am Investment, LLC and South Richland Communities, LLC are currently supporting the COR in ongoing planning of a large park adjacent to this project. The park will also contain required trails. NAI and SRC currently plan to construct the park and all Green Infrastructure requirements are to be satisfied with this park. Therefore, this requirement is deemed to have been met.

If this is the case, do other developments, such as South Orchard, get to use the park for their proposed open space requirements? Or By stretching the use of the word “adjacent”?

9)

Several issues relating to the vineyard are not addressed in the proposed application as well. There has been some contention in the last 4 years that the actual vineyard will become more difficult to manage/harvest/farm. There is an agreement with the vineyard owner and homeowners along Vineyard Estate Lane to keep the property along the North side of the vineyard (approx 10 ft of vineyard frontage) clear on days that work in the vineyard needs to be done. In the past there has been some discussion between the vineyard owner and Larry White about tearing out the vines if it can not be farmed, harvested, and managed properly. The proposed application for Villa Vista does not address any of these items in the application. The vineyard owner will need proper access on all sides of the vineyard to manage it properly.

The issues would include:

- a) Street width of Bellavue.
- b) Parking issues along the South side of the vineyard along Bellavue.
- c) Curb height along the South side of the vineyard along Bellavue so the equipment can operate properly.
- d) Street width of Syrah on the West side of the vineyard.
- e) Curb height along the West side of Vineyard Between the proposed Sotto and Vineyard Estate Lane.
- f) There may be other issues I have not thought of that could very well be pertinent to the approval of the application if all other disqualifying points are not enough to stop the Villa Vista proposal.

10)

I would also like to know the date and when the decision was made to move away from the wine village Specialty Retail District and just add more housing. I believe that I and most other homeowners were misled in expecting the Specialty Retail District to be constructed when we bought our lots and/or built our homes here. I built here specifically because of the Wine Village. If I had known this was not going to happen, I would have built elsewhere. I believe that if this proposal goes forward and is approved, it has done so under fraudulent circumstances and would like to be compensated properly for my investment.

In conclusion:

I do not believe the second proposed application for the Villa Vista development has answered any if even a few of the issues it was remanded for in the first application regarding the "Intent" of the Specialty Retail District. The proposal continues to stress some of the arguments that were denied the first time it was remanded. Furthermore, it does not address or leaves out entirely issues that are important to the community at large in relation to the vineyard, street changes, open area space development, and incorrect adoption of the use of park space not meant to be inclusive in the Villa Vista proposal. Please deny this proposal.

See attachments below:

2.A INTRODUCTION

In order to achieve the intent of the LUDR as set forth in Section 1.A, as well as the other provisions of the Master Agreement, Badger Mountain South is divided into eight Urban Form Districts. Each District allows certain types of buildings and uses, identifies development intensity, employs District-specific development standards and defines the relationship of the parcels in the District to public right of ways.

The Districts and boundaries of the Districts are established as shown in Figure 2.B, Regulating Plan for Land Use and Urban Form. The official Badger Mountain South map, called the Regulating Plan for Land Use and Urban Form, is found at Figure 2.B. The boundaries of the Districts shown, govern the uses of land, buildings, and structures within that District. Districts also govern the size of yards, the types of buildings and the heights of those buildings and other structures. These are the regulations that have been established and declared to be in effect on all land included within the boundary of each and every District shown in the official Badger Mountain South maps.

DISTRICT LEGEND

The legend identifies the color associated with each District and provides a short introduction to the District intent. The Regulating Plan for Land Use and Urban Form, 2.B, shows where each District is located within Badger Mountain South.

BMS-VMU: VILLAGE MIXED-USE (3.B)

The Village Mixed-Use (VMU) Districts are the most urban areas of Badger Mountain South. They allow commercial uses, housing located above ground floor commercial spaces, Live/Work, Stacked Units and Row Houses.

BMS-NC: NEIGHBORHOOD COLLECTOR (3.C)

The Neighborhood Collector District allows a variety of Multi-family attached housing options as well as smaller scale commercial and Mixed-Uses.

BMS-NG: NEIGHBORHOOD GENERAL (3.D)

The Neighborhood General District makes up the largest area of Badger Mountain South. This District allows Single-Family detached residential with a mix of smaller scale attached housing options.

BMS-NE: NEIGHBORHOOD EDGE (3.E)

The Neighborhood Edge District allows residential uses in detached Single-Family houses and related uses that are compatible and common to Single-Family houses.

BMS-CVIC (3.F)

The Civic District contains the open space, parks, schools, civic and community spaces. Development in this District is primarily intended for Civic, Community and Institutional Facilities. See also Illustrative Plan for Civic Space Layout, 3.B for details.

SPECIAL DESIGNATION "P" OVERLAY DISTRICT

SPECIAL DISTRICT LEGEND

BMS-SD-SR: SPECIALTY RETAIL (4.B)

The Specialty Retail Special District is intended to support the growing interest in local and regional agricultural products, in particular the local wine industry.

BMS-SD-CMU: COMMERCIAL MIXED-USE (4.C)

4.A INTRODUCTION

This section of the LUDR identifies the Special District development standards. Special Districts are unique areas that by intent, function, disposition or configuration play an important role in establishing the vision of the Badger Mountain South community.

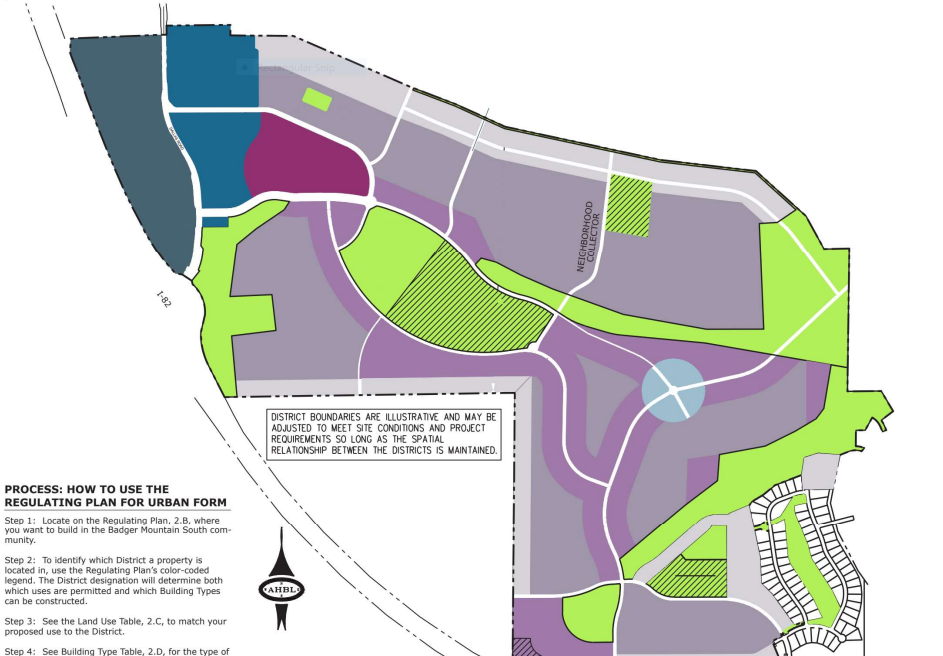
The Special Districts are identified in Section 2.B – Regulating Plan for Land Use and Urban Form, with the following color-legend:

- Special District - Specialty Retail (BMS-SD-SR)
- Special District - Commercial Mixed-Use (BMS-SD-CMU)
- Special District - Destination Retail (BMS-SD-DR)

Because of the unique nature of the Special Districts, development within these areas is guided by the intent, guidelines and/or standards as follows for each District.

Although the Special Districts are not regulated by Building Types, the Common Design Standards in Section 8.C are applicable to these Districts.

2.B REGULATING PLAN FOR LAND USE AND URBAN FORM



4.B BADGER MOUNTAIN SOUTH SPECIAL DISTRICT- SPECIALTY RETAIL (BMS-SD-SR)

SEE REGULATING PLAN FOR LOCATION



Illustrative Sketch: Birds-eye View of Specialty Retail Village

1. SPECIAL DISTRICT - SPECIALTY RETAIL INTENT

The Special District - Specialty Retail (BMS-SD-SR) is intended to support and provide development opportunities for the growing interest in local and regional agricultural products, in particular the local wine industry. As such it serves both the City of Richland as well as the region.

It is also intended to:

- Provide a gathering place for group events, festivals and other community-wide activities;
- Provide sites for: vineyards, wine caves, wineries, tasting rooms, wine making, other specialty brewing and craft distilling, the sale of other agricultural-related products, education, retail and hospitality that support this focus; and
- Showcase innovative sustainable design features in both building and site design.



Illustrative Sketch: Outdoor Plaza, Cave Entrance, and Vineyard

2. SPECIALTY RETAIL DISTRICT STANDARDS

- Each building design should include sustainable features. Refer to Section 12 for Sustainable Standards.
- Buildings are encouraged to be sited to take advantage of views.
- Pedestrian connectivity between development sites shall be emphasized, the use of unique pavement or landscape treatments shall be encouraged.
- Spaces between buildings shall be considered for design purposes as common spaces to be shared among all users in the District and should be designed to function in this way, unless necessary for essential uses such as utility services, waste collection, or delivery services.
- Service areas shall be integrated into the building design to provide screening for equipment, recycling, trash and similar.
- Buildings may vary in height between one to three stories; daylight basements are not included in the story count. Landmark structures such as a clock or bell tower may have a maximum height of 80 ft. and no signage shall be permitted above street-level.
- Exterior lighting shall meet the Badger Mountain South Light Standards, Section 12.C.3.
- Landscaping shall meet the Common and Commercial Landscape Standards in Section 11.
- Parking per Common Parking Standards, Section 13.D.
- See also Section 8.C for Common Design Standards for all Districts.



Illustrative Photo: Wine Cave Storage

Stevens, Mike

From: Ryan Wilcox <ryanwilcoxpx@gmail.com>
Sent: Monday, August 1, 2022 6:16 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

Hello,

Thank you for taking the time to read this email.

My wife and I recently relocated to Badger Mountain South from Portland. One of the main reasons we chose to move our family here is because of the promise of having easy access to commercial space that was originally introduced to us as part of our builder presentation. We were sent this YouTube video: <https://www.youtube.com/watch?v=F0io-DVnBQI>

Upon hearing that it's being proposed to limit those things in favor of more homes, we became concerned and frustrated. Truthfully, it feels like a bit of bait and switch to lure home buyers in with all the promised amenities (retail core, wine village, parks, equestrian trails, restaurants, walking paths), and then suddenly reduce all those promises and switch them for high density housing. That is not what we signed up as we were told this community would be different than a sea of endless homes, townhomes, and apartment buildings.

We have seen first hand what has happened to densely over-populated areas in the suburbs of Portland, and it is breaking our hearts that it might be happening to the neighborhood we are now living in.

We fell in love with the idea of raising our 3 children in an area walkable to small businesses/restaurants and parks for them to play at. Please consider our plea to not let the developer have the unrestricted ability to build even more homes and take away one of the central reasons for us moving to this wonderful area of Washington.

Thank you for your time and attention to this matter, I know your time is limited.

Take Care,

Ryan Wilcox
Cell: 503.919.8616
RyanWilcoxPDX@gmail.com

Stevens, Mike

From: Samantha Godfrey <samantha@communityrealestategroup.com>
Sent: Thursday, August 4, 2022 7:58 PM
To: Stevens, Mike
Subject: Badger Mountain South - changes to the Wine Village

Good evening Mr Stevens!

I want to add my name to the list of residents who would like to see Badger Mountain South move forward with previously proposed commercial development – namely Wine Village. Being in real estate and working with builders in new construction I absolutely understand the factors that are likely motivating the developer to push for townhomes instead of Wine Village. However I do believe that with the planned residential development of the area that Wine Village would be successful, great for homeowners and hugely impactful to local business.

With Covid came many concerns for commercial development. As we know many businesses had to shut down, and there is likely.. currently.. not enough residents in Badger Mountain South to entice businesses to leave the town centers. I have been informed that there is approximately 1000 acres of residential land in Badger Mountain South that the developer has not yet developed. To me it seems a more advantageous route to develop the existing residential land first as the land is here and it is already zoned for residential development. This will allow the developer to gain the residential profits they are anticipating with the townhomes, and the commercial project can be completed once the number of residents has increased to a point where local businesses would be excited to open.

With the planned connection to Gage Blvd we are sure to see an increase in traffic and more visitors to our local businesses, provided these businesses are given the opportunity to exist in our neighborhood.

Thank you!



Samantha Godfrey
(Realtor)
(509) 378-4761
4390 W. Van Giesen St. Ste B
West Richland, WA 99353
✉ samantha@communityrealestategroup.com
🌐 samantha.communityrealestategroup.com



COMMUNITY
— REAL ESTATE GROUP —



KELLER WILLIAMS.

Stevens, Mike

From: Selia Mendoza <seliamendoza@gmail.com>
Sent: Tuesday, August 2, 2022 4:33 PM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

I'm concerned that the wine village that was detailed in our community plan is in jeopardy. I chose to buy in Goose Ridge Estates because of the amenities that were promised. I think it would be in bad taste to remove the wine village, commercial space, or parks from our community plan. It would look bad on our builders and could affect all other communities being built, if buyers cannot trust what they are being told and sold. I am available for further statements or responses if needed.
Selia Mendoza
seliamendoza@gmail.com

Sent from my iPhone

Stevens, Mike

From: Shannon Jenkins <sjenkins282@gmail.com>
Sent: Monday, August 8, 2022 4:24 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

Follow Up Flag: Follow up
Flag Status: Flagged

I am writing to you today to please keep the wine village, Veneto Villaggio and to not build townhouses and/or apartments. As a homeowner in Badger Mountain South, I am looking forward to an area within walking distance myself and my family can enjoy. This community deserves the wine village as originally planned. Please don't choose money over pleasing the community.

We know you can make this decision and we are all hoping you make the right choice, in keeping the promises of the original plan.

Thanks,
Shannon

Stevens, Mike

From: S Brown <brownwing@gmail.com>
Sent: Tuesday, August 2, 2022 9:47 AM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Dear Mr. Stevens,

I am writing in regard to a proposal to build 68 townhomes, this is NOT what was planned or marketed to our community. It is not okay switch things up, when this is what was promised and many people bought homes with the understanding we would have businesses built out here, not townhomes. Please do not change the proposal. No townhomes.

Sincerely,
Shanon Brown

Stevens, Mike

From: stephen sevall <scsevall@hotmail.com>
Sent: Monday, August 8, 2022 5:15 PM
To: Stevens, Mike
Subject: Public Comments for Villa Vista S2021-102

Follow Up Flag: Follow up
Flag Status: Flagged

To: Mr. Stevens and whomever else it may concern

We strongly protest allowing the proposal to build townhomes in lieu of a wine village with specialty shops and restaurants in the Badger Mountain South (BMS) neighborhood to go through. This neighborhood was advertised to us as a more upscale neighborhood, work and play where you live they said. The wine village was a huge part of the marketing, and that marketing absolutely played a role in our decision to build a home here. If not for that we would have built a home in West Richland. There were vineyards, tasting rooms, restaurants, shops, and entertainment. Certainly a wonderful and very enticing piece of marketing. There were signs on the roads, I believe a pamphlet or brochure, it was talked up by the real estate agents, and was the centerpiece of the website designed to promote this neighborhood.

There are hundreds and hundreds of acres for them to build more homes on. There is a very limited amount of space available for all of the specialty retail, dining, and entertainment options that were promised to the residents of BMS. If done correctly this can absolutely be a trendy destination spot for locals and visitors. We were out of town this past weekend and visited such a neighborhood. It was basically everything that this neighborhood was sold as. There were shops and restaurants along the main street and homes filling in the neighborhood. It was busy and lively on the weekend, but not busy with cars. It was busy with people/families walking and biking the streets, visiting cafes and restaurants and parks. That is the vision of BMS that was marketed and sold to us, and that is the vision we ask the City of Richland not give up on. This idea can and will work if done correctly, but we cannot sacrifice the space we have for it.

Sincerely,
Stephen and Kelly Sevall
5001 Smitty Dr

Stevens, Mike

From: STEPHENIE OLSON <stephonelly@aol.com>
Sent: Monday, August 8, 2022 7:25 PM
To: Stevens, Mike
Subject: Wine Village

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Stevens,

I am a resident in West Village in the Badger Mountain South neighborhood. I'd like it to be known that a wine village and boutique type shopping areas were promised, advertised, and marketed when I toured the area looking for the lot where I would build my home in January of 2020. I ask you to support the residents of our community in our request to fulfill what was promised to us.

Thank you for your consideration in this matter.

Stephenie Olson
4548 Ruth Ct
Richland, WA 99352

Sent from my iPhone

Stevens, Mike

From: Tara Gibson <tarabyte@gmail.com>
Sent: Friday, August 5, 2022 2:14 PM
To: Stevens, Mike
Subject: Response to Veneto Village S2022-101

Hello Mr Stevens,

This email is in response to the Veneto Village proposal as well as Villa Vista S2021-12. I live in the Badger Mountain South community, my husband and I built one of the earlier homes in the neighborhood in 2016. We were very drawn to the concept of the neighborhood presented by the developer at the time. The idea of walking trails and green space, and shops/restaurants that you can walk or bike to. We appreciate that the parks and open space was upheld in the land use agreements earlier this year. However I understand that in the latest proposals that they would like to build townhomes in place of the originally planned "wine village" and sell off other land with no guarantees that it will be set aside for businesses as originally intended. If this happens then it pretty kills off the possibility of a walkable mixed use community. I think that this is an opportunity to make an amazing community and drive business growth within Richland. Something like Kendall yards in Spokane, which is an excellent mix of residential, green spaces, and shops/restaurants/wineries. But it needs support from the city to ensure that the land intended for the wine village remains purposed for commercial as originally intended. It is my understanding that there is already a large amount of land to the east reserved for residential use.

Thank you,
Tara Gibson

Stevens, Mike

From: Taylor Tiet sort <taylortiet sort@gmail.com>
Sent: Sunday, August 7, 2022 12:08 PM
To: Stevens, Mike
Subject: Response to Villa Vista s2021-10202 West 18th Place Kennewick WA 99338 and Veneto Villaggio s2022-101

Good afternoon Mike,

We would like to address the future plans for Badger Mountain South.

For starters our neighborhood was advertised to us with future plans for a wine village and walkable shops. It has come to our knowledge that these plans are being threatened with a proposal that was submitted for 68 townhomes instead. We believe this will negatively impact the future of this community. We already have the apartments by west village, so adding more high density homes we fear this will drive down property values. We went through a long build process but it was worth it for us with the visions in mind of contemporary suburban living. That being said, having the shops and wine village made our decision to choose West Vineyard easy. Not only would it strengthen the sense of community but it would benefit the City of Richlands Revenue. It is a perfect location being right off of the freeway and with such beautiful surroundings we believe it would be very successful. Please consider all of the investments that us and our Badger Mountain neighbors have made with these visions in mind.

Thank you for you time,
~The Tiet sorts

Stevens, Mike

From: Tom Ackerman <tackerman82@yahoo.com>
Sent: Wednesday, August 3, 2022 3:44 PM
To: Stevens, Mike
Subject: response to villa vista s2021-102

My family moved here about 31/2 years ago. The home we purchased was at the end of Brodie Lane at that time. We were informed that building would continue down Brodie and we may have to deal with the construction for a little while. However we were told that the plan was the going to feature parks, walking paths and maybe a community center featuring a swimming pool. Plus the owners will be building a small village with wine shops, restaurants, grocery stores and much more. That was a huge factor is us buying here.

Forget the village! We now have multi-family structures, tons of dust, construction vehicles going far over our speed requirements. and sagebrush so high that some neighbors couldn't get out of their homes.

If we knew about this "change of plans" we never would have bought here and I believe the majority of the neighbors would agree. House values will drop and anger will move the lawyers into action as promises are broken.

Tom and Suzy Ackerman
2476 Brodie Lane

Stevens, Mike

From: Troy Cashwell <tlcashwell1217@gmail.com>
Sent: Monday, August 1, 2022 6:55 PM
To: Stevens, Mike
Subject: Response To VillaVista S2021-102/Veneto Villagio S2022-101

To Whom It May Concern,

I live in the Badger Mountain South community and am opposed to the 68 townhomes being added to the area. The country here is beautiful and is what enticed my family to move to this area last year. I regularly look outside and am grateful for the scenery. The inconsistency of renters could affect our community negatively. The original proposal of a wine village, additional park areas, and business establishments feels more fitting to the area and in alignment with the intended development. Feel free to correspond via email or phone. I hope our voice can be heard.

Very Respectfully,

Troy Cashwell
tlcashwell1217@gmail.com
719-453-4397

Stevens, Mike

From: Yan Dong <dy346144292@gmail.com>
Sent: Tuesday, August 2, 2022 11:52 AM
To: Stevens, Mike
Subject: Response to Villa Vista S2021-102

Hello,

This is Yan. I'm currently living on Corvina street of Goose Ridge neighborhood. As a homeowner in this neighborhood, I'm deeply concerned about the 68 townhomes that's proposed to be built in Goose Ridge. Where exactly are these townhomes going to be located? How tall are the buildings going to be? Are these buildings going to block the view of some of the single family homes in the area? Most importantly, are these townhomes going to lower the quality of folk's life living this neighborhood? And are the values of current houses going to be negatively affected?

Looking forward to hearing the answers to these questions.

Thank you and Best Regards,
Yan

Exhibit 20

CITY OF RICHLAND PUBLIC WORKS ENGINEERING DEVELOPMENT COMMENTS

DATE: August 5, 2022

TO: MIKE STEVENS, PLANNING MANAGER

PLAT REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4
PETE ROGALSKY, PUBLIC WORKS DIRECTOR
CARLO D'ALESSANDRO, TRANSPORTATION & DEVELOPMENT MANAGER

PROJECT NAME: VILLA VISTA TOWNHOMES – S2022-102 (REMAND OF S2021-102)

PROJECT LOCATION: BADGER MTN. SOUTH, TROWBRIDGE BLVD.

The Public Works Engineering Division has reviewed the preliminary plat received in this office on July 22, 2022 for the above referenced property and has the following conditions.

Pre-Plat Specific Conditions

1. The preliminary plat is not showing any phase lines. Phasing is not required but if the project is to be phased during construction phasing lines need to be shown on the pre-plat map.
2. Street names are not reviewed or vested until construction plans are submitted for review. The street names included on the pre-plat may not be approved or available during the construction plan review process.

General Conditions:

3. All final, approved plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed, all information shall be supplied in full size (and electronic) format. Electronic copies of the construction plans are required prior to the pre-con meeting along with the multiple sets of paper drawings. When construction of the public infrastructure has been substantially completed, the applicant shall provide paper and electronic record drawings in accordance with the City's "Record Drawing Requirements". The electronic record drawings shall be submitted in an AutoCAD format compatible with the City's standard CAD software. The final record drawings shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
4. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
5. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way construction permit prior to beginning work, per RMC Chapter 12.08. The applicant shall pay a plan review fee based on a cost-per-sheet of engineering infrastructure plans. This public infrastructure plan review fee shall apply each time a project is

submitted for review. This fee will be different for commercial projects versus subdivision projects. Please visit the Public Works Private Development page on the City's webpage to find the current per-sheet fee. A permit fee in the amount equal to 3% of the construction costs of the work within the right-of-way or easement will be collected at the time the construction permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the approved plan submittal.

6. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of plat acceptance. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final plat acceptance.
7. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Engineering Division at 942-7500 to schedule a pre-construction conference.
8. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
9. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final platting.

Design Standards:

10. Public improvement design shall follow the following general format:
 - A. All materials and workmanship shall be in conformance with the latest revision of the City of Richland Standard Specifications and Details, Public Infrastructure Design Guidelines and the current edition of the State of Washington Standard Specifications for Road, Bridge, and Municipal Construction. Please confirm that you have the latest set of standard specs and details by visiting the City's web page.
 - B. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
 - C. All utilities shall be extended to the adjacent property (properties) at the time of construction.
 - D. The minimum centerline finish grade shall be no less than 0.30% and the maximum centerline finish grade shall be no more than 10.0% for local streets. 12% can be allowed for local streets for short distances.
 - E. The minimum centerline radius for local streets shall be 100-feet.
 - F. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - G. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
 - H. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
11. If the project will be built in phases the applicant shall submit a comprehensive master plan for the sanitary sewer, domestic water, storm drainage, electrical, street lighting and irrigation system for the entire project prior to submitting plans for the first phase to assure constructability of the entire project. This includes the location and size of any storm retention ponds that may be required to handle runoff.
12. If the City Fire Marshal requires a secondary emergency vehicle access, it shall be included in the construction plan set and be designed to the following standards:

- A. 2-inches compacted gravel, minimum (temp. SEVAs only).
- B. 2% cross-slope, maximum.
- C. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
- D. Be 20-feet in width.
- E. Have radii that are accommodating with those needed for City Fire apparatus.

Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.

13. **SURVEY MONUMENT DESTRUCTION:**

All permanent survey monuments existing on the project site shall be protected. If any monuments are destroyed by the proposed construction the applicant shall retain a professional land surveyor to replace the monuments and file a copy of the record survey with the City.

- A. No survey monument shall be removed or destroyed (*the physical disturbance or covering of a monument such that the survey point is no longer visible or readily accessible*) before a permit is obtained from the Department of Natural Resources (DNR). WAC 332-120-030(2) states "It shall be the responsibility of the governmental agency or others performing construction work or other activity (including road or street resurfacing projects) to adequately search the records and the physical area of the proposed construction work or other activity for the purpose of locating and referencing any known or existing survey monuments." (RCW 58.09.130).
- B. Any person, corporation, association, department, or subdivision of the state, county or municipality responsible for an activity that may cause a survey monument to be removed or destroyed shall be responsible for ensuring that the original survey point is perpetuated. (WAC 332-120-030(2)).
- C. Survey monuments are those monuments marking local control points, geodetic control points, and land boundary survey corners. (WAC 332-120-030(3)).

When a monument must be removed during an activity that might disturb or destroy it, a licensed Engineer or Land Surveyor must complete, sign, seal and the file a permit with the DNR. It shall be the responsibility of the designing Engineer to identify the affected monuments on the project plans and include a construction note directing them to the DNR permit.

Traffic & Streets:

- 14. The Villa Vista Townhome preliminary plat is subject to the City's traffic impact fee program (RMC 12.03). Since this property is included within the traffic impact fee program, and since staff analysis and the draft Badger Mountain South Traffic Impact Analysis indicates the project will not create impacts requiring traffic mitigation outside of the plat boundaries, therefore no offsite improvements are required for this plat.
- 15. As shown on the preliminary plat application, both Bellaview Avenue and Syrah Avenue appear to be reconstructed and dedicated as public streets, based on the right of way widths indicated. The City supports this as the best approach to providing a well-designed system of public street access to this and adjacent parcels. At their existing connections to Ava Way both Bellaview Ave. and Syrah Ave. are currently established as privately owned tracts, but it is indicated on the pre-plat that these will be improved and dedicated for public access purposes. These improvements shall meet public street standards.

16. A note will be shown on the face of the final plat stating that Trowbridge Blvd. is classified as a "Minor Arterial Street". Subsequently, no driveways accessing parcels will be allowed directly onto it.
17. Any roads narrower than 32-feet shall have parking restricted on one side, and any roads narrower than 27-feet shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developer's expense. The restricted parking areas shall be indicated on the construction plans and the final plat. All signage will be installed by the developer prior to final platting.
18. Sidewalks shall be installed along all public right-of-way frontages that building lots do not front on during construction of those phases (e.g., storm drainage ponds, parks, parking areas, etc.).
19. The developer and his engineer shall demonstrate on the construction plans that all future driveway entrances, sidewalks and pedestrian ramps will meet City and ADA requirements.
20. Pedestrian ramps shall be designed to current City Standard Details and PROWAG Standards to be compliant with federal ADA Standards. Adequate right-of-way shall be provided at corners to allow for at least 1-foot of ROW behind the concrete ped. ramp landing. Crosswalks between pedestrian ramps shall be designed to City standards. Crosswalks at stop-controlled intersections shall have cross-slopes less than 2%. Crosswalks crossing thru-streets shall have cross-slopes less than 5%. The road profile shall be designed to accommodate this.
21. The vision-clearance triangle needs to be shown on all corner lots on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
22. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turning movements, including turnaround. No solid waste vehicle will be allowed to back more than 50-feet after accessing a waste receptacle.
23. If the project is to be constructed in phases, all dead-end streets longer than 150-feet that will be continued later need to have temporary turnarounds built at the end of them. If the temporary turnaround is not located within the final plat an easement with a 50-foot radius will be required.

Domestic Water:

24. The closest available watermain is located in Trowbridge Blvd. to the south, and in the 4-Plex project to the east. It shall be the responsibility of the developer to extend a watermain from both of these locations onto this property to serve domestic water at the time of plat construction. This water main shall be sized to adequately supply domestic water and fire flows to the proposed development and other, future developments to the west and north.
25. In accordance with municipal code, domestic water mains shall be extended to the adjoining properties adjacent to the preliminary plat, provided they are in the correct pressure zone.
26. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations, or oversizing of the main where needed.
27. The fire hydrant layout shall be approved by the City Fire Marshal.

28. In accordance with Richland Municipal Code Chapter 18.16.080, an irrigation source and distribution system, entirely separate from the City's domestic water system, shall be provided for this development. *Construction plans will not be accepted for review until adequate and viable proof of an irrigation source is made available by the developer.* The designing Engineer shall submit plans for the proposed irrigation system to the Irrigation District with jurisdiction over the property at the same time that they are submitted to the City for construction review. Plans shall be reviewed and accepted by said irrigation district prior to issuance of a Right-of-Way permit by the City. Easements shall be provided on the final plat for this system where needed.

Sanitary Sewer:

29. There is an existing sanitary sewer main crossing this proposed development. It shall be the responsibility of the developer to provide easements where necessary, and to adjust all existing sewer appurtenances to finished grade per city standards. A 10-foot wide exclusive sanitary sewer easement shall be provided for any sewer main that is outside of the public Right-of-Way. Wider easements are required for mains that are buried deeper than 10-feet. If any manholes are located outside of the public Right-of-Way, maintenance truck access to said structure may be required.
30. Sanitary sewer shall be extended to the adjoining properties adjacent to the preliminary plat.

Storm Water:

31. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. The Developer shall be responsible for compliance with the permit conditions. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition, a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered.
32. All public storm drainage systems shall have their flow rate and storage capacity designed by a professional engineer following the core elements defined in the latest editions of the Stormwater Management Manual for Eastern Washington, the current Richland municipal codes, the Phase II Municipal Stormwater Permit, and the City's "Public Infrastructure Construction Plan Requirements and Design Guidelines". The storm water calculations shall be stamped by a professional engineer and shall include a profile of the storm system showing the hydraulic grade line. The calculations should include an accurate delineation of the contributing drainage area to accurately size the stormwater facilities. Passing the storm water downhill to an existing storm system will require an analysis of the downstream storm system to determine its capability of accepting the storm water without being overwhelmed. The applicant's design shall provide runoff protection to downstream property owners.
33. If any existing storm drainage or ground water seepage drains onto the proposed site, said storm drainage shall be considered an existing condition, and it shall be the responsibility of the property developer to design a system to contain or treat and release the off-site storm drainage.
34. If there are any natural drainage ways across the proposed pre-plat, the engineered construction plans shall address it in accordance with Richland Municipal code 24.16.170 ("Easements-watercourses").

35. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
36. Prior to or concurrent with the submittal of the first phase the developer shall provide a Geotechnical report including the percolation rate of the soils in the area of any storm retention ponds. If the project constructs a storm retention pond then the engineer will need to demonstrate that the pond will drain itself within 72 hours after the end of a storm event, and not have standing water in it longer than that. Engineering solutions are available for retention ponds that do not percolate within 72 hours.
37. As per RMC chapter 24.20.070 and the City of Richland's Comprehensive Stormwater Management Plan, the storm drainage system installed as part of this plat may need to be oversized in order to handle the additional flow from future developments in the vicinity. The storm drainage system for this development, both its conveyance and retention / infiltration components, shall be designed to effectively manage runoff from upstream properties that can be anticipated to convey stormwater onto this property because of a pre-development runoff condition, or as a result of flows discharged that are in excess of the design storm from the upstream property. Additionally, as this property is upslope of developed properties the stormwater system shall include provisions for possible discharge of runoff onto downslope properties from storms in excess of the design storm as described above. Those provisions may be required to include off-site downslope conveyance facilities and/or flowage easements allowing for the conveyance of stormwater to and across downslope properties.
38. The amount of post-development storm runoff from the proposed site shall be in compliance with RMC Chapter 16.06.
39. Stormwater collection pipes may need to be extended to the adjoining properties adjacent to the plat.
40. The parcel occupied by the stormwater basin shall be identified as a separate parcel or tract on the final plat and shall be dedicated to the City stormwater utility. The design of the basin shall include access features meeting the city's needs for maintenance.
41. The developer shall consider the long-term appearance of the storm basin, particularly if it will occupy a prominent location in the development. The City's typical storm pond maintenance practices consist of semi-annual vegetation trimming and silt and debris removal. If the pond location is deemed by City staff as being in a prominent location the developer shall design and install fencing and/or landscaping to mitigate the pond's visible character for the surrounding properties. If the City requires this type of treatment to the pond site the developer may propose landscaping treatments consistent with the development and establish maintenance responsibilities to remain with the development. These maintenance responsibilities shall be noted on the final plat. Basins designed as detention and evaporative basins need to include plantings that will tolerate or thrive in standing water. Planting designs for areas not routinely exposed to water shall include plants that will thrive without irrigation unless the developer intends to maintain an irrigated pond site. At a minimum the landscaping plan should be consistent with the City's intended maintenance standard as described above.
42. The developer shall be responsible for landscaping the storm pond and for its maintenance and the plantings through the one-year infrastructure warranty period. At 11 months after the final acceptance date the developer shall clean the storm system and basin of all accumulated oil, sediment, and debris. After this maintenance is completed and inspected the City will begin routine maintenance of the system and basin. The developer shall replace any plantings that have failed to survive the warranty period. The developer shall also perform trimmings required to control weeds in excess of 18-inches in height for the 12-months following the date of final plat acceptance.

Solid Waste:

43. Due to limited space and tight corners, all lots that take access off of a private drive may have to transport their garbage cans to a location acceptable for solid waste pick-up.

Final Platting Requirements:

44. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
45. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final acceptance. Off-site ("third party") easements or right-of-ways for City infrastructure are the responsibility of the developer to obtain. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.
46. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of plat construction and prior to final plat acceptance by the City.
47. Ten-foot wide public utility easements will be required on the final plat along both sides of all right-of-ways within the proposed plat. They will also be required where the plat is adjacent to an existing right-of-way.
48. The vision-clearance triangle needs to be shown on all corner lots on the final plat document, in accordance with RMC Chapter 12.11.020.
49. The final plat shall include notes identifying all common areas including the private streets and tracts and acknowledging the ownership and maintenance responsibility by the homeowners association. A note shall be added to the face of the final plat that states: *"The private drives are for the use and benefit of the homeowners that abut said roads, and are to be maintained by said owners. The City of Richland accepts no maintenance responsibility for these private drives"*.
50. A note shall be added to the face of the plat that states: *"The private drives within this plat are fire lanes and parking is restricted. The required no-parking signs shall be installed by the developer where applicable."*
51. Any roads narrower than 32-feet shall have parking restricted on one side, and any roads narrower than 27-feet shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developer's expense. The restricted parking areas shall be indicated on the final plats.
52. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the property owners to maintain.
53. A one-foot "No access / screening easement" will be required along the Trowbridge Blvd. Right of Way.

54. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
55. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.



**City of Richland
Development Services**

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
📠 (509) 942-7764

DATE: August 1, 2022

TO: Mike Stevens, Planning Manager

REVIEW BY: Nichole Westphal, Permit Technician II

PROJECT NAME: S2021-102 – Villa Vista Townhomes

1. Addressing brackets [] are needed on all lots and tracts.
2. Private access easements with four or more units shall be assigned a private street name.
3. Street names will be reviewed when construction drawings are submitted to the Public Works Department. When construction drawings are submitted, please include two (2) street name options for each of the new street segments, both public and private.

Chapter 23.48 SITE PLAN REVIEW

Sections:

[23.48.010 Purpose of the site plan review.](#)

[23.48.020 Site plan approval required.](#)

[23.48.030 Site plan application requirements.](#)

[23.48.040 Site plan – Conditions of approval.](#)

[23.48.050 Exceptions to site plan review process.](#)

[23.48.060 Optional administrative site plan review.](#)

[23.48.070 Effect of optional administrative site plan approval.](#)

23.48.010 Purpose of the site plan review.

The purpose of the site plan approval process is to facilitate project design that is compatible with adjacent land uses and is in keeping with the physical constraints of the project site. The site plan review is not intended to determine whether a particular land use activity is appropriate on a particular site. Land uses that are otherwise permitted in this title shall not be denied through the site plan review process unless such uses cannot meet the development and/or performance standards required for the use. [Ord. 28-05 § 1.02].

23.48.020 Site plan approval required.

Site plan approvals are required for the following types of development:

A. Commercial Development. Where commercial property in excess of five acres is proposed for development in a C-LB – limited business, C-1 – neighborhood retail, C-2 – retail business, CBD –central business district or WF – waterfront district;

B. Multiple-Family Dwellings. Where construction of any multiple-family dwelling or dwellings containing an aggregate of 20 or more dwelling units is proposed for development in an R-3 – multiple-family residential, or C-LB – limited business district. [Ord. 28-05 § 1.02; Ord. 32-11 § 17].

23.48.030 Site plan application requirements.

For any project requiring a site plan approval as identified in RMC [23.48.020](#), a site plan shall be submitted to the hearing examiner for review and approval as a Type II permit application as defined in RMC 19.20.030. A site plan and application form shall be submitted to the administrative official, showing the following information:

- A. Boundaries and dimensions of the property;
 - B. Location and width of boundary streets;
 - C. Dimensions, location and number of dwelling units for each existing or proposed structure on the site;
 - D. Roadways, walkways, off-street parking, and emergency vehicle access;
 - E. Fencing and landscaping, showing location, type, dimensions and character; and
 - F. Location, dimensions and character of recreational facilities and open space.
- G. The site plan shall be drawn in a concise and accurate manner, and of an appropriate scale for clarity in review. Copies shall be submitted in a number determined by the administrative official to be appropriate and sufficient.
- H. Where a multiple-family development is proposed to be constructed in phases, the site plan shall include all phases, regardless of size, in the proposed development. After a site plan providing for phased development has been approved by the hearing examiner, no further approval is required so long as each phase of development conforms to the approved site plan. [Ord. 28-05 § 1.02; Ord. 24-14 § 1.01; Ord. 13-16 § 1].

23.48.040 Site plan – Conditions of approval.

Site plan approvals may be made subject to any condition(s) which the hearing examiner determines to be necessary to protect the public health, safety and welfare or otherwise bring a proposed development into compliance with the purpose and intent of this title. Such conditions may include but are not limited to increased setbacks, and buffers, including landscaping, fences and walls; restrictions on the type and location of outdoor lighting; surfacing of parking areas and driveways; the installation of stormwater drainage facilities; the construction and location of service roads and alleys; the points of vehicular ingress or egress; the regulation of the time and type of various activities; vibration, noise, odors or similar nuisances, and the type, size and location of signs. [Ord. 28-05 § 1.02; Ord. 24-14 § 1.01].

23.48.050 Exceptions to site plan review process.

This section shall not apply to any developments that have been approved as a planned unit development pursuant to Chapter 23.50 RMC or authorized through the issuance of shoreline substantial development permit pursuant to RMC Title 26. [Ord. 28-05 § 1.02].

23.48.060 Optional administrative site plan review.

In all instances where formal site plan review is not required, an applicant(s) may request that the city complete a site plan review of their proposed project. In order to begin this optional process, the applicant shall submit a site plan application to the administrative official for review and approval. A site plan and application form shall be submitted showing the information specified in RMC [23.48.030](#).

Site plan approvals may be granted subject to all condition(s) which the administrative official determines to be necessary to comply with city of Richland development requirements, as established in RMC Titles 22, 23, 24, 26, and 27. Such conditions may be based upon the recommendations of other city officials, who are typically involved in the review of development proposals. A site plan approval shall remain valid for a period of one year; provided, that the administrative official may grant extensions of up to one year upon the written request of the applicant. [Ord. 28-05 § 1.02].

23.48.070 Effect of optional administrative site plan approval.

Once granted, an applicant can rely on the approved site plan. The city shall not require the modification of an approved site plan or the modification of any condition of approval attached to the approved site plan; provided, that nothing in this section shall prevent an applicant and the city from jointly agreeing to the modification of an approved site plan. In the event that the applicant modifies the site plan, the city shall have the opportunity to modify the site plan approval previously issued. For the purposes of this section, modification of the site plan includes but is not limited to the following types of changes:

- A. Modification in building use, size, height, type of construction, building footprint, or location on the site;
- B. Modification in the number, size, location or arrangement of off-street parking spaces, or loading areas;
- C. Change in the number, size or location of access points to adjacent public streets;
- D. Change in location of city utility lines or storm drainage facilities;
- E. Change in location of any existing or proposed utility and/or access easements;
- F. Change in location, type or size of landscaping materials proposed to be installed on site; or
- G. Any other change that results in the site plan not meeting a minimum requirement or design standard contained in the city's development standards. [Ord. 28-05 § 1.02].

Exhibit 22

Stevens, Mike

From: Darrin Sweeney <darrinmsweeney@gmail.com>
Sent: Monday, August 29, 2022 12:40 PM
To: Stevens, Mike
Subject: Re: Public Hearing

Mike,

We would like to formally request continuance of our preliminary plat applications for Villa Vista and Veneto Villagio from the September 12th, 2022 Hearing Examiner meeting to October 10th, 2022. Thank you for your consideration and we look forward to presenting on October 10th, 2022.

Darrin Sweeney
Nor Am Investments
509-380-7978

On Mon, Aug 29, 2022 at 12:07 PM Darrin Sweeney <darrinmsweeney@gmail.com> wrote:
Will do. I'll be back to the office within the hour and will send it out.

Darrin

On Mon, Aug 29, 2022, 12:07 PM Stevens, Mike <mstevens@ci.richland.wa.us> wrote:

Okay, if you could send me an email requesting continuance I will get it taken care of on my end of things.

From: Darrin Sweeney <darrinmsweeney@gmail.com>
Sent: Monday, August 29, 2022 12:06 PM
To: Stevens, Mike <mstevens@ci.richland.wa.us>
Subject: Re: Public Hearing

Yes.

On Mon, Aug 29, 2022, 12:05 PM Stevens, Mike <mstevens@ci.richland.wa.us> wrote:

There is a meeting scheduled for October 10th. Does that work?

From: Darrin Sweeney <darrinmsweeney@gmail.com>
Sent: Monday, August 29, 2022 12:00 PM
To: Stevens, Mike <mstevens@ci.richland.wa.us>
Subject: Re: Public Hearing

Ok. Could we shoot for the 2nd week of October for the hearing?

Darrin

On Mon, Aug 29, 2022, 11:48 AM Stevens, Mike <mstevens@ci.richland.wa.us> wrote:

Yeah, I could get it to you probably 2 weeks or so ahead of time.

From: Darrin Sweeney <darrinmsweeney@gmail.com>
Sent: Monday, August 29, 2022 10:42 AM
To: Stevens, Mike <mstevens@ci.richland.wa.us>
Subject: Re: Public Hearing

Mike,

Do you think we can get a copy of the staff report (or at least a draft) a couple/few weeks before the hearing if we push it? Our goal is to be able to review the report and have a meeting with the City prior to the hearing. I would like to have as much time as possible to make that all happen.

Darrin

On Mon, Aug 29, 2022 at 8:40 AM Stevens, Mike <mstevens@ci.richland.wa.us> wrote:

Hi Darrin,

Hope you had a good weekend. You had mentioned the possibility of continuing the public hearing items. I am scheduling for the next couple of meetings and can get you all set up if you are wanting to continue. Please let me know at your earliest convenience.

Have a good day!

Mike Stevens

Planning Manager

625 Swift Blvd., MS-35 | Richland, WA 99352

(509) 942-7596

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HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 10/10/2022

Agenda Category: Old Business - Public Hearing

Prepared By: Mike Stevens, Planning Manager

Subject:

S2022-101 Veneto Villagio Preliminary Plat Continued

Department:

Development Services

Recommended Motion:

Staff recommends approval of the Preliminary Plat of Veneto Villagio (S2022-101).

Summary:

Nor Am Investment, LLC has filed a preliminary plat application to divide approximately 20.80 acres into 13 commercial lots and three (3) tracts. The project will also develop Gateway Avenue between Ava Way and Trowbridge Blvd. and extend Sotto Street to meet the future development of Villa Vista. The subdivision is to be known as the plat of Veneto Villagio (File#: S2022-101).

The Veneto Villagio site lies north of Trowbridge Blvd, south of Ava Way and east of Dallas Road. This location is applied with the Commercial Mixed Use (BMS SD_CMU) and Specialty Retail (BMS SD_SR) Badger Mountain South zoning districts. All lots are planned to be served by a contiguous network of public roadways.

Attachments:

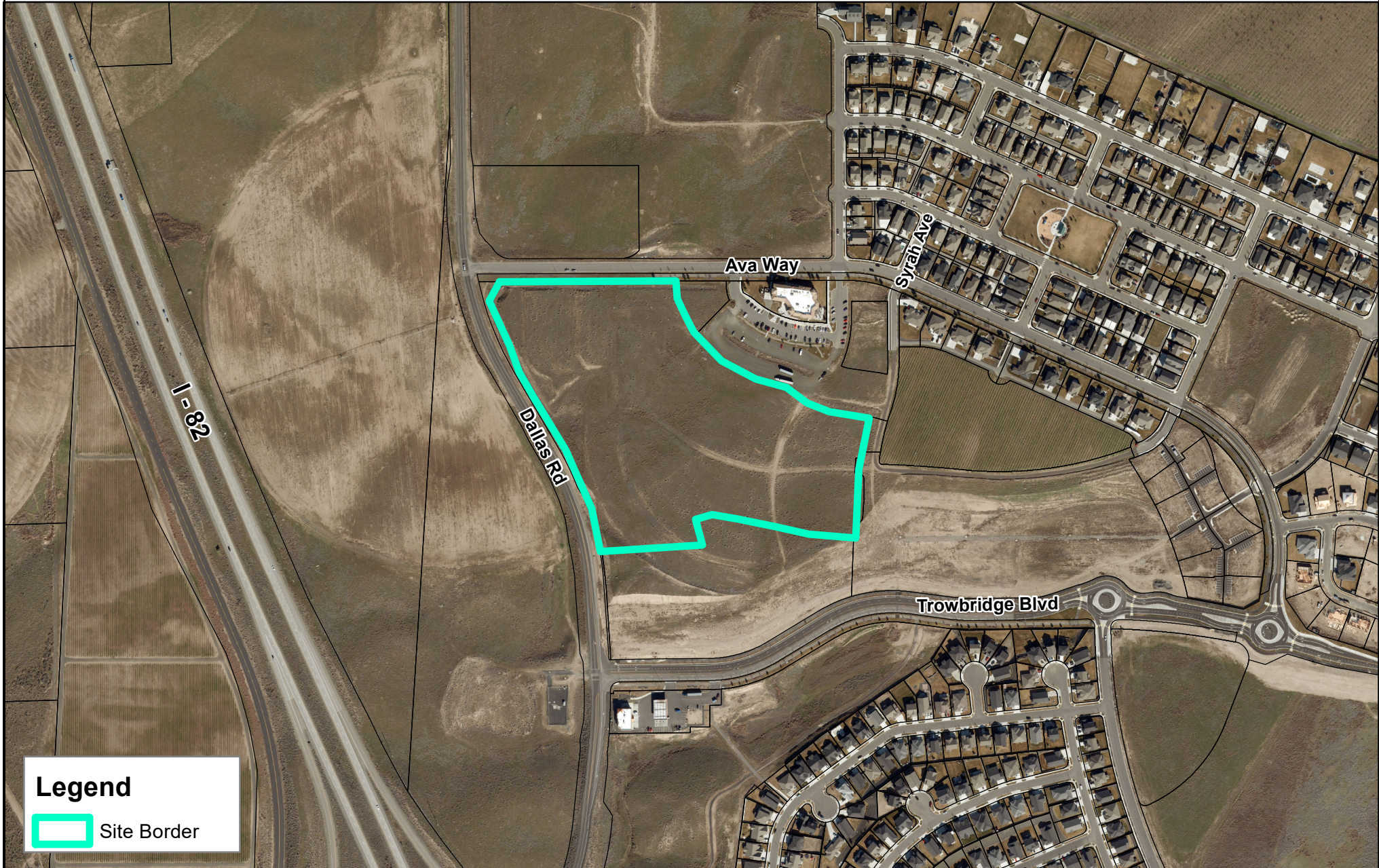
1. Veneto Vicinity map
2. S2022-101 Veneto Villagio Full Staff Report

Vicinity Map

Item: Veneto Villagio
Applicant: Geoff Clark
File #: S2022-101



0 400 800 Feet



Legend

 Site Border

**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Veneto Villagio - Preliminary Plat

LOCATION: East of Dallas Road, South of Ava Way and north of Trowbridge Blvd. in the Badger Mountain South master planned community (APN 1-32982BP4732022)

APPLICANT: Nor Am Investment, LLC c/o Geoff Clark

FILE NO.: S2022-101

DESCRIPTION: Request to subdivide 20.80 acres into 13 lots and three (3) tracts for future commercial use

PROJECT TYPE: Type III Preliminary Plat

HEARING DATE: October 10, 2022

REPORT BY: Mike Stevens, Planning Manager

RECOMMENDED
ACTION: Approval subject to completion of proposed conditions

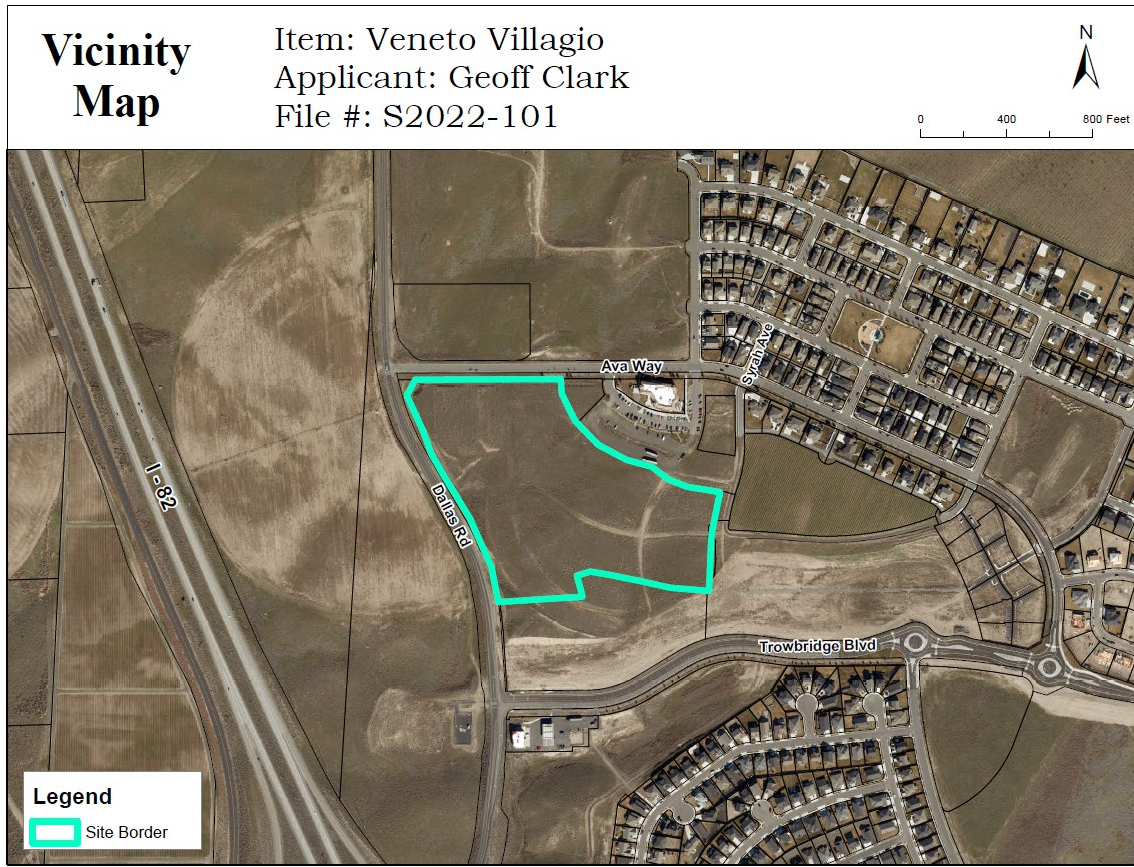


Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

Nor Am Investment, LLC has filed a preliminary plat application (Exhibit 1) to divide approximately 20.80 acres into 13 commercial lots and three (3) tracts. The project will also develop Gateway Avenue between Ava Way and Trowbridge Blvd. and extend Sotto Street to meet the future development of Villa Vista. The subdivision is to be known as the plat of Veneto Villagio (File#: S2022-101).

The Veneto Villagio site lies north of Trowbridge Blvd, south of Ava Way and east of Dallas Road. This location is applied with the Commercial Mixed Use (BMS SD_CMU) and Specialty Retail (BMS SD_SR) Badger Mountain South zoning districts. All lots are planned to be served by a contiguous network of public roadways.

VENETO VILLAGIO LAND USE DATA

Gross planning area = 20.80 acres
Net planning area = 18.41 acres
Area of ROW's = 1.65 acres
Area of tracts = 0.74 acres

Average lot size = 61,652 square feet
Smallest lot = 35,289 square feet
Largest lot = 105,089 square feet

LOCATION

The Villa Vista preliminary plat site is located within the southwesterly-most portion of Richland known as Badger Mountain South. Describing the broader locational context, the Badger Mountain South area appears as an appendage of the Richland city limits boundary generally in the southwest sector of the City which, as the name implies, is on the south side of Badger Mountain.

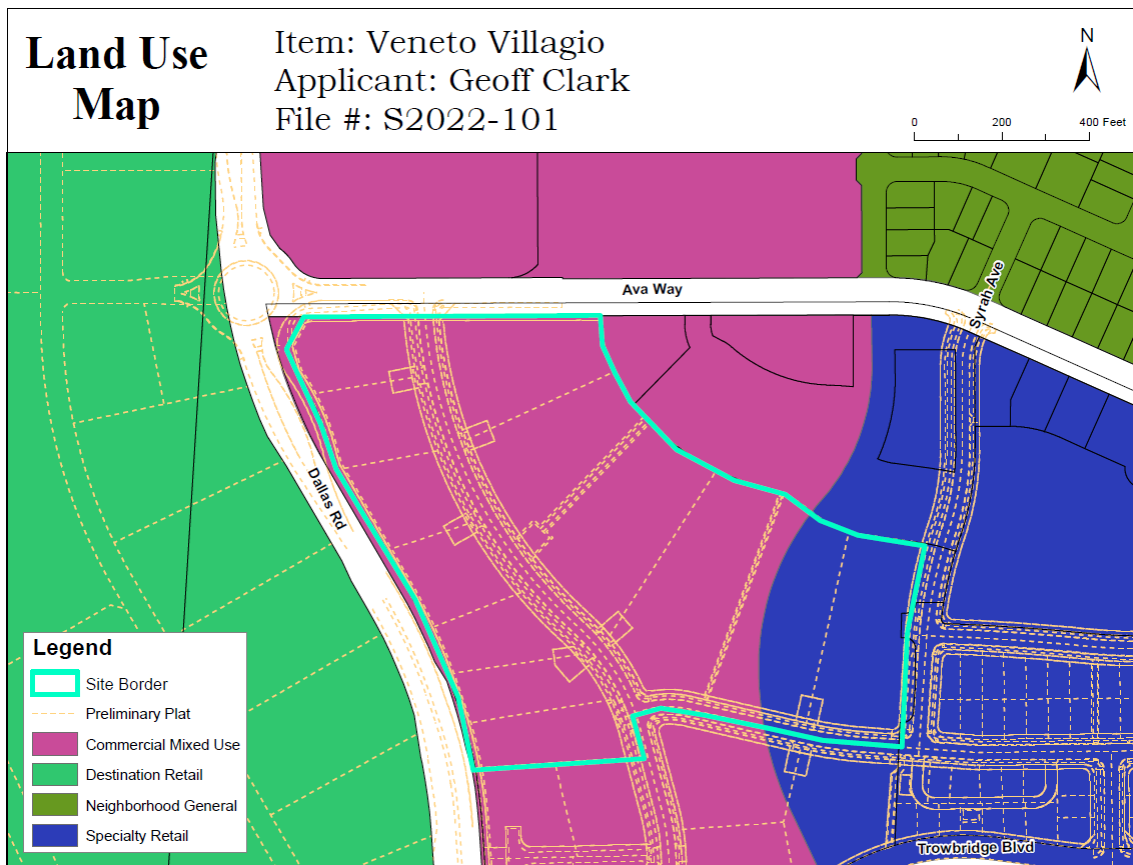


Figure 2 – Land Use/Zoning Map

LAND USE

The subject property is part of the Badger Mountain South Subarea Plan, which was developed in 2010. The plan calls for the development of a master planned community known as Badger Mountain South which is intended to be a mixed use, walkable and sustainable community of up to 5,000 dwelling units. The plan calls for small lot residential development with some multi-family, commercial and office uses with generous open spaces and extensive pedestrian trails. In recognition of the intended unique character of the master planned area, the City worked with Nor Am Investment, LLC to adopt a set of development regulations

which specifically apply to the Badger Mountain South Subarea Plan known as the Land Use and Development Regulations (LUDR). The City also adopted a Planned Action Ordinance (RMC 19.50.030) for the subarea based on a supplemental environmental impact statement which was prepared for the master planned community.

LUDR PROVISIONS

Because it belongs to a master planned community, the plat of Villa Vista Townhomes benefits from previous planning efforts aimed at streamlining the platting process and environmental review procedures discussed further in this report. The subject property and all immediate surrounding properties included in the Badger Mountain South Subarea are subject to the master plan and LUDR regulations. The proposed plat is assigned Commercial Mixed Use and Specialty Retail Districts as described in Sections 4.B and 4.C of the LUDR:

Commercial Mixed-Use (BMS-SD-CMU): The Commercial Mixed-Use District comprises approximately 45 acres between Dallas Road and the Special District – Specialty Retail. The District can accommodate a wide variety of uses as it is intended to be a major employment center for the City of Richland and a destination for shopping, higher-level education, dining, office uses and other employment centers, Multi-family/Mixed-Use housing, entertainment and recreation. Public facilities, including transit centers, may also be accommodated in this District.

To further the walkable and sustainable goals of Badger Mountain South, the design of the Special District – Commercial Mixed-Use will ensure that pedestrians are accommodated between buildings or groups of buildings, that public plazas and other community features will be developed as part of the overall development plan, and that connectivity will be maintained to adjoining Districts.

Specialty Retail (BMS-SD-SR): The Specialty Retail District is intended to support and provide development opportunities for the growing interest in local and regional agricultural products, in particular the local wine industry. As such it serves both the City of Richland as well as the region.

Both the Commercial Mixed-Use District and the Specialty Retail District have specific development standards that must be met when development of the land occurs. These standards are intended to provide differences between the Districts in order to create a unique atmosphere within each area. Because of the unique nature of the Special Districts, development within these areas is guided by the intent, guidelines and/or standards for each district. These Special Districts are not regulated by Building Types, however, the Common Design Standards in Section 8.C of the LUDR are applicable to these Districts.

The layout of the proposed preliminary plat meets the intent of the Commercial Mixed-Use and Specialty Retail Districts. The proposed project incorporates a walkable design to accommodate pedestrians. A large walkway with tree planters and benches is included between Lots 9 and 10 and includes a 50' x 50' plaza with a covered gathering area, benches/tables, trash receptacles, lighting, and bike racks. This walkway will connect Veneto Villagio with the lots near the Country Mercantile. Additionally, the developer has proposed a tract (16) between Lots 11 and 12 to be used as an additional pedestrian connection to the lots near the Country Mercantile. The developer has included a primary trail system on Gateway Ave connection Ava Way and Trowbridge. The primary trail system will include benches and trash receptacles. The developer will also complete the remainder of the Urban Trail down Ava Way and along Dallas Road to Trowbridge as part of this project to create a circular pedestrian connection around the entire Veneto Villagio project and will connect the project to the primary trail system within Badger Mountain South.

Finally, the land use table on page 2-3 of the LUDR lists permitted uses in each BMS zone. Permitted uses in the Commercial Mixed-Use zone include multi-family residential, senior housing, assisted living facilities, various types of retail, eating and drinking establishments, hotels, parking lots, special events, vending cards, drive-throughs, etc., while the Specialty Retail zone permits single-family & multi-family residential developments, retail businesses, offices, public facilities, parking lots amongst other uses.

Pages 4-2 and 4-3 of the LUDR provide a limited list of development standards to guide development in the Commercial Mixed-Use and Specialty Retail zones. These lists do not include dimensional requirements such as minimum setbacks, maximum building heights or other restrictions commonly set forth in municipal zoning codes. Lack of dimensional limitation provides a greater degree of flexibility for siting buildings and their associated on-site features.

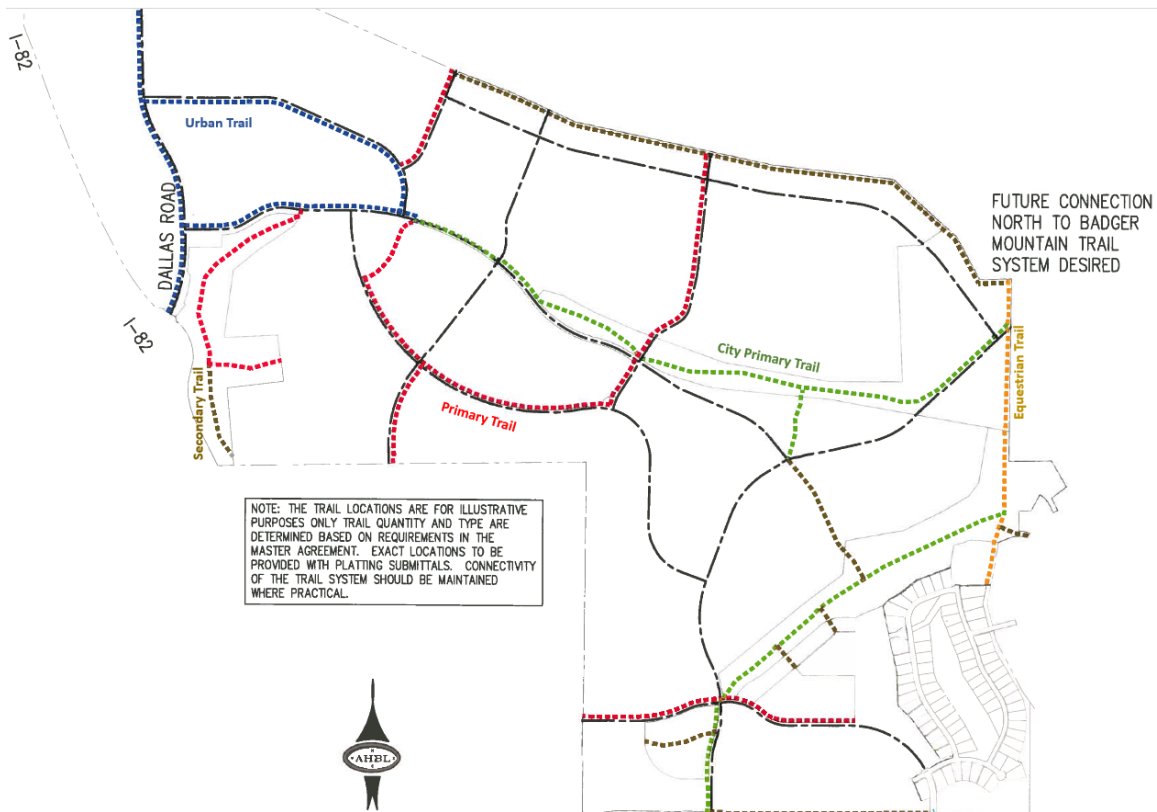


Figure 3 – Trail Layout Plan

Trail Standards

The LUDR identifies a system of pedestrian trails throughout the master planned area. As indicated previously, the new Veneto Villaggio preliminary plat will include several thousand lineal feet of new trails that will connect this new commercial area to the existing Country Mercantile and existing residential neighborhoods.

Page 3 of the Master Agreement Consistency Recommendation (MACR – Exhibit 4) indicates that green infrastructure improvements are required as found in the Master Agreement Exhibit D and are linked to the number of residential units (RU) developed. In the case of Veneto Villaggio, 13 commercial units are anticipated for a total of 13U. The LUDR does not reference non-residential trail requirements, but the following outlines the quantities of trail/green space provided by Veneto Villaggio:

Urban Trail:	Approximately 2,105 LF along Ava Way and Dallas Road within existing road right-of-way and proposed Tract 14.
Primary Trail:	Approximately 1,605 LF along Gateway Ave and within proposed Tract 15.
Secondary Trail:	Approximately 405 LF within proposed Tract 16

Plaza: 50' x 50' = 2,500 SF within proposed Tract 15

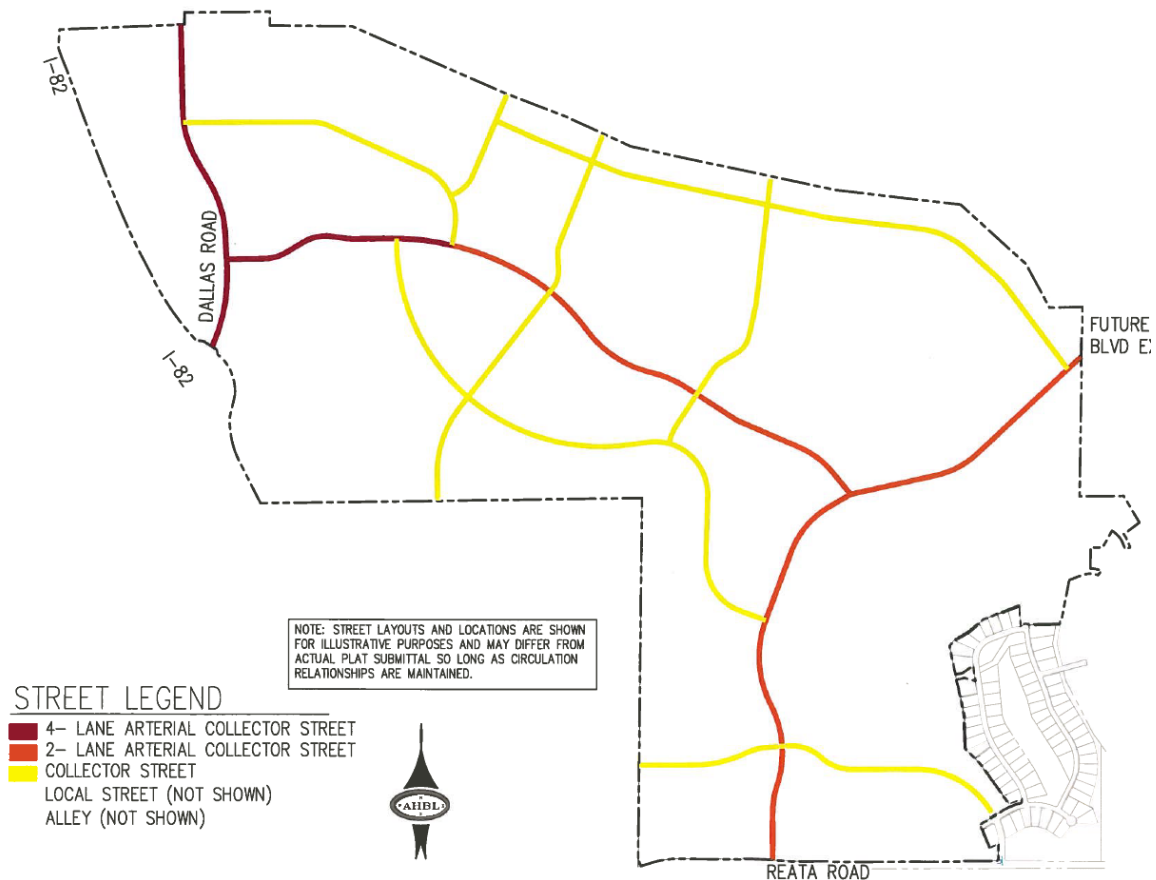


Figure 4 – Regulating Plan for Streets

Street Standards

Gateway Ave, the primary entrance into the community, extends south from Ava Way and north from Trowbridge Blvd throughout the center portion of the site. Trowbridge Boulevard is a four-lane arterial collector street located south of the proposed plat, while Ava Way runs east/west along the northern boundary of the plat.

Block Standards

Section 7.B of the LUDR establishes requirements for the configuration of blocks. This section of the LUDR restricts block length from exceeding 1,000 feet. The maximum block length proposed by Veneto Villagio is 1,650-feet (Gateway). This block length exceeds the maximum allowed; however, the developer has provided two (2) locations of trail connections within that length to make sure the area is easily walkable. City Staff discussed this issue with the applicant and has

agreed that the intent of the block length requirement is being met within this Commercial area.

Procedural Requirements

Section 1H of the LUDR together with 19.50 RMC, require that a Master Agreement Consistency Determination (MACD) be issued by the Planning Manager for any development proposal located within the Badger Mountain South master planned community. This determination is made after consultation with the Badger Mountain South Master Plan Administrator. A Master Agreement Consistency Recommendation was included with the plat application. Staff has reviewed this recommendation and has issued a Master Agreement Consistency Determination (MACD, Exhibit 5) confirming the proposal meets concurrency requirements outlined in the BMS Master Agreement and thereby fulfilling SEPA requirements for planned actions (19.50 RMC).

SITE DESCRIPTION & ADJACENT LAND USES

The site is currently undeveloped and consists of gently rolling hills; which were previously but are not presently under agricultural production. The Country Mercantile site is located to the northeast of the subject property while a mixture of residential and vineyard lands are also located to the north and east of the proposed development. Land to the east also includes the site of the proposed Villa Vista preliminary plat.

CRITERIA FOR PRELIMINARY PLAT APPROVAL

Section 24.12.053 of the RMC sets forth the criteria that must be met before a preliminary plat application can be approved. It states:

The hearing examiner shall not recommend approval of any preliminary plat application, unless the approval is accompanied by written findings that:

- A. The preliminary plat conforms to the requirements of this title (Title 24 Plats and Subdivisions);
- B. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features which assure safe walking conditions for students who only walk to and from school;
- C. The public use and interest will be served by the platting of such subdivision and dedication; and
- D. The application is consistent with the requirements of RMC 19.60.095

RMC Section 24.12.050 designates the Hearing Examiner as the hearing body responsible for conducting the review of preliminary plat applications.

PUBLIC NOTICE

Application Date:	May 4, 2022
Notice of Hearing Mailed:	July 20, 2022
Notice of Hearing Posted:	July 25, 2022
Notice of Hearing Published:	July 24, 2022
Public Hearing:	*October 10, 2022

*(Continued to September 12, 2022 and subsequently continued to October 10, 2022)

A combined notice of application and public hearing was provided by mailing notices to property owners within 300 feet. Public hearing notices were distributed through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 8.

SEPA

A Supplemental Final Environmental Impact Statement was completed for this site at the time the City adopted a subarea plan for the Badger Mountain South area in 2010. The property was annexed at that time and the City adopted a Planned Action Ordinance (19.50 RMC, Exhibit 7). The effect of the Planned Action Ordinance is that standard SEPA review is not required, provided that any project proposed within the boundaries of the master planned community is consistent with the master plan and with the mitigation measures identified in the adopted SEPA documents. Projects determined to be consistent with the subarea plan, the master agreement between the City and Nor Am Investment and the mitigation measures enumerated in the adopted SEPA documents are issued a Planned Action Consistency Determination (PACD) (Exhibit 6).

PUBLIC COMMENTS

Owners of all properties within 300-feet of the plat site were directly notified of the project by way of USPS mailing. At the time this report was prepared, city staff had received numerous comment letters from the general public regarding the proposed plat. Public comments are incorporated into this report as Exhibit 9. Most of the comments received pertain to not allowing the site to be used for residential development as many owners in the area believe that the applicant is attempting to develop the land strictly for residential purposes, rather than commercial and/or mixed-use as the LUDR intends.

AGENCY COMMENTS

A variety of public agencies and City departments were given an opportunity to comment on the proposal. Comments from the Richland Public Works have been incorporated into the list of approval conditions inserted at the end of this report (Exhibit 10).

Other agencies submitted written comments in response to the city's referral. Comments from the Washington State Department of Archaeology and Historic

Preservation (DAHP) request that a professional archaeological survey of the site occur. The Washington State Department of Ecology indicated that they believe that a few unnamed ephemeral streams cross through the site; however, the area they have provided for concern is several thousand feet from the actual development site. Also, the site has been used for agricultural purposes for many years and has been tilled and graded numerous times likely eliminating any old streams that may have once existed in the area. Planning Manager Stevens has extensive training and knowledge of wetlands and is confident that no jurisdictional wetland areas exist within the project site and/or within the area identified by Ecology. Finally, the Washington State Department of Transportation (WSDOT) has concurred with the draft TIA that was prepared for the entire Badger Mountain South development. However, they strongly urge the city and developer to begin coordinating the required mitigation projects with WSDOT sooner, rather than later.

UTILITY AVAILABILITY

The project will be served by City domestic water, sewer and electrical power services. Utilities will serve the plat by way of extension from Trowbridge Blvd and Ava Way. Site specific development conditions address extension of off-site utilities to the site and construction of private on-site utilities.

TRANSPORTATION

Access to the project will be provided primarily through the construction of Gateway Ave south of Ava Way and north of Trowbridge Boulevard. Access will also be provided from the east from Sotto (Preliminary Plat of Villa Vista).

The BMS Master Agreement outlines the need to evaluate and improve the performance of certain roadway intersections, many of which focus on the westerly boundary of the overall community where Dallas Road and highway I-82 interact.

The Badger Mountain South Traffic Impact Analysis (TIA) was completed in draft form on February 16, 2022. The TIA recommends mitigation measures that meet the level of service standard "D" on Dallas Road at the I-82 EB ramps, I-82 WB ramps, Trowbridge Boulevard and Ava Way by year 2025. The analysis performed set the timeline for the "Veneto Villagio" development at 5-10 years. The trips generated from this development will impact Dallas Road on a shorter timeline than that anticipated in the TIA. Therefore, after discussions with the traffic consultant, Benton County, City of West Richland and developer, the Public Works Department is requiring that the following mitigation measures be completed as described below (Exhibit 3):

Dallas Road / Trowbridge Boulevard: Roundabout. Completed before 25% of the lots are built and occupied.

Dallas Road / Ava Way: left and right turn lanes for northbound and southbound Dallas Road. Completed before 25% of the lots are built and occupied.

Dallas Road / I-82 EB Ramps: Roundabout. Completed before 75% of the lots are built and occupied.

Dallas Road / I-82 WB Ramps: Roundabout. Completed before 75% of the lots are built and occupied.

Widening of Dallas Road to 5-lane principal arterial road section from Trowbridge Roundabout to I-82 EB Ramps Roundabout. Completed before 75% of the lots are built and occupied.

The design of such improvements is subject to the approval of the City Engineer. Completion of the finalized TIA is not anticipated to generate recommendations for mitigations to other offsite intersections. The Master Agreement transportation trigger for full completion of Trowbridge Boulevard (aka Badger Mountain Parkway in the Master Agreement) is also activated by this development. However, since there are no developments to be served by the completion of this street to the east at the time of plat, and there exists no additional network connectivity to gain benefit of redistributing traffic volumes, it is not recommended that this improvement be completed with this plat. It is anticipated that the finalized TIA will also result in an amendment of transportation triggers in the Master Agreement to align with mitigations proposed in the TIA.

ANALYSIS

Preliminary plat application approval criteria (RMC 24.12.053) are reprinted here, with a summary of how the application complies with each standard:

A. The preliminary plat conforms to the requirements of this title (RMC Title 24);

The City's subdivision regulations set forth specific requirements for the filing of an application, how notice of the application is to be provided and requires that the Hearing Examiner conduct a public hearing and make recommendation to the City Council. These steps have been followed to date.

Section 24.04.060 of the RMC specifies that when the City enters into a development agreement governing the development of a master planned community of over 1,000 acres, the provisions of the agreement supersede the provisions of the City's subdivision regulations. In this case, the Badger Mountain South LUDR takes precedence over the standards contained in the subdivision regulations. The LUDR requires the City to issue a Master Agreement Consistency Determination (MACD) (Exhibit 5), which has been completed and which demonstrates that the project is consistent with the provisions of the Master Agreement.

Certain LUDR provisions can only be addressed at the time building permits applications are received by the City. Notice of these LUDR requirements will be provided through notes on the final plat document, thereby informing future lot

purchasers that new structures constructed within the plat will have to be provided with fire sprinkler systems; that any residential builders will be subject to park mitigation fees; and that future construction will have to meet the sustainability standards contained in Section 12 of the LUDR.

B. Appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facets, including sidewalks and other planning features which assure safe walking conditions for students who only walk to and from school;

- The proposed plat does not propose any specific construction at this time as the plat is being developed for future lot sales. However, open space and trails are being provided and any future residential development will be required to contribute to development of parks through payment of parks impact fees at time of building permit issuance (if applicable).
- The plat includes a plan for grading and drainage. The provisions of the planned action for Badger Mountain South requires that the Department of Ecology Stormwater Management Manual for Eastern Washington be used in the design of drainage plans.
- The proposed street system will provide access from Trowbridge Boulevard and Ava Way. Trowbridge is a minor arterial roadway in the Badger Mountain South community. All streets within the project will be public streets built to the standards identified in the LUDR (and/or as agreed to by the developer and city).
- The site is located within the Ben Franklin Transit service area, but no bus service is currently provided to the neighborhood. The transit service was given an opportunity to comment on the preliminary plat proposal but did not provide any comments to the City.
- The plat will be served by City domestic water. Capacity is available within the City's system to provide for both domestic water and fire flow needs.
- The plat will be served by City sewer. The City system has capacity to serve the proposed development.
- The plat will be served by City electrical energy. The City system has adequate capacity to serve the project.
- The plat includes provisions for recreation in the form of developing several thousand linear feet of trails along with a 2,500 sf dedicated plaza area. All roadways within the plat will be developed with sidewalks built to city standards. A contiguous sidewalk network throughout the Badger Mountain South area will contribute to recreational opportunities for residents.
- The project provides for walking paths and sidewalks throughout the subdivision which will accommodate and provide safe walking routes and conditions for school children walking to and from the future planned school site.

- The site is located within the Richland School District. The District owns property several thousand feet east of the site which it intends for development as a future school. The District was given the opportunity to comment on the preliminary plat proposal but did not provide any comments to the City.

C. The public use and interest will be served by the platting of such subdivision and dedication;

The proposed project is consistent with the comprehensive plan, Badger Mountain South Subarea Plan and with the provisions of the LUDR.

D. The application is consistent with the requirements of RMC 19.60.095, which states: No development application for a Type II or Type III permit shall be approved by the city of Richland unless the decision to approve the permit application is supported by the following findings and conclusions (I-V):

I. The development application is consistent with the adopted comprehensive plan and meets the requirements and intent of the Richland Municipal Code.

The proposal is consistent with the subarea plan and with the provisions of the LUDR and the applicable requirements of the municipal code as outlined above.

II. Impacts of the development have been appropriately identified and mitigated under Chapter 22.09 RMC.

Chapter 22.09 is the City's adoption of the State Environmental Policy Act provisions. The project falls under the Planned Action Ordinance (RMC 19.50.030) (Exhibit 7) adopted by the City in 2010, which is based on the Supplemental Final Environmental Impact Statement prepared for the Badger Mountain South Subarea Plan. The project is implementing all the applicable environmental mitigation measures as identified in the master agreement consistency recommendation submitted for this project.

III. The development application is beneficial to the public health, safety and welfare and is in the public interest.

The project is consistent with the City's comprehensive plan and development regulations and therefore would be considered beneficial to public health, safety and welfare and will be in the public interest.

IV. The development does not lower the level of service of transportation facilities below the level of service D, as identified in the comprehensive plan; provided, that if a development application is projected to decrease the level of service lower than level of service D, the development may still be approved if improvements or strategies to raise the level of service above the minimum level of service are made concurrent with development. For the purposes of this section, "concurrent with

development” means that required improvements or strategies are in place at the time of occupancy of the project, or a financial commitment is in place to complete the required improvements within six years of approval of the development.

The project will follow the environmental mitigation as specified in the City’s adopted planned action and are tasked with improving transportation facilities to prevent affected roadways from falling below a level of service D. As indicated above within the Transportation Section the Badger Mountain South Traffic Impact Analysis (TIA) was completed in draft form on February 16, 2022. The TIA recommends mitigation measures that meet the level of service standard “D” on Dallas Road at the I-82 EB ramps, I-82 WB ramps, Trowbridge Boulevard and Ava Way by year 2025. The analysis performed set the timeline for the “Veneto Villagio” development at 5-10 years. The trips generated from this development will impact Dallas Road on a shorter timeline than that anticipated in the TIA. Therefore, the following mitigation measures shall be completed as described below:

- Dallas Road / Trowbridge Boulevard: Roundabout. Completed before 25% of the lots are built and occupied.
- Dallas Road / Ava Way: left and right turn lanes for northbound and southbound Dallas Road. Completed before 25% of the lots are built and occupied.
- Dallas Road / I-82 EB Ramps: Roundabout. Completed before 75% of the lots are built and occupied.
- Dallas Road / I-82 WB Ramps: Roundabout. Completed before 75% of the lots are built and occupied.
- Widening of Dallas Road to 5-lane principal arterial road section from Trowbridge Roundabout to I-82 EB Ramps Roundabout. Completed before 75% of the lots are built and occupied.

V. Any conditions attached to a project approval are as a direct result of the impacts of the development proposal and are reasonably needed to mitigate the impacts of the development proposal.

The conditions of approval recommended for this project are as a direct result of imposing City design standards and development standards as contained in the LUDR and in the environmental mitigation conditions identified in the modified environmental checklist and are directly related to the impacts of the proposed development.

RECOMMENDED CONDITIONS

A list of recommended conditions prepared by city staff, are inserted at the end of this report.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the preliminary plat application for Veneto Villagio (S2022-101) and recommends approval of the request subject to conformance with the conditions of approval included at the end of this report and based upon the following Suggested Findings of Fact and Conclusions of Law:

Suggested Findings of Fact:

1. The Richland Comprehensive Plan for this area is the Badger Mountain South Subarea plan and the project site is located within the Badger Mountain South Master Planned Community. The property is subject to the provisions of the Land Use and Development Regulations (LUDR) adopted for this planned community, which designate the project site as being within the Commercial Mixed-Use and Specialty Retail land use districts.
2. The proposed plat lies primarily within the BMS Station neighborhood area identified in section 7.D of the Badger Mountain South LUDR.
3. The proposed preliminary plat consists of developing 20.80 acres into 13 lots and three (3) tracts for future commercial use.
4. The Master Agreement Consistency Recommendation (MACR) anticipates 13 commercial sites within the Veneto Villagio development.
5. The site is subject to both the provisions of the Land Use and Development Regulations (LUDR) for the Badger Mountain South Master Planned Community and the Master Agreement between the City of Richland and Nor Am Investment, LLC.
6. All proposed developments subject to the Badger Mountain LUDR regulations are required to be reviewed by the Badger Mountain South Master Plan Administrator. The Administrator has issued a Master Agreement Consistency Recommendation (as provided for in Section 1.H of the LUDR) stating that the application meets the terms and obligations of the approved Master Agreement and the requirements of the LUDR.
7. City staff reviewed the application and the Master Agreement Consistency Recommendation and has issued a Master Agreement Consistency Determination as required by the LUDR.
8. Section 24.12.053 of the RMC sets forth standards for review of preliminary plats which require the Hearing Examiner to consider whether appropriate provisions are made for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features which assure safe walking conditions for students who only walk to and from school.

9. As conditioned herein the proposed preliminary plat provides for the development of a street network which is consistent with the regulating street plan contained in the LUDR.
10. The proposed preliminary plat includes provisions for the extension of domestic and irrigation water lines, electrical power lines, and sewer lines to serve the project.
11. The proposed improvements to serve the preliminary plat are consistent with the standards and requirements contained in the LUDR and in the Master Agreement between the City and Nor Am Investment, LLC,
12. The preliminary plat includes provisions for the construction of an urban pedestrian trail system along the north and westerly boundaries of the site as well as primary and secondary trails within the interior of the development and is consistent with the trail layout plan set forth in the LUDR.
13. The proposed plat includes provisions for sidewalks and trails bordering the site and as conditioned.
14. No bus service is currently provided in the vicinity of the project site. The Benton Franklin Transit Authority was given an opportunity to comment on the project but did not provide any comments.
15. City staff and other utility providers reviewed the project and have recommended specific conditions of approval as set forth in the Conditions of Approval provided at the end of this report.
16. The City has adopted a Planned Action Ordinance for the Badger Mountain South Master Planned Community.
17. Under the provisions of the Planned Action Ordinance, projects are not reviewed through standard State Environmental Policy Act provisions. Rather, review is conducted to determine if the proposed project is consistent with the mitigation measures enumerated in the master agreement.
18. A Planned Action Consistency Determination (PACD) was issued by Planning staff on July 20, 2022.
19. On July 20, 2022, the City issued a letter of consistency, finding that the proposal is consistent with the mitigation measures included in the master agreement (MACD).
20. RMC 19.60.095(D) requires that development not lower the level of service standard for transportation facilities below a level of service D.
21. The provisions of the planned action ordinance call for the applicant to conduct traffic studies at the time that Badger Mountain South project generates 500 peak hour trips at the intersection of Dallas Road and the Trowbridge Blvd. The ordinance further calls for the applicants to construct improvements as identified in future traffic studies.
22. A traffic study has been submitted to the City by TENW and is currently under review by the city and other local entities.
23. The set of recommended approval conditions listed herein requires the applicant to make transportation improvements listed in the BMS master

agreement and as further recommended in the traffic study and by city Public Works staff.

Conclusions of Law:

1. The proposed preliminary plat is consistent with and would provide for development of the subject property in conformance with the density and type of land use envisioned in the land use and transportation elements of the adopted comprehensive plan.
2. The lots within the proposed subdivision are consistent with the provisions of the City's commercial zoning regulations (LUDR).
3. As conditioned, the proposed preliminary plat makes appropriate provisions for the public health, safety and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features which assure safe walking conditions for students who only walk to and from school.
4. Pursuant to Chapters 22.09 and 22.10 of the RMC, the procedures required under the State Environmental Policy Act and the City's Sensitive Areas Ordinance have been completed.
5. The proper processes are underway to ensure consistency with the provisions of RMC 19.60.095. Subsequent final plat application(s) will not be accepted by the City until all of the associated transportation improvements have been fully constructed in accordance with the traffic impact analysis and as further recommended by Public Works staff.

Overall Conclusion:

Based on the above findings and conclusions, approval of the proposed preliminary plat of Veneto Villagio is warranted because the project conforms to the City's adopted comprehensive plan, the applicable Land Use and Development Regulations and Master Agreement provisions, is consistent with the requirements of the City's subdivision regulations and is consistent with the City's Planned Action Ordinance.

CONDITIONS OF APPROVAL

1. The preliminary plat is not showing any phase lines. As a result, this preliminary plat shall be constructed in one (1) phase.
2. Make the border of the preliminary plat more prominent on Sheet C0001.
3. All final approved plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed. All information shall be supplied in full size (and electronic)

- format. Electronic copies of the construction plans are required prior to the pre-con meeting along with the multiple sets of paper drawings. When construction of the public infrastructure has been substantially completed, the applicant shall provide paper and electronic record drawings in accordance with the City's published "Record Drawing Requirements". The electronic record drawings shall be submitted in an AutoCAD format compatible with the City's standard CAD software. The final record drawings shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
4. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and their engineer. All required comments/conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
 5. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way construction permit prior to beginning work, per RMC Chapter 12.08. The applicant shall pay a plan review fee based on a cost-per-sheet of engineering infrastructure plans. This public infrastructure plan review fee shall apply each time a project is submitted for review. This fee will be different for commercial projects versus subdivision projects. Please visit the Public Works Private Development page on the City's webpage to find the current per-sheet fee. A permit fee in the amount equal to 3% of the construction costs of the work within the right-of-way or easement will be collected at the time the construction permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the approved plan submittal.
 6. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of plat acceptance. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final plat acceptance.

7. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Engineering Division at 942-7500 to schedule a pre-construction conference.
8. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
9. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final platting.
10. Addressing brackets [] shall be provided on all lots and tracts.
11. Public improvement design shall follow the following general format:
 - a. All materials and workmanship shall be in conformance with the latest revision of the City of Richland Standard Specifications and Details, Public Infrastructure Design Guidelines and the current edition of the State of Washington Standard Specifications for Road, Bridge, and Municipal Construction. Please confirm that you have the latest set of standard specs and details by visiting the City's web page.
 - b. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
 - c. All utilities shall be extended to the adjacent property (properties) at the time of construction.
 - d. The minimum centerline finish grade shall be no less than 0.30% and the maximum centerline finish grade shall be no more than 10.0% for local streets. 12% can be allowed for local streets for short distances.
 - e. The minimum centerline radius for local streets shall be 100-feet.
 - f. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - g. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
 - h. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.

12. If the City Fire Marshal requires a secondary emergency vehicle access (SEVA), it shall be included in the construction plan set and be designed to the following standards:
 - a. 2-inches compacted gravel, minimum (temp. SEVAs only).
 - b. 2% cross-slope, maximum.
 - c. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
 - d. Be 20-feet in width.
 - e. Have radii that are accommodating with those needed for City Fire apparatus.
13. Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.
14. The Badger Mountain South Traffic Impact Analysis (TIA) was completed in draft form on February 16, 2022. The TIA recommends mitigation measures that meet the level of service standard "D" on Dallas Road at the I-82 EB ramps, I-82 WB ramps, Trowbridge Boulevard and Ava Way by year 2025. The analysis performed set the timeline for the "Veneto Villagio" development at 5-10 years. The trips generated from this development will impact Dallas Road on a shorter timeline than that anticipated in the TIA. Therefore, the following mitigation measures shall be completed as described below:
 - a. Dallas Road / Trowbridge Boulevard: Roundabout. Completed before 25% of the lots are built and occupied.
 - b. Dallas Road / Ava Way: left and right turn lanes for northbound and southbound Dallas Road. Completed before 25% of the lots are built and occupied.
 - c. Dallas Road / I-82 EB Ramps: Roundabout. Completed before 75% of the lots are built and occupied.
 - d. Dallas Road / I-82 WB Ramps: Roundabout. Completed before 75% of the lots are built and occupied.

- e. Widening of Dallas Road to 5-lane principal arterial road section from Trowbridge Roundabout to I-82 EB Ramps Roundabout. Completed before 75% of the lots are built and occupied.
15. The design of such improvements is subject to the approval of the City Engineer. Completion of the finalized TIA is not anticipated to generate recommendations for mitigations to other offsite intersections. The Master Agreement transportation trigger for full completion of Trowbridge Boulevard (aka Badger Mountain Parkway in the Master Agreement) is also activated by this development. However, since there are no developments to be served by the completion of this street to the east at the time of plat, and there exists no additional network connectivity to gain benefit of redistributing traffic volumes, it is not recommended that this improvement be completed with this plat. It is anticipated that the finalized TIA will also result in an amendment of transportation triggers in the Master Agreement to align with mitigations proposed in the TIA.
 16. Improvements shall be completed, as a condition of the Veneto Villagio final plat, to the existing 2-lane Dallas Road meeting the City's 5-lane principal arterial cross-section along the frontage of this plat. This includes curb, gutter, and path as indicated in the LUDR edge treatments, an additional 22 feet width of paved road from existing east painted edge line of the road to the face of curb, and stormwater drainage as required.
 17. The "Veneto Villagio" preliminary plat is subject to the City's traffic impact fee program (RMC 12.03).
 18. Notes will be needed on the face of the final plat stating that Dallas Road and Trowbridge Boulevard are classified as "Minor Arterials", and Ava Way is classified as a "Major Collector Street". Subsequently, no driveways will be allowed directly onto them.
 19. Sidewalks shall be installed along all public right-of-way frontages that building lots do not front on during construction (e.g., storm drainage ponds, parks, HOA tracts, etc.).
 20. The developer and his engineer shall demonstrate on the construction plans that all future driveway entrances, sidewalks and pedestrian ramps will meet City and ADA requirements.
 21. Shared access easements shall be perpendicular to the roadway.
 22. Pedestrian ramps shall be designed to current City standard details and A.D.A. standards. Adequate right-of-way shall be provided at corners to allow for at least 1-foot of ROW behind the pedestrian ramp landing. Crosswalks between pedestrian ramps shall be designed to City

- standards. Crosswalks at stop-controlled intersections shall have cross-slopes less than 2%. Crosswalks crossing thru-streets shall have cross-slopes less than 5%. The road profile shall be designed to accommodate this.
23. The vision-clearance triangle needs to be shown on all corner lots on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
 24. The existing access points onto Gateway Ave. and Sotto Street are acceptable for this project, but any proposed changes to said driveways will be subject to approval by the City Engineer.
 25. Any roads narrower than 32-feet shall have parking restricted on one side, and any roads narrower than 27-feet shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developer's expense. The restricted parking areas shall be indicated on the construction plans and the final plat. All signage will be installed by the developer prior to final platting.
 26. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
 27. The proposed preliminary plat is located within the Tapteal III water pressure zone. The closest watermain is located in Ava Way to the north, and Trowbridge Blvd. to the south. It shall be the responsibility of the developer to extend a watermain to and through this property to serve domestic water at the time of plat construction. This water main shall be sized to adequately supply domestic water and fire flows to the entire proposed development.
 28. Looping of the water system provides redundancy and helps to eliminate stagnant water. The water main may need to be extended from outside the project boundaries in order to accomplish this.
 29. In accordance with municipal code, domestic water mains shall be extended to the adjoining properties adjacent to the preliminary plat, provided they are in the correct pressure zone.
 30. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations or oversizing of the main where needed.

31. Fire hydrant layout shall be approved by the City Fire Marshal.
32. The closest sanitary sewer available for this development is located in Trowbridge Blvd. and Ava Way. It shall be the responsibility of the developer to extend a sewer main to and through this property to serve sanitary sewer at the time of plat construction.
33. A 10-foot wide exclusive sanitary sewer easement shall be provided for any sewer main that is outside of the public Right-of-Way. Wider easements are required for mains that are buried deeper than 10-feet. If any manholes are located outside of the public Right-of-Way, maintenance truck access to said structure may be required.
34. Sanitary sewer may need to be extended to the adjoining properties adjacent to this preliminary plat.
35. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. The Developer shall be responsible for compliance with the permit conditions. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition, a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered. The project will require detailed erosion control plans.
36. The proposed storm drainage and grading of all parcels within the proposed development shall be shown on the plans (most grading and drainage plans must be prepared by a licensed civil engineer). If site contains at least 1,000 sq.ft. of new asphalt, and/or contains 30% or more impervious surfaces, storm drainage calculations from a licensed civil engineer are required. Stormwater shall be kept on-site (on the developing property that generated it). Stormwater shall not be flowed onto adjacent properties, or to the public Right-of-Way, without first obtaining written permission.
37. The "private", on-site storm drainage systems constructed within each parcel shall be designed following the core elements defined in the latest editions of the Stormwater Management Manual for Eastern Washington,

- the current Richland municipal codes, the Phase II Municipal Stormwater Permit, and the City's "Public Infrastructure Construction Plan Requirements and Design Guidelines". Calculations shall be stamped by a registered professional Civil Engineer. Prior to discharging any storm drainage waters from paved surfaces into drainage ditches, groundwater or a public system, an oil/water separator must be installed. The applicant's design shall provide runoff protection to downstream property owners.
38. All public storm drainage systems shall have their flow rate and storage capacity designed by a professional engineer following the core elements defined in the latest editions of the Stormwater Management Manual for Eastern Washington, the current Richland municipal codes, the Phase II Municipal Stormwater Permit, and the City's "Public Infrastructure Construction Plan Requirements and Design Guidelines". The storm water calculations shall be stamped by a professional engineer and shall include a profile of the storm system showing the hydraulic grade line. The calculations should include an accurate delineation of the contributing drainage area to accurately size the stormwater facilities. Passing the storm water downhill to an existing storm system will require an analysis of the downstream storm system to determine its capability of accepting the storm water without being overwhelmed. The applicant's design shall provide runoff protection to downstream property owners.
 39. If any existing storm drainage or ground water seepage drains onto the proposed site, said storm drainage shall be considered an existing condition, and it shall be the responsibility of the property developer to design a system to contain or treat and release the off-site storm drainage.
 40. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
 41. Prior to or concurrent with the submittal of the first phase the developer shall provide a Geotechnical report including the percolation rate of the soils in the area of any public storm retention ponds. If the project constructs a storm retention pond then the engineer will need to demonstrate that the pond will drain itself within 72 hours after the end of a storm event, and not have standing water in it longer than that. Engineering solutions are available for retention ponds that do not percolate within 72 hours.
 42. As per RMC chapter 24.20.070 and the City of Richland's Comprehensive Stormwater Management Plan, the storm drainage system installed as part of this plat may need to be oversized in order to handle the additional flow from future developments in the vicinity. The storm drainage system

for this development, both its conveyance and retention / infiltration components, shall be designed to effectively manage runoff from upstream properties that can be anticipated to convey stormwater onto this property because of a pre-development runoff condition, or as a result of flows discharged that are in excess of the design storm from the upstream property. Additionally, as this property is upslope of developed properties the stormwater system shall include provisions for possible discharge of runoff onto downslope properties from storms in excess of the design storm as described above. Those provisions may be required to include off-site downslope conveyance facilities and/or flowage easements allowing for the conveyance of stormwater to and across downslope properties.

43. The amount of post-development storm runoff from the proposed site shall be in compliance with RMC Chapter 16.06.
44. Stormwater collection pipes may need to be extended to the adjoining properties adjacent to the plat.
45. The parcel occupied by the public stormwater basin shall be identified as a separate parcel or tract on the final plat and shall be dedicated to the City stormwater utility. The design of the basin shall include access features meeting the city's needs for maintenance.
46. The developer shall consider the long-term appearance of the public storm water basin, particularly if it will occupy a prominent location in the development. The City's typical storm pond maintenance practices consist of semi-annual vegetation trimming and silt and debris removal. If the pond location is deemed by City staff as being in a prominent location the developer shall design and install fencing and/or landscaping to mitigate the pond's visible character for the surrounding properties. If the City requires this type of treatment to the pond site the developer may propose landscaping treatments consistent with the development and establish maintenance responsibilities to remain with the development. These maintenance responsibilities shall be noted on the final plat. Basins designed as detention and evaporative basins need to include plantings that will tolerate or thrive in standing water. Planting designs for areas not routinely exposed to water shall include plants that will thrive without irrigation unless the developer intends to maintain an irrigated pond site. At a minimum the landscaping plan should be consistent with the City's intended maintenance standard as described above.
47. The developer shall be responsible for landscaping the storm pond and for its maintenance and the plantings through the one-year infrastructure warranty period. At 11 months after the final acceptance date the developer shall clean the storm system and basin of all accumulated oil,

- sediment, and debris. After this maintenance is completed and inspected the City will begin routine maintenance of the system and basin. The developer shall replace any plantings that have failed to survive the warranty period. The developer shall also perform trimmings required to control weeds in excess of 18-inches in height for the 12-months following the date of final plat acceptance.
48. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
 49. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final acceptance. Off-site ("third party") easements or right-of-ways for City infrastructure are the responsibility of the developer to obtain. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.
 50. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of plat construction and prior to final plat acceptance by the City.
 51. Ten-foot wide public utility easements will be required on the final plat along both sides of all right-of-ways within the proposed plat. They will also be required where the plat is adjacent to an existing right-of-way.
 52. The vision-clearance triangle needs to be shown on all corner lots on the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
 53. The final plat shall include notes identifying all common areas including the private streets and tracts and acknowledging the ownership and maintenance responsibility by the homeowner's association. A note shall be added to the face of the final plat that states: "The private roads are for

the use and benefit of the homeowners that abut said roads and are to be maintained by said owners. The City of Richland accepts no maintenance responsibility for said roads”.

54. A note shall be added to the face of the plat that states: “The private drives within this plat are fire lanes and parking is restricted. All required no-parking signs shall be installed by the developer where applicable.”
55. Any roads narrower than 34-feet shall have parking restricted on one side, and any roads narrower than 27-feet shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developer’s expense. The restricted parking areas shall be indicated on the final plats.
56. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the property owners to maintain.
57. A one-foot “No access easement” is required along the Dallas Road Right of Way.
58. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
59. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
60. Any restricted parking areas shall be indicated on the final plats.

EXHIBIT LIST

1. Application
2. Preliminary Plat Map
3. Master Agreement Consistency Recommendation (MACR)
4. Master Agreement Consistency Determination (MACD)
5. Planned Action Consistency Determination (PACD)
6. Planned Action Ordinance
7. Public Notices & Affidavits
8. Public Comments
9. Agency Comments



Preliminary Plat Application

Note: A Pre-Application meeting is required prior to submittal of an application.

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: **NOR AM INVESTMENT, LLC, c/o Geoff Clark**

Address: **12513 SW Dubois Ave, Lakewood, WA 98498-5242**

Phone: **(253) 677-3402**

Email: **thefourcs@comcast**

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company: **NOR AM INVESTMENT, LLC**

UBI#: **601-670-707**

Contact: **Geoff Clark**

Address: **12513 SW Dubois Ave, Lakewood, WA 98498-5242**

Phone: **(253) 677-3402**

Email: **thefourcs@comcast**

SURVEYOR INFORMATION

Contact: **Rodgers Surveying Inc. c/o Dave Baalman, PLS**

Address: **1455 Columbia Park Trail, Suite 201**

Phone: **(509) 783-4141**

Email:

ENGINEER INFORMATION

Contact: **AHBL Inc. c/o Kaleb Mapstead**

Address: **5804 Road 90, Suite H Pasco, WA 99301**

Phone: **(509) 316-7132**

Email: **kmapstead@ahbl.com**

PROJECT DESCRIPTION

The project proposes to develop 20.80 acres into 13 commercial lots just west of the of Villa Vista preliminary plat and south of Ava Way. The proposal will develop Gateway Avenue between Ava Way and Trowbridge Blvd to serve the development. The development will also extend Sotto Street to meet the future development of Villa Vista.

PROPERTY INFORMATION

Parcel #: **1-3298-2BP-4732-022**

Zoning: **BMS-Badger Mountain South**

Legal Description: **See attachment**

Proposed Subdivision Name: **BMS Veneto Villagio**

Gross Plat Acreage: **20.80 AC**

Number of Lots: **13**

Smallest Lot Size: **35,289 SF**

Net Lot Area Acreage: **18.41 AC**

Avg. Lot Size: **61,652 SF**

Largest Lot Size: **105,089 SF**

Domestic Water Supply: ☒ City ☐ Private Well

Sewage Disposal: ☒ City ☐ Septic

Irrigation Source: ☐ City ☐ Private Well ☐ Columbia Irrig. District ☐ Kennewick Irrig. District ☒ Other

SEPA Checklist submitted? ☐ Yes ☒ No

Title Report (Subdivision Guarantee) submitted? ☒ Yes ☐ No

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. 2 – Full-size copies of proposed survey
3. 1 – 11" x 17" copy of proposed survey
4. 1 – PDF file of proposed survey
5. Title Report showing ownership, easements, restrictions and accurate legal description of the property involved
6. SEPA Checklist
7. Other information as determined by the Administrator

I authorize employees and officials of the City of Richland the right to enter and remain on the property in question to determine whether a permit should be issued and whether special conditions should be placed on any issued permit. I have the legal authority to grant such access to the property in question.

I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation pertaining to development activities associated with a permit.

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

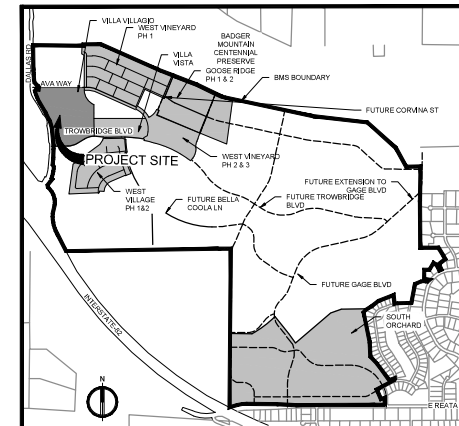
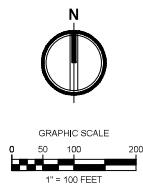
1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Darvin Sweeney

Applicant Signature:  Date 4-29-2022

DATE: April 20, 2022 FILENAME: \\ahbl.com\data\PROJECTS\2021\2210576\10_CIVICADIVENETO-VILLAGGIO PRELIMINARY PLAT\2210576-SH-COVER.dwg



VICINITY MAP
NOT TO SCALE

NOR AM INVESTMENT, LLC
12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242
CONTACT: GEOFF CLARK
PH: (253) 677-3402

AHBL INC
5804 ROAD 90, STE H
PASCO, WA 99301
CONTACT: KALEB MAPSTEAD
PH: (509) 380-5883

ROGERS SURVEYING INC.
1455 COLUMBIA PARK TRAIL, STE 201
RICHLAND, WASHINGTON 99352
CONTACT: DAVE BAALMAN, PLS
PHONE: (509) 783-4141

UNDETERMINED
RICHLAND, WA 99352

1-3298-2BP-4732-022

WATER:	CITY OF RICHLAND
SEWER:	CITY OF RICHLAND
IRRIGATION:	BMID
TELEPHONE:	CHARTER & ZIPLY
POWER:	RES
GAS:	CNGC

DATUM - NAD 83/91
BASIS OF BEARING - NORTH 77°19'12" EAST ALONG A LINE BETWEEN THE FOLLOWING TWO POINTS: WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, MONUMENT DESIGNATED AS "ERIE AZT." POINT IDENTIFICATION NUMBER 2668, BRASS DISK STAMPED "ERIE" SET AT GROUND LEVEL. ATOP FIRST SADDLE EASTERLY OF RADIO TOWERS AT THE PEAK OF BADGER MOUNTAIN, APPROXIMATELY 10 FEET NORTH OF THE GRAVEL ACCESS ROAD.
N = 330320.281'
E = 1940161.471'

NAVJO 88
BENCHMARK 1 - ELEVATION = 801.875' PER CITY OF RICHLAND SURVEY DEPARTMENT.
SOUTHWEST CORNER OF SECTION 29, TOWNSHIP 9 NORTH, RANGE 28 EAST OF THE
WILLAMETTE MERIDIAN, BRASS DISK WITH "X" IN CASE, CENTERLINE OF DALLAS ROAD,
APPROXIMATELY 0.75 MILES NORTH OF INTERSTATE 82, EXIT 104.
BENCHMARK 2 - ELEVATION = 1489.377' PER WASHINGTON STATE DEPARTMENT OF
TRANSPORTATION, ALSO DESIGNATED AS "ERIE A21", POINT IDENTIFICATION NUMBER
2698, BRASS DISK STAMPED "ERIE" SET AT GRADE LEVEL, ATOP FIRST SADDLE
EASTERLY OF RADIO TOWERS AT THE PEAK OF BADGER MOUNTAIN, APPROXIMATELY
10 FEET NORTH OF THE GRAVEL ACCESS ROAD.

THE EXISTING CULTURAL AND TOPOGRAPHIC DATA SHOWN ON THESE DRAWINGS HAS BEEN PREPARED, IN PART, BASED UPON INFORMATION FURNISHED BY OTHERS, WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, AHBLCAN NOT ENSURE ACCURACY AND THUS IS NOT RESPONSIBLE FOR THE ACCURACY OF THAT INFORMATION OR FOR ANY ERRORS OR OMISSIONS WHICH MAY HAVE BEEN INCORPORATED INTO THESE DRAWINGS AS A RESULT.

SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C001	COVER
C002	BMS-LUDR DISTRICTS & TRAILS
C003	GREEN SPACE CALCS
C101	LOT LAYOUT & TABLES
C201	GRADING & DRAINAGE PLAN
C301	OVERALL UTILITY PLAN

LAND USE TABLE	
TOTAL SITE AREA	20.80 AC
TOTAL LOTS	13
TRACTS	3
MIN. LOT AREA	35,289 SF LOT 3
MAX LOT AREA	105,089 SF LOT 11
AVG LOT AREA	61,852 SF
TRACT AREA	0.74 AC
ROW AREA	1.65 AC



Project Title:

BMS

VENETO VILLAGGIO

Client:
**NOR AM
INVESTMENT, LLC**
12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

Job No.
2210576.11

Issue Set & Date:
PRELIMINARY PLAT

04.19.2022



NOTICE
ALTERATION OF THIS DOCUMENT SHALL INVALIDATE THE PROFESSIONAL SEAL AND SIGNATURE. PUBLICATION OF THIS DOCUMENT DOES NOT CONSTITUTE FORMAL RECORDSHIP RIGHTS IN IT. THIS DOCUMENT IS FOR USE ONLY FOR THE PROJECT IDENTIFIED IN THE TITLE BLOCK AND IS NOT TO BE USED FOR REPAIR, REUSE, OR ADDITION TO THAT PROJECT OR FOR ANY OTHER PROJECT.



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 _____
 _____
Revisions: _____

Sheet Title: **COVER**

Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No. _____

C001

1 of 6 Sheets

BMS VENETO VILLAGIO

LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 W., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



Project Title: **BMS VENETO VILLAGIO**

Client: **NOR AM INVESTMENT, LLC**
12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

Job No. 2210576.11

Issue Set & Date: **PRELIMINARY PLAT**

04.19.2022



NOTICE
ATTENTION: IF YOU ARE NOT THE OWNER OF THIS PROJECT, YOU MAY BE SUBJECT TO A FINE OR PENALTY IF YOU SIGN THIS PLAT WITHOUT THE NECESSARY PERMISSION OF THE OWNER. IF YOU ARE THE OWNER, YOU MUST SIGN THIS PLAT IN THE PRESENCE OF THE COUNTY CLERK OR NOTARY TO VALIDATE THE PLAT AND YOUR PROJECT.



Revisions:	

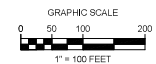
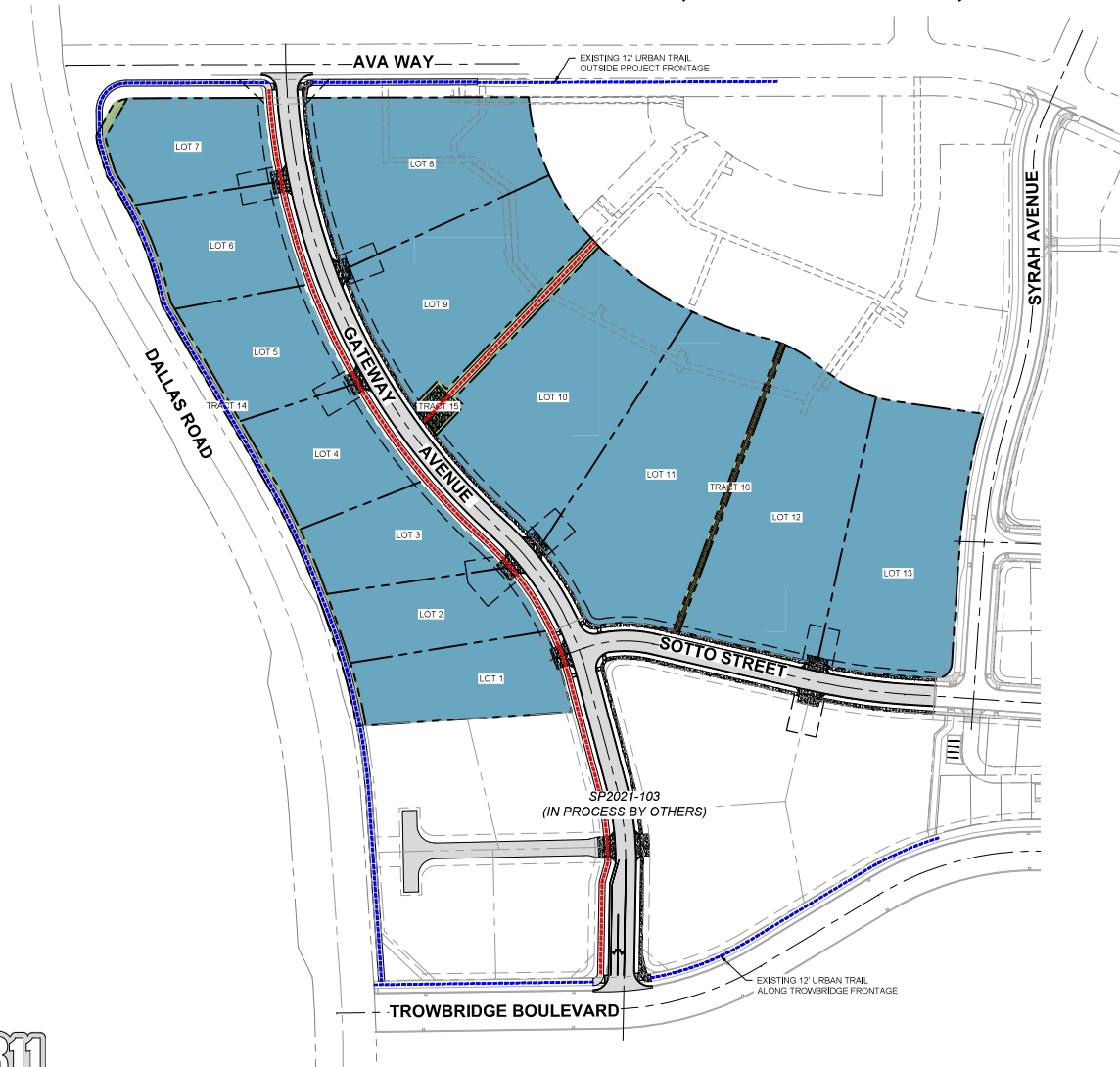
Sheet Title: **BMS-LUDR DISTRICTS & TRAILS**

Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No. **C002**
2 of 6 Sheets

LUDR DISTRICT LEGEND			
DISTRICT		LUDR SECTION	
BMS-SD-CMU	COMMERCIAL MIXED-USE	4.C	
BMS-CIVIC		3.F	

TRAIL LEGEND	
TYPE	
PRIMARY	
SECONDARY	
URBAN	



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BMS VENETO VILLAGIO

LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 W., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

LEGAL DESCRIPTION

13-0802-04P4-03021

THAT PORTION SECTION 32 TOWNSHIP 9 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN, SITUATE IN THE CITY OF RICHLAND, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH QUARTER CORNER OF SAID SECTION 32, THENCE NORTH 89°30'32" EAST 25.183 FEET ALONG THE SOUTH LINE THEREOF TO THE WESTERLY BOUNDARY OF THE PLAT OF FALCONCREST PHASE 1, ACCORDING TO THE SURVEY THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 454, RECORDS OF BENTON COUNTY; THENCE THE FOLLOWING SIX COURSES ALONG SAID WEST BOUNDARY:

THENCE NORTH 40°19'45" WEST 302.59 FEET; THENCE NORTH 81°23'35" WEST 163.94 FEET; THENCE NORTH 73°12'44" WEST 86.11 FEET; THENCE NORTH 11°28'34" WEST 64.92 FEET; THENCE NORTH 56°09'09" WEST 63.84 FEET; THENCE NORTH 51°18'48" WEST 58.55 FEET; THENCE THE FOLLOWING TEN COURSES ALONG THE EAST BOUNDARY OF THAT PARCEL SHOWN AS "NEW PARCEL C" ON RECORD SURVEY RECORDED IN VOLUME 1 OF SURVEYS, PAGE 4447, RECORDS OF BENTON COUNTY:

THENCE NORTH 31°49'48" WEST 28.86 FEET; THENCE NORTH 10°07'53" WEST 70.85 FEET; THENCE NORTH 14°30'43" WEST 86.48 FEET; THENCE NORTH 35°03'49" WEST 30.34 FEET; THENCE NORTH 31°17'15" WEST 392.48 FEET; THENCE NORTH 52°39'38" WEST 64.49 FEET; THENCE NORTH 49°13'49" WEST 110.55 FEET; THENCE NORTH 27°39'28" WEST 74.85 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 303.00 FEET; THENCE NORTHEASTERLY 17.87 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 2°52'09" (THE LONG CHORD OF SAID CURVE BEARS NORTH 50°49'37" EAST 17.87 FEET); THENCE NORTH 39°38'25" WEST 50.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 35°36'25" WEST 420 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 303.00 FEET; THENCE SOUTHWESTERLY 86.14 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°32'27" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 63°48'49" WEST 87.71 FEET); THENCE SOUTH 80°33'57" WEST 61.03 FEET; THENCE SOUTH 80°59'09" WEST 71.40 FEET; THENCE SOUTH 80°33'57" WEST 60.46 FEET; THENCE NORTH 08°59'59" EAST 254.75 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF FALCONCREST LOOP, AS DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NUMBER 2014-028954, RECORDS OF BENTON COUNTY; THENCE THE FOLLOWING SIX COURSES ALONG SAID RIGHT OF WAY LINE:

THENCE SOUTH 76°19'56" EAST 7.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 227.00 FEET; THENCE SOUTHEASTERLY 64.80 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°21'19" THENCE NORTH 87°18'49" EAST 91.18 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTH, HAVING A RADIUS OF 173.00 FEET; THENCE EASTERLY 46.17 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°01'49" THENCE SOUTH 77°43'59" EAST 173.70 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHERLY 56.74 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 130°01'48" THENCE SOUTH 52°18'13" WEST 20.51 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 73.00 FEET; THENCE SOUTHWESTERLY 63.84 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°22'59" THENCE SOUTH 84°41'12" WEST 86.08 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS OR LITACHES, MORE OR LESS.

BMS VENETO VILLAGIO OPEN SPACE

TRAILS

EQUIVALENT TRAIL LENGTHS SHALL BE APPLIED TO THE LENGTH OF TRAIL CONSTRUCTED MULTIPLIED BY THE APPROPRIATE TRAIL FACTOR BELOW:	
CITY PRIMARY TRAIL	1.0
PRIMARY TRAIL	1.0
SECONDARY TRAIL	0.6
EQUESTRIAN TRAIL	0.8 (WHERE SHOWN ON LUOTRAIL PLAN)
URBAN TRAIL	1.0

TRAIL LOCATION	LENGTH	LENGTH FACTOR	EQUIVALENT LENGTH	RU
DALLAS ROAD TRAIL - TRACT 14 (URBAN)	2,105 L.F.	2,105 L.F. * 1.0 =	2,105.0 L.F.	@ 16 L.F. / RU 131.5
GATEWAY AVENUE TRAIL - (PRIMARY)	1,605 L.F.	1,605 L.F. * 1.0 =	1,605.0 L.F.	@ 16 L.F. / RU 100.3
PLAZA TRAIL - TRACT 15 (PRIMARY)	405 L.F.	405 L.F. * 1.0 =	405.0 L.F.	@ 16 L.F. / RU 25.3
ACCESS TRAIL - TRACT 16 (SECONDARY)	953 L.F.	953 L.F. * 0.6 =	571.8 L.F.	@ 16 L.F. / RU 35.7
TOTAL			4,461.8 L.F.	276.0

TOTAL ALLOWABLE RU

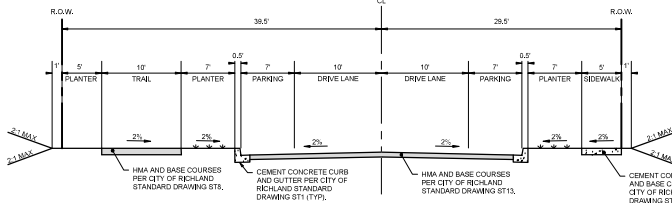
TRAILS	276.0 RU
PARKS	0 RU
TOTAL	276.0 RU

MISCELLEANEOUS OPEN SPACE

TRACT	AREA (SF)	AREA (ACRES)
14 - TRAIL/LANDSCAPING	17,015	0.39
15 - PLAZA/TRAIL/LANDSCAPING	10,568	0.24
16 - TRAIL/LANDSCAPING	5,039	0.11
TOTAL	32,619	0.74

1 LOCAL STREET SECTION WITH EDGE TYPE A

NOT TO SCALE

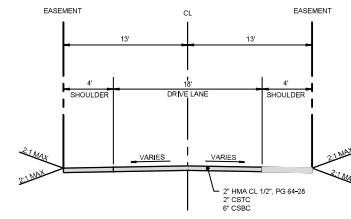


3 LOCAL STREET SECTION WITH EDGE TYPE A & B

NOT TO SCALE

2 ALLEY SECTION

NOT TO SCALE



Know what's below.
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DATE: April 20, 2022 FILENAME: \\ahbl.com\data\PROJECTS\2021\21057610_CITY\CAD\VENETO-VILLAGGIO PRELIMINARY PLAT\210576-SH-001-COVER.dwg



TACOMA • SEATTLE • SPOKANE • TRI-CITIES

5804 Road 90, Suite H Pasco, WA 99301
509.380.5883 Tel. 253.383.2572 www.ahbl.com WEB

Project Title:
**BMS
VENETO VILLAGIO**

Client:
**NOR AM
INVESTMENT, LLC**

12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

Job No.
2210576.11

Issue Set & Date:
PRELIMINARY PLAT

04.19.2022



NOTICE
ATTENTION: IF AN EXISTING ROAD, BRIDGE OR
STRUCTURE IS TO BE REMOVED, THE OWNER SHALL
OBTAIN A PERMIT FROM THE WASHINGTON STATE
DEPARTMENT OF TRANSPORTATION (WSDOT) PRIOR
TO THE REMOVAL OF THE STRUCTURE. THE OWNER
SHALL BE RESPONSIBLE FOR THE COST OF THE
NOTICE TO THE PUBLIC OF THE REMOVAL OF THE
STRUCTURE.



Revisions:

Sheet Title:
GREEN SPACE CALCS

Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No.

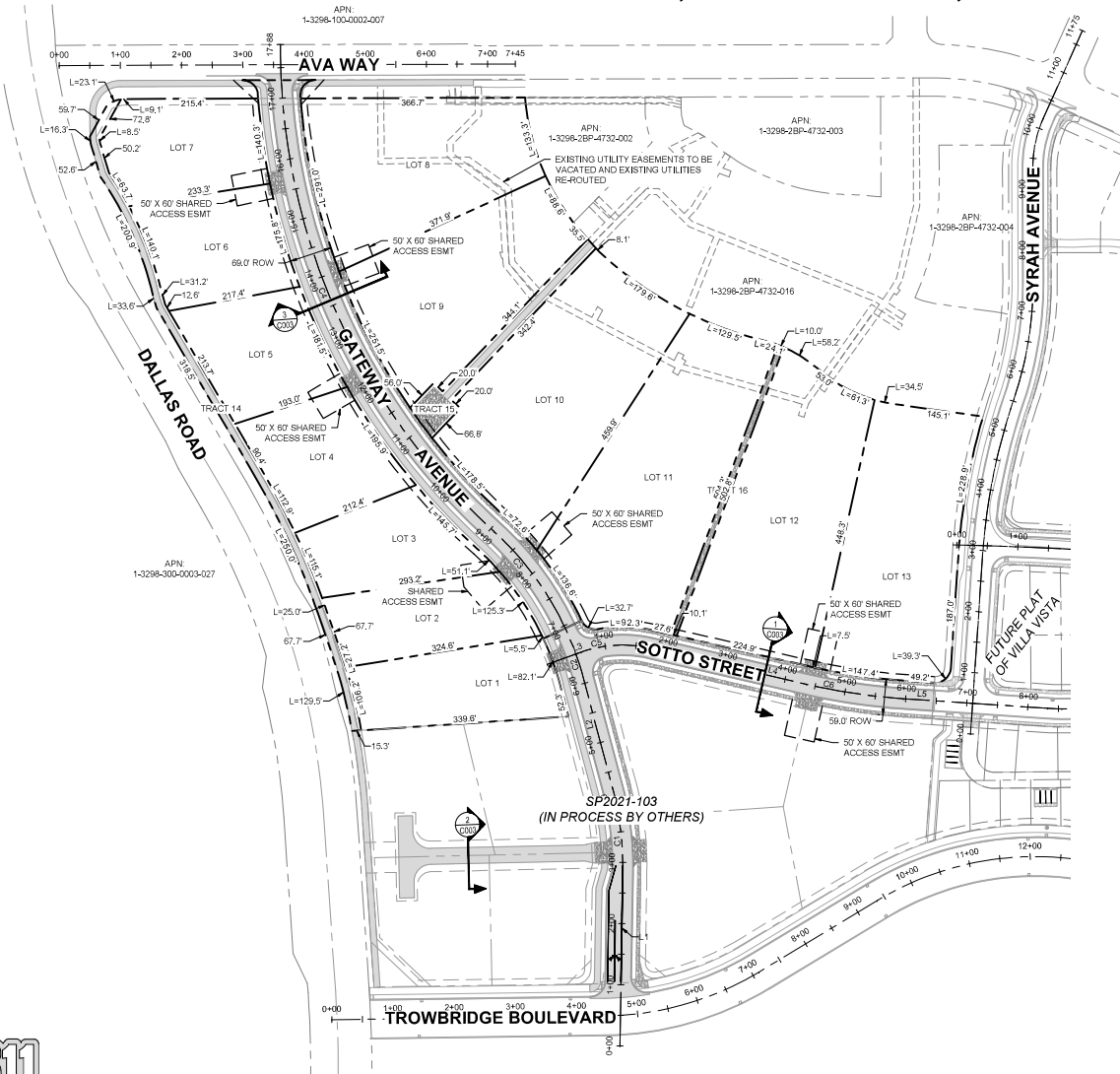
C003

3 of 6 Sheets

210576-SH-COVER.DWG GREEN SPACE

BMS VENETO VILLAGIO

LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 W., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



LOT AREA TABLE	
LOT	AREA (S.F.)
1	40.365
2	36.078
3	35.289
4	38.576
5	38.756
6	39.109
7	39.814
8	77.719
9	74.696
10	96.305
11	105.089
12	94.087
13	85.596

TRACT AREA TABLE		
TRACT #	AREA (SF)	USE
TRACT 14	17,015	URBAN TRAIL / LANDSCAPING
TRACT 15	10,568	PLAZA / PRIMARY TRAIL / LANDSCAPING
TRACT 16	5,036	SECONDARY TRAIL / LANDSCAPING

CENTERLINE LINE TABLE				
LINE TAG	BEARING	DISTANCE	START STATION	END STATION
L1	N0° 55' 38.89"E	285.16	0+00.00	2+85.16
L2	N14° 49' 40.02"W	183.88	4+22.89	6+06.58
L3	N70° 13' 48.59"E	59.11	0+00.00	0+59.11
L4	S76° 59' 41.22"E	262.62	1+73.52	4+36.14
L5	S86° 08' 28.47"E	236.67	5+95.77	8+32.45

CENTERLINE CURVE TABLE					
CURVE TAG	CHORD BEARING	CHORD LENGTH	RADIUS	START STATION	END STATION
C1	N6° 57' 05.06"W	137.08	500.00	2+85.16	4+22.89
C2	N31° 15' 15.27"W	282.74	500.00	6+06.58	8+93.23
C3	N31° 15' 15.27"W	282.74	500.00	6+06.58	8+93.23
C4	N23° 41' 05.32"W	868.56	1068.00	8+93.23	17+87.71
C5	N89° 37' 02.68"E	112.85	200.00	0+59.11	1+73.52
C6	S81° 34' 04.84"E	159.47	1000.00	4+36.14	5+95.77



Project Title:
BMS VENETO VILLAGIO

Client:
NOR AM INVESTMENT, LLC

12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

Job No.
2210576.11

Issue Set & Date:
PRELIMINARY PLAT

04.19.2022



NOTICE:
ATTENTION: IF AN EXISTING MAP, RECORD OF SURVEY, OR ANY OTHER INSTRUMENT OF RECORD IS REQUIRED FOR THIS PROJECT, THE USER OF THIS PLAT SHALL BE RESPONSIBLE FOR OBTAINING THE NECESSARY RECORDS FROM THE APPROPRIATE AGENCIES AND FOR THE USER'S OWN PROTECTION.

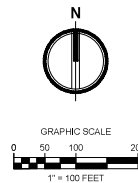


Revisions:

Sheet Title:
LOT LAYOUT & TABLES

Designed by: KDM **Drawn by:** KDM **Checked by:** EMF

Sheet No.



C101
4 of 6 Sheets



BMS VENETO VILLAGIO

LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 W., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



Project Title: **BMS VENETO VILLAGIO**

Client: **NOR AM INVESTMENT, LLC**
12513 SW DUBOIS AVE
LAKEWOOD, WA 98498-5242

Job No. 2210576.11

Issue Set & Date: **PRELIMINARY PLAT**

04.19.2022



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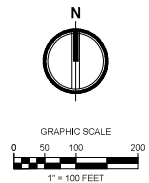


Revisions:	

Sheet Title: **GRADING & DRAINAGE PLAN**

Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No.



C201
5 of 6 Sheets

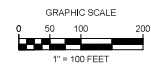
BMS VENETO VILLAGIO

LOCATED IN SE 1/4 OF THE NW 1/4 SEC. 32, TWN. 09 W., RGE. 28 E. W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



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DATE: April 20, 2022 FILENAME: \\ahbl.com\data\PROJECTS\2021\2210576\10_C\VCAD\VENETO-VILLAGIO PRELIMINARY PLAT\2210576-SH4\UTL.dwg



Project Title:
**BMS
VENETO VILLAGIO**

Client:
**NOR AM
INVESTMENT, LLC**
12513 SW DUBOIS AVE
LAKEWACED, WA 98498-5242

Job No.
2210576.11

Issue Set & Date:
PRELIMINARY PLAT

04.19.2022



NOTICE
ATTENTION: IF YOU ARE NOT THE OWNER OF THE PROJECT, YOU MUST OBTAIN A WRITTEN AUTHORIZATION FROM THE OWNER TO USE THIS PLAN FOR ANY OTHER PROJECT. FAILURE TO DO SO MAY BE A VIOLATION OF THE WASHINGTON STATE ENGINEERING ACT.



Revisions:	

Sheet Title:
**OVERALL
UTILITY PLAN**

Designed by: KDM Drawn by: KDM Checked by: EMF

Sheet No.
C301
6 of 6 Sheets

2210576-SH4\UTL.DWG UTL

Stevens, Mike

From: Stevens, Mike
Sent: Friday, September 30, 2022 3:39 PM
To: Stevens, Mike
Subject: FW: Badger Mountain South Traffic Study

From: DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>
Sent: Friday, September 30, 2022 3:11 PM
To: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Cc: Deskins, John <jdeskins@CI.RICHLAND.WA.US>
Subject: RE: Badger Mountain South Traffic Study

Mike,

See linked folder: **REMOVED FOR SECURITY PURPOSES**

It contains the BMS draft TIA with update pages. I also have a development summary updated page for 2025 forecast which was used in developing our opinion that the roundabouts on Dallas Rd would be conditioned for future plats in BMS.

However, I am wary of making the draft TIA part of the record. The draft I have linked has replacement pages used during the review of the TIA. The City of Richland, City of West Richland, and Benton County have provided comments to the TIA that still require items to be addressed. TENW is still completing their update to the draft for final acceptance by Public Works. Subsequent to receipt of the TIA, sensitivity analysis was performed by TENW and the City to determine trip generation that would cause intersections to fail City standard Level of Service D given the likely street buildout in 2025. The 2025 development forecast in that folder was used in producing our analysis. All of these factors informed Public Works conditions for the Veneto Villagio plat. The Villa Vista townhomes did not generate the trips to produce the same conditions.



Carlo D'Alessandro, PE
Transportation and Development Manager
625 Swift Blvd., MS-26 | Richland, WA 99352
(509) 942-7461

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Badger Mountain South

Master Agreement Consistency Recommendation (MACR) Supplement to the Preliminary Plat Application for Veneto Villagio

Executive Summary

The successful development of the Badger Mountain South Master Plan Community requires close attention to the detailed planning and standards created in the adopted Master Agreement, specifically to the Land Use and Development Regulations as found in Exhibit C of the Master Agreement, commonly identified as the LUDR (Land Use and Development Regulations). The LUDR standards are designed to go beyond the more typical City requirements or standards because they are seen by the Master Developer as building blocks to creating a walkable and sustainable community.

The LUDR establishes a process for the review of development applications that is intended to integrate into the existing City application processes, and yet provide the close attention to LUDR standards without adding significant review time by City staff. This is accomplished by requiring each development application to meet all City code submittal requirements and, at the same time, undergo a review for consistency with the standards of the LUDR. This latter review is completed by the Badger Mountain South Master Plan Administrator who makes a written recommendation of consistency to the City's Development Services Manager. A final "Master Agreement Consistency Determination" is issued by the City after the Manager's review.

The document that follows is the Master Plan Administrator's recommendation for a determination of consistency for this application. It includes a review of all relevant standards found in the LUDR related to a preliminary plat application. The standards are cited, the specific responses are provided for this application, and the Reviewer Comment section adds other pertinent information. The document concludes with references to other relevant Master Agreement provisions that are met with this application.

The applicant has stated that this plat will be finalized in one phase. The conditions of the approved Preliminary Plat, the Master Agreement, and specifically, the LUDR must be met before it will be finalized.

Badger Mountain South
Master Agreement Consistency Recommendation (MACR)
Supplement to the Preliminary Plat Application for
Veneto Villagio

Date: April 26, 2022

The purpose of completing the MACR is to ensure that the applicant has met the special requirements for Badger Mountain South, as found in the Land Use and Development Regulations (LUDR). It also allows City staff to be assured that the Master Developer is meeting the terms and obligations of the approved Master Agreement, as it applies to each development activity in Badger Mountain South.

The MACR will be completed by the applicant, as indicated, and submitted with other Preliminary Plat materials, as required in Richland Municipal Code (RMC) Chapter 24.12. It is recommended that the applicant has met with the Master Developer prior to completion of this Supplement.

1. Applicant name, address and contact information:

South Richland Communities
PO Box 1307
Gig Harbor, WA 98335
Contact: Geoff Clark
253-677-3402

2. Project name:

Veneto Villagio

3. Project description including site size in acres:

A subdivision of 20.08 acres total area; 13 lots created all within Badger Mountain South, lying adjacent to and east of Dallas Road and north of Interstate 82.

4. Is phasing proposed? Please explain:

The project will be completed in one phase

5. Regulating Plan District(s) (see LUDR p. 2-2):

Commercial Mixed Use (BMS-CMU)

6. What is the name of the neighborhood? (See LUDR pp. 7-1 through 7-3).

Neighborhoods: *Veneto Villagio*

7. What is proposed use? See Allowable Use Table (see LUDR p. 2-3).

Allowed uses are outlined in LUDR Table 2.C

8. What building types are likely to be developed here? (See LUDR p. 2-4):

Allowed building types are outlined in LUDR Section 2.D

Section 1

This is the introduction and administration section of the LUDAR and thus it is not applicable to this review.

Section 2

This section identifies the Regulating Plan Districts and permitted land uses.

Please define the District for this application:

District Type:

Commercial Mixed Use (BMS-CMU)

Does the requested use meet the requirements outlined in 2.C Land Use?

Yes

Does the requested use meet the Building Type requirements outlined in 2.D Building Type?

Yes; Special districts are not regulated by building type

Section 3

This section identifies the district development standards for five of the districts in Badger Mountain South. Not included are the standards for the three specialty districts which are found in Section 4.

Section 4

This section identifies the special district development standards. The Special Districts are outlined in section 2.B.

Does the proposed project meet the intent of the Special District development standards? Explain.

Yes; The BMS-CMU development can accommodate a wide variety of uses as it is intended to be a major employment center for the City of Richland and a destination for shopping, higher-level education, dining, office uses and other employment centers, Multi-family/Mixed-Use housing, entertainment and recreation. Public facilities, including transit centers, may also be accommodated in this District.

Does the proposed layout meet the intent of LUDR 4.C.1? Explain

Yes; the proposed project incorporates a walkable design to accommodate pedestrians. A large walkway with tree planters and benches is included between lot 9 and 10 and includes a 50' x 50' plaza with a covered gathering area, benches/tables, trash receptacles, lighting, and bike racks. This walkway will connect Veneto Villagio with the lots near the Country Mercantile. Additionally, the developer has proposed a tract (16) between lot 11 and 12 to be used as an additional pedestrian connection to the lots near the Country Mercantile. Additionally, the developer has included a primary trail system on Gateway Ave connecting Ava and Trowbridge. The primary trail system will include benches and trash receptacles. The developer will also complete the remainder of the Urban Trail down Ava way and along Dallas Road to Trowbridge as part of this project to create a circular pedestrian connection around the entire Veneto Villagio project and will connect the project to primary trail system of Badger Mountain South.

Does the proposed layout meet the intent of LUDR 4.C.2? Explain

Yes; While many of the requirements in 4.C.2 will be reviewed at the Site Plan/Building Permit MACR 1 level, the developer has proposed entry monumentation into Veneto Villagio from Ava and Trowbridge. There will be continuous sidewalk and pedestrian connections as outlined in the response to 4.C.1 above. Individual lot signage, landscaping, and architectural features will be

reviewed at the Site Plan/Building Permit MACR 1 level, but common area landscaping-including the plaza, trail system, and walkways-will enhance the district and will comply with the requirements of the LUDR and the City of Richland.

Section 5

This section identifies the open space, trails, and community facilities that will be constructed in Badger Mountain South.

Badger Mountain South - MA Section 25.3

"As part of the Master Plan Consistency Determination described in Paragraph 23, the City, shall consult with the Master Agreement Administrator, and the applicant in determining the appropriate share of infrastructure and mitigation costs that shall be borne by the proposed development and how that development's share of infrastructure and mitigation relates to the overall infrastructure and mitigation that is required for buildout of Badger Mountain South."

Does the number of residential lots trigger additional MA Exhibit D, Green Infrastructure Improvements?

Yes No **X**

Please explain:

Green Infrastructure Improvements are required and as found in the Master Agreement Exhibit D, are linked to the numbers of residential units (RU) developed.

In the case of the Veneto Villagio Preliminary Plat, 13 commercial units are anticipated for a total of 13U. The LUDR does not make reference to non-residential trail requirements, but the following list outlines the quantities of trail/green space provided in Veneto Villagio.

<u>Requirement</u>	<u>Improvement Required/Provided</u>
Primary and Secondary Trails	<u>City Primary</u>
400 LF of equivalent trail to	Trail 0 LF
be created per 25 RU, which	
equals 16 LF per RU.	<u>Primary Trail</u>
So, 68 RU=1088 Equivalent	2105 LF urban trail along Dallas
LF Required Villa Vista	Road
exceeds requirement	1605 LF Primary Trail along Gateway
	Ave
Equivalent trail lengths shall	405 LF Primary Trail Tract 15
be applied be the length of	
trail constructed multiplied by	<u>Secondary Trail</u>
the appropriate trail factor	503 LF Provided Tract 16
below:	
City Primary Trail =	<u>Equestrian Trail</u>
1 Primary Trail = 1	0 LF
Secondary Trail = .6	
Equestrian Trail = .8 (where	<u>Urban</u>
shown on trail plan)	<u>Trail 0 LF</u>
Urban Trail = 1	

Plaza

50 x 50 Plaza provided

Section 6

This section identifies the street layout for the arterial collectors, the proposed layout for the internal collector streets, and the right-of-way standards for each street type in the Badger Mountain South Development.

Is a public street to be constructed?

Yes ☒ No ☐

Provide separate sheet with street type and edge type(s) indicated.

See the proposed preliminary plat.

See attached City of Richland letter to address traffic mitigations.

Section 7

This section establishes the framework for creating the pedestrian-scaled, walkable community of Badger Mountain South by outlining the process for using Block Standards to subdivide land.

LUDR 7.B.2 identifies the Block Size and Configuration should meet the following Block Dimension Standards: Block length= 1000' max., except in VMU District= 400' max. Identify the following for the smallest and largest blocks:

Block length: Smallest: 600 ft.; largest: 1,650 ft (Gateway) this block length exceeds the maximum allowed, but the developer has provided 2 locations of trail connections within that length to make sure the area is easily walkable

Per the LUDR 3.E.1, in the NE District houses are typically accessed by streets. Per LUDR 7.B.4.d(1), direct street access lots are permitted onto a Collector Street when they are (i) located in the BMS-NG District; (ii) when they are in the BMS-NG District and are located along the perimeter of the BMS project boundary; or (iii) when they are located in the BMS-NG District where that district abuts the BMS-NE District.

Does this preliminary plat include any areas where the NE and NG districts abut?

Yes ☐ No ☒

LUDR 7.B.5.a Other Block Requirements -In the Village Mixed Use (VMU), Neighborhood Collector (NC), and Neighborhood General (NG) Districts, two (2) building types required on each block; see Section 2.D. for Building Type Table. Identify Building Types proposed if known or enter N/A:

N/A for this District type

LUDR 7.B.4 Dead-end alleys greater than 150' ft. are not permitted; are dead end alleys greater than 150' proposed?

Yes ☐ No ☒

Section 8

This section identifies the design standards for each of the Building Types allowed within the Districts. Much of the review for Section 8 takes place during the MACR 2 process as outlined in LUDR Section 1.J. This application is being reviewed as part of the "Plat or Subdivision" process in table 1.J. This preliminary plat process covers up to "Step 5" in the Plat or Subdivision review process. Steps 6-9 and the "Site Plan Review" process take place once a builder proposes a project on one of the lots created as part of this process. At that point, the MPA and the City of Richland review the proposal against the requirements of 8.C. Some of the common design standards listed in section 8.C can be outlined during the preliminary plat process, but it is impossible to review all requirements without a specific building type proposal from the end user.

LUDR 8.B - 8.P Lot Size by District and Proposed Building Type. In LUDAR 7.B.5.a (above), proposed Building Types were identified for this project. Do the proposed lot size(s) meet the Building Types lot standards?

Yes ☒ No ☐

Please describe:

Special Districts are not regulated by Building Type. See Section 4 for District intent and standards. See also 8.C for Common Design Standards applicable to all districts. Each project will be reviewed as part of the MACR 2 process to make sure they meet the requirements and intent of 8.C.

LUDR 8.C 1- The preliminary plat identifies tracts that will be used for open space and public gathering areas. Specifically, tract 15 will be a 50' x 50' plaza with a covered seating area with benches, tables, trash receptacles, lighting, and bike racks. The walkway between tract 15 and the area near Country Mercantile will have bump outs with tree planter boxes, benches, and pedestrian lighting. The MACR 2 process will identify opportunities and requirements for the end user to integrate outdoor seating, plazas, landscaping, and design to enhance the overall site design.

LUDR 8.C.2- Veneto Villagio provides a linked pedestrian circulation pathway as identified on the plans. The extensive trail system will link a tree-lined primary trail with benches from Ava Way to Trowbridge Blvd. This trail will connect Veneto Villagio into the main trail system of Badger Mountain South. The proposed urban trail will create a circular connection from the roundabout on Ava way and Trowbridge all the way to Dallas road and then down Dallas road. The applicant has been working with the City of Richland to develop shared parking access between the lots to reduce exits onto Gateway Blvd.

Individual lot design features found in 8.C will be reviewed during the Site Plan/Building Permit MACR 1 process as outlined in LUDR section 1.J

Recommendation of Consistency:

It is my opinion as the Master Plan Administrator that the application as submitted is consistent with the intent and the purpose of the Master Agreement relative to this plat dated 04/14/2022 and the approved LUDR.

Signature: 

Date: 04/26/2022



www.ci.richland.wa.us

July 20, 2022

Development Services
Planning Division
625 Swift Blvd.
Richland, WA 99352
Telephone 509-942-7794
Fax 509-942-7764

MASTER AGREEMENT CONSISTENCY DETERMINATION

For: Preliminary Plat Application of Veneto Villagio, a Badger Mountain South Development (S2022-101)

Applicant: Geoff Clark (South Richland Communities)

Project Description: A commercial subdivision of approximately 20.80-acres into 13 commercial lots as depicted on the preliminary plat submittal.

Consistency Determination Type: Level 1

Master Agreement Consistency Recommendation: The Richland Planning Department received a master agreement consistency recommendation from the Badger Mountain South Master Program Administrator on May 4, 2022.

After completing the review of the preliminary plat application of Veneto Villagio, evaluating it against the standards contained in the adopted Land Use and Development Regulations (LUDR) for the Badger Mountain South Community and the Master Agreement between the City of Richland and Nor Am Investments, LLC and after reviewing the recommendation of the Badger Mountain South Master Program Administrator, I find that the application is consistent with the Master Agreement and the LUDR and hereby issue this Master Agreement Consistency Determination. This determination is made with the understanding that a traffic impact analysis has been provided to the city and that the Veneto Villagio plat may not move forward with final approval until such time the transportation improvements recommended in the TIA and agreed upon by the City Public Works office, have been completed as applicable.

Sincerely,

Mike Stevens
Planning Manager



www.ci.richland.wa.us

July 8, 2021

**Development Services
Planning Division**
625 Swift Blvd.
Richland, WA 99352
Telephone 509-942-7794
Fax 509-942-7764

PLANNED ACTION CONSISTENCY DETERMINATION

For: Preliminary Plat Application of Veneto Villagio, a Badger Mountain South Development (S2022-101)

Applicant: Geoff Clark (South Richland Communities)

Project Description: A subdivision of approximately 20-80 acres into 13 commercial lots as depicted on the preliminary plat submittal.

Master Agreement Consistency Determination: Issued July 20, 2022.

After completing the review of the preliminary plat application of Veneto Villagio and evaluating it in light of the mitigating conditions established in the Final Supplemental Environmental Impact Statement prepared for the Badger Mountain South Subarea Plan and as delineated as Exhibit B in the Master Agreement between the City of Richland and Nor Am Investments, LLC, the City finds the following:

1. The Veneto Villagio preliminary plat meets the description for a planned action as defined in City code and that as conditioned, the project will implement any applicable conditions or mitigation measures identified in RMC 19.50 (Consistency with Development Regulations and SEPA);
2. The Veneto Villagio preliminary plat is consistent with the City of Richland Comprehensive Plan and the Badger Mountain Subarea Plan;
3. The Veneto Villagio preliminary plat is consistent with the Master Agreement between the City and Nor Am Development, LLC regarding development of Badger Mountain South, as evidenced by the Master Agreement Consistency Determination issued by the City on July 20, 2022;
4. The probable significant adverse environmental impacts of the proposed project have been adequately addressed in the Planned Action Ordinance [RMC 19.50.030 (B)] and as described in the Badger Mountain South Planned Action Consistency Determination for Veneto Villagio preliminary plat;

5. The Veneto Villagio preliminary plat is not an essential public facility, as defined in RCW 36.70A.200.
6. Based on the foregoing, a SEPA threshold determination or EIS is not required.
7. The following environmental mitigation conditions shall apply to the Veneto Villagio preliminary plat:
 - a. Erosion control measures as required by City of Richland shall be implemented; vegetative cover on exposed soils shall be provided as soon as practicable following clearing and grading activities; water of exposed soils shall be performed in accordance with Benton Clean Air Authority requirements; soils shall be compacted at densities appropriate for planned uses.
 - b. The applicants shall submit a dust control plan to the Benton County Clean Air Authority for their review and approval. All construction work shall be performed in accordance with the provisions of the approved dust control plan.
 - c. The applicants shall submit an erosion control plan to the City of Richland Public Works Department for their review and approval based on the Washington State Department of Ecology Stormwater Management Manual for Eastern Washington. All construction work shall be performed in accordance with the provisions of the approved erosion control plan which shall be consistent with City standards.
 - d. The applicants shall conform to City noise standards.
 - e. Transportation mitigation measures shall be applied pursuant to the most recent traffic impact analysis prior to recording any phase of Veneto Villagio. The mitigation measures identified therein shall be implemented in accordance with the planned action ordinance.
 - f. Potable water systems shall be designed and constructed in accordance with City standards.
 - g. Sewer systems shall be designed and constructed in accordance with City standards.
 - h. All residential dwelling units shall be constructed with a residential fire sprinkler system (as applicable).
 - i. Energy conservation measures and sustainability standards as established in the LUDR shall apply to new construction within the proposed project.



Mike Stevens,
SEPA Responsible Official

July 20, 2022

Chapter 19.50

CONSISTENCY WITH DEVELOPMENT REGULATIONS AND SEPA

Sections:

19.50.010 Determination of consistency.

19.50.020 Initial SEPA analysis.

19.50.030 Categorically exempt and planned actions.

19.50.010 Determination of consistency

A. Purpose. When the city receives a project permit application, consistency between the proposed project and the applicable regulations and comprehensive plan should be determined through the process in this chapter and the city's adopted SEPA ordinance, Chapter 22.09 RMC.

B. Consistency. During project permit application review, the city shall determine whether the items listed in this subsection are defined in the development regulations applicable to the proposed project. In the absence of applicable development regulations, the city shall determine whether the items listed in this subsection are defined in the city's adopted comprehensive plan. This determination of consistency shall include the following:

1. The type of land use permitted at the site, including uses that may be allowed under certain circumstances, if the criteria for their approval have been satisfied;
2. The level of development, such as units per acre, density of residential development in urban growth areas, or other measures of density;
3. Availability and adequacy of infrastructure and public facilities identified in the comprehensive plan, if the plan or development regulations provide for funding of these facilities as required by Chapter 36.70A RCW; and
4. Character of the development, such as development standards.

C. Concurrency. For Type II and Type III applications, a concurrency review shall be completed by the city. The review shall consist of an evaluation of the transportation impacts created by the proposed project on the city street system. The city shall make a determination as to whether the transportation impacts of the proposed project will cause the level of service on the city street system to drop below the level of service adopted in the city's comprehensive plan. In the event that a proposed project is anticipated to create a drop in the level of service below the standard adopted in the comprehensive plan, the city shall identify mitigation measures that could be implemented to prevent the projected decline in the level of

service. Nothing in this section would prevent an applicant from modifying his proposal to avoid a projected decline in the level of service. Mitigation measures may not be necessary if the city has a transportation project listed in its adopted six-year plan that, if implemented, would prevent the decline in the projected level of service. [Ord. 12-96; Ord. 02-00; Ord. 29-12 § 1.01].

19.50.020 Initial SEPA analysis

A. The city shall also review the project permit application under the requirements of the State Environmental Policy Act (“SEPA”), Chapter 43.21C RCW; the SEPA rules, Chapter 197-11 WAC; and RMC Title 22 (Environment), and shall:

1. Determine whether the applicable regulations require studies that adequately analyze all of the project permit application’s specific probable adverse environmental impacts;
2. Determine if the applicable regulations require measures that adequately address such environmental impacts;
3. Determine whether additional studies are required and/or whether the project permit application should be conditioned with additional mitigation measures;
4. Provide prompt and coordinated review by government agencies and the public on compliance with applicable environmental laws and plans, including mitigation for specific project impacts that have not been considered and addressed at the plan or development regulation level.

B. In its review of a project permit application, the city may determine that the requirements for environmental analysis, protection and mitigation measures in the applicable development regulations, comprehensive plan and/or in other applicable local, state or federal laws provide adequate analysis of the mitigation for the specific adverse environmental impacts of the application.

C. A comprehensive plan, development regulation or other applicable local, state or federal law provides adequate analysis of and mitigation for the specific adverse environmental impacts of an application when:

1. The impacts have been avoided or otherwise mitigated; or
2. The city has designated as acceptable certain levels of service, land use designations, development standards or other land use planning required or allowed by Chapter 36.70A RCW.

D. In its decision whether a specific adverse environmental impact has been addressed by an existing rule or law of another agency with jurisdiction with environmental expertise with regard to a specific environmental impact, the city shall

consult orally or in writing with that agency and may expressly defer to that agency. In making this deferral, the city shall base or condition its project approval on compliance with these other existing rules or laws.

E. Nothing in this section limits the authority of the city in its review or mitigation of a project to adopt or otherwise rely on environmental analyses and requirements under other laws, as provided by Chapter 43.21C RCW.

F. The city shall also review the application under RMC Title 22 (Environment). [Ord. 12-96; Ord. 29-12 § 1.01].

19.50.030 Categorically exempt and planned actions.

A. Categorically Exempt. Actions categorically exempt under RCW 43.21C.110(1)(a) do not require environmental review or the preparation of an environmental impact statement. An action that is categorically exempt under the rules adopted by the Department of Ecology (Chapter 197-11 WAC) may not be conditioned or denied under SEPA.

B. Planned Actions.

1. A planned action does not require a threshold determination or the preparation of an environmental impact statement under SEPA, but is subject to environmental review and mitigation under SEPA.

2. A “planned action” means one or more types of project action that:

a. Are designated planned actions by an ordinance or resolution adopted by the city;

b. Have had the significant impacts adequately addressed in an environmental impact statement prepared in conjunction with:

i. A comprehensive plan or subarea plan adopted under Chapter 36.70A RCW; or

ii. A fully contained community, a master planned resort, a master planned development or a phased project;

c. Are subsequent or implementing projects for the proposals listed in subsection (B)(2)(b) of this section;

d. Are located within an urban growth area, as defined in RCW 36.70A.030;

e. Are not essential public facilities, as defined in RCW 36.70A.200; and

f. Are consistent with the city’s comprehensive plan adopted under Chapter 36.70A RCW.

C. Limitations on Planned Actions. The city shall limit planned actions to certain types of development or to specific geographical areas that are less extensive than the jurisdictional boundaries of the city, and may limit a planned action to a time period identified in the environmental impact statement or the adoption of this chapter.

D. During project review, the city shall not reexamine alternatives to or hear appeals on the items identified in RMC 19.50.010(B), except for issues of code interpretation.

E. Project review shall be used to identify specific project design and conditions relating to the character of development, such as the details of site plans, curb cuts, drainage swales, the payment of impact fees, or other measures to mitigate a proposal's probable adverse environmental impacts. [Ord. 12-96; Ord. 29-12 § 1.01].



CITY OF RICHLAND

NOTICE OF APPLICATION AND PUBLIC HEARING (S2022-101)

Notice is hereby given that Geoff Clark has filed an application on behalf of NorAm Investments, LLC for preliminary plat approval to subdivide a 20.80-acre site into 13 commercial lots referred to as the Preliminary Plat of Veneto Villagio. The project site is located just west of the Villa Vista preliminary plat and south of Ava Way. The proposal will develop Gateway Avenue between Ava Way and Trowbridge Blvd to serve the development. The development will also extend Sotto Street to meet the future development of Villa Vista. The plat proposes an average lot size of 61,652 square feet.

The Richland Hearings Examiner will conduct a public hearing and review of the application at 6:00 p.m., Thursday, August 18, 2022. All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland website (www.ci.richland.wa.us).

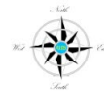
Environmental Review: The proposal is not subject to specific environmental review. Environmental impacts of Badger Mountain South, a master planned community, have previously been analyzed. The final environmental impact statement and related file information are available to the public and can be viewed at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, August 5, 2022 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Written comment will not be accepted after 6 p.m. on August 17, 2022; however, verbal comments may be presented during the public hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration, Title 24 Plats and Subdivisions, the Badger Mountain South Land Use & Development Regulations and the Badger Mountain South Master Agreement. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.

Vicinity Map

Item: Veneto Villagio
Applicant: Nor Am
File #: S2022-101



AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Kevin Damrell, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.
2. On the 20th day of July, 2022, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING (S2022-101) to the attached list of individuals via regular USPS on the date indicated above. The Richland Hearing Examiner will conduct a virtual public hearing and review of the application on Thursday, August 18, 2022.

Signed: Kevin Damrell

SIGNED AND SWORN to before me this 20th day of July, 2022 by Kevin Damrell.



Notary Public in and for the State of Washington,

Print Name

Residing at 625 Swift Blvd, Richland 99352

My appointment expires: 4-25-23

AFFIDAVIT OF MAILING - 1
Address list attached.



CITY OF RICHLAND

NOTICE OF APPLICATION AND PUBLIC HEARING (S2022-101)

Notice is hereby given that Geoff Clark has filed an application on behalf of NorAm Investments, LLC for preliminary plat approval to subdivide a 20.80-acre site into 13 commercial lots referred to as the Preliminary Plat of Veneto Villagio. The project site is located just west of the Villa Vista preliminary plat and south of Ava Way. The proposal will develop Gateway Avenue between Ava Way and Trowbridge Blvd to serve the development. The development will also extend Sotto Street to meet the future development of Villa Vista. The plat proposes an average lot size of 61,652 square feet.

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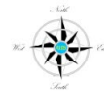
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Vicinity Map

Item: Veneto Villagio
Applicant: Nor Am
File #: S2022-101



NOR AM INVESTMENT LLC
12513 DUBOIS AVE SW

LAKEWOOD, WA 98498-5242

KADLEC REGIONAL MEDICAL CENTER
PROVIDENCE ST. JOSEPH HEALTH
1801 LIND AVE SW
RENTON, WA 98057

BADGER MOUNTAIN SOUTH COMMUNITY
ASSOCIATION
BMS COMMUNITY ASSOCIATION
12513 AVE DUBOIS SW
LAKEWOOD , WA 98498

NOR AM INVESTMENT LLC
12513 DUBOIS AVE SW

LAKEWOOD, WA 98498-5242

WOOD J. LYN & JANECE
5015 AVA WAY

RICHLAND, WA 99352

NOR AM INVESTMENT LLC
12513 DUBOIS AVE SW

LAKEWOOD, WA 98498-5242

MARCEAR BRENT A & CYNTHIA A
4756 VINEYARD ESTATE LANE

RICHLAND , WA 99352

NOR AM INVESTMENT LLC
12513 DUBOIS AVE SW

LAKEWOOD, WA 98498-5242

MONSON DEVELOPMENT WASHINGTON LLC
63615 E JACOBS RD

BENTON CITY, WA 99320

DALLAS GASOLINE LLC
5304 W CANAL DR

KENNEWICK, WA 99336

BADGER DEVELOPERS LLC
PO BOX 1307

GIG HARBOR, WA 98335

BADGER MOUNTAIN SOUTH COMMUNITY
ASSOCIATION
BMS COMMUNITY ASSOCIATION
12513 AVE DUBOIS SW
LAKEWOOD , WA 98498

NOR AM INVESTMENT LLC
12513 DUBOIS AVE SW

LAKEWOOD, WA 98498-5242

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Kevin Damrell**, who, being first duly sworn upon oath deposes and says:

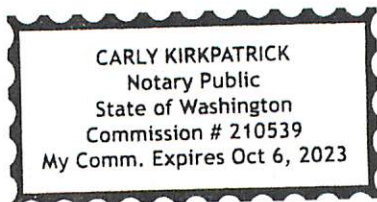
1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

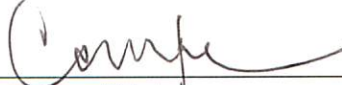
2. On the 25th day of July, 2022, I posted the attached NOTICE OF PUBLIC HEARING, File Number S2022-101 (Preliminary Plat of Veneto Villagio) in the following locations:

The intersection of Ava Way and Dallas Road
The intersection of Trowbridge Blvd and Dallas Road


Signed: Kevin Damrell

SIGNED AND SWORN to before me this 25th day of July, 2022, by Kevin Damrell.




Signature of Notary

Carly Kirkpatrick
Printed Name

Notary Public in and for the State of Washington,
Residing in Richland, WA

My appointment expires: Oct. 6, 2023



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	293375	Print Legal Ad - IPL0082452		\$167.81	1	68 L

Attention: Jennifer Anderson

CITY OF RICHLAND/LEGALS
625 SWIFT BLVD. MS-05
RICHLAND, WA 99352

CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (SUP2022-101)

Notice is hereby given Geoff Clark has filed an application on behalf of NorAm Investments, LLC for preliminary plat approval to subdivide a 20.80-acre site into 13 commercial lots referred to as the Preliminary Plat of Veneto Villagio.

Proposal: Develop Gateway Avenue between Ava Way and Trowbridge Blvd to serve the development. The development will also extend Soto Street to meet the future development of Villa Vista. The plat proposes an average lot size of 61,652 square feet.

Location: The project site is located just west of the Villa Vista preliminary plat and south of Ava Way, Parcel number 1-3298-2BP-4732-022.

Public Hearing: The Richland Hearings Examiner will conduct a public hearing and review of the application on **Thursday, August 18, 2022 at 6:00 p.m.** in the Richland City Hall Council Chambers, 625 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing or by visiting the City of Richland website (www.ci.richland.wa.us) and join via Zoom. Copies of the complete application packet, SEPA Checklist and related materials can be obtained by visiting the City of Richland website (www.ci.richland.wa.us).

Environmental Review: The proposal is not subject to specific environmental review. Environmental impacts of Badger Mountain South, a master planned community, has previously been analyzed. The final environmental impact statement and related file information can be viewed at www.ci.richland.wa.us.

Public Comment: Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS #35, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, August 5, 2022, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Written comment will not be accepted after 6 p.m. on Wednesday, August 17, 2022, however verbal comments may be presented during the public hearing.

Published: Sunday, July 24, 2022
IPL0082452
Jul 24 2022

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Stephanie Hatcher, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 07/24/2022, and ending on 07/24/2022 and that said newspaper was regularly distributed to its subscribers during all of this period.

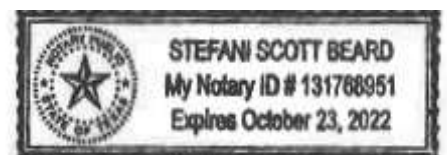
Stephanie Hatcher

(Signature of Legals Clerk)

Sworn to and subscribed before me this 30th day of September in the year of 2022

Stefani Beard

Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.
Legal document please do not destroy!

Stevens, Mike

From: Cunnina2 <cunningham.aaron238@gmail.com>
Sent: Tuesday, August 2, 2022 1:22 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Dear Mr. Stevens,

After previously purchasing a home from a developer that misled its clients on the vision for the community, we were so hopeful that Badger Mountain South would be different. The miles of paved trails with connected neighborhoods and commercial enterprises within walking distance are exactly what we were looking for. To suddenly walk away from this is dishonest to say the least and causes doubt for our long-term commitment to the area. We ask that you please enforce protections on the Business Districts to guarantee the original intent that is still being sold to home buyers.

Sincerely,

Aaron Cunningham

Sent from my iPhone

Stevens, Mike

From: Cunnina2 <cunningham.aaron238@gmail.com>
Sent: Tuesday, August 2, 2022 12:11 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Dear Mr. Stevens,

When my wife and I moved here last fall, the wine village was one of the main drivers for us choosing to purchase a home in Badger Mountain South. Because of this, we have built excitement for all that we will be able to experience within walking distance of our front door. Finally, we found a place we are proud to call home. It is disheartening to know that the vision we were sold was dishonestly replaced for a plan that would negatively affect the future dynamic of this community. Incorporating the wine village as originally intended will encourage long term investment, sustainability, and *healthy growth* for our community. Moving away from this will greatly jeopardize these prospects. We implore you to hold the developers accountable to the vision our residents invested so heavily in for their families and their future.

Sincerely,
Aaron Cunningham

Sent from my iPhone

Stevens, Mike

From: Aimee Loveall <aimee.loveall@convergint.com>
Sent: Friday, August 5, 2022 12:01 PM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

To whom it may concern,

Our family just purchased a home in West Village on 6/1/22. When looking for a home we found the planned park and vine village with businesses that were going up were a major factor in our decision to purchase this home. We would not have purchased had we known that townhouses or any other multi-family units would be put in that area around The Country Mercantile. Please note that we are against selling off the plots of land to other developers.

Aimee Loveall | Program Administrator | Convergint Technologies
O: 206-504-2275 M: 206-591-3860 E: aimee.loveall@convergint.com
450 Shattuck Ave S. Suite #100 Renton, WA 98057



CYBER CRIME AWARENESS: WE WILL NOT ASK YOU TO CHANGE CONVERGINT REMIT-TO ADDRESS OR BANKING INFORMATION VIA EMAIL

From: Amie Kim <afeero@gmail.com>
Sent: Friday, August 5, 2022 3:07 PM
To: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Subject: Public Comments for Villa Vista S2021-102

Dear Mr. Stevens,

We are writing to express our concern with the consistency determination for the Villa Vista Townhomes. We, like others, were told within the last few years that the master plans for Badger Mountain South (BMS) were going to proceed as planned. You can see the attached email from Amie Kim to Dan Bruchman (through Connie Russell). Amie specifically asked if the grand plans for the walking paths, vine villages, etc. would come to fruition, and the response was "...all plans are moving forward." Obviously we were quite discouraged to hear the recent news that the wine village is (likely, pending some changes) going to be replaced with row houses.

We would like to call your attention to Section 4 of the Land Use and Development Regulations. You are clearly more familiar with this document than we are; however, it seems the intent of these particular districts, and the intent of BMS as a whole have been lost. Section 4.B, as below, states the intent of Specialty Retail (SR). No where in Section 4.B. does it discuss residential. Not even a casual shout out. Claiming that a neighborhood of row houses seems a reasonable development for a SR District seems almost laughable. Does Villa Vista meet the intent of the SR District? Clearly, it does not.

4.B BADGER MOUNTAIN SOUTH SPECIAL DISTRICT- SPECIALTY RETAIL (BMS-SD-SR)



Illustrative Sketch: Birds-eye View of Specialty Retail Village

1. SPECIAL DISTRICT - SPECIALTY RETAIL INTENT

The Special District - Specialty Retail (BMS-SD-SR) is intended to support and provide development opportunities for the growing interest in local and regional agricultural products, in particular the local wine industry. As such it serves both the City of Richland as well as the region.

It is also intended to:

- a. Provide a gathering place for group events, festivals and other community-wide activities;
- b. Provide sites for: vineyards, wine caves, wineries, tasting rooms, wine making, other specialty brewing and craft distilling, the sale of other agricultural-related products, education, retail and hospitality that support this focus; and
- c. Showcase innovative sustainable design features in both building and site design.



Illustrative Sketch: Outdoor Plaza, Cave Entrance, and Vineyard

2. SPECIALTY RETAIL DISTRICT STANDARDS

- a. Each building design shall include sustainable features that are transparent to the visitor and identified with appropriate signage. Refer to Section 12 for Sustainable Standards.
- b. Buildings shall be sited to take advantage of views.
- c. Pedestrian connectivity between development sites shall be emphasized with the use of unique pavement treatments.
- d. Spaces between buildings shall be considered for design purposes as common spaces to be shared among all users in the District and should be designed to function in this way.
- e. Service areas shall be integrated into the building design to provide screening for equipment, recycling, trash and similar.
- f. Buildings may vary in height between one to three stories; daylight basements are not included in the story count. Landmark structures such as a clock or bell tower may have a maximum height of 80 ft. and no signage shall be permitted above street level.
- g. Exterior lighting shall meet the Badger Mountain South Light Standards, Section 12.C.3.
- h. Landscaping shall meet the Common and Commercial Landscape Standards in Section 11.
- i. Parking per Common Parking Standards, Section 13.D.

It seems the only reason you might consider something like this acceptable is because Table 2.C of Section 2.C Land Use Table allows for multi-family housing (note 4). Well, the same table permits solar panels or arrays as well. With similar logic, you could approve a solar panel farm to cover the entirety of the SR District. That seems silly. Now, we don't know the history, but we're assuming housing is permitted in the SR District because multi-family housing includes categories like live/work and mixed-use buildings. That sort of building seems to be consistent with the intent of the SR District.

We did see the screenshot of Section 16 of the Master Agreement that implies the City of Richland and the Port of Kennewick would take some stake in the SR District and provide some investment. We're not sure why this didn't come to fruition. We implore the City and the Port to exhaust all remaining options before proceeding with Villa Vista. If funding was difficult the last few years because of Covid, or if there were roadblocks from a few years ago, are those difficulties still there today? Where can we look for additional resources?

You lose the Wine Village, and you lose the entire vision of BMS. BMS is gone, and this will certainly set a precedent for future repurposing of the LUDR defined districts, inconsistent with intent. It becomes just

a regular suburban neighborhood with a nice city park nearby, a gas station, and stripmall with a Subway and nail salon along the main drag. You can't tell us that is consistent with the intent of BMS. We strongly encourage you to reconsider the Villa Vista approval to avoid the mistake of hindering this momentous opportunity for our vested growing community.

Sincerely,
Stephen and Amie Kim

Disclaimer: Emails and attachments sent to or from the City of Richland are public records subject to release under the Washington Public Records Act, Chapter 42.56 RCW. Sender and Recipient have no expectation of privacy in emails transmitted to or from the City of Richland.



Amie Kim <afeero@gmail.com>

Badger Mountain South

18 messages

Amie Feero <afeero@gmail.com>
To: dbruchman@gmail.com

Wed, Feb 3, 2021 at 3:29 PM

Dan,

We're looking to move to the Tri Cities this year and we're curious about the Badger Mountain South area. We've been in touch with New Tradition homes already, but I was wanting more information of the future plans for the neighborhood and area. **It seems like there are grand plans for walking paths, wine villages, etc and I'm curious to know if that will actually come to fruition.** Is there an all encompassing HOA? Are the parks city parks? It doesn't seem like the website has been updated lately so I'm just looking for more information.

Thanks,
Amie Kim

Sent from my iPhone

Connie Russell <connie.russ.22@gmail.com>
To: Amie Feero <afeero@gmail.com>
Cc: Dan Bruchman <dbruchman@gmail.com>

Thu, Feb 4, 2021 at 2:12 PM

Hi Amie, I work with Dan Bruchman and he wanted me to reply to you.

Dan is the listing realtor for the residential lots. We do update the platwidget portion of the website. Phase 5 just recorded and should be showing up their shortly.

The parks will be city parks, the plans for them are into the parks department for approval. The walking paths will become a reality.

Yes there is an HOA.

A development is always slower than we'd like. But all plans are moving forward.

West Vineyard Phase 2 should be available by soon, waiting on weather and City requirements, West Vineyard 6 should be available late summer 2021. Preliminary plats for South Orchard are with the city.

When you click on the find a home button, the platwidget map will come up, if you hover above the lots, it will show you the builder that has that lot, Like I said earlier Phase 5 should be added shortly.

This link will take you to the current LUDR <https://drive.google.com/file/d/1qlzGLoOTJAhX5vAePelgSjK13wkncTRe/view?usp=sharing>

Please let me know if you have other questions,

Thank you, Connie

Sent from [Mail](#) for Windows 10

From: Dan Bruchman
Sent: Thursday, February 4, 2021 12:58 PM
To: Connie Russell
Subject: Fwd: Badger Mountain South

[Quoted text hidden]

Amie Feero <afeero@gmail.com>
To: Connie Russell <connie.russ.22@gmail.com>

Thu, Feb 4, 2021 at 2:58 PM

Wow thank you for the update and that LUDR. That is very helpful.

New Traditions mentioned Phase 5 would be out sometime in March. Is West Vineyard Phase 6 what looks like East Market phase 6 on the map? We could wait for the summer too depending on our timeline. We're wanting 0.5 acre lot if possible, so targeting lots on the north end.

Thanks,
Amie

Sent from my iPhone

Stevens, Mike

From: Amie Kim <afeero@gmail.com>
Sent: Friday, August 5, 2022 3:38 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Dear Mr. Stevens,

We are writing to express our concern for the Commercial Mixed-Use (CMU) District of Badger Mountain South (BMS). With the proposal of the Villa Vista row houses in a Specialty Retail District, we are worried the City of Richland will have a similar disregard for the intent of the CMU District.

We would like to call your attention to Section 4 of the Land Use and Development Regulations (LUDR). There is a screenshot below for your convenience. The intent of the CMU is a "major employment center" with a variety of uses.

4.C BADGER MOUNTAIN SOUTH

SPECIAL DISTRICT - COMMERCIAL MIXED-USE (BMS-SD-CMU)

SEE REGULATING
PLAN FOR LOCATION



Illustrative Photo: Outdoor Restaurant Plaza / Urban Trail



Illustrative Photo: Office above Retail Streetscape

1. SPECIAL DISTRICT - COMMERCIAL MIXED-USE INTENT

The Special District - Commercial Mixed-Use (BMS-SD-CMU) comprises approximately 45 acres between Dallas Road and the Special District - Specialty Retail. The District can accommodate a wide variety of uses as it is intended to be a major employment center for the City of Richland and a destination for shopping, higher-level education, dining, office uses and other employment centers. Multi-family/Mixed-Use housing, entertainment and recreation. Public facilities, including transit centers, may also be accommodated in this District.

To further the walkable and sustainable goals of Badger Mountain South, the design of the Special District - Commercial Mixed-Use will ensure that pedestrian are accommodated between buildings or groups of buildings, that public plazas and other community features will be developed as part of the overall development plan, and that connectivity will be maintained to adjoining Districts.

2. SPECIAL DISTRICT-COMMERCIAL MIXED-USE STANDARDS

- a. Enhance pedestrian experience:
 - i. Entries: functional entries must enhance pedestrian experience by fronting onto public space.
 - ii. Sidewalks: Provide continuous sidewalks along all street frontages and between buildings and blocks.
 - iii. Plazas and common spaces: shall be provided with appropriate amenities including benches, trash and recycling containers and bike racks. Plazas shall be designed to create a unique development identity and are encouraged to also include public art. Refer to Section 5.E for Plaza standards.
 - iv. Maximize views to Badger Mountain.
- b. Signage, landscaping, and building architectural features will be complementary and will emphasize the District as the entryway to the City of Richland.
- c. Service areas shall be integrated into the building design to properly screen it from the center plaza and public streets. This includes areas for trash, recycling and equipment storage.
- d. Building Heights:

Four (4) stories with a maximum height limit of 55 ft.; daylight basements are not included in the story height. Landmark structures such as a clock or bell tower may have a maximum height of 80 ft. At least 50 percent of the first story of building is dedicated to commercial space.
- e. Landscaping shall meet the Common and Commercial Landscape Standards, Section 11.
- f. Sustainable Standards per Section 12.
- g. Exterior lighting shall meet the Badger Mountain South Light Standards, Section 12.C.3.
- h. Other Site Improvements as appropriate and identified in Section 13.
- i. Parking per Common Parking Standards, Section 13.D.
- j. See also Section 8.C for Common Design Standards for all Districts.

Just as with the Villa Vista argument, Table 2.C of Section 2.C Land Use Table allows for multi-family housing (note 4). Would a development of row houses or multiplexes fit the intent of the CMU District? We would say no, they do not.

Some sort of live/work or mixed-use buildings could be consistent with the intent of the CMU District, but most importantly there must be commercial buildings. There must be places of employment. As you go through approvals for the CMU district, please keep in mind the CMU must have some commercial buildings. Additionally, these developments should be consistent with the Purpose of BMS, as noted in Section 1.B of the LUDR, below.

1.B PURPOSE

1. The purpose of the LUDR is to:
 - a. Establish neighborhoods with a range of housing types to accommodate a population of diverse ages and incomes;
 - b. Promote health benefits of a walkable, pedestrian environment;
 - c. Establish mixed-use neighborhoods where daily activities can occur within walking distance of most homes;
 - d. Reduce traffic and congestion by creating a traditional neighborhood development street grid;
 - e. Improve the character and quality of the built environment;
 - f. Promote building and landscape design that conserve energy, water and other resources;
 - g. Promote lot and block orientation that accommodates passive solar capture; and
 - h. Conserve areas for parks, trails and open spaces by establishing a connected open space network.

Please don't lose the intent of BMS. Many of us moved to this neighborhood because of the promise of a walkable and sustainable community. We bought into the idea of living, shopping, eating, and working within the same community.

Sincerely,
Stephen and Amie Kim

Stevens, Mike

From: Amy Phifer <APhifer63@outlook.com>
Sent: Thursday, August 4, 2022 10:11 AM
To: Stevens, Mike
Subject: Vento Villagio S2022-101

Dear Mr. Stevens

In 2015 we visited the Tri Cities for the first time and quickly fell in love with the area. We made several trips back, each time becoming more enamored with all the area had to offer in ways of community, housing, recreation, and the arts. As we continued to visit the area over the next three years, we decided this is where we would like to retire. We were looking to get out of the Seattle area that had become over-grown with houses being built on top of each other and increasing crime.

In late 2017 and early 2018 we seriously started looking at what area we would like to buy our next home. There were many options available – Horn Rapids, Southridge, Pasco, new condos near the river in Richland and Badger Mountain South. What appealed to us the most was the Badger Mountain South area and all the materials presented both by realtors and what we read in the land use documents online as well as articles written in the Tri Cities Herald about the up-and-coming area. Seeing the Country Mercantile already established and signs of a future medical facility and information about churches and schools being planned in the area presented the walkable community we were looking for. We were excited about having community parks and walking trails easily accessible. In fact, when we look at the 03-03-2015 LUDR, the footer on each page says "**Badger Mountain South: A Walkable and Sustainable Community, Richland, WA**"

Issue Date: 12-07-10

Badger Mountain South: A Walkable and Sustainable Community, Richland, WA

Further, that same version of the LUDR states:

1.B PURPOSE

1. The purpose of the LUDR is to:
 - a. Establish neighborhoods with a range of housing types to accommodate a population of diverse ages and incomes;
 - b. Promote health benefits of a walkable, pedestrian environment;
 - c. Establish mixed-use neighborhoods where daily activities can occur within walking distance of most homes;
 - d. Reduce traffic and congestion by creating a traditional neighborhood development street grid;
 - e. Improve the character and quality of the built environment;
 - f. Promote building and landscape design that conserve energy, water and other resources;
 - g. Promote lot and block orientation that accommodates passive solar capture; and
 - h. Conserve areas for parks, trails and open spaces by establishing a connected open space network.

Being fans of the incredible wine industry in the area, living in a community adjacent to the proposed Vento Villagio plat was particularly appealing. We lived near similar wine areas in Woodinville and could foresee not only enjoying a short walk to visit tasting rooms, but the concepts of the area showed us a larger vision for retail and entertainment (amphitheater, picnic areas, and social areas). In May of 2018, we signed on, purchasing a lot in the first phase of West Village. As our house was being built, we continued to monitor information on the forthcoming Vento Villagio and retail space.

BMS has three areas zoned for Business Districts. The Specialty Retail district is where Vento Villagio is slated to go. The current proposal would change the LUDR so that the developer could put in 68 townhomes and BMS would lose one of its three commercial districts. Going back to the 03-03-2015 version of the LUDR, it states:

- f. **BMS-SD-SR District. The Special District - Specialty Retail is intended to be an area for commercial activity that provides an attraction for local, regional and state-wide visitors by accommodating the growing interest in local and regional agricultural products, in particular the state wine industry. It allows wineries and wine making, other retail and commercial, as well as hospitality uses and services. It is intended to develop with an integrated site and amenity design in order to become a community gathering place with its own distinct style.**

Within the 03-03-2015, the Specialty Retail was further defined:

4.B BADGER MOUNTAIN SOUTH SPECIAL DISTRICT- SPECIALTY RETAIL (BMS-SD-SR)



Illustrative Sketch: Birds-eye View of Specialty Retail Village

1. SPECIAL DISTRICT - SPECIALTY RETAIL INTENT

The Special District - Specialty Retail (BMS-SD-SR) is intended to support and provide development opportunities for the growing interest in local and regional agricultural products, in particular the local wine industry. As such it serves both the City of Richland as well as the region.

It is also intended to:

- a. Provide a gathering place for group events, festivals and other community-wide activities;
- b. Provide sites for: vineyards, wine caves, wineries, tasting rooms, wine making, other specialty brewing and craft distilling, the sale of other agricultural-related products, education, retail and hospitality that support this focus; and
- c. Showcase innovative sustainable design features in both building and site design.



Illustrative Sketch: Outdoor Plaza, Cave Entrance, and Vineyard



Illustrative Photo:

2. SPECIALTY RETAIL DISTRICT STANDARDS

- a. Each building design should include sustainable features. Refer to Section 12 for Sustainable Standards.
- b. Buildings are encouraged to be sited to take advantage of views.
- c. Pedestrian connectivity between development sites shall be emphasized, the use of unique pavement or landscape treatments shall be encouraged.
- d. Spaces between buildings shall be considered for design purposes as common spaces to be shared among all users in the District and should be designed to function in this way, unless necessary for essential uses such as utility services, waste collection, or delivery services.
- e. Service areas shall be integrated into the building design to provide screening for equipment, recycling, trash and similar.
- f. Buildings may vary in height between one to three stories; daylight basements are not included in the story count. Landmark structures such as a clock or bell tower may have a maximum height of 80 ft. and no signage shall be permitted above street level.
- g. Exterior lighting shall meet the Badger Mountain South Light Standards, Section 12.C.3.
- h. Landscaping shall meet the Common and Commercial Landscape Standards in Section 11.
- i. Parking per Common Parking Standards, Section 13.D.
- j. See also Section 8.C for Common Design Standards for all Districts.

The proposed 68 townhomes instead of the intended purpose of Specialty Retail changes the neighborhood drastically and takes away one third of the proposed retail – which is one factor of why we purchased here. We have heard many say that the Wine Village (Vento Villaggio) was touted as a marketing tool by the realtors. We checked our facts before buying here. We found all the marketing materials touting the sustainable lifestyle (including the Specialty Retail) backed up in the documents on file with the City and in articles written in the Tri Cities Herald, where the developers were interviewed.

What frustrates me (Amy) the most is that I did my due diligence. Having been a real estate paralegal for many years and actually worked on the entire Snoqualmie Ridge community from ground up, I thought I knew what to look for because I understood how communities are built and I had worked with developers all along the way. I reviewed all the documents online that I could find including the current LUDR and Subarea Plan, which included the Master Agreement, and amendment thereto. I have followed the transportation plan. We did all we could do to make an informed

decision. That decision was to buy a home for our retirement which would have access to a wide variety of retail shopping and restaurants, not rows of townhouses. That is why we left the west side of the state. What we are now seeing is a classic case of "bait and switch."

It appears this now comes down to fast money. The City is looking at developers who will pay them now to get a massive number of homes built in an area originally designated for retail to serve the thousands of residents who have, or will soon build, homes in the area. 10 years from now, where will those developers be? Retired with money in their pockets! 10 years from now, the thousands of homeowners who bought/built their homes in West Vineyard and West Village will still be here dealing with the chaos left because the city decided to pack in too many houses and left no room for retail.

We encourage you and the City of Richland to do the right thing. Honor the LUDR that is already in place. Keep your commitment to the thousands of residents who are living here and raising their families here.

Thank you,

Amy and James Phifer
4843 Smitty Drive
Richland, WA 99352
206-550-7137

Stevens, Mike

From: Bryan Beckstrom <beckstrom12@gmail.com>
Sent: Monday, August 1, 2022 8:15 PM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

Dear City of Richland,

We are writing this email with the intent that you will uphold the heavily marketed vision of Badger Mountain South. When we purchased our home this last year, our realtor sold us on the benefits regarding the master community with paths, green space and parks, and small local business. She pointed out where a wine village would be. We researched several other communities in the area. On the BMS website it showed a vision that we connected too. I purchased a home not only as a place to grow roots but as an investment for the future and it is DIRECTLY across from this wine village as this was such a unique community, instead of finding a closer or more established community. You can imagine my sense of betrayal when I discovered that my dream home and community that was to be steps away from the wine village and other community-focused businesses now being turned into a condo farm. To further add to this insult the developers continue to deceive and have removed the key points in this new attempt to replace the last area with townhomes.

I am incredibly frustrated as a citizen to have purchased a home in what I was told by multiple real estate agents, builders, and the developer that this would be a green and sustainable community with a wine village to celebrate the agriculture of our area. Now my home is to be directly across from condos and townhomes. I would not have purchased this home in this location had I known the truth. I paid a premium for to be next to the wine village and other amenities. Now my home value will plummet due to increased traffic in the area, elevated crime, and lack of amenities that are still heavily marketed for this area. This is a type of bait and switch tactic and it leaves a sour taste in your mouth. Ultimately, if NorAm gets its way this leaves both the city and the developer open to litigation.

I ask you to do the right thing, and put an end to this farce. There are alternative ideas on how to keep true to what was promised, the developer should be working with the residents to find common ground and propose a win-win solution not a win-lose, and by that I mean a win for the developer and a loss for everyone else involved.

Stevens, Mike

From: Carlos Fernandez <fernandezcarlosa@gmail.com>
Sent: Wednesday, August 3, 2022 12:34 PM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

To whom it may concern,

As a neighbor of Badger Mountain South I wish to see businesses developing in this area so we can walk or bike to a grocery store instead of driving 20-30 min every day to buy groceries and other items.

Please make this #1 and ONLY priority for this area.

Thank you,

Dr. Carlos A. Fernandez

Stevens, Mike

From: Chelsie Barnes <chelsieb_89@yahoo.com>
Sent: Thursday, August 4, 2022 4:10 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Hello Mr. Stevens,

My name is Chelsie Beck and I am a resident of Badger Mountain South. I can still remember the large Live, Walk, Play signs that drew my attention to what appeared to be a giant piece of dirt next to Dallas Rd. We were one of the earliest homes in phase 1. The deciding factor for us to choose Badger Mountain South over other pieces of land was the promise of Veneto Villagio. Many of the original promises that drew us to this neighborhood have already been broken, including the promise that there would be no two homes alike in the same block and this wouldn't be a cookie cutter community. I recognize that the developers were struggling to sell land and changes needed to be made however they continued to capitalize on the huge appeal and selling feature that is Veneto Villagio. Now that Badger Mountain South has multiple phases and Goose Ridge Estates, they no longer need to dangle the carrot of Veneto Villagio and have tried to pretend that it didn't exist. For the city to approve of this blatant bait and switch would be wrong and an injustice to the hundreds of families that chose to live here. Please choose to do the right thing.

Sincerely,
Chelsie Beck

Stevens, Mike

From: cherokee carrillo <cccarrillo5@gmail.com>
Sent: Wednesday, August 3, 2022 12:33 PM
To: Stevens, Mike
Subject: Venetio villagio s2022-101

Dear city of Richland,

I write this email in frustration but also in hope that you will do the right thing regarding badger mountain south. When purchasing my home just last year I was specifically told by my realtor regarding the master community with paths, green space and parks, and small local business. She even pointed out where a wine village would be located with local shops, amphitheater, and more. We researched several other communities and even on the BMS website it showed this vision that I connected with. I purchased a home DIRECTLY across from this wine village/specialty district as this was such a unique community, instead of finding a closer or more established community. You can imagine my sense of betrayal when I found out that my dream home that was supposed to be steps away from the wine village, is now being turned into condos. To further add insult to injury, the developers continue to deceive and remove the key points in this new attempt to replace the last area with townhomes.

I write about this new change proposal regarding these district area. The developer has shown to mislead the public and I am concerned that this will continue to happen and without protection in place this area designated for business will be replaced with .ore compact housing. I ask that you carefully review any changes and ensure that protection is out in place for these agreements to ensure that the BMS which was advertised and still is being advertised created as it was promised.

I am incredibly frustrated as a citizen to have purchased a home in what I was told by multiple real estate agents, builders, and the developer about a green sustainable community with a wine village to celebrate the agriculture of our area. Now I'm facing my home to be directly across from condos and townhomes. I would not have purchased this home and the location which I paid a premium for to be next to the wine village had I known this. My home value will sink, and now I feel cheated. This is pure fraud what has happened here and needs to be addressed by the city.

I ask you to do the right thing, we were promised a vision of something better than a suburb, but face the nightmare of a condo/townhome farm. I understand it's difficult to get a business to back the specific wine aspect, but this is not what the wine village was about. There can be a common ground as other key aspects of the wine village involve restaurants, outdoor meeting area, amphitheater, local shops. The developer should be working on the residents to find this plan to fulfill the rest of what was promised in this specialty district area, not line his pockets. I feel this con will put the developer and city at risk for litigation by the many residents deceived who are fighting hard to make things right. Please keep them accountable for advertising and promises made to the many residents of badger mountain south.

Best regards,

Cherokee Carrillo

Stevens, Mike

From: cbreitkreitz@aol.com
Sent: Friday, August 5, 2022 1:39 PM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

Hello,

This email is regarding Veneto Villagio S2022-101.

A primary concern of the surrounding neighborhoods is that the subdivision of the pertinent 20.08 acres into 13 “commercial” lots will just one day lead to more residential construction – in an area where many of the homeowners were led to believe that they were buying into a sustainable/walkable area with an eventual wine village, shopping locations, dining, businesses, entertainment, retail, etc.

Indeed, Exhibit C to the Master Agreement - i.e. the Land Use and Development Regulations (the “LUDR”) describes BMS-SD-CMU: COMMERCIAL MIXED-USE as follows: “The Commercial Mixed-Use Special District is a local destination for employment, shopping, dining, entertainment and recreation.” This sounds great, and should definitely be the goal/intent of any subdivision of the 20.08 acres into 13 “commercial” lots.

However, when looking further at the LUDR 2-3, Land Use Table (2.C), the BMS SD-CMU designation seemingly allows for the following construction categories: P-4, and P-6. The P-4 characterization reveals the following language: “Multi-family housing includes the following Building Types – Live/work; Row house; Commercial/Mixed-use/Liner over commercial and Stacked Units”; and, the P-6 characterization reveals the following language: “Senior Housing permitted above ground floor commercial or office, or when constructed in a multi-story building.” This is, of course, what the residents in the area *do not* want more of – additional residential units, as possibly allowed by the P-4 and P-6 designation (although P-6 still requires a ground floor dedicated to commercial or office units).

So, if this subdivision of the 20.08 acres into 13 “commercial” lots is approved, it should be **required** – if such a mandate is possible – that all subsequent construction on the new 13 “commercial” lots are to be *commercial* in nature, i.e. the construction of “employment, shopping, dining, entertainment and recreation” destinations within walking distance to the neighborhood homes (as contemplated by the Master Agreement in the BMS-SD-CMU: COMMERCIAL MIXED-USE designation), and not just more residential units (as apparently permitted by LUDR 2-3, Land Use Table [2.C], i.e. via P-4 and P-6).

[NOTE: Nor Am Investment has already used the P-4 descriptor to try to eliminate the “wine village” concept and instead build the Villa Vista (S2021-102) townhomes in the BMS-SD-SR: SPECIALTY RETAIL area. Such specialty retail area was “intended to support the growing interest in local and regional agricultural products, in particular the local wine industry” – not to build 68 townhomes. Plainly stated, Nor Am exploited the P-4 descriptor as a way to justify the construction of even more residences in the area, which flies in the face of the original intent of the Master Agreement].

Allowing for the eventual construction of even more residential units in the BMS-SD-CMU: COMMERCIAL MIXED-USE area would be an even further erosion of the intent behind the Master Agreement [LUDR, page 4-2, which contemplated the creation of an area that would serve the City of Richland (as well as the region) by: a. Providing a gathering place for group events, festivals and other community-wide activities; b. Providing sites for: vineyards, wine caves, wineries, tasting rooms, wine making, other specialty brewing and craft distilling, the sale of other agricultural-related products, education, retail and hospitality that support this focus; and c. Showcasing innovative sustainable design features in both building and site design.].

In conclusion, the homeowners in the area have already been presented with a potential loss of the once-promised “wine village”, and we continue to dispute that change to the Master Agreement. Our concern now is that this new subdivision of the 20.08 acres will just one day lead to another attempt to build more residences in an area that greatly needs commerce, employment, shopping, dining, entertainment, and recreation. We, therefore, request that (if the subdivision is approved) the City of Richland mandate that the 13 lots be used for commercial purposes only (with no possibility that a future developer could come in and attempt to build more residential units).

Thanks for your consideration.

Best regards,

Chris and Allison Breitzkreitz
4996 McEwan Drive,
Richland WA 99352

Stevens, Mike

From: Chris Fitzgerald <chris.will.fit@gmail.com>
Sent: Monday, August 1, 2022 7:17 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Hello Mike,

I'm writing you to share my desire for the planned business districts in the Badger Mountain South area to stay zoned as they are and not allow dwellings to be built in there instead.

My wife and I were drawn to the area knowing in the long term development plan we would have walking access to the park, elementary and a middle school and shopping. Having changes like this take place will change that way of living and dash any hopes of living in a walkable community without having to move.

Thank you for your time and consideration.

Chris Fitzgerald

--

Thanks,

Chris Fitzgerald

- *Work Hard. Have Fun. Make Memories.*

Stevens, Mike

From: Daniel Sanner <daniel.sanner@hotmail.com>
Sent: Saturday, August 6, 2022 1:11 PM
To: Stevens, Mike
Subject: Veneto Villaggio S2022-101
Attachments: Screenshot_20220803-090904_Gallery.jpg

Hello Mike,

Put simply I am tired of this bait and switch that NorAm is doing. It is clear that they are being lazy and only want to quickly build homes without spending the money to actually develop the land that should be used for homes. In the attached picture there is almost 1,000 acres of land that can be used for homes. There should be no rush to give away the wine village land.

Please place a moratorium on building homes in this key business district and anything else that does not fit a Wine Village. They keep pointing to the "Mixed Use" zoning. I move that we should rezone the area to remove residential developments from their options. The area should be held in reserve as there are no other options nearby. I did NOT pay all this money and time to live in a suburb. I want to live in a community. A walkable community.

Once all the other space for homes is used up and the road to Gage Blvd is built, there will be more incentive for these businesses. Current high inflation economy, rising interest rates, and COVID would deter any reasonable business investment. As a native Tri-Citizen I know that we simply need to give the area time to mature. I grew up in West Richland and watched the area grow around Rd 68 in Pasco and Queensgate. I want to see this area become what was promised.

Just because they don't want to spend money on a sewage pump is no excuse. We've been told that they can't build more homes without the expensive infrastructure. I get it, things cost money. But that does not give anyone the right to completely abuse the trust of this neighborhood.

We all live here because of the walkable neighborhood that was promised. I could have built on a 1 acre plot of land in the County but I wanted to be part of something better. I even moved my parents here to live next door to us. Now our has invested over \$1 million. This was supposed to be our forever home.

I thought they were trying to compromise with everyone but this is yet another ingenious stab in our backs.

Please don't let it get ruined or there will be some very pissed off voters.

Dan and Meggin Sanner with
Danny, Isaac, and Rose
4549 Ruth Ct

2000 ft

772 ft elevation

FRANK
TIEGS
LLC

Badger Mountain
1565 ft

1
S

Save
This!

RICHLAND SCHOOL
DISTRICT #400

Build first
here
1000 acres

NOR AM
INVESTMENT
LLC

1

8

Stevens, Mike

From: lrodri8099@aol.com
Sent: Friday, August 5, 2022 1:54 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Hello Mr. Stevens,

Our names are David and Linda Rodriguez and we will reside in Badger Mountain South in the next 4 months as our house is being built. We are extremely interested in future plans for this area which is why we are writing to you today. Based on the promoted marketing material, a move to Badger Mt South appealed to our lifestyle; specifically, the wine village, Veneto Villagio. The promoted drawings for a sustainable community, where homeowners would have a walkable lifestyle, filled with parks, trails, community centers, grocery stores, small businesses, restaurants and amphitheater for entertainment is something we were looking forward to experiencing.

We are asking that other residential zoned land be used by Nor Am to build the townhouses and NOT the business district where Veneto Villagio would be located. As we get older being able to stay in our home longer because we have everything within walking distance is important to us.

Please help to keep the business districts available for future intended use as the housing market continues to grow and is able to sustain it. With just a little time and patience, we believe this area could be a hot spot for tourism with all the wineries/ businesses we have in the area; thus benefitting the City and the Builders.

We are asking that Nor Am build the 68 townhouses someplace else and find a way to make Venetto Villagio happen.

We truly believe Nor Am helped realtors promote Veneto Vellagio because it would benefit them both to get people to build there.

In closing, My Dad always told us, "Do what you say you are going to do." There is a right and a wrong here for us who are moving to this area after it was promoted a sustainable community and the plans want to be changed now. It is wrong. We are counting on you to NOT let that happen.

Please hold Nor Am accountable to do the right thing.

We Thank you for your consideration.

David & Linda Rodriguez
2609 Villata Ave
Badger Mt South
Richland, WA

[Sent from the all new AOL app for Android](#)

Stevens, Mike

From: tidiarmstrong <tidiarmstrong@charter.net>
Sent: Tuesday, August 2, 2022 12:28 PM
To: Stevens, Mike
Subject: "Response to Veneto Villagio S2022-101"

Dianne Armstrong
3941 Highview Street
Richland, WA 99352
Home: 509 628 1910
tidiarmstrong@charter.net

Veneto Villagio S2022-101

We are one of the newer kids on the block.... But my husband and I both found this news regarding a proposal heading to the City Hearing Examiner to sell off plots of land to other developers

which could possibly affect our initial vision of a Sustainable Community..... Totally disturbing!!

As we head into retirement.... We searched for the perfect community... when we came to Badger Mountain South and looked around and read their plan, which was presented like a Sure plan and vision for this area.

It all made sense to us and drew us in. So we sold our house.... Dipped into our savings and bit the hook. That initial plan and all its maps etc. IS WHY WE BOUGHT AND MOVED HERE.

I can only hope and pray that losing our originally planned businesses, parks and trails, doesn't become a reality.

We will do our best to stand beside and support those who are leading the fight in keeping Badger Mountain South, a Sustainable Community!!!

Thank You to those of you that Care,
Dianne Armstrong

Stevens, Mike

From: DJ Halverson <dj_halverson@msn.com>
Sent: Saturday, August 6, 2022 4:14 PM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

Hello,

In addition to my response to Villa Vista S2021-102, I have the same concern for this as well. Our community needs more business and fun activity development and less homes to ensure the investment of current home owners is first and foremost.

Thank you,
DJ Halverson

Stevens, Mike

From: Elizabeth Cole <m.elizabeth.mason@gmail.com>
Sent: Thursday, August 4, 2022 10:32 PM
To: Stevens, Mike
Cc: Neil Cole
Subject: Public Comments for Villa Vista S2021-102 and Veneto Villagio S2022-101

Hello Mr. Stevens,

Our names are Neil and Elizabeth Cole and we have been residents of West Village in the Richland Badger Mountain South Community since mid-2019. We specifically chose this location based on advertising from NorAM, which was promoted by the real estate agencies we used, as well as the builder we purchased from. Our primary reasons were the promises of a sustainable, efficient, fully walkable, self-contained community that would house beautiful, usable park space every few street blocks; trails and walking paths; schools within walking distance of every home; a wine village, amphitheater, boutiques, local business, and all levels of dining; community centers; and grocery stores. The wine village was a major promoted point in interviews with the developer and on the website: www.BadgerMountainSouth.com and was touted as a centerpiece to our community that would bring additional commerce and community amenities. The wine village was specifically marketed as something that would bring tourism to our area and increase home values.

Since purchasing our home, we have seen none of these promises come to fruition. The “trails” and walking paths have been seriously downgraded from what was advertised in planning maps on the developer’s website. Much of the promised park and green space has been changed to drainage areas and has been allowed using terms such as “linear parks.” The reality is these spaces are constantly overrun with invasive weeds and offer no usable “park” space to our community and are constantly filled with trash from builder sites that get caught in said weeds.

Our community still lacks any type of grocery store, dining, or entertainment. The local gas station carries minimal grocery-type items and they are sold at a steep price. With each revision of the plan to our community we become more discouraged and can’t help feeling this enterprise was a huge bait and switch scheme by the developer to gain city approval for the community while only intending to pursue residential development.

The most recent meetings with the developer and city planning have us extremely concerned about the latest plan to remove our few business districts and cram multi-family housing “townhomes” into the space we were promised a wine village. I find the developers deflection and avoidance of accountability regarding these promises to be of great concern. We have reviewed attachments submitted by our neighbors that have website links and promotional video from the developer regarding the planned wine village and we found these were identical to the videos and websites we were directed to when purchasing. The website, BadgerMountainSouth.com, may not be managed by the developer, but it shows that marketing for a sustainable community with a wine village centerpiece has been undisputed for years. And the wine village represents so much more to our community than a glass of wine. Removing this from the business district plans and replacing it with housing seems to indicate the plan to remove more of the promised businesses. In fact, with our location being somewhat separated from other parts of Tri-Cities, it is concerning that removing the major advertised business (wine village) will lead to hesitation to open/build here from other businesses that would provide tax revenue through dining, entertainment, and shopping options.

We’ve been disappointed with the unfulfilled advertising regarding this community and that after three years we still are so far from being sustainable and self-contained with walkable resources. We ask that the city please protect the few remaining business spaces and help us hold the developer accountable to fulfill the promises and advertising that has been in place since the conception of this community.

Thank you,

Stevens, Mike

From: Elizabeth Nunez <elizabethnunez@hotmail.com>
Sent: Friday, August 5, 2022 2:48 PM
To: Stevens, Mike
Cc: Manuel Espindola
Subject: Veneto Villagio S2002-101 Espíndola Letter

Hello,

My name is Elizabeth Espindola. My husband and I along with our three children have lived in the Badger Mountain South area for 3 years now. We lived in Pasco for 16 years prior to moving here. My place of employment was also in Pasco as is our family. We never had a desire to move from Pasco but when we learned of Badger Mountain South and the opportunity to live in a walkable and sustainable community, we believed this would be a great neighborhood to raise our children in. Unfortunately, we have been disappointed with the building changes that have occurred and continue to occur. As of late, we have learned that the last remaining 13 acres in the specialty area are being slated for 68 townhomes. This is concerning because it decreases the value of what a wine village would provide to its residents and what we believe we were promised or at the very least, led to believe. We based our decision to move here on the advertisement/marketing available to us on YouTube as well as on the Badger South website. In a sense we feel duped and cheated and have seriously considered moving back to Pasco. We are writing you this letter in the hopes that our voices as residents of this community will be heard and used to protect the original vision of Badger Mountain South and its Business District.

Thank you for your time.

Elizabeth and Manuel Espindola

Get [Outlook for iOS](#)

Heather Nicholson
4717 Barbera St.
Richland, WA 99352

August 4, 2022

Hearing Examiner Gary McLean
c/o mstevens@ci.richland.wa.us

Dear Hearing Examiner McLean:

A preponderance of evidence demonstrates that the applicant feels intent of a district can be ignored at will. The Veneto Villagio Plat falls within the Commercial Mixed-Use Specialty District. This district is governed by intent, rather like the Specialty Retail District. This letter aims to illustrate the very legitimate concerns our community has and asks the City Hearing Examiner to consider placing special condition on the issued permit.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in dark ink, appearing to read "Heather Nicholson", with a long horizontal flourish extending to the right.

Heather Nicholson
702-981-3237
Hansen.hch@gmail.com

EXECUTIVE SUMMARY

The Badger Mountain South Veneto Villagio plat submission (S2021-101) will most likely take up the remaining available land in the Commercial Mixed-Use district. Recent history has shown a trend by the developer to favor residential builds instead of retail. If this submission goes through as-is, then there is a distinct possibility that the only retail options east of Dallas Road will be Providence Medical, a gas station, and the Country Mercantile (as shown in the map below). This would not meet the intent of the Specialty Districts and would threaten the sustainability/walkability principles of Badger Mountain South. Protections are needed before this plat is approved.



IMPORTANCE AND CURRENT STATE OF RETAIL DISTRICTS

What's the City's vested interest in Specialty District intent being met?

When the City entered into the Master Agreement with Nor Am, they saw a need to ensure land was available for business development. The Master Agreement (Page 2, section 4) lays out their intent in entering into a contract with Nor Am. This agreement was made in part to:

- (4) create a tourist destination and freeway oriented development to capture additional tax revenue for the city
- (6) Stimulate economic development within the city by creating areas for business development and expansion
- (7) Create a viable walkable community with standards designed to meet sustainability goals.

The Badger Mountain Subarea Plan says:

The Badger Mountain Subarea is sufficiently large and well- situated to accommodate new local and regional employment centers while providing opportunities for a full range of commercial activity...Additional jobs associated with these types of uses will range from entry level to professional and can help to diversify the local Richland economy. A more diversified economy will help to sustain the balance between jobs and housing that supports the high quality of life found in the City of Richland...

Key to this development concept is that much of the current undeveloped portion will be developed according to sustainable development principles intended to advance the quality of life of residents and businesses (p 12).

These goals help elevate the City's Strategic Plan found on page 13:

- **Grow the city's tax base;**
- **Leverage investment through public-private partnerships;**
- **Acquire property for infrastructure and investment;**
- **Protect water resources;**
- **Establish entryways and gateways;**
- **Identify opportunities for recreational and leisure activities;**
- **Optimize the use of new parks and recreation facilities to meet the needs of the community;**
- **and**
- **Encourage the development of walkable neighborhoods with nearby services.**

Furthermore, the Specialty Districts are intended to meet the needs of Comprehensive Plan Goal 6: Economic Development. Found on page 14, these, in part, read:

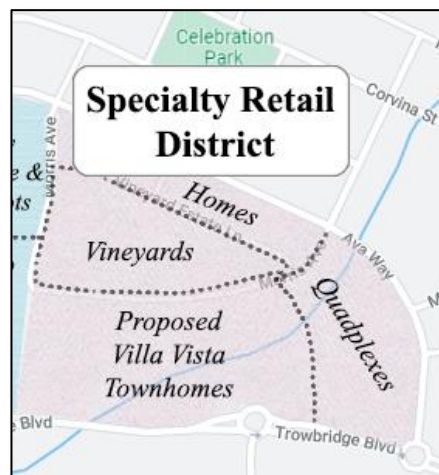
- BMED Policy 6.1 Provide areas for new commercial activity that can accommodate the needs of businesses, residents and visitors.
- 6.2 Accommodate employment growth with a balance of retail, business, commercial, office park and tourism-related uses.
- 6.3 Encourage the development of Neighborhood Activity Centers where local shopping needs can be accommodated while supporting the reduction of travel trips.
- 6.6 Encourage the siting of commercial uses and business areas to serve adjacent neighborhoods.
- **6.8 Ensure the availability of sufficient quantities of land suitable for new employment centers. (emphasis added)**

As the Badger Mountain Subarea Plan states, following through on the land use portion of the plan is “fundamental to creating a platform for a vibrant, economically strong, environmentally responsible, and attractive area that captures future growth.”

The City of Richland needs these Specialty Districts to incorporate businesses because they are going to provide a resource of revenue to the City. This revenue will allow the City to care for and maintain Badger Mountain South, as well as other parts of the Richland community, well into the foreseeable future.

What’s happened with the Specialty Districts so far?

There are three Specialty Districts. The Specialty Retail District has 13 acres available, pending the current Villa Vista Townhomes plat application (S2021-102). If that application is approved, then the Specialty Retail District will have no retail in it, just housing and vineyards. Our community has come together in an effort to protect the intent of this land, but the developer appears to be singularly focused on making this area residential.



Next to the Specialty Retail District is the Commercial Mixed-Use district. The image to the left shows how things currently stand in this district. In the northern section, above Ava Way, the developer has made it clear through the LUDR¹ amendment process and an interview with the Tri-City Herald² that they plan on making this a gated, age restricted 55+ community. Being optimistic, Providence also owns a portion of this land, so hopefully this would bring a medical complex to our area.

If the retirement community were to happen, this would effectively replace the upper boundary of the Commercial Mixed-Use District with mostly residential units. This would leave the land south of Ava Way as the only land left in the Commercial Mixed-Use District.

** This district is where the proposed Veneto Villagio Plat is located.*

The only remaining Specialty District is Destination Retail, which is on the opposite side of Dallas Road from the Badger Mountain South community. Currently, Dallas Road is a 50MPH road without crosswalks. At full build out it’s anticipated to be a four lane road with a mixture of stop lights and round-a-bouts. The average distance for homeowners on the nearest edge of our community to walk there would be 3/4ths a mile. Planning for the majority of businesses to be on this side of Dallas Road significantly narrows the scope of BMS’s promised sustainability and walkability.

¹ See City View Planning Commission Video dated February 23rd, 2022 at the 50 minute mark.

² Tri-City Herald Article Titled: “Richland’s Badger Mountain South readies for restaurants, retail, thousands more homes” *Tri-City Herald* [Richland, Washington], 6th May, 2022. Online

VENETO VILLAGIO IMPACT ON COMMERCIAL MIXED-USE DISTRICT

What's the intent of the Commercial Mixed-Use district?

According to LUDR page 4-3 Section 4.C, the Commercial Mixed-Use district:

is intended to be a major employment center for the City of Richland and a destination for shopping, higher-level education, dining, office uses and other employment centers, Multi-family/Mixed-use housing, entertainment and recreation.

As previously discussed, the current allocation of this district is: a 55+ community, a medical facility, the Country Mercantile, and connective walking trails. Under this allotment, there's no higher-level education, office uses & other employment center, or entertainment. The only shopping and dining option is the Mercantile. As things currently stand, there's clearly a gap between what the LUDR intends and what's planned in the district.

Will Veneto Villagio fulfill the criteria for Commercial Mixed-Use?

While the intents of the Specialty Districts are clear, the LUDR provides no minimum guarantee that businesses must be built on them. This is a gap the Developer has frequently pointed out. Similar to the Villa Vista Plat, the Land Use Table from the LUDR permits residential development in the Veneto Villagio Plat area (page 2-3).

		LAND USES ALLOWED BY DISTRICT									
Land Use Types	P= Permitted by right P+Number = see Land Use Notes	BMS-VMU	BMS-NC	-P	BMS-NG	BMS-NE	BMS-CIVIC	-P	BMS SD-SR	BMS SD-CMU	BMS SD-DR
Single-family	-	-	P		P	P	-	P-29	P	-	-
Multi-family	P-1	P-1	P-2, 3		P-3	-	-	P-29	P-4	P-4	P-4
Senior Housing	P-5	P			-	-	-	P-29	-	P-6	P-6
Assisted Living/Nursing Home	P-7	P			-	-	-	P-29	-	P	-
Accessory Unit	-	-	P-8		P-8	P-8	-	P-29	P	-	-
Adult Family Home	-	-	-		P	P	-	P-29	-	-	-

The p-4 and p-6 designations read:

- Multi-family housing includes the following Building Types – Live/work; Row house; Commercial/Mixed-use/Liner over commercial and Stacked Units
- Senior Housing permitted above ground floor commercial or office, or when constructed in a multi-story building.

Badger Mountain South was created with the idea that a certain level of sustainability could be achieved by placing high density areas close to employment centers (Badger Mountain Subarea Plan page 15, Policy 3.3). While the public response to both the Villa Vista plat and this plat could be construed as our community having an issue with townhomes, I assure you, that's not the case. Certainly, to keep with the heart of the LUDR, some of these lots **should** become high density residential. Our concern here, is whether or not **any** of these lots will be turned into shopping, higher-level education, dining, office uses and other employment centers, entertainment or recreation.

This concern is justified given the potential loss of land in the Specialty Districts discussed above. What's more, the BMS community tried to address these concerns during the currently ongoing LUDR amendment process. When the proposed amendments became publicly available, we saw the developer was asking to increase the types of allowable residential land uses in the Commercial Mixed-Use District:

PROPOSED 2020 AMENDMENTS
ARE SHOWN:

		LAND USES ALLOWED BY DISTRICT									
Land Use Types	P= Permitted by right P+Number = see Land Use Notes Table Notes	BMS-VMU	BMS-NC	-P	BMS-NG	BMS-NE	BMS-CIVIC	-P	BMS SD-SR	BMS SD-CMU	BMS SD-DR
Residential	Single-family	-	P	P	P	P	-	P-20	P	P	-
	Multi-family	P-1	P-2, 3	P-2, 3	P-3	-	-	P-20	P-4	P-4	P-4
	Senior Housing	P-5	P	P	-	-	-	P-20	-	P-6	P-6
	Assisted Living/Nursing Home	P-7	P	P	-	-	-	P-20	-	P	-
	Accessory Unit	-	P-8	P-8	P-8	P-8	-	P-20	P	P-8	-
	Adult Family Home	-	-	-	P	P	-	P-20	-	-	-

This, combined with the submission of the original Villa Vista plat, resulted in residents proposing their own amendments to protect the viability of the Specialty Districts. In essence, proposals asked for a pause on the development of purely residential units in the Specialty Districts until BMS was built out to a certain point. The goal was to allow enough time to pass for businesses to buy the commercial land now that we have a substantial amount of people living out here. (See the attached proposed amendment Pg 39-44 for a more thorough look at our discussion with the developer and city regarding this topic, and a look at our proposed amendment.)

In response, the City recommended that the Developer have time to come to a potential compromise on the issue³. Consequently, the Developer announced at the March 23rd, 2022 meeting that they were going to drop the proposed Land Use amendment altogether⁴. As for the compromise, the Tri-City Herald article detailing the 55+ retirement community in the Commercial Mixed-use District came out two months later.

³ City View Planning Commission Meeting Dated February 23rd, 2022, 2:06:00 – 2:07:27

⁴ City View Planning Commission Meeting Dated March 23rd, 2022; 28:54

Protections are needed.

This brings us back to the Veneto Villaggio Plat.

Question 8 of the MACR reads: What building types are likely to be developed here?

The response was “Allowed building types are outlined in LUDR Section 2.D.”

This question didn’t ask what the allowed building types are in this district, it asked what types are *likely* to be developed here. This equivocating answer has me inclined to believe the developer is going to treat the Veneto Villaggio Plat in a similar manner to the Villa Vista Plat: regardless of intent, or the purpose of the district, if the Land Use Table says a residential use is allowed, they can and will pursue 100% residential.

However, there is some hope that businesses will actually end up on these lots, as page 7 of the plat application reads:

In the case of the Veneto Villaggio Preliminary Plat, 13 commercial units are anticipated for a total of 13U. The LUDR does not make reference to non-residential trail requirements, but the following list outlines the quantities of trail/green space provided in Veneto Villaggio.

But our community needs something more concrete than just this statement. On recent plat decisions, the Hearing Examiner has repeatedly highlighted the importance of intent in the LUDR as well as the oversight of important requirements within applications. If Veneto Villaggio proceeds as proposed, future development of these lots will not be subject to Hearing Examiner review. Additionally, there will not be any public comment period or Planning Commission input.

Therefore, to maintain the overall intent of the district, and to enable sustainability controls for Badger Mountain South as a whole, protections are needed on these 13 lots. I’m hoping you concur and can help to ensure protections are in place to ensure a reasonable balance between residential and business to achieve the desired Commercial Mixed-Use District’s intent.

Proposed Amendment: Specialty Districts

Citation of the specific text, map or other illustration suggested to be amended:

LUDR

Page 2-3, 2.C Land Use Table

See Appendix A4BMS-3: Land Use Tables for visual representation.

The suggested amendment:

LUDR

Page 2-3, 2.C Land Use Table

See Appendix A4BMS-3: Land Use Tables for visual representation of proposed amendment.

Add:

Asterisk (*) next to all Residential Land Use Types in the following Specialty Districts:

- Specialty Retail (BMS SD-SR)
- Commercial Mixed-Use (BMS SD-CMU)
- Destination Retail (BMS SD-DR)

Add Beside Table:

**In an effort to protect the intent of the Specialty Districts, land use shall be restricted to the permissible Retail, Services, Office, Civic and Other land use types until 90% of full build out is complete as defined in the FSEIS. Residential Land Use Types that allow for live/work; Commercial; Commercial/Mixed-use-Liner over commercial shall be allowed so long as they are physically attached to a business. Standalone residential units such as: duplexes, townhomes, single-family, multifamily homes shall not be developed during this period. Once 90% of full build out is complete, restrictions on Residential Land Use Types will be removed. At that time, all the land uses that are permitted in the Residential Land use shall be permitted.*

If a suggested amendment is to a plan or to both a plan and a development regulation, a statement of how the amendment:

- a. Promotes the public health, safety and welfare;**
- b. Is consistent with or in conflict with other portions of the comprehensive plan or subarea plan; and complies with Chapter 36.70A RCW, also known as the Growth Management Act, and the Benton County countywide planning policies;**

A. (Promotes the public health, safety and welfare)

The opportunity to build and create a business district which realizes the goals of Badger Mountain South rests primarily in the Specialty Districts. These districts are unique to the BMS subarea; they are supposed to drive tourism, hospitality and tax revenue for the city. They were envisioned as entrepreneurial hubs, community gathering spaces and unique wine experiences unlike any other in the area. Below is the image used in the Master Agreement to illustrate the vision the City and Nor Am had for the Specialty Retail District. This image is intended to help guide the development of the Specialty Retail District.

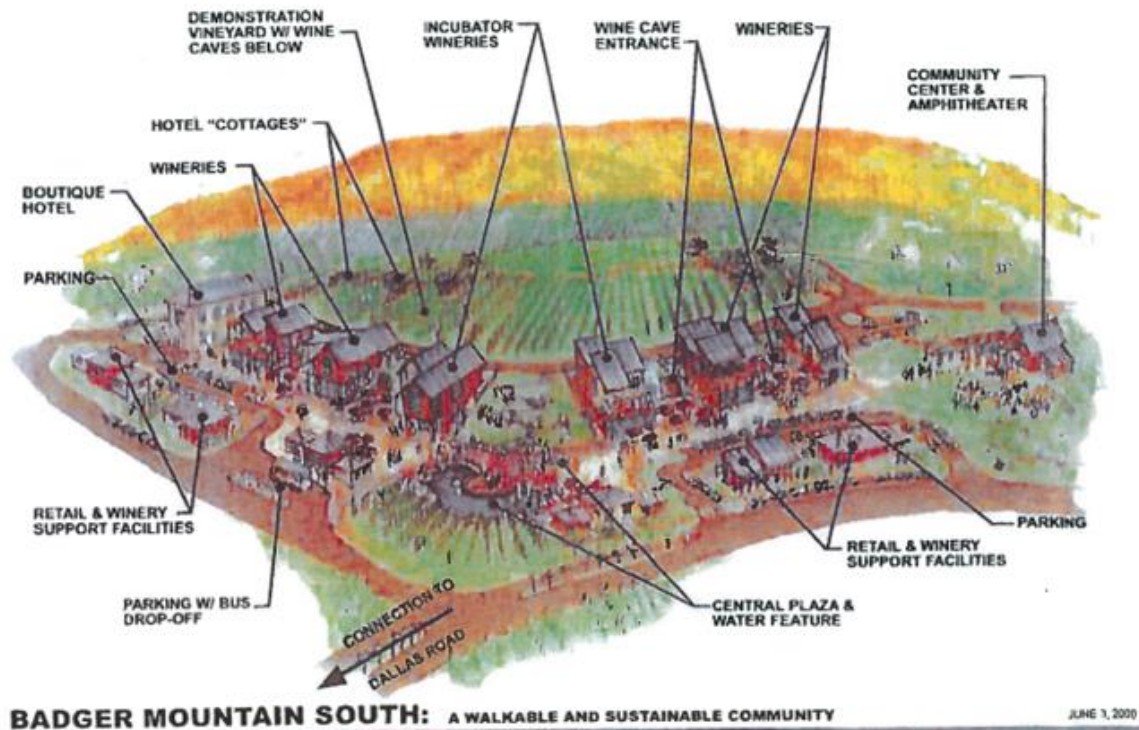


Exhibit E to Master Agreement
Page E-1 of 1

These areas are also unique as they are regulated solely by intent. LUDR page 4-2, section 4.A states that the Specialty Districts “play an important role in establishing the vision of the Badger Mountain South Community.” To gain a deeper understanding of the Specialty Retail District, we have included appendix A4BMS-4: Specialty Districts, which is a compilation of the relevant portions of BMS’s other Governing Documents. To keep this proposal from getting too lengthy, the text below depicts only the language found in the LUDR.

From the LUDR page 4-2 section 4.B:

1. SPECIAL DISTRICT - SPECIALTY RETAIL INTENT

The Special District - Specialty Retail (BMS-SD-SR) is intended to support and provide development opportunities for the growing interest in local and regional agricultural products, in particular the local wine industry. As such it serves both the City of Richland as well as the region.

It is also intended to:

- a. Provide a gathering place for group events, festivals and other community-wide activities;
- b. Provide sites for: vineyards, wine caves, wineries, tasting rooms, wine making, other specialty brewing and craft distilling, the sale of other agricultural-related products, education, retail and hospitality that support this focus; and
- c. Showcase innovative sustainable design features in both building and site design.

From the LUDR page 4-2 section 4.C:

1. SPECIAL DISTRICT - COMMERCIAL MIXED-USE INTENT

The Special District - Commercial Mixed-Use (BMS-SD-CMU) comprises approximately 45 acres between Dallas Road and the Special District -Specialty Retail. The District can accommodate a wide variety of uses as it is intended to be a major employment center for the City of Richland and a destination for shopping, higher-level education, dining, office uses and other employment centers, Multi-family/Mixed-Use housing, entertainment and recreation. Public facilities, including transit centers, may also be accommodated in this District.

To further the walkable and sustainable goals of Badger Mountain South, the design of the Special District - Commercial Mixed-Use will ensure that pedestrian are accommodated between buildings or groups of buildings, that public plazas and other community features will be developed as part of the overall development plan, and that connectivity will be maintained to adjoining Districts.

When the Final Supplemental Environmental Impact Study (FSEIS) for Badger Mountain Subarea Plan was released, the study was reliant on BMS becoming a sustainable community. This means it relied on residents of BMS being able to walk to stores for goods and, for some of us, our areas of employment. FSEIS page 15 section 4.2.2:

Implementation of the Preferred Alternate will encourage future development having a compact urban form and a mix of uses, and improve bicycle and pedestrian facilities. The Preferred Alternative encourages sustainable practices and supports smart growth which entail promoting non-motorized transportation alternatives.

The development of businesses in BMS is a determining factor in our community's ability to become sustainable. Badger Mountain Subarea Plan page 22 reads:

"The proposed development pattern will also help reduce traffic congestion and long commutes by having locations for employment both within and close by residential neighborhoods."

From the onset, the City of Richland recognized the importance of creating Specialty Districts for business development because they understood the importance of capturing significant tax revenue. Here is a selection of goals for BMS from the Master Agreement page 1 of 24, section 4.1:

- (4) create a tourist destination and freeway-oriented development to capture additional tax revenue for the city...*
- (6) Stimulate economic development within the city by creating areas for business development and expansion*
- (7) Create a viable walkable community with standards designed to meet sustainability goals.*

The BMS Subarea plan lists the following Badger Mountain Economic Development (BMED) Policies (emphasis added) (Page 14):

- 6.1 Provide areas for new commercial activity that can accommodate the needs of businesses, residents and visitors.*
- 6.2 Accommodate employment growth with a balance of retail, business, commercial, office park and tourism-related uses.*
- 6.3 Encourage the development of Neighborhood Activity Centers where local shopping needs can be accommodated while supporting the reduction of travel trips.*
- 6.6 Encourage the siting of commercial uses and business areas to serve adjacent neighborhoods.*
- 6.8 Ensure the availability of sufficient quantities of land suitable for new employment centers.***

Overall, the ideal balance of life in Badger Mountain South is reflected in this quote from the FSEIS (Pg 18 section 4.4.1.2):

“Development in the Badger Mountain Subarea is intended to provide a healthy balance of market driven, private sector uses with a wide range of public uses. The Land Use portion of the Plan is fundamental to creating a platform for a vibrant, economically strong, environmentally responsible, and attractive area that captures future growth. Its main focus is establishing areas where people will live, where they will work and where public spaces, parks and natural areas will be located...The Subarea contain a variety of opportunities to develop housing and commercial uses as well as locations for educational uses, parks, civic spaces and other uses that complement Richland’s urban character and strengthens and diversifies its economic base.”

This vision of life in Badger Mountain South is what drove homeowners to build or buy property in the area. We all believe in the strength of a sustainable community. If this sustainability is not protected, we will all be materially impacted.

As things currently stand, the developers are trying to take the land designated for the Specialty Districts and make them primarily residential, if not all residential. A recent quote from the City Hearing Examiner regarding the remaining 13+ acres of the Specialty Retail District reads (S2021-102 Preliminary Plat of Villa Vista Townhomes, Hearing Examiner’s Decision, Pages 7-8):

- 17. With respect to this application, the intent language for the Specialty Retail District is elevated in its significance based on facts in this record, that establish how the 13 +*

acres covered by the proposed plat are likely to be the last truly vacant portions of land in the BMS-SD-SR "Specialty Retail" District of the greater BMS master planned community. To date, the property owner and primary developer of properties in the Specialty Retail District has yet to present an application for any proposal that would directly achieve the intent for such district, as set forth in Sec 4.B.1 of the LUDR. (Emphasis added)

This quote illustrates our current problem well: the developers are repeatedly and completely ignoring the intent of the Specialty Districts. Had the Hearing Examiner allowed Villa Vista Townhomes to proceed, **there would be no room left for any retail activity at all in the Specialty Retail District, as shown in the figure below:**

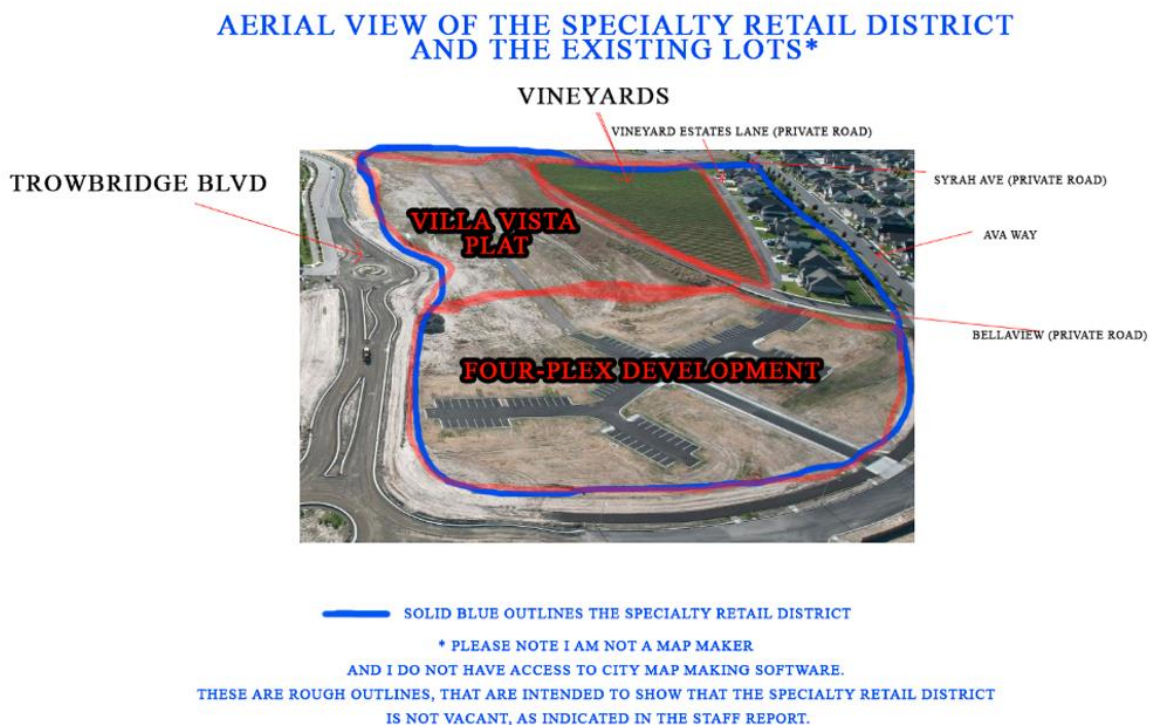


Figure 1

We have asked the developer why they are putting only residential units into the Specialty Districts. They say it's because there currently aren't enough homes in BMS to support a bustling business district. We understand this concern, but the issue stands: if you allow residential units to be built in the business districts there will be no land left for the businesses once the population is big enough. Furthermore, every time a residential unit is developed in a business district, it threatens Badger Mountain South's ability to create a sustainable future.

We have met with the City Planning Office regarding this issue. They say their hands are tied when it comes to stopping the proposed residential developments. This situation exists because the LUDR currently allows for Residential Land Use in the Specialty Districts without exception.

We propose this amendment to help the City so they have the power to stop the purely residential development of the Specialty Districts. Badger Mountain South has plenty of land to the East that is slated for residential use. These restrictions will allow the developers to focus their attention on land that is already set aside for residential units, and preserve the Specialty Districts so land is available for businesses. If businesses are still not interested in building out here once we are at 90% build out, then the developer can repurpose the land for residential use at that time.

This amendment promotes public health, safety and welfare by directly protecting our sustainability. Many homeowners bought here because of the Specialty Districts. Many of us are eager to have stores and restaurants we can walk to. Badger Mountain South has so much potential because of its Specialty Districts, and that must be protected.

B. (Is consistent with or in conflict with other portions of the comprehensive plan or subarea plan; and complies with Chapter 36.70A RCW, also known as the Growth Management Act, and the Benton County countywide planning policies)

It is consistent with the LUDR and comprehensive plan. It allows the City Planning Office to direct development to meet the intent in the Specialty Districts.

If a suggested amendment is only to the development regulations, a statement as to how the amendment complies with the comprehensive plan. [Ord. 12-96; Ord. 29-12 § 1.01].

N/A

Stevens, Mike

From: Humberto Torres <berto@blucanarycapital.com>
Sent: Tuesday, August 2, 2022 8:08 PM
To: Stevens, Mike
Subject: response to Veneto Villagio S 20222-101

To whom it may concern,

When I bought a home in badger I was told by developer and builder that there would be restaurants and businesses within Badger mountain South, included in these false claims were promises of walking distance to business and family reetURANTS!!

MAKE THEM STICLK TO THE MASTER PLAN THEY SOLD THE COMMUNITY OF HOMES TO..

MAKE THEM STICK TO THEIR FALSE CLAIMS!!! AKE THEM ACCOUNTABLE !!!
PROTECT THE LITTLE GUYS NOT THESE GREEDY DEVELOPERS!!

THEY SOLD HOMES BY LYING!!! THEY HAVE NOT DELIVERED ON THE PROMISES AND SHOULD BE MADE TO PAY!!!

Concerned Homeowner

Humbeeto Torres

Stevens, Mike

From: James Davis <jthomasdavis@gmail.com>
Sent: Friday, August 5, 2022 1:32 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Dear Mr. Stevens:

I am writing in regards to Badger Mountain South rezoning that is currently being proposed. One of the key reason I moved and built a house in this neighborhood was the promotion of it being a walkable and sustainable community. When I read that it is being proposed to not build the wine community and instead build townhomes that made me want to understand why? I have a few call outs that keeping the Speciality Retail Zone will be key for Badger Mountain South.

1. The Specialty Retail Zone will make Badger Mountain South stand out than any other neighborhood in the Tri-Cities and for miles and miles around. The fact that we can walk on a nice day to have a glass of wine and walk home will be MAJOR for our home value.
2. House Value- As I called out above, by putting the Speciality Retail Zone in, people will want to move to this neighborhood. It will bring property value ups which in turn will bring more tax revenue in for the City of Richland.
3. Location- The Speciality Retail Zone will drive more traffic to this side of town. Which means JOBS, JOBS, JOBS! It is a win for everyone.

I urge you to please allow for BMS to keep the Specialty Retail Zone in our community. It will be a win for all of us in the long term. I will be in the meeting on the 18th. Thank you for your time.

James Davis

Stevens, Mike

From: Jamie Wilson <jamieann_63@yahoo.com>
Sent: Wednesday, August 3, 2022 10:09 AM
To: Stevens, Mike
Subject: Veneto Villaggio S2022-101

To whom it may concern,

I am a resident of Badger Mountain South, who purchased in 2019. We had previously looked in the West Vineyard area, but didn't like the lot sizes and the alley access to the garages. What we did like was the fact that it was going to be a sustainable community with walkable shops and parks for families. When the city of Richland changed course on housing restriction for this area, we were all on board. Being one of the first homes on Brodie lane, we were excited to see the growth potential for the area. We, as well as most in the area, were excited for the wine village, parks, trails, shops, etc, that were promised in the LUDR as well as boasted on the internet.

Cut to 3yrs later and we are now having to fight for what was promised. The walking trail we got has no trees, benches or foliage. Snakes sun bathe on the path due to it just being an asphalt walkway. An income restricted apartment was built (not something I would not have purchased a home by) and the shops and walkability of the area is being shut down for more apartments and townhomes. This is unacceptable.

My cousin lives in Hansen Park, they were promised the same things we have been promised. They allowed the builder to determine what was going to happen with their area, we are not. You can't allow this to happen. People were promised one thing, bought with the promise and believed it would happen. For the builder to just decide this is not what is going to happen is unacceptable to us who live here.

Our neighborhood is more than just that. We are a community who loves where we live. Our neighbors have community at the heart of it. We hold Easter Egg

hunts, Christmas cookie exchanges, yard sales, a neighborhood watch program and this year we are having a night out with our community.

It's our home, it's our neighborhood and we want what we were promised.

Thank you,

Jamie Wilson
2459 Brodie ln

Sent from my iPad

Stevens, Mike

From: Jarrod Hicks <jarroddjames91@live.com>
Sent: Tuesday, August 2, 2022 5:59 PM
To: Stevens, Mike
Subject: Response to Veneto Villagio

To whom it may concern,

It may be difficult to fulfill the land use options as described in the LUDR by splitting the lot into those 13 lots the way they are formed. Future development will be restricted and thus difficult.

Regards,
Jarrod Hicks

Sent from [Mail](#) for Windows

Stevens, Mike

From: Jason Brown <jvolbrown@gmail.com>
Sent: Tuesday, August 2, 2022 9:52 AM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

Dear Mr. Stevens,

I am writing in regard to a proposal to sell off plots of land to other developers, this is NOT what was planned or marketed to our community. It is not okay to switch things up, when retail businesses were promised and many people bought homes with the understanding we would have businesses built out here that we could walk to, not more townhomes. Please do not change the proposal. No townhomes or selling off plots of land.

Sincerely,
Jason Brown

Stevens, Mike

From: Jayna Steed <jaynasteed@gmail.com>
Sent: Friday, August 5, 2022 8:20 AM
To: Stevens, Mike
Subject: Response to Veneto Villagio s2022-101

Begin forwarded message:

From: Jayna Steed <jaynasteed@gmail.com>
Date: August 5, 2022 at 8:18:56 AM PDT
To: mstevens@ci.richland.wa.us
Subject: Badger mountain south

Dear Mr Stevens

I am adding my voice to the many that would like to save our retail area and not divide that part of our neighborhood into lots for condo's. We moved to this area to have it be a fun walkable family environment. In my experience living many different places, putting in compact housing, increasing car traffic and creating parking for those residents is not the community we were promised or is what we are hoping to live around. We would love to see the developer maintain his original proposals and not just add high density housing for the sake of a payout or demand. We hope you enforce this integrity for the future of our neighborhood and to set a standard for other developers to be held accountable for promises made and follow through to be held firm.

Thank you,

Jayna Steed
6012 Smitty Dr

Stevens, Mike

From: maricopafar@yahoo.com
Sent: Monday, August 1, 2022 7:54 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Good Evening,

I am writing you this email as an extremely concerned and unsettled homeowner of the West Vineyard -South Badger Mountain Community.

There has been severe misbelief among the homeowners in this community about having a Vineyard community with businesses and restaurants. Now, they're hinting at making this area a senior living and townhouse farm community. This is NOT what every homeowner signed up for when buying their family home here in South Badger Mountain... This is EXTREMELY dissatisfying and the majority of us HIGHLY discourage the use of the remaining land for more greedy residential builders. This unique and special area has the opportunity to be different than a hot mess of townhomes and retirement communities. We need and WANT restaurants and grocery stores and not more apartments and townhomes. We must maintain our three commercial districts.

We were promised a walkable and sustainable community, with a vibrant mix of retail, restaurants, and suitable walking paths. Please don't allow this beautiful area to be ruined with this potential idea.

Thank you

Jeremy Faust

Stevens, Mike

From: Jessica <jlzing@gmail.com>
Sent: Monday, August 1, 2022 9:19 AM
To: Stevens, Mike
Subject: Response to Veneto Villaggio S2022-101

Dear Mike Stevens,

I am writing today to oppose the proposal by the developer to sell off plots of lands in this area to other developers. I moved into Badger Mountain South in 2017. I was told all about the future wine village/specialty retail district and its amenities by my realtor. There used to be a sign on Ava Way pointing to the future site of Veneto Villaggio. It was a factor for me in deciding to move to this neighborhood.

While I recognize NorAm's efforts to find a partner to build the specialty retail district for many years, the fact of the matter is that it is likely that not enough people were living in the Badger Mountain South area to generate business interest during this time. This appears to be changing now, as evidenced by a "gas station coming soon" sign newly placed at the intersection of Ava Way and Dallas Road.

I propose that more time and efforts be made to find partners to build this district before giving up on it entirely.

Sincerely,

Jessica Zering Cheyney and Allen Cheyney

Stevens, Mike

From: James Wise <jamesawise@mac.com>
Sent: Friday, August 5, 2022 4:52 PM
To: Stevens, Mike
Subject: Comments on Preliminary Plat of Veneto Viologio, Badger Mountain South

To: Mike Stevens, Planning Manager, City of Richland
From: James A. Wise, Ph.D., President, Sustainable Tri-Cities
Re: Preliminary Plat of Veneto Village at Badger Mountain South
August 5, 2022

=====

Dear Mr. Stevens,

I am writing you to express my concerns over what I and other citizens see happening as Badger Mountain South develops. I was on the City of Richland Planning Commission when the LUDR for that community was originally presented and accepted after intense and prolonged scrutiny. Since then, I have watched that original vision of the development weakened and distorted almost beyond recognition. This started with builders returning to the City to ask relief from the stricter energy code building standards for the development. That was given to them, even though I voted against it (in the minority) while on the Planning Commission. All the residents there now incur higher energy costs as a result. At every successive step I have watched the City diminish the original proposed (and sold!) quality of life for the home buyers there in order to ensure easier and faster profits for builders and parcel developers.

I am asking you and the City and the Hearing Examiner to Please Put a Stop to This. The Preliminary Plat as presented *could* fulfill its original promise of being completely commercial, but it is not required to do so. And, the lots, as laid out, show no evidence of this use being a preferred one. I am very concerned that, with the demand for housing on the rise, this Plat will be turned mostly into townhouse or similar housing again, and the opportunity for a vibrant, local community out there will be lost.

To build a Sustainable Community out there, it needs distributed, local retail that people can walk and bike to. And it needs to be designed so that these kinds of alternative low impact transportation and access is possible. I urge you and the City to ensure that this happens. If you do not, all the City will have out there is a large group of homeowners who will have to travel miles by vehicle for their daily needs. That is not good for the building of Community there, nor for the increase in greenhouse gases in our planet's atmosphere. The actions you allow the developer to take in this Plat have abiding local through global consequences.

I urge you and the City to receive from the developer, NorAm Investments, strong assurances that Veneto Village will be developed as originally envisioned to ensure a strong, local sustainable community there at Badger Mountain South.

Sincerely,

Jim Wise

James A. Wise, Ph.D.
President, Sustainable Tri-Cities
Past Planning Commissioner, City of Richland, 2012-2018

[<jamesawise@me.com>](mailto:jamesawise@me.com)

Stevens, Mike

From: Jody Hough <jodyhoughsales@gmail.com>
Sent: Tuesday, August 2, 2022 10:11 PM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

Hello,

This is a message in response to the information we have been given about the Wine Village, businesses and parks/open spaces that we were told were part of the upcoming construction when we bought our home. It seems they may be replaced by 68 townhomes/sold off to other developers. This is very frustrating to say the least, as one of the main draws to this neighborhood was the Wine Village, walkable businesses, parks and open spaces. **We fell in love not with what the neighborhood was, but what it was promised to be in the future.**

We have a very young son, and chose this neighborhood, Badger Mountain South for specific reasons, several of which seem to be disappearing.

I know you're likely getting emails about this exact thing from many people, so I will keep it short and leave you with this ... You're only as good as your word, whether a parent, a teacher, postal worker or ... a developer. I hope that you choose to make good on your promises to the people who loved your vision and believed in your promises enough to buy the homes in your development.

Thank you for your time,

Jody Hough Sales

--

Jody Hough

Stevens, Mike

From: Julie Webb <JulieNicole3422@hotmail.com>
Sent: Monday, August 1, 2022 8:18 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

To whom it may concern,

Like many people in the Tri-Cities, we moved here within the last few years from a big city for the "small town feel". For us, it was Portland. A big reason we chose to invest and build in the Badger Mountain South neighborhood was the Developers selling us on the idea that the neighborhood would soon feel like "a little piece of home" for us with planned amenities including walk/bikes trails, shopping, and a hub for fun events right within walking distance. It was an idea we loved and chose to invest in. In the beginning, if we had been told our neighborhood would become cookie cutter streets and now a planned development of row houses instead of those aforementioned amenities, with the only shopping being a Country Mercantile and a gas station, we would have chosen to plant our family and investment elsewhere.

The Developers presented so many wonderful things for the Badger Mountain South neighborhoods, and the thousands of Community members that were promised these things want the Developers to be held accountable for keeping the vision in tact for what they promised and the ideas we were all sold on. Too many times companies are allowed to take the easy way out because they just don't care about what the end game will be; foregoing the promised "Community" aspect in favor of quicker profits. But this is our land, and our Community, and in this instant that philosophy would destroy Badger Mountain South now and for the future. Whatever is built will remain long past these Developers, and will be passed down to our children, so we need to get it right the first time. The ideas that we were promised, the first time, *was* right. Please don't let these Developers take the easy way out. We beg you to think of the families and their investments in choosing to settle in this development. Do what is right for our future Community members so we can all be proud to say we were here from the start, and that we helped shape this area into the perfect neighborhood for any family to call home.

Thank you for your time,
Julie, Shane and Lucas Webb

Stevens, Mike

From: Katie Fitzgerald <katiefitzgerald0914@gmail.com>
Sent: Tuesday, August 2, 2022 10:26 PM
To: Stevens, Mike
Subject: Venetian Villaggio S2022-101

Hi Mike—

We moved to Badger Mountain South under the impression that it would be a walkable and sustainable neighborhood (meaning we could walk to get groceries, to schools, to a park and to church all from the steps of our front door etc).

We were really looking forward to the build up of the 3 separate business districts so we could stay here and have shopping close by! Potentially Trader Joe's or other like stores that would fit into the wine village. Our realtor sold us this home based on these claims, showing us the site plans, maps and other exciting details about the development of this open community with lots of green space throughout.

PLEASE stay true to your word and word of the developer. So many people have moved and put their lives in a whole new trajectory with the hopes of what this community will become. I know that it is still possible.

Nor Am states that they never sold the community the idea of a wine village, but the Badger mountain south website every much did hold that, as well as all the maps and site plans.

Do not go back on your word. How disappointing. Does a person or company's word mean anything anymore? Show some integrity and real honesty with the public. Follow through on your word and hold businesses like Nor Am accountable.

Best Regards,

Katie F

Stevens, Mike

From: Kelly Knurbein <kelylynn1@yahoo.com>
Sent: Friday, August 5, 2022 9:52 AM
To: Stevens, Mike
Subject: Veneta Villagio 2022 S2022-101

Good morning,

I am writing this letter to explain the reasoning behind why my family chose to build and invest in Badger Mountain South. We currently reside on Smitty Drive in West Village. The primary reason was the walkable, sustainable living environment that was advertised. The idea of my family and I being able to walk or bike to retail and restaurants was alluring. Thoughts of spending more time together and having these types of amenities practically at our doorstep was quite enticing. We have traveled out of the area to other states, cities, and neighborhoods that are set up in this manner, and now we were going to have something locally that we could invest in without having to relocate out of the area.

These types of amenities were the promises made by the builders, realtors, developers, and advertisements made by all mentioned. Whether that be YouTube videos of what Badger Mountain South was to become, verbal promises by all parties involved, advertisements up and down the road on Dallas, at home tours in the development, Parade Of Homes, and the local Home Shows at the Trac in Pasco.

We want to see protections put in place to keep our designated Business Districts to guarantee that the intent of those districts are met. NorAm has done nothing but continue bait and switch tactics since our arrival in Badger Mountain South.

If we had known what we know now of NorAm, we would have never invested our money in Badger Mountain South. We prized their vision of what Badger Mountain South was sold to us as and would become. The vision sold was to be a community that would exist for generations to come. Something to be proud to be a part of and helped create. Now more than ever, we as residents, have to step up to continue that vision. NorAm's end goal does not include the beautiful community sold to us. We are now receiving cookie cutter streets, being stripped of amenities we were promised, and deprived of the lifestyle we were sold.

The developer needs to be held accountable to keep all three of our Business Districts intact. There needs to be guarantees of what that land will become. We were promised and sold specialty retail, mixed use, and destination retail. We hope that the City holds the developer accountable to the same Business Districts we were sold on. Eliminating any of them takes away from the residents of the area that helped to create Badger Mountain South and are standing up to the developer now to preserve what we invested in. These Districts do not also only hold value for residents that reside here, but for residents of all Tri-Cities.

Thank you for your time,
Kelly and Stephen Sevall

Stevens, Mike

From: Ken Mead <meadken@hotmail.com>
Sent: Wednesday, August 3, 2022 5:06 PM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

This is Ken Mead at 4608 Vineyard Estate Lane. I am a retired firefighter with 20 years of service with the City of Richland.

I became aware of the Badger Mountain South concept and proposed development many years ago while at the fire department and hearing discussions and comments from the Fire Marshall's office. I was interested and liked all that I was hearing about features of this then proposed development; including the self-contained nature, wine village and other features. I was very lucky to be able to acquire a lot and build our dream home.

As a long-term resident of Richland, I have seen many developers come to the area, make a large profit, then leave with the money and no regard for the future of the City.

While I appreciate the work and investment that the original developers have made, it is easy to see that they have already made a sizeable return on their investment. I do not want to see another case of take the money and run with the community left to face the future without the community that was promised.

It became clear in the winter of 2018-2019 that most of the rest of the City staff really did not know that we were even here. I do not want to see our community forgotten and left on our own to solve the future problems from taking the easy way out and forgetting about the vision of how the area was to be developed.

Stevens, Mike

From: Kristi Geris <kgeris@anchorqea.com>
Sent: Tuesday, August 2, 2022 11:01 AM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

Hello,

I'm writing because I'm concerned about a potential proposal to sell off plots of land in Badger Mountain South, to developers with no guarantee anything will be set aside for businesses. Does the general public or residents in the area have any say in this? Thanks! -kristi 😊

Kristi Geris | ANCHOR QEA, LLC
Senior Scientist

kgeris@anchorqea.com
Tri-Cities WA
C 360.220.3988

ANCHOR QEA, LLC

Please consider the environment before printing this email.

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Stevens, Mike

From: Lisa Smith <lisasmith@outlook.com>
Sent: Monday, August 1, 2022 1:20 PM
To: Stevens, Mike
Subject: Response to Veneto Village S2022-101

Hi,

I am writing as an owner in the Badger Mountain South neighborhood to express my opinion that plots of land should not be sold to developers without knowing if some it will be used for businesses which was in the original plan for the neighborhood. We were told that there would be businesses that the neighborhood could walk to and we want to keep that vision alive.

Regards,
Lisa

Stevens, Mike

From: Mariah Ochoa <mariah.ochoa@outlook.com>
Sent: Monday, August 1, 2022 4:48 PM
To: Stevens, Mike
Subject: Response to Venetian Villagio S2022-101

To Whom it May Concern,

This email is regarding the access of businesses to the Badger Mountain South community. When my family was considering purchasing a home in the Badger Mountain South community one of the first things we noticed was access to the Country Mercantile. Access to neighborhood shops is vital to the community of Badger Mountain South. I urge you to maintain access to businesses for our community.

Thank you,
Mariah Ochoa

Stevens, Mike

From: Megan Bjornberg <meganbjornberg@yahoo.com>
Sent: Tuesday, August 2, 2022 12:34 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Dear Mr. Stevens;

Previously, my husband and I built a home in another city. It was a new neighborhood, and we were promised walking paths. Once the ink dried and the home was built, the promises went away. After going through this experience previously, we came to Badger Mountain South which promised a walkable community, with some paths already taking shape. We sincerely hope, to this day, that this would be our forever home.

It is incredibly important to us that the developer is not allowed to change anything further. The plans were approved with specific Business Districts and the intent of each of these districts need to be met. Protections need to be in place to prevent further rezoning of the business districts.

Please hold the developer accountable for their plans that they sold to the community, and to us.

Thank you;
Megan Bjornberg
509-929-4035

Stevens, Mike

From: Melissa Kasper <melissakasper7@gmail.com>
Sent: Monday, August 1, 2022 8:47 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Hello,

My family lives in West Village and just heard that the developer is trying to remove the areas for businesses in our community. This is very upsetting and wrong.

When we decided to build a home in this community we were told multiple walkable businesses were coming. We were excited to live in a community with things to do, shopping, etc. We were excited to live in a place with such a strong sense of community to be coming soon.

Right now all there are are homes. We are on the outskirts of town and without more shopping or business this area will suffer. We were told and looking forward to this area being a destination and now it's just going to be a pocket of homes where we have to drive 15 minutes to do anything. This is not ok and not what we were sold on.

We chose to move here in Vancouver, WA for the small town feel and fell in love with the idea of Badger Mountain South because of everything that was promised from the developer. But now the developer is trying to get rid of the business district and take away the walkability and sustainability of this community. That's not ok!

We would not have built here had we known that this would be happening. We were sold on the idea that this community would be a all inclusive/self sustained destination community where we could live, work and play and raise our family here. The changes the developer is proposing is destroying this promised idea and would create a community that we no longer want to live in.

This is very upsetting to us, please do not approve the change to this land use and please hold the developer accountable to complete the community in which we were promised and based our life on.

Thank you,
Jordan and Melissa Kasper

Stevens, Mike

From: Michael Binder <mbinder1231@gmail.com>
Sent: Thursday, August 4, 2022 2:46 PM
To: Stevens, Mike
Subject: Response to Veneto Villagio S2022-101

Mr. Stevens,

My name is Michael Binder and I reside in Badger Mountain South with my wife and three year old daughter. After searching through numerous developments in the Tri Cities area, we ended up moving to West Village in June 2021. Reasons we decided on this area include the following - location (near the interstate and close to Queensgate, great school district), a well maintained community with high level home contractors, and the future plans of the area. The future plans of this area included, parks, trails, community centers, grocery stores, small businesses, restaurants and amphitheater for entertainment and a wine village. As the plans for the park seemed to be progressing, along with some walking trails, all the other items seemed to have stalled. Our community is very passionate about the future plans and my family continues to hope for the best and this community gets the non-residential amenities and businesses that initially drew us to this area.

The Binders

Stevens, Mike

From: Mike Richart <mike.richart23@gmail.com>
Sent: Thursday, August 4, 2022 7:46 PM
To: Stevens, Mike
Subject: Veneto Villaggio S2022-101

Mr. Stevens-

My name is Michael Richart. My wife Jennifer Richart and I reside at 4071 Corvina St. I am writing in regards to recent developer proposed changes to the Badger Mountain South LUDR. We moved to this residence in June of 2021, purchasing a home backing up to a green space/walking path. Having read through the Badger Mountain South documentation before purchasing this home, we were drawn to Badger Mountain South specifically for the walking paths and green spaces being placed throughout the community. The bonus of potentially having some small businesses in the future was also appealing to us since Badger Mountain South was billed as a walkable, sustainable community. Specifically the Badger Mountain South website that I believe was created by the developer sold us on this premise.

Having read through the BMS LUDR and looking at proposed maps of various areas, having commercial space directly in the midst of houses, parks and schools would be ideal. The current proposal to take the 13 acres of space and place 68 Townhomes is not, in our opinion, "commercial mixed use". The premise of walking to a store, restaurant or winery should be appealing to everyone.

Once again, if these proposed changes are accepted, it leaves residents feeling like they were given a bait and switch. Please do not allow these changes to negatively impact future development within Badger Mountain South. I realize the developer will try to tell residents and the city they now suddenly "intend" to build all sorts of commercial spaces to the west across Dallas road. I would encourage the developer and city staff to attempt to walk across Dallas road at any time of day. It's simply not safe.

In closing, we would encourage you to let the developer use 13 acres elsewhere in BMS for 68 townhouses and require commercial development where it has been intended for many years.

Thank you for your time,
Michael and Jennifer Richart

Stevens, Mike

From: Ryan Wilcox <ryanwilcoxpx@gmail.com>
Sent: Monday, August 1, 2022 6:22 PM
To: Stevens, Mike
Subject: Veneto Villagio S2022-101

Hello,

My wife and I recently relocated to Badger Mountain South from Portland. One of the main reasons we chose to move our family here is because of the promise of having easy access to commercial space that was originally introduced to us as part of our builder presentation. We were sent this YouTube video: <https://www.youtube.com/watch?v=F0io-DVnBQI>

Upon hearing that it's being proposed to limit those things in favor of more homes, we became concerned and frustrated. Truthfully, it feels like a bit of bait and switch to lure home buyers in with all the promised amenities (retail core, wine village, parks, equestrian trails, restaurants, walking paths), and then suddenly reduce all those promises and switch them for high density housing. That is not what we signed up as we were told this community would be different than a sea of endless homes, townhomes, and apartment buildings.

We have seen first hand what has happened to densely over-populated areas in the suburbs of Portland, and it is breaking our hearts that it might be happening to the neighborhood we are now living in.

We fell in love with the idea of raising our 3 children in an area walkable to small businesses/restaurants and parks for them to play at. Please consider our plea to not let the developer have the unrestricted ability to build even more homes and take away one of the central reasons for us moving to this wonderful area of Washington.

Thank you for your time and attention to this matter, I know your time is limited.

Take Care,

Ryan Wilcox
Cell: 503.919.8616
RyanWilcoxPDX@gmail.com

Stevens, Mike

From: S Brown <brownwing@gmail.com>
Sent: Tuesday, August 2, 2022 9:53 AM
To: Stevens, Mike
Subject: Response to Veneto Villagio S202101

Dear Mr. Stevens,

I am writing in regard to a proposal to sell off plots of land to other developers, this is NOT what was planned or marketed to our community. It is not okay to switch things up, when retail businesses were promised and many people bought homes with the understanding we would have businesses built out here that we could walk to, not more townhomes. Please do not change the proposal. No townhomes or selling off plots of land.

Sincerely,
Shanon Brown

Stevens, Mike

From: steve walker <snrmwalker@gmail.com>
Sent: Wednesday, August 3, 2022 11:52 AM
To: Stevens, Mike
Subject: Venetian Villaggio s2022-101

My family and I moved from the Western side of the state to Badger Mountain South looking for a community we could be an active part in. Part of what attracted us to this location was the promise of a wine village, sustainable living and what Larry White's vision was of what this community could be. Please help make that vision a reality. I appreciate your time. Thanks--

Sent from Gmail Mobile

Stevens, Mike

From: Tammy Schindler <tschindler245@gmail.com>
Sent: Thursday, August 4, 2022 8:22 PM
To: Stevens, Mike
Subject: Veneto Villaggio S2022-101S2021-102

Aug 4, 2022

Hello Mr. Stevens,

My husband and I are writing in regards to saving the Wine Village in the Badger Mountain South Community. We have gotten word that the developers are once again trying to get rid of the Wine Village that is part of the Badger Mountain South Community Master Plan. Badger Mountain South Community was designed to be a walkable and sustainable community in our own backyard that gives entertainment, shopping, employment, access to fine regional wineries in the area plus many more amenities. My husband and I specifically picked this area as a place to retire as numerous marketing materials promoted that the Wine Village and the Veneto Villaggio would be the heart of this community.

My husband and I are in the process of building our retirement home in the West Village area and looking forward to retirement in about 10 years from now. We bought in this area due to the walkability of this small community and the plans and visions that were part of the package. During retirement we have always dreamed of living in an area that will improve our quality of life as we continue to age. We feel that Badger Mountain South Community is the answer to all that we are looking forward to in retirement. Please do not allow the Nor AM developers to remove the Wine Village and replace it with 68 townhomes. Especially from my understanding there is still unused land that can house more residential property. The Developers need to be held accountable for keeping the vision intact as it was intended when it was signed into action in 2011. The Badger Mountain South Community master plan clearly included Wine Village and much more via these two links (<https://youtu.be/6s-PcVbDIDI>) (<https://youtu.be/F0io-DVnBQI>). Dr Larry White himself with Nor AM developer even stated what the plan and vision is for Badger Mountain South and is seen in these links signing the documents of what is promised to the Badger Mountain South Community and is the heart and focal point of this community.

The Wine Village and Veneto Villaggio would attract wine consasurs from all over and put this area on the map and bring in revenue for the city of Richland for many years to come. We are not the only ones that feel this way as my neighbors also bought a home in this area due to the vision and plans that were put in place 11 years ago. We all see the long term investment in the Wine Village and Vente Villaggio and improving the quality of life in this community. Please keep this vision and plans of Badger Mountain South alive and to help preserve it, so we all can see how this community will flourish over the coming years.

Thanks for taking the time to hear us out!

Proud to be in the Badger Mountain South Community

Tammy and Robert Schindler

Stevens, Mike

From: Tara Gibson <tarabyte@gmail.com>
Sent: Friday, August 5, 2022 2:14 PM
To: Stevens, Mike
Subject: Response to Veneto Village S2022-101

Hello Mr Stevens,

This email is in response to the Veneto Village proposal as well as Villa Vista S2021-12. I live in the Badger Mountain South community, my husband and I built one of the earlier homes in the neighborhood in 2016. We were very drawn to the concept of the neighborhood presented by the developer at the time. The idea of walking trails and green space, and shops/restaurants that you can walk or bike to. We appreciate that the parks and open space was upheld in the land use agreements earlier this year. However I understand that in the latest proposals that they would like to build townhomes in place of the originally planned "wine village" and sell off other land with no guarantees that it will be set aside for businesses as originally intended. If this happens then it pretty kills off the possibility of a walkable mixed use community. I think that this is an opportunity to make an amazing community and drive business growth within Richland. Something like Kendall yards in Spokane, which is an excellent mix of residential, green spaces, and shops/restaurants/wineries. But it needs support from the city to ensure that the land intended for the wine village remains purposed for commercial as originally intended. It is my understanding that there is already a large amount of land to the east reserved for residential use.

Thank you,
Tara Gibson

Stevens, Mike

From: Troy Cashwell <tlcashwell1217@gmail.com>
Sent: Monday, August 1, 2022 6:55 PM
To: Stevens, Mike
Subject: Response To VillaVista S2021-102/Veneto Villagio S2022-101

To Whom It May Concern,

I live in the Badger Mountain South community and am opposed to the 68 townhomes being added to the area. The country here is beautiful and is what enticed my family to move to this area last year. I regularly look outside and am grateful for the scenery. The inconsistency of renters could affect our community negatively. The original proposal of a wine village, additional park areas, and business establishments feels more fitting to the area and in alignment with the intended development. Feel free to correspond via email or phone. I hope our voice can be heard.

Very Respectfully,

Troy Cashwell
tlcashwell1217@gmail.com
719-453-4397

Stevens, Mike

From: Walter Jancaric <wj09@sbcglobal.net>
Sent: Friday, August 5, 2022 4:14 PM
To: Stevens, Mike
Subject: Response to Veneto Village s2022-101

I am a new homeowner at 4504 Vineyard Estate Ln, Richland, Wa 99352. Please do not use Veneto Village land to sell off property without requiring it be partially used for businesses as originally proposed. This would be very short sighted and unfair to my fellow homeowners to reverse course and have developers not under an obligation to set aside land for businesses. Thank you.

Walter and Janet Jancaric
4504 Vineyard Estate Lane
Richland, Wa 99352
682-554-6257

From: wesley brown <wes92479@gmail.com>
Sent: Wednesday, August 3, 2022 7:17 PM
To: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Subject: Veneto Villaggio S2022-101

Hello Mr. Stevens,

My name is Wesley Brown and I reside at 4704 Vineyard Estate Ln, Richland, WA 99352. Badger Mountain South, as you know, has a particularly active community, passionate about it's future plans. Which is why I am writing to you today. I purchased my house in 2018 based on the marketing material that was promoted. Specifically, the wine village, Veneto Villaggio. The promotional material promised a sustainable community, where homeowners would have a walkable lifestyle, filled with parks, trails, community centers, grocery stores, small businesses, restaurants and amphitheater for entertainment. Most importantly, the wine village was touted as a destination, attracting wine conasours throughout the state and beyond. We as early investors in this proposed future community, were excited at the potential.

Fast forward to January 26th 2022. The Richland City View Planning Commission hosted a meeting regarding changes to LUDR for Badger Mountain South. Lawrence White, Nor AM Development Managing Partner, commented on the proposed wine village. This is what he said:
(Timestamp 20:26 minutes.)

Link:

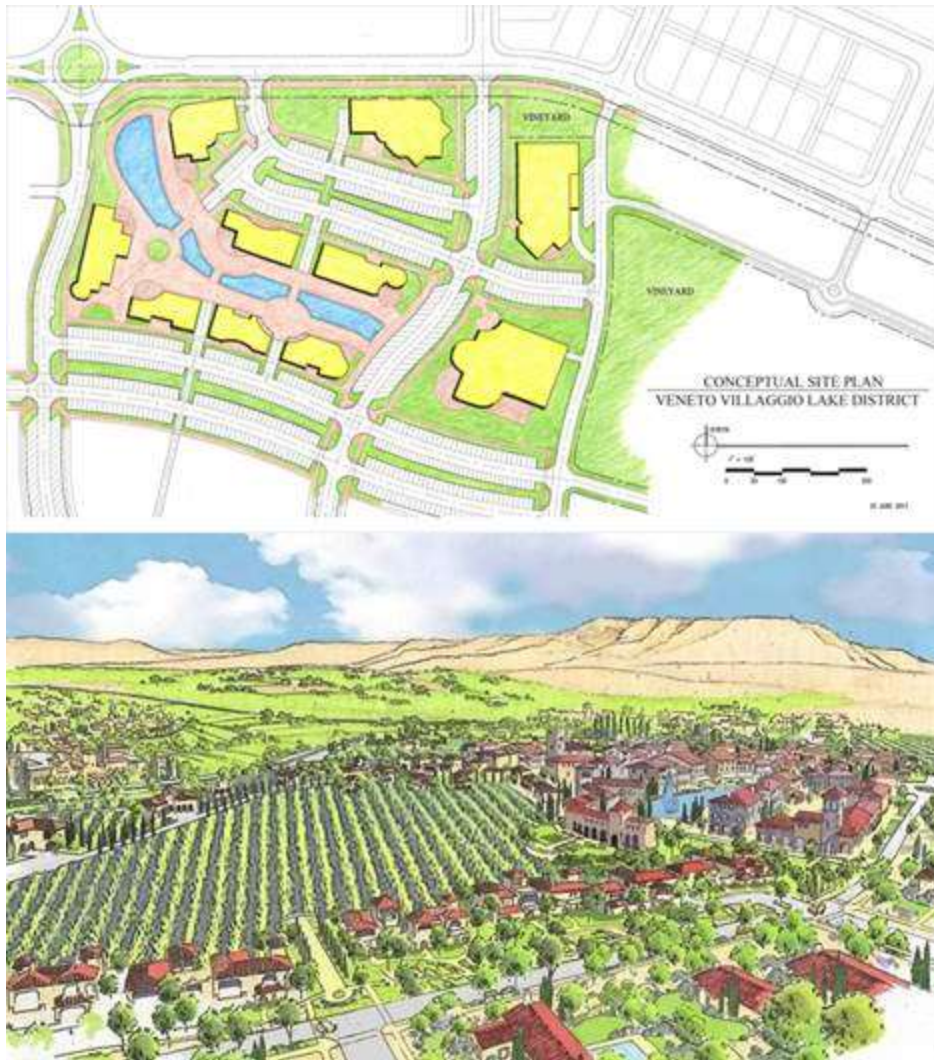
<https://richlandwa.new.swagit.com/videos/153597>

"If realtors promised that wine activities were going in there, as if it was a done deal, that was wrong of them and I don't have control over that. But, I will apologize to the people who got that message."

Deflecting blame to realtors, builders and other counterparties was to say, 'Nor AM had nothing to do with the marketing materials being presented.' Classless, yes. But was he wrong?

The website, www.BadgerMountainSouth.com has been promoting Veneto Villaggio for many years. I searched the Wayback Machine (www.web.archive.org) to view how BMS website has changed over the years. Through 2018, there were many examples of how the Wine Village would be the centerpiece of our future community. I've attached screenshots of all the material for reference.





However, Windermere Group One is the gatekeeper of this website. Surely Mr. White and Nor AM had nothing to do with this mix up. I present to you, an 11 year old YouTube video (2 min 36 sec), highlighting the City of Richland's deal with Mr. White on the proposed Badger Mountain South community.

<https://youtu.be/F0io-DVnBQI>

You can clearly see Mr. White's vision of Badger Mountain South, including site plans, illustrations depicting a walkable, sustainable community with a wine village as one of the main attractions. Marketing materials that Nor AM created, which were passed down the chain to said realtors, builders and counterparties.

I present all this data to say this. Badger Mountain South has about 1000 acres of untapped land, ready for building residential property. However, BMS only has three zoned areas for Business Districts. There is plenty of land to build the proposed 68 Townhomes they are asking for. Instead, they want to build in the business district where the wine village and amphitheater could be.

As a business owner myself, I understand investors are hesitant to build retail and office space, when the community is far from completion. However, taking away one of the three commercially zoned areas, in favor of high density residential housing, is a sure way of scaring off future commercial investors. We, as homeowners, are stripped of the options a walkable, sustainable community has to offer. Dwindling the possibilities of future expansion.

In the same Planning Meeting above, Mr. White also blamed the City of Kennewick, stating:
(Timestamp 22:58)

"I don't know if anybody from the Port of Kennewick is listening but they really let us down the path here. And we've really got a lot of egg on our face after they said they were going to do something and they just pulled the rug out from under us."

Finger pointing is a major trend when it comes to Mr. White. But I will say, we as a community have something in common with his last comment. Having a community, where families can walk, dine, shop and entertain, sure feels like a rug pull when Corporations like Nor AM and their business partners promise these features, only to build more houses to protect their bottom line. As Richland City Planning Manager, after reading this email, my hope is you'll understand how much I care about our BMS community. I'm counting on you to help preserve it. If we allow for our community to flourish, as promised, this could be the next hot spot to put the Tri-Cities on the map. Creating jobs, entrepreneurs, tourism and happy families, who have invested their life savings in making this community the hidden gem of Richland....For now.

Cheers!

Wesley Brown

Proud Richland Business Owner

and Resident of Badger Mountain South.

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Wine Village

Experience renowned Columbia Valley wines firsthand.

For shopping, dining, wine tasting and simply loving life, there's no place like the Wine Village at Badger Mountain South that we call Veneto Villaggio, after one of the famous wine regions in Italy. Designed to become the state's premier destination for tourists and locals alike, the Wine Village will feature wineries and tasting rooms, vineyards and artisanal distilleries, wine caves and shops, restaurants, a hotel and even places to live. Open your office here in the adjacent business district, and your clients and employees will have great options for walking the trails at lunch or finding a creative meal in the Village. Stay here and launch your day into the neighboring vineyards and wineries of Washington's wine country. Then come back to the spa before dinner at your choice of restaurants that have honed the art of pairing wine and food and later, a walk around the lake. Interested in being a part of making history? Please call our realtor team as noted on this site.

[FIND US ON FACEBOOK](#)

404 Not Found

**PRINCIPAL REALTOR &
COMMERCIAL/RESIDENTIAL CONTACT:
WINDERMERE GROUP ONE/TRI-CITIES**

490 Bradley Blvd. Richland, WA 99352

Phone: 509.946.1188

Email: [Email Residential Contact](#)

[USEFUL LINKS](#)[Find a Home](#)[Realtors](#)[Builders](#)[Gallery](#)

Our Community



You may never want to leave the neighborhood.

Great communities start with a great vision and that's why we're creating something new here. Badger Mountain South is the result of an intelligent approach to community development – a vision that combines equal access to hiking trails and a retail core, great schools, and a lifestyle approached by sidewalk instead of buses or car seats, and smartly designed homes powered by renewable energy technologies for optimal efficiency and cost savings. Welcome to Badger Mountain South, a mixed-use community with a vibrant sense of place, a new and yet definitively Richland.

Make more time for what you love.

Imagine everything you need for the everyday close to home, where you can walk your child to school, take your four-legged companion to the dog park, and stop by the grocery store on the way home – with a break at the coffeehouse. The Badger Mountain South lifestyle is all about being closer to everything. And while Badger Mountain South is an active community hub, its location offers easy access to the entirety of the Tri-Cities region. Living here puts you in the middle of over 400 acres of community and neighborhood parks, open spaces, and trails – all of it adjacent to renowned vineyards wineries, and historic orchards. This is an entire community designed for livability – a variety of housing types and styles, with walkable neighborhood schools, a retail core, parks and expansive green spaces for sustainable development.



The Next Steps...

As the beginnings of the vision approach completion, you will find a place to share a full and comfortable life inside a vibrant and growing community.

With the Country Mercantile now being enjoyed by all, we eagerly await the new additions to its vast array of amenities including an amphitheater, hotel, event center, cinema, and a selection of both casual and sophisticated dining experiences.

Wine Village

[Home](#) / [Find a Home](#) / Wine Village

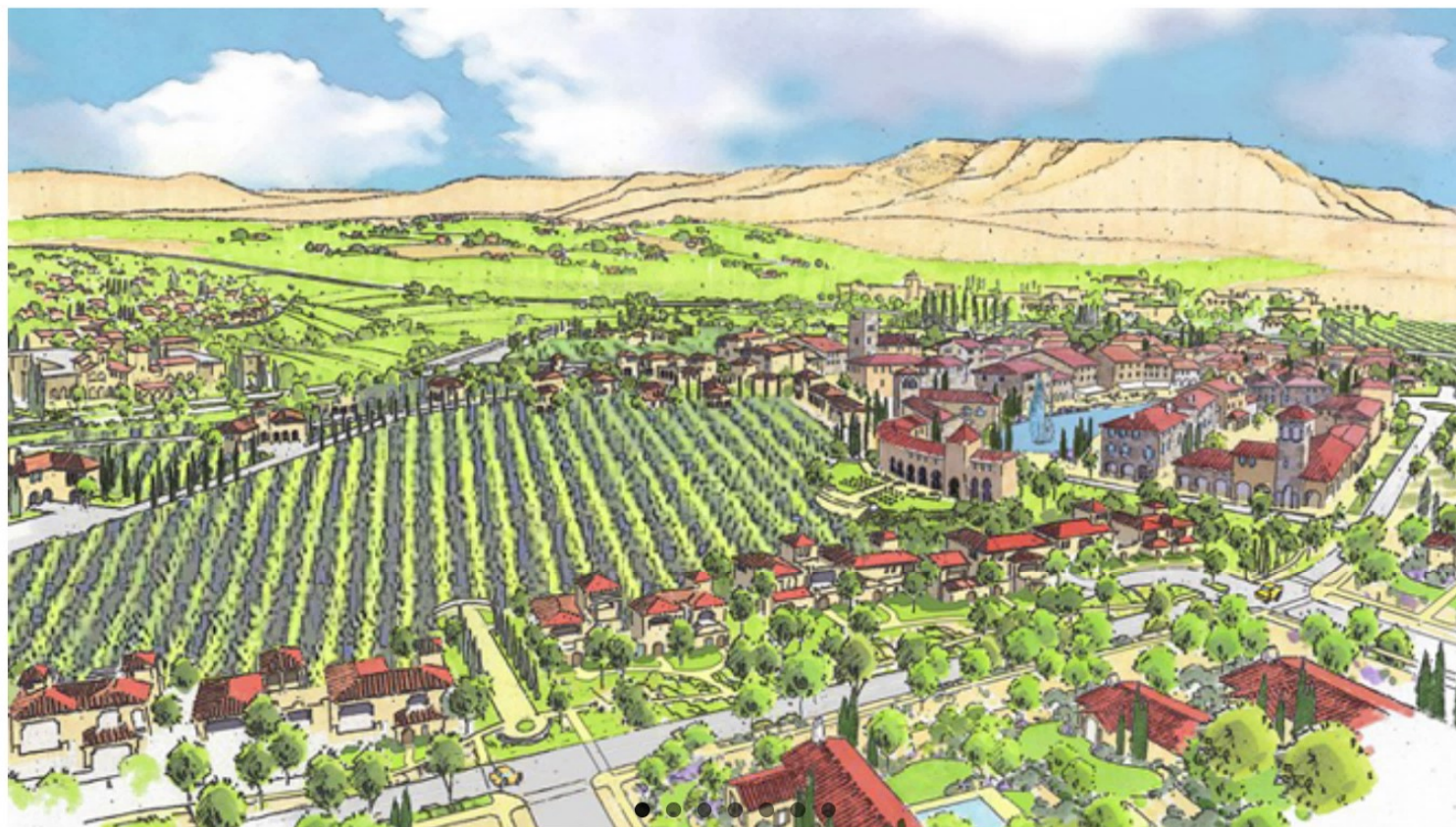
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Wine Village



Experience renowned Columbia Valley wines firsthand.

Enjoy an all-inclusive wine village experience with exquisite wines from the region's finest winemakers and the soothing ambiance of uniquely designed tasting rooms and wine caves. The wine village strives to cater to a growing demographic that is looking for a refined winery experience while still providing all of the amenities of an influential urban center.



From: wesley brown <wes92479@gmail.com>
Sent: Wednesday, August 3, 2022 7:17 PM
To: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Subject: Veneto Villaggio S2022-101

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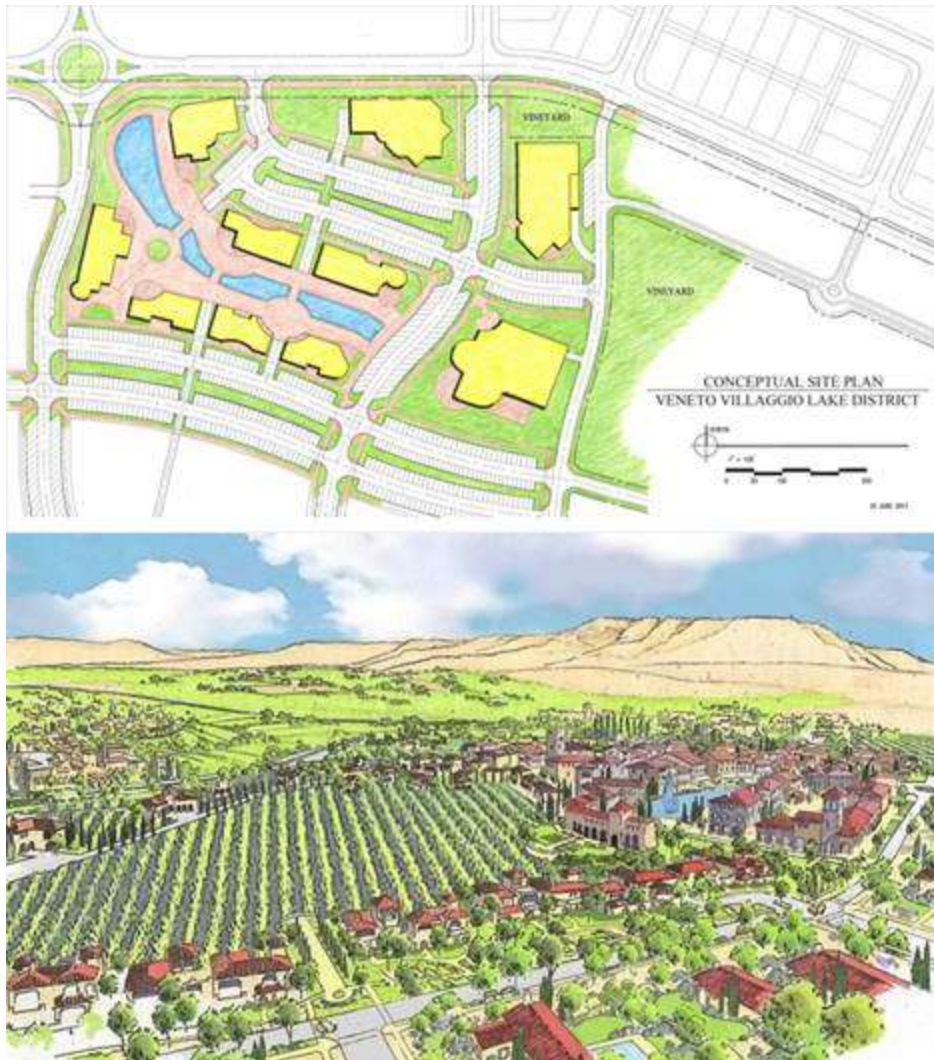
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Proud Richland Business Owner

and Resident of Badger Mountain South.

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Allyson Brooks Ph.D., Director
State Historic Preservation Officer

August 2, 2022

Mike Stevens
Planning Manager
City of Richland
505 Swift Blvd. MS#35
Richland, WA 99352

In future correspondence please refer to:
Project Tracking Code: 2022-08-05101
Property: City of Richland_Veneto Villagio Subdivision (S2022-101)
Re: Survey Requested

Dear Mike Stevens:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

Our statewide predictive model indicates that there is a moderate-to-high probability of encountering cultural resources within the proposed project area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's [Standards for Cultural Resource Reporting](#).

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).



Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Sydney Hanson". The signature is fluid and cursive, with a long horizontal line extending from the end.

Sydney Hanson
Local Government Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov





STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office

1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

August 15, 2022

Mike Stevens
City of Richland
625 Swift Blvd.
Richland, WA 99352

Re: S2022-101

Dear Mike Stevens:

Thank you for the opportunity to comment on the Notice of Application for Veneto Villagio. We have reviewed the application and have the following comment.

SHORELANDS

Thank you for providing the Department of Ecology (Ecology) the opportunity to review and provide comments on the proposed plat for Veneto Villagio.

Ecology wetland staff have conducted a desk review of the site using current and historical aerial imagery, LiDar imagery, soil map data, and National Wetland Inventory (NWI) data and have the following comments to provide.

A few ephemeral streams cross through the southwest end of the project site. There appears to be various small depressional areas associated with the unnamed stream courses. Water could be present long enough (14 + consecutive days) for wetland characteristics to be present. Image I, below depicts the ephemeral streams in August 2016. Saturation and inundation within the stream channels are present.



Image 1. Aerial Imagery

Image 2, illustrates the topography in the area and depicts the stream features.

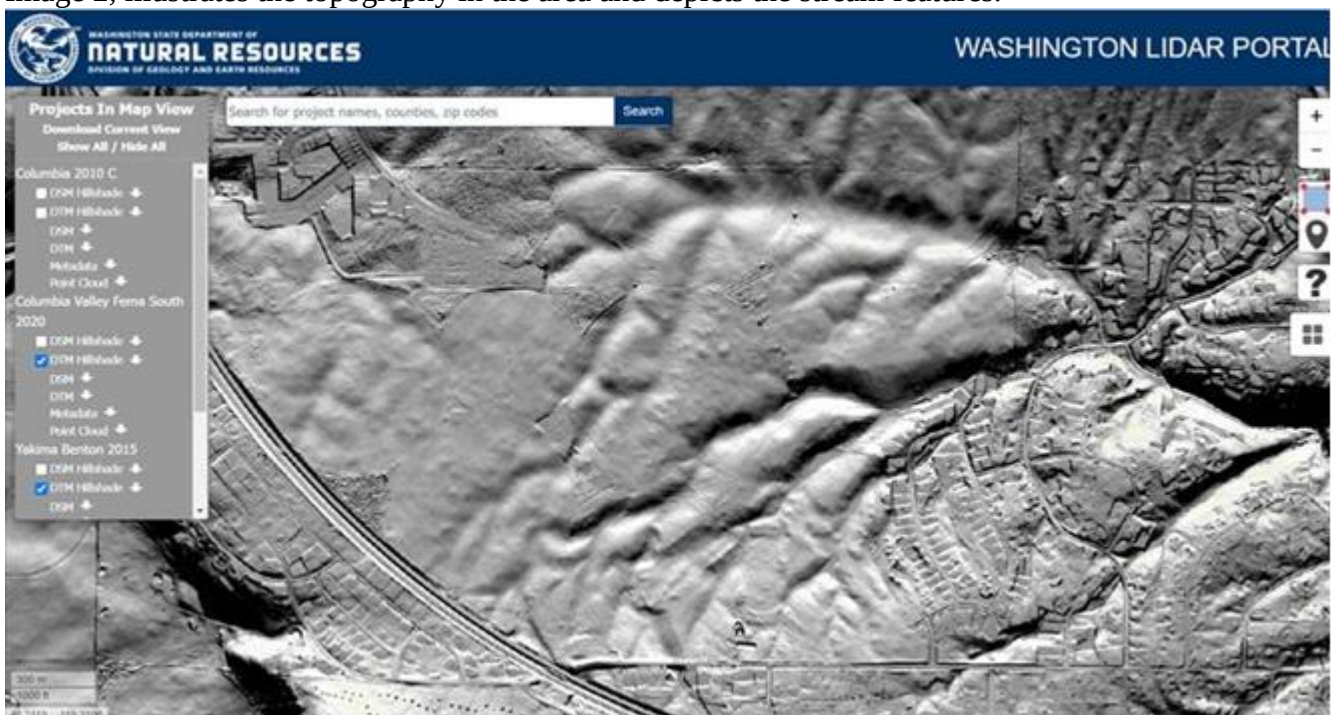


Image 2. LiDar Imagery

The Department of Ecology recommends the City to request a water and wetland report consisting of a delineation, wetland delineation datasheets, and rating (including data sheets) to locate the extent of existing wetland habitat and required buffers in the area. A stream flow duration assessment would be needed to determine if the stream is ephemeral or intermittent. The distinction is important in determining regulatory jurisdiction (i.e. federal U.S. Army Corps of Engineers and/or state).

Please submit a water and wetland report and associated materials to the Department of Ecology for review and comment prior to construction activities. In the event wetland, stream, or buffer habitats occur in the area and impacts cannot be avoided a mitigation plan must be submitted for review.

In order to minimize construction impacts on wetlands, Best Management Practices (BMPs) for sediment and erosion control should be implemented. This should include functional silt fences, and immediate revegetation and mulching.

Placement of fill-in wetlands or below the ordinary high water mark of a water of the United States may require an individual or general (nationwide) permit from the U.S. Army of Corps of Engineers (Corps). We advise the applicant to contact the Corps to determine if a permit is needed.

Impacts to non-federally regulated waters or waters of the State may require additional review and permitting through the Department of Ecology under RCW 90.48, The Water Pollution Control Act.

The Department of Ecology recommends continued coordination with City, State, and Federal agencies throughout the planning and permitting process.

Ecology is available to provide technical assistance to the City by reviewing documents related to wetland habitats and conducting a joint site visit to verify the presence or absence of wetlands on the property.

Please contact Lori White at (509)379-1917 or lori.white@ecy.wa.gov should you have any questions or would like to schedule a joint site visit to review the area in-person.

Sincerely,

Lucila Cornejo
SEPA Coordinator
Central Regional Office
(509) 208-4590
crosepacoordinator@ecy.wa.gov

Stevens, Mike

From: Buechler, Ken
Sent: Wednesday, July 20, 2022 6:23 PM
To: Stevens, Mike
Subject: RE: S2022-101 Preliminary Plat of Veneto Villagio

Mike,
This look good by fire. The review did not pull up any concerns.



Kenneth L Buechler
Fire Marshal
625 Swift Blvd., MS-16 | Richland, WA 99352
(509) 942-7556
(509) 578-9321

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Wednesday, July 20, 2022 11:10 AM
To: Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Damrell, Kevin <kdamrell@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodders@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; FormerOrchards@ecy.wa.gov; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Jason McShane <jmcsbane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Paul Gonseth <gonsetp@wsdot.wa.gov>; ReathaFord, Jason <JReathaFord@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDeFoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; Tyutyunnik, Ruvim <rtyutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>
Subject: S2022-101 Preliminary Plat of Veneto Villagio

Attention:

Attached to this email is a copy of the Public Notice, Application, Preliminary Plat Map and related information for a proposed 13-lot preliminary plat referred to as Veneto Villagio. The proposed lots are being created in the Badger Mountain South area of South Richland and the lots are proposed to be utilized for commercial purposes. Please review the attached information and respond back with any comments that you may have by 5:00 PM, Friday, August 5, 2022.

Please be aware that this proposal is exempt from SEPA review as the probable significant adverse environmental impacts of the proposed project have been adequately addressed in the Planned Action Ordinance [RMC 19.50.030 (B)] and as described in the Badger Mountain South Planned Action Consistency Determination for Veneto Villagio preliminary plat (included in the Referral Packet).

Thank you,



Mike Stevens
Planning Manager
625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7596

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Stevens, Mike

From: Brett Flippo <BFlippo@kid.org>
Sent: Tuesday, August 2, 2022 2:13 PM
To: Stevens, Mike
Subject: RE: S2022-101 Preliminary Plat of Veneto Villagio

Mr. Stevens,

The subject property is located outside of the boundaries of the Kennewick Irrigation District. KID has no comments.

Thanks,

Brett Flippo, PLS, CFedS
Kennewick Irrigation District

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Wednesday, July 20, 2022 11:10 AM
To: Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Damrell, Kevin <kdamrell@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodders@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; FormerOrchards@ecy.wa.gov; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Jason McShane <JMcShane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; Development <development@kid.org>; Matthew Berglund <MBerglund@kid.org>; M. Deklyne <mjdekyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth Defoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; Tyutyunnik, Ruvim <rtutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>
Subject: S2022-101 Preliminary Plat of Veneto Villagio

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attention:

Attached to this email is a copy of the Public Notice, Application, Preliminary Plat Map and related information for a proposed 13-lot preliminary plat referred to as Veneto Villagio. The proposed lots are being created in the Badger Mountain South area of South Richland and the lots are proposed to be utilized for commercial purposes. Please review the attached information and respond back with any comments that you may have by 5:00 PM, Friday, August 5, 2022.

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Thank you,



Mike Stevens
Planning Manager
625 Swift Blvd., MS-35 | Richland, WA 99352
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**CITY OF RICHLAND
PUBLIC WORKS ENGINEERING
DEVELOPMENT COMMENTS**

DATE: August 5, 2022

TO: MIKE STEVENS, PLANNING MANAGER

PLAT REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4
PETE ROGALSKY, PUBLIC WORKS DIRECTOR
CARLO D'ALESSANDRO, TRANSPORTATION & DEVELOPMENT MANAGER

PROJECT NAME: VENETO VILLAGIO (S2022-101)

PROJECT LOCATION: NORTH OF TROWBRIDGE BLVD., EAST OF DALLAS ROAD. SOUTH OF AVA WAY

The Public Works Engineering Division has reviewed the preliminary plat received in this office on July 20 for the above referenced property and has the following conditions.

Pre-Plat Specific Conditions

1. The preliminary plat is not showing any phase lines. Phasing is not required but if the project is to be phased during construction, phasing lines need to be shown on the pre-plat map.
2. On sheet C001 please make the border of the preliminary plat more prominent. As submitted it's difficult to discern what the boundaries are.

General Conditions:

3. All final, approved plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically in .dwg format compatible with the City's standard CAD software. Addendums are not allowed, all information shall be supplied in full size (and electronic) format. Electronic copies of the construction plans are required prior to the pre-con meeting along with the multiple sets of paper drawings. When construction of the public infrastructure has been substantially completed, the applicant shall provide paper and electronic record drawings in accordance with the City's published "Record Drawing Requirements". The electronic record drawings shall be submitted in an AutoCAD format compatible with the City's standard CAD software. The final record drawings shall be submitted and approved by the City before the final punchlist inspection will be performed. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
4. A copy of the construction drawings shall be submitted for review to the appropriate jurisdictions by the developer and his engineer. All required comments / conditions from all appropriate reviewing jurisdictions (e.g.: Benton County, any appropriate irrigation districts, other utilities, etc.) shall be incorporated into one comprehensive set of drawings and resubmitted (if necessary) for final permit review and issuance. Any and all necessary permits that may be required by jurisdictional entities outside of the City of Richland shall be the responsibility of the developer to obtain.
5. Any work within the public right-of-way or easements or involving public infrastructure will require the applicant to obtain a right-of-way construction permit prior to beginning work, per RMC Chapter 12.08. The applicant shall pay a plan review fee based on a cost-per-sheet of engineering infrastructure plans. This public infrastructure plan review fee shall apply each time a

project is submitted for review. This fee will be different for commercial projects versus subdivision projects. Please visit the Public Works Private Development page on the City's webpage to find the current per-sheet fee. A permit fee in the amount equal to 3% of the construction costs of the work within the right-of-way or easement will be collected at the time the construction permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the approved plan submittal.

6. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of plat acceptance. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final plat acceptance.
7. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Engineering Division at 942-7500 to schedule a pre-construction conference.
8. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
9. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to final platting.

Design Standards:

10. Public improvement design shall follow the following general format:
 - A. All materials and workmanship shall be in conformance with the latest revision of the City of Richland Standard Specifications and Details, Public Infrastructure Design Guidelines and the current edition of the State of Washington Standard Specifications for Road, Bridge, and Municipal Construction. Please confirm that you have the latest set of standard specs and details by visiting the City's web page.
 - B. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
 - C. All utilities shall be extended to the adjacent property (properties) at the time of construction.
 - D. The minimum centerline finish grade shall be no less than 0.30% and the maximum centerline finish grade shall be no more than 10.0% for local streets. 12% can be allowed for local streets for short distances.
 - E. The minimum centerline radius for local streets shall be 100-feet.
 - F. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - G. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
 - H. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
11. If the project will be built in phases the applicant shall submit a comprehensive master plan for the sanitary sewer, domestic water, storm drainage, electrical, street lighting and irrigation system for the entire project prior to submitting plans for the first phase to assure constructability of the entire project. This includes the location and size of any storm retention ponds that may be required to handle runoff.

12. If the City Fire Marshal requires a secondary emergency vehicle access (SEVA), it shall be included in the construction plan set and be designed to the following standards:
- A. 2-inches compacted gravel, minimum (temp. SEVAs only).
 - B. 2% cross-slope, maximum.
 - C. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
 - D. Be 20-feet in width.
 - E. Have radii that are accommodating with those needed for City Fire apparatus.

Secondary emergency vehicles accesses (SEVA's) shall be 20-feet wide, as noted. Longer secondary accesses can be built to 12-feet wide with the approval of the City of Richland Fire Marshal, however turn-outs are required at a spacing acceptable to the Fire Dept. Temporary SEVA's shall be constructed with 2-inches of compacted gravel, at a minimum. Permanent SEVA's shall be paved with 2-inches of asphalt over 4-inches of gravel, at a minimum.

Traffic & Streets:

13. The Badger Mountain South Traffic Impact Analysis (TIA) was completed in draft form on February 16, 2022. The TIA recommends mitigation measures that meet the level of service standard "D" on Dallas Road at the I-82 EB ramps, I-82 WB ramps, Trowbridge Boulevard and Ava Way by year 2025. The analysis performed set the timeline for the "Veneto Villagio" development at 5-10 years. The trips generated from this development will impact Dallas Road on a shorter timeline than that anticipated in the TIA. Therefore, the following mitigation measures shall be completed as described below:

- a) Dallas Road / Trowbridge Boulevard: Roundabout. Completed before 25% of the lots are built and occupied.
- b) Dallas Road / Ava Way: left and right turn lanes for northbound and southbound Dallas Road. Completed before 25% of the lots are built and occupied.
- c) Dallas Road / I-82 EB Ramps: Roundabout. Completed before 75% of the lots are built and occupied.
- d) Dallas Road / I-82 WB Ramps: Roundabout. Completed before 75% of the lots are built and occupied.
- e) Widening of Dallas Road to 5-lane principal arterial road section from Trowbridge Roundabout to I-82 EB Ramps Roundabout. Completed before 75% of the lots are built and occupied.

The design of such improvements is subject to the approval of the City Engineer. Completion of the finalized TIA is not anticipated to generate recommendations for mitigations to other offsite intersections. The Master Agreement transportation trigger for full completion of Trowbridge Boulevard (aka Badger Mountain Parkway in the Master Agreement) is also activated by this development. However, since there are no developments to be served by the completion of this street to the east at the time of plat, and there exists no additional network connectivity to gain benefit of redistributing traffic volumes, it is not recommended that this improvement be completed with this plat. It is anticipated that the finalized TIA will also result in an amendment of transportation triggers in the Master Agreement to align with mitigations proposed in the TIA.

14. Improvements shall be completed, as a condition of the Veneto Villagio final plat, to the existing 2-lane Dallas Road meeting the City's 5-lane principal arterial cross-section along the frontage of this plat. This includes curb, gutter, and path as indicated in the LUDR edge treatments, an additional 22 feet width of paved road from existing east painted edge line of the road to the face of curb, and stormwater drainage as required.
15. The "Veneto Villagio" preliminary plat is subject to the City's traffic impact fee program (RMC 12.03).

16. Notes will be needed on the face of the final plat stating that Dallas Road and Trowbridge Boulevard are classified as a "Minor Arterial", and Ava Way is classified as a "Major Collector street". Subsequently, no driveways will be allowed directly onto them.
17. Sidewalks shall be installed along all public right-of-way frontages that building lots do not front on during construction (e.g., storm drainage ponds, parks, HOA tracts, etc.).
18. The developer and his engineer shall demonstrate on the construction plans that all future driveway entrances, sidewalks and pedestrian ramps will meet City and ADA requirements.
19. The shared access easements need to be perpendicular to the roadway.
20. Pedestrian ramps shall be designed to current City standard details and A.D.A. standards. Adequate right-of-way shall be provided at corners to allow for at least 1-foot of ROW behind the ped. ramp landing. Crosswalks between pedestrian ramps shall be designed to City standards. Crosswalks at stop-controlled intersections shall have cross-slopes less than 2%. Crosswalks crossing thru-streets shall have cross-slopes less than 5%. The road profile shall be designed to accommodate this.
21. The vision-clearance triangle needs to be shown on all corner lots on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
22. The existing access points onto Gateway Ave. and Sotto Street are acceptable for this project, but any proposed changes to said driveways will be subject to approval by the City Engineer.
23. Any roads narrower than 32-feet shall have parking restricted on one side, and any roads narrower than 27-feet shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developer's expense. The restricted parking areas shall be indicated on the construction plans and the final plat. All signage will be installed by the developer prior to final platting.
24. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
25. If the project is to be constructed in phases, all dead-end streets longer than 150-feet that will be continued later need to have temporary turnarounds built at the end of them. If the temporary turnaround is not located within the final plat an easement with a 50-foot radius will be required.

Domestic Water:

26. The proposed preliminary plat is located within the Tapteal III water pressure zone. The closest watermain is located in Ava Way to the north, and Trowbridge Blvd. to the south. It shall be the responsibility of the developer to extend a watermain to and through this property to serve domestic water at the time of plat construction. This water main shall be sized to adequately supply domestic water and fire flows to the entire proposed development.
27. Looping of the water system provides redundancy and helps to eliminate stagnant water. The water main may need to be extended from outside the project boundaries in order to accomplish this.

28. In accordance with municipal code, domestic water mains shall be extended to the adjoining properties adjacent to the preliminary plat, provided they are in the correct pressure zone.
29. The developer will be required to demonstrate that all phases are capable of delivering adequate fire flows prior to construction plans being accepted for review. This may require looping of the watermain from off-site locations, or oversizing of the main where needed.
30. The fire hydrant layout shall be approved by the City Fire Marshal.

Sanitary Sewer:

31. The closest sanitary sewer available for this development is located in Trowbridge Blvd. and Ava Way. It shall be the responsibility of the developer to extend a sewer main to and through this property to serve sanitary sewer at the time of plat construction.
32. A 10-foot wide exclusive sanitary sewer easement shall be provided for any sewer main that is outside of the public Right-of-Way. Wider easements are required for mains that are buried deeper than 10-feet. If any manholes are located outside of the public Right-of-Way, maintenance truck access to said structure may be required.
33. Sanitary sewer may need to be extended to the adjoining properties adjacent to this preliminary plat.

Storm Water:

34. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. The Developer shall be responsible for compliance with the permit conditions. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition, a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal. The City has adopted revised standards affecting the construction of new stormwater facilities in order to comply with conditions of its NPDES General Stormwater Permit program. This project, and each phase thereof, shall comply with the requirements of the City's stormwater program in place at the time each phase is engineered. The project will require detailed erosion control plans.
35. The proposed storm drainage and grading of all parcels within the proposed development shall be shown on the plans (most grading and drainage plans must be prepared by a licensed civil engineer). If site contains at least 1,000 sq.ft. of new asphalt, and/or contains 30% or more impervious surfaces, storm drainage calculations from a licensed civil engineer are required. Stormwater shall be kept on-site (on the developing property that generated it). Stormwater shall not be flowed onto adjacent properties, or to the public Right-of-Way, without first obtaining written permission.
36. The "private", on-site storm drainage systems constructed within each parcel shall be designed following the core elements defined in the latest editions of the Stormwater Management Manual for Eastern Washington, the current Richland municipal codes, the Phase II Municipal Stormwater Permit, and the City's "Public Infrastructure Construction Plan Requirements and Design Guidelines". Calculations shall be stamped by a registered professional Civil Engineer. Prior to discharging any storm drainage waters from paved surfaces into drainage ditches, groundwater or a public system, an oil/water separator must be installed. The applicant's design shall provide runoff protection to downstream property owners.

37. All public storm drainage systems shall have their flow rate and storage capacity designed by a professional engineer following the core elements defined in the latest editions of the Stormwater Management Manual for Eastern Washington, the current Richland municipal codes, the Phase II Municipal Stormwater Permit, and the City's "Public Infrastructure Construction Plan Requirements and Design Guidelines". The storm water calculations shall be stamped by a professional engineer and shall include a profile of the storm system showing the hydraulic grade line. The calculations should include an accurate delineation of the contributing drainage area to accurately size the stormwater facilities. Passing the storm water downhill to an existing storm system will require an analysis of the downstream storm system to determine its capability of accepting the storm water without being overwhelmed. The applicant's design shall provide runoff protection to downstream property owners.
38. If any existing storm drainage or ground water seepage drains onto the proposed site, said storm drainage shall be considered an existing condition, and it shall be the responsibility of the property developer to design a system to contain or treat and release the off-site storm drainage.
39. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
40. Prior to or concurrent with the submittal of the first phase the developer shall provide a Geotechnical report including the percolation rate of the soils in the area of any public storm retention ponds. If the project constructs a storm retention pond then the engineer will need to demonstrate that the pond will drain itself within 72 hours after the end of a storm event, and not have standing water in it longer than that. Engineering solutions are available for retention ponds that do not percolate within 72 hours.
41. As per RMC chapter 24.20.070 and the City of Richland's Comprehensive Stormwater Management Plan, the storm drainage system installed as part of this plat may need to be oversized in order to handle the additional flow from future developments in the vicinity. The storm drainage system for this development, both its conveyance and retention / infiltration components, shall be designed to effectively manage runoff from upstream properties that can be anticipated to convey stormwater onto this property because of a pre-development runoff condition, or as a result of flows discharged that are in excess of the design storm from the upstream property. Additionally, as this property is upslope of developed properties the stormwater system shall include provisions for possible discharge of runoff onto downslope properties from storms in excess of the design storm as described above. Those provisions may be required to include off-site downslope conveyance facilities and/or flowage easements allowing for the conveyance of stormwater to and across downslope properties.
42. The amount of post-development storm runoff from the proposed site shall be in compliance with RMC Chapter 16.06.
43. Stormwater collection pipes may need to be extended to the adjoining properties adjacent to the plat.
44. The parcel occupied by the public stormwater basin shall be identified as a separate parcel or tract on the final plat and shall be dedicated to the City stormwater utility. The design of the basin shall include access features meeting the city's needs for maintenance.
45. The developer shall consider the long-term appearance of the public storm water basin, particularly if it will occupy a prominent location in the development. The City's typical storm pond maintenance practices consist of semi-annual vegetation trimming and silt and debris removal. If the pond location is deemed by City staff as being in a prominent location the developer shall design and install fencing and/or landscaping to mitigate the pond's visible character for the

surrounding properties. If the City requires this type of treatment to the pond site the developer may propose landscaping treatments consistent with the development and establish maintenance responsibilities to remain with the development. These maintenance responsibilities shall be noted on the final plat. Basins designed as detention and evaporative basins need to include plantings that will tolerate or thrive in standing water. Planting designs for areas not routinely exposed to water shall include plants that will thrive without irrigation unless the developer intends to maintain an irrigated pond site. At a minimum the landscaping plan should be consistent with the City's intended maintenance standard as described above.

46. The developer shall be responsible for landscaping the storm pond and for its maintenance and the plantings through the one-year infrastructure warranty period. At 11 months after the final acceptance date the developer shall clean the storm system and basin of all accumulated oil, sediment, and debris. After this maintenance is completed and inspected the City will begin routine maintenance of the system and basin. The developer shall replace any plantings that have failed to survive the warranty period. The developer shall also perform trimmings required to control weeds in excess of 18-inches in height for the 12-months following the date of final plat acceptance.

Final Platting / Project Acceptance Requirements:

47. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
48. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final acceptance. Off-site ("third party") easements or right-of-ways for City infrastructure are the responsibility of the developer to obtain. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.
49. Any off-site easements or permits necessary for this project shall be obtained and secured by the applicant and supplied to the City at the time of plat construction and prior to final plat acceptance by the City.
50. Ten-foot wide public utility easements will be required on the final plat along both sides of all right-of-ways within the proposed plat. They will also be required where the plat is adjacent to an existing right-of-way.
51. The vision-clearance triangle needs to be shown on all corner lots on the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in a curve, it will have to be evaluated per AASHTO guidelines. This information may need to be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
52. The final plat shall include notes identifying all common areas including the private streets and tracts and acknowledging the ownership and maintenance responsibility by the homeowners association. A note shall be added to the face of the final plat that states: "*The private roads are for the use and benefit of the homeowners that abut said roads, and are to be maintained by said owners. The City of Richland accepts no maintenance responsibility for said roads*".

53. A note shall be added to the face of the plat that states: "*The private drives within this plat are fire lanes and parking is restricted. The required no-parking signs shall be installed by the developer where applicable.*"
54. Any roads narrower than 34-feet shall have parking restricted on one side, and any roads narrower than 27-feet shall have parking restricted on both sides. Street signs indicating restricted parking shall be installed prior to final platting at the developers expense. The restricted parking areas shall be indicated on the final plats.
55. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the property owners to maintain.
56. A one-foot "No access easement" will be required along the Dallas Road Right of Way.
57. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
58. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
59. Any restricted parking areas shall be indicated on the final plats.



**City of Richland
Development Services**

625 Swift Blvd. MS-35
Richland, WA 99352
☎ (509) 942-7794
📠 (509) 942-7764

DATE: July 20, 2022
TO: Mike Stevens, Planning Manager
REVIEW BY: Nichole Westphal, Permit Technician II
PROJECT NAME: S2022-101 – Veneto Villagio

1. Addressing brackets [] are needed on all lots and tracts.

August 5, 2022

City of West Richland
625 Swift Boulevard
Richland, WA 99352

Attn: Mike Stevens, Planning Manager

RE: S2022-101 – Veneto Villagio Preliminary Plat
I-82 Exit 104 (Dallas Rd) vicinity – Badger Mountain South subarea

We have reviewed the preliminary plat and have the following comments.

- The subject property is in the vicinity of Interstate 82 (I-82) and the Dallas Road (Exit 104) interchange and within the Badger Mountain South (BMS) subarea. I-82, including the interchange, is a fully-controlled limited access facility, Highway of Statewide Significance (HSS), and part of the National Highway System (NHS). It is to the benefit of the city, county, and state to preserve this interchange's safety and efficiency.
- We acknowledge the plat condition that requires the proponent to implement the mitigation measures identified in the latest project traffic impact analysis (TIA). WSDOT reviewed and concurred with this TIA in our letter to the city dated March 17, 2022. Of particular concern to the department are the impacts and necessary improvements at the Exit 104 ramp terminals. As outlined in the study, the proponent is required to construct a traffic signal or roundabout at both ramp terminals by the year 2025. We strongly urge the city and developer to not underestimate the time and effort involved in gaining approval for projects on the Interstate system. In order to avoid any potential delays, the developer must begin coordinating these projects with WSDOT at this time.

Further, it should be noted all work must follow current WSDOT and FHWA design documentation and approval processes and the state's preferred alternative for intersection control is the roundabout.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding this letter, please contact Jacob Prilucik at (509) 577-1635.

Sincerely,



Paul Gonseth, P.E.
Region Planning Engineer

PG: jjp
cc: SR 82, File #2022_020

Stevens, Mike

From: Cichy, Katherine <katherine.cichy@ziply.com>
Sent: Friday, August 5, 2022 11:45 AM
To: Stevens, Mike
Subject: RE: S2022-101 Preliminary Plat of Veneto Villagio

Hello Mike,

Ziply does not have any services in this area. We do have conduit just north of the project going down the east side of Dallas Rd and the north side going down Ava Way. It stops at the NE corner of Dallas Rd and Ava Way.

Thank you,

Katherine Cichy
OSP Engineer
509-410-5035
[Katherine.cichy@ziply.com](mailto:katherine.cichy@ziply.com)



From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Wednesday, July 20, 2022 11:10 AM
To: Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Damrell, Kevin <kdamrell@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; FormerOrchards@ecy.wa.gov; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Jason McShane <jmcshane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Cichy, Katherine <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Tovey, Michael <michael.tovey@ziply.com>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDeFoe@kid.org>; South Central Region

Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; Tyutyunnik, Ruvim <rtyutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <lopezla@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>

Subject: S2022-101 Preliminary Plat of Veneto Villagio

WARNING: External email. Please verify sender before opening attachments or clicking on links.

Attention:

Attached to this email is a copy of the Public Notice, Application, Preliminary Plat Map and related information for a proposed 13-lot preliminary plat referred to as Veneto Villagio. The proposed lots are being created in the Badger Mountain South area of South Richland and the lots are proposed to be utilized for commercial purposes. Please review the attached information and respond back with any comments that you may have by 5:00 PM, Friday, August 5, 2022.

Please be aware that this proposal is exempt from SEPA review as the probable significant adverse environmental impacts of the proposed project have been adequately addressed in the Planned Action Ordinance [RMC 19.50.030 (B)] and as described in the Badger Mountain South Planned Action Consistency Determination for Veneto Villagio preliminary plat (included in the Referral Packet).

Thank you,



Mike Stevens

Planning Manager

625 Swift Blvd., MS-35 | Richland, WA 99352

(509) 942-7596

Disclaimer: Emails and attachments sent to or from the City of Richland are public records subject to release under the Washington Public Records Act, Chapter 42.56 RCW. Sender and Recipient have no expectation of privacy in emails transmitted to or from the City of Richland.