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Agenda

Hearing Examiner Meeting

Monday, June 12, 2023

Richland City Hall ~ Council Chambers

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:

New Business - Public Hearing:

1. SA2023-101 Goose Ridge Estates II Plat Amendment
- Kyle Hendricks, Planner
2. SA2023-102 2700 Allison Way - South Orchard Plat Amendment
- Matthew Howie, Senior Planner
3. Z2023-106 - 2155 Keene Road Terraces at Queensgate South Rezone from Agriculture (AG) and Suburban Agriculture (SAG) to Retail Business (C-2)
- Kyle Hendricks, Planner

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

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HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 6/12/2023

Agenda Category: New Business - Public Hearing

Prepared By: Kyle Hendricks, Planner

Subject:

SA2023-101 Goose Ridge Estates II Plat Amendment

Department:

Development Services

Recommended Motion:

Staff recommends approval of the request subject to conformance with the recommended conditions of approval, below, which are warranted because the project conforms to the City's adopted Comprehensive Plan, the Badger Mountain South Subarea Plan, the Badger Mountain South Master Agreement (including Exhibit C, or, the Land Use Development Regulations); and is consistent with the requirements of the City's subdivision regulations.

Summary:

Request to amend the prior preliminary plat to now subdivide the remaining 35.39 acres of Goose Ridge Estates II into 147 residential lots together with eight (8) tracts across four (4) phases. In total, Goose Ridge Estates II is proposed to subdivide 53.33 acres into 204 residential lots and 12 tracts. Changes also include the removal of joint access alley for five lots, the combination two lots into a storm drainage tract, and the addition of 211 feet of pedestrian trail.

Attachments:

1. SA2023-101 Goose Ridge Estates II Amendment Full Staff Report

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

GENERAL INFORMATION:

PROPOSAL NAME: Goose Ridge Estates II - Preliminary Plat Major Amendment

LOCATION: East of the termini of Highview Street, Corvina Street and Barbera Street within the Badger Mountain South Master Planned Community

AFFECTED
PARCELS: 1-33983020003000

APPLICANT: Alex Rietman, Goose Ridge Development Corporation

FILE NO.: SA2023-101

DESCRIPTION: Request to amend the prior preliminary plat to now subdivide the remaining 35.39 acres of Goose Ridge Estates II into 147 residential lots together with eight (8) tracts across four (4) phases. In total Goose Ridge Estates II is proposed to subdivide 53.33 acres into 204 residential lots and 12 tracts.

PROJECT TYPE: Type III Preliminary Plat Major Amendment

HEARING DATE: June 12, 2023

REPORT BY: Kyle Hendricks, Planner

RECOMMENDED
ACTION: Approval subject to completion of proposed conditions



Figure 1 Preliminary Plat S2021-10

**Vicinity
Map**

Item: Goose Ridge Estates II Plat Amendment
Applicant: Alex Rietmann
File #: SA2023-101

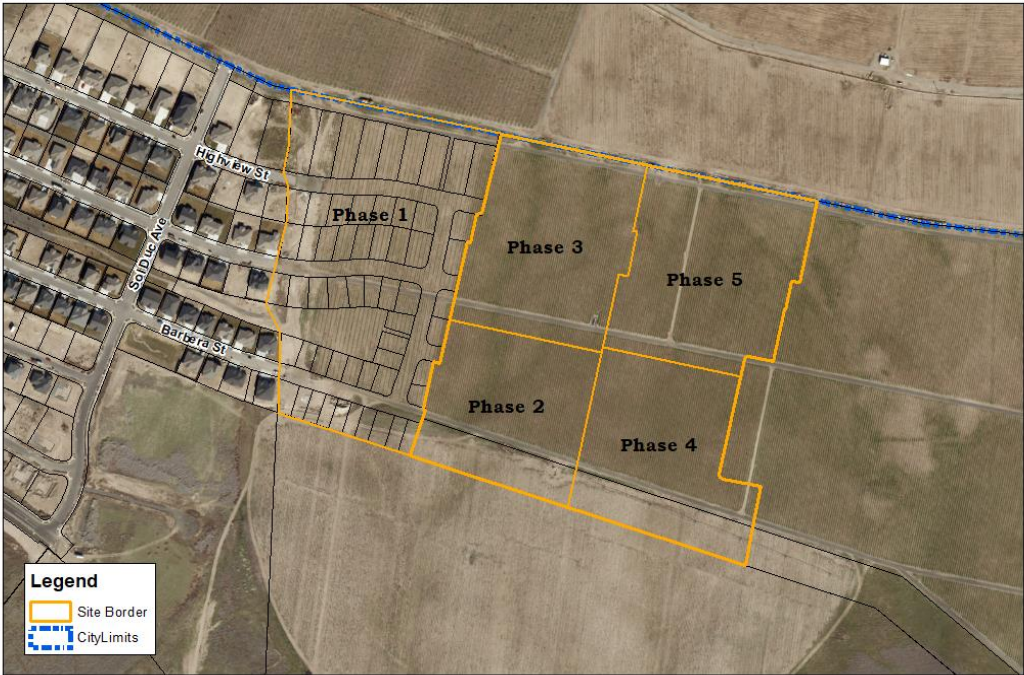
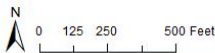


Figure 2 Vicinity Map

PROPOSAL DESCRIPTION

Alex Rietman, on behalf of Goose Ridge Development Corporation has filed a preliminary plat major amendment application (Exhibit 1) to divide approximately 35.39 acres into 147 residential lots and eight (eight) tracts across four (4) phases. This amendment appears to reduce the total lots in Goose Ridge Estates II to 203, 56 lots in Phase 1 and the proposed 147 lots with this amendment. The original plat proposed to divide approximately 53.33 acres into 206 residential lots and eleven (11) tracts to be constructed in three (3) phases. What was known as Phase 2, is now proposed Phase 2 and Phase 3; and what was Phase 3 is now proposed Phase 4 and Phase 5. The plat is named the plat of Goose Ridge Estates II. The plat amendment proposes an average lot area of 6,914 square feet (0.15 acres) exclusive of all tracts and roads throughout proposed Phases 2, 3, 4 and 5. Phase 1 received Final Plat approval on December 20, 2022 (Resolution 2022-157).

Additional changes include the removal of alley access for five lots near the southwest corner of the Barbera Street and Vernaccia Street intersection, so these lots may have access to public right of way. Two residential lots are proposed to be used as a storm drainage tract (Tract 6) reducing the total number of lots from 206 to 204. Lastly the creation of Tract 8, which adds an additional 211 feet of pedestrian trail.

As a whole the plat proposes construction of 5,088 linear feet of pedestrian/recreational trails together with 5.71-acres of open space land as called for in the BMS Master Agreement and Land Use Development Regulations (LUDR). The plat serves as a predictable easterly extension of the adjacent Goose Ridge Estates plat.

PRIOR MINOR AMENDMENT

On March 21, 2022, the city approved three minor plat amendments (SA2022-101) to the preliminary plat, those amendments are as follows (Exhibit 11):

- Revised the interior street intersection treatment and right of way widths.
- Delayed the construction of the Trowbridge Boulevard and Road "C" extensions.
- Supplied a construction access easement to reduce construction traffic use of the existing local streets.

REASON FOR REQUEST

Richland Municipal Code [RMC] Chapter 24.24.055(B)(2) requires that major amendments to preliminary plats are approved by the Hearing Examiner whenever any proposed amendment would result in increasing the number of lots in the subdivision beyond the number previously approved. RMC 24.24.055(C) describes the process to be followed by the Hearing Examiner and Staff regarding Major Plat Amendments:

Additional guidance, as it relates to plat review is below:

24.24.055 Amendments

At any time after preliminary plat approval and before final plat approval, the applicant may submit an application to the subdivision administrator that proposes an amendment to the approved or conditionally approved preliminary plat.

B. Major Amendments. A major amendment shall include, but is not limited to, the following:

1. Any amendment that would result in or would have the effect of decreasing the aggregate area of open space in the subdivision by 10 percent or more;
2. Any amendment that would result in increasing the number of lots in the subdivision beyond the number previously approved;
3. Any amendment that would result in the relocation of any roadway access point to an exterior street from the plat;
4. Any amendment that proposes phasing of plat development when no phasing plan was included in the original preliminary plat approval; or
5. Any amendment that, in the opinion of the subdivision administrator, would significantly increase any adverse impacts or undesirable effects of the plat.

C. Process for Major Amendments. If the subdivision administrator determines that the proposed amendment is major, the hearing examiner shall hold a public hearing on the proposed major amendment in accordance with the requirements for preliminary plat approval found within this title; provided, however, that any public hearing on a proposed major amendment shall be limited to whether the proposed major amendment should or should not be approved. Within 30 days following receipt of the hearing examiner's written recommendation, the city council shall approve or disapprove any proposed major amendment and may make any modifications in the terms and conditions of the preliminary plat approval to the extent that they are reasonably related to the proposed amendment. If the applicant is unwilling to accept the proposed major amendment under the terms and conditions specified by the city council, the applicant may withdraw the proposed major amendment and develop the subdivision in accordance with the original preliminary plat approval (as it may have been previously amended).

24.12.053 Preliminary plat – Required findings.

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

- A. The preliminary plat conforms to the requirements of this title;
- 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 that 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.

24.12.055 Preliminary plat – Hearing examiner consideration and action.

A. The application for preliminary plat approval shall be approved, disapproved or returned to the applicant for modification or correction within 90 days of the date of acceptance.

B. Hearing examiner approval of a preliminary plat shall not guarantee final approval of the plat or subdivision and shall not constitute an acceptance of the subdivision, but shall authorize the subdivider to proceed with the preparation of the final plat along the lines indicated in the preliminary plat.

C. Approval of the preliminary plat shall be operative for five years from the date of approval by the hearing examiner during which time a final plat or plats may be submitted.

D. The subdivision administrator may extend the approval period or may require that the preliminary plat must be resubmitted after the expiration of the approval period.

19.60.095 Required findings.

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:

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

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

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

D. 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.

E. 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.

REVIEW AUTHORITY

RMC Section 19.20.030 designates the Hearing Examiner as the hearing body responsible for conducting the review of preliminary plat approval applications.

SITE DESCRIPTION & ADJACENT LAND USES

Located within that area of Richland known as Badger Mountain South, this plat site lies east of the east-end of Highview Street, Corvina Street and Barbera Street. 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. As the subject of a master planned community, the plat of Goose Ridge Estates II benefits from previous planning efforts, including environmental review, aimed to streamline the platting process and environmental review procedures discussed further in this report.

The BMS Sub-Area is divided into neighborhoods. Goose Ridge Estates II is the first plat belonging to the East Garden neighborhood of the greater BMS Master Planned Area. Neighborhood divisions are illustrated in section 1.E (pg. 1-2) of the LUDR. The “green infrastructure” requirements associated with the East Garden neighborhood are outlined on page D-4 of Exhibit D to the BMS Master Agreement.

The site consists of gently rolling hills presently under agricultural production. Immediately west of the plat site lies the existing neighborhood of Goose Ridge Estates. Adjacent land to the north is under agricultural production but falls within the jurisdiction of Benton County. Land immediately east of the site is under agricultural production belongs to the Badger Mountain South master planned community.

CURRENT LAND USE DESIGNATION AND USES

North: RL-5 Benton County, Farmland

East: BMS various land use designations, currently vineyards.

South: BMS-NG, currently vacant

West: BMS various land use designations, single-family residential.

**BMS
Land Use
Map**

Item: Goose Ridge Estates II Plat Amendment
Applicant: Alex Rietmann
File #: SA2023-101

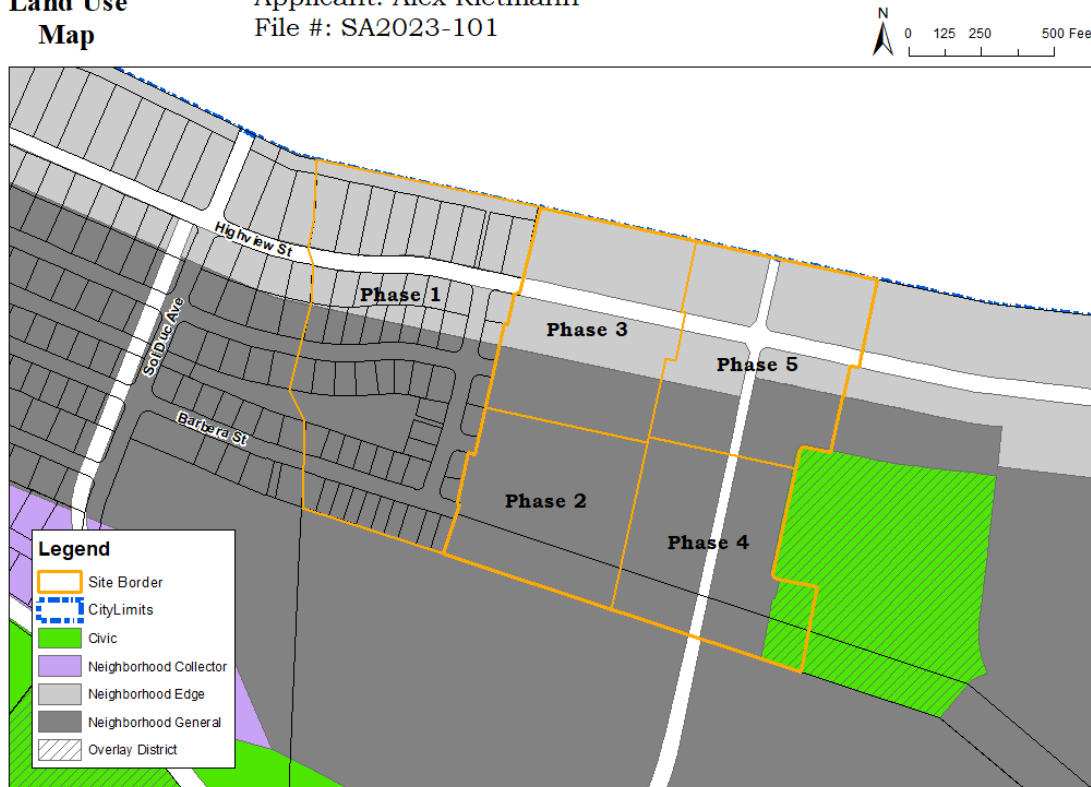


Figure 3 – Land Use Map

COMPREHENSIVE PLAN

The City of Richland Comprehensive Plan designates the project site to be within the Badger Mountain South Subarea. The Badger Mountain Subarea Plan calls for the development of a mixed-use, walkable, and sustainable community, master planned community supporting up to 5,000 dwelling units. The plan utilizes small-lot single-family residential and some multi-family residential development with the intent to create commercial and office uses with generous open spaces, extensive pedestrian trails, along with more traditional automobile infrastructure.

The City worked with Nor Am Investment, LLC to adopt a set of development regulations specifically applicable to the Badger Mountain South Subarea 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 (2010 Badger Mountain South Final Supplemental EIS) prepared for the master planned community. As a result, the LUDR acts as its own set of zoning regulations for the Badger Mountain South area by creating districts. Of which, the Neighborhood General

(BMS-NG), Neighborhood Edge (BMS-NE) and Civic (BMS-Civic) in association with an overlay district are involved in this proposal as shown in Figure 3.

Applicable Goals & Policies

Provided below is a set of Comprehensive Plan goals & policies which are particularly applicable to the subject residential subdivision.

Land Use Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 2: Facilitate planned growth and infill developments within the City.

Land Use Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 3: Ensure that the intent of the land use and districts are maintained.

Land Use Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

Provided below is a set of Badger Mountain South Subarea Plan goals & policies which are particularly applicable to the subject residential subdivision.

Comprehensive Plan Land Use Goal 5. The City will encourage efficient use and location of municipal and public facilities such as transportation centers, utility facilities, schools, parks and other public uses.

BMLU Policy 5.3 – Locate school facilities using sound urban design principles and work with the school districts to identify future school sites that are walkable.

Comprehensive Plan Urban Design Goal 1. The City will create a well-planned community with an aesthetically pleasing environment.

BMUD Policy 1.3 – Support the development of the Badger Mountain South area by encouraging a development pattern that resembles traditional neighborhood design.

LUDR PROVISIONS

The subject property and the adjacent properties to the south, east and west are included in the Badger Mountain South Subarea plan and LUDR regulations. Land to the north lies outside of the City limits and Urban Growth Area boundaries. The proposed plat includes land within the following districts as described in Section 2.A of the LUDR:

Neighborhood General (BMS-NG): The Neighborhood General District makes up a majority of Badger Mountain South. This District allows single-family detached residential homes with a mix of smaller scale attached housing options

such as duplexes and apartments. Neighborhood General also allows for civic/community/institutional facilities.

Neighborhood Edge (BMS-NE): The Neighborhood Edge District is meant to accommodate primarily single family residential uses on larger lots. Residential uses in the form of detached single-family homes, accessory apartments and other compatible uses are allowed

Single-family residential uses are permitted in both the Neighborhood Edge and Neighborhood General Districts. The Neighborhood General district allows multi-family residential uses whereas the Neighborhood Edge district does not. The Neighborhood General district permits single-family residential development, adult family homes, neighborhood offices and vineyards. For a complete list of permitted uses in each zone refer to LUDR Section 2.B.

Civic with Overlay: The Civic District allows for open spaces, schools and community facilities located throughout neighborhoods. This district accounts for about 30% of BMS and is one of the most significant features aimed at supporting the vision of a walkable and sustainable community (LUDR Section 3.F). Having the overlay applied to a Civic District limits development to schools only. The Civic District is mentioned here because it appears in the Land Use Map (Figure 3) above. However, the spatial correlation between the Civic area and the platted lots is approximate. The note in LUDR section 2.B states *“District boundaries are illustrative and may be adjusted to meet site conditions and project requirements so long as the spatial relationship between the districts is maintained”*. Noteworthy is the large generally rectangular shaped parcel proposed outside of and near the southeast boundary of Goose Ridge Estates II. Planning presumes this rectangular parcel is intended to contain a future school site and the green Civic zone may be shifted to meet the intent of the BMS land use map in LUDR section 2.B.

DIMENSIONAL STANDARDS

The following dimensional standards apply to the plat amendment districts:

Standard	BMS-NG	BMS-NE	Civic
Minimum Front Yard Setback	10 ft.	10 ft.	None
Maximum Front Yard Setback	20 ft.	35 ft.	None
Rear Yard	15 ft.	150 ft when bordering active orchards/15 ft.	None
Side Yard	5 ft.	5 ft.	None
Side Street Setback	10 ft.	10 ft.	None
Maximum Building Height	30 ft.	35 ft.	40 ft.
Parking Requirements	1 space/unit	1 space/unit	3 per 1,000 sf of GFA

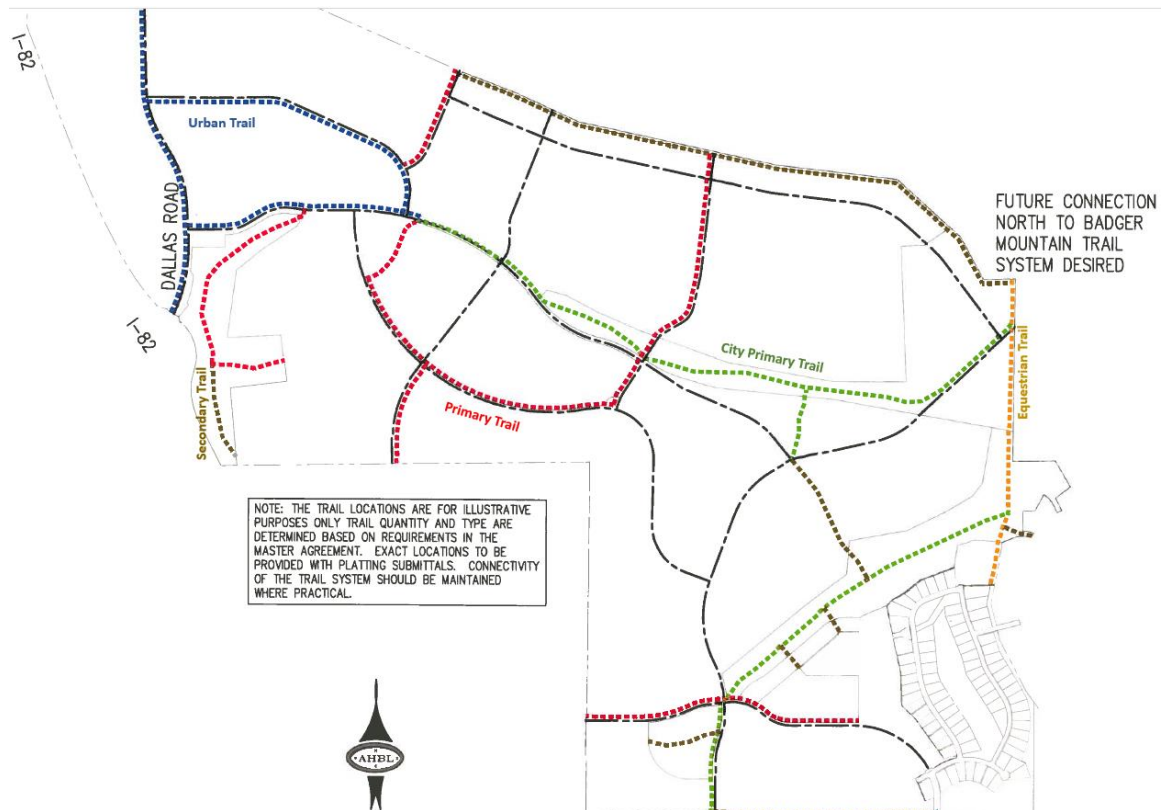


Figure 4 – BMS Trail Layout Plan



Figure 5 – S2022-107 Trail Map

TRAIL STANDARDS

The LUDR identifies a system of pedestrian trails throughout the master planned area. The plat of Goose Ridge Estates II proposed a total of 4,867 linear feet of trails. Of the total, 3,703 linear feet was proposed to be secondary (gravel) trail and 1,164 linear feet was proposed to be primary (paved) trail.. Primary (paved) trail was proposed along the west edge of the full length of Vernaccia Street. The combination of these trails allowed for up to 211 residential units (RU) per the BMS Master Agreement, thereby satisfying the concurrency requirement for the 206 proposed lots, provided no more than five (5) of these lots contain more than one dwelling unit.

The survey submitted with this plat amendment did not indicate a primary or secondary trail, which was identified in the original Goose Ridge Estates II (Figure 5). The survey does include OS tracts 1, 2, 3, 4, 5 and 8 in addition to SD tracts 6 and 7. Of these tracts, 8 and 6 appear to be new, since they are not identified on the original preliminary plat application survey. SD Tract 6 combines the former known lots 166 and 165. OS Tract 8 adds 211 feet of trail to the plat, totaling 3,914 feet across all of Goose Ridge Estates II.

Design standards for primary trails (refer to Section 5.I of the LUDR) require a 10-foot wide concrete or asphalt surface bordered on one side by a 2-foot-wide trail surfaced with either gravel, wood chips or engineered wood fiber. Secondary trail construction standards allow for the application of crushed gravel, wood

chips or engineered wood fiber. Constructing the proposed segments of trail listed in S2022-107 was determined to have, fulfilled the plats' green infrastructure obligations. This proposed amendment adds 211 feet of trail, therefore staff believes open space requirements are met. The improvement schedule for the East Garden neighborhood is outlined in Exhibit D of the master agreement.

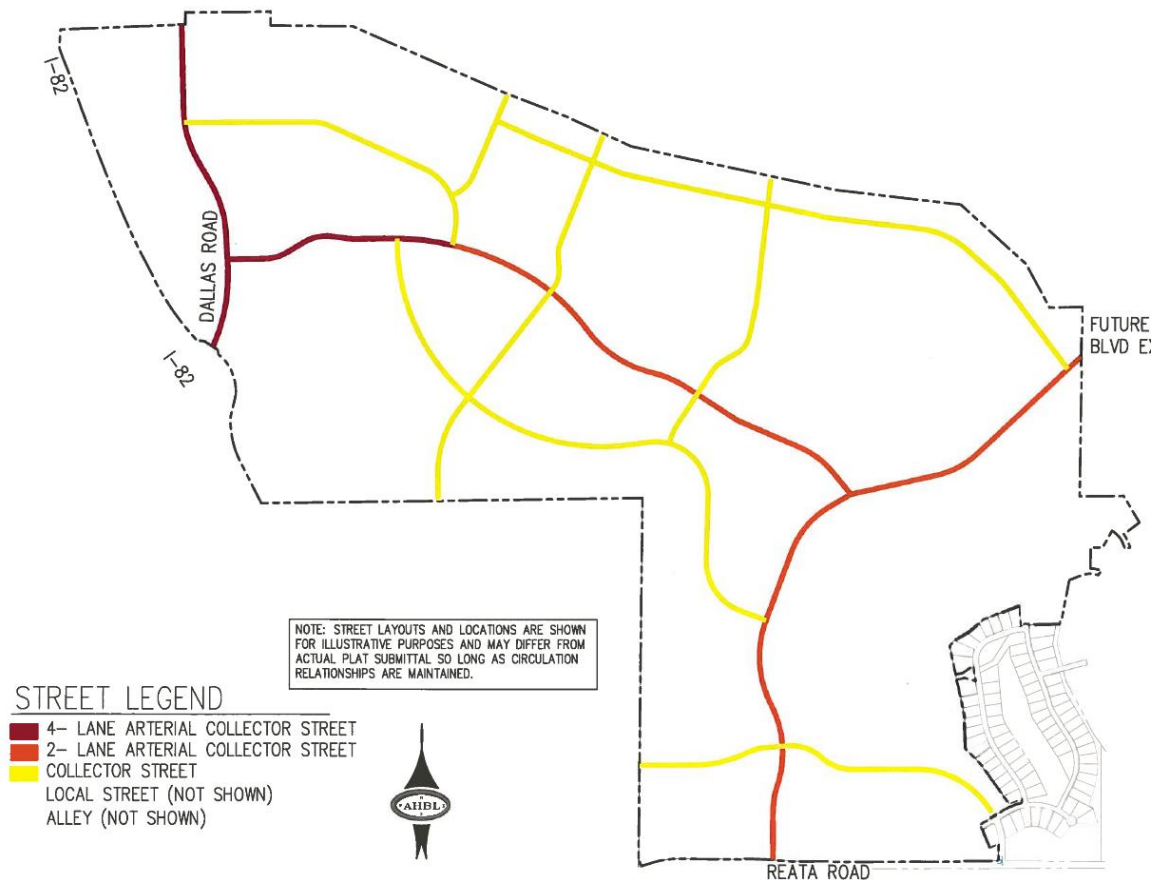


Figure 6 – Regulating Plan for Streets

STREET STANDARDS

Due to its location within the master planned community, this plat will be served by two major collector streets identified in the LUDR; with all other roads being local streets. The two collector streets are Highview Street and Vernaccia Street formerly "Road C", leaving all other roadways as local streets. Recent construction has revealed that Corvina Street has been developed with the collector street standards, and is currently classified as a minor collector in city Geographic Information Systems, while Highview Street is classified as a local street.

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 longest proposed block (containing lots 36 – 61) in the proposed amendment is approximately 984-feet long. All other proposed blocks fall below the 1,000-foot block length limit.

Pursuant to the LUDR Section 7.B(5)(a)(3) each block within the Neighborhood General (NG) Districts is required to provide a minimum of two housing types. Pursuant to LUDR Section 1.G(5) staff is conditioning that subsequent final plats for Goose Ridge Estates II to note lots available to contain alternate building types (proposed approval condition #73). Although not explicitly defined in the LUDR, staff interprets “alternate building types” to be uses other than detached single-family homes. According to the LUDR this may include an adult family home, neighborhood services, childcare facilities (in accordance with Richland Municipal Code 23.42.080), or a bed and breakfast limited to four rental rooms, to name a few examples.

Section 8.B lists the housing types that are permitted within each district. Permitted building types and lots meeting minimum width standards include single family house – street access, single family house – alley access, cottage court, paired house (duplex), mansion apartment and courtyard housing.

DENSITY REQUIREMENTS

Chapter 7.C of the LUDR establishes density targets for each of the neighborhoods within the Badger Mountain South community. This preliminary plat lies within the East Garden neighborhood (see LUDR 1.E). LUDR 7.C sets a density target range for the East Garden neighborhood from 1,050 units to 1,150 residential units. As proposed, the project will result in 203 residential lots, some of which may contain two (2) dwelling units in the form of accessory apartments and duplexes. The area in this amendment proposes 147 residential lots. LUDR Section 7.B(5)(a) requires a minimum of two building-types per block, meaning a 1:1 lot to dwelling unit ratio is not allowed. Based on the five (5) full blocks contained in the plat, there will inevitably be a minimum of 211 dwelling units in this plat. Based on the open-space and trails provisions, a maximum of 211 units are available.

The preliminary plat exhibit does not identify any specific lots allowing for specific building types to fulfill the requirements of section 7.C of the LUDR. Pursuant to the LUDR Section 1.G(5), final plats must identify housing types allowed on each lot. Recommended approval condition #64 implements this LUDR requirement.

LUDR Section 7.C, footnote (b.) states “Density may be adjusted between communities to achieve [the] desired mix of product types. Community density or adjustment shall be submitted to the city with platting submittal(s)”. This provision integrates some flexibility in reviewing density figures by transference to other BMS neighborhoods. Such written request was not included with the application materials.

Procedural Requirements

Section 1H of the LUDR requires that a master agreement consistency determination 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 (MPA). The applicant provided a Master Agreement Consistency Recommendation (Exhibit 4). Staff has reviewed and accepted this recommendation and has issued a Master Agreement Consistency Determination (Exhibit 5).

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 that 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:	April 28, 2023
Notice of Hearing Mailed:	May 18, 2023
Notice of Hearing Posted:	May 18, 2023
Notice of Hearing Published:	May 28, 2023
Public Hearing:	June 12, 2023

A combined notice of application and public hearing was provided by mailing notices to property owners within 300 feet, through posting of the property, and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 12.

UTILITY AVAILABILITY

The all lots belonging to project would be served by City domestic water, sewer and electrical power services; details are provided below. Site specific development conditions are contained in contained herein address extension of off-site utilities to the site and require subsequent final plat surveys to include 10-foot public utility easements across the front of all lots. All municipal utilities have sufficient capacity to serve homes in the proposed subdivision. Note that Richland Energy Services has advised all departments of their diminishing supply of transformers. It is uncertain when this supply constraint will be resolved. The applicants should be aware of this issue as it could potentially affect the City's ability to install electrical power infrastructure necessary to serve the new homes.

SEWER

Sanitary sewer service will be extended easterly into the site from both Barbera Street, Corvina Street and Highview Street. All proposed lots will be served by municipal sewer service.

WATER

Existing municipal water will be extended to the project site from Barbera Street, Corvina Street and Highview Street. All proposed lots will be served by municipal water service.

ELECTRIC POWER

Municipal electrical power will be extended to the project site from Barbera Street, Corvina Street and Highview Street.

IRRIGATION

There is one steel irrigation line, oriented north-south that appears to run near the boundary between lots 165 and 166 on the new plat map.

EASEMENTS

According to data available to the city, there is an approximate 30' wide Badger Mountain Irrigation District and PUD easement that crosses OS Tract 2 and across proposed Lot 17 from its northeast corner to southwest corner.

SCHOOLS

This plat lies within the boundaries of the Richland School District. Currently Orchard Elementary is the nearest school, more than five and a half miles away

due to the current access. The nearby Civic district has an overlay applied to it, designating a space for only a school use.

FIRE SAFETY

The City of Richland Fire Department will provide fire protection services to the subject property and resulting development. Conditions include the installation of fire hydrants. During a site visit, staff noticed fire hydrants installed at the current terminus of Barbera, Stonecap, and Highview Streets, near the eastern boundary of Phase 1.

TRANSPORTATION & ACCESS

All proposed lots belonging to the plat of Goose Ridge Estates II will be provided with direct access via public right-of-way frontage. Overall access to the project would be provided by easterly extensions of Highview, Corvina and Barbera Streets from the existing Goose Ridge development to the west. Under the provisions of the LUDR (6.B), Highview Street is designated as a collector street when in fact the existing segment of Corvina Street has previously been developed to the collector street standard width. This means that going forward Corvina Street will be the designated collector street nearest the north boundary of Badger Mountain South. All other roadways within the plat site will be of the local street classification.

As it currently stands the only employers in the BMS area is the Country Mercantile store and a gas station. The Destination Retail and Commercial Mixed-use Districts allow for commercial and office opportunities, however these opportunities are currently absent from the area. Residents currently may access Interstate 82 and Dallas Road to leave the community. Direct connections to adjacent plats will further develop transportation connectivity in the City for both vehicles and pedestrians. Pedestrian access throughout the subdivision would be provided by sidewalks on either side of each new street. The street system plus urban pedestrian trails within the green space tracts to fulfill green infrastructure obligations.

Traffic Impact Analysis Update

The overall BMS development has surpassed its 1,000th peak vehicle trip generation. The 1,000-trip count is applied as a trigger, in the BMS Master Agreement, for the City to require a TIA prior to allowing development to proceed in the BMS sub-area.

As of May 26, 2023 City Staff have issued their proposed acceptance of the Traffic Impact Analysis [TIA] performed by Transportation Engineering NorthWest [TENW] the previous year (*Exhibit 6* and *Exhibit 7*, respectively). In a letter addressed to the applicant, Staff offer a few recommended changes to the 2022 TIA but otherwise accept the bulk of the analysis, conclusions, and mitigations. The original transportation study was commissioned along with the 2010 Badger Mountain South Final Supplemental EIS [FSEIS] and was subsequently adopted

with the aforementioned Badger Mountain South Subarea Plan and approved BMS Master Agreement (2015).

The 2022 TIA report and 2023 Staff letter agree that every additional 500 p.m. trip milestone reached by the ongoing BMS build-out will trigger a new traffic analysis to be completed. Staff's recommendations propose improvements to lift certain conflict points above the minimum LOS "D" standard and reimburse more robust improvements to BMS developer, Nor Am. Likewise, the City plans to use the TIA analysis to update its own planning efforts in the area and notify all parties (to include Benton County, City of West Richland, and WSDOT) when new trip milestones are reached via tracking approved building permits. (Note that approved building permits, not approved lot subdivision is the means by which the City tracks p.m. peak trip hours.) Negotiations between Nor Am and the City are ongoing. Nor Am has through June 25, 2023 to respond to the City's letter.

No intersections throughout the plat area of Goose Ridge Estates II are included within the 26 intersections that were studied.

SEPA

A Supplemental Final Environmental Impact Statement was completed for this site at the time that 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 for the Badger Mountain master planned community. 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 that 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 (refer to Exhibit 5).

CRITICAL AREAS

The site does not lie within any existing critical areas according to information currently available to the city.

SHORELINE MASTER PROGRAM

The site lies outside of the jurisdiction of the Shoreline Master Program. This project will have no effect on shorelines of statewide significance. Shoreline permitting requirements are not applicable with this proposal.

AGENCY COMMENTS

A variety of public agencies and City departments were given an opportunity to comment on the proposal. Comments from these various agencies have been

incorporated into the set of recommended approval conditions included as Exhibit 9.

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 one comment letter from the general public regarding the proposed amendment included as Exhibit 11. This comment expresses concern over the appearance of a lack of park space in the amendment, and how the “3 block” rule set forth in the LUDR is satisfied.

ANALYSIS

The criteria approval of a preliminary plat application (RMC 24.12.053) are reprinted here, with a summary of how the application complies with the 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 also imposes a requirement that the City 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 LUDR.

Some of the LUDR provisions would be addressed at the time that homes are built on the future lots. Notice of these LUDR requirements could be provided through notes on the final plat document, which would inform future lot purchasers that homes constructed within the plat would have to be provided with fire sprinkler systems; that home builders would be subject to park mitigation fees; and that future construction would have to meet the sustainability standards contained in Section 12 of the LUDR and with the design requirements established within Sections 3 and 8 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 that assure safe walking conditions for students who only walk to and from school;

- The proposed plat includes provisions for open space through creation of green-space tracts totaling 5.71-acres.
- The plat includes a plan for grading and drainage. The provisions of the planned action for Badger Mountain South require that Department of Ecology Stormwater Management Manual for Eastern Washington be used in the design of drainage plans.
- The proposed street system would provide access from the plat to other existing roadways by way of Corvina Street, Barbera Street and Highview Street. All streets within the project would be public streets built to the standards identified in the LUDR.
- The site is located within the Ben Franklin Transit service area, but no bus service is provided to the neighborhood currently. 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 would be served by City domestic water. Capacity is available within the City's system to provide for both domestic water and fire flow needs. Homes in Badger Mountain South will continue to include residential fire suppression systems.
- The plat would be served by Badger Mountain Irrigation District. The district currently provides water to the agricultural uses on-site. Conversion of the property from agricultural to residential uses would not result in an increase in the amount of irrigation water usage.
- The plat would be served by City sewer. The City system has capacity to serve the proposed development.
- The plat would 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 green space tracts to be developed with urban pedestrian trails. 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 LUDR regulations call for the payment of a parks mitigation fee for each dwelling unit constructed within the plat.
- The project provides walking paths and sidewalks throughout the subdivision that would accommodate and provide safe walking routes and conditions for school children walking to and from school, once schools are built in the vicinity.
- The site is located within the Richland School District. The District owns a large tract of property lying southeast of the site that is intended 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 and with the provisions of the LUDR. Municipal utilities will be extended to each new home. Public sidewalks and trails will be constructed on both sides of each roadway.

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:

a) 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 LUDR and the applicable requirements of the municipal code as outlined above.

b) 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) adopted by the City in 2010 and 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 Exhibit D of the Master Agreement.

c) 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 in therefore would be considered beneficial to public health, safety and welfare and would be in the public interest. As conditioned, traffic impacts generated by plat development will be evaluated and mitigated. Municipal utilities will serve each new home within the project. Public sidewalks, pedestrian trails and green/open spaces will be provided pursuant to plans illustrated in the BMS LUDR. Each new home will be equipped with residential fire sprinkler systems to enhance fire safety.

E. 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 Traffic impact analysis letter included as Exhibit 6 does not identify any intersections of concern within the area of Goose Ridge Estates II.

F. 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.

FINDINGS AND CONCLUSIONS

Staff has completed its review the preliminary plat application for the preliminary plat of Goose Ridge Estates II (SA2023-101) and recommends APPROVAL of the request subject to conformance with the conditions of approval included herein as based on the following findings:

Findings of Fact:

1. The Richland Comprehensive Plan for this area is the Badger Mountain South Subarea plan. 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 part of the Neighborhood General and Neighborhood Edge land use designations/zones.
2. The provisions of the LUDR establish target densities for each neighborhood within the Badger Mountain South planned community. All phases of the East Garden neighborhood allow for a minimum of 1,050 units and a maximum of 1,150 units.
3. The proposed preliminary plat consists of a 53.33-acre site being divided into 206 family residential lots together with 11 tracts totaling 41.86-acres in area.
4. The preliminary Plat Amendment proposes 35.39 acres being divided into 147 residential lots and 8 tracts.
5. The amendment proposes that additional construction phasing is included, along with the removal of the private ally access for lots formerly known as

170-174, now identified at lots 168-172. In addition to the overall reduction of 206 lots to now 204 residential lots.

6. Former Phase 2 is proposed to be Phase 2 and 3. Former Phase 3 is proposed to be Phase 4 and 5.
7. The Hearing Examiner Decision from S2021-107 condition of approval J provided guidance as to when a major plat amendment review process is required. RMC 24.24.055 also provides this guidance.
8. Due to the LUDR requirement for multiple housing types on each block, Goose Ridge Estates II will contain a minimum of 211 residential units.
9. 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.
10. All proposed developments subject to the Badger Mountain South LUDR regulations are required to be reviewed by the Badger Mountain South Master Plan Administrator. The Administrator 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.
11. City staff reviewed the application and the Master Agreement Consistency Recommendation and has issued a Master Agreement Consistency Determination and a Planned Action Consistency Determination as required by the LUDR.
12. Richland Municipal Code Section 24.12.053 sets forth standards for review of preliminary plats that 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 that assure safe walking conditions for students who only walk to and from school.
13. The proposed preliminary plat provides for the development of a street network that is consistent with the regulating street plan contained in the LUDR.
14. 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.

15. 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.
16. The preliminary plat includes provisions for the construction of an urban pedestrian trail system along the northerly boundary of the proposed project which is consistent with the trail layout plan set forth in the LUDR.
17. The project calls for the development of urban trails in a schedule that is consistent with the green infrastructure improvements called for in the Master Agreement between the City and Nor Am investment, LLC.
18. According to Municipal Code (Chapter 22.12), the project is subject to payment of park mitigation fees, which will be used to fund future park improvements within the Badger Mountain South Master Planned Community.
19. The Badger Mountain Subarea Plan identifies sites for future public schools. The Richland School District has purchased a nearby site with plans to construct both an elementary school and a middle school on this site.
20. The proposed plat includes provisions for sidewalks and trails within the site and as conditioned.
21. 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.
22. City staff and other utility providers reviewed the project and have recommended specific conditions of approval as set forth in the recommended set of approval conditions in this report.
23. The City has adopted a Planned Action Ordinance for the Badger Mountain South Master Planned Community.
24. 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.
25. On December 27, 2018, the City issued a letter of consistency, finding that the proposal is consistent with the mitigation measures included in the master agreement.
26. RMC 19.60.095(D) requires that development not lower the level of service standard for transportation facilities below a level of service D.

27. Provisions of the BMS Master Agreement call for NorAm to conduct traffic studies at the 1,000-vehicle trip generation mark and at 500-vehicle trip intervals thereafter. Using final certificates of occupancy to count permitted dwelling units, BMS is nearing their 1,000th vehicle trip but has not yet reached the 1,000th trip. The ordinance further calls for the applicants to construct improvements as identified in future traffic studies. To date, a broad-scope traffic impact analysis (TIA) is currently in-progress and is under review by the City. As determined by Richland's Public Works staff, codified traffic impact fees combined with the approval conditions recommended herein, sufficiently mitigate traffic impacts generated by this plat (see approval condition #13 above).

Conclusions of Law:

1. The proposed preliminary plat is consistent with the BMS Sub-Area Plan and would provide for development of the subject property in conformance with the type of land use envisioned in the land use and transportation elements of the adopted master plan.
2. The lots within the proposed subdivision are consistent with the provisions of the City's residential zoning regulations.
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 that 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 proposed project would not result in a decline of transportation service levels within the area surrounding the project and so is consistent with the provisions of RMC 19.60.095.

Overall Conclusion:

Based on the above findings and conclusions, approval of the proposed preliminary plat of Goose Ridge Estates II 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.

RECOMMENDED CONDITIONS OF APPROVAL

- A. Development of the plat shall be substantially consistent with drawings provided in the Preliminary Plat maps included as part of the application materials (Exhibit 2), subject to modifications necessary to comply with these conditions of approval.
- B. Preliminary Plat approval shall be null and void if any condition enumerated herein is not satisfied.
- C. No construction or site development activities related to the plat may be undertaken until required city approvals become effective, and the City and other regulatory authorities with jurisdiction issue applicable permits.
- D. The applicant shall comply with all professional report conclusions and recommendations submitted in connection with the preliminary plat and engineering reviews, as approved and/or amended by the City.
- E. Applicant shall be responsible for consulting with state and federal agencies, and tribal entities with jurisdiction (if any) for applicable permit or other regulatory requirements. Approval of a preliminary plat does not limit the applicant's responsibility to obtain any required permit, license or approval from a state, federal, or other regulatory body. Any conditions of regulatory agency permits, licenses, or approvals shall be considered conditions for this project.
- F. The final engineering plans and submittals necessary to obtain final approvals for each phase of the plat shall conform to all applicable provisions of the Richland Municipal Code and the Conditions of Approval herein.
- G. The preliminary plat shall comply with all applicable provisions of the Richland Municipal Code, and LUDR provisions for the Badger Mountain South community where this plat is located, whether or not such provisions are enumerated or referenced in the approved preliminary plat plans, in the staff report or in this Decision; provided adjustments to road widths, sidewalk and trail dimensions shall be in accord with final reviews and determinations by the City's Public Works Director, who is authorized to exercise sound engineering judgment in such matters. The burden is on the applicant to show compliance with these conditions and applicable provisions of the City's code and LUDR provisions at every stage of development, including without limitation the "3-Block" proximity to a park, mini park, or other type of open space standard for houses in the BMS-NG District.
- H. The preliminary plat can be developed in 5 (five) phases, as identified in the application materials and depicted on plan sheets included in Exhibit 2, subject to compliance with all final conditions herein.
- I. Final Covenants, Conditions and Restrictions (CCRs) for each phase of this plat shall be submitted with the final plat application for each phase, and shall

be recorded prior to the final plat. The CCRs are subject to review and approval of the Planning Manager and City Attorney to ascertain if the documents are sufficient to assure compliance with these Conditions of Approval, SEPA Mitigation measures, and LUDR provisions. At a minimum, the CCRs shall include provisions for repair, maintenance and performance guarantee of any tracts, private parks or open space, landscaping, facilities, utilities or amenities which are private and commonly owned by the homeowners of the plat, and clearly explaining that the City of Richland is not responsible for enforcement of private CCRs. Language shall also be included in the CCRs that require notification to the City of Richland Planning Manager of any amendments to the CCRs, and that the City shall have the authority to object to any modification that is inconsistent with any condition lawfully placed upon the subdivision by the City of Richland.

- J. Process for Review of Potential Minor or Major Revisions to this Preliminary Plat. Revisions to an approved preliminary plat are reviewed under RMC 19.20.010, with minor revisions reviewed as a Type I application (see RMC 19.20.010(A)(5)), which requires approval by the Director; and major revisions reviewed as a Type III application requiring approval by the Hearing Examiner (See RMC 19.20.010(C)(1)).

As provided in RMC 19.20.030, a Type I application does not require public notice, but public notice must be issued regarding any decision to approve a Type I application, which is then subject to appeal before the Hearing Examiner; and all Type III applications require full public notice of such application, an open record hearing, and a decision by the Hearing Examiner.

For this preliminary plat, "Major Revisions" shall include proposed changes in primary access points or increase in the number of peak hour vehicle trips, expansion of site area, increase in the number of lots, elimination of or substantial change to a required transportation system improvement, substantial expansions of environmental impacts, or substantive changes to any finding of fact or condition of approval in the Decision approving the preliminary plat.

"Minor Revision" shall include proposed changes that the Director determines to be minor but still within the scope of the original preliminary plat approval. Minor revisions can include, without limitation: changes to the boundaries and lots within phases of the preliminary plat; changes in the timing of construction of road improvements mandated in the BMS Master Agreement, the LUDR, or these Conditions of Approval, if deemed to be in the public interest by the Public Works Director; technical engineering items and details, unless the proposed detail modifies or eliminates features specifically required as an element of approval; minor changes in lot or tract lines or dimensions, with no change in density; minor changes to street alignment or utility design; reduction in the number of lots approved, as long as the modification meets any minimum density requirement; minor changes to

clarify notations on the face of the plat; a change to a condition of approval that does not modify the intent of the original condition; and reconfiguration of any designated park, trail, open space, or recreation areas, provided, that no reduction in overall area occurs.

- K. *Right of Way Permit for Construction Traffic.* Based on compelling testimony and evidence contained in the record for this matter that demonstrated a need for specific conditions to reduce the impacts of Findings, Conclusions and Decision Approving “Goose Ridge Estates II” Preliminary Plat – File No. S2021-107 Page 22 of 33 construction-related traffic that will move through surrounding neighborhood streets as the new plat is developed and homes are constructed therein, and under authority granted in development regulations found in the Richland Municipal Code, including without limitation RMC Chapter 12.08 (Right of Way Permits) and the purpose and intent of erosion, dust, traffic, pedestrian-safety and water-pollution control regulations set forth in other provisions of the RMC, the following Condition shall be satisfied prior to issuance of any clearing and grading, building, demolition, or other construction permit associated with development of or within the new plat that the Public Works Director determines is likely to have a material impact on any segment(s) of the city’s existing public street network that will be used to obtain access to and from the plat-development site(s)

The applicant is required to apply for a Right of Way Permit before the issuance of any grading, building, demolition, or other construction permit associated with development of or within the new plat that the Public Words Director determines is likely to have a material impact on any segment(s) of the city’s existing public street network that will be used to obtain access to and from the plat-development site(s). In some cases, more than one Right of Way Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Permit issued under this Condition is intended to regulate activity within the city right of way, and is required of any person who performs construction-related work within existing or proposed city rights-of-way, easements, or on city-owned infrastructure, including without limitation the following:

- a) Designated truck hauling routes.
- b) Truck loading and unloading activities.
- c) Hours of construction and hauling.
- d) Continuity of pedestrian facilities.
- e) Temporary traffic control and pedestrian detour routing for construction activities.
- f) Street sweeping and maintenance during excavation and construction.
- g) Location of construction fences.
- h) Parking for construction workers.
- i) Construction vehicles, equipment, and materials in the right of way.

- j) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval by the Public Works Director a plan for providing pedestrian access on existing public streets that are impacted during construction of this project (if any). Access on such existing public streets shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access along streets, sidewalks or other portions of the city street system surrounding the new plat.

- L. Legal Instrument required, to shift Civic-Overlay District to the applicant's property east of this plat. To ensure that adequate land area is appropriately reserved for Civic-Overlay (School) purposes, as explained and illustrated in the LUDR, the applicant shall prepare and submit a legal instrument of some sort that would bind future development of its property to east (also owned by the same applicant) to include additional Civic-Overlay District land area of a substantially similar size, function, and scale, to that shifted away from this Goose Ridge II plat, as generally depicted on Figure 2 of the Staff Report. Such document shall be subject to review and approval by the Planning Manager and the City Attorney and must be recorded prior to final plat approval for the first (initial) phase of this plat.
- M. Vernaccia Street, known as Road C to be extended to connect with Trowbridge, as requested by the Master Plan Administrator. Based on the record, the Examiner finds and concludes that this new plat should be served by a second major collector street, an extension of "Vernaccia Street" to Trowbridge, and that the applicant shall be required to complete such road improvements before final plat approval for the first (initial) phase of this plat. Recognizing that future development projects to the south of the Goose Ridge II plat may be served by the connection addressed in this finding, the applicant may want to learn more about using a "latecomer agreement" to recover some costs from other property owners that will later derive a benefit from the new road connection.

In addition to comments provided by staff:

1. 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.
2. 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. 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.
 3. 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.
 4. 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.
 5. 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.
 6. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.

7. 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:

8. 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.
9. 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.
10. 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 (temporary SEVAs only).
 - B. Permanent SEVA's shall be paved with 2-inches of asphalt, minimum.
 - C. 2% cross-slope, maximum.
 - D. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
 - E. Be 20-feet in width.
 - F. Have radii that are accommodating with those needed for City Fire apparatus.

11. 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.

Survey Monument Destruction:

12. 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) and 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:

13. The Goose Ridge Estates II preliminary plat is subject to the City's traffic impact fee program (RMC 12.03). The program includes street and intersection improvements sufficient to mitigate the off-site impacts of this project. The developer of this proposed project may receive credit for construction of the improvements listed in RMC 12.03.

14. The developer provided a Badger Mountain South Traffic Impact Analysis dated February 16, 2022 as required in Exhibit B, Section 5.3 of the Master Development Agreement. The City has accepted the analysis with City-proposed changes and transmitted such to the developer. The developer has 30 days upon receipt to contest the proposed changes. If no rebuttal from the developer is received, the City considers the requirements in Exhibit B, Section 5.3 of the Master Development Agreement satisfied for this plat. Final plat approval will not be granted for the first phase of this project until the Badger Mountain South Traffic Impact Analysis is accepted by the Public Works Department.
15. Traffic calming measures shall be constructed at a few locations in the future construction phasing due to the relatively straight uninterrupted road sections proposed. Public Works staff's preliminary evaluation suggests that traffic calming measures shall be implemented at the following locations:
 - Traffic Circle at intersection of "Vernaccia St." & Barbera St.
 - Traffic Circle at intersection of "Vernaccia St." & Corvina St.
16. A painted city standard crosswalk shall be installed across "Vernaccia St." connecting the trail sections "OS Tract 4" and "OS Tract 5."
17. The eastern frontage improvements of Road E shall be completed to City standards at the time that the phase which constructs the lots adjacent to Road E is developed.
18. The plat will be required to extend "Vernaccia St." (already named Southgate Way) and Trowbridge Blvd. concurrent with Phase 4 of construction. These road extensions shall be constructed to the City's rural street section standard detail ST-15, including the separated pedestrian pathway. This construction shall include an easement of adequate width over both roadways. This easement shall include adequate space for a future roundabout at their intersection.
19. The rural section of Trowbridge Blvd. shall be designed and constructed so that the outside edges of pavement will match the location of the future bike lane joints of the City standard 3-lane section for a minor arterial road when the frontage improvements of Trowbridge are ultimately constructed.
20. 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.
21. The eastern frontage improvements of E Road (Cork Ave.) shall be completed to City standards at the time that the phase which constructs

- lots 178-189 are developed. Sidewalks and street lights can be installed with the future development to the east.
22. Corvina Street as designed on this proposed pre-plat will be classified as a "Minor Collector".
 23. A note will be shown on the face of the final plat stating that "Vernaccia St." (already named Southgate Way) is classified as a "Major Collector street". Subsequently, no on-street parking or driveways accessing single family lots will be allowed directly onto it.
 24. The City anticipates an update to the LUDR in the near future that will revise the standard street cross sections throughout Badger Mountain South. The developer is requested to consult with Public Works regarding the anticipated cross section changes and to utilize them in anticipation of the LUDR update being completed. Alternatively, this project shall utilize street cross section designs in the LUDR as it exists at the time of infrastructure permitting.
 25. 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, HOA tracts, etc.).
 26. 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, and also provide at least 5-feet of separation between driveways and/or pedestrian ramp transitions.
 27. A temporary construction access easement road that bypasses the new development roads to the west shall be constructed to a minimum of 16-feet in width and 4-inches of crushed rock. There shall also be a city standard construction entrance where this road intersects the Trowbridge Blvd. extension. This access road shall be constructed prior to construction activity beginning.
 28. The vision-clearance triangle shall be shown on all corner lots (including access easements that serve multiple homes) on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in or within 500-feet of a curve, it will have to be evaluated per AASHTO guidelines. The assumed speeds for sight triangle evaluation are 35 mph for Major Collectors, 30 mph for Minor Collectors and 25 mph for local streets. This information shall be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.

29. Signs indicating areas of restricted parking shall be installed at the developer's expense prior to final platting. The restricted parking areas shall be indicated on the construction plans and the final plat.
30. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
31. 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:

32. The proposed preliminary plat is located within the "Tapteal IV" water pressure zone. 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. The water system shall be sized to adequately supply domestic water and fire flows to the proposed development. In accordance with the City's comprehensive water plan, a portion of the "Tapteal IV Transmission Main" is designed to run in an east-west direction through this plat. These water mains shall be extended to the boundaries of the pre-plat.
33. In accordance with the City's comprehensive water plan, a portion of the "Tapteal IV Transmission Main" is designed to run in an east-west direction through this plat. This water main shall be extended to the east boundary of this pre-plat.
34. 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.
35. If the homes within this preliminary plat are required to install residential fire sprinkler systems the sprinkler systems shall be the flow-through type in compliance with the City's cross connection control program.
36. 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.
37. The fire hydrant layout shall be approved by the City Fire Marshal.
38. 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:

39. 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.
40. Sanitary sewer shall be extended to the adjoining properties adjacent to the preliminary plat, where appropriate and where grade allows. If elevations and grade allows, a sewer line should be extended east in Barbera to serve the property to the east.
41. Sanitary sewer shall be extended to the adjoining properties adjacent to the preliminary plat, where appropriate and where grade allows.
42. 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.

Storm Water:

43. 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.
44. 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.
45. 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.
 46. 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").
 47. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
 48. 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.
 49. 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.
 50. The amount of post-development storm runoff from the proposed site shall be in compliance with RMC Chapter 16.06.

51. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat, where appropriate and where grade allows.
52. 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.
53. 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.
54. 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:

55. 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.
56. 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 rights-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.
57. 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.
 58. Ten-foot-wide public utility easements will be required on the final plat along both sides of all rights-of-way within the proposed plat. They will also be required where the plat is adjacent to an existing right-of-way.
 59. 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.
 60. 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 roadways 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 private roads".
 61. 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.
 62. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the adjacent property owners to maintain.
 63. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
 64. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.

Building Conditions

65. Grading shall be completed in accordance with Appendix J of the 2018 IBC and Baer Testing's Geotechnical Engineering Report dated March 14,

2022. (Baer Proj. No. 22-020) Provide observation and testing reports as required by CoR Building Inspector for grading.

Planning Conditions

66. Prior to commencement of any ground disturbing activities in connection with development of this proposed plat, the applicant shall submit a proposed Inadvertent Discovery Plan (IDP) for review and approval by the Planning Manager, which shall be consistent with state codes and regulations regarding cultural resources. A copy of an approved IDP, subject to updates and additional provisions or mandatory contacts that may be imposed by the City's Planning Manager, including current names and contact numbers, must be provided to all contractors and be available on-site for reference throughout all phases of the development process that might involve ground disturbance work. If ground-disturbing activities uncover or reveal objects that might appear to be protected resources during the course of construction, then all activity will cease that could cause further disturbance to such items, until notifications are made to appropriate parties, as detailed in the approved IDP and as may be mandated by the City's Planning Manager. This Condition may be satisfied with an IDP that is consistent with DAHP guidance on the topic, but must include current names and contact numbers. For instance, in an effort to standardize language and to be consistent with state law, the Department of Archaeology and Historic Preservation offers the following text relating to the inadvertent discovery of human skeletal remains to be used in the development of inadvertent discovery protocols

Inadvertent Discovery of Human Skeletal Remains on Non-Federal and Non-Tribal Land in the State of Washington (See RCW 68.50.645, RCW 27.44.055, and RCW 68.60.055)

"If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of

- whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains."
67. All rights-of-way shall include public pedestrian facilities and edge-type features as shown in Section 6 of the LUDR.
 68. Consistent with LUDR Sec. 1.G(5), and Sec. 7.B(5)(a)(2 and 3), the face of the final plat documents for all phases of the project must identify the building type(s) that will be allowed on each lot, and demonstrate that there will be two building types per block for all blocks of the proposed plat that are within the BMS-NC and BMS-NG Districts.
 69. Street names will be reviewed when construction drawings are submitted to the Public Works Department. Said construction drawings shall include two (2) street name options for each of the new street segments and the City will review to determine acceptable street names.
 70. Pursuant to the LUDR Section 1.G(5), final plats must identify housing types allowed on each lot.
 71. Street names will be reviewed when construction drawings are submitted to the Public Works Department. Said construction drawings shall include two (2) street name options for each of the new street segments and the City will review to determine acceptable street names. All final plat drawings shall include addressing brackets [] on all lots and tracts; placed adjacent to the respective roadway.

EXHIBIT LIST

1. Application Materials
2. Survey Map
3. Master Agreement Consistency Recommendation (MACR)
4. Master Agreement Consistency Determination (MACD)
5. Planned Action Consistency Determination (PACD)
6. Traffic Impact Analysis Letter
7. Traffic Impact Analysis Report
8. S2021-107 Hearing Examiner Decision Packet
9. Agency Comments
10. Public Comments
11. Notice of Decision Packet SA2022-101



Exhibit I

Application Materials



Preliminary Plat Application

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

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: Alex Rietmann - Goose Ridge Development Corporation

Address: 63615 East Jacobs Road Benton City, WA 99320

Phone: 509-778-2373

Email: alexr@gooseridge.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company: Same as Above

UBI#:

Contact:

Address:

Phone:

Email:

SURVEYOR INFORMATION

Contact: John Becker - AHBL Inc.

Address: 5804 Road 90, Ste H, Pasco, WA 99301

Phone: 509-316-7132

Email: jbecker@ahbl.com

ENGINEER INFORMATION

Contact: Jason Mattox - PBS Engineering and Environmental

Address: 400 Bradley Blvd, Suite 106

Phone: 509-942-1600

Email: jason.mattox@pbsusa.com

PROJECT DESCRIPTION

The project proposed to develop a 53.33 acres of established vineyard into 206 single family lots across 5 phases within Badger Mountain South, lying East of Goose Ridge Estates. The project is located in the northwest quarter of section 33, township 09 north, range 28 east, Willamette Meridian, in Richland, WA.

PROPERTY INFORMATION

Parcel #: 133-983-0000-01003, 133-983-0000-01005

Zoning: BMS - Badger Mountain South

Legal Description: Portions of the NW 1/4 of Sec. 33, TWN. 09 N, RGE. 28 E, W.M., City of Richland, Benton County, Washington

Proposed Subdivision Name: Goose Ridge Estates II

Gross Plat Acreage: 53.33 Acres

Number of Lots: 206

Smallest Lot Size: Lot 92, 3,718 SF

Net Lot Area Acreage: 35.62 Acres

Avg. Lot Size: 7,580 SF

Largest Lot Size: Lot 1, 25,107 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: Alex Rietmann

Applicant Signature: Alex Rietmann Date 4-14-2023



April 26, 2023

Mike Stevens
Planning Manager
City of Richland
625 Swift Blvd
Richland, WA 99354

RE: MACR Update for Goose Ridge Estates Phases 2-5 Preliminary Plat Amendment

Dear Mr. Stevens,

This letter serves as an update to the MACR Supplement to the Preliminary Plat Application for Goose Ridge Estates II dated August 17, 2021.

Monson Development is requesting an amendment to the plat conditions for Goose Ridge Estates II. As part of this request, Monson Development approached me as the Associate Master Plan Administrator to update the MACR for review.

I have reviewed the City of Richland's plat conditions and the original MACR. From the documents I received from Monson Development, it appears the applicant is only requesting additional phases for the project. As such, I support the proposal to add additional phases to the project.

I want to make sure that this proposal does not change or remove any of the recommendations/requirements from the original MACR or the minor plat amendment MACR letter dated February 8, 2022. Additionally, I don't support any request to change or remove any of the original plat conditions from the City of Richland with the exception of adding additional phases. If any requests to change the original MACR or the original City of Richland plat conditions are made, we reserve the right to review those changes and make a MACR determination.

Thank you,

Darrin Sweeney
Badger Mountain South
Associate Master Plan Administrator

GOOSE RIDGE PHASES 2-5

PRELIMINARY PLAT AMENDMENT

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 THE 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.

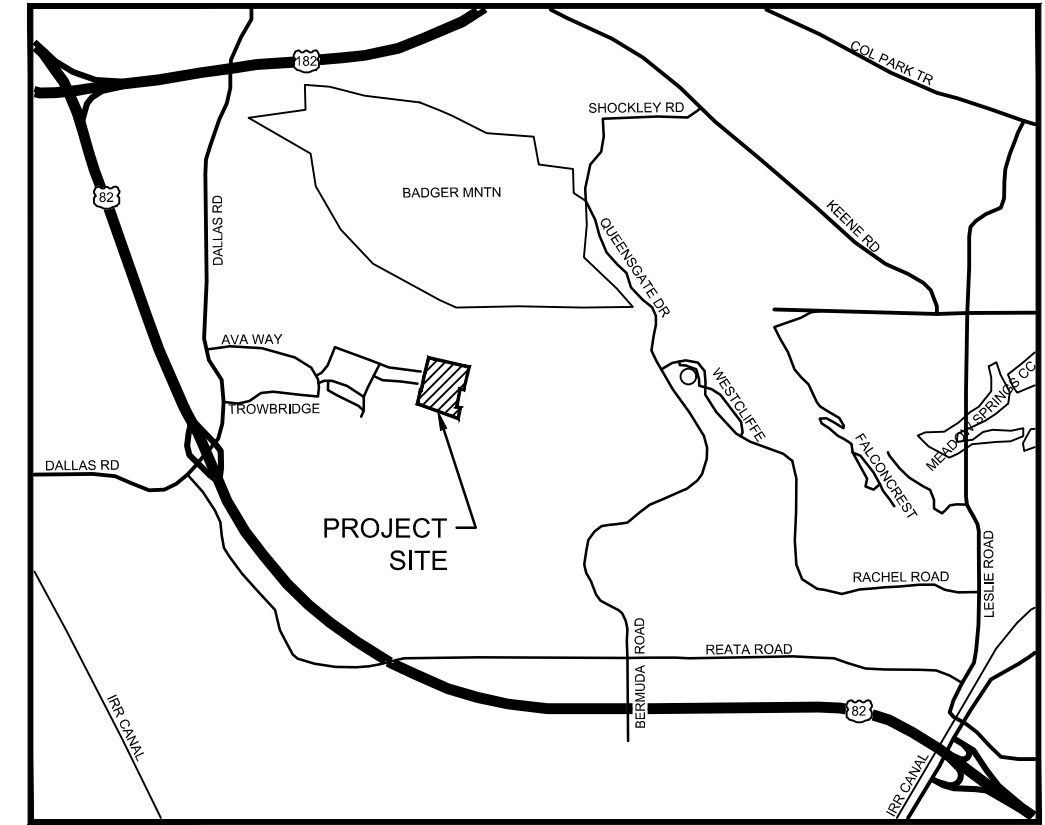
BASIS OF BEARINGS:

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°

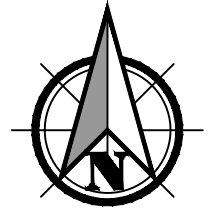
LOCATED IN SECTION 33 TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

LAND USE TABLE	
PRE-PLATTED SITE AREA:	35.39 ACRES
TOTAL SINGLE FAMILY RESIDENTIAL ZONED AREA:	23.38 ACRES
RIGHT OF WAY DEDICATION:	9.29 ACRES
STORM TRACT DEDICATION:	1.39 ACRES
PEDESTRIAN TRACT:	1.38 ACRES
SINGLE FAMILY RESIDENTIAL LOT COUNT:	147 LOTS
MINIMUM LOT AREA:	3,718 SF
MAXIMUM LOT AREA:	16,327 SF
AVERAGE LOT AREA:	6,914 SF

RESIDENTIAL LOT COUNTS BY PHASE		
PHASE #	R/W AREA (IN ACRES)	LOT COUNT
2	1.61	43
3	1.55	33
4	3.18	38
5	2.95	33



VICINITY MAP
NOT TO SCALE



Scale 1" = 100'
0 50 100 200

OWNER / DEVELOPER:
GOOSE RIDGE DEVELOPMENT CORPORATION
63615 EAST JACOBS ROAD
BENTON CITY, WA 98320
CONTACT: ALEX RIETMANN
(509) 627-1618

ENGINEER:
PBS ENGINEERING AND ENVIRONMENTAL
CONTACT: JASON MATTOX, PE
400 BRADLEY BLVD, SUITE 106
RICHLAND, WA 99352
(509) 942-1600

SURVEYOR:
AHBL INC.
5804 ROAD 90, STE H
PASCO, WA 99301
CONTACT: JOHN BECKER, PLS
(509) 380-5883

ZONING CLASSIFICATIONS:
URBAN GROWTH AREA RESIDENTIAL (UGAR)



NOTES:

- ALL LOTS SHALL HAVE A 10' UTILITY EASEMENT ABUTTING STREET RIGHT-OF-WAYS.
- SANITARY SEWER PUMP STATION WILL BE INSTALLED AS PART OF PHASE 1 IMPROVEMENTS.

NOR-AM INVESTMENT LLC
PARCEL #133983000001004

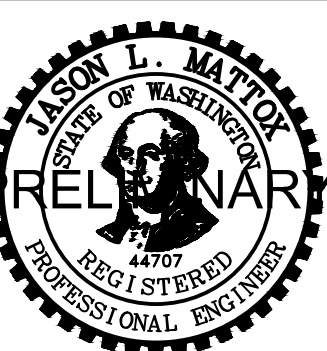
PRELIMINARY PLAT FOR:

GOOSE RIDGE PHASES 2-5

A RESIDENTIAL SUBDIVISION IN THE CITY OF RICHLAND, WA.



Know what's below.
Call before you dig.



DESIGNED:
DCC

CHECKED:
JLM

MARCH 2023
66336.002

SHEET ID

SHEET 1 OF 1

SUBDIVISION

Issued By: COMMONWEALTH LAND TITLE INSURANCE COMPANY
by its agent:



Guarantee/Certificate Number:

472219497

COMMONWEALTH LAND TITLE INSURANCE COMPANY, a corporation, herein called the Company,

GUARANTEES

City of Richland, AHBL, Inc. and PBS Engineering and Enviromental Inc.

herein called the Assured, against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

LIABILITY EXCLUSIONS AND LIMITATIONS

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

Please note carefully the liability exclusions and limitations and the specific assurances afforded by this guarantee. If you wish additional liability, or assurances other than as contained herein, please contact the Company for further information as to the availability and cost.

Ticor Title Company
8101 W Grandridge Blvd., Suite 110
Kennewick, WA 99336

Countersigned By:

A handwritten signature in black ink, appearing to read 'Dylan Strait'.

Dylan Strait
Authorized Officer or Agent



Commonwealth Land Title Insurance Company

By:

A handwritten signature in black ink, appearing to read 'Michael J. Nolan'.

Michael J. Nolan, President

Attest:

A handwritten signature in black ink, appearing to read 'Marjorie Nemzura'.

Marjorie Nemzura, Secretary

ISSUING OFFICE:	
Ticor Title Company 8101 W Grandridge Blvd., Suite 110 Kennewick, WA 99336 Main Phone: (509)579-7020	

SCHEDULE A

Liability	Premium	Tax
\$1,000.00	\$350.00	\$30.10

Effective Date: April 10, 2023 at 12:00 AM

The assurances referred to on the face page are:

That, according to those public records which, under the recording laws, impart constructive notice of matter relative to the following described property:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

Title to said real property is vested in:

Goose Ridge Development Corporation, a Washington Corporation

subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

END OF SCHEDULE A

EXHIBIT "A"
Legal Description

**For APN/Parcel ID(s): 1-3398-300-0001-003 (IOP), 1-3398-300-0001-005 (IOP), 1-3298-103-0002-000 (IOP) and
1-3298-103-0003-000 (IOP)**

Tract C, Goose Ridge Estates Phase 2, Phase 1, according to the plat thereof, recorded in Volume 15 of Plats, Page 756, under Auditor's File No. 2023-002216, records of Benton County, Washington.

SCHEDULE B

1. Note: FOR INFORMATIONAL PURPOSES ONLY:

The following may be used as an abbreviated legal description on the documents to be recorded, per Amended RCW 65.04.045. Said abbreviated legal description is not a substitute for a complete legal description within the body of the document:

Tract C Goose Ridge Estates Phase 2

Tax Account No.: 1-3398-300-0001-003 and 1-3398-300-0001-005 and 1-3298-103-0002-000 and 1-3298-103-0003-000

2. Reservations contained in deed:

Grantor: Yakima Sheep Company

Grantee: Yakima Mineral Lease Company

Recording Number: [370110](#)

As follows: All oil and gas rights and all other mineral of every kind with development of said oil and gas or minerals. No existing structures shall be disturbed in the exercise of the right hereinabove mention, and if surface property is required it shall be paid for at a reasonable rate.

Affects: Said premises other property

Notice of Claim of Abandonment and Extinguishment of Mineral Interest and the terms and conditions thereof:

Recorded: April 28, 2000

Recording No.: [2000-010225](#)

Note: This commitment does not include the present ownership of or the encumbrances affecting said mineral estate

3. Exceptions and reservations contained in deed:

From: Northern Pacific Railway Company

Recording Number: [38668](#)

As follows: Excepting and reserving unto the party of the first part, its successors and assigns, forever, all minerals of any nature whatsoever upon or in said land, including coal, iron, natural gas and oil, and also the use of such surface ground as may be necessary exploring for and mining or otherwise extracting and carrying away the same. See record for area affected and particulars.

Affects: Said premises and other property

Note: This commitment does not include the present ownership of or the encumbrances affecting said mineral estate

4. Easement and the terms and conditions thereof:

Grantee: Public Utility District No. 1 of Benton County, Washington, a municipal corporation

Purpose: right of way for electric transmission and/or distribution line, together with necessary appurtenances

Recorded: 11/16/1965

Recording Number: [552619](#)

Affects: Said premises and other property

5. Easement for electrical Distribution line as recorded under Auditor's File No. [749794](#). (See Survey No. 4497 for location).

SCHEDULE B
(continued)

6. Right of way easement, including the terms, conditions and provisions thereof, for Electric Transmission and/or Distribution Line, together with necessary appurtenances, as granted by instrument;
Recorded: March 15, 1978
Recording No.: [752700](#)
In favor of: Public Utility District No. 1 of Benton County, Washington, a municipal corporation
Affects: Said premises and other property

Reference is hereby made to said document for full particulars.

7. Easement affecting a portion of said premises and for the purposes stated therein:
In favor of: Public Utility District No. 1 of Benton County, Washington, a Municipal Corporation
Purpose: Electric transmission and distribution line and appurtenances thereto
Recorded: 03/07/1979
Recording Number: [785687](#)
8. Memorandum of Agreement regarding Planned Development between Badger Mountain Partners and Premiere Partners III Limited Partnership recorded August 2, 1996 under recording no.: 96-19127. Said instrument is a re-recording of instrument recorded June 11, 1996 under recording no.: [96-14523](#)
9. Terms and Conditions of Reservations of Conservation Easement and Covenants against use by Grantor as contained in Deed recorded August 3, 1998 under recording no.: [1998-022529](#)
- Note: the above easement was amended under Auditor's File No. [2013-013436](#).
10. Terms and Conditions of Memorandum of Master Agreement Between City of Richland and Nor Am Investments LLC recorded March 10, 2011 under recording no.: [2011-7446](#).
11. Terms and Conditions of Boundary Resolution Agreement recorded April 24, 2013 under recording no.: [2013-13437](#) between Premiere Columbia Properties LLC, Nor Am Investment LLC and Badger Mountain South Development LLC.
12. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to: Nor Am Investment, LLC, a Washington Limited Liability Company
Purpose: Richland School District No. 400 Temporary road access easement
Recording Date: May 30, 2014
Recording No.: [2014-012672](#)

13. Agreement Between Nor Am Investment, LLC and Monson Development Washington, LLC Regarding 196 Acre Parcel
- Recording Date: October 1, 2014
Recording No.: [2014-024715](#)

SCHEDULE B
(continued)

14. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey No. 2164:

Recording No: [96-12391](#)

15. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey No. 2528:

Recording No: [1998-025706](#)

16. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Survey No. 4497
:

Recording No: [2014-011777](#)

17. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: February 10, 2020

Recording No.: [2020-004770](#)

Said instrument replaces Auditor's File No. [2013-015617](#)

18. A mortgage to secure an indebtedness as shown below

Amount: \$40,000,000.00
Dated: January 27, 2010
Mortgagor: Monson Ranches Snake River Orchard, LLC
Mortgagee: Northwest Farm Credit Services, FLCA
Recording Date: February 11, 2010
Recording No.: [2010-003861](#)
Affects: Portion of said premises and other property

Said Mortgage modified by instrument recording Numbers:
[2014-026601](#), [2017-028436](#), [2018-016479](#), [2018-030802](#), [2019-035269](#) and [2021-005634](#)

SCHEDULE B
(continued)

Subordination Agreement recorded at [2021-005642](#), referencing the Trust Deed recorded at [2010-003861](#) and the Trust Deed recorded at [2013-011825](#).

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by: Monson Ranches Snake River Orchard, LLC; Monson Development Washington, LLC; Goose Ridge Vineyards, LLC; Goose Ridge Development Corporation AND Northwest Farm Credit Services, FLCA
Recording Date: June 29, 2022
Recording No.: [2022-021727](#)

Subordination Agreement recorded at [2022-021769](#), referencing the Trust Deed recorded at [2010-003861](#) and Modified [2022-021727](#) and the Trust Deed recorded at [2013-011825](#).

Subordination Agreement recorded at [2022-021770](#), referencing the Trust Deed recorded at 2010-003861 and Modified 2022-021727 and the Trust Deed recorded at 2022-018903.

19. A mortgage to secure an indebtedness as shown below

Dated: March 18, 2013
Amount: Not disclosed
Mortgagor: Monson Ranches Snake River Orchard, LLC
Mortgagee: Northwest Farm Credit Services, PCA
Recording Date: April 11, 2013
Recording No.: [2013-011825](#)

Said mortgage modified by instrument recording numbers:
[2014-026602](#), [2018-016480](#), [2018-037759](#), [2019-016489](#), [2019-024866](#), [2020-018678](#), [2021-031152](#),
[2022-008054](#)

Affects: Portion of said premises and other property

Subordination Agreement recorded at [2021-005642](#), referencing the Trust Deed recorded at [2010-003861](#) and the Trust Deed recorded at [2013-011825](#).

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by: Monson Ranches Snake River Orchard, LLC; Monson Development Washington, LLC; Goose Ridge Vineyards, LLC AND Northwest Farm Credit Services, PCA
Recording Date: March 8, 2022
Recording No.: [2022-008054](#)

Subordination Agreement recorded at [2022-021769](#), referencing the Trust Deed recorded at 2010-003861 and Modified 2022-021727 and the Trust Deed recorded at 2013-011825.

Subordination Agreement recorded at [2022-021771](#), referencing the Trust Deed recorded at 2013-011825 and Modified 2022-021727 and the Trust Deed recorded at 2022-018903.

SCHEDULE B
(continued)

An agreement to modify the terms and provisions of said deed of trust as therein provided

Executed by: Monson Ranches Snake River Orchard, LLC; Monson Development Washington, LLC; Goose Ridge Vineyards, LLC; Goose Ridge Development Corporation AND Northwest Farm Credit Services, PCA
Recording Date: September 12, 2022
Recording No.: [2022-029711](#)

Subordination Agreement recorded at [2022-029723](#), referencing the Trust Deed recorded at 2013-011825 and Modified 2022-029711 and the Trust Deed recorded at 2022-018903.

20. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$14,918,079.00
Dated: June 2, 2022
Trustor/Grantor: Goose Ridge Development Corporation, a Washington Corporation
Trustee: Cascade Title Company
Beneficiary: Monson Development Washington, LLC, a Washington limited liability company
Recording Date: June 6, 2022
Recording No.: [2022-018903](#)
Affects: Portion of said premises and other property

Subordination Agreement recorded at [2022-021770](#), referencing the Trust Deed recorded at 2010-003861 and Modified 2022-021727 and the Trust Deed recorded at 2022-018903.

Subordination Agreement recorded at [2022-021771](#), referencing the Trust Deed recorded at 2013-011825 and Modified 2022-021727 and the Trust Deed recorded at 2022-018903.

Subordination Agreement recorded at [2022-029723](#), referencing the Trust Deed recorded at 2013-011825 and Modified 2022-029711 and the Trust Deed recorded at 2022-018903.

21. Any unpaid assessments or charges and liability to further assessments or charges, for which a lien may have arisen (or may arise), as provided for under Washington law and in instrument set forth below:

Imposed by: Goose Ridge Estates at Badger Mountain South Homeowners Association

22. Covenants, conditions and restrictions but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording Date: September 17, 2020
Recording No.: [2020-035562](#)

Modification(s) of said covenants, conditions and restrictions

Recording Date: October 16, 2020
Recording No.: [2020-040629](#)

SCHEDULE B
(continued)

Modification(s) of said covenants, conditions and restrictions

Recording Date: April 30, 2021

Recording No.: [2021-020603](#)

23. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Goose Ridge Estates Phase 1:

Recording No: [2020-035566](#)

24. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Goose Ridge Estates Phase 2:

Recording No: [2021-019055](#)

25. Reservations and Exceptions contained in Patent from the United States of America recorded February 7, 1957 under recording no.: [367981](#).
26. Terms and Conditions of Memorandum of Master Agreement Between City of Richland and Nor Am Investments LLC recorded March 10, 2011 under recording no.: [2011-7444](#).
27. Easement as delineated on the face of Record Survey No. 2164, recorded under Auditor's File No. [96-12391](#), records of Benton County, Washington:
Purpose: B.M.I.D. Irrigation Line
Area Affected: As shown on record survey
28. Ordinance No. 41-10 by the City of Richland recorded January 5, 2011 under recording no.: [2011-000610](#).
29. Reservations contained in deed recorded March 21, 1963 under recording no.: [498993](#)
Grantor: Yakima Sheep Company
Grantee: R.J. Hilton, widower
As follows: All oil and gas rights and all other minerals of every kind, with development of said oil and gas and/or minerals. No existing structures shall be disturbed in the exercise of the right hereinabove mentioned, and if surface property is required it shall be paid for at a reasonable rate. See record for area affected and particulars.
30. Utility Easement granted to the City of Richland recorded July 18, 2014 under recording no.: [2014-17385](#).
31. Access and Construction Agreement between Sikh Society of Tri-Cities, a Washington Non-Profit Corporation; and Monson Development Washington LLC, a Washington limited liability company recorded February 18, 2020 under Auditor's File No. [2020-5553](#).

SCHEDULE B
(continued)

32. Covenants, conditions, restrictions, recitals, reservations, easements, easement provisions, encroachments, dedications, building setback lines, notes, statements, and other matters, if any, but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth on Goose Ridge Estates 2, Phase 1:

Recording No: [2023-002216](#)

33. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2023
Tax Account No.: 1-3398-300-0001-003
Levy Code: R3
Assessed Value-Land: \$2,453,190.00
Assessed Value-Improvements: \$1,349,840.00

General and Special Taxes:

Billed: \$37,637.94
Paid: \$37,637.94
Unpaid: \$0.00

34. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2023
Tax Account No.: 1-3398-300-0001-005
Levy Code: R3
Assessed Value-Land: \$169,780.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:

Billed: \$1,692.77
Paid: \$1,692.77
Unpaid: \$0.00

35. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2023
Tax Account No.: 1-3298-103-0002-000
Levy Code: R3
Assessed Value-Land: \$1,000.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:

Billed: \$26.88
Paid: \$26.88
Unpaid: \$0.00

SCHEDULE B
(continued)

36. General and special taxes and charges, payable February 15, delinquent if first half unpaid on May 1, second half delinquent if unpaid on November 1 of the tax year (amounts do not include interest and penalties):

Year: 2023
Tax Account No.: 1-3298-103-0003-000
Levy Code: R3
Assessed Value-Land: \$1,000.00
Assessed Value-Improvements: \$0.00

General and Special Taxes:

Billed: \$26.99
Paid: \$26.99
Unpaid: \$0.00

37. Assessment levied by Badger Mountain Irrigation District for the year 2023 in the sum of \$36,692.10, which shall become delinquent if unpaid after April 30, 2023. Please contact (509)628-0777 for further information.

NOTE: Paid on account parcel number [1-3398-300-0001-003](#)

38. Assessment levied by Badger Mountain Irrigation District for the year 2023 in the sum of \$5,122.30, which shall become delinquent if unpaid after April 30, 2023. Please contact (509)628-0777 for further information.

NOTE: Paid on account parcel number [1-3398-300-0001-005](#)

39. Assessment levied by Badger Mountain Irrigation District for the year 2023 in the sum of \$294.60, which shall become delinquent if unpaid after April 30, 2023. Please contact (509)628-0777 for further information.

NOTE: Paid on account parcel number [1-3298-103-0002-000](#)

40. Assessment levied by Badger Mountain Irrigation District for the year 2023 in the sum of \$352.10, which shall become delinquent if unpaid after April 30, 2023. Please contact (509)628-0777 for further information.

NOTE: Paid on account parcel number [1-3298-103-0003-000](#)

END OF SCHEDULE B



Exhibit 2

Survey Map

GOOSE RIDGE PHASES 2-5

PRELIMINARY PLAT AMENDMENT

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 THE 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.

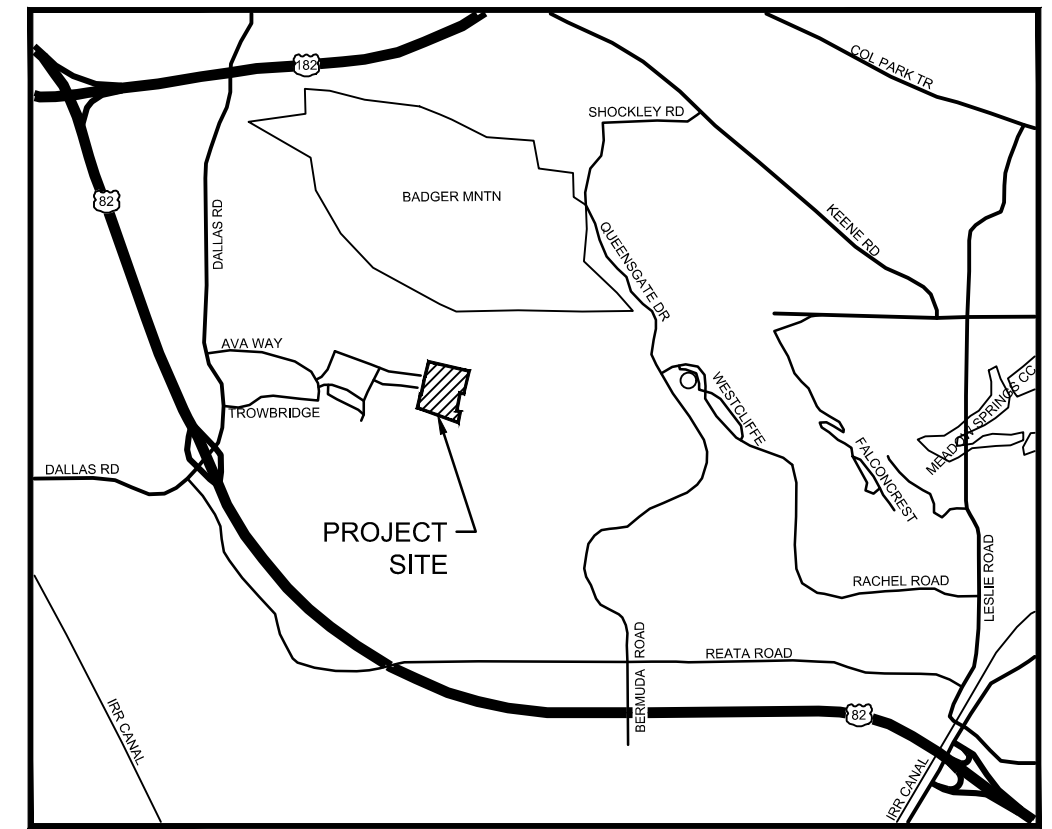
BASIS OF BEARINGS:

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°

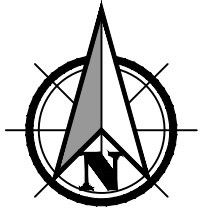
LOCATED IN SECTION 33 TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.
CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

LAND USE TABLE	
PRE-PLATTED SITE AREA:	35.39 ACRES
TOTAL SINGLE FAMILY RESIDENTIAL ZONED AREA:	23.38 ACRES
RIGHT OF WAY DEDICATION:	9.29 ACRES
STORM TRACT DEDICATION:	1.39 ACRES
PEDESTRIAN TRACT:	1.38 ACRES
SINGLE FAMILY RESIDENTIAL LOT COUNT:	147 LOTS
MINIMUM LOT AREA:	3,718 SF
MAXIMUM LOT AREA:	16,327 SF
AVERAGE LOT AREA:	6,914 SF

RESIDENTIAL LOT COUNTS BY PHASE		
PHASE #	R/W AREA (IN ACRES)	LOT COUNT
2	1.61	43
3	1.55	33
4	3.18	38
5	2.95	33



VICINITY MAP
NOT TO SCALE



Scale 1" = 100'
0 50 100 200

OWNER / DEVELOPER:
GOOSE RIDGE DEVELOPMENT CORPORATION
63615 EAST JACOBS ROAD
BENTON CITY, WA 98320
CONTACT: ALEX RIETMANN
(509) 627-1618

ENGINEER:
PBS ENGINEERING AND ENVIRONMENTAL
CONTACT: JASON MATTOX, PE
400 BRADLEY BLVD, SUITE 106
RICHLAND, WA 99352
(509) 942-1600

SURVEYOR:
AHBL INC.
5804 ROAD 90, STE H
PASCO, WA 99301
CONTACT: JOHN BECKER, PLS
(509) 380-5883

ZONING CLASSIFICATIONS:
URBAN GROWTH AREA RESIDENTIAL (UGAR)



NOTES:

- ALL LOTS SHALL HAVE A 10' UTILITY EASEMENT ABUTTING STREET RIGHT-OF-WAYS.
- SANITARY SEWER PUMP STATION WILL BE INSTALLED AS PART OF PHASE 1 IMPROVEMENTS.

NOR-AM INVESTMENT LLC
PARCEL #133983000001004

PBS Engineering and Environmental Inc.
106
Richard WA 99352
509.942.1600
pbsusa.com



PRELIMINARY PLAT FOR:

GOOSE RIDGE PHASES 2-5

A RESIDENTIAL SUBDIVISION IN THE CITY OF RICHLAND, WA.



Know what's below.
Call before you dig.



DESIGNED:
DCC

CHECKED:
JLM

MARCH 2023
66336.002

SHEET ID

SHEET 1 OF 1



Exhibit 3

Master Agreement Consistency Recommendation (MACR)



April 26, 2023

Mike Stevens
Planning Manager
City of Richland
625 Swift Blvd
Richland, WA 99354

RE: MACR Update for Goose Ridge Estates Phases 2-5 Preliminary Plat Amendment

Dear Mr. Stevens,

This letter serves as an update to the MACR Supplement to the Preliminary Plat Application for Goose Ridge Estates II dated August 17, 2021.

Monson Development is requesting an amendment to the plat conditions for Goose Ridge Estates II. As part of this request, Monson Development approached me as the Associate Master Plan Administrator to update the MACR for review.

I have reviewed the City of Richland's plat conditions and the original MACR. From the documents I received from Monson Development, it appears the applicant is only requesting additional phases for the project. As such, I support the proposal to add additional phases to the project.

I want to make sure that this proposal does not change or remove any of the recommendations/requirements from the original MACR or the minor plat amendment MACR letter dated February 8, 2022. Additionally, I don't support any request to change or remove any of the original plat conditions from the City of Richland with the exception of adding additional phases. If any requests to change the original MACR or the original City of Richland plat conditions are made, we reserve the right to review those changes and make a MACR determination.

Thank you,

Darrin Sweeney
Badger Mountain South
Associate Master Plan Administrator



Exhibit 4

Master Agreement Consistency Determination (MACD)



June 7, 2023

MASTER AGREEMENT CONSISTENCY DETERMINATION

For: Preliminary Plat Major Amendment Application for Goose Ridge Estates II, a Badger Mountain South Development (SA2023-101)

Applicant: Darrin Sweeney on behalf of Badger Communities, LLC

Project Description: Request to amend prior preliminary plat to now include five total construction phases.

Consistency Determination Type: Level 1

Master Agreement Consistency Recommendation: The Richland Planning Department received a revised master agreement consistency recommendation (MACR) from the Badger Mountain South Master Program Administrator [MPA] on April 26th, 2023.

After completing a review of the preliminary plat major amendment application of South Orchard, 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 to add additional phases.

Sincerely,

Kyle Hendricks
Planner



Exhibit 5

Planned Action Consistency Determination (MACD)



June 7, 2023

PLANNED ACTION CONSISTENCY DETERMINATION

For: Preliminary Plat Major Amendment Application for Goose Ridge Estates II, a Badger Mountain South Development (SA2023-101)

Applicant: Darrin Sweeney on behalf of Badger Communities, LLC

Project Description: Request to amend prior preliminary plat to now include five total construction phases, removal of shared alley access, addition of open space trail, combination of two lots to create a storm retention pond.

Master Agreement Consistency Determination: Issued June 5, 2023.

After completing the review of the preliminary plat application of Goose Ridge Estates II and evaluating it considering 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. Following the major amendment, the Goose Ridge Estates II preliminary plat meets the description for a planned action as defined in City code and that as conditioned, the project will implement applicable conditions or mitigation measures identified in RMC 19.50 (Consistency with Development Regulations and SEPA); and
2. The Goose Ridge Estates II preliminary plat is consistent with the City of Richland Comprehensive Plan and the Badger Mountain Subarea Plan; and
3. The Goose Ridge Estates II 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 May 30, 2023; and
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 Goose Ridge Estates II preliminary plat; and
5. The Goose Ridge Estates II preliminary plat is not an essential public facility, as defined in RCW 36.70A.200; and
6. Based on the foregoing, a SEPA threshold determination or EIS is not required; and

7. The following environmental mitigation conditions shall apply to the South Orchard 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 applicant 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 applicant 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 South Orchard.
 - 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.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Stevens", is written over a horizontal line.

Mike Stevens, Planning Manager



Exhibit 6

Traffic Impact Analysis Letter



5/26/2023

Darrin Sweeney
NorAm

RE: Acceptance of Badger Mountain South Updated Traffic Impact Analysis dated February 16, 2022 with City Amendments

In accordance with Exhibit B to Master Agreement Environmental Conditions subsection 5.3, once the 1000 trips threshold has been reached, a Traffic Impact Analysis (TIA) shall be provided by the developer at every point the when the 500 p.m. peak hour trips are generated from Badger Mountain South. The scope of this study was very large as the City had identified substantial deficiencies in the study used to set the project's environmental mitigation conditions. Pursuant to the City's direction regarding the scope of the study the Developer and their traffic consultant TENW produced a draft traffic study dated May 14, 2021, which was subsequently returned with comments from the City. The developer and their traffic consultant TENW produced a second draft of traffic study dated February 16, 2022, which was subsequently supplemented by TENW with replacement pages to correct identified errors. On May 23, 2022, the City of Richland Public Works Department sent a review comment letter in response to the February 16, 2022 draft. The TIA and replacement pages are attached as Appendix B. The purpose of the City's review was to develop a plan for the City's concurrency with the findings for the proposed mitigation within the TIA and provide guidance to the developer to updated the TIA to a product the City could approve. The Developer and TENW have not subsequently provided an updated study document.. This letter serves as the City's proposed acceptance of the TIA and conditions under which the City will consider Nor Am to have fulfilled the requirements of Exhibit B to Master Agreement Environmental Conditions subsection 5.3.

Funding and Coordination with Outside Agencies

For projects within the footprint of Badger Mountain South (onsite) and within the City's Traffic Impact Fee (TIF) zone boundary, we suggest our recommended improvement scope to that proposed by the TIA even if it exceeds the overall LOS D or better requirement. Designing the internal system to operate well for all approaches is in all our best interests and the City will incorporate these changes into the TIF program to raise funds and reimburse the developer (NorAm) for building the recommended improvements.

For projects outside of the footprint of Badger Mountain South (offsite) and inside the City limits, three situations arose from our review. (1) The TIA analysis satisfies an overall average LOS of D or better at the intersection and we agree with the proposed mitigation; (2) The TIA analysis satisfies an overall average LOS of D or better at the intersection, but intersection approaches fail and the City provides recommended changes to lane configurations to ensure the intersection will operate without exorbitantly long delays and queues; and (3) The City disagrees with pro-rata share or proposed mitigation.

For projects outside of both the Badger Mountain South and the City limits, we reviewed the TIA analysis to ensure it satisfies the overall average LOS of D or better. Offsite intersections not within City of Richland limits were subject to consultation with The City of West Richland and Benton County. The City developed interlocal agreements with those agencies and incorporated the improvement projects into the City's TIF to reimburse those agencies for improvements they make to their transportation system.

The collection of TIF also applies to the I-82/Dallas Road ramp terminal intersections operated by the Washington Department of Transportation. The responsibilities for planning the improvements to the ramps rest with the developer in coordination with WSDOT who manages the relevant right-of-way. Early consultation with WSDOT is encouraged due to the potential for state requirements for additional study of intersection type and design.

Amendment to TIA Recommendations

The following tables represents the City's acceptable amendments to the TIA. These recommendations shall function as the basis for future traffic conditions for Badger Mountain South. Appendix A provides figures with the recommended intersection configurations.

Onsite Intersections

In general, the City concurs with trip distribution, as well as present and future intersection level of service computations. Below is the City's recommendation based on the analysis provided.

Study Intersection Number	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
A	Bella Coola Lane / Trowbridge Boulevard	Roundabout or signal	Roundabout	Already installed to needed configuration.

Study Intersection Number	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
B	Ava Way / Trowbridge Boulevard	Roundabout or signal	Roundabout	Already installed to needed configuration.
C	Sol Duc Avenue / Trowbridge Boulevard	Two-way stop control - Sol Duc Approaches	Two-way stop control - Sol Duc Approaches with left-turn lane on Trowbridge	Left-turns needed at Sol Duc due to thru and LT volumes on Trowbridge.
D	Unnamed N/S Road / Trowbridge Boulevard	Roundabout or signal	Single lane roundabout with additional EBRT and NBLT lanes.	Address queuing on approaches and better LOS.
E	Gage Boulevard / Corvina Street	Two-way stop control - Corvina Approaches	Add turn lanes on all Gage approaches.	Meet need for volumes on Gage.
F	Gage Boulevard / Trowbridge Boulevard	Roundabout or signal	Single lane roundabout	Roundabout is preference.
G	Gage Boulevard / Bella Coola Lane	Two-way stop control - Bella Coola Approach	Add turn lanes on all Gage approaches.	Meet need for volumes on Gage.
H	Gage Boulevard / Unnamed E/W Road	Two-way stop control - Unnamed E/W Approach	Add turn lanes on all Gage approaches.	Meet need for volumes on Gage.
I	Gage Boulevard / Morningside Parkway	Two-way stop control - Morningside Parkway Approach	Single lane mini-roundabout	Per South Orchard plat conditions.
J	Unnamed N/S Road (aka Southgate) /	Two-way stop control - Unnamed	Agree	Future consideration for school reserved.

Study Intersection Number	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
	Unnamed E/W Road	E/W Approach		
K	Unnamed N/S Road (aka Southgate)/ Bella Coola Lane	Roundabout or all-way stop	Single lane roundabout	Roundabout is preference.
L	Clark Ridge Drive / Bella Coola Lane	Two-way stop control - Clark Ridge Approach	Agree	Future consideration for school reserved.

Offsite Intersections (in City)

In general, the City concurs with trip distribution, as well as present and future intersection level of service computations. Below is the City's recommendation based on the analysis provided.

#	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
3	Dallas Road / Trowbridge Road	Roundabout	Roundabout with additional NB lane (configuration is NB thru/left, NB thru/right, NB right slip lane and EB lane (configuration is EB thru/left and EB right)).	Continuation of Dallas 4-5 lane section.
4	Dallas Road / Ava Way	Roundabout or signal	Roundabout with additional NB lane (configuration is NB thru/left and NB thru/right).	Continuation of Dallas 4-5 lane section.
10	Duportail Street / Keene Road	None - Meets LOS standard	Agree	N/A
11	Duportail Street / Kennedy Road	None - Meets LOS standard	Agree	N/A

#	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
12	Duportail Street / Queensgate Drive	Monitor	Additional SB left turn lane. Doing so effectively means that the WB ramp terminal on Queensgate would need modifications. Additional SB right turn. 10% Pro-rata share. 2030 Improvement year.	Intersection fails and requires mitigation. Identify pro-rata share and improvement year.
13	Queensgate Drive / I-182 WB Ramps	None - Meets LOS standard	Agree	N/A
14	Queensgate Drive / I-182 EB Ramps	None - Meets LOS standard	Agree	N/A
15	Keene Road / Queensgate Drive	None - Meets LOS standard	Agree	N/A
16	Gage Boulevard / Queensgate Drive / Bermuda Road	Roundabout	Roundabout with additional SB right turn lane.	Resolves approach failure.
17	Keene Road / Gage Boulevard	None - Meets LOS standard	Agree	N/A
18	Leslie Road / Gage Boulevard	Monitor	WB+EB right-turn, add SB thru, and NB dual left turn. 6% Pro-rata share. 2030 Improvement year.	Intersection fails and requires mitigation. Identify pro-rata share and improvement year.
19	Leslie Road / Reata Road	Roundabout or signal	Roundabout with additional right-turn lane on EB Reata and elimination of SB Leslie right slip lane in favor of a second SB lane (configuration is SB thru-right)	This solution addresses AM Reata approach failure and eliminates slip lane to thus being more cost effective while providing adequate LOS.

#	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
20	Badger Road / Clearwater Avenue / Leslie Road	Monitor	SB Approach - Additional SB right-turn lane and WB receiving lane to extend west over RR tracks. WB Approach - Reconfigure to allow two thru movements (configuration is WB thru-left and thru-right). EB Approach - additional right turn lane and modification to south island for dual EB lefts (configuration is EB left-turn lane, left-turn/thru/right-turn lane, and right-turn lane. 20% Pro-rata share. 2030 Improvement year.	Intersection fails and requires mitigation. Identify pro-rata share. SB approach - necessary to address PM approach failure. WB approach - necessary to address AM approach failure. EB approach - necessary to address AM failure and queuing over 500 ft. Address if this recommendation is part of recent RR required study.
24	Morningside Parkway / Reata Road	TIP/Frontage	Stop control on Morningside approach and TWLTL and right-turn lane onto Morningside.	3-lane design per design standard for this road and EB right-turn lane per WSDOT guidance.
25	Gage Boulevard / Reata Road	TIP/Frontage	Roundabout - single lane	Per South Orchard plat conditions, meets need for roundabout.
26	Unnamed N/S (aka Southgate) / Reata Road	TIP/Frontage	Stop control on Unnamed N/S (Road A) approach and TWLTL and right-turn lane on Reata.	Per South Orchard plat conditions.

Offsite Intersections (outside of City limits)

In general, the City concurs with trip distribution, as well as present and future intersection level of service computations. As mentioned above, through consultation with the City of West Richland and Benton County, the City developed interlocal agreements with those agencies and incorporated the improvement projects into the

City's TIF to reimburse those agencies for improvements they make to their transportation system. The following table is for information purposes:

#	Study Intersection	Responsible Party	TIA Proposed Mitigation	Recommended Mitigation	Reason for Difference
1	Dallas Road / I-82 EB Ramps	Developer in coordination with Benton County / WSDOT	Roundabout or Signal	Roundabout, but may change upon consultation with WSDOT.	Access Revision Report and Intersection Control Evaluation required by WSDOT
2	Dallas Road / I-82 WB Ramps	Developer in coordination with Benton County / WSDOT	Roundabout or Signal	Roundabout, but may change upon consultation with WSDOT.	Access Revision Report and Intersection Control Evaluation required by WSDOT
5	Dallas Road / Arena Road	West Richland	Cul-de-sac	Partial closure eliminating EB movement at intersection and WB right-out only.	Maintains some access and accomplishes reduction in cut-through.
6	Bombing Range Road / Kennedy Road	West Richland	Roundabout or signal	Signal and NB right turn lane. 41% Pro-rata share.	Disagree with pro-rata share due to change in traffic volumes with partial closure of Arena. Additional lane needed to resolve approach failure.
7	Bombing Range Road	West Richland	None - Meets LOS standard	Remove roundabout, install traffic	Project already started by West Richland, but

#	Study Intersection	Responsible Party	TIA Proposed Mitigation	Recommended Mitigation	Reason for Difference
	/ Keene Road			signal and reconfigure lanes. 8% Pro-rata share.	accounting for BMS additional traffic.
8	Kennedy Road / Arena Road	West Richland	Cul-de-sac	Partial closure at Dallas Rd eliminating EB movement at intersection and WB right-out only.	Maintains full access at Kennedy and accomplishes reduction in cut-through.
9	Kennedy Road / Keene Road	West Richland	NB+SB right-turn overlap phases	Phase 1 – upgrade signal to add NB/SB right turn arrows. Phase 2 - Add exclusive left turn lanes for Kennedy Road and improve signal operations. 11% Pro-rata share.	Phase 1 – resolves immediate need as per TIA. Phase 2 - resolves approach failures for left turn phases at final build out of BMS.
21	Badger Road / I-82 WB Ramps	Benton County / WSDOT	None - Meets LOS standard	Agree	N/A
22	Badger Road / I-82 EB Ramps	Benton County / WSDOT	None - Meets LOS standard	Agree	N/A
23	Bermuda Road / Reata Road	Benton County	Roundabout or signal	Roundabout - single lane.	Roundabout preferred due to impracticality of signal.

Master Agreement Mitigation Measures, Updates to Improvement Timeline and Progress of Development

The BMS Master Agreement, Section 19 and Exhibit B requires that after the Phase 1 threshold has been reached (1000 trips), and the Phase 1 improvements constructed, a Traffic Impact Analysis (TIA) will be provided to the city by the master developer at

every point when 500 p.m. peak trips are generated. The improvements intended for Phase 1 traffic mitigation measures are not complete at the time of this letter. It is the intent of the City of Richland to utilize the TIA, its amendments, and its subsequent updates as a basis for recommending that the triggers identified in the Phase 1 traffic mitigation measures be replaced with the amended TIA as the basis for future traffic mitigation triggers. The City takes this position because the TIA has satisfactorily documented that the development has not resulted in traffic impacts as anticipated by the original analysis and master agreement and that the TIA satisfactorily identifies and programs all necessary traffic mitigation projects for the development.

The key weakness of the TIA is that it does not identify thresholds or triggers for needed traffic mitigations based on p.m. peak hour trips generated. However, the TIA establishes the recommendations based on an anticipated development timeline and years that the mitigation is proposed based on that timeline. To compensate for this weakness, the City will require, as provided for in the master agreement that at every 500 p.m. peak hour trips beyond 1000 trips generated the developer shall update its traffic impact analysis. These updates shall, at a minimum, include:

- Trips generated since development began,
- Future development timeline,
- Road network constructed,
- Land use and roadway assumptions planned with future phases, and
- Any new/changed recommendations for mitigation type and timeline.

In addition, a sensitivity analysis of select intersections may be required to determine the phase of development in which improvements are needed if phases are constructed at a different timeline than assumed in the TIA.

The City tracks p.m. peak hour trips generated by the BMS site by tracking approved building permits. The City will identify when the trip threshold is reached and communicate such to the developer.

The City also tracks the mitigations conditioned upon developments, mitigations completed by the developer, and identifies the developer's obligations to agencies outside of the City. The City will condition developments with traffic mitigation measures identified in the amended TIA based on the year identified in the TIA, but also development progression, trip generation, roadway network constructed, and any sensitivity analysis completed.

As stated above this letter provides the City's proposed acceptance of Nor Am's updated TIA, completed to comply with Exhibit B to Master Agreement Environmental Conditions subsection 5.3. If Nor Am wishes to contest the City's proposal I ask that Nor Am provide a written response to this letter within the next thirty days stating your objections to the City's proposal and the technical basis of your objection. If Nor Am

5/26/2023

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does not contest the City's proposal the City will proceed to administer the development on the basis of this proposal.

Sincerely,



Pete Rogalsky, PE
Public Works Director

Enclosure: Appendix A: City Recommended Intersection Layouts
Appendix B: February 16, 2022 Badger Mountain South Traffic Impact
Analysis as amended by replacement pages



Exhibit 7

Traffic Impact Analysis Report

Badger Mountain South

Richland, WA

Updated Transportation Impact Analysis
February 16, 2022

Prepared for:

Nor Am Investment, LLC
4405 71st Avenue Court NW
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Prepared by:



Transportation Engineering NorthWest

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INTRODUCTION

This updated transportation impact analysis (TIA) has been prepared for the Badger Mountain South development located on the north side of I-82 and east of Dallas Road in Richland, WA. This study has been updated based on comments received from the City of Richland dated August 26, 2021, in response to review of the initial TIA dated May 14, 2021.

Project Description

Badger Mountain South (BMS) is a large mixed-use, multi-phased development on approximately 1,500 acres located in the Badger Mountain Subarea of Richland, WA. The BMS site is located north of I-82 and east of Dallas Road and is generally divided into six neighborhoods (BMS Station, West Village, West Vineyard, East Garden, East Market and South Orchard) as shown in the **Figure 1** vicinity map. As of November 2020, Phase 1 (approximately 700 dwelling units and 22,000 square feet of commercial use) had been constructed. Full project buildout is expected by 2040 and is anticipated to include a total of approximately 4,600 residential dwelling units (both single family and multifamily) and approximately 1,017,000 square feet of commercial development.

Vehicular access to/from the BMS site is currently provided via Dallas Road only. With full buildout of the development by 2040, vehicular access to the BMS site will be provided from Dallas Road, Reata Road, and via the future planned extension of Gage Blvd to/from the east. A preliminary site plan illustrating the anticipated buildout of the BMS site over the next 20 years is shown in **Figure 2**.

History and Purpose

Transportation impacts associated with the development of BMS were evaluated in the 2010 Badger Mountain South Final Supplemental EIS (FSEIS). The subsequent Badger Mountain South Subarea Plan and approved Master Agreement (2015) were based on the FSEIS analysis. Exhibit B of the 2015 Master Agreement (conditions of approval) outlines several traffic mitigation measures to be completed with the first 1,000 PM peak hour trips generated by Badger Mountain South (referred to as Phase 1). Exhibit B of the Master Agreement also documents the need for a TIA to be provided to the City for every 500 trips generated after the BMS Phase 1 threshold has been reached in order to identify potential off-site improvements beyond Phase 1 of BMS.

This Transportation Impact Analysis (TIA) was prepared to meet the requirement of the Master Agreement condition of approval for evaluation of traffic impacts beyond the development of BMS Phase 1. The analysis included in this TIA is intended to evaluate traffic impacts of an additional 500 PM peak hour project trips as well as full buildout of the BMS development; and to develop a mitigation strategy to address future roadway and intersection deficiencies as a result of buildout of BMS and growth in background traffic to the year 2040.

Project Approach and Study Scope

The detailed scope of work for this TIA was established through correspondence with the City of Richland, and their subsequent coordination with other local jurisdictions. A total of 26 off-site study intersections and 12 on-site study intersections were identified for evaluation during both the AM and PM peak hours. Additionally, the City required evaluation of four future development years (2025, 2030, 2035 and 2040) in order to assist with identifying the future development phases of BMS for which transportation mitigation will be needed.

The scope of work for this TIA is significantly different and more extensive than the traffic analysis included in 2010 FSEIS which analyzed a total of 11 off-site study intersections and 4 on-site study intersections for the PM peak hour only.

To analyze the transportation impacts from buildout of the Badger Mountain South development, the following tasks were undertaken:

- Assessed existing conditions through field reconnaissance and reviewed existing planning documents.
- Described existing roads, pedestrian facilities, and transit facilities in the project vicinity.
- Documented existing (2021) traffic volumes and intersection level of service (LOS) at 22 off-site study intersections during the weekday AM and PM peak hours.
- Documented planned roadway improvements in the project vicinity.
- Developed weekday daily, AM peak hour, and PM peak hour trip generation estimates for four future development years (2025, 2030, 2035, and 2040).
- Summarized traffic modeling information obtained from BFCG to determine the project trip distribution.
- Documented trip distribution and assignment of AM and PM peak hour project trips.
- Documented AM and PM peak hour traffic forecasts and assumptions for year 2040 conditions with full buildout of Badger Mountain South.
- Analyzed weekday AM and PM peak hour LOS for future year 2040 conditions with full project buildout at 26 off-site study intersections.
- Analyzed weekday AM and PM peak hour LOS for future year 2040 full buildout conditions at 12 on-site intersections and identified preliminary traffic control and channelization.
- Documented preliminary roadway functional classifications for internal roadways within BMS.
- Evaluated and documented potential mitigation measures at off-site intersections forecast to operate at LOS E or LOS F in 2040; note LOS D is acceptable per City of Richland.

Primary Data and Information Sources

- Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th edition, 2017.
- Peak Hour traffic counts by IDAX, November 2020.
- Peak Hour traffic counts by City of Richland, 2019 and 2021.
- *Highway Capacity Manual (HCM)*, 6th Edition, TRB.
- City of Richland *2022-2027 Six Year Transportation Improvement Program (TIP)*.
- City of West Richland *2022-2027 Six Year Transportation Improvement Program (TIP)*.
- Benton Franklin Council of Governments *2021-2024 Transportation Improvement Program (TIP)*.
- WSDOT *2022-2025 Statewide Transportation Improvement Program (STIP)*.

- City of Richland *Comprehensive Plan*, 2017.
- Badger Mountain South Sub Area Plan, 2010.
- Badger Mountain South Final Supplemental EIS, 2010.
- Benton Franklin Council of Governments traffic modeling.
- Ben Franklin Transit webpage, www.bft.org, February 2022.

Report Organization

This TIA report is organized to first describe Existing Conditions in the study area of the BMS development, which includes AM and PM peak hour traffic volumes and intersection operations. Then future year conditions are described in year 2040 to reflect full buildout of the BMS development and anticipated growth in background traffic.

Evaluation of existing and future conditions applies intersection level of service (LOS) to identify locations where future transportation improvements are necessary to maintain acceptable LOS operations by 2040.

Finally, a Mitigation section provides a description of transportation roadway and intersection improvements needed to accommodate buildout of BMS while also accounting for growth in background traffic. The Mitigation section is intended to provide a list of improvements to be used to monitor and identify road and intersection improvements as buildout of BMS occurs over the next 18 years.

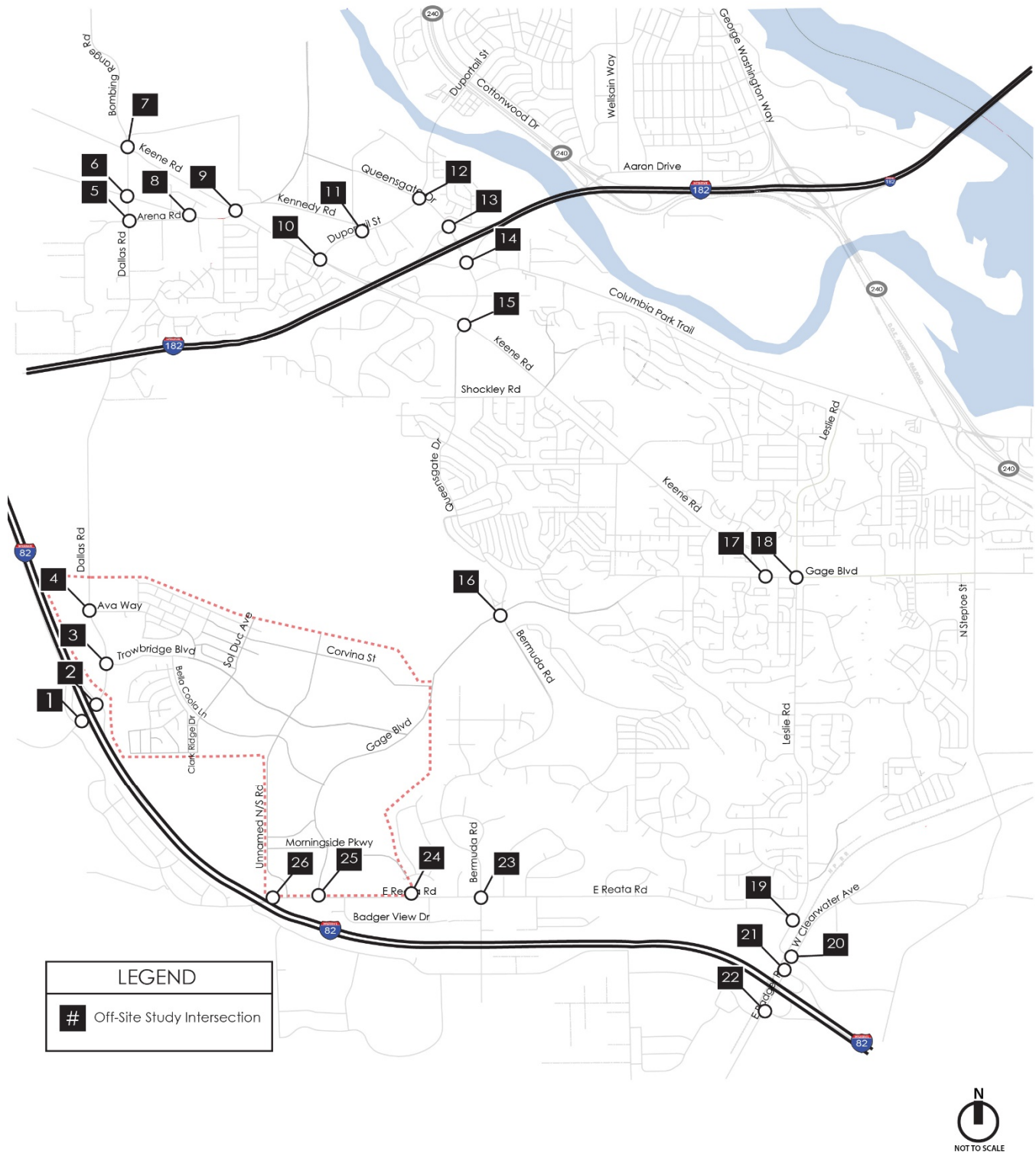


Figure 1: Project Site Vicinity and Off-Site Study Intersections

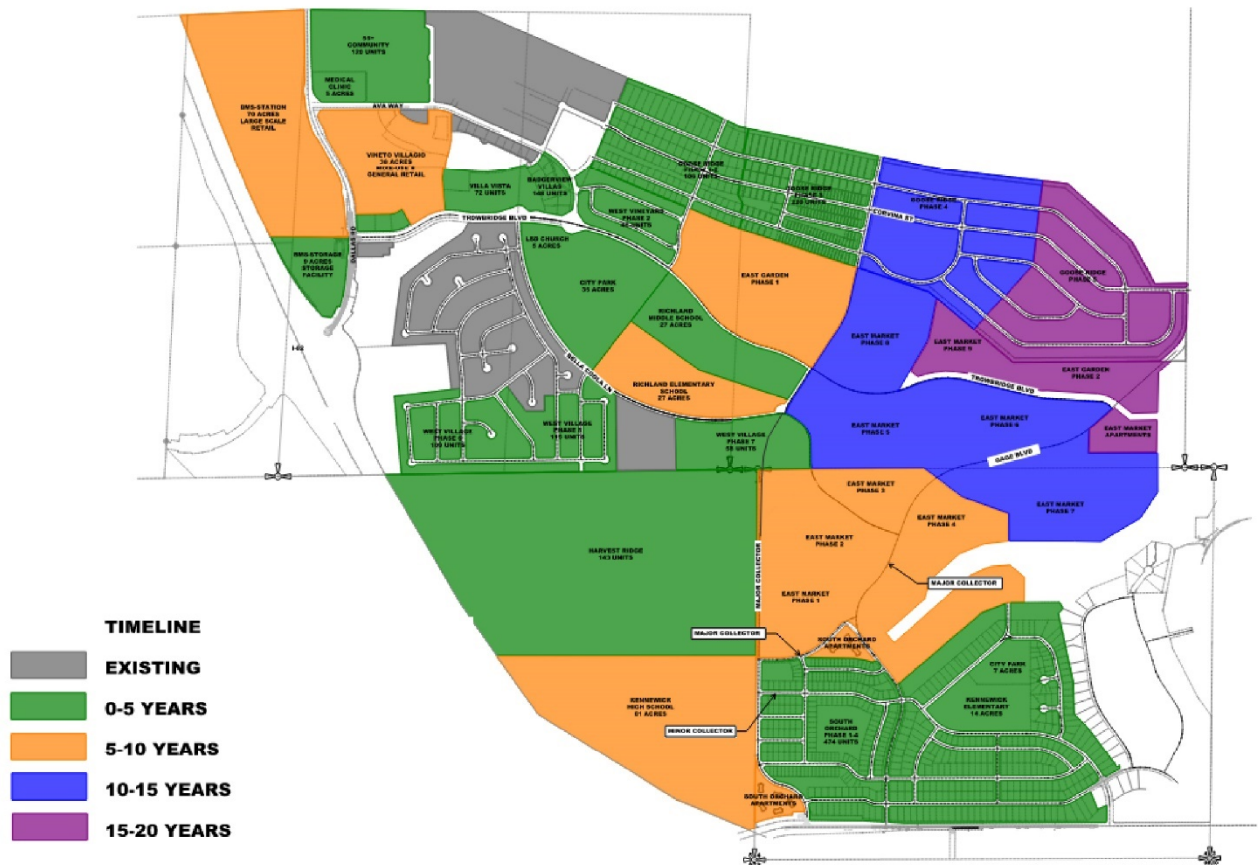


Figure 2: Preliminary Site Plan for Full Buildout of BMS

EXISTING CONDITIONS

Study Area

The existing transportation study area and roadway network providing access to the Badger Mountain South site is shown on **Figure 1**. The off-site study intersections evaluated in this transportation analysis were identified and agreed upon by the City of Richland. The 26 off-site study intersections and their corresponding jurisdiction are as follows (see also **Figure 1**):

1. Dallas Road / I-82 Eastbound Ramps (WSDOT/Richland)
2. Dallas Road / I-82 Westbound Ramps (WSDOT/Richland)
3. Dallas Road / Trowbridge Blvd (Richland)
4. Dallas Road / Ava Way (Richland)
5. Dallas Road / Arena Road (West Richland)
6. Bombing Range Road / Kennedy Road (West Richland)
7. Bombing Range Road / Keene Road (West Richland)
8. Arena Road / Kennedy Road (West Richland)
9. Kennedy Road / Keene Road (West Richland)
10. Duportail Street / Keene Road (Richland)
11. Duportail Street / Kennedy Road (Richland)
12. Duportail Street / Queensgate Drive (Richland)
13. Queensgate Drive / I-182 Westbound Ramps (WSDOT)
14. Queensgate Drive / I-182 Eastbound Ramps (WSDOT)
15. Queensgate Drive / Keene Road (Richland)
16. Gage Blvd / Queensgate Drive / Bermuda Road (Richland) – *Future Intersection*
17. Keene Road / Gage Blvd (Richland)
18. Leslie Road / Gage Blvd (Richland)
19. Leslie Road / Reata Road (Richland)
20. Leslie Road / Badger Road / Clearwater Avenue (Richland)
21. Badger Road / I-82 Westbound Ramps (WSDOT/Richland)
22. Badger Road / I-82 Eastbound Ramps (WSDOT/Richland)
23. Bermuda Road / Reata Road (Benton County/Richland)
24. Morningside Parkway / Reata Road (Benton County/Richland)
25. Gage Blvd / Reata Road (Benton County/Richland) – *Future Intersection*
26. Unnamed Road / Reata Road (Benton County/Richland) – *Future Intersection*

In addition to the 26 off-site study intersections, a total of 12 on-site (internal) study intersections were identified by the City of Richland as shown in **Figure 3**:

- A. Bella Coola Lane / Trowbridge Blvd
- B. Ava Way / Trowbridge Blvd
- C. Sol Duc Ave / Trowbridge Blvd
- D. Unnamed N/S Road / Trowbridge Blvd
- E. Gage Blvd / Trowbridge Blvd
- F. Gage Blvd / Corvina Street
- G. Gage Blvd / Bella Coola Lane
- H. Gage Blvd / Unnamed E/W Road
- I. Gage Blvd / Morningside Parkway
- J. Unnamed N/S Road / Unnamed E/W Road
- K. Unnamed N/S Road / Bella Coola Lane
- L. Clark Ridge Dr / Bella Coola Lane



Roadway Network

Table 1 describes the existing characteristics of the streets used as primary routes to and from the BMS site. Roadway characteristics are described in terms of directional orientation, arterial classification, number of lanes, posted speed limits, parking, pedestrian facilities, and bicycle facilities. The relationship of these roadways to the project site is shown in **Figure 1**. An aerial view of the transportation network in the site vicinity is shown on the next page.

Table 1
Existing Study Area Roadway Network

Roadway	Orientation	Existing Functional Classification	# of Travel Lanes	Posted Speed Limit (mph)	Parking	Sidewalks	Bicycle Facilities
Interstate 82 (I-82)	EW	Interstate	4	70	No	No	None
Interstate 182 (I-182)	E/W	Interstate	4	70	No	No	None
Dallas Rd	N/S	Minor Arterial	2	35/50	No	No	None
Trowbridge Blvd	E/W	Minor Arterial	2-4	30	No	Intermittent	None
Ava Way	E/W	Major Collector	2	25	No	Intermittent	None
Bombing Range Rd	N/S	Minor Arterial	2+	35	No	Both Sides	None
Kennedy Rd	E/W	Major Collector	2	40	No	Intermittent	None
Keene Rd	NW/SE	Principal Arterial	4+	30/45	No	Intermittent	Bike Lanes on Both Sides and Shared Use Path on North Side
Duportail St	N/S	Principal Arterial	4+	30	No	Both Sides	Bike Lanes on Both Sides
Queensgate Dr	N/S	Principal Arterial	4+	35	No	Both Sides	Bike Lanes on Both Sides and Shared Use Path on East Side from Keene to I-182
Gage Blvd	E/W	Minor Arterial	2-5	30-40	No	Intermittent	Bike Lanes on Both Sides east of Leslie
Leslie Rd	N/S	Minor Arterial	2+	35	No	Intermittent	Bike Lanes on Both Sides
Reata Rd	E/W	Major Collector	2	40	No	No	None

+ includes center two-way left-turn lane (TWLTL)

The following describes the primary roads providing access to the BMS area in more detail.

Interstate 82 (I-82) is an east-west limited access freeway that connects I-90 in central Washington to I-84 in Oregon. In the project vicinity, I-82 consists of two travel lanes in each direction with a posted speed limit of 70 mph (60 mph for trucks). Paved shoulders exist on both sides of the highway.

In the vicinity of Badger Mountain there is an interchange with I-82 at E Badger Road (Exit 109), an interchange with I-82 at Dallas Road (Exit 104) and an interchange with I-82 at I-182 (Exit 102). The I-82 interchange at Dallas Road provides primary access to the project site.

Interstate 182 (I-182) / US 12 is an east-west interstate freeway that connects the Tri Cities area between I-82 and the City of Walla Walla. In the project vicinity, I-182 consists of two travel lanes in each direction with a posted speed limit of 70 mph (60 mph for trucks). Paved shoulders exist on both sides of the highway. In the vicinity of the project site, there is an interchange with I-182 at I-82 (Exit 102) and an interchange with I-182 at Queensgate Drive (Exit 3). The I-182 interchange at Queensgate Drive provides primary access to West Richland to the northwest and the City of Kennewick to the southeast.

Dallas Road is a north-south major collector consisting of two lanes (one in each direction) and posted speed limits ranging from 35 to 50 mph. Dallas Road provides access to the BMS project site from its interchange with I-82. Paved shoulders exist on both sides of the roadway.

Gage Blvd is an east-west minor arterial consisting of two lanes in each direction with a center two way left turn lane. Gage Blvd connects the commercial area of Kennewick to residential Richland. The posted speed is 30 mph and sidewalks exist on both sides of the roadway east of Keene Road. A future planned road extension will connect Gage Blvd to Reata Road through the BMS site.

Reata Road is an east-west major collector consisting of two lanes (one in each direction) and a posted speed limit of 40 mph. Gravel shoulders exist on both sides of the roadway. Reata Road provides a connection between Dallas Road and Leslie Road along the southern boundary of the BMS site.

Nonmotorized Transportation Facilities

Pedestrian facilities in the immediate project vicinity include intermittent sidewalks on the north side of Ava Way, a paved pedestrian path on the southern side of Ava Way, and a paved pedestrian path on the south side of Trowbridge Blvd. The Badger Mountain Trailhead Park Loop, Canyon Trail, Langdon Trail, Sagebrush Trail and Skyline Trail are located directly north of the project site and are protected trails for pedestrians and bicycles. Other pedestrian facilities include curb ramps and crosswalks at the majority of the study intersections. There are no designated bicycle lanes in the immediate vicinity of the site.

Transit Service

Transit service to and from the project vicinity is provided by Ben Franklin Transit (BFT). There is no existing transit service in the vicinity of the BMS project site.

Existing Traffic Volumes

Year 2021 existing weekday AM and PM peak hour traffic volumes at the off-site study intersections were based on counts conducted in 2019, 2020, and 2021. The AM peak hour represents the highest one-hour time period between 7:00 and 9:00 AM and the PM peak hour represents the highest one-hour time period between 4:00 and 6:00 PM (standard ITE-defined peak period).

To calculate the impact of COVID-19 on existing peak hour traffic volumes collected in 2020 and 2021, the peak hour traffic volumes were compared to available historical peak hour traffic volumes provided by the City of Richland, the Benton Franklin Council of Governments (BFCG), and other

traffic studies in the project vicinity. An estimated 1.2 percent growth rate was applied to the 2017 and 2019 historical volumes to estimate existing 2021 “normal” conditions. The 1.2% annual growth rate was calculated based on a comparison of link traffic volumes at the off-site study intersections from the future year 2025 and year 2040 baseline (without BMS project traffic) traffic modeling provided by BFCG.

Based on the results of this volume comparison, to estimate “normal” 2020 existing traffic volumes for non-COVID conditions, the traffic counts collected in November 2020 were increased by 25 percent during the AM peak hour and 15 percent during the PM peak hour. All counts used in this updated TIA were conducted in November 2020 with exception to the following:

- **#7 Bombing Range Road / Keene Road** – December 2021 counts were used at this intersection for the AM peak hour; April 2019 counts were used at this intersection for the PM peak hour
- **#10 Duportail Street / Keene Road** – March 2021 counts were used at this intersection for the AM and PM peak hours
- **#11 Duportail Street / Kennedy Road** – August 2021 counts were used at this intersection for the AM peak hour; March 2021 counts were used at this intersection for the PM peak hour
- **#12 Duportail Street / Queensgate Drive** – March 2021 counts were used at this intersection for the AM and PM peak hours
- **#15 Keene Road / Queensgate Drive** – March 2021 counts were used at this intersection for the AM and PM peak hours
- **#24 Morning Side Parkway / Reata Road** – December 2021 counts were used at this intersection for the AM and PM peak hours

Traffic counts collected in March and August 2021 were increased by 15 percent during the AM peak hour and 5 percent during the PM peak hour to estimate “normal” 2021 existing traffic volumes. A COVID adjustment was not applied to counts conducted in December 2021 because the volume comparison showed that the December 2021 counts were higher than historical peak hour traffic volumes with an estimated growth rate of 1.2 percent applied, indicating that the December 2021 volumes reflect existing “normal” conditions.

It should be noted that the counts used in the previous BMS TIA at the intersection of Bombing Range Road / Keene Road (#7) were not used in this updated TIA due to concerns regarding the intersection’s proximity to several schools and schools being conducted remotely at the time counts were collected in November 2020. Therefore, this updated TIA uses counts with schools operating normally (December 2021 counts during the AM peak hour and April 2019 counts with an applied growth rate during the PM peak hour). Additionally, minor adjustments were made to the volumes at the Kennedy Road / Keene Road intersection (#9) to balance with the traffic volumes at Bombing Range Road / Keene Road.

The 2021 “normal” weekday AM and PM peak hour traffic volumes at the 23 off-site study intersections are illustrated in Error! Reference source not found. and Error! Reference source not found., respectively. It should be noted that three of the 26 off-site study intersections are not existing intersections but will be future intersections with the development of BMS and analyzed under future 2040 conditions). Detailed traffic count data sheets are included in **Appendix A**.

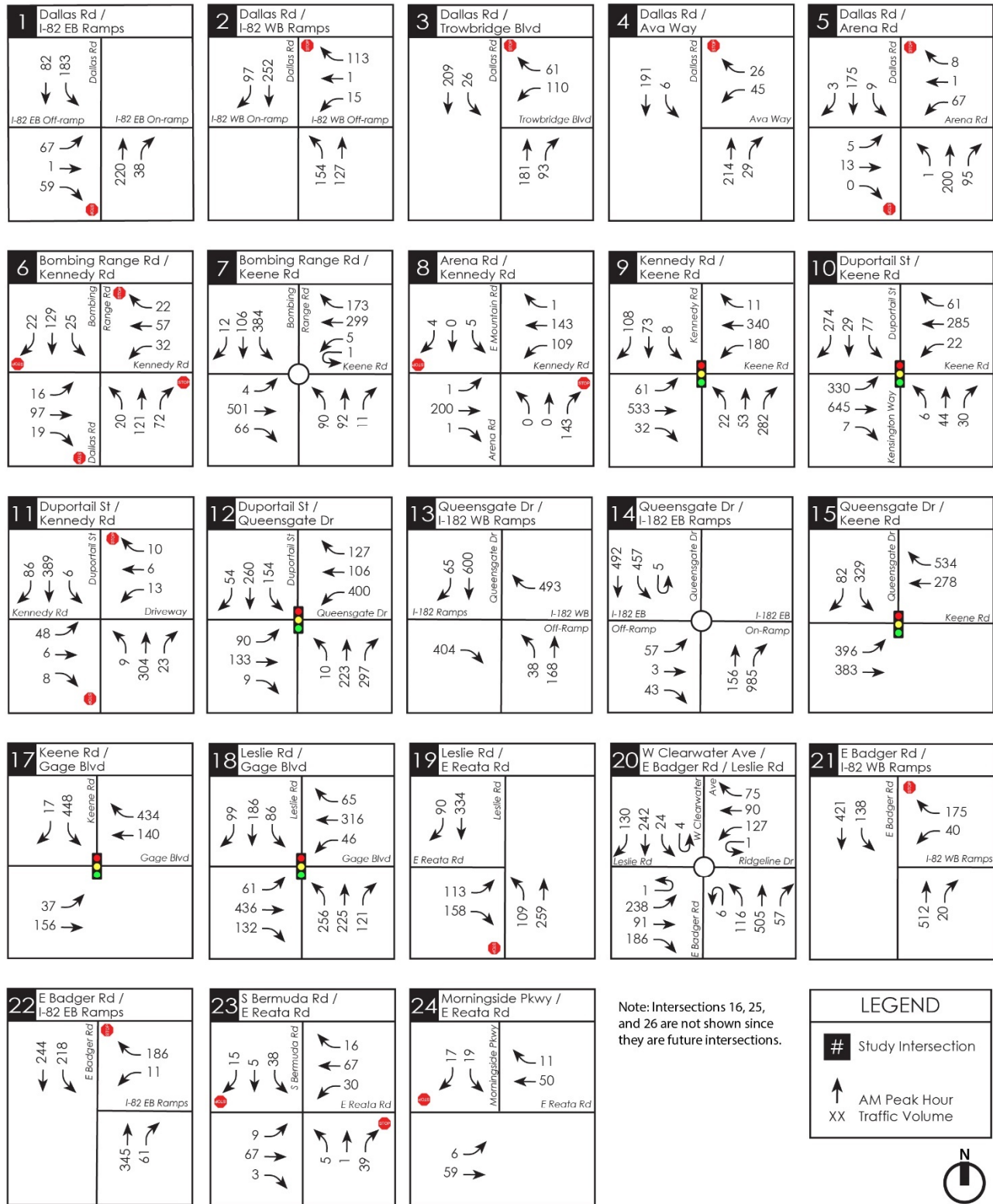


Figure 4: 2021 Existing Weekday AM Peak Hour Traffic Volumes

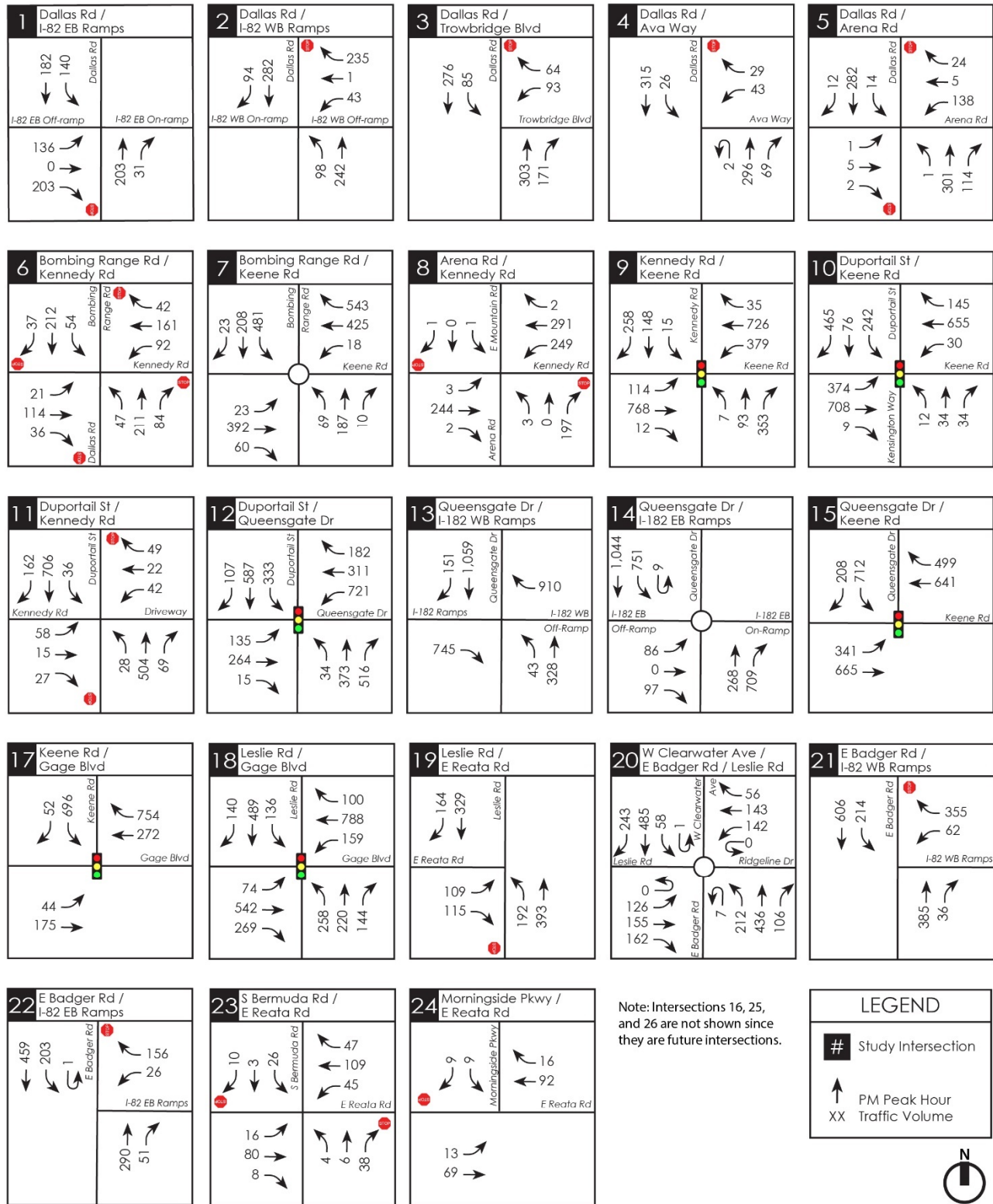


Figure 5: 2021 Existing Weekday PM Peak Hour Traffic Volumes

Existing Level of Service

Based on extensive scoping discussions with the City of Richland, existing weekday AM and PM peak hour level of service (LOS) analyses were conducted at 23 existing off-site study intersections (note that 3 of the 26 identified off-site study intersections are not existing intersections but will be future intersections with the development of BMS).

LOS generally refers to the degree of congestion on a roadway or intersection. It is a measure of vehicle operating speed, travel time, travel delays, and driving comfort. A letter scale from A to F generally describes intersection LOS. At signalized intersections, LOS A represents free-flow conditions (motorists experience little or no delays), and LOS F represents forced-flow conditions where motorists experience an average delay in excess of 80 seconds per vehicle.

The LOS reported for signalized intersections represents the average control delay (sec/veh) and can be reported for the overall intersection, for each approach, and for each lane group (additional v/c ratio criteria apply to lane group LOS only).

The LOS reported at stop-controlled intersections is based on the average control delay and can be reported for each controlled minor approach, controlled minor lane group, and controlled major-street movement (and for the overall intersection at all-way stop controlled intersections. Additional v/c ratio criteria apply to lane group or movement LOS only).

Table 2 outlines the current HCM 6th Edition LOS criteria for signalized and stop-controlled intersections based on these methodologies.

Table 2
LOS Criteria for Signalized and Stop Controlled Intersections

SIGNALIZED INTERSECTIONS			UNSIGNALIZED INTERSECTIONS		
Control Delay (sec/veh)	LOS by Volume-to Capacity (V/C) Ratio ¹		Control Delay (sec/veh)	LOS by Volume-to Capacity (V/C) Ratio ²	
	≤ 1.0	> 1.0		≤ 1.0	> 1.0
≤ 10	A	F	≤ 10	A	F
> 10 to ≤ 20	B	F	> 10 to ≤ 15	B	F
> 20 to ≤ 35	C	F	> 15 to ≤ 25	C	F
> 35 to ≤ 55	D	F	> 25 to ≤ 35	D	F
> 55 to ≤ 80	E	F	> 35 to ≤ 50	E	F
> 80	F	F	> 50	F	F

Source: Highway Capacity Manual, Transportation Research Board, 6th Edition, 2016.

¹ For approach-based and intersection-wide assessments at signals, LOS is defined solely by control delay.

² For two-way stop-controlled intersections, the LOS criteria apply to each lane on a given approach and to each approach on the minor street. LOS is not calculated for major-street approaches or for the intersection as a whole at two-way stop-controlled intersections. For approach-based and intersection-wide assessments at all-way stop controlled intersections and roundabouts, LOS is solely defined by control delay.

LOS calculations were based on methodology and procedures outlined in the 6th Edition of the *Highway Capacity Manual* using *Synchro 10* and *SIDRA 9* traffic analysis software. Existing signal timing at the signalized study intersections was provided by the City of Richland.

The 2021 existing AM and PM peak hour LOS analysis results at the existing off-site study intersections are summarized in **Table 3** (for signals and roundabouts) and **Table 4** (for stop-controlled). The LOS worksheets are included in **Appendix B**. It should be noted that study intersection #13 (Queensgate

Dr / I-182 WB Ramps) is not included in Table 3 or Table 4 because all movements at the intersection are uncontrolled and thus do not have any vehicular delay associated with them.

Table 3
2021 Existing Peak Hour LOS Summary at Off-Site Study Intersections (signals and roundabouts)

Study Intersection	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
<u>Signalized Intersections</u>				
9. Kennedy Road / Keene Road	C	22.5	C	27.3
10. Duportail Street / Keene Road	C	27.3	C	26.3
12. Duportail Street / Queensgate Drive	B	17.9	C	27.3
15. Queensgate Drive / Keene Road	B	18.8	C	24.4
17. Keene Road / Gage Blvd	B	14	B	14.1
18. Leslie Road / Gage Blvd	C	28.4	D	53.4
<u>Roundabout Intersections</u>				
7. Bombing Range Road / Keene Road	D	27.3	C	24.6
14. Queensgate Drive / I-182 EB Ramps	A	5.9	A	6.4
20. Badger Road / Clearwater Ave / Leslie Road	A	8.2	A	9.5

Table 4
2021 Existing Peak Hour LOS Summary at Off-Site Study Intersections (stop-controlled)

Study Intersection / Movement	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
<u>All-Way Stop Controlled Intersection</u>				
6. Bombing Range Road / Kennedy Road	A	9.7	C	15.9
<u>Two-Way Stop Controlled Intersections</u>				
1. Dallas Road / I-82 EB Ramps				
Eastbound Approach	C	21.5	E	41.1
Southbound Left-Turn	A	8.5	A	8.1
2. Dallas Road / I-82 WB Ramps				
Westbound Approach	B	11.2	C	16.9
Northbound Left-Turn	A	8.8	A	8.7
3. Dallas Road / Trowbridge Blvd				
Westbound Approach	B	14.3	C	22.2
Southbound Left-Turn	A	8.1	A	8.8
4. Dallas Road / Ava Way				
Westbound Approach	B	11.7	C	15.8
Southbound Left-Turn	A	8.0	A	8.2

Table 4 continued
2021 Existing Peak Hour LOS Summary at Off-Site Study Intersections (stop-controlled)

Study Intersection / Movement	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
5. Dallas Road / Arena Road				
Eastbound Approach	B	13.7	C	15.7
Westbound Approach	C	15.7	E	41.8
Northbound Left-Turn	A	7.6	A	7.9
Southbound Left-Turn	A	7.9	A	8.3
8. Arena Road / Kennedy Road				
Eastbound Left-Turn	A	7.5	A	7.8
Westbound Left-Turn	A	8.0	A	8.4
Northbound Approach	B	10.7	B	11.7
Southbound Approach	C	15.4	D	25.5
11. Duportail Street / Kennedy Road				
Eastbound Left-Turn	B	13.8	D	25.8
Eastbound Thru-Right	B	11.5	C	15.8
Westbound Left-Turn	B	11.3	C	17.3
Westbound Thru-Right	B	10.8	B	14.5
Northbound Left-Turn	A	8.5	B	10.1
Southbound Left-Turn	A	7.6	A	8.1
19. Leslie Road / Reata Road				
Eastbound Left-Turn	C	17.5	C	24.7
Eastbound Right-Turn	B	12.1	B	11.3
Northbound Left-Turn	A	8.8	A	9.3
21. Badger Road / I-82 WB Ramps				
Westbound Shared Left-Right	D	27.1	F	58.0
Southbound Left-Turn	A	9.7	A	9.0
22. Badger Road / I-82 EB Ramps				
Westbound Approach	C	16.5	C	15.1
Southbound Left-Turn	A	9.3	A	8.7
23. Bermuda Road / Reata Road				
Eastbound Left-Turn	A	7.5	A	7.6
Westbound Left-Turn	A	7.5	A	7.5
Northbound Approach	A	9.2	A	9.9
Southbound Approach	B	10.7	B	12.0
24. Morningside Parkway / Reata Road				
Eastbound Left-Turn	A	7.4	A	7.5
Westbound Right-Turn	A	0	A	0
Southbound Left-Turn	A	9.4	A	9.7
Southbound Right-Turn	A	8.7	A	8.8

AM Peak Hour

As shown in LOS **Table 3**, all signalized and roundabout study intersections are currently operating at LOS D or better during the AM peak hour.

As shown in LOS **Table 4**, the all-way stop controlled study intersection and all individual lane groups at the stop-controlled study intersections are currently operating at LOS D or better during the AM peak hour.

PM Peak Hour

As shown in **Table 3**, all signalized and roundabout study intersections are currently operating at LOS D or better during the PM peak hour.

As shown in **Table 4**, the all-way stop controlled study intersection and all individual lane groups at the stop-controlled study intersections are currently operating at LOS D or better during the PM peak hour with exception to the following:

- #1 Dallas Road/I-82 EB Ramps – the eastbound approach is currently operating at LOS E
- #5 Dallas Road/Arena Road – the westbound approach is currently operating at LOS E
- #21 Badger Road/I-82 WB Ramps – the westbound approach is currently operating at LOS F

FUTURE TRAFFIC ANALYSIS

This section provides information related to future planned roadway improvements, weekday AM and PM peak hour traffic volumes, and peak hour LOS at study intersections in year 2040. The 2040 traffic conditions account for buildout of the BMS development and growth in background traffic. Level of service (LOS) evaluation during weekday AM and PM peak hours is used to identify locations where future improvements will be necessary to maintain acceptable LOS operations by 2040. Locations where improvements are needed to provide acceptable LOS are then addressed later in the Mitigation Measures section of the report.

Planned Transportation Improvements

This section describes the planned transportation improvements located within the project study area. The following planning documents were reviewed to document planned capacity-related transportation improvements located within the project study area. It should be noted that planned improvements are noted for the next 6-year period; road and intersection improvements beyond 2027 are not identified.

- Benton-Franklin Council of Governments (BFCG) 2021-2024 Transportation Improvement Program (TIP)
- City of Richland 2022-2027 Six-Year Transportation Improvement Program (TIP)
- City of West Richland 2022-2027 Six-Year Transportation Improvement Program (TIP)
- Benton County 2022-2027 Six-Year Transportation Improvement Program (TIP)
- WSDOT 2022-2025 Statewide Transportation Improvement Program (STIP)

BFCG 2021-2024 TIP

No capacity related projects were identified within the project vicinity in the BFCG's 2021-2024 TIP.

City of Richland 2022 – 2027 TIP

Gage Blvd Improvements (Priority #8). Improvements of Gage Blvd from Penny Royal Ave to Morency Drive. The project involves the addition of curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2024. *The funding for this project is not secured.*

Queensgate Drive Extension Phase I (Priority #13). Extension of Queensgate Drive from Shockley Road to Keene Road. The new roadway will have three lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2025. *This project is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). The funding for this project is not secured and is anticipated to be constructed with development activity. Therefore, the schedule for this project is dependent on privately initiated development.*

Duportail / Kennedy Intersection Improvements (Priority #15). Reconstruct intersection of Duportail Street/Kennedy Road. Construction is anticipated to start in 2024.

Duportail / Driveway Intersection Improvements (Priority #16). Reconstruct intersection of Duportail Street/Driveway (north of Kennedy Road). Construction is anticipated to start in 2025. *This project is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

Dallas Road / Trowbridge Blvd Intersection Improvements (Priority #18). Improvements of the Dallas Road and Trowbridge Blvd intersection includes the reconstruction of the intersection to provide for added capacity. Construction is anticipated to start in 2025. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Dallas Road / Ava Way Intersection Improvements (Priority #20). Improvements of the Dallas Road and Ava Way intersection includes the reconstruction of the intersection to provide for added capacity. Construction is anticipated to start in 2024. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Dallas Road / I-82 WB Ramps Intersection Improvements (Priority #21). Improvements of the Dallas Rd and I-82 WB ramps intersection includes reconstruction of the ramp and intersection to provide for added capacity. Construction is anticipated to start in 2025. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Dallas Road / I-82 EB Ramps Intersection Improvements (Priority #22). Improvements of the Dallas Rd and I-82 EB ramps intersection includes reconstruction of the ramp and intersection to provide for added capacity. Construction is anticipated to start in 2025. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Dallas Road Widening (Priority #23). Widening of Dallas Road from city limits to I-82 to have four lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2026. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). This project is anticipated to be constructed with a combination of development activity impact fees and City grant funds.*

Gage Blvd Extension (Priority #24). Extension of Gage Blvd from Morency Drive to Queensgate Blvd to include three lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Based on information provided by the City, construction is anticipated to occur between 2030 and 2035. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). This project is anticipated to be constructed with a combination of development activity impact fees and City grant funds.*

Shockley Road Extension (Priority #25). Extension of Shockley Road from Keene Rd to south of Badger Valley Way to have two lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Based on information provided by the City, construction is likely to occur after 2030. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Trowbridge Blvd – Sol Duc Ave to Gage Blvd (Priority #26). Construction of Trowbridge Blvd between Sol Duc Ave and Gage Blvd to have two lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2025. *This project is anticipated to be funded and constructed by Badger Mountain South and is eligible for impact fee credit per the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

Bella Coola Lane – Copper Mountain Apartments to Gage Blvd (Priority #27). Construction of Bella Coola Lane from the Copper Mountain Apartments to Gage Blvd to have two lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2025. *This project is anticipated to be funded and constructed by Badger Mountain South and is eligible for impact fee credit per the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

Gage Blvd / Trowbridge Blvd Intersection Improvements (Priority #28). Construction of the Gage Blvd/Trowbridge Blvd intersection. Construction is anticipated to start in 2026. *This project is anticipated to be funded and constructed by Badger Mountain South and is eligible for impact fee credit per the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

Gage Blvd - Badger Mountain South Improvements (Priority #29). Construction of Gage Blvd from Road B-C to Queensgate Drive to include two lanes with curb, gutter, sidewalk, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2026. *This project is anticipated to be funded and constructed by Badger Mountain South and is eligible for impact fee credit per the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

City of West Richland 2022-2027 TIP

Bombing Range Road / Keene Road Intersection Modifications (Priority #2). This project would signalize the intersection and construct associated lane improvements. Construction is anticipated to occur in 2025.

Bombing Range Road / Kennedy Road Intersection Modifications (Priority #16). This project would construct intersection modifications which may include signalization.

Benton County 2022-2027 TIP

Badger Road – I-82 Roundabouts and Pathway (Priority #5). This project would construct four roundabouts along Badger Road, three at the interchange with I-82 and one at Cottonwood Drive. A non-motorized pathway would also be constructed along the north side of the road to remove pedestrians and other non-motorized traffic from the roadway. Construction is anticipated to start in 2026. *This project is anticipated to be constructed by a combination of federal and state funding.*

Reata Road Widening and Pathway (Priority #17). This project would add a twelve-foot pathway on the north side of Reata Road and widen the roadway to accommodate three (3) eleven foot lanes from the I-82 Overpass to Richland City Limits. Construction is anticipated to start in 2026. *This project is currently unfunded.*

Badger Road Pathway (Priority #19). This project would add two six-foot bike lanes along seven miles of Badger Road from the City of Kennewick to Dallas Road. Construction is anticipated to start in 2026. *This project is anticipated to be constructed by County funding.*

WSDOT 2022 – 2025 STIP

No capacity related projects were identified within the project vicinity in WSDOT's 2021-2024 STIP.

Future Year 2040 Roadway Network

The roadway network for the future year 2040 LOS analysis at the 26 off-site study intersections was based on existing conditions except at the following intersections where identified improvements were assumed to be in place by 2040 (note that assumed improvements do not reflect known commitments to improvements):

- **#1 Dallas Road / I-82 Eastbound Ramps** – new southbound left-turn lane as identified in the BMS Master Agreement for Phase 1.
- **#2 Dallas Road / I-82 Westbound Ramps** – new westbound right-turn lane, a northbound left-turn lane, and a southbound right-turn lane as identified in the BMS Master Agreement for Phase 1.
- **#3 Dallas Road / Trowbridge Blvd** – widen Dallas Road to 4 lanes south of Trowbridge Blvd as identified in the BMS Master Agreement for Phase 1; also assumed to be a 4-leg roundabout with the west leg providing access to BMS development on the west side of Dallas Road
- **#4 Dallas Road / Ava Way** – new turn lanes on Dallas Road as identified in the BMS Master Agreement for Phase 1; also assumed to be unsignalized with Dallas Road free flow and Ava Way stop-controlled. A new west leg of the intersection was included at this intersection to account for planned BMS development on the west side of Dallas Road.
- **#7 Bombing Range Road / Keene Road** – reconstruct existing roundabout to a signalized intersection per City of West Richland TIP project. Assumed channelization includes: two eastbound through lanes with separate eastbound right and left-turn lanes; two westbound through lanes with separate westbound right and left-turn lanes; a northbound left-turn lane plus a shared through-right-turn lane; and dual southbound left-turn lanes plus a shared through-right-turn lane.
- **#11 Duportail Street / Kennedy Road** – new signalized intersection per City of Richland TIP project. Existing channelization was assumed at this intersection.
- **#15 Queensgate Drive / Keene Road** – new south leg as part of the Queensgate Drive Extension project identified in the City of Richland's Six-Year TIP. Assumed channelization improvements include the following: two eastbound through lanes with separate right and dual left-turn lanes; two westbound through lanes with separate right and left-turn lanes; dual northbound left-turn lanes plus a through lane and a shared through-right-turn lane; and dual southbound left-turn lanes with separate through and right-turn lanes.
- **#16 Gage Blvd / Queensgate Drive / Bermuda Road** – new intersection as part of the Queensgate Drive Extension Project identified in the City of Richland's Six-Year TIP; also assumed to be a roundabout per City of Richland.
- **#21 Badger Road / I-82 WB Ramps** – new roundabout per Benton County TIP project.
- **#22 Badger Road / I-82 EB Ramps** – new roundabout per Benton County TIP project.
- **#25 Gage Blvd / Reata Road** – new unsignalized intersection with Reata Road a single-lane in each direction with a center two-way left-turn lane; assumes Gage Boulevard is stop-controlled with separate southbound right and left-turn lanes.

- **#26 Unnamed N/S Road / Reata Road** – new unsignalized intersection with Reata Road a single-lane in each direction with a center two-way left-turn lane; assumes Unnamed N/S Road is stop-controlled with separate southbound right and left-turn lanes.
- **#5 Dallas Road / Arena Road** (requested by the City of Richland) – new dead-end cul-de-sac on the west end of Arena Road, east of its existing intersection with Dallas Road. As a result, the Dallas Road / Arena Road intersection would be a three-leg unsignalized intersection with the west leg of Arena Road stop-controlled, and Dallas Road free flow.

Project Land Use Assumptions by Year

Development of the BMS project will occur in phases over the next 18 years with full buildout anticipated to be achieved by 2040. **Table 5** below summarizes the existing BMS development as of November 2020 (when existing traffic volumes were conducted) and the future land use anticipated to be developed by years 2025, 2030, 2035, and 2040. It should be noted that the future land use assumptions by development year and by BMS neighborhood have been provided by the applicant/owner and are based on the best available information from the owner/applicant. However, it should be recognized that the assumptions may be updated or changed as the Badger Mountain South project develops over the next 18 years.

Table 5
Project Land Use Summary by Development Year

Land Use	Total Badger Mountain South Land Use				
	Existing (as of Nov 2020)	Year 2025	Year 2030	Year 2035	Year 2040 (Full Buildout)
<u>Residential</u>					
Single Family	428 DU	1,247 DU	1,617 DU	2,152 DU	2,382 DU
Multifamily	283 DU	808 DU	1,258 DU	1,598 DU	2,058 DU
Senior Adult Housing	--	150 DU	150 DU	150 DU	150 DU
Subtotal Residential	711 DU	2,205 DU	3,025 DU	3,900 DU	4,590 DU
<u>Commercial</u>					
Grocery Store	18,030 sf	18,030 sf	18,030 sf	18,030 sf	18,030 sf
Gas Station w/ Market	3,200 sf	3,200 sf	3,200 sf	3,200 sf	3,200 sf
Fast-Food w/ Drive-Thru	700 sf	700 sf	700 sf	700 sf	700 sf
Shopping Center	--	--	260,000 sf	485,000 sf	500,000 SF
Home Improvement Superstore	--	--	--	130,000 sf	130,000 sf
Sporting Goods Superstore	--	--	--	130,000 sf	130,000 sf
Medical Office	--	40,000 sf	40,000 sf	40,000 sf	40,000 sf
Mini-Warehouse	--	175,000 sf	175,000 sf	175,000 sf	175,000 sf
<u>Other</u>					
Church		20,000 sf	20,000 sf	20,000 sf	20,000 sf

In addition to the BMS land use assumptions summarized in **Table 5**, four schools and a separate single family residential plat anticipated to be constructed within the BMS subarea as follows:

- Elementary School (Kennewick School District) – 650 students (by 2025)
- Middle School (Richland School District) – 800 students (by 2025)

- Elementary School (Richland School District) – 650 students (by 2030)
- High School (Kennewick School District) – 2,000 students (by 2030)
- Harvest Ridge Single Family Residential Plat – 143 dwelling units (by 2025)

Project Trip Generation

Trip generation estimates for development of the BMS site in future years 2025, 2030, 2035 and 2040 (full buildout) were based on methodology documented in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017). *It should be noted that although trip generation estimates were prepared for four future development years (2025, 2030, 2035, and 2040), the analysis documented in subsequent sections of this TIA focuses on year 2040 conditions with full buildout of the BMS site.*

Reductions to the gross trip generation estimates were made to account for internal and pass-by trips. Internal trips are made by people making multiple stops within a development without generating new trips onto the adjacent street system. The internal trip adjustments for the peak hours were based on methodology established in the ITE *Trip Generation Handbook*, 3rd Edition, 2017 and the internal adjustments for the weekday time period were based on methodology documented in the ITE *Trip Generation Handbook*, 2nd Edition. Pass-by trips are trips that are made by vehicles that are already on the adjacent streets and make intermediate stops at the commercial uses on route to a primary destination (i.e. on the way from work to home). The pass-by trips were based on methodology and studies documented in the ITE *Trip Generation Handbook*, 3rd Edition, 2017.

The resulting net new weekday daily, AM peak hour, and PM peak hour trip generation estimates for full buildout of the BMS site in 2040 are shown in **Table 6**. Detailed trip generation calculations for year 2040 conditions with full buildout are included in **Appendix C**. The detailed peak hour trip generation for future years 2025, 2030, and 2035 are included in **Appendix D**. *It should be noted that the future year 2040 trip generation estimates summarized in **Table 6** and included in **Appendix C** include existing BMS land use that was constructed and occupied as of November 2020.*

Table 6
Project Trip Generation Summary for Project Buildout (Year 2040)

Trip Type	Weekday New Trips Generated								
	Daily			AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total	In	Out	Total
Gross Trips	33,041	33,042	66,083	1,266	2,311	3,577	3,359	2,724	6,083
Less Internal Trips	-4,957	-4,957	-9,914	-63	-63	-126	-539	-539	-1,078
Less Pass-by Trips	<u>-5,079</u>	<u>-5,079</u>	<u>-10,158</u>	<u>-215</u>	<u>-163</u>	<u>-378</u>	<u>-431</u>	<u>-452</u>	<u>-883</u>
New Trips	23,005	23,006	46,011	988	2,085	3,073	2,389	1,733	4,122

As shown in **Table 6**, with full buildout in 2040 the BMS site is estimated to generate a total of 46,011 new weekday daily trips, with 3,073 new trips occurring during the weekday AM peak hour (988 entering, 2,085 exiting), and 4,122 new trips occurring during the weekday PM peak hour (2,389 entering, 1,733 exiting).

A more detailed summary of the total year 2040 (full buildout) BMS project trip generation by neighborhood is also included in **Table 7** next.

Table 7
Project Trip Generation Summary for Project Buildout (Year 2040) by BMS Subarea

BMS Neighborhood	2040 Land Use	Weekday Net New Trips Generated					
		AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
BMS Station	130,000 sf home imp. superstore 130,000 sf sporting goods superstore 445,000 sf shopping center 175,000 sf mini-warehouse 150 DU senior housing 18,030 sf grocery store 40,000 sf medical office	346	208	554	743	683	1,426
West Vineyard	303 single family DU 220 multifamily DU	72	220	292	183	115	298
West Village	542 single family DU 301 multifamily DU 3,200 sf gas station/market 700 sf fast food with drive thru 20,000 sf church	144	386	530	349	221	570
East Garden	305 single family DU 785 multifamily DU 10,000 sf shopping center	128	394	522	329	209	538
East Market	850 single family DU 500 multifamily DU 45,000 sf shopping center	209	608	817	555	358	913
South Orchard	382 single family DU 252 multifamily DU	89	269	358	230	147	377
TOTAL		988	2,085	3,073	2,389	1,733	4,122

Project Trip Distribution and Assignment

The distribution of BMS project trips for year 2040 (full buildout) conditions was based on select zone traffic modeling provided by the Benton Franklin Council of Governments (BFCG). The BFCG traffic model distributed BMS project trips through the off-site study intersections based on specific project land use and trip generation assumptions associated with each of the model's TAZ's within the BMS subarea. The project distribution from the traffic model also assumed future planned roadway improvements (previously outlined) were in place. The total trip generation in and out of the BMS subarea based on the BFCG modeling was then compared to the total estimated BMS trip generation summarized above in **Table 6** and deemed to be comparable for the purposes of estimating the distribution of BMS project trips. Thus, the BFCG select zone modeling was used to develop BMS project trip distribution percentages that were then applied to the trip generation projections shown in **Table 6**. Although the BFCG traffic model is a PM peak hour based model, it was assumed that the general BMS trip distribution for the AM peak hour is similar the PM peak hour. The estimated peak hour BMS project trip distribution for year 2040 conditions is illustrated in **Figure 6**.

The specific distribution and assignment of net new peak hour BMS project trips through the BMS off-site access points and internal (on-site) study intersections was based on the general off-site trip distribution from the model (**Figure 6**), and the specific development assumptions and trip generation estimates for each of the six BMS neighborhood areas (BMS Station, West Village, West Vineyard, East Garden, East Market and South Orchard, as shown in **Figure 3**). The resulting AM and PM peak hour net new project trip assignment at the 26 off-site study intersections is shown in **Figures 7 and 8**, respectively. The resulting AM and PM peak hour net new project trip assignment at the 12 on-site study intersections is shown in **Figures 9 and 10**, respectively.

Internal project trips are typically not assigned as vehicular trips since they are assumed to occur internal to a project site and do not impact the off-site transportation network. However, it was conservatively assumed that all internal project trips would be vehicular trips for the purpose of evaluating traffic impacts. The assignment of peak hour internal vehicular trips through the BMS site was based on the specific origins and destinations of the internal project trips by land use and BMS neighborhood. The resulting AM and PM peak hour internal and pass-by project trip assignment at the 12 on-site study intersections is included in **Appendix E**. The resulting total AM and PM peak hour project trip assignment (net new plus internal plus pass-by trips) at the off-site study intersections is shown in **Figures 11 and 12**. The resulting total AM and PM peak hour project trip assignment (net new plus internal plus pass-by trips) at the on-site study intersections are shown in **Figures 13 and 14**.

Future Year 2040 Traffic Volumes

Future year 2040 AM and PM peak hour traffic volumes with full buildout of BMS were estimated by applying a 1.2 percent annual growth rate to the "normal" existing (year 2021) traffic volumes, adding in project traffic associated with full buildout of Badger Mountain South (see **Figures 13 and 14**), and adding in traffic volumes or estimated traffic volume adjustments associated with approved pipeline projects and planned roadway improvements. The 1.2% annual growth rate was calculated based on a comparison of link traffic volumes at the off-site study intersections from the future year 2025 and year 2040 baseline (without BMS project traffic) traffic modeling provided by BFCG; this approach was approved by the City of Richland in the traffic scoping process.

The pipeline projects and roadway improvement projects that were included in establishing future year 2040 traffic volumes are noted below:

Pipeline Projects

- Harvest Ridge residential plat – 143 single-family dwelling units
- Elementary School (Kennewick School District) – 650 students
- Middle School (Richland School District) – 800 students
- Elementary School (Richland School District) – 650 students
- High School (Kennewick School District) – 2,000 students
- Sienna Hills residential plat – 285 single-family dwelling units
- West Cliffe Heights residential plat – 203 single-family dwelling units
- Monson Property residential plat – 319 single family units and 57 multifamily units
- Queensgate Mixed-Use (QDMU) development

Roadway Improvement Projects

- Duportail Street bridge
- Queensgate Drive road Extension
- Gage Blvd road Extension

It should be noted that the QDMU, Sienna Hills, West Cliffe Heights, and Monson Property pipeline projects were not included in the previous BMS TIA (May 2021), but were included in this updated TIA to respond to City comments expressing concerns that the 2040 forecast volumes at the Queensgate Dr/Keene Road and Gage Blvd/Queensgate Dr/Bermuda Road intersections were too low. These additional pipeline volumes were distributed and assigned throughout the BMS study area, with exception to the QDMU pipeline volumes which were only assigned to 2 off-site study intersections (Queensgate Dr/Keene Road and Gage Blvd/Queensgate Dr/Bermuda Road).

At the time that the existing counts were conducted in November 2020, the Duportail Bridge was still under construction, and not open. Therefore, traffic volume adjustments at the study intersections to account for the Duportail Street bridge improvement project were estimated by comparing November 2020 counts to March 2021 counts with the bridge open. Traffic volume adjustments at the study intersections to account for the future Queensgate Drive Extension and Gage Blvd Extension roadway improvement projects were estimated based on the future year 2040 'baseline' traffic modeling (without BMS site traffic) provided by BFCG.

Additionally, the forecast 2040 traffic volumes at the intersection of Queensgate Drive/Keene Road were updated in this TIA based on review and comparison of Queensgate Drive Extension traffic volume forecasts as documented in the Queensgate Extension Study and as provided by the Queensgate Mixed-Use (QDMU) project.

The future 2040 weekday AM and PM peak hour traffic volumes with full buildout of BMS at the 26 off-site study intersections are shown in **Figure 15 and Figure 16**, respectively. The future 2040 with Full Buildout weekday AM and PM peak hour traffic volumes at the 12 on-site study intersections are shown in **Figure 17 and Figure 18**, respectively.

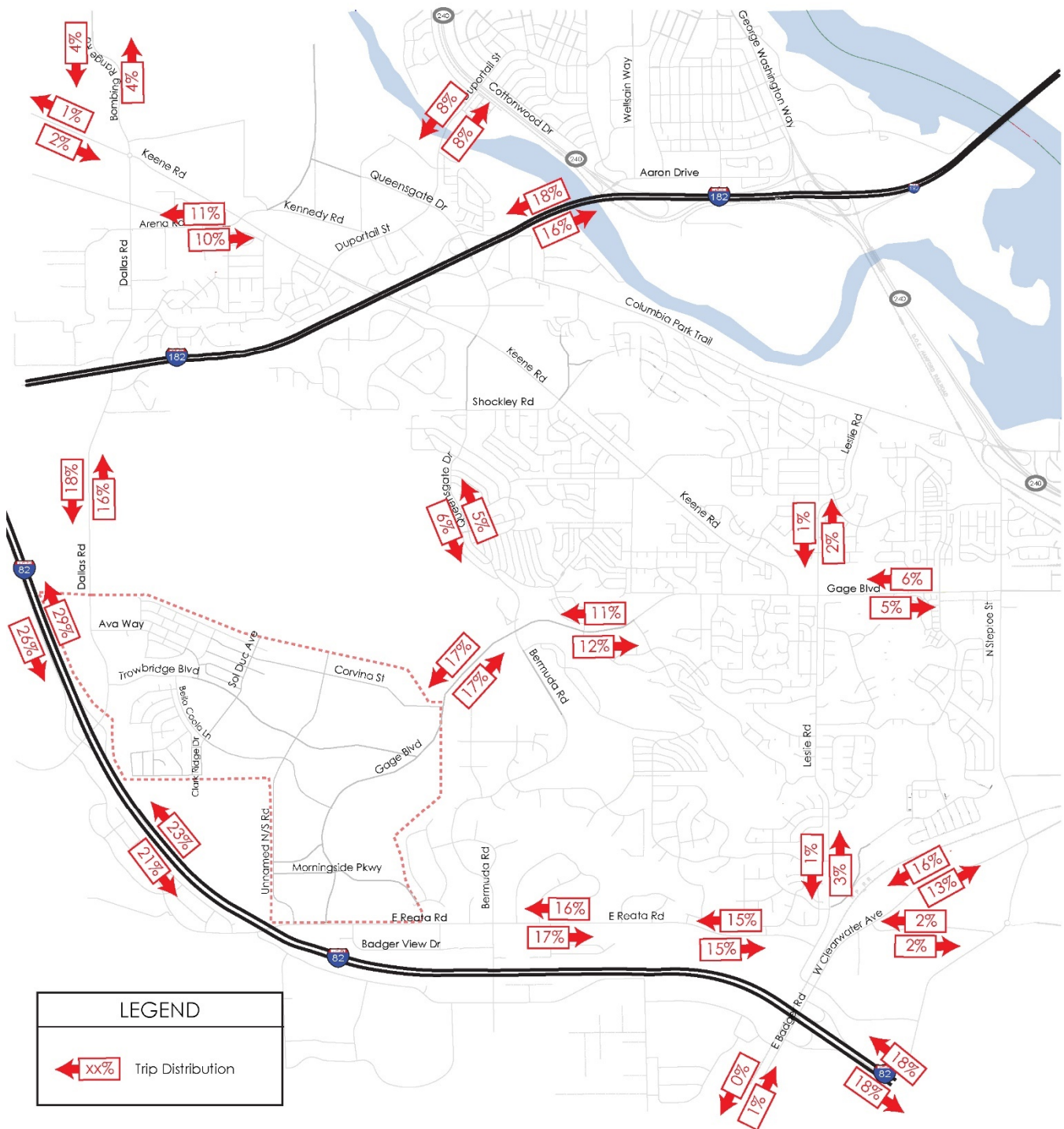


Figure 6: Year 2040 Peak Hour Project Trip Distribution



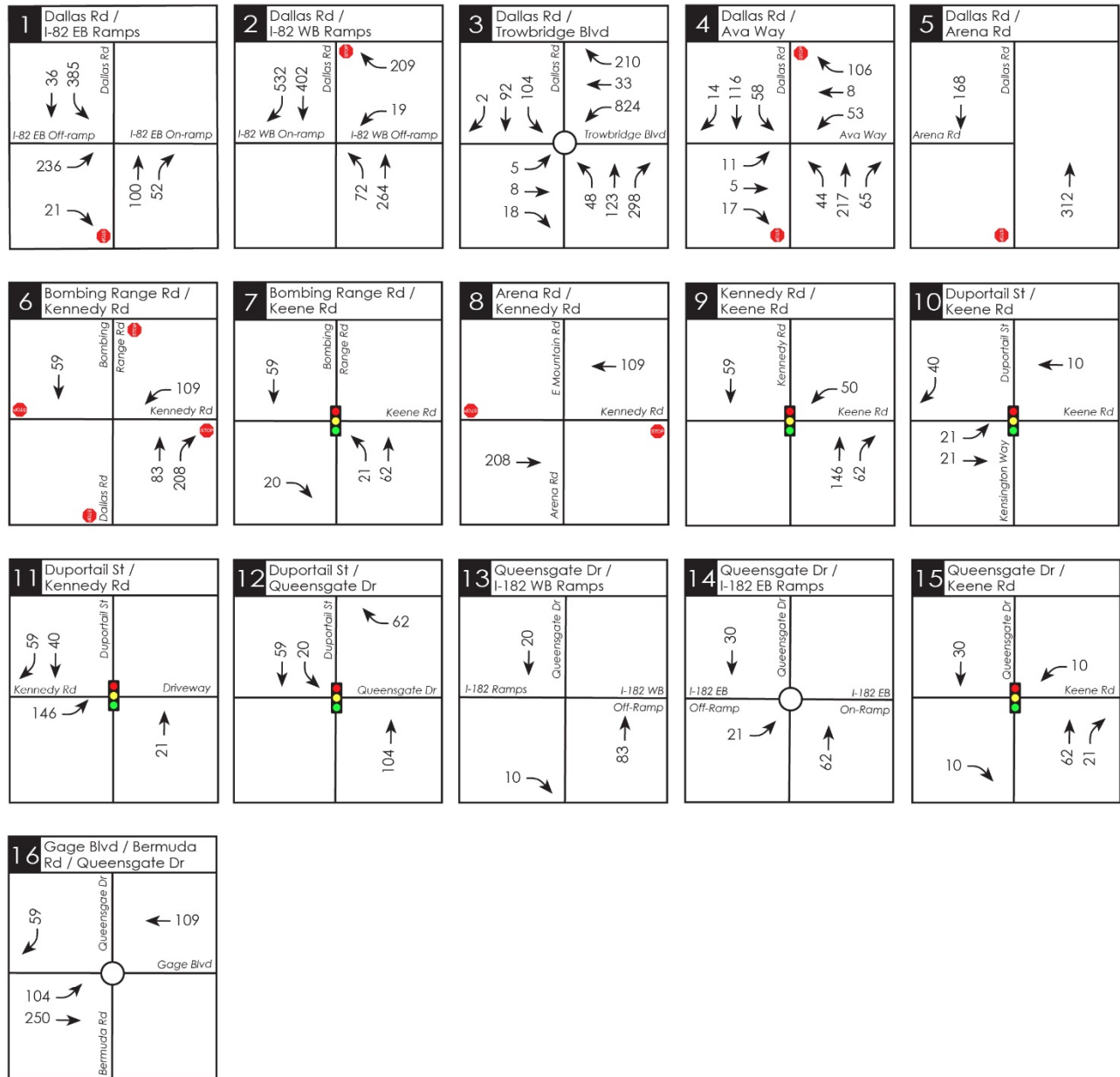


Figure 7a: Year 2040 AM Peak Hour Net New Project Trip Assignment (off-site)

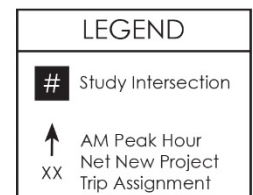
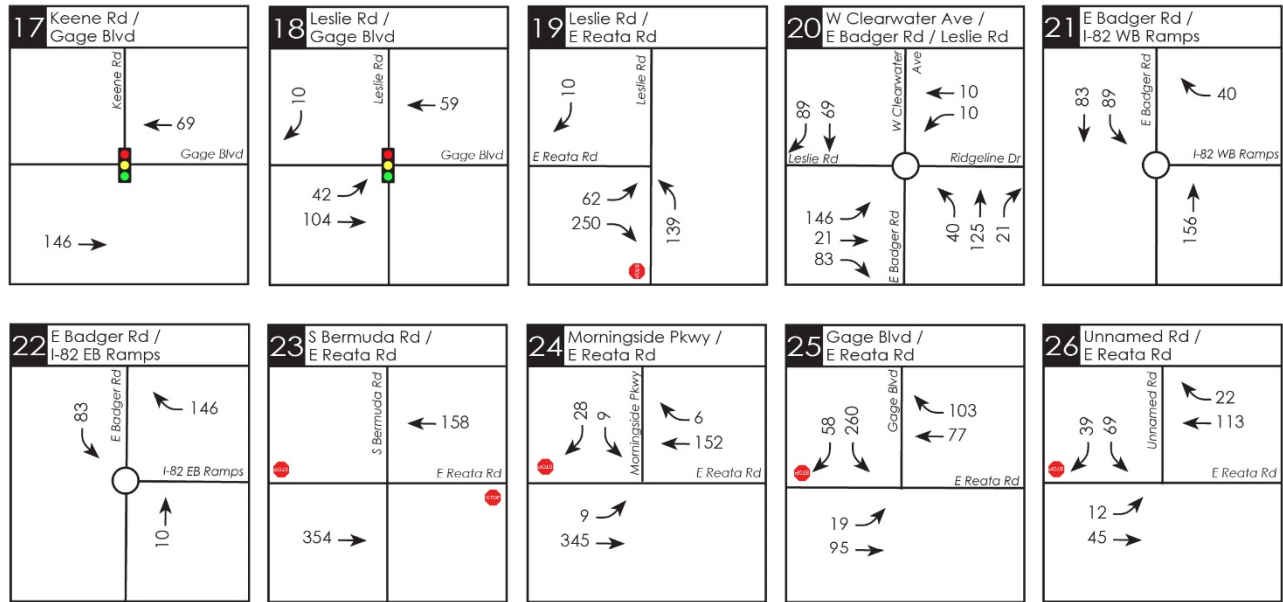


Figure 7b: Year 2040 AM Peak Hour Net New Project Trip Assignment (off-site)

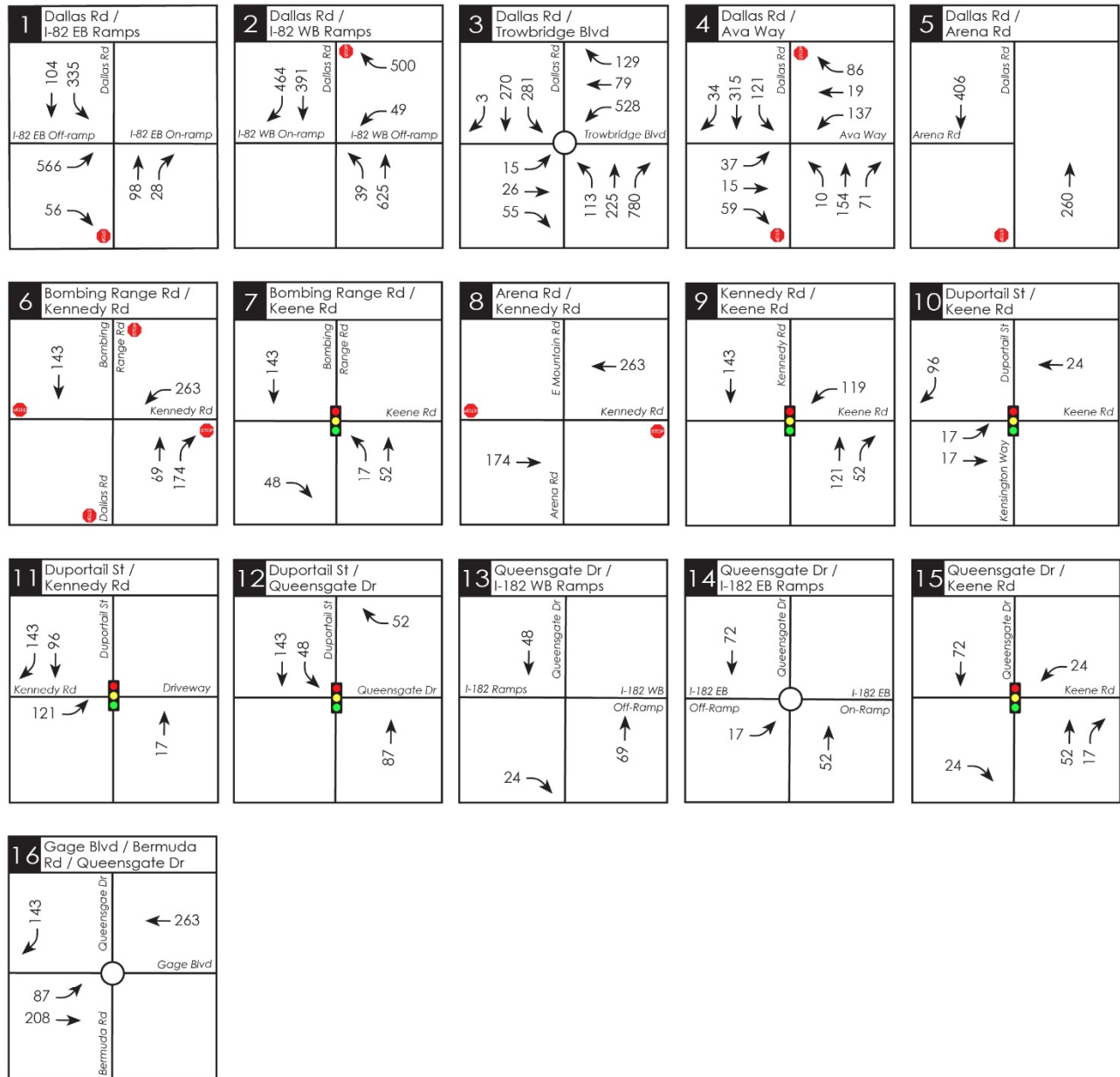


Figure 8a: Year 2040 PM Peak Hour Net New Project Trip Assignment (off-site)

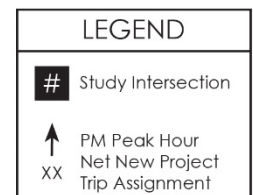
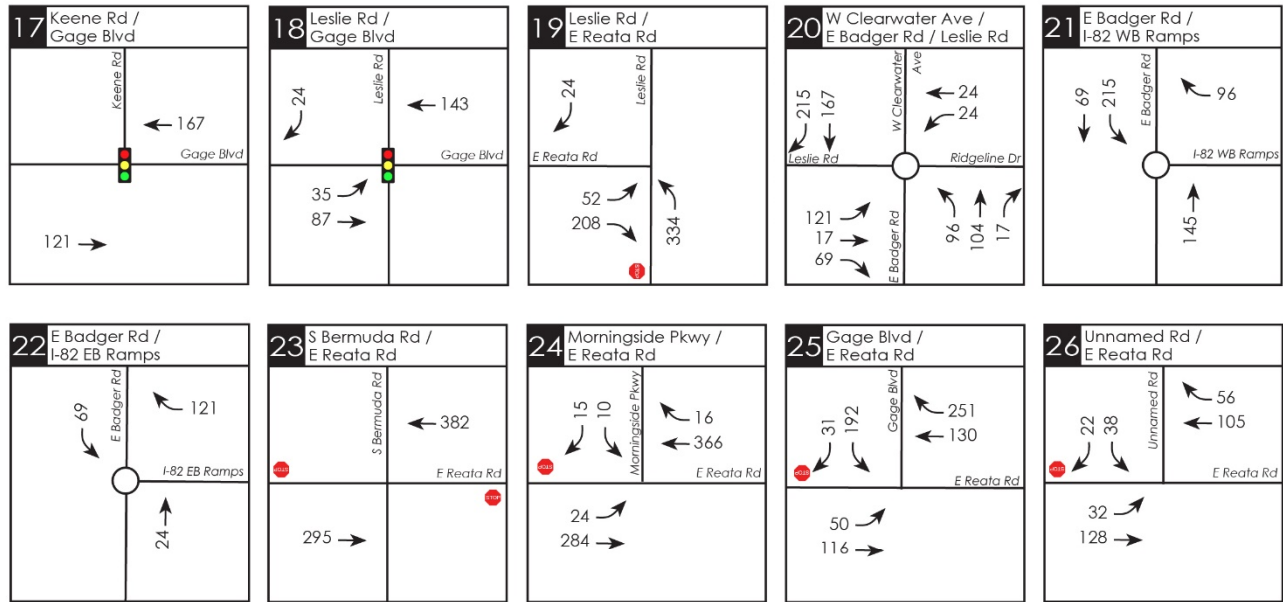


Figure 8b: Year 2040 PM Peak Hour Net New Project Trip Assignment (off-site)

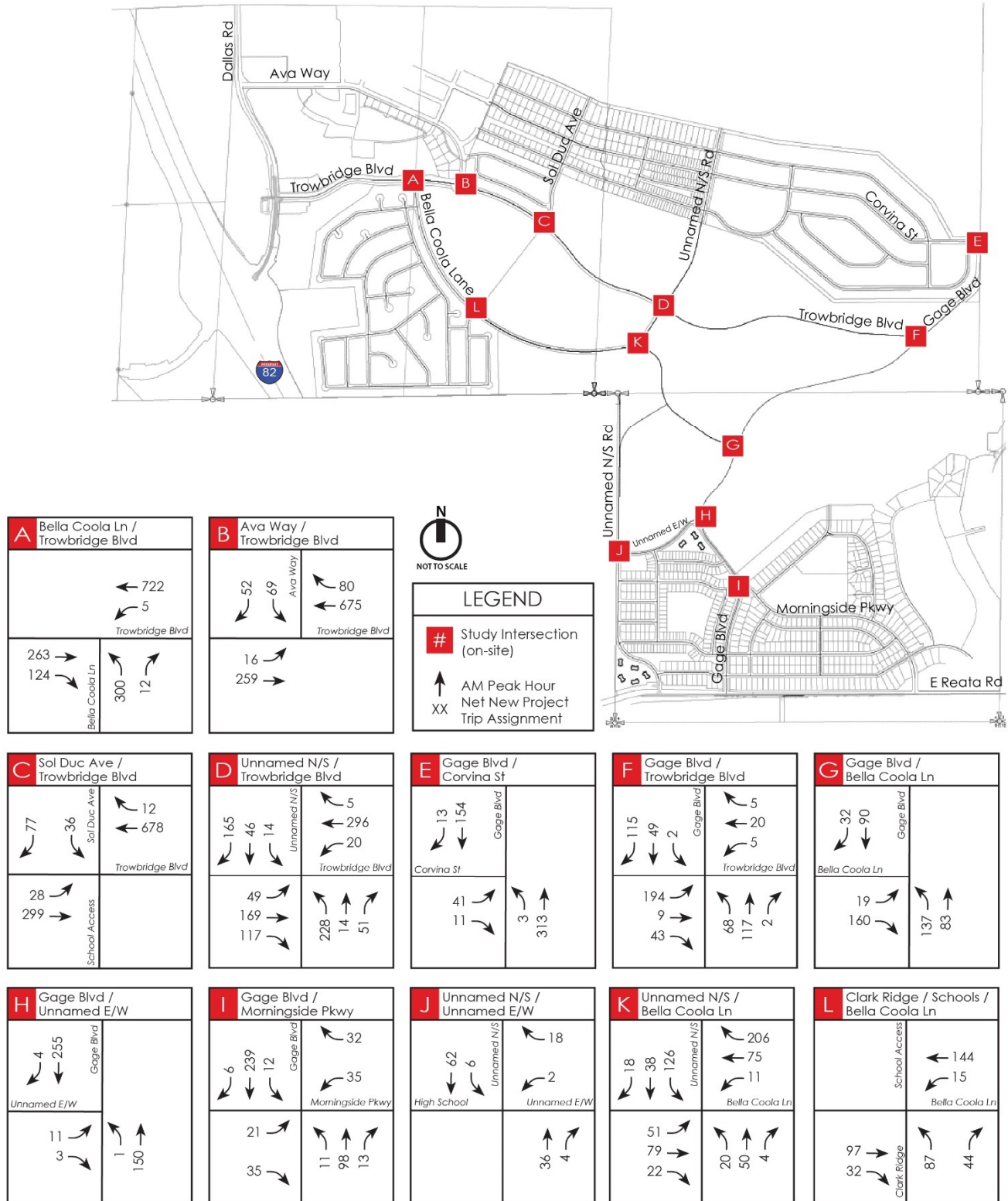


Figure 9: Year 2040 AM Peak Hour Net New Project Trip Assignment (on-site)

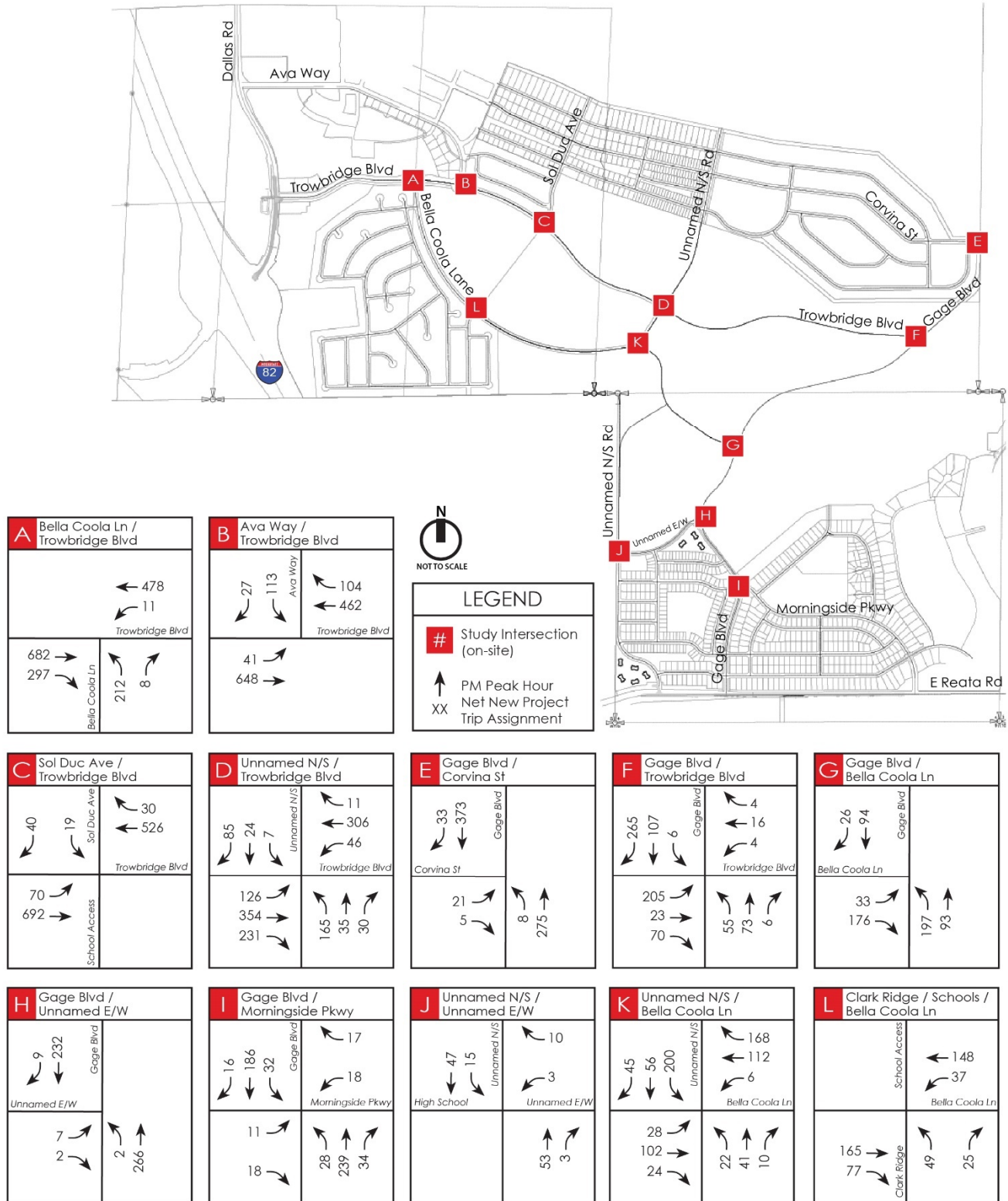


Figure 10: Year 2040 PM Peak Hour Net New Project Trip Assignment (on-site)

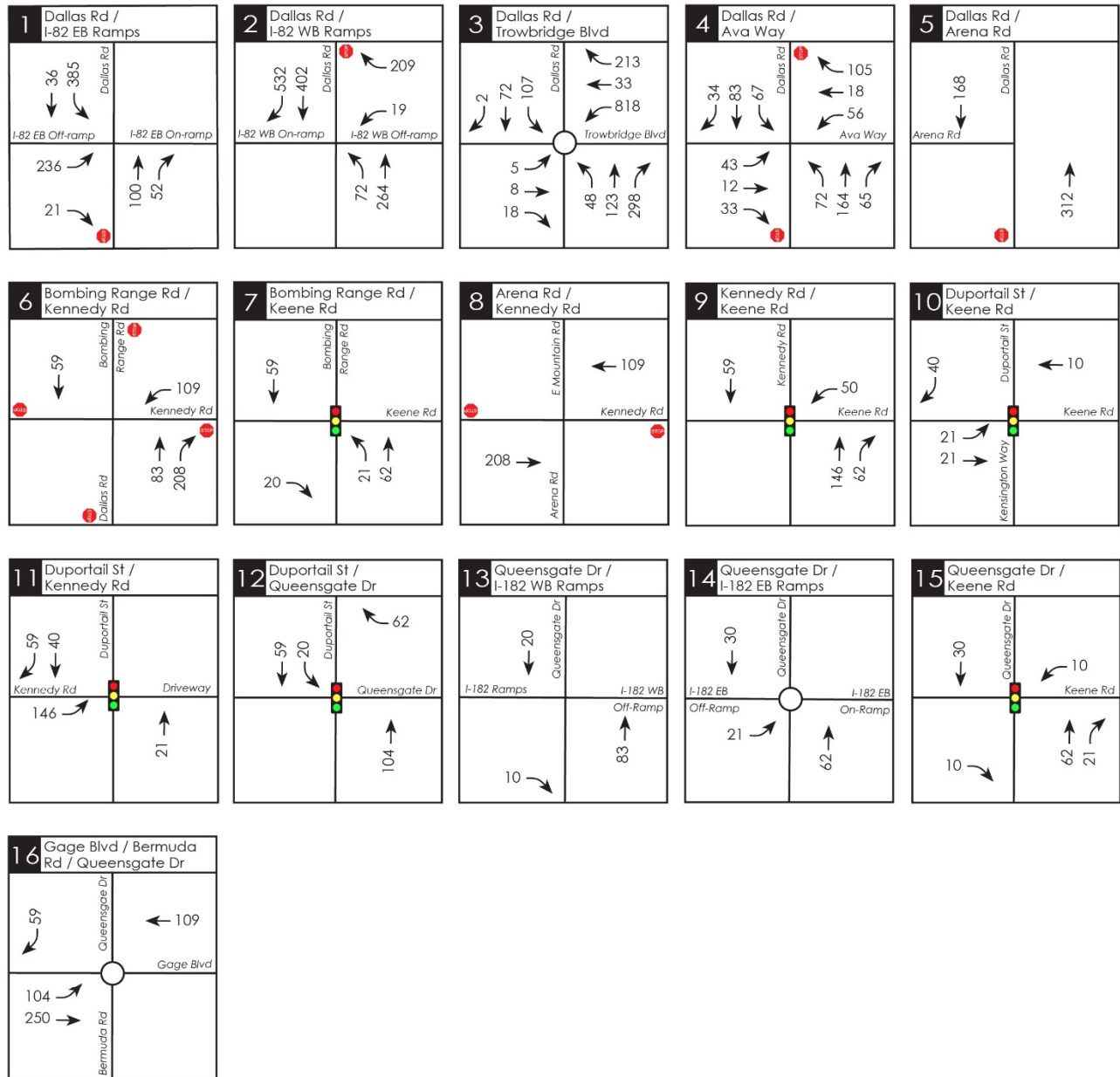


Figure 11a: Year 2040 AM Peak Hour Total Project Trip Assignment (off-site)

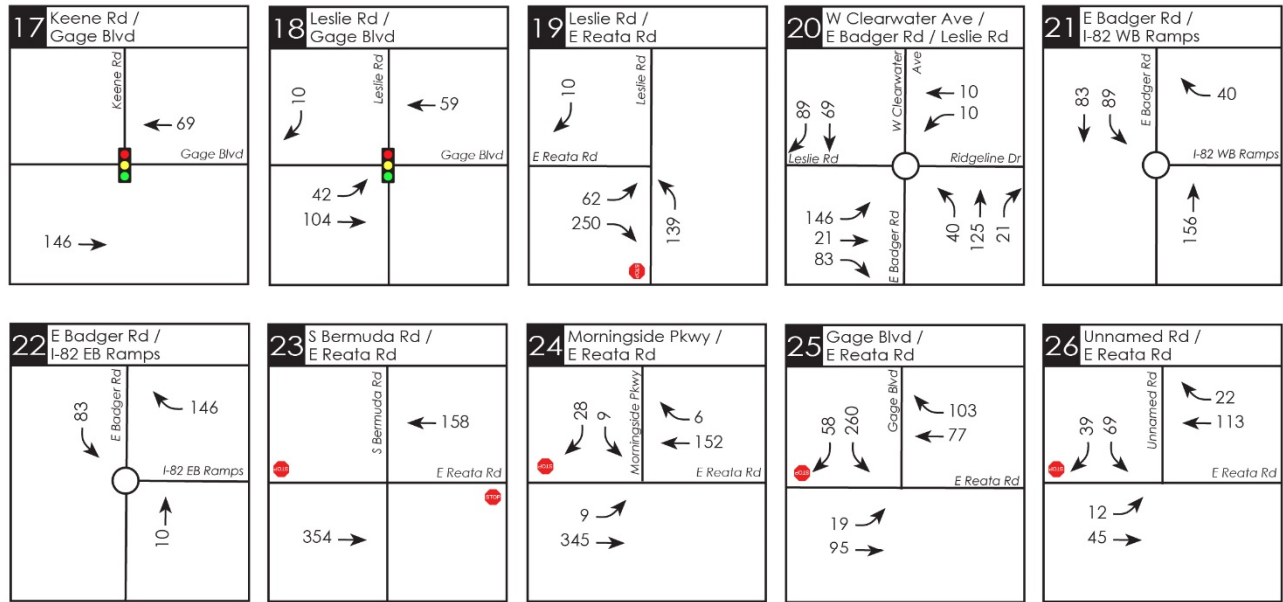


Figure 11b: Year 2040 AM Peak Hour Total Project Trip Assignment (off-site)

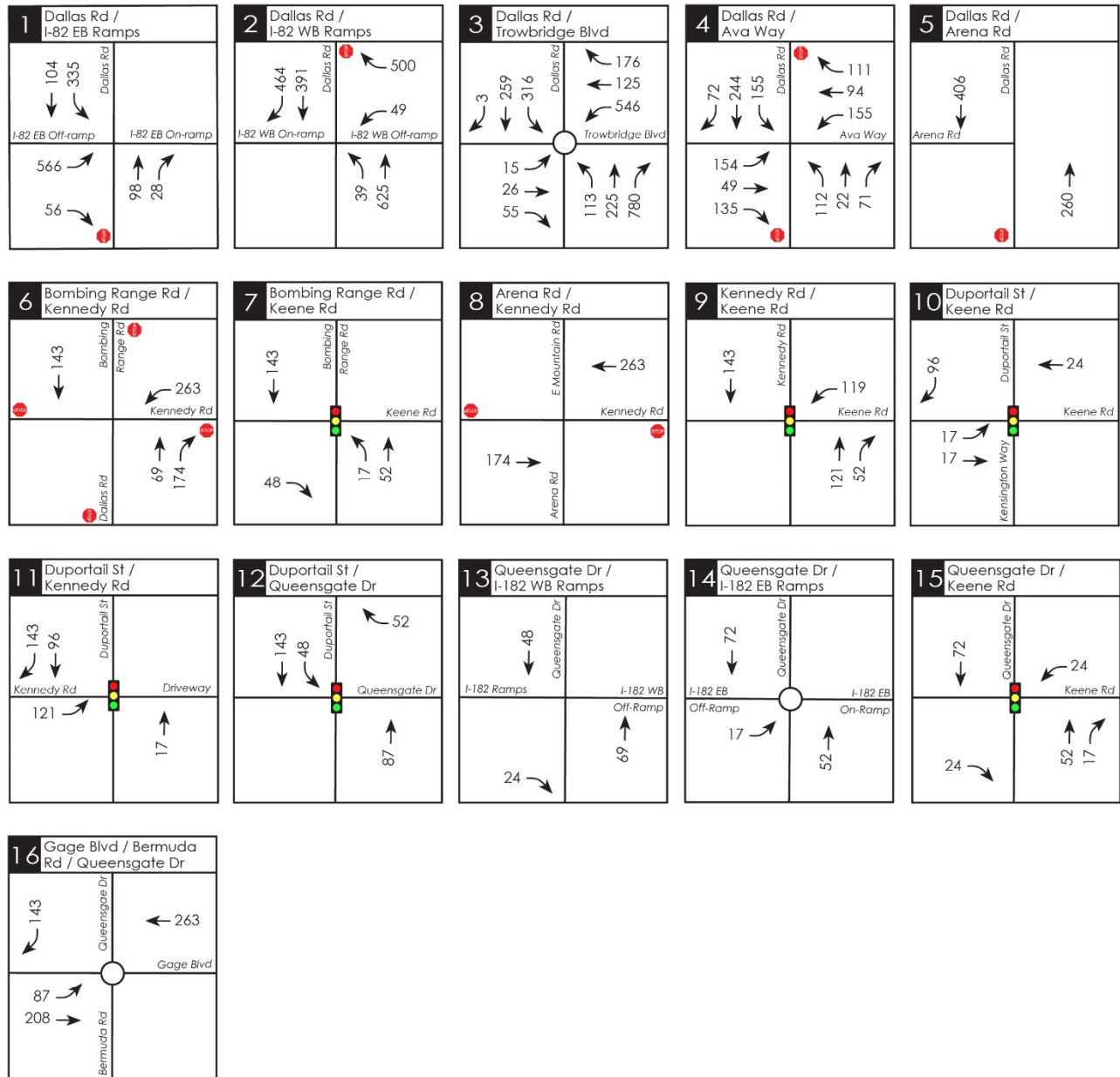


Figure 12a: Year 2040 PM Peak Hour Total Project Trip Assignment (off-site)

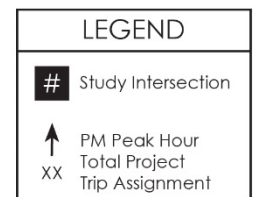
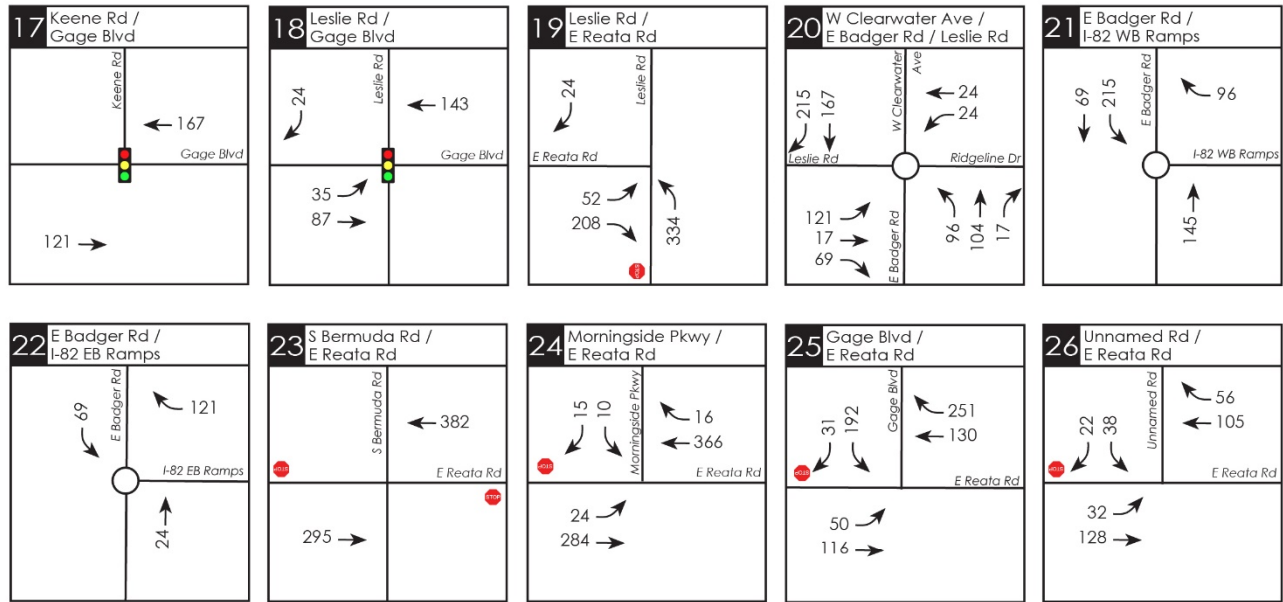


Figure 12b: Year 2040 PM Peak Hour Total Project Trip Assignment (off-site)

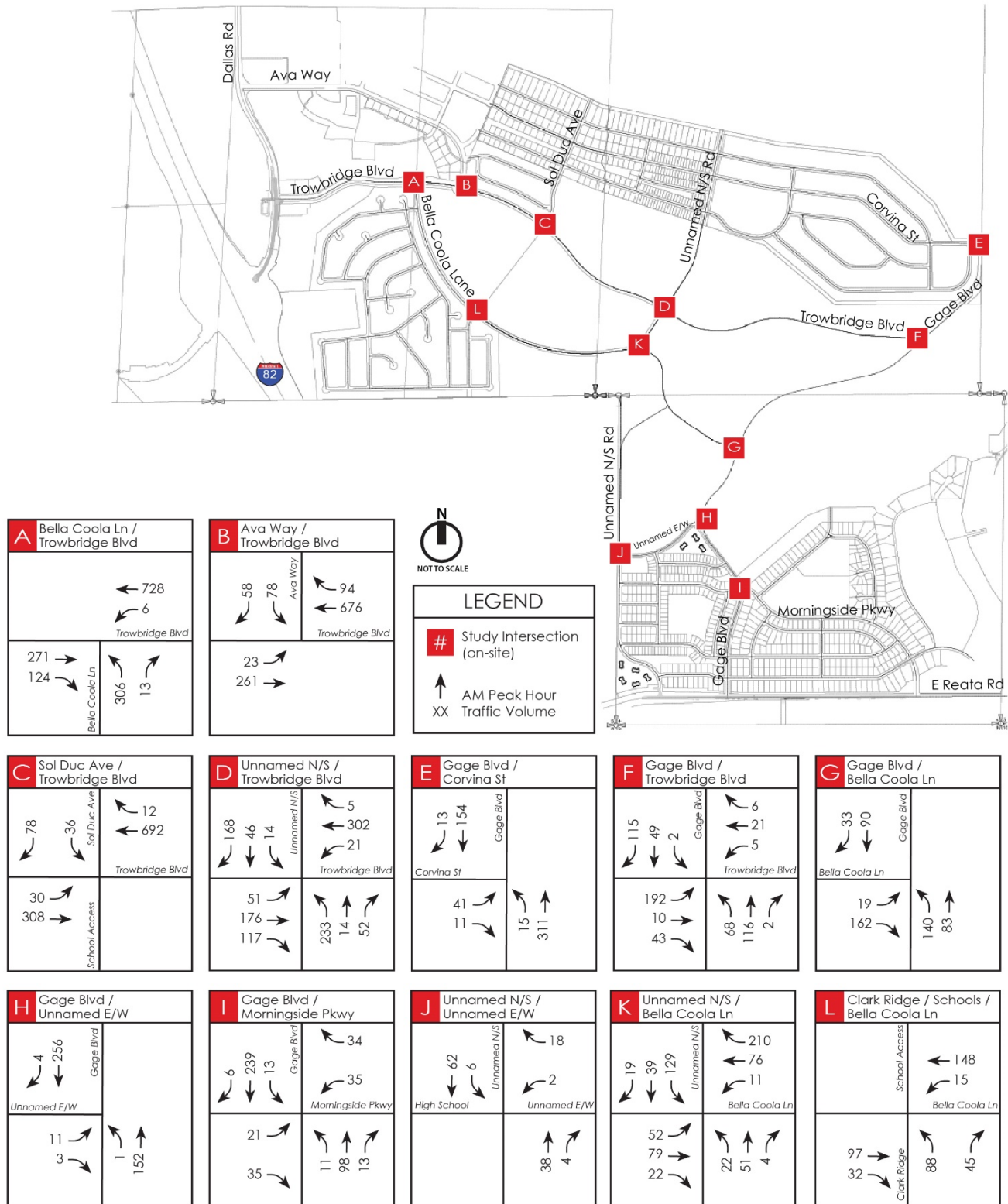


Figure 13: Year 2040 AM Peak Hour Total Project Trip Assignment (on-site)

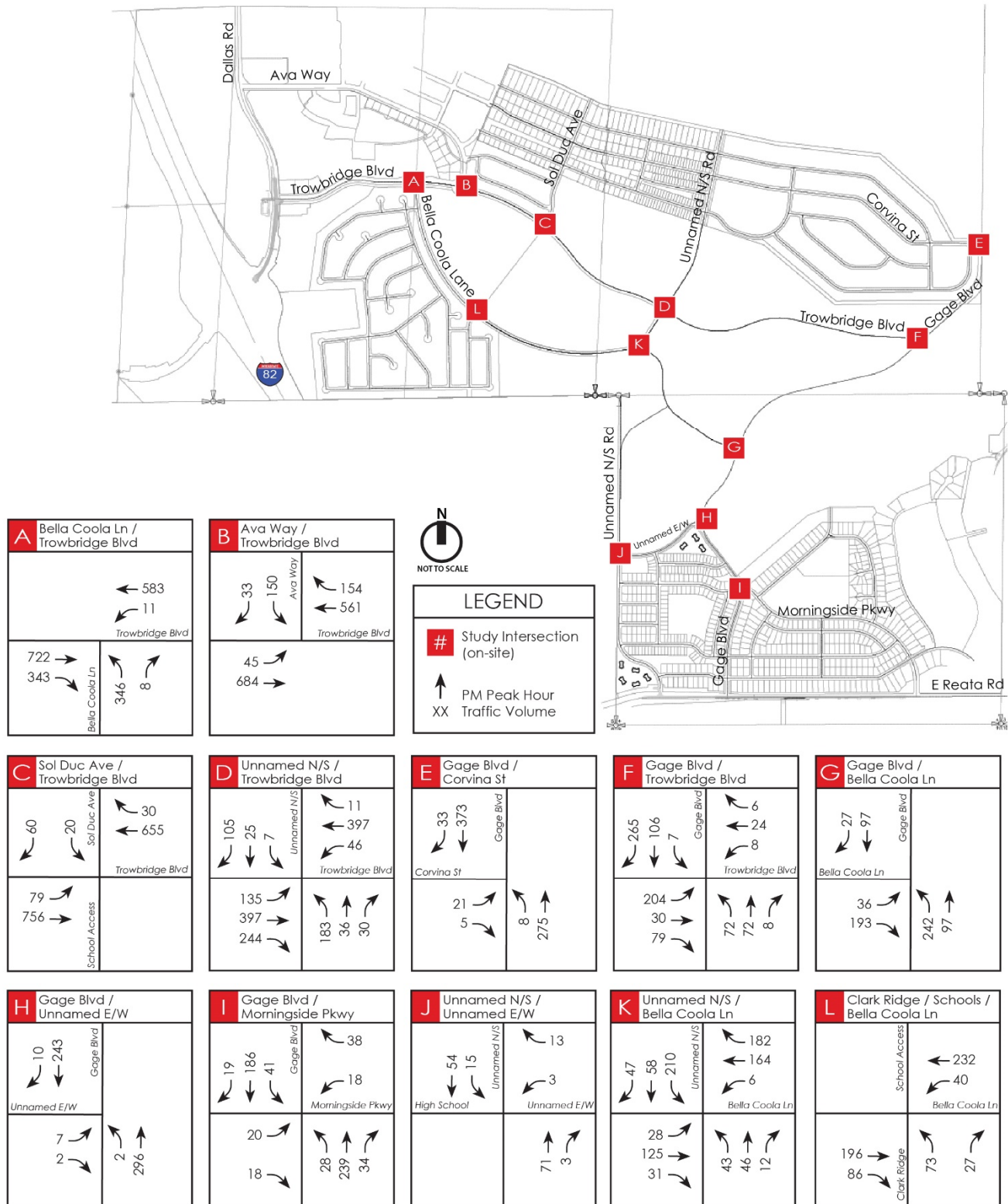


Figure 14: Year 2040 PM Peak Hour Total Project Trip Assignment (on-site)

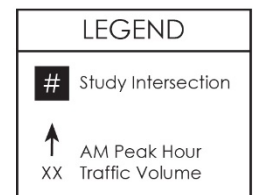
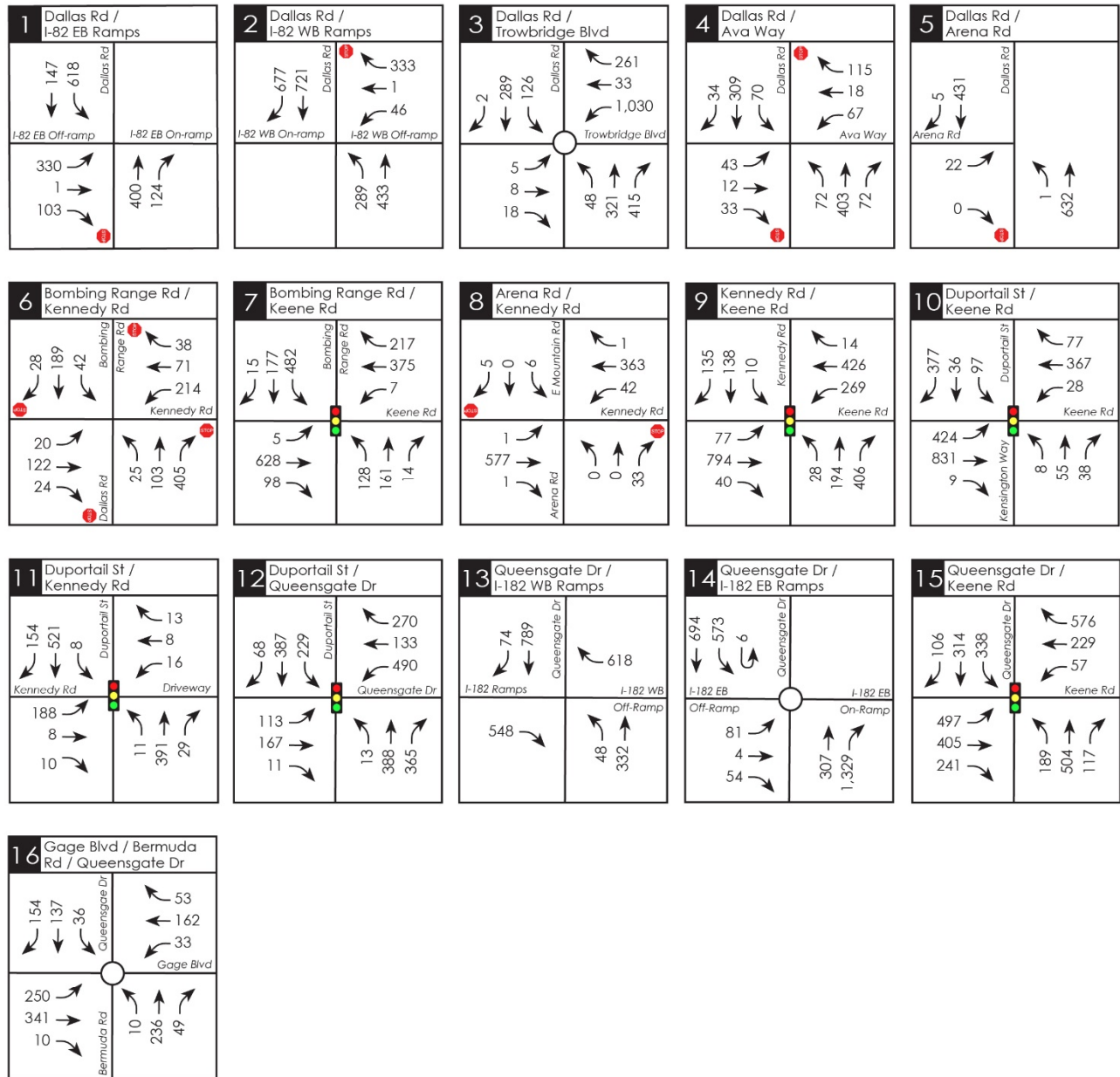


Figure 15a: Year 2040 (With Full BMS Buildout) AM Peak Hour Traffic Volumes (off-site)

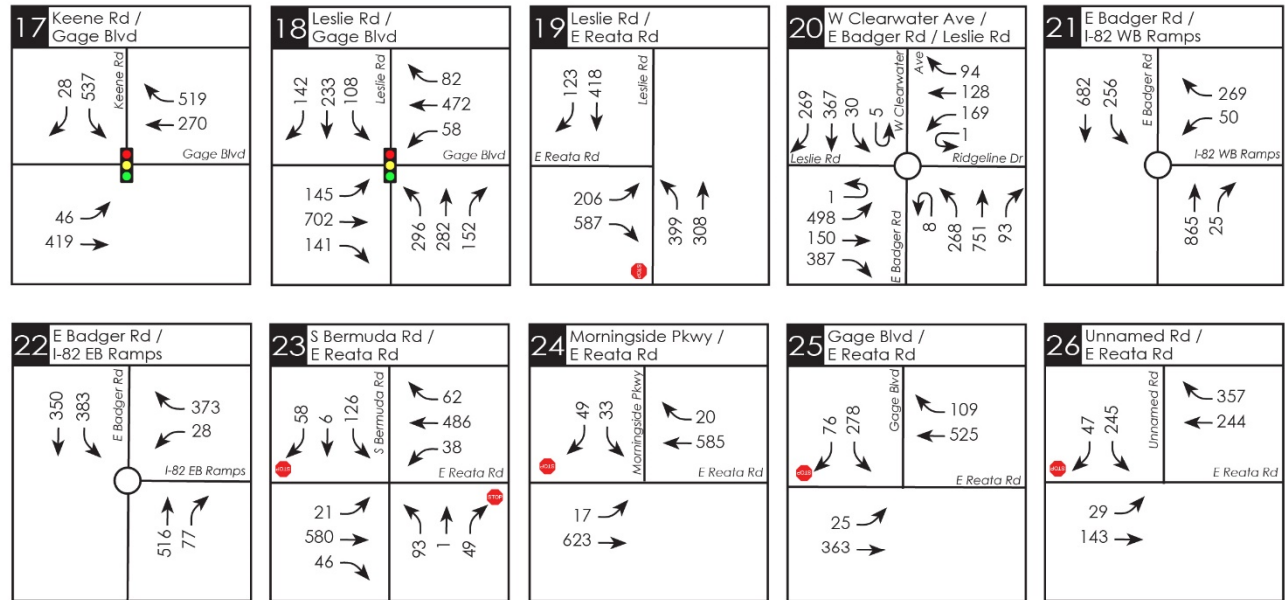


Figure 15b: Year 2040 (With Full BMS Buildout) AM Peak Hour Traffic Volumes (off-site)

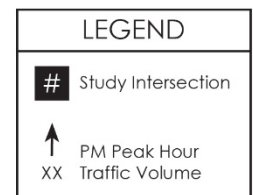
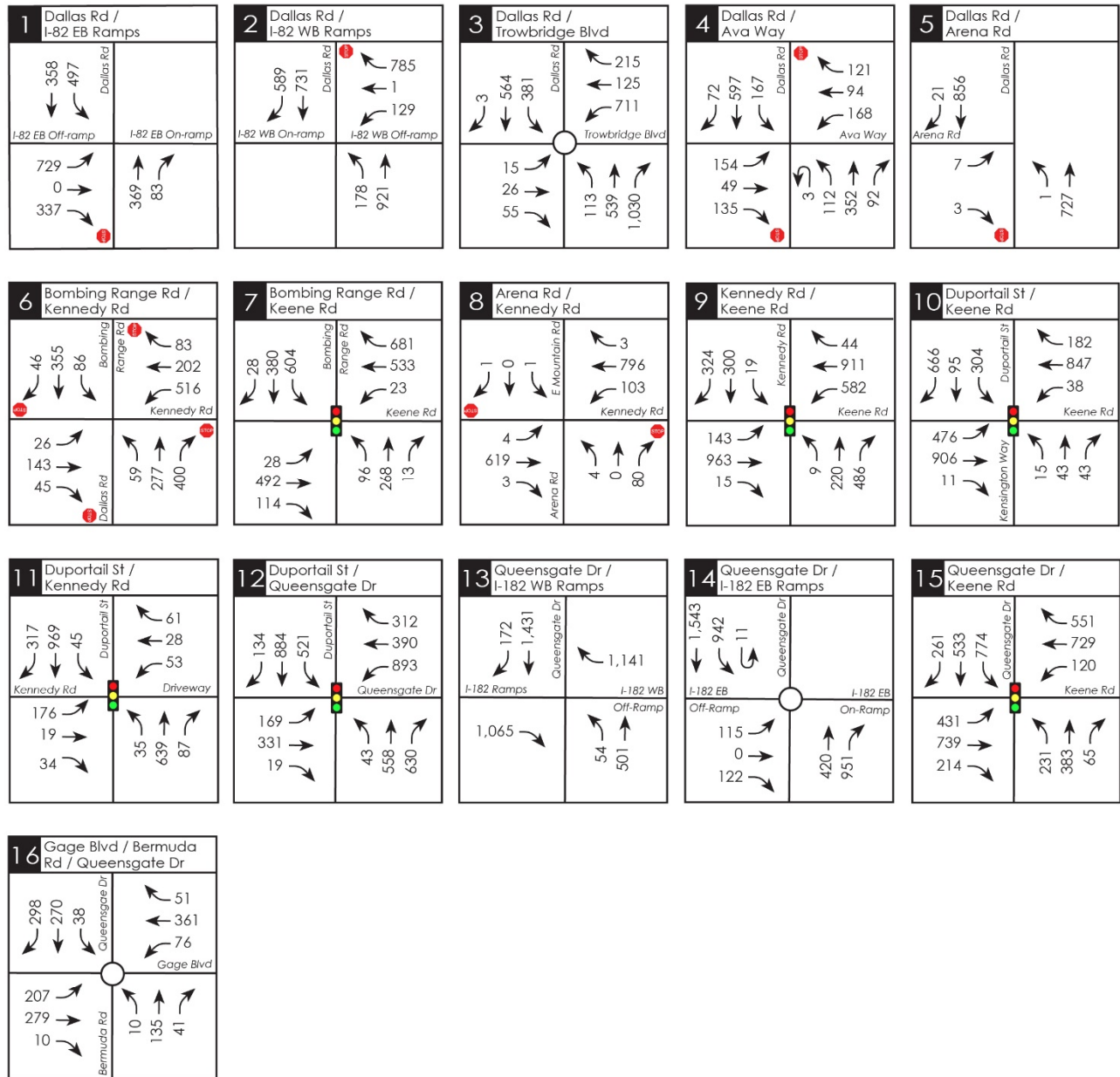


Figure 16a: Year 2040 (With Full BMS Buildout) PM Peak Hour Traffic Volumes (off-site)

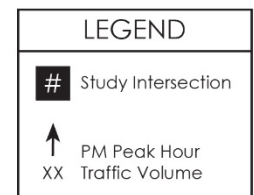
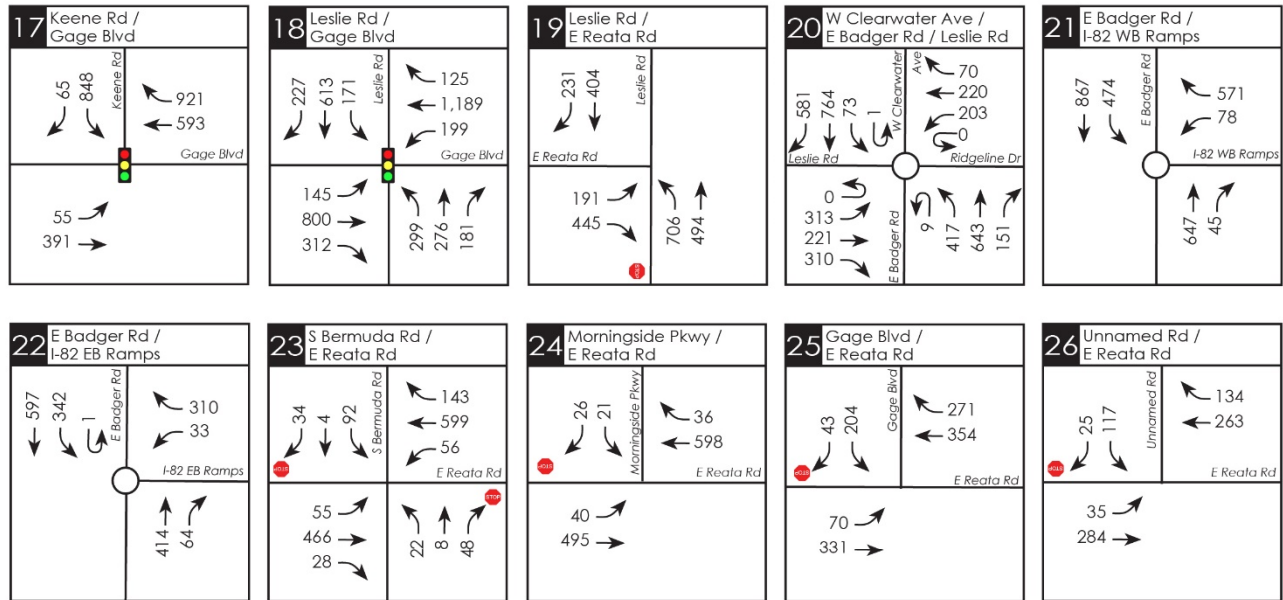


Figure 16b: Year 2040 (With Full BMS Buildout) PM Peak Hour Traffic Volumes (off-site)

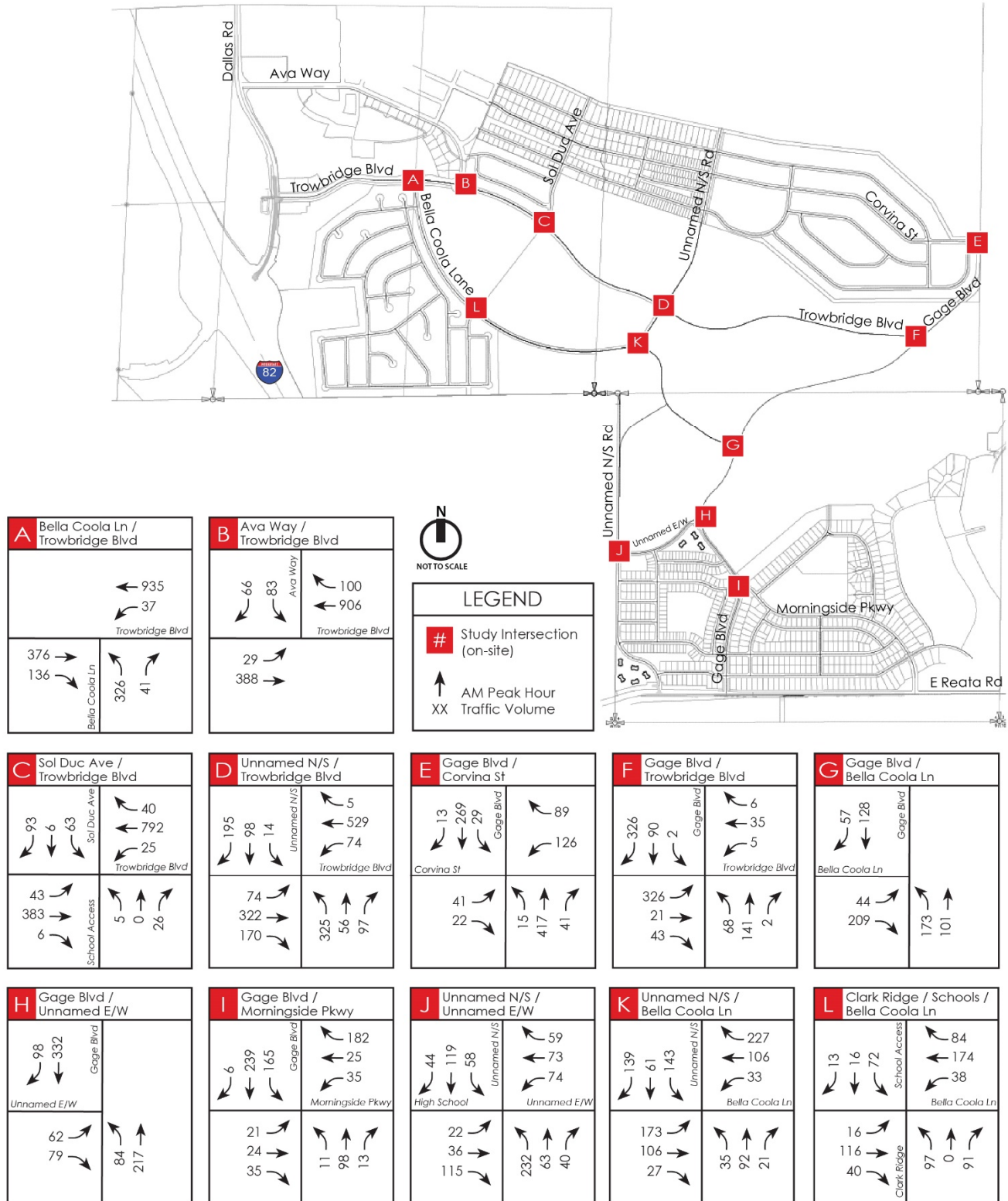


Figure 17: Year 2040 (With Full BMS Buildout) AM Peak Hour Traffic Volumes (on-site)

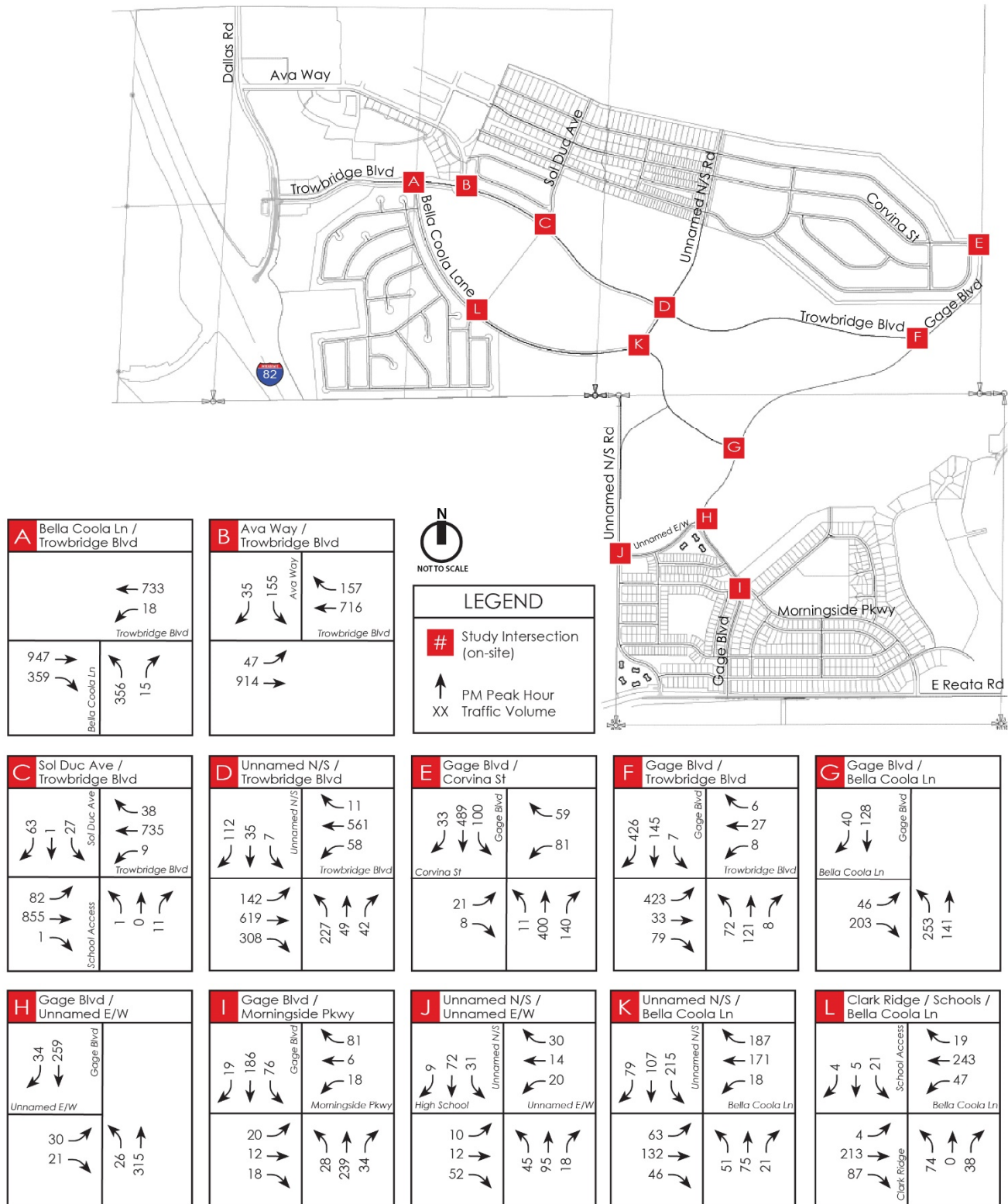


Figure 18: Year 2040 (With Full BMS Buildout) PM Peak Hour Traffic Volumes (on-site)

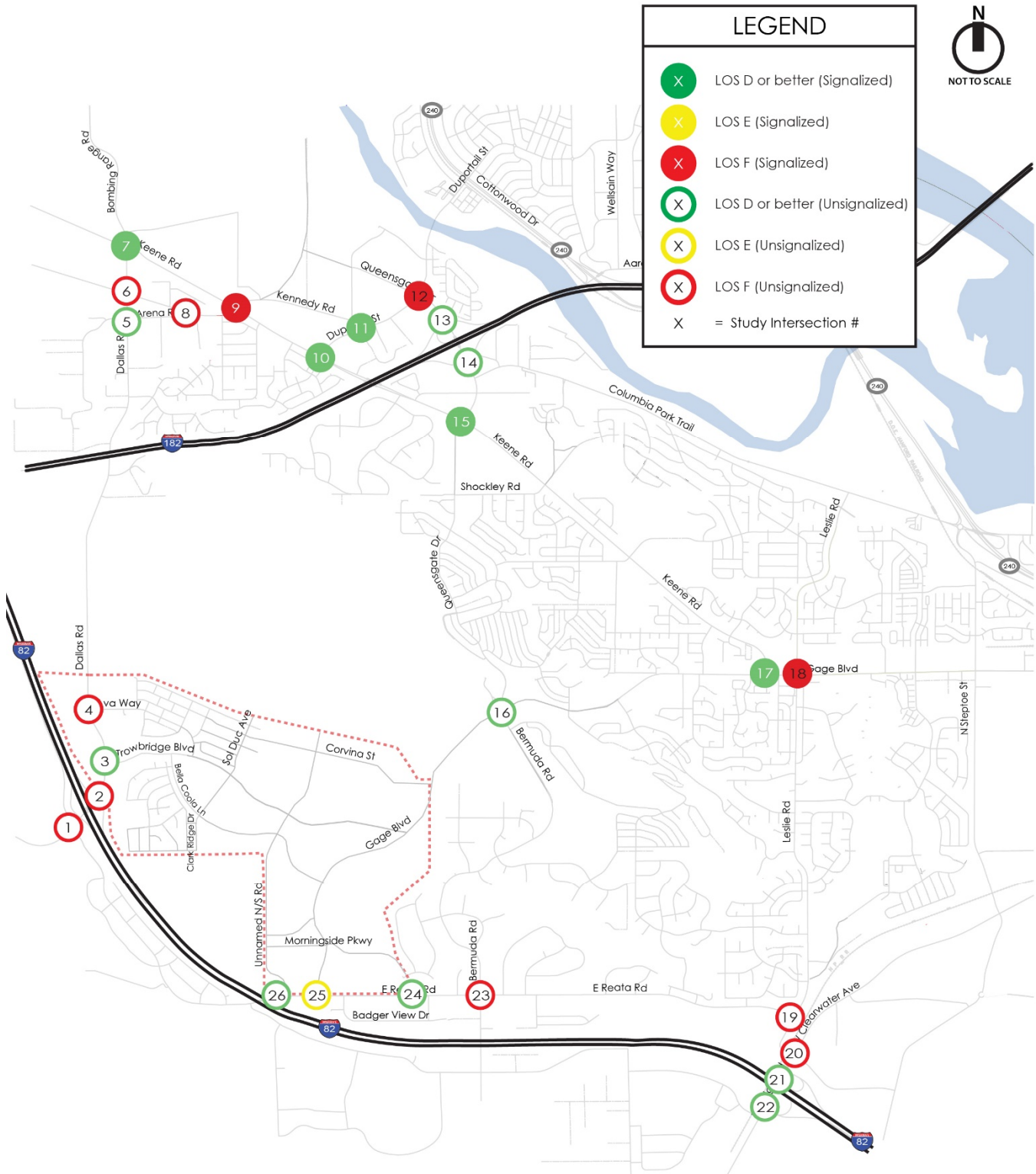


Figure 19: 2040 With Project (Full Build Out) LOS Summary

Future Year 2040 Level of Service at Off-Site Study Intersections

Future year weekday AM and PM peak hour Level of Service (LOS) analyses were conducted at the 26 off-site study intersections for year 2040 with Full Buildout of Badger Mountain South and the 2040 roadway network documented above. Intersection LOS are evaluated based on the methodology and procedures outlined in the 6th Edition of the *Highway Capacity Manual* (HCM) using the *Synchro 10* and *SIDRA 9* software programs. It should be noted that LOS at on-site intersections within the BMS development are described in a later section of this report.

The weekday AM and PM peak hour LOS results at the off-site study intersections for 2040 with Full Buildout conditions are summarized in **Table 8**. The year 2040 LOS results at the off-site intersections are also illustrated in **Figure 19**. The detailed LOS worksheets are included in **Appendix B**.

Table 8
2040 With Full Buildout Peak Hour LOS Summary at Off-Site Study Intersections

Study Intersection	2040 With Full Buildout of BMS			
	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
<u>Signalized Intersections</u>				
7. Bombing Range Road / Keene Road	D	53.0	D	35.5
9. Kennedy Road / Keene Road	C	35.0	F	84.6
10. Duportail Street / Keene Road	C	21.5	D	39.1
11. Duportail Street / Kennedy Road	B	16.3	B	16.4
12. Duportail Street / Queensgate Drive	C	20.3	F	91.9
15. Queensgate Drive / Keene Road	D	42.4	D	44.7
17. Keene Road / Gage Blvd	C	23.3	C	23.1
18. Leslie Road / Gage Blvd	C	32.8	F	84.3
<u>Roundabout Intersections</u>				
3. Dallas Road / Trowbridge Blvd	B	14.0	D	28.4
14. Queensgate Drive / I-182 EB Ramps	A	6.4	A	7.4
16. Gage Blvd / Queensgate Dr / Bermuda Road	B	10.5	C	16.5
20. Badger Road / Clearwater Ave / Leslie Road	D	35.0	F	83.3
21. Badger Road / I-82 WB Ramps	C	15.6	C	17.1
22. Badger Road / I-82 EB Ramps	B	11.7	B	11.7
<u>All-Way Stop Controlled Intersections</u>				
6. Bombing Range Road / Kennedy Road	F	53.3	F	>100
<u>Two-Way Stop Controlled Intersections</u>				
1. Dallas Road / I-82 EB Ramps				
Eastbound Approach	F	>100	F	>100
Southbound Left-Turn	B	13.4	B	10.9
2. Dallas Road / I-82 WB Ramps				
Westbound Shared Left-Thru	F	>100	F	>100
Westbound Right-Turn	C	15.9	F	>100
Northbound Left-Turn	C	22.7	C	15.5

Table 8 continued
2040 With Full Buildout Peak Hour LOS Summary at Off-Site Study Intersections

Study Intersection / Movement	2040 With Full Buildout of BMS			
	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
4. Dallas Road / Ava Way				
Eastbound Left-Turn	F	71.5	F	>100
Eastbound Shared Thru-Right	C	16.5	F	>100
Westbound Left-Turn	F	60.8	F	>100
Westbound Shared Thru-Right	C	17.5	F	>100
Northbound Left-Turn	A	8.3	A	9.9
Southbound Left-Turn	A	8.8	A	9.1
5. Dallas Road / Arena Road				
Eastbound Approach	C	16.1	C	20.0
Northbound Left-Turn	A	8.3	B	10.0
8. Arena Road / Kennedy Road				
Eastbound Left-Turn	A	8.1	A	9.5
Westbound Left-Turn	A	9.0	A	9.4
Northbound Approach	B	13.1	C	18.5
Southbound Approach	C	20.8	F	50.0
19. Leslie Road / Reata Road				
Eastbound Left-Turn	F	>100	F	>100
Eastbound Right-Turn	F	79.5	D	27.7
Northbound Left-Turn	B	11.5	D	25.7
23. Bermuda Road / Reata Road				
Eastbound Left-Turn	A	8.8	A	9.8
Westbound Left-Turn	A	9.2	A	8.7
Northbound Approach	E	38.3	C	21.6
Southbound Approach	F	59.9	F	51.0
24. Morningside Parkway / Reata Road				
Eastbound Left-Turn	A	9.0	A	9.2
Southbound Left-Turn	C	18.8	C	17.8
Southbound Right-Turn	B	13.8	B	13.5
25. Gage Blvd / Reata Road				
Eastbound Left-Turn	A	9.2	A	9.4
Southbound Left-Turn	E	49.7	D	29.8
Southbound Right-Turn	B	14.2	B	12.3
26. Unnamed N/S / Reata Road				
Eastbound Left-Turn	A	9.0	A	8.4
Southbound Left-Turn	C	20.9	C	15.3
Southbound Right-Turn	B	11.6	B	10.5

Signalized, Roundabout, and All-Way Stop Controlled Off-Site Study Intersections

As shown in **Table 8**, many of the intersections are anticipated to operate at LOS D or better during the AM and PM peak hours in 2040 with full buildout of BMS. Five study intersections are anticipated to operate at LOS F and would require improvements to improve to LOS D or better by year 2040; those intersections are described next along with a description of the proportionate share of traffic generated by BMS (during weekday AM and PM peak hours).

- **#6 Bombing Range Road / Kennedy Road.** BMS is estimated to add 459 AM peak hour trips (33.2% of total entering traffic) and 649 PM peak hour trips (29.0% of total entering traffic). Potential mitigation could include a roundabout or signal.
- **#9 Kennedy Road / Keene Road.** BMS is estimated to add 435 PM peak hour trips (10.8% of total entering traffic). Potential mitigation could include adding northbound and southbound right-turn overlap phases.
- **#12 Duportail Street / Queensgate Drive.** BMS is estimated to add 330 PM peak hour trips (6.8% of total entering traffic). Recent improvements were constructed at this intersection which generally render the intersection to be built out. However, the following improvements for the City to consider are anticipated to improve LOS: dual northbound right-turn lanes, a signalized northbound right-turn slip lane, and/or dual southbound left-turn lanes. Monitoring and future analysis of this intersection is proposed after BMS project opening to assess traffic volumes and intersection operations based on future conditions to determine if intersection improvements may be necessary to maintain acceptable LOS.
- **#18 Leslie Road / Gage Boulevard.** BMS is estimated to add 289 PM peak hour trips (6.4% of total entering traffic). Recent improvements have been constructed at this intersection which generally render the intersection to be built out. However, the following improvements for the City to consider in the future are anticipated to improve LOS: dual northbound left-turn lanes, dual southbound through lanes, an eastbound right-turn lane, and/or a westbound right-turn lane. The City should also consider adding right-turn overlap phases to any existing or future right-turn lanes. Monitoring and future analysis of this intersection is proposed after BMS project opening to assess traffic volumes and intersection operations based on future conditions to determine if intersection improvements may be necessary to maintain acceptable LOS.
- **#20 Badger Road / Clearwater Ave / Leslie Road.** BMS is estimated to add 854 PM peak hour trips (21.5% of total entering traffic). Potential mitigation at this existing roundabout intersection could include adding a southbound right-turn slip lane and/or an additional eastbound lane. There is an existing railroad crossing located approximately 150 feet west of the roundabout and pedestrian paths located on the northwest and southwest corners of this intersection that would be directly impacted by the addition of a southbound right-turn slip lane and/or additional eastbound lane. Monitoring and future analysis of this intersection is proposed after BMS project opening to assess traffic volumes and intersection operations based on future conditions to determine if intersection improvements may be necessary to maintain acceptable LOS. As traffic volumes increase with future development, consideration should also be given to changing the existing roundabout to a signalized intersection.

Two-Way Stop Controlled Off-Site Study Intersections

As shown in **Table 8**, many individual lane groups at the two-way stop-controlled study intersections are estimated to operate at LOS D or better during the AM and PM peak hours in 2040 with full buildout of BMS. Several of the two-way stop-controlled study intersections have controlled movements that are anticipated to operate at LOS E or LOS F and would require improvements to improve to LOS D or better by year 2040; those intersections are described next along with a description of the proportionate share of traffic generated by BMS.

- **#1 Dallas Road/I-82 EB Ramps** – the stop-controlled eastbound approach (off-ramp) is anticipated to operate at LOS F during the AM and PM peak hours. BMS is estimated to add 830 AM peak hour trips (48.2% of total entering traffic) and 1,187 PM peak hour trips (50.0% of total entering traffic). Potential mitigation could include a roundabout or signal.
- **#2 Dallas Road/I-82 WB Ramps** – the stop-controlled westbound shared left-thru lane on the off-ramp is anticipated to operate at LOS F during the AM and PM peak hours and the westbound right-turn lane is anticipated to operate at LOS F during the PM peak hour. BMS is estimated to add 1,498 AM peak hour trips (59.9% of total entering traffic) and 2,068 PM peak hour trips (62.0% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.
- **#4 Dallas Road/Ava Road** – the stop-controlled eastbound and westbound left-turn lanes are anticipated to operate at LOS F during the AM peak hour and the eastbound and westbound approaches (both lanes) are anticipated to operate at LOS F during the PM peak hour. BMS is estimated to add 752 AM peak hour trips (60.3% of total entering traffic) and 1,374 PM peak hour trips (64.9% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.
- **#8 Arena Road / Kennedy Road** – the stop-controlled southbound approach is anticipated to operate at LOS F during the PM peak hour. BMS is estimated to add 437 PM peak hour trips (27.1% of total entering traffic). The anticipated LOS F operation at this intersection stems from the delay experienced by two southbound trips exiting a residential driveway. As mentioned previously, the 2040 network assumes a cul-de-sac on the west side of Arena Road, which would eliminate the existing cutthrough traffic and any future cutthrough traffic on Arena Road that would occur as a result of future development. Removing the high volume of traffic traveling from the east on Kennedy Road that would have utilized Arena Road as a cutthrough to travel southbound on Dallas Road improved side-street operations at this intersection significantly. Therefore, no additional mitigation improvements are proposed at this intersection.
- **#19 Leslie Road/Reata Road** – the stop-controlled eastbound left-turn lane is anticipated to operate at LOS F during the AM and PM peak hours and the eastbound right-turn lane is anticipated to operate at LOS F during the AM peak hour. BMS is estimated to add 461 AM peak hour trips (22.6% of total entering traffic) and 618 PM peak hour trips (25.0% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.
- **#23 Bermuda Road/Reata Road** – the stop-controlled northbound approach is anticipated to operate at LOS F during the AM peak hour and LOS E during the PM peak hour and the southbound approach is anticipated to operate at LOS F during the

AM and PM peak hours. BMS is estimated to add 512 AM peak hour trips (32.5% of total entering traffic) 677 PM peak hour trips (43.5% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.

- **#24 Gage Blvd/Reata Road** – the stop-controlled southbound approach is anticipated to operate at LOS E during the AM peak hour. BMS is estimated to add 612 AM peak hour trips (44.5% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.

It should be noted that the PHF at the WSDOT Ramp intersections (#1, 2, 14, 21, and 22) was updated from the original BMS TIA to 1.0 to be consistent with WSDOT Synchro analysis protocol. As a result, the operations at these intersections improved when compared to the previous TIA.

Additionally, the future 2040 roadway network was updated to include the planned transportation projects adopted in Benton County's 2022-2027 TIP which improved 2040 with full buildout of BMS operations at the study intersections along Reata Road west of Leslie Road (#23, 24, 25, and 26) and the study intersections along Badger Road south of Clearwater Ave / Leslie Road at the I-82 ramps (#21 and 22).

At the locations listed above where improvements are necessary to maintain LOS D or better during weekday AM and PM peak hours in 2040, preliminary mitigation or mitigation strategies have been identified. Mitigation and proportionate share contribution of BMS traffic is provided in greater detail in the *Mitigation* section of the report.

Future Year 2040 Level of Service at On-Site Study Intersections

Future year weekday AM and PM peak hour LOS analyses were conducted at the 12 on-site study intersections for year 2040 with full buildout of Badger Mountain South and the preliminary internal roadway layout as shown previously in **Figure 2**. It should be noted that LOS at intersections outside of the BMS development (off-site study intersections) were described in the prior section.

The LOS analyses are based on the methodology and procedures outlined in the 6th Edition of the *Highway Capacity Manual* (HCM) using the *Synchro 10* and *SIDRA 9* software program.

Table 9 and Table 10 summarize the weekday AM and PM peak hour LOS results and proposed intersection control at the 12 on-site study intersections for 2040 with Full Buildout conditions. The detailed LOS worksheets are included in **Appendix F**.

The LOS analyses at intersections within the BMS development include turn lanes, channelization, and intersection control (i.e. stop sign or roundabout) necessary to ensure the on-site intersections would operate at acceptable LOS during the AM and PM peak hours with full buildout in 2040. The majority of the on-site study intersections will operate at LOS D or better with two-way stop control (side streets stop controlled and primary street free flow); therefore, two-way stop control is proposed at these intersections. However, at intersections A, B, D, F and K, more than one proposed intersection control was identified for control of the intersection, and the LOS results for both options are presented in **Table 9 and Table 10**. The specific lane channelization assumptions for both of the proposed control options at intersections A, B, D, F and K is included in **Appendix G**.

As shown in **Tables 9 and 10**, all controlled movements at the unsignalized BMS internal (on-site) intersections and all proposed roundabout or signalized intersections are expected to operate at LOS D or better during the AM and PM peak hours with the following exception:

- **C. Sol Duc Ave/Trowbridge Blvd** – the southbound approach is anticipated to operate at LOS E during the AM peak hour. Given that Sol Duc Ave is a minor side street roadway, no improvements are proposed for this side-street approach.

Table 9
2040 With Full Buildout AM Peak Hour LOS Summary for On-Site Study Intersections

Study Intersection / Movement	Proposed Intersection Control							
	Roundabout		Signal		Two-Way Stop		All-Way Stop	
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)
A. Bella Coola Ln / Trowbridge Blvd	A	8.7	B	10.3	-	-	-	-
B. Ava Way / Trowbridge Blvd	C	15.4	C	22.5	-	-	-	-
C. Sol Duc Ave / Trowbridge Blvd								
Eastbound Left-Turn	-	-	-	-	B	10.2	-	-
Westbound Left-Turn	-	-	-	-	A	8.3	-	-
Northbound Approach	-	-	-	-	C	15.6	-	-
Southbound Approach	-	-	-	-	E	42.6	-	-
D. Unnamed N/S / Trowbridge Blvd	B	19.2	D	46.2	-	-	-	-
E. Gage Blvd / Corvina S								
Eastbound Approach	-	-	-	-	C	16.7	-	-
Westbound Approach	-	-	-	-	C	23.0	-	-
Northbound Left-Turn	-	-	-	-	A	7.9	-	-
Southbound Left-Turn	-	-	-	-	A	8.5	-	-
F. Gage Blvd / Trowbridge Blvd	A	6.6	B	14.2	-	-	-	-
G. Gage Blvd / Bella Coola Lane								
Eastbound Left-Turn	-	-	-	-	B	13.6	-	-
Eastbound Right-Turn	-	-	-	-	B	10.7	-	-
Northbound Left-Turn	-	-	-	-	A	8.1	-	-
H. Gage Blvd/ Unnamed E/W								
Eastbound Approach	-	-	-	-	B	14.9	-	-
Northbound Left-Turn	-	-	-	-	A	8.6	-	-
I. Gage Blvd / Morningside Pkwy								
Eastbound Approach	-	-	-	-	C	16.1	-	-
Westbound Approach	-	-	-	-	C	15.0	-	-
Northbound Left-Turn	-	-	-	-	A	7.8	-	-
Southbound Left-Turn	-	-	-	-	A	7.8	-	-
J. Unnamed N/S / Unnamed E/W								
Eastbound Left-Turn	-	-	-	-	D	27.8	-	-
Eastbound Shared Thru-Right	-	-	-	-	B	13.7	-	-
Westbound Left-Turn	-	-	-	-	D	34.8	-	-
Westbound Shared Thru-Right	-	-	-	-	C	18.9	-	-
Northbound Left-Turn	-	-	-	-	A	8.2	-	-
Southbound Left-Turn	-	-	-	-	A	7.6	-	-
K. Unnamed N/S / Bella Coola Lane	A	7.3	-	-	-	-	C	15.9
L. Clark Ridge Dr / Bella Coola Lane								
Eastbound Left-Turn	-	-	-	-	A	7.9	-	-
Westbound Left-Turn	-	-	-	-	A	7.7	-	-
Northbound Approach	-	-	-	-	C	15.0	-	-
Southbound Approach	-	-	-	-	C	17.0	-	-

Table 10
2040 With Full Buildout PM Peak Hour LOS Summary for On-Site Intersections

Study Intersection / Movement	Proposed Intersection Control							
	Roundabout		Signal		Two-Way Stop		All-Way Stop	
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)
A. Bella Coola Ln / Trowbridge Blvd	B	14.6	B	14.8	-	-	-	-
B. Ava Way / Trowbridge Blvd	C	17.1	B	13.1	-	-	-	-
C. Sol Duc Ave / Trowbridge Blvd								
Eastbound Left-Turn	-	-	-	-	B	10.2	-	-
Westbound Left-Turn	-	-	-	-	B	10.0	-	-
Northbound Approach	-	-	-	-	C	19.0	-	-
Southbound Approach	-	-	-	-	D	31.0	-	-
D. Unnamed N/S / Trowbridge Blvd	D	30.1	D	47.4	-	-	-	-
E. Gage Blvd / Corvina S								
Eastbound Approach	-	-	-	-	C	21.5	-	-
Westbound Approach	-	-	-	-	D	27.9	-	-
Eastbound Approach	-	-	-	-	A	8.7	-	-
Northbound Left-Turn	-	-	-	-	A	9.2	-	-
F. Gage Blvd / Trowbridge Blvd	A	8.9	B	16.4	-	-	-	-
G. Gage Blvd / Bella Coola Lane								
Eastbound Left-Turn	-	-	-	-	C	16.3	-	-
Eastbound Right-Turn	-	-	-	-	B	10.6	-	-
Northbound Left-Turn	-	-	-	-	A	8.3	-	-
H. Gage Blvd/ Unnamed E/W								
Eastbound Approach	-	-	-	-	B	12.0	-	-
Northbound Left-Turn	-	-	-	-	A	8.0	-	-
I. Gage Blvd / Morningside Pkwy								
Eastbound Approach	-	-	-	-	B	14.1	-	-
Westbound Approach	-	-	-	-	B	12.1	-	-
Northbound Left-Turn	-	-	-	-	A	7.8	-	-
Southbound Left-Turn	-	-	-	-	A	8.1	-	-
J. Unnamed N/S / Unnamed E/W								
Eastbound Left-Turn	-	-	-	-	B	11.6	-	-
Eastbound Shared Thru-Right	-	-	-	-	A	9.7	-	-
Westbound Left-Turn	-	-	-	-	B	11.9	-	-
Westbound Shared Thru-Right	-	-	-	-	B	10.1	-	-
Northbound Left-Turn	-	-	-	-	A	7.5	-	-
Southbound Left-Turn	-	-	-	-	A	7.5	-	-
K. Unnamed N/S / Bella Coola Lane	A	7.4	-	-	-	-	C	17.9
L. Clark Ridge Dr / Bella Coola Lane								
Eastbound Left-Turn	-	-	-	-	A	7.9	-	-
Westbound Left-Turn	-	-	-	-	A	8.1	-	-
Northbound Approach	-	-	-	-	C	17.2	-	-
Southbound Approach	-	-	-	-	C	16.4	-	-

Roadway Functional Classification for BMS Roads

This section uses the future 2040 future traffic volumes projections to compare to the City's roadway functional classifications and recommends roadway classifications for primary roadways within the BMS development. Future 2040 average daily traffic (ADT) for roadways within BMS were estimated based on the weekday AM and PM peak hour volumes multiplied by a k-factor of 9%.

Recommended roadway classifications for the internal roadways serving BMS were assessed based on the City of Richland's preliminary functional classification recommendations, which are provided in **Appendix H**. Those functional classifications include a range of average daily traffic (ADT) for a range of roadway types, including principal arterial, minor arterial, major collector, and local road.

Table 11 summarizes recommended roadway classifications and number of travel lanes for the primary roadways within and serving the BMS development. The recommendations are based on review of 2040 ADT and comparison to the City's functional classification recommendations (**Appendix H**). These recommendations are generally consistent with the functional classifications identified by the City for the BMS internal roadways with a few exceptions which are recommended to be re-considered by the City based on the future ADT projections in 2040.

Dallas Road between Ava and I-82 – propose re-consideration as a Principal Arterial with 4-5 travel lanes.

Trowbridge Blvd between Dallas Road and east of Ava Way to Unnamed N/S Road – propose re-consideration as a Principal Arterial with 4-5 travel lanes.

The number of travel lanes identified in **Table 11** is based on the future ADT by 2040 as well as the anticipated intersection control at the intersections along each roadway segment. Consideration may be given to whether 4 lane roadways should be 5 lanes in order to accommodate left-turns onto future internal roadway connections.

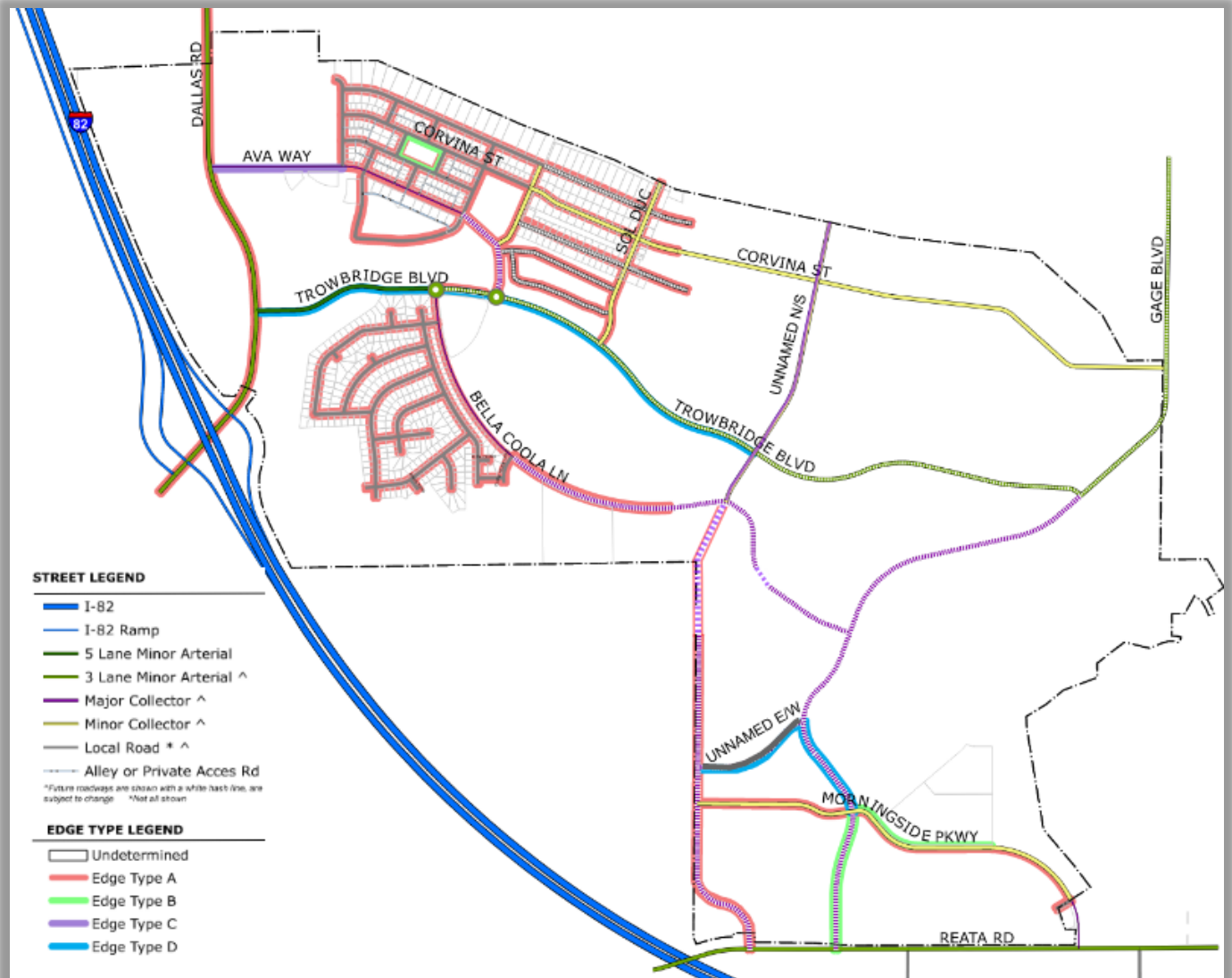
Table 11
Preliminary Functional Classification Recommendations for BMS Internal Roadways

Roadway / location	2040 PM Peak Hour Traffic Volume (total of both directions)	Estimated Average Daily Traffic (ADT) ¹	Preliminary # of Lanes	Preliminary Functional Classification Recommendation
<u>Dallas Road</u>				
north of Ava Way	1,463	16,300	2-3	Minor Arterial
south of Trowbridge Blvd	3,012	33,500	4-5	Principal Arterial ²
<u>Ava Way</u>				
east of Dallas Rd	691	7,700	2-3	Major Collector
north of Trowbridge Blvd	394	4,400	2-3	Major Collector
<u>Trowbridge Blvd</u>				
east of Dallas Rd	2,488	27,600	4-5	Principal Arterial ²
east of Bella Coola Ln	1,713	19,000	5	Principal Arterial ²
east of Ava Way	1,942	21,600	3	Principal Arterial ²
east of Unnamed N/S	1,298	14,400	3	Minor Arterial
west of Gage Blvd	1,060	11,800	3	Minor Arterial
<u>Bella Coola Ln</u>				
south of Trowbridge Blvd	748	8,300	2-3	Major Collector
west of Unnamed N/S	542	6,000	2-3	Major Collector
east of Unnamed N/S	744	8,300	2-3	Major Collector
west of Gage Blvd	542	6,000	2-3	Major Collector
<u>Unnamed N/S</u>				
South of Trowbridge Blvd	719	8,000	2-3	Major Collector
South of Bella Coola Ln	318	3,500	2-3	Major Collector
North of Unnamed E/W	247	2,700	2-3	Major Collector
South of Unnamed E/W	302	3,400	2-3	Major Collector
<u>Unnamed E/W</u>				
East of Unnamed N/S	125	1,400	2	Local Road
West of Gage Blvd	111	1,200	2	Local Road
<u>Gage Blvd</u>				
Northeast of Corvina St	1,102	12,200	2-3	Minor Arterial
North of Trowbridge Blvd	1,128	12,500	2-3	Minor Arterial
South of Trowbridge Blvd	433	4,800	2-3	Major Collector
South of Bella Coola Ln	725	8,100	2-3	Major Collector
South of Unnamed E/W	621	6,900	2-3	Major Collector
North of Reata Rd	588	6,500	2-3	Major Collector

1. ADT volumes were estimated from PM peak hour volumes with an applied K-factor of 9%.

2. Recommended for re-consideration as a Principal Arterial based on ADT projection by 2040.

The snip below illustrates a preliminary draft version of the internal roadway network plan for BMS showing primary roadways and alignments within the development area. The preliminary roadway classifications are generally consistent with those identified in **Table 11**. It is anticipated that this information will be reviewed as part of this traffic analysis and may be updated based on discussions with City staff in determining the most appropriate roadway classifications for BMS roads as those future phases develop.



Planned Non-Motorized Transportation Facilities

Future non-motorized pedestrian and bicycle facilities within the BMS project area are anticipated to be designed to the final adopted LUDR road sections at the time of development approval. Potential non-motorized facilities within the BMS subarea may include bicycle lanes on principal arterials, minor arterials, and minor collectors and sidewalks or pedestrian paths on all new roadways within BMS.

MITIGATION MEASURES

This section summarizes the measures necessary for Badger Mountain South (BMS) to mitigate anticipated transportation impacts at off-site study intersections with full buildout of the development (year 2040) based on the traffic analysis documented in this updated TIA. The identified mitigation at off-site study intersections was assigned to one of the following categories:

- Mitigation Proposed to Meet LOS Standard
- Future Monitoring Mitigation
- Alternative Mitigation Strategies
- No Mitigation Identified

The specific mitigation measures and strategies at all 26 off-site study intersections are summarized in **Table 12**; descriptions of the specific mitigation strategies are provided after Table 12. **Table 12** also identifies the development phase/year in which the mitigation strategy is anticipated, and provides an estimated pro-rata share of mitigation for the BMS development at some of the intersections based on year 2040 traffic volumes with full buildout of BMS.

The specific mitigation strategy, timing, and the pro-rata share contributions for BMS are anticipated to be confirmed based on discussions with the City of Richland, and potentially other stakeholders (WSDOT, West Richland, and Benton County) as necessary. The final mitigation measures and strategies are anticipated to be established in a new or updated Master Agreement for the BMS development.

Table 12
Summary of Mitigation Measures at Off-Site Study Intersections

Study Intersection	Meets LOS standard in 2040?	Mitigation Measure ¹	BMS Phase/Year Triggered ²	Estimated BMS Pro-Rata Share of Mitigation ³
Mitigation Proposed to Meet LOS Standard				
1. Dallas Road / I-82 EB Ramps	No	RAB or signal	2025	100%
2. Dallas Road / I-82 WB Ramps	No	RAB or signal	2025	100%
4. Dallas Road / Ava Way	No	RAB or signal	2025	100%
6. Bombing Range Rd / Kennedy Rd	No	RAB or signal	2030	31%
9. Kennedy Rd / Keene Road	No	NB+SB right-turn overlap phases	2030	11%
19. Leslie Road / Reata Road	No	RAB or signal	2030	25%
23. Bermuda Road / Reata Road	No	RAB or signal	2030	38%
24. Gage Blvd / Reata Road	No	RAB or signal	2030	53%
Future Monitoring Mitigation				
12. Duportail Street / Queensgate Drive	No	Monitoring		
18. Leslie Road / Gage Blvd	No	Monitoring		
20. Badger Rd / Clearwater Ave / Leslie Rd	No	Monitoring		
Alternative Mitigation Strategies *				
3. Dallas Road / Trowbridge Blvd	No	RAB	2025	100%
5. Dallas Road / Arena Road		Arena cul-de-sac		43%
8. Kennedy Road / Arena Road		Arena cul-de-sac		29%
16. Gage Blvd/Queensgate Dr/Bermuda Rd		RAB		38%
24. Morningside Pkwy / Reata Road		TIP/Frontage		
25. Gage Blvd / Reata Road		TIP/Frontage		
26. Unnamed N/S / Reata Road		TIP/Frontage		
No Mitigation Identified				
7. Bombing Range Rd / Keene Rd	<i>No mitigation identified because intersections meet LOS standard in 2040 with full buildout of BMS</i>			
10. Duportail Street / Keene Road				
11. Duportail Street / Kennedy Road				
13. Queensgate Drive / I-182 WB Ramps				
14. Queensgate Drive / I-182 EB Ramps				
15. Keene Rd / Queensgate Drive				
17. Keene Road / Gage Blvd				
21. Badger Road / I-82 WB Ramps				
22. Badger Road / I-82 EB Ramps				

1. RAB = roundabout

2. Based on the anticipated year buildout of the development phase (either 2025, 2030, 2035 or 2040).

3. Estimated pro-rata share based on weekday year 2040 AM and PM peak hour traffic volumes with BMS full buildout.

* Alternative mitigation strategies at these intersections discussed further below.

Mitigation Proposed to Meet LOS Standard

As shown in **Table 12**, mitigation measures (signal, roundabout, or overlap phasing) are proposed at 8 off-site study intersections that are forecast to operate at LOS F (not meeting LOS standards) in 2040 with full buildout of BMS.

Table 12 also identifies the development phase/year in which the mitigation is anticipated, and provides an estimated pro-rata share of mitigation for the BMS development based on year 2040 traffic volumes with full buildout of BMS. It is anticipated that the BMS development would have full responsibility (100% pro-rata share) for mitigation at the following 3 intersections:

- #1 Dallas Road / I-82 EB Ramps
- #2 Dallas Road / I-82 WB Ramps
- #4 Dallas Road / Ava Way

Future Monitoring Mitigation

As shown in **Table 12**, future monitoring is proposed at 3 off-site study intersections that are forecast to operate at LOS F (not meeting LOS standards) in 2040 with full buildout of BMS:

- #12 Duportail Road / Queensgate Drive
- #18 Leslie Road / Gage Blvd
- #20 Badger Road / Clearwater Ave / Leslie Road

All three of these intersections were either recently improved or would require substantial improvements to operate at an acceptable LOS (LOS D or better) in 2040.

Alternative Mitigation Strategies

As shown in **Table 12**, alternative mitigation strategies are identified at the following 8 off-site study intersections:

- #3 Dallas Road / Trowbridge Blvd. This intersection is assumed to be a roundabout in the 2040 roadway network. It is anticipated that the BMS development would have full responsibility (100% pro-rata share) for intersection improvements at this intersection.
- #5 Dallas Road / Arena Road. As requested by the City of Richland, Arena Road is assumed to dead-end east of Dallas Road via a new cul-de-sac by 2040. As a result, the Dallas Road / Arena Road intersection would be a three-leg unsignalized intersection with the west leg (Arena Road) stop-controlled and Dallas Road free flow. BMS is estimated to add 480 AM peak hour trips (44.0% of total entering traffic) and 666 PM peak hour trips (41.2% of total entering traffic).
- #8 Kennedy Road / Arena Road. Although this intersection is anticipated to have a side-street movement that operates at LOS F (not meeting LOS standards) in 2040, the delay for the minor side-street southbound left-turn movement improved significantly as a result of the planned project to dead-end Arena Road with a cul-de-sac east of Dallas Road; therefore, additional mitigation was not identified at this intersection. BMS is estimated to add 317 AM peak hour trips (30.8% of total entering traffic) and 437 PM peak hour trips (27.1% of total entering traffic).

- #16 Gage Blvd / Queensgate Drive / Bermuda Road. As requested by the City of Richland, this intersection is assumed to be a roundabout in the 2040 roadway network as part of the Queensgate Drive Extension Project identified in the City of Richland's 2021-2026 TIP. BMS is estimated to add 522 AM peak hour trips (35.5% of total entering traffic) and 701 PM peak hour trips (39.5% of total entering traffic).
- #24 Morningside Pkwy / Reata Road, #25 Gage Blvd / Reata Road, #26 Unnamed N/S Reata Road. Reata Road is assumed to be widened to include a center turn lane before 2040 per Benton County TIP project. The proposed BMS project would dedicate right-of-way to accommodate the planned roadway widening along its Reata Road frontage as its share of mitigation.

No Mitigation Identified

As shown in **Table 12**, no mitigation is identified at 9 off-site study intersections that are expected to operate at acceptable LOS in 2040 with full buildout of BMS.

LOS Analysis for Off-Site Study Intersections Where Mitigation is Identified

Weekday AM and PM peak hour LOS analyses were conducted for each of the mitigation options at the 8 off-site study intersections for which mitigation measures were identified to meet the LOS standard. The LOS results are summarized in **Tables 13 and 14**, respectively. A summary of the channelization assumptions at each intersection with more than one mitigation option is included **Appendix G** and the detailed LOS reports are included in **Appendix I**.

As shown in **Tables 13 and 14**, at the off-site study intersections anticipated to not meet LOS standards in 2040, all identified mitigation measures are expected to result in LOS D or better operations during both the AM and PM peak hours in 2040 with full buildout of the BMS development.

Table 13
2040 Full Buildout and Mitigation - AM Peak Hour Intersection LOS Summary

Study Intersection	Mitigation Measures					
	<u>Roundabout</u>		<u>Signal</u>		<u>Overlap Phasing</u>	
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (Sec)
1. Dallas Road / I-82 EB Ramps	C	18.0	D	37.5	-	-
2. Dallas Road / I-82 WB Ramps	B	11.3	A	8.7	-	-
3. Dallas Road / Trowbridge Road	-	-	-	-	-	-
4. Dallas Road / Ava Way	A	7.0	B	19.8	-	-
5. Dallas Road / Arena Road	-	-	-	-	-	-
6. Bombing Range Rd / Kennedy Rd	A	6.4	B	19.4	-	-
7. Bombing Range Rd / Keene Rd	-	-	-	-	-	-
8. Kennedy Road / Arena Road	-	-	-	-	-	-
9. Kennedy Rd / Keene Road	-	-	-	-	D	40.0
10. Duportail Street / Keene Road	-	-	-	-	-	-
11. Duportail Street / Kennedy Road	-	-	-	-	-	-
12. Duportail Street / Queensgate Drive	-	-	-	-	-	-
13. Queensgate Drive / I-182 WB Ramps	-	-	-	-	-	-
14. Queensgate Drive / I-182 EB Ramps	-	-	-	-	-	-
15. Keene Rd / Queensgate Drive	-	-	-	-	-	-
16. Gage Blvd / Queensgate Dr / Bermuda Rd	-	-	-	-	-	-
17. Keene Road / Gage Blvd	-	-	-	-	-	-
18. Leslie Road / Gage Blvd	-	-	-	-	-	-
19. Leslie Road / Reata Road	D	29.5	B	19.4	-	-
20. Badger Road / Clearwater Ave / Leslie Rd	-	-	-	-	-	-
21. Badger Road / I-82 WB Ramps	-	-	-	-	-	-
22. Badger Road / I-82 EB Ramps	-	-	-	-	-	-
23. Bermuda Road / Reata Road	B	10.7	B	16.1	-	-
24. Morningside Pkwy / Reata Road	-	-	-	-	-	-
25. Gage Blvd / Reata Road	A	9.6	B	17.1	-	-
26. Unnamed N/S / Reata Road	-	-	-	-	-	-

Table 14
2040 Full Buildout and Mitigation - PM Peak Hour Intersection LOS Summary

Study Intersection	Mitigation Options					
	<u>Roundabout</u>		<u>Signal</u>		<u>Overlap Phasing</u>	
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (Sec)
1. Dallas Road / I-82 EB Ramps	D	31.6	D	47.7	-	-
2. Dallas Road / I-82 WB Ramps	C	21.8	B	14.5	-	-
3. Dallas Road / Trowbridge Road	-	-	-	-	-	-
4. Dallas Road / Ava Way	C	17.1	C	29.1	-	-
5. Dallas Road / Arena Road	-	-	-	-	-	-
6. Bombing Range Rd / Kennedy Rod	D	33.5	D	51.7	-	-
7. Bombing Range Rd / Keene Rd	-	-	-	-	-	-
8. Kennedy Road / Arena Road	-	-	-	-	-	-
9. Kennedy Rd / Keene Road	-	-	-	-	D	51.4
10. Duportail Street / Keene Road	-	-	-	-	-	-
11. Duportail Street / Kennedy Road	-	-	-	-	-	-
12. Duportail Street / Queensgate Drive	-	-	-	-	-	-
13. Queensgate Drive / I-182 WB Ramps	-	-	-	-	-	-
14. Queensgate Drive / I-182 EB Ramps	-	-	-	-	-	-
15. Keene Rd / Queensgate Drive	-	-	-	-	-	-
16. Gage Blvd / Queensgate Dr / Bermuda Rd	-	-	-	-	-	-
17. Keene Road / Gage Blvd	-	-	-	-	-	-
18. Leslie Road / Gage Blvd	-	-	-	-	-	-
19. Leslie Road / Reata Road	C	15.2	C	24.5	-	-
20. Badger Road / Clearwater Ave / Leslie Rd	-	-	-	-	-	-
21. Badger Road / I-82 WB Ramps	-	-	-	-	-	-
22. Badger Road / I-82 EB Ramps	-	-	-	-	-	-
23. Bermuda Road / Reata Road	B	11.3	B	15.5	-	-
24. Morningside Pkwy / Reata Road	-	-	-	-	-	-
25. Gage Blvd / Reata Road	A	8.4	B	17.5	-	-
26. Unnamed N/S / Reata Road	-	-	-	-	-	-



Exhibit 8

S2021-107 Hearing Examiner Decision Packet



NOTICE OF DECISION

PURSUANT TO RICHLAND MUNICIPAL CODE SECTION 19.60.080, NOTICE IS HEREBY GIVEN THAT ON DECEMBER 14, 2021 THE CITY OF RICHLAND HEARING EXAMINER ISSUED A DECISION APPROVING THE PRELIMINARY PLAT OF GOOSE RIDGE ESTATES II (CITY FILE NO. S2021-107):

**DESCRIPTION
OF ACTION:**

The preliminary plat of "Goose Ridge Estates II" proposing to subdivide 53.33-acres into 206 lots for residential development together with eleven (11) tracts, has been approved.

SEPA REVIEW:

The probable significant adverse environmental impacts of the proposed project have been adequately addressed in the Planned Action Ordinance [RMC 19.50.030 (B)].

APPROVED:

The subdivision application has been approved.

PROJECT LOCATION:

The subject project site is located east of the termini of Highview Street, Corvina Street, and Barbera Street within the Badger Mountain South Master Planned Community.
APN's 1-33983000001003,
1-33983000001005, 1-32981030003000, 1-32981030002000.

Shane O'Neill,
Senior Planner

December 16, 2021
Date

A full text of the Hearing Examiner's recommendation report can be viewed at:
<https://www.ci.richland.wa.us/departments/development-services/planning/land-use>

An appeal of the Hearing Examiner's decision regarding this preliminary plat application shall be final, subject to judicial appeal in the time and manner as provided in RMC 19.70.060 and Ch. 36.70C RCW.



**BEFORE THE HEARING EXAMINER
FOR THE
CITY OF RICHLAND**

**FINDINGS, CONCLUSIONS AND
DECISION APPROVING
“GOOSE RIDGE ESTATES II” PRELIMINARY PLAT**

FILE NUMBER: S2021-107

APPLICANT/OWNER: MONSON DEVELOPMENT WASHINGTON LLC

APPLICATION: TO SUBDIVIDE 53.33 ACRES INTO 206 RESIDENTIAL LOTS
WITH 11 (ELEVEN) TRACTS.

LOCATION: PART OF THE BADGER MOUNTAIN SOUTH SUB-AREA, IN THE BADGER
MOUNTAIN MASTER PLANNED COMMUNITY, JUST EAST OF THE EXISTING
GOOSE RIDGE ESTATES DEVELOPMENT, WITH PROPOSED WESTERLY
EXTENSIONS OF HIGHVIEW, CORVINA, AND BARBERA STREETS INTO THE
PROPOSED NEW PLAT.

PARCEL NUMBERS: 1-33983000001003, 1-33983000001005,
1-32981030003000 & 1-32981030002000

REVIEW PROCESS: TYPE III, PRELIMINARY PLAT,
HEARING EXAMINER DECISION

SUMMARY OF DECISION: *APPROVAL*, SUBJECT TO CONDITIONS

DATE OF DECISION: DECEMBER 14, 2021

I. CONTENTS OF RECORD

Exhibits: Staff Report. City of Richland Development Services Division Staff Report and recommendation of approval to the Hearing Examiner regarding the “Goose Ridge Estates II” Preliminary Plat, File No. S2021-107, dated November 8, 2021;

Exhibits included with the Staff Report:

1. Application #S2021-107
2. Preliminary Plat Map, Street Sections, Grading & Drainage Plan and Public Utility Plan
3. Public Notice & Affidavits
4. Master Agreement Consistency Recommendation (MACR)
5. Master Agreement Consistency Determination (MACD)
6. Planned Action Consistency Determination (PACD)
7. Badger Mountain South Sub-Area Plan Map
8. Proposed LUDR Amendment
9. BMS Master Agreement Exhibit B
10. BMS Master Agreement Exhibit D
11. Planned Action Ordinance
12. Project Comments
13. Site Photos

Exhibits added to the record after Staff Report was issued:

14. Spreadsheet showing trip generation counts, by lots and permits issued, discussed by Mr. Mendenhall during his testimony during the public hearing.
15. Written Comments from Eric Mendenhall, Community Development Director for the City of West Richland, summarized by Mr. Mendenhall during his hearing testimony.
16. Public Works Department memo detailing specific transportation improvement projects funded by Traffic Impact Fees collected in Traffic Impact Zone 3, where the proposed plat is located, submitted in response to questions from the Examiner during the hearing.
17. “NC” (Neighborhood Collector) District explanation from Staff, submitted in response to questions from the Examiner during the hearing.

18. Email communications to/from Applicant's Engineer, Mr. Mapstead, and Mr. White, re: NC areas proposed in the Goose Ridge development, submitted by Mr. Mapstead after the public hearing (4-pages).

19. Written comments from Heather Nicholson, Acting President of the West Vineyard Homeowners Association, summarizing her public testimony, and referencing provisions of the LUDR and other records to support her concerns.

20. BMS Master Agreement, from October 2015, complete copy added to the record by the Examiner for reference by interested parties.

21. Image from the online DAHP predictive modeling map for the proposed plat area, showing most of the land area within the proposed plat as "Moderate Risk" for discovery of cultural resources, so a Cultural Resource Survey is "Recommended"; some parts of the proposed plat area are shown as "High Risk", so a Survey is "Highly Advised"; and some areas are shown as "Moderately Low Risk", so a Survey would be contingent upon certain parameters. *(Added to the record by the Examiner after the hearing following testimony from applicant representative that was dismissive of potential for discoveries on the site).*

22. Master Declaration of Covenants, Conditions, and Restrictions for Badger Mountain South. *(Benton County Auditor's Office, Recording No. 2012-027520 COV, recorded on 09/07/2012 (30 pages)).*

Testimony/Comments: The following persons were sworn and provided testimony under oath at the open-record hearing:

1. Mike Stevens, Planning Manager, for the City of Richland;
2. Kaleb Mapstead, P.E., with AHBL Inc., Engineer of record for the project applicant, served as the applicant's hearing representative, summarizing merits of application and responding to questions;
3. Eric Mendenhall, Community Development Director for the City of West Richland, expressed concerns with the application, submitted Exhibits 14 and 15, opposed application generally based upon belief that transportation concurrency requirements have not been satisfied;
4. Russ Pfeiffer, local resident, has served as a neighborhood liaison on his own behalf and neighbors on other projects in the BMS community, expressed concerns with proposed plat, including reasons why a construction traffic plan of some sort should be considered to prevent impacts on existing residents in the vicinity of the new plat;
5. Heather Nicholson, local resident, represented the West Vineyard Homeowners Association, expressed concerns that the lots in the proposed plat are located too far from parks, prefers wider rather than narrower trails, asked that application should be viewed in context of entire BMS community;

6. Pete Rogalski, Public Works Director for the City of Richland, and licensed professional engineer, explained his professional judgement and opinions that support wider streets than some shown in application materials, that traffic safety and general drivability would be reduced if narrower streets are used, and that the City's transportation impact fees collected for each building permit in the proposed plat will be sufficient to proportionally fund transportation system improvements needed to mitigate impacts of this project, and that the pending TIA will be used to refresh the list of transportation improvements needed for the BMS community, which is all located in a specific impact fee area, known as "zone 3";
7. Carlo D'Alessandro, PE, Transportation and Development Manager for the City of Richland Public Works Department, clarified that trip counts used to determine if transportation improvements are "triggered" so construction should move forward are based upon building permits issued, not lots approved in final subdivisions, so the 1,000 unit threshold and others referenced in some comments have not been or will not be met until such time as 1,000 building permits are issued for new homes in the BMS community; also generated Exhibit 12, in response to a request from the Hearing Examiner made during the public hearing, which lists up to 14 specific transportation improvement projects funded by impact fees collected in zone 3, where the plat is located, explaining that "Public Works staff is convinced that the projects and funding included in the existing traffic impact fee program is sufficient to mitigate the off-site traffic impacts of the Goose Ridge Estates II project..."

II. APPLICABLE LAW

Under applicable provisions of the Richland Municipal Code (RMC), a preliminary plat application is first subject to review and approval by city staff with respect to the engineering elements of said plat, then the Hearing Examiner is responsible for conducting an open record public hearing followed by a final written Decision. A preliminary plat application is a Type III procedure. RMC 19.20.010(C)(1).

As explained in RMC 24.12.050(A), the hearing examiner shall consider any preliminary plat application and shall conduct an open record public hearing in accordance with Chapter 19.60 RMC. After the public hearing and review of materials in the record, the hearing examiner shall determine whether the preliminary plat is in accordance with the comprehensive plan and other applicable code requirements and shall either make a decision of approval or disapproval. The same provision of the city's code (RMC 24.12.050(A)) provides that any approval of the preliminary plat shall not be given by the hearing examiner without the prior review and approval of the city manager or their designee with respect to the engineering elements of said plat including the following:

1. Adequacy of proposed street, alley, right-of-way, easement, lighting, fire protection, drainage, and utility provisions;
2. Adequacy and accuracy of land survey data;

3. The submittal by the applicant of a plan for the construction of a system of street lights within the area proposed for platting, including a timetable for installation; provided, that in no event shall such a plan be approved that provides for the dedication of such a system of lighting to the city later than the occupancy of any of the dwellings within the subdivision.

The City's decision criteria for preliminary plat approval are substantially similar to state subdivision mandates found in RCW 58.17.110(2)¹ and reads as follows:

Richland Municipal Code 24.12.053 Preliminary plat – Required findings.

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

A. The preliminary plat conforms to the requirements of this title;

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 that 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 (addresses transportation concurrency considerations).

And, RMC 19.60.095 mandates the following additional findings:

19.60.095 Required findings.

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:

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

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

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

D. 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. (emphasis added).

¹ "A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) 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 that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. []" RCW 58.17.110(2).

E. 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 burden of proof rests with the applicant, and any decision to approve or deny a preliminary plat must be supported by a preponderance of evidence. *RMC 19.60.060 and Hearing Examiner Rules of Procedure, Sec. 3.08.* The application must be supported by proof that it conforms to the applicable elements of the city's development regulations, comprehensive plan and that any significant adverse environmental impacts have been adequately addressed. RMC 19.60.060.

The hearing examiner's decision regarding this preliminary plat application shall be final, subject to judicial appeal in the time and manner as provided in RMC 19.70.060 and Ch. 36.70C RCW (*The city's final decision on land use application may be appealed by a party of record with standing to file a land use petition in Benton County Superior Court. Such petition must be filed within 21 days of issuance of the decision*). See RMC 24.12.050(B).

III. ISSUE PRESENTED

Whether a preponderance of evidence demonstrates that the applicant has satisfied their burden of proof to satisfy the criteria for preliminary plat approval?

Short Answer: Yes, but only if the proposed plat is developed in compliance with specific conditions.

IV. FINDINGS of FACT

1. Upon consideration of the Staff Report, exhibits, public hearing testimony, follow-up research and review of applicable codes, plans, policies, controlling legal instruments, including without limitation the Badger Mountain South LUDR provisions, this Decision is now in order. Based on all the evidence, testimony, codes, policies, regulations, and other information contained in the Record, the Examiner issues the following findings, conclusions and Decision to approve the preliminary plat as set forth below.
2. Any statements in previous or following sections of this document that are deemed findings are hereby adopted as such. Captions should not be construed to modify the language of any finding, as they are only provided to identify some of the key topics at issue in this application.
3. Monson Development Washington LLC, of Benton City, Washington, is the applicant and owner of the parcels of property addressed in this preliminary plat application. (*Exhibit 1; Ex. 2, proposed plat plans*).
4. The project site is currently planted with grape vines, as shown in *Exhibit 13*. The recently approved Goose Ridge Estates subdivision is located immediately west of the site, from which current streets named Highview, Corvina, and Barbera Streets will extend east into

this proposed Goose Ridge Estates II preliminary plat. The existing neighborhood known as West Vineyard 1, Phase 1 is located immediately west of the existing Goose Ridge site. All of these properties are part of the larger Badger Mountain South master planned community and are subject to review and compliance with applicable provisions of city development regulations as well as the Land Use and Development Regulations (LUDR) for the Badger Mountain South master planned community.

5. The applicant also owns a large, vacant portion of property immediately east of this proposed plat, shown on County Assessor records as part of the parcel ending with 1003. (*Assessor records; Testimony of Mr. Stevens*). Staff informed the Examiner that parcel numbers shown on the Assessor's website may not be current, as various boundary line adjustments and other property line changes have occurred in recent years in the area. In any event, this Decision applies to property/properties owned by this applicant, whatever parcel number is shown on public records or application materials.
6. The city received the pending application for preliminary plat approval on or about August 25, 2021. (*Staff Report, page 10; Ex. 1, Preliminary Plat Application Form cover sheet*). Following review of the application materials, city staff deemed the materials complete for purposes of vesting, further review, and acceptance, on or about the same date it mailed and published Notices of the Application and Public Hearing for the matter on October 15 and 24, 2021. (*Staff Report, page 10; Ex. 3*). All written comments received prior to the hearing from members of the public or interested agencies are included in the record as part of Exhibit 12.
7. This proposed subdivision is part of the Badger Mountain South Subarea Plan and is part of the master planned community of Badger Mountain South, which is intended to be a "walkable and sustainable community" with a range of housing types, mixed-use neighborhoods, up to 5,000 dwelling units, businesses and other commercial activities, all subject to specially adopted Land Use and Development Regulations (LUDR) for the area. (*LUDR, 1.A, Intent, and 1.B, Purpose*). The property addressed in this application is located in the "East Garden" portion of the BMS community. (*LUDR, Sec. 1.E, on pages 1-2; Staff Report, site description discussion on page 3*).
8. As part of any preliminary plat application review for projects in the BMS community, a recommendation from the Master Plan Administrator is required, referenced as a "MACR" in the Staff Report and other documents in the application materials. For this project, the MACR is included in the record as *Exhibit 4*, a part of which addresses possible road connections to serve the new plat and reads as follows:

"This development is creating 206 Residential Units with only one major collector street (Sol Duc) serving the development. The TENW traffic study currently under review at the City of Richland identifies the need for a second major collector street to serve the development. The Master Plan Administrator recommends the City of Richland consider requiring a second major collector street to serve this development as outlined in the Traffic Study. Specifically, the traffic study shows connectivity from Road C in Goose Ridge Estates II to Trowbridge. Without this connection, the traffic generated from this development will run through the residential neighborhoods in Goose Ridge and West Vineyard and create more congestion, noise, and safety concerns. The Master Plan

Administrator recommends the City of Richland identify when the connection from Road C to Trowbridge should be made as part of this phase of Goose Ridge Estates. (Ex. 4, Master Agreement Consistency Recommendation, on page 50 of 214 in pdf file of project materials; emphasis added).

9. This proposed Goose Ridge II subdivision would divide just over 53 acres into a development site with 206 residential lots with 11 tracts – in 3 (three) phases – as depicted on proposed plat plans included as part of *Exhibit 2*.
10. The Staff Report (on pages 4 and 5, see Figure 2) and Sec. 2.B of the LUDR explain or generally depict that a portion of the proposed plat area includes some space on the far east side of the Goose Ridge II property that is shown in the LUDR Land Use Maps as BMS-Civic, with a special designation as an “Overlay District”. The Civic District allows for open spaces, schools and community facilities located throughout neighborhoods. This district accounts for about 30% of BMS and is one of the most significant features aimed at supporting the vision of a walkable and sustainable community (LUDR Section 3.F). Having the overlay applied to a Civic District limits development to schools only. The Staff Report notes that the spatial correlation between the Civic area and the platted lots is approximate. The note in LUDR section 2.B states “*District boundaries are illustrative and may be adjusted to meet site conditions and project requirements so long as the spatial relationship between the districts is maintained*”. Noteworthy is the large rectangular parcel proposed outside of and adjacent to the southeast boundary of Goose Ridge Estates II. Planning Staff presumes this rectangular parcel is intended to contain a future school site and the green Civic zone may be shifted to meet the intent of the BMS land use map in LUDR section 2.B. (*Staff Report, page 5; Testimony of Mr. Stevens*). Because the property immediately east of this plat site is under the same ownership as this applicant, and this proposed plat reflects an intent to shift a similarly-sized area of the Civic-Overlay District onto the applicant’s property to the east from this plat, an additional condition of approval was requested by staff during the public hearing, without objection from the applicant, to require a legal instrument or other document to achieve such result. An additional condition of approval has been added, to require the applicant to submit a legal instrument of some sort that would bind future development of the property to east to include additional Civic-Overlay District land area of a substantially similar size to that shifted away from this Goose Ridge II plat, as generally depicted on Figure 2 of the Staff Report. Such document shall be subject to review and approval as to form by the Planning Manager and the City Attorney, and must be recorded prior to final plat approval for the first (initial) phase of this plat.
11. The Master Agreement Consistency Recommendation (*Ex. 4*) was not revised and notes that the project will be finalized in two phases, but as public comments correctly note as part of their concerns about inconsistencies in the application materials that give local residents “pause for the quality of the application as a whole” (*Ex. 12, West Vineyard HOA written comments, on page 192 of .pdf file, emphasis added*), the application materials and plat design provided to the Examiner and discussed at the public hearing show the plat to be developed in three phases, clearly illustrated on proposed plat plan sheets included as part of *Exhibit 2*.

12. The LUDR specifies various “districts” that are applied to properties in the BMS community. For this plat, most of the land area is located in the BMS-NG (Neighborhood General) District, with portions in the BMS-NE (Neighborhood Edge) District (*See Staff Report, page 5*), and some in the NC (Neighborhood Collector) District. (*See Ex. 2, plat plan sheet C002*).
13. Block standards are mandated in the LUDR at Section 7.B, including without limitation: a restriction on block lengths to no more than 1,000 feet (*see Sec. 7.B(2), satisfied by this application, as explained on page 8 of the Staff Report*); and requirements for a minimum number of at least 2 (two) Building Types per block in portions of this proposed plat that are in the BMS-NC and BMS-NG districts (*see Sec. 7.B(5)(a); discussion in Staff Report on pages 8, 9*).
14. Section 2.D of the LUDR specifies all of the Building Types that are allowed in each District.
15. Conditions of approval must be enforced that require the applicant to identify all Building Types that will be allowed on each lot included in this plat, to ensure compliance with the Building Type, the minimum number of Building Types per block mandates, density, and other requirements. (*See discussion in Staff Report on page 9*). Consistent with LUDR Sec. 1.G(5) and 7.B(5)(a)(2 and 3), the face of the final plat documents must identify the building type(s) that will be allowed on each lot, and demonstrate that there will be two building types per block for all blocks of the proposed plat that are within the BMS-NC and BMS-ND Districts.

“3-Block” proximity of houses in the NG District to park, mini park, or other open space.

16. The Regulating Plan and purpose section for the various districts in the BMS community is found in the LUDR at Sec. 1.F.1(c), which reads in part as follows: *“No house in the BMS-NG District is intended to be farther than three blocks from any park, mini park or other type of open space.”* (LUDR, page 1-3, Sec. 1.F.1(c)). The first section of the LUDR, captioned as “Introduction How to Use the LUDR” includes Sec. 1.A.5, which reads: *“This document contains a number of should and shall statements. The intent is that should statements are desired items that will be reviewed during the design and incorporated as possible. Shall statements are requirement[s] and revisions to these requirements require a deviation from the requirement be granted by the City.”* Unfortunately, the 3-block service radius for parks and open space found in Sec. 1.F referenced above includes neither word, should or shall. However, under either characterization, as a “should or shall” statement, and based on the totality of evidence in this record and the entire LUDR document and the City’s Comprehensive Plan, including without limitation its Badger Mountain South Subarea Plan (for example, see Table 10 on page 42 of the Subarea Plan, listing the number or parks, types of parks, and their distribution throughout the BMS community), the Examiner expressly finds and concludes that the 3-block park or open space proximity to houses located in the BMS-NG District is intended to apply as a “shall” requirement in portions of this project that are within such district. In other words, the final plat cannot be approved until the applicant demonstrates that *no house in the BMS-NG District is farther than three blocks from any park, mini park or other type of open space*.

17. Given this requirement for a 3-block proximity for homes built in the BMS-NG District and parks or open spaces, there appears to be need for clarification on the meaning of the term “Open Space.” Storm drainage facilities and tracts are not, standing alone, areas that should credibly be accepted as “Open Space” for purposes of satisfying the 3-block standard. To find otherwise would render illustrative photos, intent and purpose language, and other language in the LUDR meaningless and insincere.
18. Public comments submitted by local residents who are members of the West Vineyard Homeowners Association (the neighborhood to the east of this proposal, just west of the first Goose Ridge subdivision, which was owned and developed by the same applicant as this Goose Ridge II project, Monson Development), credibly raised concerns that the proposed plat will not fulfill various requirements found in the LUDR without some additional conditions mandating compliance with such standards. *(Ex. 12, West Vineyard HOA Comment materials, 9 pages, on pages 190-198 of .pdf file of materials in record before the hearing; Testimony of Ms. Nicholson, HoA President; and Ex. 19, copy of Ms. Nicholson’s comments provided at public hearing, and additional comments as a result of the hearing, dated Nov. 14th).*
19. During the public hearing, the applicant’s representative generally took the position that open space requirements for the proposed plat should be deemed satisfied, based upon the acreage designated for trails and the like in Tracts numbered 207-217, including tract(s) intended for stormwater drainage purposes, as summarized on the following chart found on Ex. 2, Sheet C002, on page 36 of the .pdf file:

<u>MISCELLANEOUS OPEN SPACE</u>		
TRACT	AREA (SF)	AREA (ACRES)
207 – GREENBELT/TRAIL	86,919	2.01
208 – GREENBELT/TRAIL	21,098	0.48
209 – LANDSCAPE/TRAIL	4,543	0.10
210 – LANDSCAPE/SIDEWALK	4,543	0.10
211 – LANDSCAPE/TRAIL	10,338	0.24
212 – LANDSCAPE/SIDEWALK	10,473	0.24
213 – LANDSCAPE/TRAIL	3,529	0.08
214 – LANDSCAPE/SIDEWALK	3,648	0.08
215 – GREENBELT/TRAIL/STORM	61,308	1.41
216 – LANDSCAPE/STORM	8,305	0.19
217 – LANDSCAPE/STORM	33,990	0.78
TOTAL	248,694	5.71

20. The West Vineyard HOA comments *(in Exs. 12 and 19)* recommend that a Local Park, as that term is used in the LUDR, should be incorporated into this plat as a way to satisfy the “3-block from a park or open space” proximity requirement for homes in the BMS-NG District. As noted above, the same standard applies to lots that are in the NC district.

21. The West Vineyard comments argue that the LUDR does not include a specific definition of the term “Open Space”, and that the terms trails and open space do not mean the same thing. They are correct, that a trail is not, standing alone, “open space”, for purposes of satisfying Sec. 1.F.1(c) of the LUDR (i.e. the ‘3-block’ requirement).
22. The term ‘trail’ is extensively defined and described throughout the LUDR, but Open Space is not. The two terms must be given distinct meanings. For guidance, it is helpful to see how the terms are used in other City codes and policies. In the City’s municipal code, the terms “Passive Open Space” and “Trail” are treated as distinct and separate uses for purposes of listing land uses/activities that are permitted in various shoreline areas (*See Use Table, at RMC 26.30.011*). And, in multiple parts of the City’s Comprehensive Plan provisions that apply to the BMS community, known as the Badger Mountain Subarea Plan, adopted in 2010, the terms parks, trails, and open spaces are clearly referenced as separate items. (*See discussion in Ex. 19; LUDR Sec. 1.A, Intent, explaining that the LUDR is intended, in part, to realize the goals and objectives of the Badger Mountain Subarea Plan; BMS Subarea Plan, Sec. 9, captioned “Parks, Trails and Open Space,” which provides detailed goals and objectives leaving no credible doubt that the terms parks, trails, and open space are not, standing alone, the same things as one another; BMS Subarea Plan, on pages 38-44*).
23. So, in order to fulfill the LUDR requirement that all homes in the NC or NG districts must be within 3-blocks of a park or open space, and absent a clear definition of the term “Open Space” and any amenities or special functions such areas must provide, some of the Tracts shown on the proposed plat *could be* developed as Mini Parks or Special Use Parks. Table 10 from the Subarea Plan identifies features that are typical in various smaller park spaces that will be located in the Badger Mountain South Community. As shown above, only two of the proposed “Open Space” tracts in this proposed plat are larger than one acre (Tracts 207 and 215). Table 10 of the Subarea Plan includes the following information addressing BMS park spaces that are under or just over one acre in size:

Table 10: Badger Mountain Subarea Parks, Trails and Open Space Summary

Active Parks				
Quantity	Type	Site Size ³³ Total Acres	Typical Features	Service Area/ Maintenance
+/-10	Badger Mountain South Mini Park	+/-1 acre/ 10 acres	Tot lots, benches, picnic tables.	Service radius of 2 to 3 blocks; MHOA
10	Badger Mountain South Special Use Park	1- 5 acres/ 20 acres	Serves individual neighborhoods with a wide range of types of activities including active/passive recreation; community gardens; dog park.	Service radius of ½ mile; MHOA

24. As shown above, smaller parks known as Mini Parks and Special Use Parks are envisioned in the BMS community, each with certain “typical features”, like benches, picnic tables, gardens, dog park, and the like. Assuming this applicant prefers clear conditions that can satisfy the LUDR as currently written, i.e. the standards that apply to this application at the time it was submitted and vested, a condition of approval should be included to require the applicant to determine the type of features they propose for a particular tract or tracts, the functions such tract is meant to provide, in a manner that would render such tract(s) as a Mini Park or Special Use Park, or a meaningful and credible “Open Space” area as that term is used in the LUDR, in a location and number necessary to accomplish the mandate that homes in the NC and NG Districts must be no more than 3-blocks from a park or open space. Conditions addressing ownership and maintenance of such open space/park area should be included in specific covenants, conditions, and restrictions for the subdivision, sometimes called CC&Rs or CCRs.

25. The Examiner takes official notice of a recorded legal instrument that applies to properties located in the BMS master planned community², specifically The Master Declaration of CC&R’s for Badger Mountain South, which includes a section that reads as follows:

8.1 **Applicability.** The following use standards, conditions and restrictions shall apply to all residential lots within BMS. The CCRs for any Phase may contain more restrictive but not less restrictive standards, conditions and restrictions. In the event any architectural, design, construction, use, or maintenance standard, condition or restriction for a Phase is more restrictive than provided in this Article 8, the more restrictive standard, condition or restriction shall control.

26. Based upon the record, the Examiner finds and concludes that it is necessary to include requirements for additional CCRs that clarify spaces that are required for Park/Open Space purposes in this proposed plat, how such space is to be landscaped, the amenities required in such space, the function any Park or Open Space is intended to provide, and the like, as well as language recognizing that the City is not responsible for enforcing provisions in any CCR, but that it rests with the specific HOA for a particular subdivision.

Transportation Concurrency.

27. As mentioned in previous findings, the Master Agreement Consistency Recommendation for this project (Ex. 4) expressly noted that without a connection from Road C in this proposed plat to Trowbridge, “the traffic generated from this development will run through the residential neighborhoods in Goose Ridge and West Vineyard and create more congestion, noise, and safety concerns.” (Ex. 4, *emphasis added*). The Master Plan Administrator

² This document was not included in the application materials or the Staff Report but was provided to the Examiner during post-hearing research to obtain access to relevant legal instruments addressing many of the topics raised in public comments. Given the substance of comments that were not adequately addressed in testimony or written materials already in the record, the Examiner found good cause to reopen and supplement the record at the end of last week, to include a copy of the CC&Rs, a copy of the entire BMS Master Agreement, as well as a portion of the predictive map for the proposed plat area from the DAHP website. The record is now closed, and this Decision is in order. (See H.Ex. Rule 1.14(d) *re: official notice of records; and Rule 1.17, reopening to supplement record; new Exhibits 20, 21, and 22*).

recommended that the City of Richland consider requiring a second major collector street to serve this development. (Ex. 4). This request and observation is supported by credible concerns included in public comments by local residents, and observations by the Examiner during site visits to the BMS community. Based on the record, the Examiner finds and concludes that this new plat should be served by a second major collector street, an extension of “Road C” to Trowbridge, and that the applicant should be required to complete such road improvements before final plat approval for the first (initial) phase of this plat. Recognizing that future development projects to the south of the Goose Ridge II plat may be served by the connection addressed in this finding, the applicant may want to learn more about using a “latecomer agreement” to recover some costs from other property owners that will later derive a benefit from the new road connection.³

28. RMC 19.60.095(D) mandates that a projects like this preliminary plat proposal may 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. (emphasis added).*
29. A good deal of the public hearing included testimony on behalf of the City of West Richland, supported by Exhibits 14 and 15, opposing this application and others pending in the BMS community, generally based upon their argument that transportation concurrency requirements have not been satisfied. (*Testimony of Mr. Mendenhall; Exs. 14, 15*). Mr. Mendenhall’s comments were well presented, and may have carried the day if the City of Richland used “approved lots” as the yardstick for purposes of determining when various transportation improvements are needed, or new studies should be conducted. But, the unrebutted preponderance of evidence in this record establishes that “Building Permits” issued is the yardstick used to determine if and when various transportation improvement requirements are triggered.
30. Having reviewed and considered the entire record, including the entire BMS Master Agreement that has been added to the record by the Examiner as Exhibit 20, and testimony from City Public Works staff responsible for transportation system improvement issues, the Examiner finds and concludes that the “yardstick” used by the City to count units for purposes of triggering various transportation improvements is actual building permits issued by the City in the BMS community, and not the number of lots approved in final plats issued

³ RMC 12.09.010, addressing “Latecomer Agreements” for street improvements, reads as follows: *Any developer using private funds to construct street system improvements within the corporate boundary of the city may request to enter into a latecomer agreement with the city in order to recover a pro rata share of the costs of construction from other property owners that will later derive a benefit from the street system improvements made by the developer. The procedure for entering into such an agreement is administered by the city and provided in Chapter 3.10 RMC.*

for properties that are located in the BMS community. (*Testimony of Mr. Rogalsky and Mr. D'Alessandro; Ex. 16, Public Works Department memo detailing specific transportation improvement projects funded by Traffic Impact Fees collected in Traffic Impact Zone 3, where the proposed plat is located, submitted in response to questions from the Examiner during the hearing*).

31. Mr. Rogalsky and Mr. D'Alessandro provided credible and reassuring testimony, within the scope of their professional expertise, and provided written materials explaining that this proposal will be required to pay transportation impact fees that are used to fund a long list of specific transportation improvements needed to mitigate impacts associated with this proposed plat. (*Ex. 16; Testimony of Mr. Rogalsky and Mr. D'Alessandro*).
32. Based upon the testimony of Mr. Rogalsky and Mr. D'Alessandro, and their follow-up Exhibit 16, the Examiner expressly finds and concludes that a specific list of required transportation system improvements or strategies are or will be in place at the time of occupancy of this project, or the impact fee revenues to be collected for each building permit issued for homes in the new plat will serve as an adequate financial commitment to complete the required improvements within six years of final plat approval for this plat.
33. Finally, regarding public comments expressing concerns that the timing of some transportation projects may have been changed from dates given in the Master Agreement, the Examiner directs attention to Section 19.4 of the BMS Master Agreement, which reads as follows: "The timing for the construction of Transportation Improvements is set forth in Exhibit B⁴. The City and Nor Am may agree to change the timing of construction of road improvements if deemed to be in the public interest." Mr. Rogalsky and Mr. D'Alessandro offered credible testimony summarizing some of the projects where timing has been changed, as they deemed to be in the public interest. Moving forward, periodic written reports or updates from the Public Works Director on the City's website pages summarizing BMS community information may be helpful to keep the public and neighboring jurisdictions (like West Richland) better informed, and to maintain public confidence that transportation system requirements are appropriately monitored and enforced, all as the Public Works Director might deem to be in the public interest. An additional condition of approval has been included as part of this Decision, specifying that changes in the timing of road improvements required as part of this project shall be considered "Minor Revisions" to the approved preliminary plat, subject to a Type I approval process that includes public notice of such decisions and possible appeals to the Examiner, noting that any review of such revision requests will require substantial deference to any determination made by the Public Works Director. (*See RMC 19.20.010 and .030; See Condition of Approval, General Condition J*).

⁴ Included as Ex. 9 in this record for the Goose Ridge II application.

SEPA Compliance.

34. The City of Richland’s Planned Action Ordinance adopted for the Badger Mountain master planned community covers development within the Badger Mountain South Subarea. The Supplemental Final Environmental Impact Statement issued for the Planned Action Ordinance covers the site of this proposed plat. Accordingly, standard SEPA review is not required, so long as the project is consistent with the master plan and mitigation measures adopted and identified in applicable SEPA documentation for the master planned area. (*Staff Report discussion, at pages 11 and 12; and Ex. 6, Planned Action Consistency Determination*). With such documentation, and so long as the project is developed in a manner that meets the conditions of approval imposed as part of this Decision, which mandates compliance with the LUDR provisions applicable to the BMS master planned community, the pending application satisfies(ied) applicable SEPA review requirements.
35. Asserting that previous SEPA review for the BMS community precludes additional conditions under authority of SEPA, the applicant objected to Staff’s proposed Condition 63, that would have mandated a professional archaeological survey of the site prior to ground disturbing activities. (*Staff Report, page 23; Testimony of applicant’s hearing representative, Mr. Mapstead*).
36. Exhibit 21 is an image from the Washington Department of Archaeology and Historic Preservation (DAHP) online predictive modeling map for the proposed plat area, showing most of the land area within the proposed plat as “Moderate Risk” for discovery of cultural resources, so a Cultural Resource Survey is “Recommended”; some parts of the proposed plat area are shown as “High Risk”, so a Survey is “Highly Advised”; and some areas are shown as “Moderately Low Risk”, so a Survey would be contingent upon certain parameters.
37. There is no evidence in this record to show that DAHP’s predictive model mapping was ever included as part of the record reviewed or considered at the time the original environmental review occurred for the BMS community in the late 2000s or whenever it occurred.
38. In any event, the Examiner has modified proposed Condition 63, to eliminate the requirement to conduct a survey, but requiring the applicant to generate an Inadvertent Discovery Plan, to be onsite throughout ground disturbance work on the site, independent of substantive SEPA authority, but to be consistent with other state statutes addressing cultural resource protections, including without limitation RCW 68.50.645, RCW 27.44.055, and RCW 68.60.055.

Public Hearing.

39. The open-record public hearing for the application occurred on November 8, 2021, wherein the undersigned Examiner presided, and all persons wishing to provide comments were heard, providing testimony under oath. Brief summaries of key topics raised during public testimony is provided in another part of this Decision. The hearing was conducted using the Zoom online hearing platform, coordinated by City Staff, all in accord with proclamations

and public health measures in effect at this time. The Examiner has visited the site of the proposed project on multiple occasions, and public roads leading to and from the vicinity of the proposed plat, and is familiar with the larger Badger Mountain South area from previous visits in connection with other applications over the last few years.

40. The Staff Report and recommendation of approval includes a number of specific findings and conditions that partially establishes how the underlying plat application, as conditioned, can satisfy provisions of applicable law, be consistent with the city's Comprehensive Plan, and designed or conditioned to comply with applicable development standards and guidelines. It points out some requirements found in the LUDR that must be satisfied before any phase can be granted final plat approval.
41. Additional conditions of approval have been added by the Examiner to ensure that all staff and future developer representatives fully understand and appreciate that the burden is on the applicant to show compliance with applicable provisions of the LUDR and the Richland Municipal Code at every stage of development, whether or not such provisions are enumerated or referenced in the approved preliminary plat plans, in the staff report, or in this Decision.

Compliance with city development regulations achieves consistency with the Comprehensive Plan

42. RMC 24.04.020 explains that the purpose of the City's platting and subdivision codes is "*in furtherance of the comprehensive plan of the city*" and that such regulations contained in the city's platting and subdivision codes "*are necessary for the protection and preservation of the public health, safety, morals and the general welfare, and are designed, among other things, to encourage the most appropriate use of land throughout the municipality; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to promote the coordinated development of unbuilt areas; to secure an appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; and to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements.*" The effect of this provision boils down to this: compliance with the City's Comprehensive Plan can be established, or at least partially established, through compliance with the city's platting and subdivision regulations found in Title 24 of the Richland Municipal Code. In this matter, a preponderance of evidence in the record establishes compliance by the proposed plat (as conditioned herein) with the city's land platting regulations that are applicable to this project, including without limitation those reflected in the LUDR for Badger Mountain South, thus implementing and complying with the City's Comprehensive Plan. (*See Staff Report, all Findings*). Obviously, if the proposed plat is not designed and/or conditioned to demonstrate compliance with all applicable LUDR provisions, then the application would NOT be compliant with the city's comprehensive plan.

As Conditioned, and if developed in compliance with requirements in applicable LUDR provisions, the proposed plat will provide public benefits

43. The applicant's submittals established that some aspects of the new subdivision will provide a public benefit, including without limitation, new housing inventory and options fulfilling the city's goals and policies set forth in the Comprehensive Plan, construction of new roads, sidewalks, an attractive street system to serve the new plat, and other features that will serve to promote health benefits of a walkable, pedestrian-friendly community.

A preponderance of evidence in the record demonstrates the proposed project, as conditioned, satisfies approval criteria.

44. The record contains a preponderance of evidence to demonstrate that, as conditioned, the proposed plat makes appropriate provisions for:
- A. The public health, safety, and general welfare: *See Staff Report; all Findings above; Conditions of Approval; Testimony of Public Works Director re: Transportation System improvement issues.*
 - B. Open Spaces: *Findings above, Conditions of approval.*
 - C. Drainage Ways: the project will be consistent with all applicable standards for stormwater system design, including without limitation the Department of Ecology Stormwater Management Manual for Eastern Washington. *Staff Report, including without limitation pages 19-22, TAC recommended Storm Water conditions.*
 - D. Streets or roads, alleys, other public ways: the proposed plat has been reviewed by the City for compliance with applicable street system design requirements, and has been deemed consistent with all applicable LUDR and city standards for city roads, streets, driveways, access, circulation, transportation concurrency and the like. Additional conditions of approval have been added to mitigate construction traffic, and to grant the Master Plan Administrator's request for a connection between Road C and Trowbridge. *Staff Report; Technical Advisory Committee recommendations and proposed conditions; Testimony of Public Works witnesses; Ex. 16, list of transportation projects funded by impact fees to be collected in connection with this project; Conditions of Approval K, M, and those addressing Traffic and Streets.*
 - E. Transit stops: To the extent transit stops are or may be located nearby to serve residents of the proposed plat, or Richland residents generally, the subdivision design, access and internal circulation patterns, as conditioned, are appropriate to allow for pedestrians and vehicles to access arterials and other routes that could direct users to existing or future transit stops and facilities. The proposed plat is within the Ben Franklin Transit service area, though no bus service is currently provided for the neighborhood. The transit agency was given lawful notice of the proposed plat and did not provide any

comments or feedback for consideration as part of the record in this matter. *Staff Report, page 29.*

- F. Potable water supplies: The new subdivision will receive its domestic water supply from the City of Richland. Staff confirms that adequate capacity is available within the city's water supply system to provide domestic water. Irrigation water will continue to be available within the plat, as provided by the Badger Mountain Irrigation District. *Staff Report, pages 10 and 25; TAC recommended Domestic Water conditions on pages 18 and 19 of the Staff Report.*
- G. Sanitary systems: The City's sewer system has capacity to serve the proposed plat, and will do so. *Staff Report, at page 25, TAC recommended Sanitary Sewer conditions on page 19 of the Staff Report.*
- H. Parks and recreation, playgrounds, schools: The Staff Report and site plans show that the project includes provisions for new trails, advancing the Badger Mountain South vision of urban trails throughout the master planned community. The Staff Report explains that the park mitigation fees will be paid for each dwelling unit constructed within the plat. Additional parks/open space conditions have been added in this Decision, based upon evidence in the record. School needs for future residents are adequately addressed in the LUDR for the Badger Mountain South master planned community. *Staff Report, page 25. Additional conditions added by Examiner to address Park/Open Space standard for homes in the NC and NG districts.*
- I. Planning features to assure safe walking conditions for students: The proposed plat includes walking paths and sidewalks that will adequately provide safe walking routes and conditions for school children. *Ex. 2, preliminary plat plans showing sidewalks and trails in the new plat.*

45. Except as modified in this Decision, including without limitation any language that might be read to excuse or waive the applicant's obligation to comply with all requirements and standards set forth in applicable development regulation for the property, particularly the LUDR, all Findings, and statements of fact contained in the Staff Report are incorporated herein by reference as Findings of the undersigned hearing examiner.⁵

46. Based on all evidence, exhibits and testimony in the record, the undersigned Examiner specifically finds that the proposed plat, as conditioned below, makes appropriate provisions for the considerations detailed in applicable law, including without limitation RMC 24.12.050, .053, 19.60.095, and the LUDR provisions applicable to the Badger Mountain South area, and that the public use and interest will be served by the proposed plat and associated dedications and improvements.

⁵ For purposes of brevity, only certain Findings from the Department's Recommendation are highlighted for discussion in this Decision, and others are summarized, but any mention or omission of particular findings should not be viewed to diminish their full meaning and effect, except as modified herein.

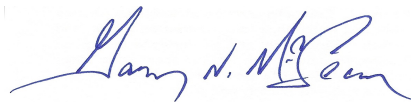
V. CONCLUSIONS of LAW

1. Based on the Findings as summarized above, the undersigned examiner concludes that the proposed plat, as conditioned below, conforms to all applicable zoning and land use requirements and appropriately mitigates adverse environmental impacts. Upon reaching such findings and conclusions as noted above, the preliminary plat meets the standards necessary to obtain approval by the City.
2. The proposed conditions of approval as set forth in the Staff Report and as modified by the Examiner in this Decision, are reasonable, supported by the evidence, and capable of accomplishment. Additional conditions have been added to ensure that provisions of the LUDR are followed as the project moves forward.
3. Any Finding or other statements in previous or following sections of this document that are deemed Conclusions are hereby adopted as such.

VI. DECISION

Based upon the preceding Findings of Fact and Conclusions of Law, evidence presented through the course of the open record hearing, all materials contained in the contents of the record, and the Examiner's site visits through the BMS community, **the undersigned Examiner APPROVES the "Goose Ridge Estates II" Preliminary Plat** application, subject to the Conditions of Approval set forth below and adopted herein as part of this Decision.

Decision issued: December 14, 2021.



Gary N. McLean
Hearing Examiner for the City of Richland

**CONDITIONS OF APPROVAL
FOR THE
PRELIMINARY PLAT OF GOOSE RIDGE ESTATES II
FILE NO. S2021-107**

In accord with authority granted in the Richland Municipal Code, the hearing examiner grants the above-referenced preliminary plat application subject to conditions, modifications and restrictions set forth below, all found necessary to make the application compatible with the environment, and carry out applicable state laws and regulations, and the regulations, policies, objectives and goals of the city's comprehensive plan, zoning code, subdivision code, and other ordinances, policies and objectives of the city.

General Conditions:

- A. Development of the plat shall be substantially consistent with drawings provided in the Preliminary Plat maps included as part of the application materials (*Ex. 2*), subject to modifications necessary to comply with these conditions of approval.
- B. Preliminary Plat approval shall be null and void if any condition enumerated herein is not satisfied.
- C. No construction or site development activities related to the plat may be undertaken until required city approvals become effective, and the City and other regulatory authorities with jurisdiction issue applicable permits.
- D. The applicant shall comply with all professional report conclusions and recommendations submitted in connection with the preliminary plat and engineering reviews, as approved and/or amended by the City.
- E. Applicant shall be responsible for consulting with state and federal agencies, and tribal entities with jurisdiction (if any) for applicable permit or other regulatory requirements. Approval of a preliminary plat does not limit the applicant's responsibility to obtain any required permit, license or approval from a state, federal, or other regulatory body. Any conditions of regulatory agency permits, licenses, or approvals shall be considered conditions for this project.
- F. The final engineering plans and submittals necessary to obtain final approvals for each phase of the plat shall conform to all applicable provisions of the Richland Municipal Code and the Conditions of Approval herein.
- G. The preliminary plat shall comply with all applicable provisions of the Richland Municipal Code, and LUDR provisions for the Badger Mountain South community where this plat is located, whether or not such provisions are enumerated or referenced in the approved preliminary plat plans, in the staff report or in this Decision; provided adjustments to road widths, sidewalk and trail dimensions shall be in accord with final reviews and determinations by the City's Public Works Director, who is authorized to exercise sound engineering judgment in such matters. The burden is on the applicant to show compliance with these conditions and applicable provisions of the City's code and LUDR provisions at every stage of development, including without limitation the "3-Block" proximity to a park, mini park, or other type of open space standard for houses in the BMS-NG District. (*See Findings 16-26; LUDR Sec. 1.F.1(c)*).
- H. The preliminary plat can be developed in 3 (three) phases, as identified in the application materials and depicted on plan sheets included in *Ex. 2*, subject to compliance with all final conditions herein.

- I. Final Covenants, Conditions and Restrictions (CCRs) for each phase of this plat shall be submitted with the final plat application for each phase, and shall be recorded prior to the final plat. The CCRs are subject to review and approval of the Planning Manager and City Attorney to ascertain if the documents are sufficient to assure compliance with these Conditions of Approval, SEPA Mitigation measures, and LUDR provisions. At a minimum, the CCRs shall include provisions for repair, maintenance and performance guarantee of any tracts, private parks or open space, landscaping, facilities, utilities or amenities which are private and commonly owned by the homeowners of the plat, and clearly explaining that the City of Richland is not responsible for enforcement of private CCRs. Language shall also be included in the CCRs that require notification to the City of Richland Planning Manager of any amendments to the CCRs, and that the City shall have the authority to object to any modification that is inconsistent with any condition lawfully placed upon the subdivision by the City of Richland.
- J. ***Process for Review of Potential Minor or Major Revisions to this Preliminary Plat.*** Revisions to an approved preliminary plat are reviewed under RMC 19.20.010, with minor revisions reviewed as a Type I application (see RMC 19.20.010(A)(5)), which requires approval by the Director; and major revisions reviewed as a Type III application requiring approval by the Hearing Examiner (See RMC 19.20.010(C)(1)).

As provided in RMC 19.20.030, a Type I application does not require public notice, but public notice must be issued regarding any decision to approve a Type I application, which is then subject to appeal before the Hearing Examiner; and all Type III applications require full public notice of such application, an open record hearing, and a decision by the Hearing Examiner.

Because this application and others in the BMS community have generated significant public comments generally expressing concerns that some requirements, conditions, or expectations for prior BMS developments were modified or abandoned, or the timing of some requirements has been changed, it is in the public interest for this preliminary plat approval and future BMS projects to provide a clear condition explaining the sorts of revisions that will require a Type I or Type III review and approval, subject to application fees and filing requirements as determined by the Director or his/her designee.

For this preliminary plat, “Major Revisions” shall include proposed changes in primary access points or increase in the number of peak hour vehicle trips, expansion of site area, increase in the number of lots, elimination of or substantial change to a required transportation system improvement, substantial expansions of environmental impacts, or substantive changes to any finding of fact or condition of approval in the Decision approving the preliminary plat.

“Minor Revision” shall include proposed changes that the Director determines to be minor but still within the scope of the original preliminary plat approval. Minor revisions can include, without limitation: changes to the boundaries and lots within phases of the preliminary plat; changes in the timing of construction of road improvements mandated in the BMS Master Agreement, the LUDR, or these Conditions of Approval, if deemed to be in the public interest by the Public Works Director; technical engineering items and details, unless the proposed detail modifies or eliminates features specifically required as an element of approval; minor changes in lot or tract lines or dimensions, with no change in density; minor changes to street alignment or utility design; reduction in the number of lots approved, as long as the modification meets any minimum density requirement; minor changes to clarify notations on the face of the plat; a change to a condition of approval that does not modify the intent of the original condition; and reconfiguration of any designated park, trail, open space, or recreation areas, provided, that no reduction in overall area occurs.

- K. ***Right of Way Permit for Construction Traffic.*** Based on compelling testimony and evidence contained in the record for this matter that demonstrated a need for specific conditions to reduce the impacts of

construction-related traffic that will move through surrounding neighborhood streets as the new plat is developed and homes are constructed therein, and under authority granted in development regulations found in the Richland Municipal Code, including without limitation RMC Chapter 12.08 (Right of Way Permits) and the purpose and intent of erosion, dust, traffic, pedestrian-safety and water-pollution control regulations set forth in other provisions of the RMC, the following Condition shall be satisfied prior to issuance of any clearing and grading, building, demolition, or other construction permit associated with development of or within the new plat that the Public Works Director determines is likely to have a material impact on any segment(s) of the city's existing public street network that will be used to obtain access to and from the plat-development site(s):

The applicant is required to apply for a Right of Way Permit before the issuance of any grading, building, demolition, or other construction permit associated with development of or within the new plat that the Public Works Director determines is likely to have a material impact on any segment(s) of the city's existing public street network that will be used to obtain access to and from the plat-development site(s). In some cases, more than one Right of Way Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Permit issued under this Condition is intended to regulate activity within the city right of way, and is required of any person who performs construction-related work within existing or proposed city rights-of-way, easements, or on city-owned infrastructure, including without limitation the following:

- a) Designated truck hauling routes.
- b) Truck loading and unloading activities.
- c) Hours of construction and hauling.
- d) Continuity of pedestrian facilities.
- e) Temporary traffic control and pedestrian detour routing for construction activities.
- f) Street sweeping and maintenance during excavation and construction.
- g) Location of construction fences.
- h) Parking for construction workers.
- i) Construction vehicles, equipment, and materials in the right of way.
- j) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval by the Public Works Director a plan for providing pedestrian access on existing public streets that are impacted during construction of this project (if any). Access on such existing public streets shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access along streets, sidewalks or other portions of the city street system surrounding the new plat.

- L. ***Legal Instrument required, to shift Civic-Overlay District to the applicant's property east of this plat.***
To ensure that adequate land area is appropriately reserved for Civic-Overlay (School) purposes, as explained and illustrated in the LUDR, the applicant shall prepare and submit a legal instrument of some sort that would bind future development of its property to east (also owned by the same applicant) to include additional Civic-Overlay District land area of a substantially similar size, function, and scale, to that shifted away from this Goose Ridge II plat, as generally depicted on Figure 2 of the Staff Report. Such document shall be subject to review and approval by the Planning Manager and the City Attorney, and must be recorded prior to final plat approval for the first (initial) phase of this plat.

- M. ***Road C to be extended to connect with Trowbridge, as requested by the Master Plan Administrator (Ex. 4).*** Based on the record, the Examiner finds and concludes that this new plat should be served by a second major collector street, an extension of “Road C” to Trowbridge, and that the applicant shall be required to complete such road improvements before final plat approval for the first (initial) phase of this plat. Recognizing that future development projects to the south of the Goose Ridge II plat may be served by the connection addressed in this finding, the applicant may want to learn more about using a “latecomer agreement” to recover some costs from other property owners that will later derive a benefit from the new road connection.

Conditions Derived from Technical Advisory Committee Recommendation in the Staff Report:

1. 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.
2. 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. 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.
3. 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.
4. 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.
5. 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.

6. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
7. 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:

8. 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.
9. 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.
10. 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 (temporary 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.

Survey Monument Destruction:

11. 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) and 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:

12. Pursuant to the master development agreement for the Badger Mountain South development an update to the project's traffic impact fee study is required at this time. As explained below, Public Works staff believes that the proposed traffic impacts within the City of Richland are sufficiently identified and mitigated as to enable approval of this project. That being said, Public Works staff believes that to ensure compliance with the master agreement, and to accurately plan and execute traffic improvements as the larger development proceeds, that it is appropriate that no development beyond the first phase of this project should be allowed until the traffic impact study update is completed and accepted by the City. Accordingly, no phase beyond the initial phase of this preliminary plat shall be approved until such time as the traffic study has been approved and accepted by the City of Richland.
13. Public Works staff believes that despite the fact that the Badger Mountain Subarea Traffic Impact Analysis update study remains in draft form at this time, there is a sound basis to satisfy the requirements to approve this preliminary plat application. The primary reason for this belief is the applicability of RMC Chapter 12.03 to this project. RMC Chapter 12.03, the City's traffic impact fee program, includes a robust set of traffic impact mitigating improvements that have been established to address the impacts of the entire Badger Mountain Subarea development, including this project. Once completed the Badger Mountain Subarea Traffic Impact Analysis update study will be used to update this program in scope and cost. Based on review of the draft study, Public Works staff is convinced that the projects and funding included in the existing traffic impact fee program is sufficient to mitigate the off-site traffic impacts of the Goose Ridge Estates II project located in the City of Richland. Similarly, Public Works staff is confident that the information available in the draft study update is sufficient to identify the direct impacts of the Goose Ridge Estates II project on adjacent public streets and to identify appropriate mitigation projects. Those projects are as follows:

- a) Traffic calming measures shall be constructed due to the relatively straight uninterrupted road sections proposed. Public Works staff's preliminary evaluation suggests that traffic calming measures shall include traffic circles on Road C at Barbera St. and Corvina St. intersections, a traffic circle at Barbera St. and Road A intersection, a choker on the west Barbera St. approach of the Road A intersection that will also accommodate the trail crossing at Tract 216, curb extensions and choker at Highview St. and Road A intersection. These improvements, and their detailed design, shall be reviewed and confirmed or adjusted during infrastructure permitting.
- b) The following signing requirements reflect Public Works staff's preliminary evaluation of the project, which shall be subject to review or changes during project permitting:
 - i) Traffic signing and painting measures including yield signs at the tee-intersections of "Road B", "Road D", and "Road E".
 - ii) Stop signs on "Road A" at the Corvina St. intersection, on "Road C" at Highview intersection, and a painted crosswalk on "Road C" connecting the trail at Tracts 211 and 212.
14. The "Goose Ridge Estates II" preliminary plat is subject to the City's traffic impact fee program (RMC 12.03).
15. The eastern frontage improvements of Road E shall be completed to City standards at the time that the phase which constructs the lots adjacent to Road E is developed.
16. On Sheet C003 the ROW widths proposed for the different street sections do not match the ROW widths shown on the other sheets, or those in the adjacent plat ("Goose Ridge ph.2") or the LUDR. Please reconcile.
17. 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.
18. A note will be shown on the face of the final plat stating that Road C is classified as a "Major Collector street". Subsequently, no driveways accessing single family lots will be allowed directly onto it.
19. Corvina Street as designed on this proposed pre-plat will be classified as a "Minor Collector".
20. The City anticipates an update to the LUDR in the near future that will revise the standard street cross sections throughout Badger Mountain South. The developer is requested to consult with Public Works regarding the anticipated cross section changes and to utilize them in anticipation of the LUDR update being completed. Alternatively, this project shall utilize street cross section designs in the LUDR as it exists at the time of infrastructure permitting.
21. 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, HOA tracts, etc.).
22. The developer and their engineer shall demonstrate on the construction plans that all future driveway entrances, sidewalks and pedestrian ramps will meet City and ADA requirements, and also provide at least 5-feet of separation between driveways and/or pedestrian ramp transitions.
23. The vision-clearance triangle shall be shown on all corner lots (including access easements that serve multiple homes) on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in or within 500-feet of a curve, it will have to be evaluated

per AASHTO guidelines. The assumed speeds for sight triangle evaluation are 35 mph for Major Collectors, 30 mph for Minor Collectors and 25 mph for local streets. This information shall be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.

24. Signs indicating areas of restricted parking shall be installed at the developer's expense prior to final platting. The restricted parking areas shall be indicated on the construction plans and the final plat.
25. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements. Lots 170-174 propose to take access from an alley. These lots may need to transport their garbage cans to an acceptable location for collection.
26. The proposed 18-foot "rear alley" easements shall be private access ways which are for the use and benefit of the homeowners that abut said roads, and are to be maintained by the adjacent property owners. The City of Richland accepts no maintenance responsibility for the rear alley easements.
27. 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:

28. The proposed preliminary plat is located within the "Tapteal IV" water pressure zone. 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 proposed development.
29. ~~Looping of the water system provides redundancy and helps to eliminate stagnant water. This plat shall loop its water system to the existing main in Trowbridge Blvd. (Upon further review, this condition was deemed moot, so it has been eliminated based upon the testimony of Mr. Stevens).~~
30. In accordance with the City's comprehensive water plan, a portion of the "Tapteal IV Transmission Main" is designed to run in an east-west direction through this plat. This water main shall be extended to the east boundary of this pre-plat.
31. 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.
32. If the homes within this preliminary plat are required to install residential fire sprinkler systems the sprinkler systems shall be the flow-through type in compliance with the City's cross connection control program.
33. 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.
34. The fire hydrant layout shall be approved by the City Fire Marshal.
35. 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:

36. 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.
37. Sanitary sewer shall be extended to the adjoining properties adjacent to the preliminary plat, where appropriate and where grade allows. Sheet C301 may need to be corrected to show a sewer line extended east in Barbera to serve the property to the east.
38. 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.

Storm Water:

39. 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.
40. 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.
41. 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.

42. 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”).
43. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
44. 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.
45. 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.
46. The amount of post-development storm runoff from the proposed site shall be in compliance with RMC Chapter 16.06.
47. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat, where appropriate and where grade allows.
48. 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.
49. 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.
50. 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:

51. Due to limited turnaround space, lots 170-174 may have to transport their garbage cans to a location acceptable for solid waste pick-up.

Final Platting / Project Acceptance Requirements:

52. 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.
53. 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 rights-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.
54. 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.
55. Ten-foot-wide public utility easements will be required on the final plat along both sides of all rights-of-way within the proposed plat. They will also be required where the plat is adjacent to an existing right-of-way.
56. 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.
57. 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 roadways 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 private roads”.
58. 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.”
59. 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.

60. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the adjacent property owners to maintain.
61. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
62. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.

Planning Conditions:

63. ~~Based on known cultural resources on or near the work site, a professional archaeological survey of the site shall be conducted prior to any ground disturbing activities. The report shall meet DAHP's Standards for Cultural Resource Reporting. The report shall be submitted to the City and to DAHP referencing project tracking number 2021-10-06975.~~ **Inadvertent Discovery Plan Requirement in lieu of archaeological survey:** Based on the unrebutted comment letter from DAHP, and the DAHP predictive model mapping for the proposed plat, before commencement of any ground disturbing activities in connection with development of this proposed plat, the applicant shall submit a proposed Inadvertent Discovery Plan (IDP) for review and approval by the Planning Manager, which shall be consistent with state codes and regulations regarding cultural resources. A copy of an approved IDP, subject to updates and additional provisions or mandatory contacts that may be imposed by the City's Planning Manager, including current names and contact numbers, must be provided to all contractors and be available on-site for reference throughout all phases of the development process that might involve ground disturbance work. If ground-disturbing activities uncover or reveal objects that might appear to be protected resources during the course of construction, then all activity will cease that could cause further disturbance to such items, until notifications are made to appropriate parties, as detailed in the approved IDP and as may be mandated by the City's Planning Manager. This Condition may be satisfied with an IDP that is consistent with DAHP guidance on the topic, but must include current names and contact numbers. For instance, in an effort to standardize language and to be consistent with state law, the Department of Archaeology and Historic Preservation offers the following text relating to the inadvertent discovery of human skeletal remains to be used in the development of inadvertent discovery protocols⁶:

**Inadvertent Discovery of Human Skeletal Remains on
Non-Federal and Non-Tribal Land in the State of Washington
(See RCW 68.50.645, RCW 27.44.055, and RCW 68.60.055)**

"If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and

⁶ Available on the DAHP website, at: <https://dahp.wa.gov/archaeology/human-remains/recommended-inadvertent-human-remains-discovery-language>

report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains."

64. All rights-of-way shall include public pedestrian facilities and edge-type features as shown in Section 6 of the LUDR.
65. ~~Pursuant to the LUDR Section 1.G(5), final plats must identify housing types allowed on each lot.~~ Consistent with LUDR Sec. 1.G(5), and Sec. 7.B(5)(a)(2 and 3), the face of the final plat documents for all phases of the project must identify the building type(s) that will be allowed on each lot, and demonstrate that there will be two building types per block for all blocks of the proposed plat that are within the BMS-NC and BMS-NG Districts.
66. Street names will be reviewed when construction drawings are submitted to the Public Works Department. Said construction drawings shall include two (2) street name options for each of the new street segments and the City will review to determine acceptable street names.
67. All final plat drawings shall include addressing brackets [] on all lots and tracts; placed adjacent to the respective roadway.

NOTE – In the event of a need for clarification regarding the application or interpretation of any term or condition of approval set forth above, either the applicant or the city can invoke the jurisdiction of the Hearing Examiner to issue a written clarification of a particular term or condition, through a written request detailing the matter, and the basis for such request. Such request shall be made as a Request for Reconsideration, submitted within seven (7) calendar days of the date this Decision is issued.

Notice of Rights to Request Reconsideration or Appeal This Decision

Reconsideration –

Sec. 2.22(a) of the Richland Hearing Examiner Rules of Procedure reads as follows:

(a) The Hearing Examiner may reconsider a decision or recommendation on an application, if it is filed in writing within 7 calendar days of the date of issuance. Only parties of record have standing to seek reconsideration. Any request for reconsideration shall be served on all parties of record and to any party's designated representative or legal counsel on the same day as the request is delivered to the Hearing Examiner. The Examiner will seek to accept or reject any request for reconsideration within 3 business days of receipt. If the Examiner decides to reconsider a decision, the appeal period will be tolled (placed on hold) until the reconsideration process is complete and a new decision is issued. If the Examiner decides to reconsider a recommendation made to the City Council, the transmittal to the City Council shall be withheld until the reconsideration process is complete and a new recommendation is issued. If the Examiner decides to reconsider a decision or recommendation, all parties of record shall be notified. The Examiner shall set a schedule for other parties to respond in writing to the reconsideration request and shall issue a decision no later than 10 business days following the submittal of written responses. A new appeal period shall run from the date of the Hearing Examiner's Order on Reconsideration.

Appeal –

The hearing examiner's decision regarding this preliminary plat application shall be final, subject to judicial appeal in the time and manner as provided in RMC 19.70.060 and Ch. 36.70C RCW (*The city's final decision on land use application may be appealed by a party of record with standing to file a land use petition in Benton County Superior Court. Such petition must be filed within 21 days of issuance of the decision*). See RMC 24.12.050(B).

NOTE: The Notice provided on this page is only a short summary, and is not a complete explanation of fees, deadlines, and other filing requirements applicable reconsideration or appeals. Individuals should confer with advisors of their choosing and review all relevant codes, including without limitation the city code provisions referenced above and the Land Use Petition Act (Chapter 36.70C RCW) for additional information and details that may apply.



Exhibit 9

Agency Comments

**CITY OF RICHLAND
PUBLIC WORKS ENGINEERING
DEVELOPMENT COMMENTS**

DATE: JUNE 2, 2023

TO: KYLE HENDRICKS, PLANNER

PLAT REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4
PETE ROGALSKY, PUBLIC WORKS DIRECTOR
JOHN WHITTIER, CIVIL ENGINEER
CARLO D'ALESSANDRO, TRANSPORTATION & DEVELOPMENT MNGR

PROJECT NAME: SA2023-101 – GOOSE RIDGE ESTATES II – PRE-PLAT AMENDMENT

PROJECT LOCATION: EAST OF THE PLAT OF GOOSE RIDGE PH.2, AND EAST OF GOOSE RIDGE II
PHASE 1

The Public Works Engineering Division has reviewed the preliminary plat amendment received in this office on May 18th, 2023, for the above referenced property and has the following conditions.

Plat-Specific Comments:

1. The following street names have previously been approved for this preliminary plat, and should be reflected on the submitted pre-plat amendment:
 - “B Road” = Estate Ave.
 - “A Road” = Stonecap St.
 - “Vernaccia St.” = Southgate Way
 - “E Road” = Cork Ave.
 - “C Road” = Barrel Ave.

General Conditions:

2. All final, approved plans for public improvements shall be submitted prior to pre-con on a 24” x 36” hardcopy format and also electronically. Addendums are not allowed, all information shall be supplied in full size (and electronic) format. 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 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 final plat.
3. 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.
4. 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. Please visit the published fee schedule 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.

5. Public utility infrastructure located on private property will require recording of a City standard form easement prior to final acceptance of the infrastructure. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final platting. 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.
6. 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.
7. The contractor and developer 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.
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 installation or 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.
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. Permanent SEVA's shall be paved with 2-inches of asphalt, minimum.
 - C. 2% cross-slope, maximum.

- D. 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
- E. Be 20-feet in width.
- F. 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.

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) and 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 Goose Ridge Estates II preliminary plat is subject to the City's traffic impact fee program (RMC 12.03). The program includes street and intersection improvements sufficient to mitigate the off-site impacts of this project. The developer of this proposed project may receive credit for construction of the improvements listed in RMC 12.03.
- 15. The developer provided a Badger Mountain South Traffic Impact Analysis dated February 16, 2022 as required in Exhibit B, Section 5.3 of the Master Development Agreement. The City has accepted the analysis with City-proposed changes and transmitted such to the developer. The developer has 30 days upon receipt to contest the proposed changes. If no rebuttal from the developer is received, the City considers the requirements in Exhibit B, Section 5.3 of the Master Development Agreement satisfied for this plat. Final plat approval will not be granted for the first phase of this project until the Badger Mountain South Traffic Impact Analysis is accepted by the Public Works Department.
- 16. Traffic calming measures shall be constructed at a few locations in the future construction phasing due to the relatively straight uninterrupted road sections proposed. Public Works staff's preliminary evaluation suggests that traffic calming measures shall be implemented at the following locations:
 - Traffic Circle at intersection of "Vernaccia St." & Barbera St.
 - Traffic Circle at intersection of "Vernaccia St." & Corvina St.
- 17. A painted city standard crosswalk shall be installed across "Vernaccia St." connecting the trail sections "OS Tract 4" and "OS Tract 5."

18. The plat will be required to extend "Vernaccia St." (already named Southgate Way) and Trowbridge Blvd. concurrent with Phase 4 of construction. These road extensions shall be constructed to the City's rural street section standard detail ST-15, including the separated pedestrian pathway. This construction shall include an easement of adequate width over both roadways. This easement shall include adequate space for a future roundabout at their intersection.
19. The rural section of Trowbridge Blvd. shall be designed and constructed so that the outside edges of pavement will match the location of the future bike lane joints of the City standard 3-lane section for a minor arterial road when the frontage improvements of Trowbridge are ultimately constructed.
20. The eastern frontage improvements of E Road (Cork Ave.) shall be completed to City standards at the time that the phase which constructs lots 178-189 are developed. Sidewalks and street lights can be installed with the future development to the east.
21. A note will be shown on the face of the final plat stating that "Vernaccia St." (already named Southgate Way) is classified as a "Major Collector street". Subsequently, no on-street parking or driveways accessing single family lots will be allowed directly onto it.
22. Corvina Street as designed on this proposed pre-plat will be classified as a "Minor Collector".
23. A temporary construction access easement road that bypasses the new development roads to the west shall be constructed to a minimum of 16-feet in width and 4-inches of crushed rock. There shall also be a city standard construction entrance where this road intersects the Trowbridge Blvd. extension. This access road shall be constructed prior to construction activity beginning.
24. 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, HOA tracts, etc.).
25. 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, and also provide at least 5-feet of separation between driveways and/or pedestrian ramp transitions.
26. The vision-clearance triangle shall be shown on all corner lots (including access easements that serve multiple homes) on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in or within 500-feet of a curve, it will have to be evaluated per AASHTO guidelines. The assumed speeds for sight triangle evaluation are 35 mph for Major Collectors, 30 mph for Minor Collectors and 25 mph for local streets. This information shall be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
27. Signs indicating areas of restricted parking shall be installed at the developer's expense prior to final platting. The restricted parking areas shall be indicated on the construction plans and the final plat.
28. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
29. If the project is 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:

30. The proposed preliminary plat is located within the "Tapteal IV" water pressure zone. 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. The water system shall be sized to adequately supply domestic water and fire flows to the proposed development. In accordance with the City's comprehensive water plan, a portion of the "Tapteal IV Transmission Main" is designed to run in an east-west direction through this plat. These water mains shall be extended to the boundaries of the pre-plat.
31. Looping of the domestic water system provides resiliency for the fire protection water supply, and helps to eliminate stagnant water. This plat shall loop its water system to the existing water main in Trowbridge Blvd.
32. If the homes within this preliminary plat are required to install residential fire sprinkler systems the sprinkler systems shall be the flow-through type in compliance with the City's cross connection control program.
33. The fire hydrant layout shall be approved by the City Fire Marshal.
34. 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:

35. 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.
36. Sanitary sewer shall be extended to the adjoining properties adjacent to the preliminary plat, where appropriate and where grade allows. If elevations and grade allows, a sewer line should be extended east in Barbera to serve the property to the east.
37. 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.

Storm Water:

38. 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.

39. 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.
40. 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.
41. 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").
42. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
43. 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.
44. 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.
45. The amount of post-development storm runoff from the proposed site shall be in compliance with RMC Chapter 16.06.
46. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat, where appropriate and where grade allows.
47. 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.

48. 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.
49. 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:

50. 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.
51. 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.
52. 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.
53. 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.
54. 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.

55. 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.
56. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the adjacent property owners to maintain.
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.

Hendricks, Kyle

From: Hendricks, Kyle
Sent: Wednesday, May 31, 2023 9:01 AM
To: Acevedo, Mizael
Subject: RE: SA2023-101 Goose Ridge Estate II plat amendment

Correct, just a preliminary plat map. Not recorded yet, and necessary information will be on the final plat.

From: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>
Sent: Thursday, May 18, 2023 11:26 AM
To: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Subject: RE: SA2023-101 Goose Ridge Estate II plat amendment

Kyle,

Same comment as Goose Ridge Estate II phase 1.

Grading shall be completed in accordance with Appendix J of the 2018 IBC and Baer Testing's Geotechnical Engineering Report dated March 14, 2022. (Baer Proj. No. 22-020) Provide observation and testing reports as required by CoR Building Inspector for grading.

This is not a Final Plat, right?

Miza

From: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Sent: Thursday, May 18, 2023 9:54 AM
To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; rand461@ECY.WA.GOV; AshleyMorton@ctuir.org; bmidmanager@badgermountainirrigation.com; Michelle.Cooke@co.benton.wa.us; Benton County - Segregations <Segregations@co.benton.wa.us>; osp@noanet.net; engservice@bentonpud.org; bbarlow@bft.org; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; carrie.thompson@bnsf.com; Casey_Barney@Yakama.com; catherinedickson@ctuir.org; clark.posey@co.benton.wa.us; Corrine_Camuso@Yakama.com; Hamilton, Craig <C.Hamilton@bces.wa.gov>; sepa@dahp.wa.gov; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; darrick@basindisposal.com; david@portofbenton.com; Davis, Deanna <d.davis@bces.wa.gov>; dxrodgers@bpa.gov; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; emendenhall@westrichland.org; FormerOrchards@ecy.wa.gov; gary.graff@ecy.wa.gov; gis@co.benton.wa.us; greg.wendt@co.benton.wa.us; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; jmcshane@kid.org; Jessica_Lally@Yakama.com; john.lyle@bentoncleanair.org; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; jecottrell@bpa.gov; junior.campos@charter.com; katherine.cichy@ziply.com; kelly.cooper@doh.wa.gov; kevin.knodel@rsd.edu; KSligler@bft.org; development@kid.org; webmaster@kid.org; mjdeklyne@bpa.gov; map@bces.wa.gov; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; michael.tovey@ziply.com; langn@bentonpud.org; noah.lee@bentoncleanair.org; Noah_Oliver@Yakama.com; Orr, Bruce <borr@CI.RICHLAND.WA.US>; gonsetp@wsdot.wa.gov; QWright@portofbenton.com; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; reviewteam@commerce.wa.gov; richard.krasner@rsd.edu; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; robin.priddy@bentoncleanair.org; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; seand@bfhd.wa.gov; sepacenter@dnr.wa.gov; separegister@ecy.wa.gov; sepaunit@ecy.wa.gov; SDefoe@kid.org; scplanning@wsdot.wa.gov; Tyutyunnik, Ruvim

<rtutyunnik@ci.richland.wa.us>; rittemwr@dfw.wa.gov; R3Planning@dfw.wa.gov; Westphal, Nichole
<nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@ci.richland.wa.us>; william.simpson@commerce.wa.gov;
WSDOT Aviation Land Use Inquiries and Application Submittals <AviationLandUse@wsdot.wa.gov>
Subject: SA2023-101 Goose Ridge Estate II plat amendment

Hello,

Attached is the referral packet for a plat amendment application within Badger Mountain South. This application is to request an increase to the number of construction phases from three to five for the preliminary plat of Goose Ridge Estate II.

Please review and reply with any questions or comments by end of day Friday June 2nd, 2023.
Thank you,



Kyle Hendricks
Planner

625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7683

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Hendricks, Kyle

From: Hendricks, Kyle
Sent: Wednesday, May 31, 2023 9:44 AM
To: Hill, Kelly
Subject: RE: SA2023-101 Goose Ridge Estate II plat amendment

Hi Kelly,

Yes, they would need to resubmit for the specific phases since there is a change.

Kyle

From: Hill, Kelly <khill@CI.RICHLAND.WA.US>
Sent: Thursday, May 18, 2023 10:28 AM
To: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Subject: RE: SA2023-101 Goose Ridge Estate II plat amendment

Kyle,

With this amendment would they have to resubmit these phases? If they do have to be resubmitted they will fall under the new policy regarding paying for all electrical equipment installed for the project that took affect September 7th 2022.

Thanks



Kelly Hill, PE
Chief Electrical Engineer
625 Swift Blvd., MS-23 | Richland, WA 99352
(509) 942-7416

From: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Sent: Thursday, May 18, 2023 9:54 AM
To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; rand461@ECY.WA.GOV; AshleyMorton@ctuir.org; bmidmanager@badgermountainirrigation.com; Michelle.Cooke@co.benton.wa.us; Benton County - Segregations <Segregations@co.benton.wa.us>; osp@noanet.net; engservice@bentonpud.org; bbarlow@bft.org; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; carrie.thompson@bnsf.com; Casey_Barney@Yakama.com; catherinedickson@ctuir.org; clark.posey@co.benton.wa.us; Corrine_Camuso@Yakama.com; Hamilton, Craig <C.Hamilton@bces.wa.gov>; sepa@dahp.wa.gov; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; darrick@basindisposal.com; david@portofbenton.com; Davis, Deanna <d.davis@bces.wa.gov>; dxrogers@bpa.gov; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; emendenhall@westrichland.org; FormerOrchards@ecy.wa.gov; gary.graff@ecy.wa.gov; gis@co.benton.wa.us; greg.wendt@co.benton.wa.us; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; jmcshane@kid.org; Jessica_Lally@Yakama.com; john.lyle@bentoncleanair.org; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; jecottrell@bpa.gov; junior.campos@charter.com; katherine.cichy@ziply.com; kelly.cooper@doh.wa.gov; kevin.knodel@rsd.edu; KSligier@bft.org; development@kid.org; webmaster@kid.org; [mjdeklyne@bpa.gov](mailto:mjdekyne@bpa.gov); map@bces.wa.gov; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>;

michael.tovey@ziply.com; langn@bentonpud.org; noah.lee@bentoncleanair.org; Noah_Oliver@Yakama.com; Orr, Bruce <borr@CI.RICHLAND.WA.US>; gonsetp@wsdot.wa.gov; QWright@portofbenton.com; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; reviewteam@commerce.wa.gov; richard.krasner@rsd.edu; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; robin.priddy@bentoncleanair.org; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; seand@bfhd.wa.gov; sepacenter@dnr.wa.gov; separegister@ecy.wa.gov; sepaunit@ecy.wa.gov; SDefoe@kid.org; scplanning@wsdot.wa.gov; Tyutyunnik, Ruvim <rtutyunnik@CI.RICHLAND.WA.US>; rittemwr@dfw.wa.gov; R3Planning@dfw.wa.gov; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; william.simpson@commerce.wa.gov; WSDOT Aviation Land Use Inquiries and Application Submittals <AviationLandUse@wsdot.wa.gov>

Subject: SA2023-101 Goose Ridge Estate II plat amendment

Hello,

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Thank you,



Kyle Hendricks
Planner

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Hendricks, Kyle

From: WSDOT Aviation Land Use Inquiries and Application Submittals
<AviationLandUse@WSDOT.WA.GOV>
Sent: Monday, May 22, 2023 2:56 PM
To: Hendricks, Kyle
Subject: RE: [EXTERNAL] SA2023-101 Goose Ridge Estate II plat amendment

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

M Hendricks,

WSDOT Aviation Division reviewed this proposal on 5/22/2023. We have no concerns or comments about compatibility. The FAA's obstruction/airspace evaluation tool states that notification is required (see below image). For instructions and to complete the forms (7460-1 & 7460-2), see here: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

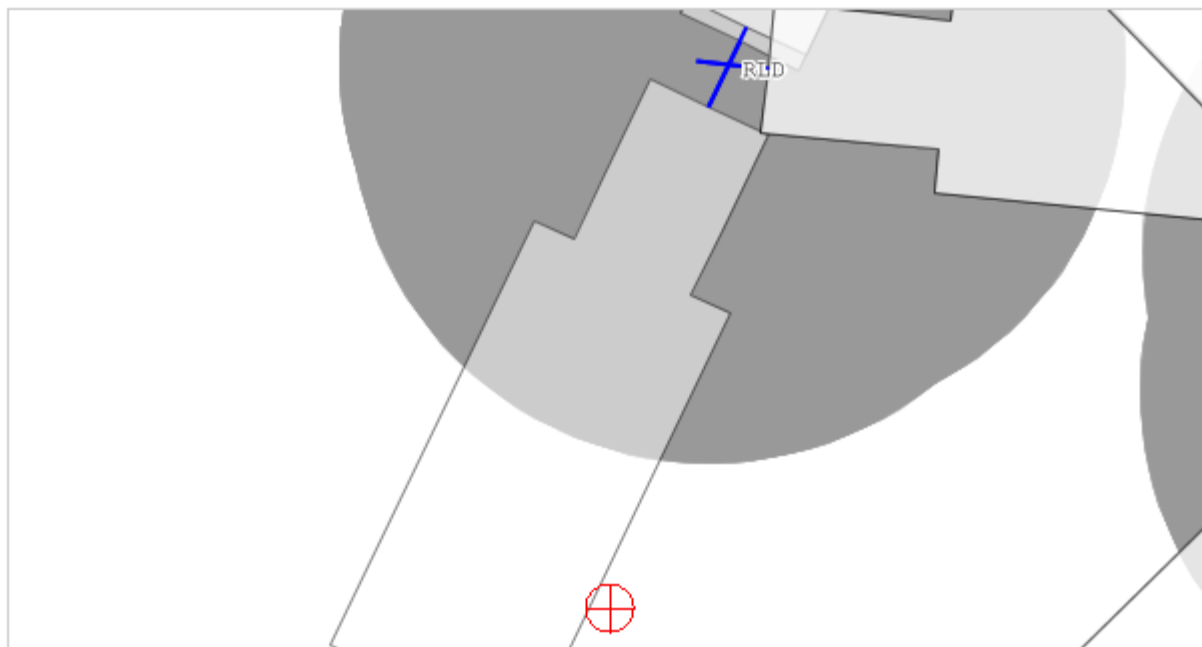
* Structure Type:	HOME House			
Please select structure type and complete location point information.				
Latitude:	46	Deg	13	M 21 S N
Longitude:	119	Deg	19	M 50 S W
Horizontal Datum:	NAD83			
Site Elevation (SE):	816	(nearest foot)		
Structure Height :	19	(nearest foot)		
Is structure on airport:	☒ No ☐ Yes			
Submit				

Results

You exceed the following Notice Criteria:

Your proposed structure is in proximity to a navigation facility and may impact the assurance of navigation signal reception. The FAA, in accordance with 77.9, requests that you file.

The FAA requests that you file



I do not envision there being an issue, just a formality.

Cheers,

David Ison, PhD | Aviation Planner
Airport Land Use Compatibility & Emerging Aviation Technologies
Washington State Department of Transportation
isond@wsdot.wa.gov C: 360-890-5258

From: Hendricks, Kyle <khendricks@ci.richland.wa.us>

Sent: Thursday, May 18, 2023 9:54 AM

To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Anderson, Ryan (ECY) <rand461@ecy.wa.gov>; AshleyMorton@ctuir.org; bmidmanager@badgermountainirrigation.com; Michelle.Cooke@co.benton.wa.us; Benton County - Segregations <Segregations@co.benton.wa.us>; osp@noanet.net; engservice@bentonpud.org; bbarlow@bft.org; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; carrie.thompson@bnsf.com; Casey_Barney@Yakama.com; catherinedickson@ctuir.org; clark.posey@co.benton.wa.us; Corrine_Camuso@Yakama.com; Hamilton, Craig <C.Hamilton@bces.wa.gov>; sepa@dahp.wa.gov; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; darrick@basindisposal.com; david@portofbenton.com; Davis, Deanna <d.davis@bces.wa.gov>; dxrogers@bpa.gov; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; emendenhall@westrichland.org; FormerOrchards@ecy.wa.gov; gary.graff@ecy.wa.gov; gis@co.benton.wa.us; greg.wendt@co.benton.wa.us; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; jmcshane@kid.org; Jessica_Lally@Yakama.com; john.lyle@bentoncleanair.org; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; jecottrell@bpa.gov; junior.campos@charter.com; katherine.cichy@ziply.com; Cooper, Kelly (DOH) <Kelly.Cooper@DOH.WA.GOV>; kevin.knodel@rsd.edu; KSliger@bft.org; development@kid.org; webmaster@kid.org; mjdeklyne@bpa.gov; map@bces.wa.gov; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; michael.tovey@ziply.com; langn@bentonpud.org; noah.lee@bentoncleanair.org; Noah_Oliver@Yakama.com; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Gonseth, Paul <GonsetP@wsdot.wa.gov>; QWright@portofbenton.com; ReathaFord, Jason <JReathaFord@CI.RICHLAND.WA.US>; reviewteam@commerce.wa.gov; richard.krasner@rsd.edu; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; robin.priddy@bentoncleanair.org; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; seand@bfhd.wa.gov; sepacenter@dnr.wa.gov; separegister@ecy.wa.gov; sepaunit@ecy.wa.gov; SDefoe@kid.org; WSDOT SC Planning Mailbox <SCPlanning@WSDOT.WA.GOV>; Tyutyunnik, Ruvim <rtyutyunnik@CI.RICHLAND.WA.US>; rittemwr@dfw.wa.gov; R3Planning@dfw.wa.gov; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; Simpson, William (COM) <william.simpson@commerce.wa.gov>; WSDOT Aviation Land Use Inquiries and Application Submittals <AviationLandUse@WSDOT.WA.GOV>

Subject: [EXTERNAL] SA2023-101 Goose Ridge Estate II plat amendment

WARNING: This email originated from outside of WSDOT. Please use caution with links and attachments.

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Thank you,



Kyle Hendricks

Planner

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

(509) 942-7683

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**Washington State
Department of Transportation**

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

May 31, 2023

City of Richland
625 Swift Boulevard
Richland, WA 99352

Attn: Kyle Hendricks, Planner

RE: SA2023-101 – Goose Ridge Estates II plat amendment
I-82 Exit 104 (Dallas Rd) vicinity

We have reviewed the proposed plat amendment. We previously commented on the original plat in our letter to the city dated October 12, 2021. Those comments remain valid; we have no additional concerns.

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,

A handwritten signature in black ink that reads "Paul Gonseth".

Paul Gonseth, PE
Region Planning Engineer

PG:jjp

cc: SR 82, File #2021_021

Hendricks, Kyle

From: Segregations <segregations@co.benton.wa.us>
Sent: Thursday, June 1, 2023 9:30 AM
To: Hendricks, Kyle
Subject: RE: SA2023-101 Goose Ridge Estate II plat amendment

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Hello,

That's correct, I understand that there will be final plat map. But if final plat map doesn't have correct legal (which we have to draw it out to make sure the boundaries are correct of what they trying to plat) – we would have to reject the plat and the owner will have to re due all the signatures.



Liliya Savchuk
Office Assistant II
Benton County Assessor's Office
Kennewick: (509) 735-2394 (ext. 2505)



From: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Sent: Wednesday, May 31, 2023 9:50 AM
To: Segregations <segregations@co.benton.wa.us>
Subject: RE: SA2023-101 Goose Ridge Estate II plat amendment

Hi Liliya,

At this time there is nothing to record since these are just a Preliminary Plat. All Final Plat maps will have the relevant information.

Thank you,



Kyle Hendricks
Planner
625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7683

From: Segregations <segregations@co.benton.wa.us>
Sent: Monday, May 22, 2023 10:41 AM
To: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Subject: RE: SA2023-101 Goose Ridge Estate II plat amendment

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Hello Kyle,

Thank you for sending this over. In order for our office to approve this prelim map – we will need a legal description on this map.

Also, the parcels been deleted – new parcel listed below.

133983020003000 // **PREVIOUS PARCEL: 133983000001003, 133983000001005**

GOOSE RIDGE ESTATES 2 PHASE 1, TRACT C. RECORDED IN VOLUME 15 OF PLATS AT PAGE 0756, RECORDS OF BENTON COUNTY, WASHINGTON. AF#2023-002216, 02/07/2023.



Liliya Savchuk
Office Assistant II
Benton County Assessor's Office
Kennewick: (509) 735-2394 (ext. 2505)



From: Hendricks, Kyle <khendricks@ci.richland.wa.us>

Sent: Thursday, May 18, 2023 9:54 AM

To: Acevedo, Mizael <macevedo@ci.richland.wa.us>; rand461@ecy.wa.gov; AshleyMorton@ctuir.org; bmidmanager@badgermountainirrigation.com; Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Segregations <segregations@co.benton.wa.us>; osp@noanet.net; engservice@bentonpud.org; bbarlow@bft.org; Buechler, Ken <KBuechler@ci.richland.wa.us>; carrie.thompson@bnsf.com; Casey_Barney@Yakama.com; catherinedickson@ctuir.org; Clark Posey <Clark.Posey@co.benton.wa.us>; Corrine_Camuso@Yakama.com; Hamilton, Craig <c.hamilton@bces.wa.gov>; sepa@dahp.wa.gov; DAlessandro, Carlo <cdalessandro@ci.richland.wa.us>; darrick@basindisposal.com; david@portofbenton.com; Davis, Deanna <d.davis@bces.wa.gov>; dxrodders@bpa.gov; Deskins, John <jdeskins@ci.richland.wa.us>; emendenhall@westrichland.org; FormerOrchards@ecy.wa.gov; gary.graff@ecy.wa.gov; GIS <GIS@co.benton.wa.us>; Greg Wendt <Greg.Wendt@co.benton.wa.us>; Hester, Laura <lhester@ci.richland.wa.us>; Hill, Kelly <khill@ci.richland.wa.us>; Hogan, Jodi <jhogan@ci.richland.wa.us>; jmcshane@kid.org; Jessica Lally@Yakama.com; john.lyle@bentoncleanair.org; Jordon, Joshua <jojordon@ci.richland.wa.us>; jecottrell@bpa.gov; junior.campos@charter.com; katherine.cichy@ziply.com; kelly.cooper@doh.wa.gov; kevin.knodel@rsd.edu; KSliger@bft.org; development@kid.org; webmaster@kid.org; mjdeklyne@bpa.gov; map@bces.wa.gov; Mattheus, Pamela <pmattheus@ci.richland.wa.us>; michael.tovey@ziply.com; langn@bentonpud.org; noah.lee@bentoncleanair.org; Noah_Oliver@Yakama.com; Orr, Bruce <borr@ci.richland.wa.us>; gonsetp@wsdot.wa.gov; QWright@portofbenton.com; Reathaford, Jason <JReathaford@ci.richland.wa.us>; reviewteam@commerce.wa.gov; richard.krasner@rsd.edu; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; robin.priddy@bentoncleanair.org; Schiessl, Joe <JSchiessl@ci.richland.wa.us>; seand@bfhd.wa.gov; sepacenter@dnr.wa.gov; separegister@ecy.wa.gov; sepaunit@ecy.wa.gov; SDefoe@kid.org; scplanning@wsdot.wa.gov; Tyutyunnik, Ruvim <rtutyunnik@ci.richland.wa.us>; rittemwr@dfw.wa.gov; R3Planning@dfw.wa.gov; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@ci.richland.wa.us>; william.simpson@commerce.wa.gov; WSDOT Aviation Land Use Inquiries and Application Submittals <AviationLandUse@wsdot.wa.gov>

Subject: SA2023-101 Goose Ridge Estate II plat amendment

Hello,

Attached is the referral packet for a plat amendment application within Badger Mountain South. This application is to request an increase to the number of construction phases from three to five for the preliminary plat of Goose Ridge Estate II.

Please review and reply with any questions or comments by end of day Friday June 2nd, 2023.

Thank you,



Kyle Hendricks

Planner

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

(509) 942-7683

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Hendricks, Kyle

From: Brett Flippo <BFlippo@kid.org>
Sent: Tuesday, May 23, 2023 8:36 PM
To: Hendricks, Kyle
Subject: RE: SA2023-101 Goose Ridge Estate II plat amendment

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Mr. Hendricks,

KID has reviewed the subject application and determined that the development is located outside the boundaries of the District. KID provides no comments.

Thanks,

Brett Flippo, PLS, CFedS
Kennewick Irrigation District

From: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Sent: Thursday, May 18, 2023 9:54 AM
To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; rand461@ECY.WA.GOV; AshleyMorton@ctuir.org; bmidmanager@badgermountainirrigation.com; Michelle.Cooke@co.benton.wa.us; Benton County - Segregations <Segregations@co.benton.wa.us>; osp@noanet.net; engservice@bentonpud.org; bbarlow@bft.org; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; carrie.thompson@bnsf.com; Casey_Barney@Yakama.com; catherinedickson@ctuir.org; clark.posey@co.benton.wa.us; Corrine_Camuso@Yakama.com; Hamilton, Craig <C.Hamilton@bces.wa.gov>; sepa@dahp.wa.gov; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; darrick@basindisposal.com; david@portofbenton.com; Davis, Deanna <d.davis@bces.wa.gov>; dxrodders@bpa.gov; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; emendenhall@westrichland.org; FormerOrchards@ecy.wa.gov; gary.graff@ecy.wa.gov; gis@co.benton.wa.us; greg.wendt@co.benton.wa.us; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Jason McShane <JMcShane@kid.org>; Jessica_Lally@Yakama.com; john.lyle@bentoncleanair.org; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; jecottrell@bpa.gov; junior.campos@charter.com; katherine.cichy@ziply.com; kelly.cooper@doh.wa.gov; kevin.knodel@rsd.edu; KSliger@bft.org; Development <development@kid.org>; Matthew Berglund <MBerglund@kid.org>; mjdeklyne@bpa.gov; map@bces.wa.gov; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; michael.tovey@ziply.com; langn@bentonpud.org; noah.lee@bentoncleanair.org; Noah_Oliver@Yakama.com; Orr, Bruce <borr@CI.RICHLAND.WA.US>; gonsetp@wsdot.wa.gov; QWright@portofbenton.com; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; reviewteam@commerce.wa.gov; richard.krasner@rsd.edu; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; robin.priddy@bentoncleanair.org; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; seand@bfhd.wa.gov; sepacenter@dnr.wa.gov; separegister@ecy.wa.gov; sepaunit@ecy.wa.gov; Seth Defoe <SDefoe@kid.org>; scplanning@wsdot.wa.gov; Tyutyunnik, Ruvim <rtyutyunnik@CI.RICHLAND.WA.US>; rittemwr@dfw.wa.gov; R3Planning@dfw.wa.gov; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; william.simpson@commerce.wa.gov; WSDOT Aviation Land Use Inquiries and Application Submittals <AviationLandUse@wsdot.wa.gov>
Subject: SA2023-101 Goose Ridge Estate II plat amendment

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.

Hello,

Attached is the referral packet for a plat amendment application within Badger Mountain South. This application is to request an increase to the number of construction phases from three to five for the preliminary plat of Goose Ridge Estate II.

Please review and reply with any questions or comments by end of day Friday June 2nd, 2023.

Thank you,



Kyle Hendricks

Planner

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

(509) 942-7683

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Hendricks, Kyle

From: Rodgers, Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrodgers@bpa.gov>
Sent: Friday, June 2, 2023 7:23 AM
To: Hendricks, Kyle
Cc: Cummings, Nicole M (BPA) - TERR-TRI CITIES RMHQ
Subject: RE: [EXTERNAL] SA2023-101 Goose Ridge Estate II plat amendment

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Kyle,

Bonneville Power Administration's (BPA) has had the opportunity to review SA2023-101 Goose Ridge Estate II plat amendment. The application is an increase to the number of construction phases from three to five for the preliminary plat of Goose Ridge Estate II, located at in Richland, WA.

In researching our records, we have found that this proposal will not directly impact BPA facilities approximately one mile south and 2 miles east of the subject property. BPA does not have any objections to the approval of this request at this time.

If you have any questions or need additional information, please feel free to contact Nicole Cummings at (509) 542-5499 or by email at nmcummings@bpa.gov.

Thank you for the opportunity to review this application.



Deborah Rodgers

Realty Technician Contractor
2211 North Commercial Avenue, Pasco, WA 99301
Bonneville Power Administration | TERR/Tri-Cities-RMHQ
Real Property Field Services | P 509.544.4749
dxrodgers@bpa.gov

From: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Sent: Thursday, May 18, 2023 9:54 AM
To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; rand461@ECY.WA.GOV; AshleyMorton@ctuir.org; bmidmanager@badgermountainirrigation.com; Michelle.Cooke@co.benton.wa.us; Benton County - Segregations <Segregations@co.benton.wa.us>; osp@noanet.net; engservice@bentonpud.org; bbarlow@bft.org; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; carrie.thompson@bnsf.com; Casey_Barney@Yakama.com; catherinedickson@ctuir.org; clark.posey@co.benton.wa.us; Corrine_Camuso@Yakama.com; Hamilton, Craig <C.Hamilton@bces.wa.gov>; sepa@dahp.wa.gov; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; darrick@basindisposal.com; david@portofbenton.com; Davis, Deanna <d.davis@bces.wa.gov>; Rodgers, Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrodgers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; emendenhall@westrichland.org; FormerOrchards@ecy.wa.gov; gary.graff@ecy.wa.gov; gis@co.benton.wa.us; greg.wendt@co.benton.wa.us; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; jmcshane@kid.org; Jessica_Lally@Yakama.com; john.lyle@bentoncleanair.org; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; jecottrell@bpa.gov; junior.campos@charter.com; katherine.cichy@ziplly.com; kelly.cooper@doh.wa.gov; kevin.knodel@rsd.edu; KSliger@bft.org; development@kid.org; webmaster@kid.org; mjdeklyne@bpa.gov; map@bces.wa.gov; Mattheus,

Pamela <pmattheus@CI.RICHLAND.WA.US>; michael.tovey@ziply.com; langn@bentonpud.org; noah.lee@bentoncleanair.org; Noah_Oliver@Yakama.com; Orr, Bruce <borr@CI.RICHLAND.WA.US>; gonsetp@wsdot.wa.gov; QWright@portofbenton.com; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; reviewteam@commerce.wa.gov; richard.krasner@rsd.edu; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; robin.priddy@bentoncleanair.org; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; seand@bfhd.wa.gov; sepacenter@dnr.wa.gov; separegister@ecy.wa.gov; sepaunit@ecy.wa.gov; SDefoe@kid.org; scplanning@wsdot.wa.gov; Tyutyunnik, Ruvim <rtutyunnik@CI.RICHLAND.WA.US>; rittemwr@dfw.wa.gov; R3Planning@dfw.wa.gov; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; william.simpson@commerce.wa.gov; WSDOT Aviation Land Use Inquiries and Application Submittals <AviationLandUse@wsdot.wa.gov>

Subject: [EXTERNAL] SA2023-101 Goose Ridge Estate II plat amendment

Hello,

Attached is the referral packet for a plat amendment application within Badger Mountain South. This application is to request an increase to the number of construction phases from three to five for the preliminary plat of Goose Ridge Estate II.

Please review and reply with any questions or comments by end of day Friday June 2nd, 2023.

Thank you,



Kyle Hendricks
Planner

625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7683

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Exhibit 10

Public Comments

Hendricks, Kyle

From: Heather Nicholson <hansen.hch@gmail.com>
Sent: Friday, June 2, 2023 12:11 PM
To: Hendricks, Kyle
Subject: SA2023-101 Goose Ridge Phase Two Plat Amendment

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Hi Kyle,

I hope you are doing well! I wanted to send a quick email regarding the proposed plat amendment for Goose Ridge Estate II.

On December 14th of 2021, City Hearing Examiner McLean approved the original plat with conditions. Part of those conditions included the applicant demonstrating how they intend to meet the "3 block" rule set forth in the LUDR. I noticed the maps submitted for the amended plat do not include space for a park and I'm concerned that this condition might have been overlooked.

Thank you for passing my concerns along,

Heather Nicholson
4717 Barbera St, Richland, WA 99352



Exhibit I I

Notice of Decision Packet

SA2022-101



NOTICE OF DECISION

PURSUANT TO RICHLAND MUNICIPAL CODE SECTION 19.60.080 NOTICE IS HEREBY GIVEN THAT THE CITY OF RICHLAND, ON MARCH 21, 2022 TOOK THE ACTION DESCRIBED BELOW ON THE APPLICATION OF MONSON DEVELOPMENT WASHINGTON, LLC FOR:

REQUEST: Minor amendments to the preliminary plat of Goose Ridge Estates II.

LOCATION: East of the termini of Highview Street, Corvina Street and Barbera Street within the Badger Mountain South Master Planned Community.

DESCRIPTION OF ACTION: The City of Richland has approved three (3) minor plat amendments to the preliminary plat of Goose Ridge Estates II. The Goose Ridge Estates II preliminary plat is a 206-lot single family residential subdivision (S2021-107). The decision to approve the minor amendments is subject to the Conditions of Approval prepared by the Hearings Examiner dated December 14, 2021 and as may be modified by the Supplemental General Comments & Conditions contained within the March 21, 2022 approval letter attached to this Notice of Decision (Copies of the Hearings Examiner's decision are available by request from the Richland Development Services Division).

SEPA REVIEW: The above referenced action was reviewed in compliance with the requirements of the State Environmental Policy Act (RCW 43.21c). On October 28, 2021 the City adopted a Planned Action Consistency Determination related to the Planned Action Ordinance adopted in 2010 for the Badger Mountain South Master Planned Community.

APPEAL PROCEDURES: Appeals to the above-described action may be made to the Richland Hearing Examiner. Said appeals shall be in accordance with the provisions of Richland Municipal Code (RMC) Section 23.70.070.

QUESTIONS ON THE ACTIONS TAKEN IN REGARD TO THE ABOVE REFERENCED REQUEST SHOULD BE DIRECTED TO THE RICHLAND DEVELOPMENT SERVICES DIVISION OFFICE AT (509) 942-7596.

Mike Stevens,
Planning Manager

March 21, 2022

Date



March 21, 2022

Monson Development Washington, LLC
Attn: Alex Rietmann
63615 East Jacobs Road
Benton City, WA 99320

AHBL Inc.
Attn: Kaleb Mapstead
5804 Road 90, Suite H
Pasco, WA 99301

RE: Minor Plat Amendment for the Preliminary Plat of Goose Ridge Estates II

Dear Mr. Rietmann and Mr. Mapstead:

This letter is in regard to your request to amend the preliminary plat approval for the Preliminary Plat of Goose Ridge Estates II. Your request has been approved as detailed on the attached Notice of Decision. The plat will remain valid until its original date for completion which is December 14, 2026.

Requested Amendments:

1. Revising the interior street intersection treatments and right of way widths;
2. Delaying construction of the Trowbridge Boulevard and Road "C" extensions; and
3. Provision of a construction traffic access easement to reduce construction traffic use of the existing local streets.

Richland Municipal Code Section 24.24.055(A) provides that the subdivision administrator can approve amendments to preliminary plats that the subdivision administrator deems to be minor in nature. My decision to approve the minor amendment(s) to the preliminary plat of Goose Ridge Estates II is based on the following findings:

Subdivision Administrator Findings:

1. The proposed plat amendments are minor in nature and consistent with the City of Richland's Comprehensive Plan;

2. The plat approval is consistent with the zoning which applies to the subject property and adjacent lands;
3. The conditions of approval attached to the preliminary plat require the project to be built in a manner that is consistent with the City development standards pertaining to street construction, utility line extensions and storm water runoff and so ensure that the project will be consistent with the City's subdivision regulations;
4. The conditions of approval attached to the preliminary plat, and as may be modified by this decision (see Supplemental General Comments & Conditions below), satisfy the City's existing comprehensive plan and development regulations; and
5. Since December 14, 2021 when the preliminary plat was approved, there have not been any substantive changes in City development regulations that would impact how the project site could be developed.

Public Works Director Findings:

6. The proposed revisions to the interior street intersection treatments aligns with Public Works conditions of approval for the preliminary plat and will reduce traffic speed on the neighborhood streets. Reducing traffic speed is in the public interest as an enhancement to community safety and comfort;
7. The proposed revisions to right of way widths is in the public interest as it will result in all necessary public infrastructure, including required sidewalks/trails and landscape areas being constructed within the right of way. This is in the public interest because the provisions of the Richland Municipal Code related to sidewalk maintenance and right of way maintenance will apply consistently in this development;
8. Delaying construction of Trowbridge Boulevard and the Road "C" extensions until Phase 3 of the development is in the public interest because not doing so would create nuisance and maintenance conditions that would likely require additional police, medical and traffic services due to unauthorized vehicular travel and ageing pavement; and
9. The proposed construction traffic access easement is in the public interest because it enables the project to mitigate the impact of construction traffic on existing residents, as required by the Hearing Examiner's decision approving the preliminary plat.

If you have any questions regarding this approval, please feel free to contact me at (509) 942-7596 or via email at mstevens@ci.richland.wa.us.

Sincerely,



Mike Stevens
Planning Manager
City of Richland
(509)942-7596
mstevens@ci.richland.wa.us

Supplemental General Comments & Conditions:

1. An easement of adequate width, describing the off-site "Road C" and Trowbridge Blvd. corridors shall be provided prior to right-of-way construction permit issuance for phase 1.
2. The extension of Trowbridge Blvd. and "Road C" shall be constructed to the City's rural street section Standard Detail ST-15 (including the separated pedestrian pathway). The 22-foot wide road proposed does not meet City standards.
3. The rural section of Trowbridge shall be designed & constructed so that the outside edges of pavement will match the location of the future bike lane joints of the City standard 3-lane section for a minor arterial road when the frontage improvements of Trowbridge are ultimately constructed.
4. The thickness of the Trowbridge Blvd. crushed rock base shall match the City's standard cross-section detail for an arterial street section.
5. The temporary construction access easement road shown in the amended preliminary plat shall be constructed to a minimum of 16-feet in width and 4-inches of crushed rock. There shall also be a city standard construction entrance where this road intersects the Trowbridge Blvd. extension.
6. It is recommended that utility conduits & sleeves be installed at known crossing locations. This will minimize disruption of the roadway when utilities are installed in the future as adjacent properties develop.
7. Utility system layout will be subject to review against the City's design guidance and be subject to review during project permitting. The information shown on sheets C201 and C301 is not considered approved by the decision on this amendment.
8. Street lights shall be installed within 2' of property lines (not in the middle of the lot) in order to avoid driveway conflicts.



MEMORANDUM

TO: City Departments and Various Governmental Agencies

FROM: Mike Stevens, Planning Manager

DATE: February 25, 2022

SUBJECT: S2022-101 Goose Ridge Estates 2 – Minor Plat Amendment

Monson Development Washington, LLC has filed a minor amendment application with the City of Richland pertaining to the preliminary plat of Goose Ridge Estates 2. The proposed amendments have been determined to be minor in nature and consist of the following:

1. Revise the interior street intersection treatments and ROW widths based on city staff report comments.
2. Shift the timing of the extension of Road C & Trowbridge Blvd from Phase 1 to Phase 3.
3. Provide a construction access easement extending from Trowbridge to the Phase 2 boundary to allow construction/building activities to skirt the existing developments and provide alternate means of access/egress, rather than via existing developed neighborhood streets.

Please review the proposed amendment requests and provide comments back to me by 5:00 p.m., Friday, March 11, 2022.

Pursuant to RMC 24.24.055, any time after preliminary approval and before final plat approval, the applicant may submit an application that proposes an amendment to the approved or conditionally approved preliminary plat. The subdivision administrator shall have the authority to administratively approve amendments that the subdivision administrator deems to be minor.



Plat Amendment Application

☐ Major

☒ Minor

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

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: **Monson Development Washington, LLC c/o Alex Rietmann**

Address: **63615 East Jacobs Road, Benton City, WA 99320**

Phone: **509-627-1618**

Email: **alexr@gooseridge.com**

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: **Monson Development Washington, LLC**

UBI#: **603-406-776**

Contact: **Alex Rietmann**

Address: **63615 East Jacobs Road, Benton City, WA 99320**

Phone: **509-627-1618**

Email: **alexr@gooseridge.com**

SURVEYOR INFORMATION

Contact: **AHBL Inc. c/o John Becker - PLS**

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

Phone: **509-380-5883**

Email: **jbecker@ahbl.com**

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**

PROPERTY INFORMATION

Parcel #: **133-983-0000-01003, 133-983-0000-01005** Zoning: **BMS-Badger Mountain South**

Legal Description: **See attachment.**

Preliminary Plat Name: **Goose Ridge Estates II**

☐ Changing

Gross Plat Acreage: **53.33 Acres**

Number of Lots: **206**

Smallest Lot Size: **3,718 SF**

Net Lot Area Acreage: **35.85 Acres**

Avg. Lot Size: **7,580 SF**

Largest Lot Size: **25,107 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

DESCRIPTION OF ALTERATION

Submitted with this minor amendment application are updated plat drawings to include traffic improvements requested by the City, updates to uses of open space, and an exhibit illustrating the connection point of Road C & Trowbridge Blvd from the boundary of the plat to the existing end of improvements to Trowbridge Blvd installed with West Vineyard Phase 2&3. The exhibit also contains a proposed construction route from the extension of Trowbridge to the Phase 1 development to keep construction vehicles off of the local access street currently in use by the homeowners.

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Refer to RMC 24.24.055

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.

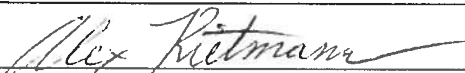
I also acknowledge that if a permit is issued for land development activities, no terms of the permit can be violated without further approval by the permitting entity. I understand that the granting of a permit does not authorize anyone to violate in any way any federal, state, or local law/regulation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

Applicant Signature:  Date 2-2-2022

February 4, 2022



Mr. Mike Stevens, Planning Manager
City of Richland
625 Swift Boulevard
Richland, WA 99352

Project: Goose Ridge II, AHBL No. 2200782.10
Subject: Minor Plat Amendment

Dear Mr. Stevens:

On behalf of our client, Monson Development Washington, LLC, we are requesting a minor amendment for the above-mentioned plat.

This amendment revises the interior street intersection treatments and right-of-way widths based on city staff report comments. It also modifies proposed uses of tracts to better align with nearby HOA concerns regarding use brought up during the public hearing. Minor modifications to right-of-way & tract areas occurred to satisfy the trails and landscape strips along Road C being incorporated into public right-of-way per the staff report. These have been reflected in the revised documents as part of this submittal.

We're requesting to shift the timing of the extension of Road C & Trowbridge Blvd from Phase 1 as outlined in the Hearing Examiner's General Conditions "M" to instead be conditioned with Phase 3 of the development. To aid in justifying shifting the timing of condition "M" a construction access easement extending from Trowbridge to the Phase 2 boundary is proposed. This will allow construction/building activities to skirt the existing developments and place construction traffic on streets wide enough to handle the equipment and relieve pressure from the occupied neighborhood streets. Discussions have been had with the adjoining property owners to secure easements to allow for these access routes and are still in progress.

If you have any questions, please call me at (509) 380-5883.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kaleb Mapstead', is written over a light blue horizontal line.

Kaleb Mapstead,
Project Engineer

KDM/

Q:\2020\2200782\10_CIV\NON_CAD\INTERNAL\Letters\20220204 Ltr (Goose Ridge II Minor Amendment) 2200782.10.docx

Civil Engineers

Structural Engineers

Landscape Architects

Community Planners

Land Surveyors

Neighbors

TRI-CITIES

5804 Road 90

Suite H

Pasco, WA 99301

509.380.5883 TEL

www.ahbl.com



February 8, 2022

Mike Stevens
Planning Manager
City of Richland
625 Swift Blvd
Richland, WA 99354

RE: MACR Update for Goose Ridge Estates II Minor Amendment Request

Dear Mr. Stevens,

This letter serves as an update to the MACR Supplement to the Preliminary Plat Application for Goose Ridge Estates II dated August 17, 2021.

Monson Development is requesting a minor amendment to the plat conditions for Goose Ridge Estates II. As part of this request, Monson Development approached me as the Associate Master Plan Administrator to update the MACR for review.

I have reviewed the City of Richland's plat conditions and the original MACR. The only minor deviation from the MACR I see is the City of Richland's request to have roadside trails in the City Right of Way. That decision rests with the City of Richland and I agree with that condition.

In section 5 of the original MACR, I asked the City of Richland's professional licensed traffic engineers to review the necessity of a second major collector into the Goose Ridge Development. Specifically, I requested the City of Richland identify when that connection should be made. I deferred that decision to the City of Richland's licensed engineers as they are qualified to make traffic engineering decisions based on best engineering practices and City policy. City staff contacted me before the Preliminary Plat hearing to inform me they were not going to recommend a second major collector as part of this phase of Goose Ridge Estates. Section 7.2 of the Master Agreement requires the City of Richland to "determine which mitigation must be constructed in each phase in order mitigate the impacts associated with that phase". As such, I had no problem with the determination of the City of Richland's traffic engineers.

The Hearing Examiner imposed a condition contrary to the recommendation of the City of Richland's professional engineering staff by requiring a second major collector street be completed into Goose Ridge Phase II before the final plat of the first phase of the development can be approved. This requirement will have the secondary access dead end into phase 3 of the project and will not serve the first phases of development. Additionally, the connection will run through active farming land that was leased based on the City of Richland's original recommendation of not requiring the second major collector.

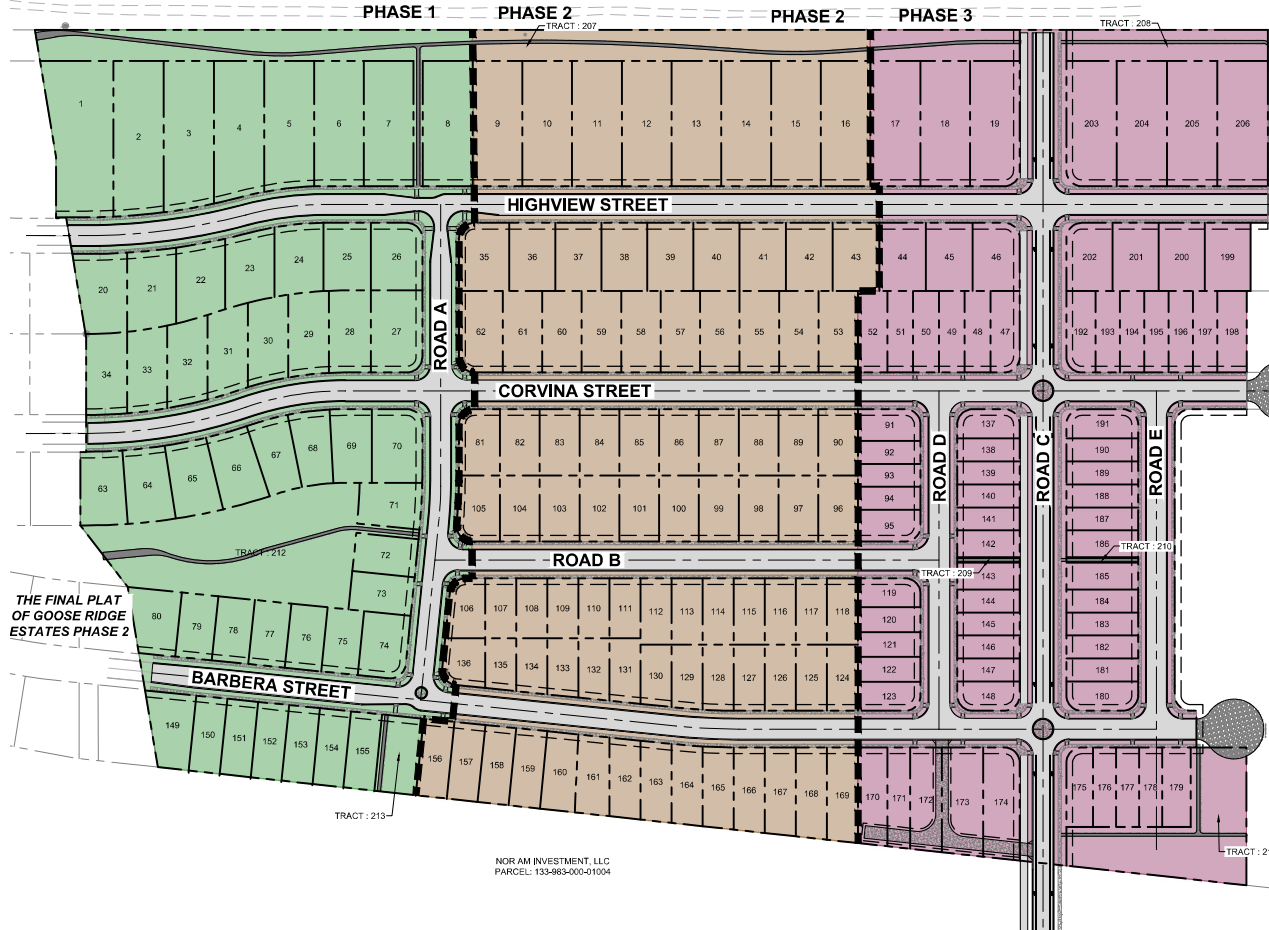
Monson Development has requested adding a temporary access into the first phases of Goose Ridge Phase II. This access will divert construction traffic away from the existing neighborhood and will actually serve the first 2 phases of construction. Additionally, the second major collector will be constructed as part of phase 3 where it will actually connect to local access streets from phases 1 & 2. As with the original MACR, I support the City of Richland's traffic engineer's recommendation on this proposal. We support this proposal as it allows for diverted construction traffic, allows for continued farming on the adjacent property which has a separate owner, and removes a road that would have no connection to this plat until phase 3, would be an attractive nuisance with liability issues, and would be aging in the sun unused, unnecessarily, for an undetermined length of time.

Darrin Sweeney
Badger Mountain South
Associate Master Plan Administrator

GOOSE RIDGE ESTATES II

PORTIONS OF THE NW 1/4 OF SEC. 33, TWN. 09 N, RGE. 28 E, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

FRANK TIEGS, LLC
PARCEL: 129-862-0124-85001

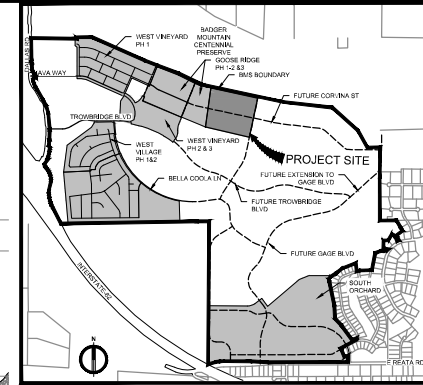


THE FINAL PLAT
OF GOOSE RIDGE
ESTATES PHASE 2

NOR AM INVESTMENT, LLC
PARCEL: 133-983-000-11004



DATE: February 4, 2022 FILENAME: Q:\2020\220782\10_CIV\CAD\220782-SH-COVER.dwg



VICINITY MAP

NOT TO SCALE

NOTES

- ALL RESIDENTIAL STRUCTURES LOCATED WITHIN THIS PLAT SHALL CONFORM TO THE BUILDING STANDARDS CONTAINED IN SECTIONS 2 AND 3 OF THE LAND USED AND DEVELOPMENT REGULATIONS FOR THE BADGER MOUNTAIN SOUTH COMMUNITY (LUDR).
- ALL RESIDENTIAL STRUCTURES LOCATED WITHIN THIS PLAT SHALL CONFORM TO THE SUSTAINABILITY STANDARDS CONTAINED IN SECTION 12 OF THE LUOR.

TRACT NOTE

ALL TRACTS OTHER THAN STORM TRACTS WILL BE OWNED AND MAINTAINED BY A HOMEOWNERS ASSOCIATION INSTITUTED BY THE DEVELOPER AND SHALL CONFORM TO THE USE DESIGNATED AT THE TIME OF FINAL PLAT.

TRACTS DESIGNATED AS STORM TRACTS WILL BE OWNED AND MAINTAINED BY THE CITY OF RICHLAND

UTILITIES

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

APPLICANT

MONSON DEVELOPMENT WASHINGTON, LLC
63615 EAST JACOBS ROAD
BENTON CITY, WA 98020
CONTACT: ALEX RIETMANN
PH: 509.627.1618

CIVIL ENGINEER

AHBL INC.
5804 ROAD 90, STE H
PASCO, WA 99301
CONTACT: JOHN BECKER, PLS
PH: (509) 380-5883

LAND SURVEYOR

AHBL INC.
5804 ROAD 90, STE H
PASCO, WA 99301
CONTACT: JOHN BECKER, PLS
PH: (509) 380-5883

SITE ADDRESS

UNDETERMINED
RICHLAND, WA 99352

PARCEL NO.

133-983-000-11003
133-983-000-11005

BASIS OF BEARING

DATUM - NAD 83
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 = 330320.261'
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 0.15 MILES NORTH OF INTERSTATE 52, EXIT 104.
BENCHMARK 2 - ELEVATION = 1489.377' PER WASHINGTON STATE DEPARTMENT OF TRANSPORTATION, ALSO 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.

TOPOGRAPHIC NOTE

THE EXISTING 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 THIS 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 LIST TABLE

Sheet Number	Sheet Title
C001	COVER
C002	BMS/LUDR DISTRICTS & TRAILS
C003	GREEN SPACE CALCS
C101	LOT LAYOUT
C102	LOT TABLES
C201	GRADING & DRAINAGE PLAN
C301	UTILITY PLAN

PHASING LEGEND

PHASE	LOTS	UNITS	
1	48	48	
2	87	87	
3	71	71	

LAND USE TABLE

TOTAL SITE AREA	53.33 AC
TOTAL LOTS	206
RESIDENTIAL LOTS	206
TRACTS	7
MIN. RESIDENTIAL LOT AREA	3,719 SF LOT 92
MAX RESIDENTIAL LOT AREA	25,107 SF LOT 1
AVG RESIDENTIAL LOT AREA	7,580 SF
TRACT AREA	4.67 AC
ROW AREA	12.81 AC



Project Title: GOOSE RIDGE ESTATES II

Client:
**MONSON DEVELOPMENT
WASHINGTON, LLC**

ALEX RIETMANN
509-627-1618

Job No.

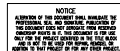
2200782-10

Issue Set & Date: PRELIMINARY PLAT MINOR AMENDMENT

02/04/2022



02/09/2022



Revisions:

Sheet Title:

COVER

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

Sheet No.

C001

1 of 7 Sheets

2200782-SH-COVER.DWG COVER

FRANK TIEGS, LLC
PARCEL: 129-982-0124-65001

LUDR DISTRICT LEGEND			
DISTRICT		LUDR SECTION	
BMS-NC	NEIGHBORHOOD COLLECTOR	3.C	
BMS-NG	NEIGHBORHOOD GENERAL	3.D	
BMS-NE	NEIGHBORHOOD EDGE	3.E	
BMS-CMVC		3.F	

TRAIL LEGEND	
TYPE	
PRIMARY	
SECONDARY	



Project Title:
**GOOSE RIDGE
ESTATES II**

Client:
**MONSON DEVELOPMENT
WASHINGTON, LLC**

ALEX RIETMANN
509-627-1618

Job No. _____

2200782.10

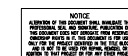
Issue Set & Date:

Issue Set & Date:
**PRELIMINARY PLAT
MINOR AMENDMENT**

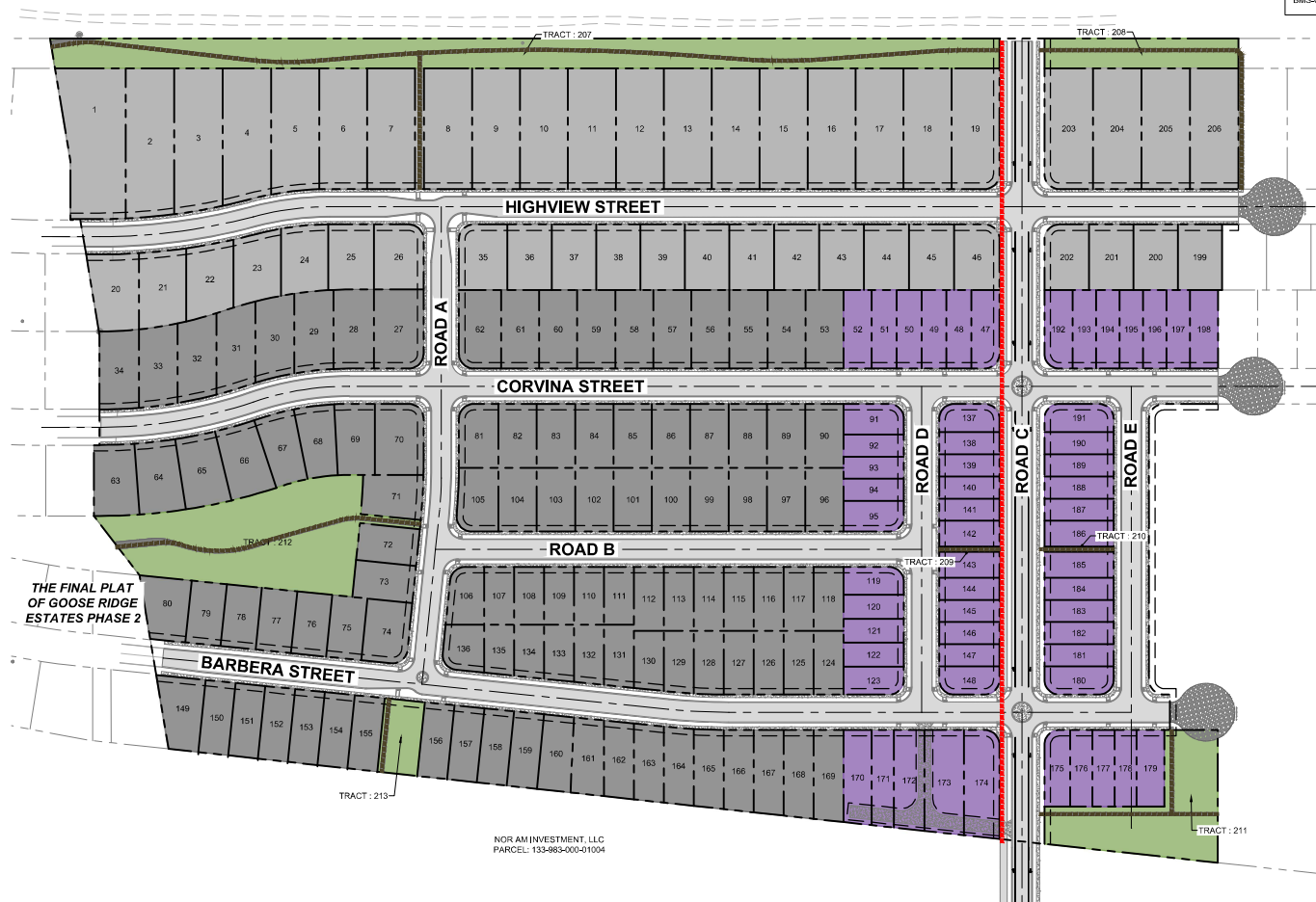
02.04.2022



02/09/2022



badger
mountain
SOUTH



NOR AM INVESTMENT, LLC
PARCEL - 133-983-000-01004



Know what's **below**.
Call before you dig.



GRAPHIC SCALE



1" = 100 FEET

Sheet Title:
**BMS-LUDR DISTRICTS
& TRAILS**

Designed by: KDM Drawn by: KDM Checked by: EME

Sheet No.

C002

2 of 7 Sheets

AHBL
TACOMA • SEATTLE • SPOKANE • TRI-CITIES

5804 Road 90, Suite H Pasco, WA 99301
509.380.5893 TEL. 253.383.2572 www.ahbl.com WEB

2200782-SH-COVER.DWG GREEN SPACE

3 of 7 Sheets

GOOSE RIDGE ESTATES II

PORTIONS OF THE NW 1/4 OF SEC. 33, TWN. 09 N, RGE. 28 E, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON



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:
**GOOSE RIDGE
ESTATES II**

Client:
**MONSON DEVELOPMENT
WASHINGTON, LLC**

ALEX RIETMANN
509-627-1618

Job No.
2200782.10

Issue Set & Date:
**PRELIMINARY PLAT
MINOR AMENDMENT**

02.04.2022



02/09/2022

NOTICE
A portion of the project was previously approved by the City of Richland, Benton County, Washington, on 02/09/2022. The project was approved as a minor amendment to the original plat. The project was approved as a minor amendment to the original plat. The project was approved as a minor amendment to the original plat.



Revisions:
Sheet Title:
LOT LAYOUT

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

Sheet No.



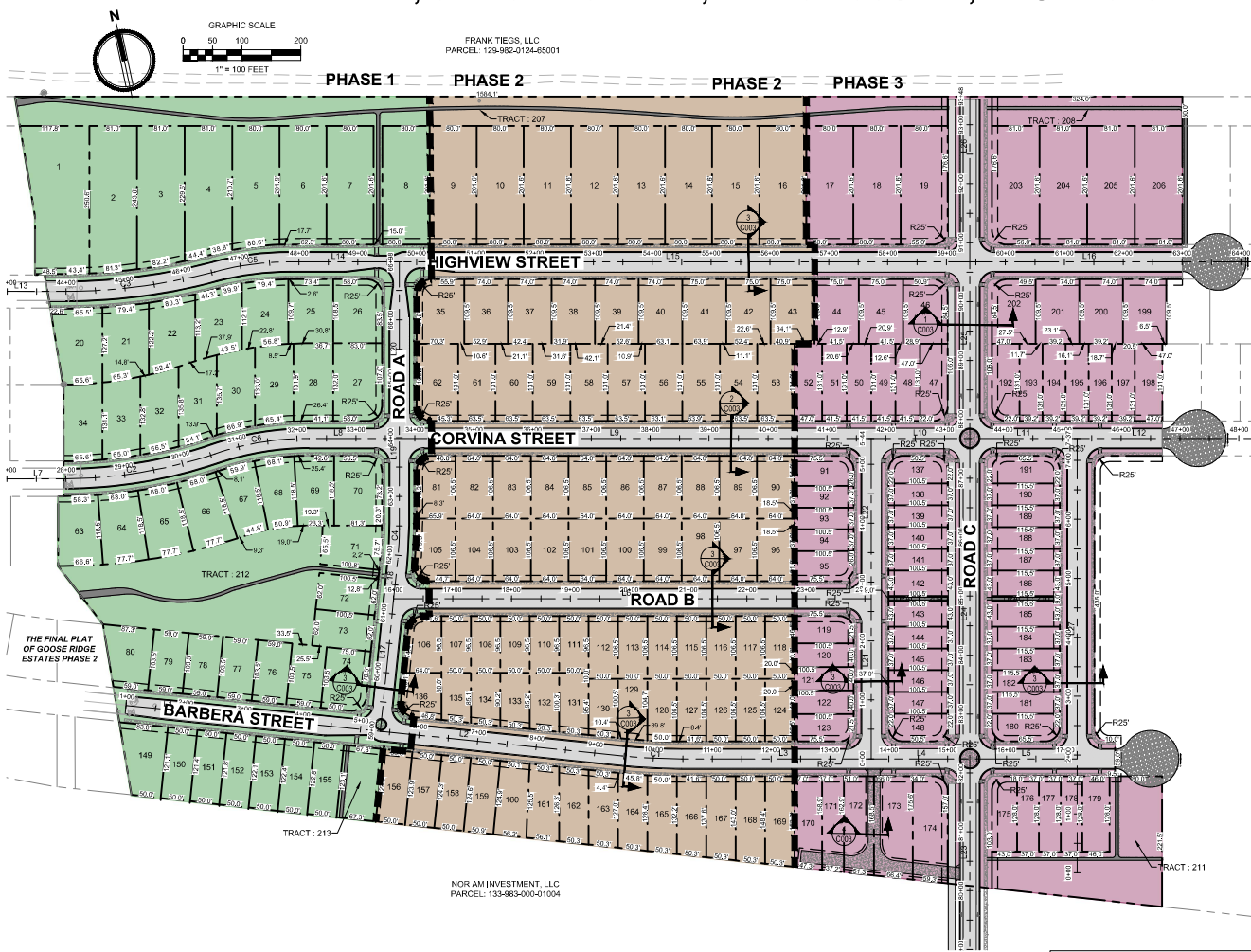
Know what's below.
Call before you dig.

C101
4 of 7 Sheets

CENTERLINE CURVE TABLE					
CURVE TAG	CHORD BEARING	CHORD LENGTH	RADIUS	START STATION	END STATION
C1	S75° 03' 08.41"E	101.20	1000.00	9+47.02	10+48.26
C2	S87° 17' 39.31"E	259.70	800.00	27+96.39	30+57.25
C3	S85° 22' 13.88"E	258.20	1000.00	43+98.15	46+55.07
C4	N14° 58' 50.59"E	50.60	500.00	61+95.10	62+45.72
C5	S85° 22' 13.84"E	126.10	500.00	46+55.07	47+94.53
C6	S87° 17' 39.31"E	162.31	500.00	30+57.25	32+20.29

CENTERLINE LINE TABLE				
LINE TAG	BEARING	DISTANCE	START STATION	END STATION
L1	S72° 09' 08.16"E	433.83	1+00.00	5+33.83
L2	S72° 09' 08.16"E	413.19	5+33.83	9+47.02
L3	S77° 57' 10.66"E	321.59	10+48.26	13+69.86
L4	S77° 57' 10.66"E	167.50	13+69.86	15+37.36
L5	S77° 57' 10.66"E	182.50	15+37.36	17+19.86
L6	S77° 57' 10.66"E	810.86	16+00.00	24+10.86
L7	S77° 57' 10.66"E	96.39	27+00.00	27+96.39
L8	S77° 57' 10.66"E	153.58	32+20.29	33+73.86
L9	S77° 57' 10.66"E	801.35	33+73.86	41+75.21
L10	S77° 57' 10.66"E	167.50	41+75.21	43+42.71
L11	S77° 57' 10.66"E	182.50	43+42.71	45+25.21
L12	S77° 57' 10.66"E	329.24	45+25.21	48+54.45
L13	S77° 57' 10.66"E	96.15	43+00.00	43+96.15
L14	S77° 57' 10.66"E	165.94	47+94.53	49+70.48
L15	S77° 57' 10.66"E	966.85	49+70.48	59+39.32
L16	S77° 57' 10.66"E	724.43	59+39.32	66+63.76
L17	N17° 50' 51.84"E	226.28	59+00.00	61+26.28
L18	N17° 50' 51.84"E	68.82	61+26.28	61+95.10
L19	N12° 02' 49.34"E	153.00	62+45.72	63+98.72
L20	N12° 02' 49.34"E	299.50	63+98.72	66+98.22
L21	N12° 02' 49.34"E	272.00	0+00.00	2+72.00
L22	N12° 02' 49.34"E	272.00	2+72.00	5+44.00
L23	N12° 02' 49.34"E	587.33	76+36.46	82+23.79
L24	N12° 02' 49.34"E	544.00	82+23.79	87+67.79
L25	N12° 02' 49.34"E	299.50	90+67.29	90+67.29
L26	N12° 02' 49.34"E	281.07	90+67.29	93+48.37
L27	N12° 02' 49.34"E	544.00	1+93.50	7+37.50

PHASING LEGEND			
PHASE	LOTS	UNITS	
1	48	48	
2	87	87	
3	71	71	



NOR AM INVESTMENT, LLC
PARCEL: 133-983-000-01004

GOOSE RIDGE ESTATES II

PORTIONS OF THE NW 1/4 OF SEC. 33, TWN. 09 N, RGE. 28 E, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

TRACT AREA TABLE		
TRACT #	AREA (SF)	USE
TRACT 207	82,020	OPEN SPACE / TRAIL
TRACT 208	16,200	OPEN SPACE / TRAIL
TRACT 209	904	OPEN SPACE / TRAIL
TRACT 210	1,040	OPEN SPACE / TRAIL
TRACT 211	33,990	OPEN SPACE / TRAIL / STORMWATER
TRACT 212	61,308	OPEN SPACE / TRAIL / STORMWATER
TRACT 213	8,305	OPEN SPACE / TRAIL / STORMWATER

LOT AREA TABLE	
PARCEL #	AREA (SF)
1	25,107
2	20,060
3	19,211
4	17,817
5	15,419
6	15,126
7	15,126
8	15,126
9	15,126
10	15,126
11	15,126
12	15,126
13	15,126
14	15,126
15	15,126
16	15,126
17	15,126
18	15,126
19	15,992
20	9,915
21	9,877
22	9,313
23	8,856
24	8,784
25	8,261
26	8,871
27	10,822
28	8,908
29	8,600
30	8,722
31	8,883
32	8,723
33	8,503
34	8,564
35	8,727

LOT AREA TABLE	
PARCEL #	AREA (SF)
36	8,103
37	8,103
38	8,103
39	8,103
40	8,103
41	8,212
42	8,212
43	8,212
44	8,212
45	8,212
46	8,180
47	6,023
48	5,436
49	5,436
50	5,436
51	5,437
52	6,157
53	8,318
54	8,318
55	8,374
56	8,263
57	8,318
58	8,318
59	8,318
60	8,318
61	8,318
62	9,062
63	8,547
64	8,636
65	8,636
66	8,636
67	7,239
68	7,049
69	7,680
70	9,522

LOT AREA TABLE	
PARCEL #	AREA (SF)
71	7,106
72	6,231
73	6,231
74	7,529
75	6,107
76	6,106
77	6,107
78	6,107
79	6,107
80	7,569
81	6,879
82	6,816
83	6,816
84	6,816
85	6,816
86	6,816
87	6,816
88	6,816
89	6,816
90	6,816
91	4,991
92	3,718
93	3,718
94	3,718
95	4,991
96	6,816
97	6,816
98	6,816
99	6,816
100	6,816
101	6,816
102	6,816
103	6,816
104	6,816
105	7,052

LOT AREA TABLE	
PARCEL #	AREA (SF)
106	5,599
107	4,825
108	4,825
109	4,825
110	4,825
111	4,825
112	5,325
113	5,325
114	5,325
115	5,325
116	5,325
117	5,325
118	5,325
119	4,539
120	4,020
121	4,020
122	4,020
123	4,539
124	5,325
125	5,325
126	5,325
127	5,325
128	5,291
129	5,140
130	4,897
131	5,143
132	4,889
133	4,635
134	4,381
135	4,127
136	5,051
137	4,455
138	3,719
139	3,719
140	3,718

LOT AREA TABLE	
PARCEL #	AREA (SF)
141	3,718
142	4,321
143	4,321
144	3,718
145	3,719
146	3,718
147	3,718
148	4,455
149	8,038
150	6,063
151	6,080
152	6,097
153	6,114
154	6,131
155	6,148
156	6,187
157	6,204
158	6,221
159	6,294
160	6,645
161	6,675
162	6,325
163	6,342
164	6,375
165	6,504
166	6,743
167	7,014
168	7,285
169	7,556
170	7,350
171	5,954
172	8,451
173	11,355
174	10,416
175	5,370

LOT AREA TABLE	
PARCEL #	AREA (SF)
176	4,736
177	4,736
178	4,736
179	5,888
180	5,160
181	4,273
182	4,273
183	4,274
184	4,274
185	4,967
186	4,967
187	4,274
188	4,273
189	4,274
190	4,274
191	5,160
192	6,023
193	5,135
194	5,135
195	5,135
196	5,135
197	5,135
198	6,157
199	8,103
200	8,103
201	8,103
202	8,025
203	16,193
204	16,327
205	16,327
206	16,327



Project Title:
**GOOSE RIDGE
ESTATES II**

Client:
**MONSON DEVELOPMENT
WASHINGTON, LLC**

ALEX RIETMANN
509-627-1618

Job No.
2200782.10

Issue Set & Date:
**PRELIMINARY PLAT
MINOR AMENDMENT**

02.04.2022



NOTICE
A portion of the recorded plat is subject to the provisions of the Benton County Ordinance No. 10, which requires the plat to be recorded in the Benton County Auditor's Office within 90 days of the date of recording. The plat is subject to the provisions of the Benton County Ordinance No. 10, which requires the plat to be recorded in the Benton County Auditor's Office within 90 days of the date of recording.



Revisions:

Sheet Title:
LOT TABLES

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

Sheet No.



Know what's below.
Call before you dig.

C102
5 of 7 Sheets

GOOSE RIDGE ESTATES II

PORTIONS OF THE NW 1/4 OF SEC. 33, TWN. 09 N, RGE. 28 E, W.M., CITY OF RICHLAND, BENTON COUNTY, WASHINGTON

GRADING NOTE

ROUGH FINISHED GRADE CONTOURS SHOWN FOR
PRELIMINARY PLATTING PURPOSES ONLY. GRADING &
DRAINAGE OF PHASED ENGINEERING PLANS MAY DIFFER
FROM THOSE SHOWN.



Project Title:
**GOOSE RIDGE
ESTATES II**

Client:
**MONSON DEVELOPMENT
WASHINGTON, LLC**

ALEX RIETMANN
509-627-1618

Job No.

2200782.10

Issue Set & Date:
**PRELIMINARY PLAT
MINOR AMENDMENT**

02.04.2022



NOTICE
A REVIEW OF THE PROJECT HAS BEEN MADE BY THE
BENTON COUNTY ENGINEER. THE REVIEW HAS DETERMINED
THAT THE PROJECT IS IN ACCORDANCE WITH THE
REQUIREMENTS OF THE BENTON COUNTY ENGINEERING
ACT AND THE BENTON COUNTY ENGINEERING REGULATIONS.
IT IS THE POLICY OF THE BENTON COUNTY ENGINEER
TO REVIEW ALL PROJECTS OF THE BENTON COUNTY ENGINEER.



Revisions:

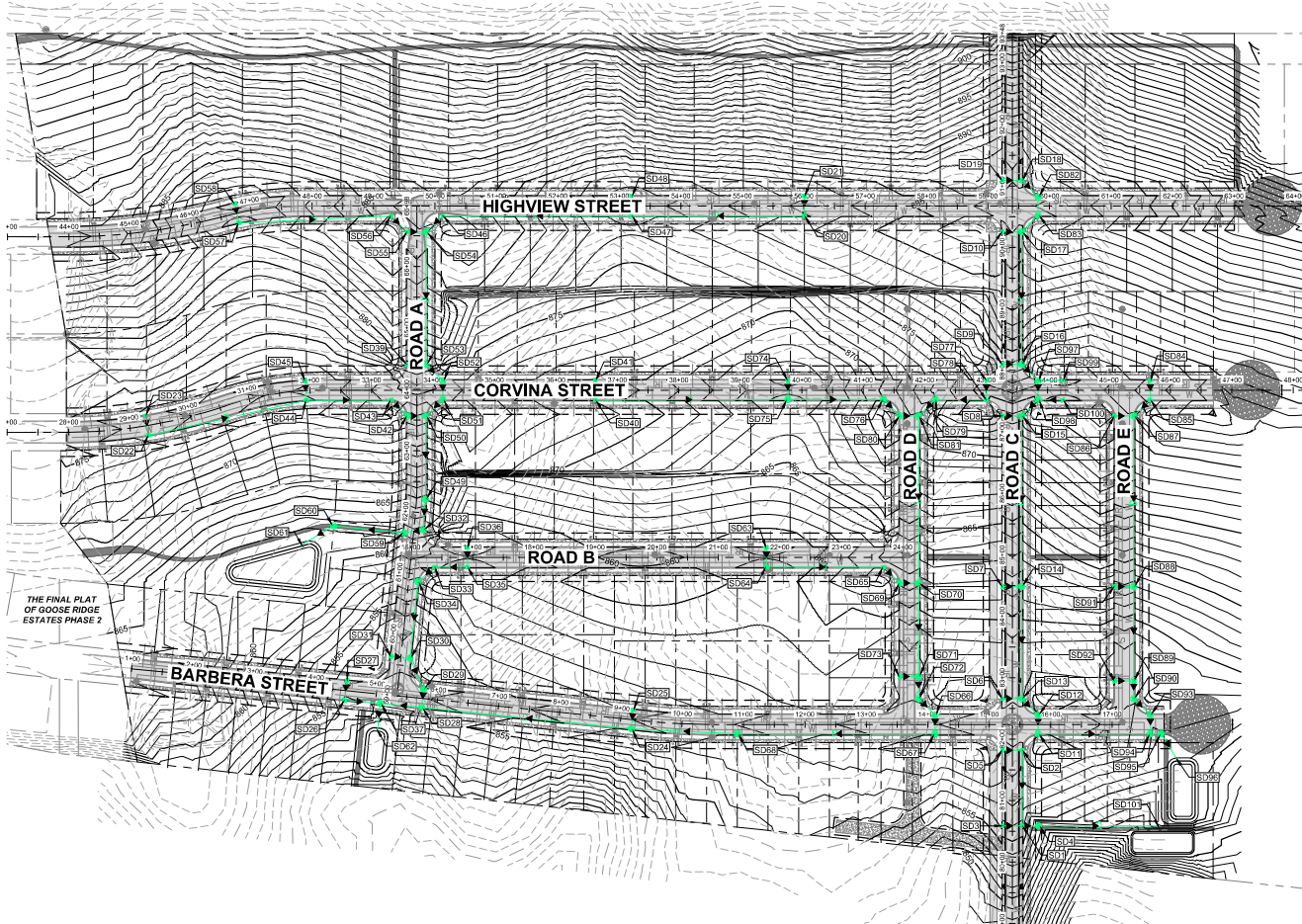
Sheet Title:
**GRADING &
DRAINAGE PLAN**

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

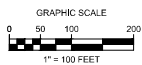
Sheet No.

C201

6 of 7 Sheets



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

Client:
**MONSON DEVELOPMENT
WASHINGTON, LLC**

ALEX RIETMANN
509-627-1618

Job No.

2200782.10

Issue Set & Date:
PRELIM

02.04.2022



02/09/2022

NOTICE
ALLEGATION OF THIS DOCUMENT SHALL INVALIDATE THE PROFESSIONAL SEAL AND SIGNATURE. PUBLICATION OF THIS DOCUMENT DOES NOT DEROGATE FROM RECEIVED OWNERSHIP 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, REPRODUCED, OR ADJUSTED TO PART PROJECT OR FOR ANY OTHER PROJECT.



Revisions:

Sheet Title:

UTILITY PLAN

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

Sheet No.

C301

7 of 7 Sheets

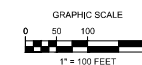


A diagram showing a circular wire loop. A north arrow, labeled 'N', points towards the center of the loop from the top-left. The loop is represented by two concentric circles with a shaded region between them.

GRAPHIC SCALE

0 50 100 200

1" = 100 FEET



5804 Road 90,
Suite H,
Pasco, WA 99301
509.380.5883 TEL
509.380.5885 FAX

GOOSE RIDGE ESTATES II

ROAD C / TROWBRIDGE EXTENSION

JOB NO.
2200782.10

DATE
2/1/2022

C001



Exhibit I2

Public Notices and Affidavits



CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING (SA2023-101)

Notice is hereby given that Alex Rietmann, on behalf of Goose Ridge Development Corporation has filed a Plat Amendment application request to increase the number of construction phases from three to five for the preliminary plat of Goose Ridge Estates II.

A public hearing on the proposed site plan review will be held before the Hearing Examiner on Monday, June 12, 2023 at 6:00 PM within the City Council Chambers located at 625 Swift Blvd. All interested parties are invited to attend and present testimony at the public hearing or via Zoom by visiting the City's website: www.ci.richland.wa.us.

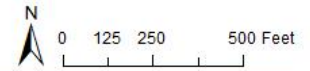
Environmental Review: The proposal is not subject to environmental review according to WAC 197- 11-904.

Public Comment: Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Kyle Hendricks, Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may be emailed to khendricks@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, June 2nd, 2023, 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 Sunday, June 11th, 2023; however verbal comments may be presented during the public hearing.

Appeal: The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration and Title 24 Plats and Subdivision. 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: Goose Ridge Estates II Plat Amendment
Applicant: Alex Rietmann
File #: SA2023-101



AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Jodi Hogan, 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 18th day of May, 2023, I mailed a copy of the attached NOTICE OF PUBLIC HEARING (SA2023-101 Goose Ridge Estates II) to the attached list of individuals via regular USPS on the date indicated above. The Richland Planning Commission will conduct a public hearing and review of the application on June 12, 2023.

Jodi Hogan
Signed: Jodi Hogan

SIGNED AND SWORN to before me this 18th day of May, 2023 by Jodi Hogan.

Carly Kirkpatrick
Notary Public in and for the State of Washington,



Carly Kirkpatrick
Print Name

Residing at Benton County

My appointment expires: Oct. 6, 2023

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Kyle Hendricks**, who, being first duly sworn upon oath deposes and says:

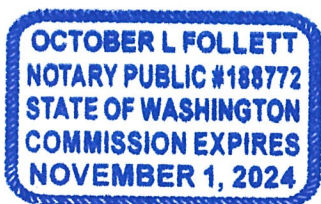
1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

2. On the 18th day of May, 2023, I posted the attached NOTICE OF PUBLIC HEARING, File Number SA2023-101 (Goose Ridge Estates II) in the following location:

Near the crosswalk ramp at the southeast corner of the Corvina Street and Estate Avenue intersection. (parcel # 1-33983000001003), Richland WA


Signed: Kyle Hendricks

SIGNED AND SWORN to before me this 18th day of May, 2023, by Kyle Hendricks.




Signature of Notary

October L. Follett
Printed Name

Notary Public in and for the State of Washington,
Residing in Benton County

My appointment expires: 11-1-2024



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	424273	Print Legal Ad-IPL01238770 - IPL0123877	HE PHN SA 2023-101	\$141.07	1	47 L

Attention: Jennifer Anderson

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

purchasing@ci.richland.wa.us

CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING

Notice is hereby given that Alex Rietmann, on behalf of Goose Ridge Development Corporation, has filed a Plat Amendment application request to increase the number of construction phases from three to five for the preliminary plat of Goose Ridge Estates II.

The Richland Hearing Examiner will conduct a public hearing on the proposed rezone on **Monday, June 12, 2023 at 6:00 p.m.** in the Richland City Council Chambers, 625 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing or visit the City of Richland's website at www.ci.richland.wa.us and join via Zoom.

Environmental Review: The proposal is not subject to environmental review according to WAC 197-11-904.

Any person desiring to express their views or be notified of any decision pertaining to this application should notify Kyle Hendricks, Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may be emailed to khendricks@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, June 2, 2023, 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 Sunday, June 11, 2023; however, verbal comments may be presented during the public hearing.
Date Published: Sunday, May 28, 2023
IPL0123877
May 28 2023

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Stefani Beard, 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 05/28/2023, and ending on 05/28/2023 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:
05/28/23

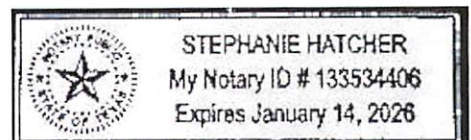
Stefani Beard

(Signature of Legals Clerk)

Sworn to and subscribed before me this 30th day of May in the year of 2023

Stephanie Hatcher

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!

SA 2023-101



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 6/12/2023

Agenda Category: New Business - Public Hearing

Prepared By: Matthew Howie, Senior Planner

Subject:

SA2023-102 2700 Allison Way - South Orchard Plat Amendment

Department:

Development Services

Recommended Motion:

Staff recommends approval of the request subject to conformance with the recommended conditions of approval, below, which are warranted because the project conforms to the City's adopted Comprehensive Plan, the Badger Mountain South Subarea Plan, the Badger Mountain South Master Agreement (including Exhibit C, or, the Land Use Development Regulations); and is consistent with the requirements of the City's subdivision regulations.

Summary:

Darrin Sweeney, applicant, on behalf of Badger Communities, LLC has submitted a Preliminary Plat Major Revision Application (*Exhibit 1*) for the development of an approximately 174.37-acre site, with 537 residential lots and 12 tracts for greenspace, walking trails and the like. The plat includes several residential blocks, civic/open-space, new roadways, and pedestrian trails. The South Orchard site spreads across four (4) parcels (APN 1-04882000006000, 1-04882000003000, 1-04882000004000, 1-04882000005000) north of Reata Road and west of Karlee Drive.

This item was previously the subject of two prior public hearings held before the Hearing Examiner on July 12, 2021 and November 17, 2021 as a part of the S2021-104 South Orchard Preliminary Plat and approved December 16, 2021. Concerns on the July 12, 2021 meeting were shared by Staff and the Examiner alike, that required traffic improvements had been triggered but the scope and design of those improvements were not yet understood. Preliminary work done prior to the November 17, 2021 meeting was substantial enough to warrant Approval with Conditions, including conditions regarding the future study and design of roadway improvements.

This Plat is now subject to a Major Amendment because applicant is requesting an increase in the number of developable residential lots beyond those originally proposed and approved in 2021.

Attachments:

1. SA2023-102 2700 Allison Way -Site Plan
2. SA2023-102 South Orchard Amendment Full Report

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA

LEGEND

	EXISTING	PROPOSED
CURB AND GUTTER		
CONCRETE		
ASPHALT		
GRAVEL		
RIPRAP		
PAINT STRIPING		
DIRECTIONAL ARROW		
SIGN		
CONTOURS		
WATER LINE		
FIRE HYDRANT		
WATER METER		
WATER VALVE		
IRRIGATION LINE		
IRRIGATION METER		
STORM LINE		
CATCH BASIN TYPE 1		
CATCH BASIN TYPE 2		
SANITARY SEWER LINE		
SANITARY SEWER FORCE MAIN		
SANITARY SEWER MANHOLE		
SANITARY SEWER CLEANOUT		
POWER OVERHEAD LINE		
POWER UNDERGROUND LINE		
POWER VAULTS		
UTILITY POLE		
FIBER LINE		
FIBER VAULT		
RIGHT-OF-WAY LINE		
PROPERTY LINE		
EASEMENT LINE		

CIVIL SHEET INDEX

1	OF 18	COVER SHEET
2	OF 18	ROAD SECTIONS
3	OF 18	ROAD SECTIONS
4	OF 18	LEGAL DESCRIPTIONS
5	OF 18	BMS DISTRICTS AND GREEN SPACE CALCS
6	OF 18	LOT LAYOUT
7	OF 18	LOT LAYOUT
8	OF 18	LOT LAYOUT
9	OF 18	LOT LAYOUT
10	OF 18	LOT TABLES
11	OF 18	GRADING AND DRAINAGE PLAN
12	OF 18	GRADING AND DRAINAGE PLAN
13	OF 18	GRADING AND DRAINAGE PLAN
14	OF 18	GRADING AND DRAINAGE PLAN
15	OF 18	UTILITY PLAN
16	OF 18	UTILITY PLAN
17	OF 18	UTILITY PLAN
18	OF 18	UTILITY PLAN

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, BARGHAUSEN CONSULTING ENGINEERS, INC. 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 DRAWINGS AS A RESULT.

PHASING LEGEND

PHASE	LOTS	UNITS	TRACTS
1	167	325	6
2	123	123	4
3	130	130	1
4	117	117	1

*DOES NOT INCLUDE PARCELS 104-884-0000-02001 AND 104-884-0000-02002

LAND USE TABLE

	ENTITLED	AMENDED
TOTAL SITE AREA	194.54 ACRES	174.37 ACRES**
TOTAL LOTS	475	549**
SINGLE FAMILY LOTS	471	535
MULTI-FAMILY LOTS	2	2
CIVIC LOTS	2	2***
TRACTS	29	12
MIN. SINGLE FAMILY LOT AREA	4,581 SF (LOT 118)	4,581 SF (LOT 118)
MAX SINGLE FAMILY LOT AREA	29,627 SF (LOT 167)	29,627 SF (LOT 167)
AVERAGE SINGLE FAMILY LOT AREA	9,177 SF	8,066 SF
PARK AREA (CIVIC)	286,505 SF	286,505 SF
SCHOOL AREA (CIVIC)	610,678 SF	597,465 SF
MULTI-FAMILY AREA	359,681 SF	356,956 SF
SINGLE-FAMILY AREA	4,315,286 SF	4,315,286 SF
TRACT AREA	30.59 ACRES	25.36 ACRES
ROW AREA	35.65 ACRES	41.75 ACRES
**DOES NOT INCLUDE PARCELS 104-884-0000-02001 AND 104-884-0000-02002		
***EXISTING CIVIC PARCELS 104-884-0000-02001 AND 104-884-0000-02002		

LUDR NOTES

- ALL RESIDENTIAL STRUCTURES LOCATED WITHIN THIS PLAT SHALL CONFORM TO THE BUILDING STANDARDS CONTAINED IN SECTIONS 2 AND 3 OF THE LAND USE AND DEVELOPMENT REGULATIONS FOR BADGER MOUNTAIN SOUTH COMMUNITY (LUDR).
- ALL RESIDENTIAL STRUCTURES LOCATED WITHIN THIS PLAT SHALL CONFORM TO THE SUSTAINABILITY STANDARDS CONTAINED IN SECTION 12 OF THE LUDR.
- THE LOT SIZES SHOWN DO NOT REFLECT THE ALLOWED MINIMUM OR MAXIMUM SIZES PERMITTED WITHIN BADGER MOUNTAIN SOUTH. SMALLER OR LARGER LOTS THAT MEET CODE MAY BE PRESENT AT THE TIME OF FINAL PLAT.
- ALL TRACTS SHOWN WILL BE OWNED AND MAINTAINED BY A HOMEOWNER'S ASSOCIATION INSTITUTED BY THE DEVELOPER AND SHALL CONFORM TO THE USES DESIGNATED AT THE TIME OF FINAL PLAT.

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.
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.

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'

CALL BEFORE YOU DIG:
1-800-424-5555 OR "811"

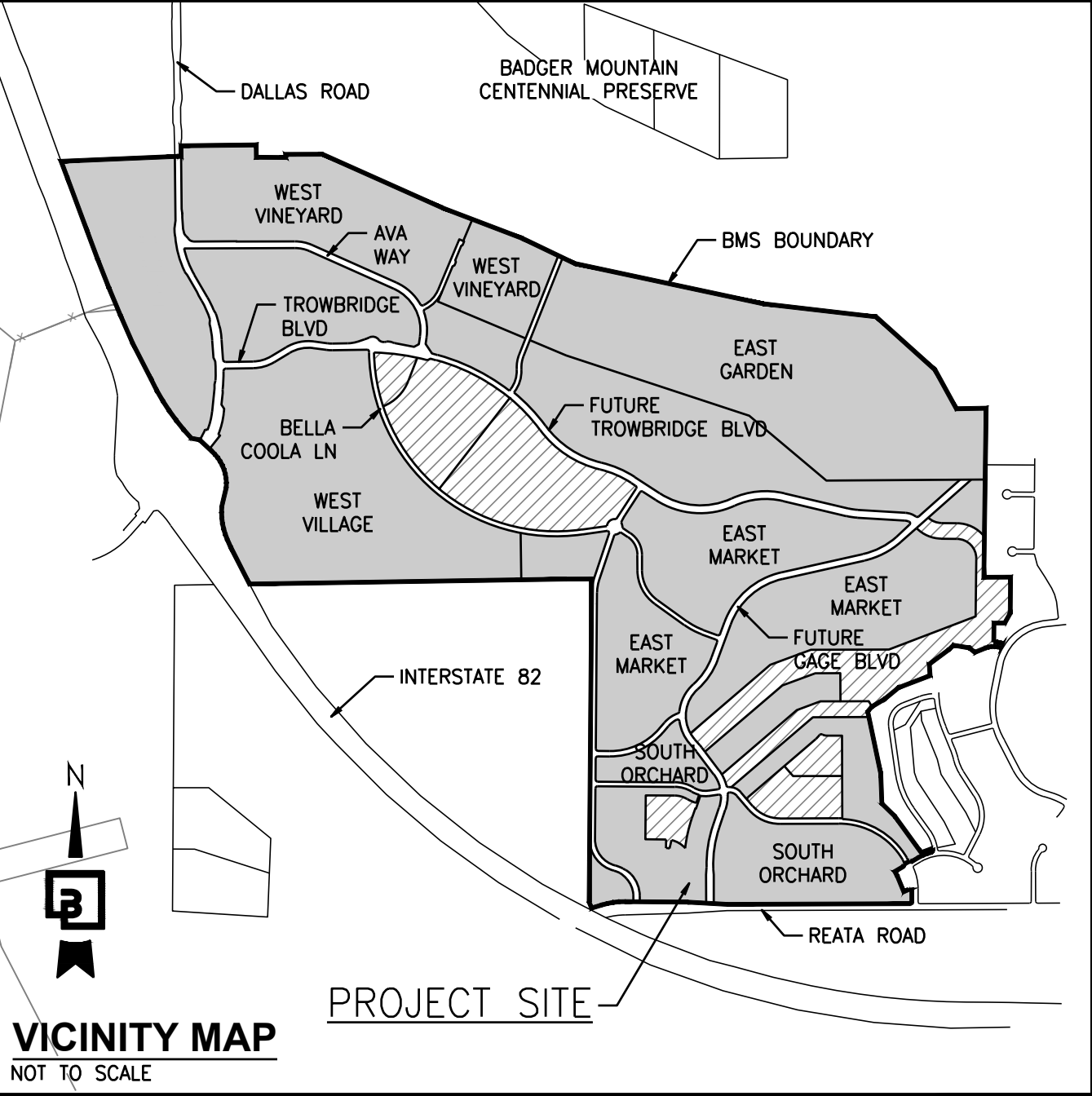
UTILITY CONFLICT NOTE

THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATIONS, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS NOR NOT BY POTHOLES THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE @ 1-800-424-5555 AND THEN POTHOLES ALL OF THE EXISTING UTILITIES AT LOCATION OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. LOCATIONS OF SAID UTILITIES AS SHOWN ON THESE PLANS ARE BASED UPON THE UNVERIFIED PUBLIC INFORMATION AND ARE SUBJECT TO VARIATION. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL CONSULT BARGHAUSEN CONSULTING ENGINEERS, INC. TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

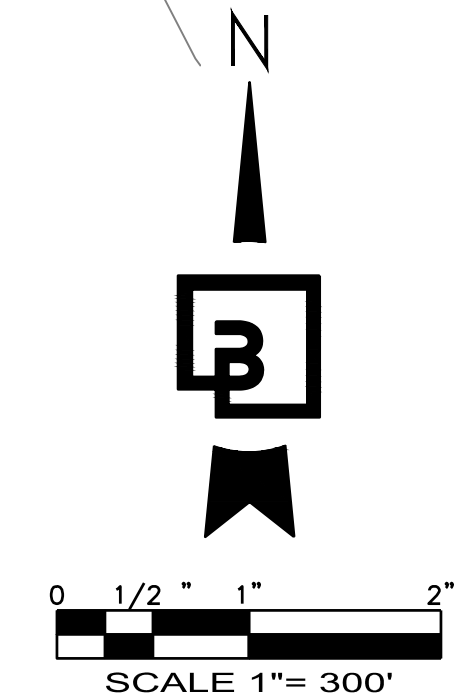
CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR OBTAINING PERMITS FROM THE WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES FOR REMOVING AND REPLACING ALL SURVEY MONUMENTATION THAT MAY BE AFFECTED BY CONSTRUCTION ACTIVITY, PURSUANT TO WAC 332-120. APPLICATIONS MUST BE COMPLETED BY A REGISTERED LAND SURVEYOR. APPLICATIONS FOR PERMITS TO REMOVE MONUMENTS MAY BE OBTAINED FROM THE WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES, OR BY CONTACTING THEIR OFFICE BY TELEPHONE AT (206) 902-1190.

WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES
PUBLIC LAND SURVEY OFFICE
1111 WASHINGTON STREET S.E.
P.O. BOX 47060
OLYMPIA, WASHINGTON 98504-7060

UPON COMPLETION OF CONSTRUCTION, ALL MONUMENTS DISPLACED, REMOVED OR DESTROYED SHALL BE REPLACED BY A REGISTERED LAND SURVEYOR AT THE COST AND AT THE DIRECTION OF THE CONTRACTOR, PURSUANT TO THESE REGULATIONS. THE APPROPRIATE FORMS FOR REPLACEMENT OF SAID MONUMENTATION SHALL ALSO BE THE RESPONSIBILITY OF THE CONTRACTOR.



VICINITY MAP
NOT TO SCALE



APPLICANT

BADGER COMMUNITIES, LLC.
P.O. BOX 1307
GIG HARBOR, WA 98335
(253) 677-3402
CONTACT: GEOFF CLARK

ENGINEER

BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 72ND AVE SOUTH
KENT, WA 98032
(425) 251-6222
CONTACT: CARA VISINTAINER, PE

LAND SURVEYOR

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

SITE ADDRESS

UNDETERMINED
RICHLAND, WA 99352

PARCEL NUMBER

104-882-0000-03000
104-882-0000-04000
104-882-0000-05000
104-882-0000-06000

UTILITIES

WATER: CITY OF RICHLAND
SEWER: CITY OF RICHLAND
IRRIGATION: BADGER MOUNTAIN IRRIGATION DISTRICT
TELEPHONE: CHARTER / ZIPLY
POWER: RICHLAND ENERGY SERVICES
GAS: CASCADE NATURAL GAS CORPORATION

Revision
No. Date By Cld. Appr.
Title:
COVER SHEET
FOR
BADGER MOUNTAIN SOUTH
SOUTH ORCHARD MAJOR AMENDMENT

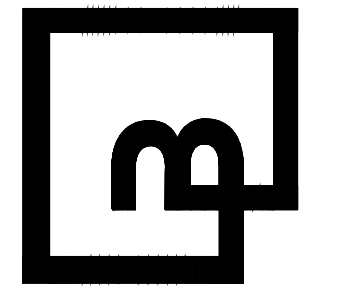
For:
BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



Scale:
Horizontal 1" = 300'
Vertical N/A

Designed KDM
Drawn KDM
Checked CW
Approved CW
Date 5/8/23

Barghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com



Job Number
22467.6
Sheet
1 of 18

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

GENERAL INFORMATION:

PROPOSAL NAME: South Orchard – Major Plat Amendment

LOCATION: 2700 Allison Way

APPLICANT: Darrin Sweeney (applicant) on behalf of Badger Communities, LLC (property owner).

PROPERTY OWNER: Badger Communities, LLC

FILE NO.: SA2023-102

DESCRIPTION: Request to amend prior preliminary plat (S2021-104 475 lots on 194.5 acres) to now place 535, single-family residential lots, 2 multi-family lots, and 12 public amenity tracts on 174.37 acres.

PROJECT TYPE: Type III Preliminary Plat Major Amendment

HEARING DATE: June 12, 2023

REPORT BY: Matthew Howie, Senior Planner

RECOMMENDED ACTION: Approval subject to completion of proposed conditions



Figure 1 – Proposal Overview
(S2021-104 Above, SA2023-102, Below)

Vicinity Map

Item: 2700 Allison Way - South Orchard Major Plat Amendment
Applicant: Derrin Sweeney
File #: SA2023-102



Figure 2 – Vicinity Map

PROJECT DATA

Gross Plat Area:	174.37 acres
Net Planning Area:	132.62 acres
Number of Lots:	549 lots
Land for Streets/Other:	41.75 acres
Gross Density:	3 units/acre
Net Density:	4 units/acre

DESCRIPTION OF PROPOSAL

Darrin Sweeney, applicant, on behalf of Badger Communities, LLC has submitted a Preliminary Plat Major Revision Application (*Exhibit 1*) for the development of an approximately 174.37-acre site, with 537 residential lots and 12 tracts for greenspace, walking trails and the like. The plat includes several residential blocks, civic/open-space, new roadways, and pedestrian trails. *Figure 2* (above) shows the site within its larger context and *Figure 1* (previous page) shows the phasing of the project and plat layout for both the original, approved plat (S2021-104) and the current plat amendment proposal.

Phase 1 (in red) has already begun preliminary grading and other surface site improvements. It will continue as originally proposed in the approved S2021-104 preliminary plat for South Orchard with 325 lots. With this amendment the applicant is requesting an increase in the number of lots on Phases 2 (by 22 lots), 3 (by 29 lots), and 4 (by 13 lots).

The South Orchard site spreads across four (4) parcels (APN 1-04882000006000, 1-04882000003000, 1-04882000004000, 1-04882000005000) north of East Reata Road and west of Karlee Drive. The plats' location is applied with several (primarily residential) Badger Mountain South land use districts. Plat drawings (*Exhibit 1*) include plans detailing the contiguous network of public roadways and utilities serving the proposed lots.

Background

This item was previously the subject of two prior public hearings held before the City of Richland Hearing Examiner on July 12, 2021 and November 17, 2021. Based on the content of the initial July 2021 proposal, the Hearing Examiner remanded the application back to the applicant with a September 29, 2021 Remand Order. *Note, both hearings fell under the same master file number (S2021-104).* The Hearing Examiner's Remand Order focused on the interim status of a BMS-wide traffic impact analysis [TIA]. Because the TIA was not in its final form and not finally approved by the City, the Hearing Examiner was unable to assert that, as proposed, the preliminary plat was in the public interest in terms of transportation infrastructure improvements' mitigating for the impacts of South Orchard on the affected road network. Further, the Hearing Examiner concurred with Staff, finding that no underlying Badger Mountain South Land Use Development Regulations [LUDR] provisions were in place for lots exclusively accessed from private drives or alleys.

In response to the remand, the plat was revised, excluding those lots proposed to be accessed via private drive or alley. In doing so, the lot count was reduced by two. On the topic of the incomplete TIA, revised application materials included a memo from Transportation Engineering NorthWest [TENW] (author of the TIA) suggesting certain transportation improvements would be reasonable to mitigate traffic impacts of the South Orchard proposal. The information provided at that time was sufficiently robust for the Hearing Examiner to approve the preliminary plat with conditions (*Exhibit 3*).

REASON FOR REQUEST

Richland Municipal Code [RMC] Chapter 24.24.055(B)(2) requires that major amendments to preliminary plats are approved by the Hearing Examiner whenever any proposed amendment would result in increasing the number of lots in the subdivision beyond the number previously approved. RMC 24.24.055(C) describes the process to be followed by the Hearing Examiner and Staff regarding Major Plat Amendments:

If the subdivision administrator determines that the proposed amendment is major, the hearing examiner shall hold a public hearing on the proposed major

amendment in accordance with the requirements for preliminary plat approval found within this title; provided, however, that any public hearing on a proposed major amendment shall be limited to whether the proposed major amendment should or should not be approved. Within 30 days following receipt of the hearing examiner's written recommendation, the city council shall approve or disapprove any proposed major amendment and may make any modifications in the terms and conditions of the preliminary plat approval to the extent that they are reasonably related to the proposed amendment. If the applicant is unwilling to accept the proposed major amendment under the terms and conditions specified by the city council, the applicant may withdraw the proposed major amendment and develop the subdivision in accordance with the original preliminary plat approval (as it may have been previously amended).

Additional guidance, as it relates to plat review is below:

24.12.053 Preliminary plat – Required findings.

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

- A. The preliminary plat conforms to the requirements of this title;
- 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 that 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.

24.12.055 Preliminary plat – Hearing examiner consideration and action.

- A. The application for preliminary plat approval shall be approved, disapproved or returned to the applicant for modification or correction within 90 days of the date of acceptance.
- B. Hearing examiner approval of a preliminary plat shall not guarantee final approval of the plat or subdivision and shall not constitute an acceptance of the subdivision, but shall authorize the subdivider to proceed with the preparation of the final plat along the lines indicated in the preliminary plat.
- C. Approval of the preliminary plat shall be operative for five years from the date of approval by the hearing examiner during which time a final plat or plats may be submitted.
- D. The subdivision administrator may extend the approval period or may require that the preliminary plat must be resubmitted after the expiration of the approval period.

19.60.095 Required findings.

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:

- A. The development application is consistent with the adopted comprehensive plan and meets the requirements and intent of the Richland Municipal Code.
- B. Impacts of the development have been appropriately identified and mitigated under Chapter 22.09 RMC.
- C. The development application is beneficial to the public health, safety and welfare and is in the public interest.
- D. 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.
- E. 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.

Review Authority

RMC Section 19.20.030 designates the Hearing Examiner as the hearing body responsible for conducting the review of preliminary plat approval applications.

SITE DESCRIPTION & ADJACENT LAND USES

The South Orchard Preliminary Plat is comprised of four parcels totaling approximately 174.37-acres along the southerly edge of Richland's incorporated territory, generally in the southwest sector of the City, south of Badger Mountain.

The site consists of gently rolling hills that were under agricultural production until just recently. South Orchard abuts the existing single-family residential neighborhood of Sunshine Ridge to the east and is adjacent to City limits along the west plat boundary. *Note, since the 2021 preliminary plat approval, the City has taken over responsibility for the section of East Reata Road immediately south.*

Properties to the north and to the west are currently vacant. Parcels on the south side of East Reata Road (within Benton County) contain single-family homes, the Badger Mountain Irrigation District (BMID) office, and an electric sub-station. This segment of developed land narrowly separates East Reata Road from Interstate-82.

CURRENT LAND USE DESIGNATION AND USES:

North: BMS various land use designations, former farmland

East: BMS various land use designations, single-family residential

South: UGAR and RL-1, Benton County, single-family residential

West: RL-1, Benton County, farmland

COMPREHENSIVE PLAN

The City of Richland Comprehensive Plan designates this area as a part of the Badger Mountain South Subarea Plan and subject to the Badger Mountain South Master Agreement. The Agreement calls for the development of a master planned community known as Badger Mountain South for the development of a mixed-use, walkable, and sustainable community with up to 5,000 dwelling units. “Mixed-use” in this case is largely small lot residential in nature, with some multi-family, commercial, and office uses, with generous open spaces and extensive pedestrian trails alongside more traditional automobile infrastructure.

To achieve a more “unique” character within the Subarea Plan, the City partnered with Nor Am Investment, LLC on the Badger Mountain South Master Agreement. This agreement shapes land use via Exhibit C, or, the Land Use and Development Regulations [or LUDR]. Lastly, the City also adopted a Planned Action Ordinance (RMC 19.50.030) for the subarea based on a supplemental environmental impact statement (the 2010 Badger Mountain South Final Supplemental EIS [FSEIS]) which was prepared for the master planned community.

Note that the traditional distinction between Land Use and Zoning is not applicable. Instead, the Master Agreement has its own moniker, “Districts”, of which a number are represented here within South Orchard, including Neighborhood Edge [BMS-NE], Neighborhood General [BMS-NG], Neighborhood Collector [BMS-NC], Civic [BMS-Civic], and, the Special Designation “-P” Overlay District. See the BMS Land Use Map of the LUDR in *Figure 2*, along with District descriptions in *Figure 3* (both on Sheet 2-2), and, this proposal’s contemporary application of the District designations as appears in the *Exhibit 1* application materials in *Figure 4*.

2.B REGULATING PLAN FOR LAND USE AND URBAN FORM

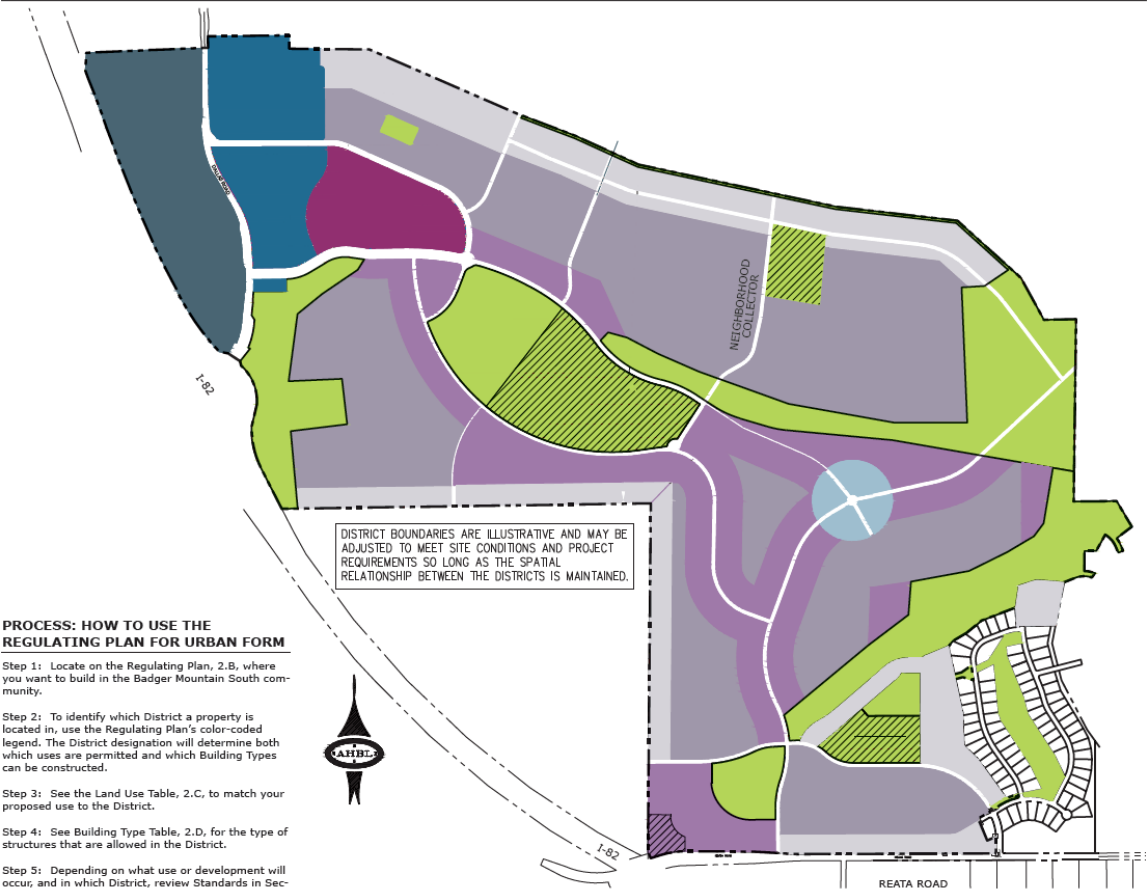


Figure 3 – BMS Land Use Map

Figure 5 – Site Plan

Applicable Goals & Policies

Provided below is a set of Comprehensive Plan goals & policies which are particularly applicable to the subject residential subdivision.

Land Use Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 2: Facilitate planned growth and infill developments within the City.

Land Use Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 3: Ensure that the intent of the land use and districts are maintained.

Land Use Goal 3: Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities.

Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

Provided below is a set of Badger Mountain South Subarea Plan goals & policies which are particularly applicable to the subject residential subdivision.

Comprehensive Plan Land Use Goal 5. The City will encourage efficient use and location of municipal and public facilities such as transportation centers, utility facilities, schools, parks and other public uses.

BMLU Policy 5.3 – Locate school facilities using sound urban design principles and work with the school districts to identify future school sites that are walkable.

Comprehensive Plan Urban Design Goal 1. The City will create a well-planned community with an aesthetically pleasing environment.

BMUD Policy 1.3 – Support the development of the Badger Mountain South area by encouraging a development pattern that resembles traditional neighborhood design.

LUDR Provisions

In lieu of the traditional development standards and special requirements associated with the City's zoning classifications, the LUDR has highly detailed (though often not sufficiently precise) Urban Form Standards within Section 3. For sake of brevity, Staff will not attempt to replicate those details here. However, see the following intent statements associated with the respective Districts represented within South Orchard.

Neighborhood Collector [BMS-NC]

The Neighborhood Collector [BMC-NC] District is found within each of the five residential neighborhoods that comprise Badger Mountain South. These Districts add diversity to the housing found in Badger Mountain South, complement future transit expansion, and provide opportunities to establish intergenerational neighborhoods. They are located primarily along Collector Streets and at the primary entrances to the neighborhoods as shown on the Regulating Plan in Section 2.B. The Neighborhood Collector District is primarily residential that provides a variety of housing. Mixed-Use and Live/Work Buildings in this District provide the flexibility for these areas to accommodate neighborhood-scale commercial uses that respond to the evolving

needs of the community as it grows. Stand-alone, smaller-scale Neighborhood Goods and Services Buildings that serve the needs of the residents, such as churches and day cares, are encouraged in this District (LUDR Section 3.C.B).

Neighborhood Collector [BMS-NC] with Special Designation “-P” Overlay District

The Neighborhood Collector [BMC-NC] District with Overlay is applied to the southwesterly-most corner of the South Orchard preliminary plat site. The LUDR land use table (LUDR Section 2.C) limits this zone to development with “storage” uses exclusively. The LUDR defines storage as “A building or facility that is designed to leave or place materials or other items in” (LUDR Sheet 14-4).

Neighborhood General [BMS-NG]

The Neighborhood General [BMC-NG] District comprises the majority the Badger Mountain South community. This District is primarily residential in character. A variety of housing options are provided to meet the needs of the community. The residents of these Districts are within walking distance of schools, parks, trails, and commercial centers supporting the vision of the community. Single-family houses are accommodated on a variety of lot sizes allowing a range of housing options from cottages to large, detached structures. Smaller scale Multi-family housing options such as Mansion Apartments, Duplexes and Courtyard Housing, are also accommodated when certain siting conditions are met. Additional housing units are permitted in this District through the use of Accessory Units (LUDR Section 3.D).

Neighborhood Edge [BMS-NE]

The Neighborhood Edge [BMC-NE] District is solely residential in character. The houses and lots in this District tend to be a larger scale than the Neighborhood General District. These Districts are typically located along the periphery of the community. Single-family houses and lots are provided in a range of sizes up to large custom homes on 1/4 to 1 acre lots. Houses are typically accessed by streets, on lots without Alleys. Lots are larger to accommodate front street access driveways. Setbacks are deeper to create a more verdant character (LUDR Section 3.E).

BMS Civic

Permitted land uses in the Civic District are limited public facilities (schools), public & private recreation and cultural facilities, places of worship, solar panel arrays, vineyards, telecommunication facilities and parking lots (LUDR Section 3.F).

The Land Use Table on LUDR Sheet 2-3 lists permitted uses in each BMS zone. Section 3 of the LUDR lists development standards including dimensional requirements such as minimum setbacks, to guide development in each District.

Figure 6 – LUDR Dimensional Standards

		BMS-NC	BMS-NG	BMS-NE	CIVIC
Front Build-to-Line	Minimum Maximum	10 feet 20 feet	10 feet 20 feet	15 feet 35 feet ³	None
Side Street Setback	Minimum	10 feet	10 feet	10 feet	None
Side Yard Setback	Minimum	5 feet ¹	5 feet ¹	6 feet	None
Rear Setback (w/o Alley)	Minimum	15 feet	15 feet	15 feet ⁴	None
Alley Setback	Minimum	4 feet or 16 feet min ²	4 feet or 16 feet min ²	4 feet or 16 feet min ²	None
Height	Maximum	35 feet	30 feet	30 feet	40 feet ⁵
Parking	Minimum	1 per unit 1 per 2 units for Senior/ Afford.	1 per unit 1 per 2 units for Senior/ Afford.	1 per unit	3 per 1,000 sf of GFA ⁵

1. Structures may be built with no setback on one side:
 - a. When having a shared common wall at the property line with each structure on an adjacent lot under separate fee ownership; and
 - b. When multiple successive structures on a block face are each placed on the lot with no setback on one side; in this case the other Side Yard setback will be 12 ft. min.
2. Alley setback is measured from edge of Alley easement. To ensure that parking locations off Alley are adequate, buildings shall either be placed at 4 ft. (no parking OR 16 ft. min. (parking).
3. Maximum setback does not apply to lots equal-to or greater than ¼ acre.
4. For lots in the BMS-NE District that border commercial orchards active at the time these development standards are adopted, no residential structures or swimming pools shall be located within 150 feet, measured from the rear property line, bordering such uses. If active agricultural uses cease, then this requirement shall no longer apply.
5. With caveats.

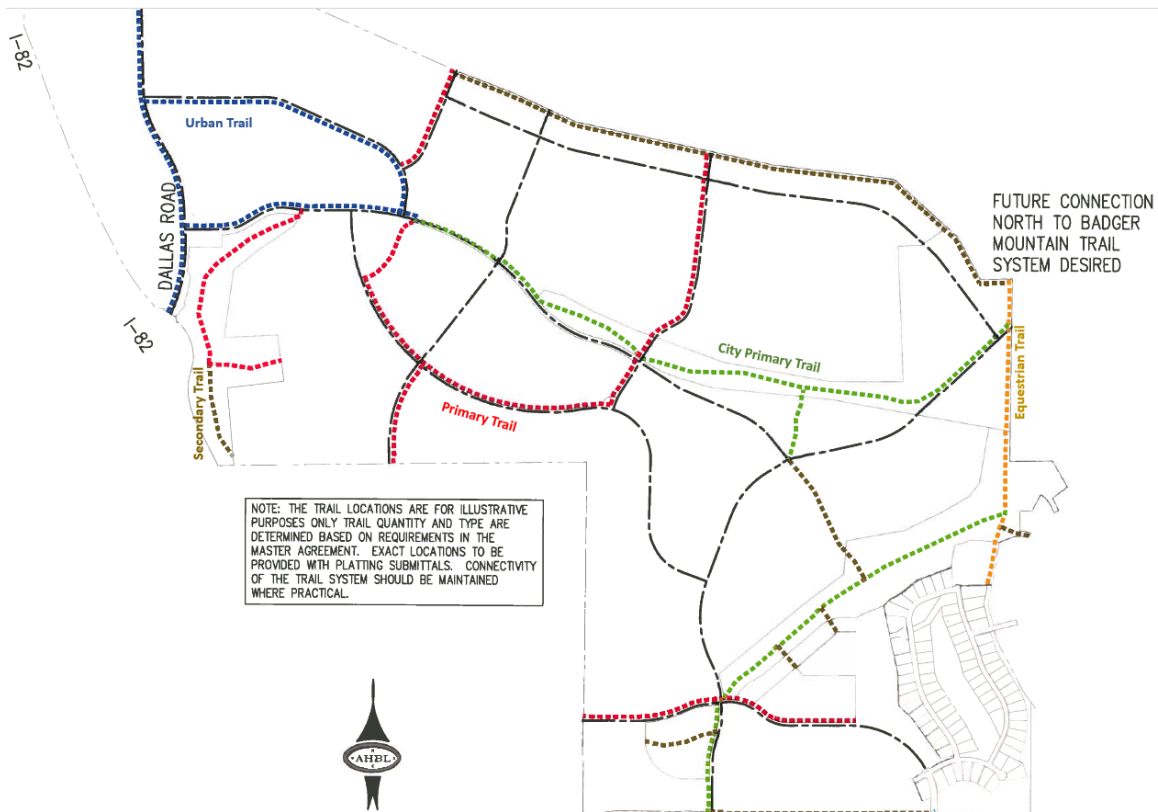


Figure 7 – BMS Master Agreement Trail Layout Plan

LUDR Trail Standards

The LUDR requires a connected system of pedestrian trails be placed throughout the master planned community. South Orchard proposes a total of 20,473 linear feet of such trails (*Exhibit 1*). The Master Agreement Consistency Recommendation [MACR] submitted for the initial preliminary plat application (S2021-104) indicated a Master Agreement credit of 17,497 linear feet of trails which translates to the availability of 1,094 residential units (*Exhibit 2*). Additional length of trails has now expanded the credit to some 1,121 units. Combined with the 441 residential units made available through the provision of 6.6 acres of parks, this plat is allotted a maximum of 1,562 residential units on a concurrency basis as established in the BMS Master Agreement. Sheet 5 of the included site plan (*Exhibit 1*) provides a detailed breakdown of each trail-type and their associated lengths, trail credits and parks credits. The design standards for trails are provided in Section 5.I of the LUDR. Page 4 of the 2021 MACR (*Exhibit 2*) outlines green infrastructure concurrency calculations in fulfilling the plats' obligation schedule. In this case, construction of the new trails fulfills the plats' green infrastructure obligations. The improvement schedule is likewise outlined in Exhibit D of the BMS master agreement.

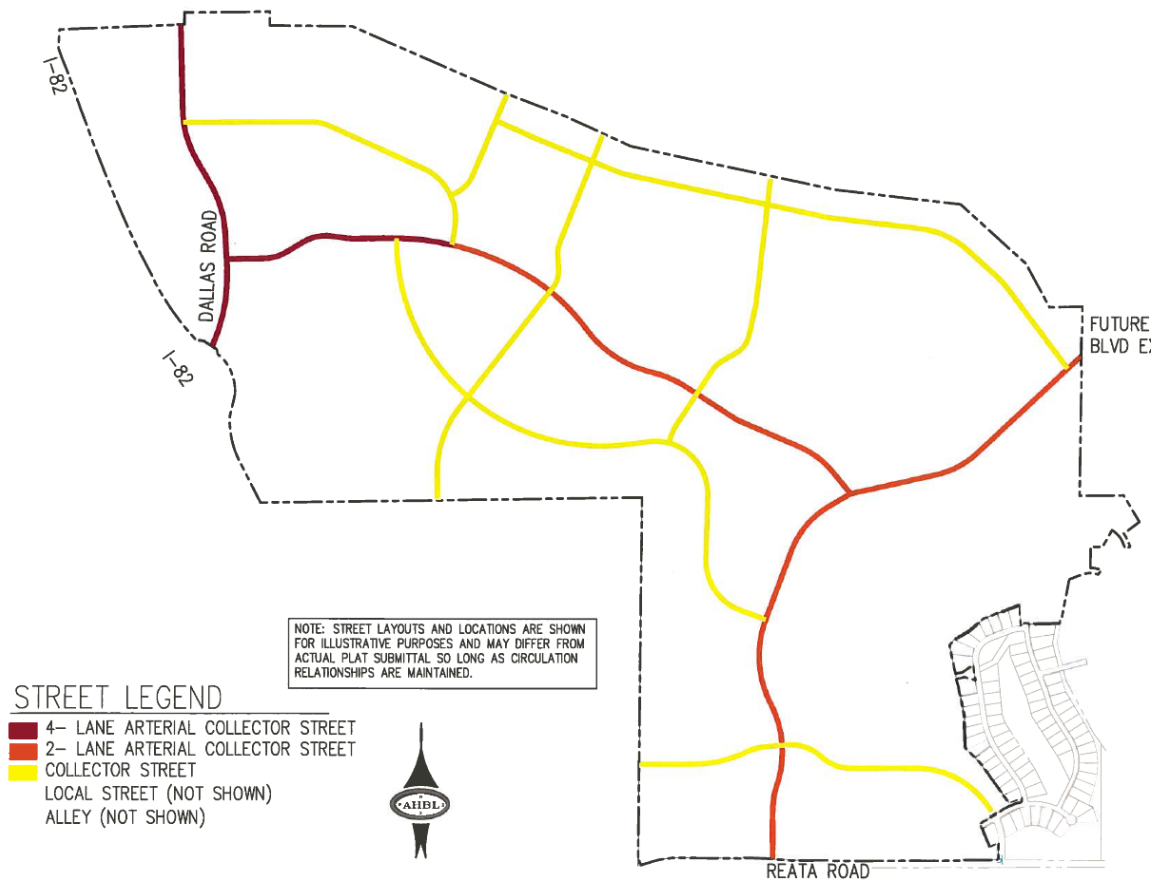


Figure 8 – Regulating Plan for Streets

LUDR Street Standards

The plat includes a planned half-mile segment of Gage Blvd which is planned to be a 2-lane arterial collector street. Eventually, Gage Blvd will extend from the southern boundary of the proposed plat at East Reata Road and continue northeast where it will connect to the preliminary plat of Sienna Hills. The segment in South Orchard will be the southernmost connection point at East Reata Road. In total, South Orchard proposes approximately 6 miles of new roadways.

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 South Orchard is approximately 985 feet. As allowed in Section 7.B.3 of the LUDR, portions of the site include non-orthogonal street networks in response to topographical and site constraints. Road "O" between intersections of Road "F" and Morningside Parkway has a length of 1,220 feet between roadways; however, one location along its length gives way for trail access to the Orchard Green open space. Considering the trail access to green space, school site, and park site, Planning Staff believe the block length is acceptable with proposed improvements.

The block on the south side of Alison Way between tract 251 and Morningside Parkway measures approximately 1,250 feet. Tract 548 (for landscape & trail) serves to interrupt this block. This method of reducing block length is acceptable and has been used in other BMS plats for the same purpose.

Density Requirements

The South Orchard project will result in 537 lots available for, but not exclusively limited to, residential development. Two of these lots are designated for multi-family development and twelve (12) parcels are designated for open space/civic land uses. Chapter 7.C of the LUDR establishes density targets for each of the neighborhoods within the Badger Mountain South community. The South Orchard site falls within the South Orchard neighborhood (page 7-3 of the LUDR) which sets a minimum target of 540 units and up to a maximum of 650 units with at least 10% of the areas designated as Neighborhood Collector to be used for multi-family developments or commercial space. In practice, the 10% standard was measured not by the number of lots assigned as single, or, multifamily, but instead on a per-unit basis. Applicant and Staff are aware of two prospective developers proposing no fewer than 160 multi-family residential units on the two proposed multifamily lots, which is well above 10% of the overall residential share required for the Neighborhood Collector area of South Orchard. If built-out as proposed, the 535 single-family homes along with 160 units in multi-family housing would bring the total number of units in South Orchard to 697, above the listed maximum density. However, the boundaries for this plat exceed (are larger than) those proposed originally in the LUDR. Some of this area was originally in the East Market community. Applicant notes that the LUDR (7.C, Note b.) does allow reapportionment of density. Staff believes the expansion of South Orchard beyond its original acreage in the LUDR justifies the 47-unit increase in housing unit density as proposed.

The 2021 MACR (*Exhibit 2*) indicates lots will be developed with a combination of single-family and multi-family residential homes. Page 4 of the 2021 MACR indicates a total of 631 residential units (RU) are anticipated. This figure falls well below the 1,121 residential units available on a concurrency basis. Pursuant to the LUDR Section 1.G(5), final plats must identify housing types allowed on each lot. Section 7.C of the LUDR sets an overall BMS-wide community goal of achieving a composition of 60 percent single-family housing and 40 percent multi-family housing. Currently, a majority of the developed BMS land area is comprised of single-family homes. Development of this plat will contribute toward meeting the stated 40 percent multi-family housing goal as allowed per BMS districting and lots in the Neighborhood Collector district within the current phase. An estimated 160 units are anticipated per the Badger Mountain South Master Plan Administrator [MPA]. Planning Staff and the MPA will need to periodically examine the single-family/multi-family development ratio based on permit-types, to ensure South Orchard achieves the 60/40 ratio.

Procedural Requirements

Section 1H of the LUDR together with RMC 19.50, requires that a Master Agreement Consistency Determination [MACD] be issued by the Planning Department for any

development proposal located within the Badger Mountain South Master Planned Community. This determination is made after consultation with the MPA. An updated Master Agreement Consistency Recommendation was included with this plat application (*Exhibit 1*). Staff has reviewed the current MACR (*Exhibit 1*) and has decided to issue a Master Agreement Consistency Determination (*Exhibit 4*) as justified through the application of recommended approval conditions.

UTILITY AVAILABILITY

There are existing domestic water, sewer, storm, irrigation, and electrical power line connections in place, available within existing rights-of-way near the site with adequate capacity to supply the proposed project.

Utility Map

Item: 2700 Allison Way - South Orchard Major Plat Amendment
Applicant: Derrin Sweeney
File #: SA2023-102

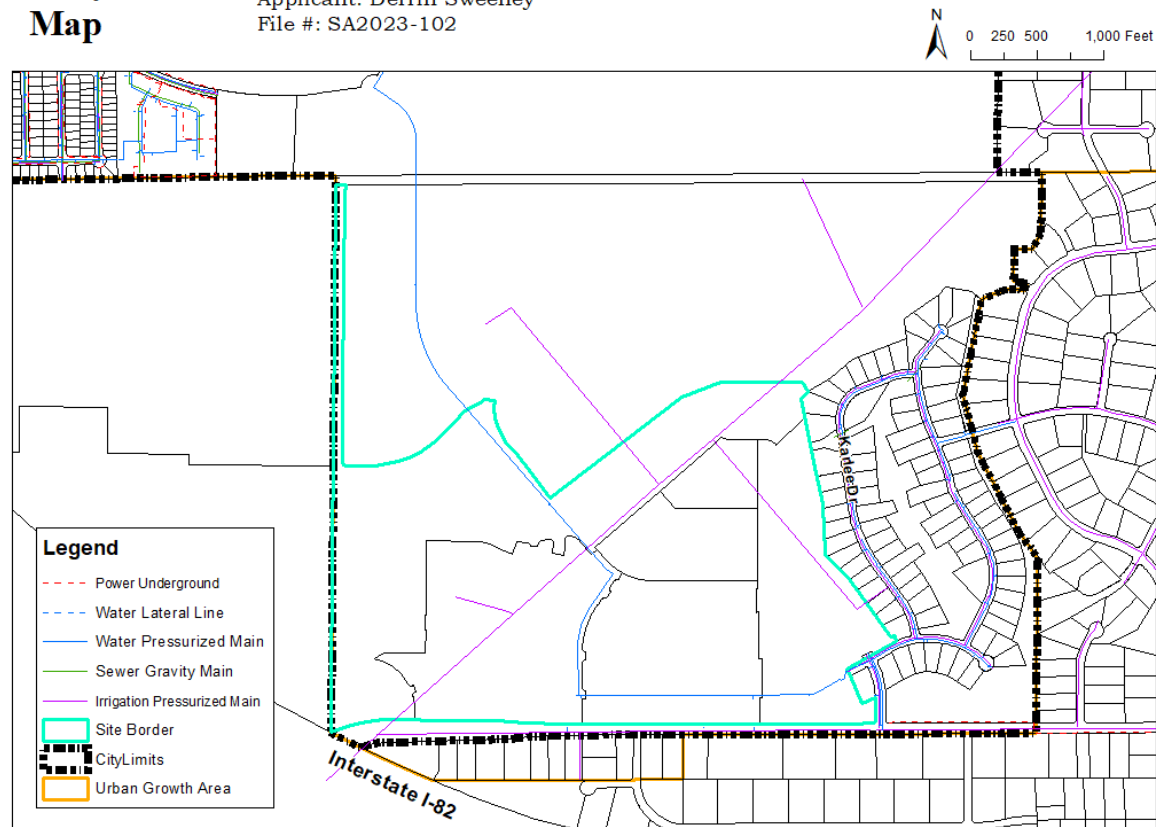


Figure 9 – Utilities Map

Sewer

Available City maps do not indicate the current presence of connected sewer service within the direct vicinity of the South Orchard plat, though the developer is required to connect to City service during construction. Staff does not doubt the applicant's commitment to connecting to City service. Connection can only proceed after the completion of a new sewer pump station and other Dallas Road improvements. Public

Works' Staff has an updated Subarea sewer service plan to reflect current design expectations.

Water

City maps do indicate the current presence of water mains within the South Orchard preliminary plat, including a 16-inch ductile iron distribution main under future Gage Blvd., Morningside Parkway and Road D connecting to a 12-inch PVC distribution main under Allison Way, ending at the intersection of Morningside Parkway and East Reata Road. This network will expand as development proceeds, as each house will not only require potable water for domestic consumption, but also to supply residential sprinkler systems. It will be the applicant's responsibility to ensure that waterflows and pressures are sufficient.

Power

The City has a 6" conduit with electrical service along East Reata Road to the immediate east of the Morningside Parkway intersection. Power supply will be available to the location to meet future demands. Development interests will be required to make necessary improvements to connect to surrounding network.

Stormwater

No stormwater improvements are currently in place or otherwise shown on City maps. That said, per state and local permits, the developer is responsible for retaining stormwater on site. The plat, as conditioned, will meet the various stormwater requirements applicable.

Irrigation

There is an existing 18-to-20-inch distribution main (with easement) operated by the Badger Mountain Irrigation District running under the future Road O right-of-way and straight in either direction at the termination of said road. Perpendicular to that alignment, two 10-inch distribution mains lead off from there, with one to the east connecting back to Karlee Drive while the other terminates some 1,700 feet to the west. Reference the pinkish lines in *Figure 9*. These were formerly a part of the irrigation for farming interests in the area. It is understood that connections to this system will be made for future residential use.

TRANSPORTATION & ACCESS

Initially, the plat will have four points of access; they are: 1) from the East Reata Road/Gage Blvd. intersection, 2) from Morningside Parkway at Allison Way, 3) the Road A/East Reata Road intersection, and 4) Road A from the north. As future plats are developed on land to the north, Gage Blvd. will eventually connect to Queensgate Drive/Bermuda Road which will accomplish the first City street connection between BMS and the existing neighborhoods in greater south Richland. Other roads in the plat will tie into the BMS road network, adding three other points of connection.

This area is largely characterized as single-family housing in transition from undeveloped and agricultural uses. As such, there are no significant nodes of employment or shopping amenities via suburban scale commercial, office or industrial

development within close proximity. That said, the City does have a pocket of anticipated neighborhood commercial some 2,000-feet to the north on Gage Blvd. This area already has a Badger Mountain South District designation of Village Mixed Use.

Sidewalks will be installed on streets in accordance with City and LUDR street improvement and street cross-section standards. Existing trails and on-street bicycle lanes are also designated by the LUDR and are appropriately provisioned throughout this current proposal. There are no nearby, current (nor proposed) Ben Franklin Transit bus routes.

Traffic Impact Analysis Update

As of May 26, 2023 City Staff have issued their proposed acceptance of the Traffic Impact Analysis [TIA] performed by Transportation Engineering NorthWest [TENW] the previous year (*Exhibit 6* and *Exhibit 7*, respectively). In a letter addressed to the applicant, Staff offer a few recommended changes to the 2022 TIA but otherwise accept the bulk of the analysis, conclusions, and mitigations. The original transportation study was commissioned along with the 2010 Badger Mountain South Final Supplemental EIS [FSEIS] and was subsequently adopted with the aforementioned Badger Mountain South Subarea Plan and approved BMS Master Agreement (2015).

The 2010 study only considered 11 off-site study intersections and 4 on-site study intersections only for the PM peak hour, whereas the 2022 TIA examined future traffic impacts on 26 off-site study intersections and 12 on-site study intersections, considering both AM *and* PM peak hours. All but three studied intersections currently meet the Level-of-Service [LOS] “D” standard with the exception of Dallas Road/I-82 Ramps and the Dallas Road/Arena Road westbound approach.

The 2022 TIA report and 2023 Staff letter agree that every additional 500 p.m. trip milestone reached by the ongoing BMS build-out will trigger a new traffic analysis to be completed. Staff’s recommendations propose improvements to lift certain conflict points above the minimum LOS “D” standard and reimburse more robust improvements to BMS developer, Nor Am. Likewise, the City plans to use the TIA analysis to update its own planning efforts in the area and notify all parties (to include Benton County, City of West Richland, and WSDOT) when new trip milestones are reached via tracking approved building permits. (Note that approved building permits, not approved lot subdivision is the means by which the City tracks p.m. peak trip hours.) Negotiations between Nor Am and the City are ongoing. Nor Am has through June 25, 2023 to respond to the City’s letter.

Staff has compiled the City’s recommended changes to the 2022 TIA as applicable to South Orchard intersections in *Figure 10*. Note at least three of these directly address this Plat (via recommended conditions) as being the trigger for improvements.

Figure 10 – TIA City Analysis

#	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
I	Gage Boulevard / Morningside Parkway	Two-way stop control - Morningside Parkway Approach	Single lane mini-roundabout	Per South Orchard plat conditions.
24	Morningside Parkway / East Reata Road	TIP/Frontage	Stop control on Morningside approach and TWLTL and right-turn lane onto Morningside.	3-lane design per design standard for this road and EB right-turn lane per WSDOT guidance.
25	Gage Boulevard / East Reata Road	TIP/Frontage	Roundabout - single lane	Per South Orchard plat conditions, meets need for roundabout.
26	Unnamed N/S (aka Southgate) / East Reata Road	TIP/Frontage	Stop control on Unnamed N/S (Road A) approach and TWLTL and right-turn lane on East Reata.	Per South Orchard plat conditions.

Parking

Off-street parking requirements are determined by District-specific standards found within the Badger Mountain South Master Agreement, Exhibit C, also known as the Land Use Development Regulations, or, LUDR.

EASEMENTS

There are several easements currently encumbering the property. A few appear to be in place to reserve area for rights-of-way near East Reata Road, including Allison Way and Morningside Parkway. There is an easement associated with the 10-inch irrigation connection back to Karlee Drive as well. Finally, the “-P” special district has two easements, one for utilities and a second for a SEVA access. Developers will need to contemporize these easements going forward.

FIRE SAFETY

The City of Richland Fire Department will provide fire protection services to the subject property and resulting development. Currently, according to City maps, there are only two hydrants within the plat. One hydrant is along Allison Way in front of lot 431 and the other is inside of the Road D/Allison Way intersection, which will need to be repositioned for future build-out. This development is conditioned on the installation of a number of fire safety assets, including fire hydrants.

SCHOOLS

The plat falls within the boundaries of the Kennewick School District. The school district anticipates the siting of a future elementary school within the plat. Secondary education is anticipated to be placed immediately to the west of Road A in Benton County.

PARKS

There are at least 19.71 acres of planned park and open space, 20,473 linear feet of trails, and 5.66 acres of miscellaneous open space associated with this plat. Additionally, each home will contribute to the development of parks through payment of parks impact fees. Staff concludes park and park-related amenities satisfy the requirements of the various development standards applicable to South Orchard and the requirements of LUDR Section 1.F.1(c) also known as the “3-block proximity rule”.

SEPA

A Supplemental Final Environmental Impact Statement was completed for this site at the time the City adopted the subarea plan for the Badger Mountain South area in 2010. The property was annexed and the City adopted a Planned Action Ordinance (RMC 19.50). 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/process. 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 5*).

Critical Areas

Part of the subject site does lie within an existing, recognized 10-year Aquifer Recharge Area. This was within the scope of the original EIS performed for BMS and any impacts have since been accounted for. See 2010 Badger Mountain South Final Supplemental EIS [FSEIS], page 16.

Shoreline Master Program

The subject site lies outside of the jurisdiction of the Shoreline Master Program. This project will have no effect on shorelines of statewide significance. Shoreline permitting requirements are not applicable with this proposal.

AGENCY COMMENTS

A variety of public agencies and City departments were given an opportunity to comment on the proposal. Copies of all agency comments received by the City are included as *Exhibit 9*.

PUBLIC NOTICE

Application Date:

May 9, 2023

Notice of Hearing Mailed:

May 22, 2023

Notice of Hearing Posted:

May 22, 2023

Notice of Hearing Published:
Public Hearing:

May 28, 2023
June 12, 2023

A combined notice of application and SEPA Optional DNS determination 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*.

PUBLIC COMMENTS

At the time this report was prepared, the City has received public comment. In particular, neighbors are concerned about the scope of the future Gage/East Reata intersection. See *Exhibit 10* for the submitted comments.

ANALYSIS

The criteria for approval of a preliminary plat application (RMC 24.12.053) are reprinted here, with a summary of how the application complies with the requisite standard:

- A. *The preliminary plat conforms to the requirements of this title (RMC Title 24)*
- 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.
 - That said, the City's subdivision regulations set forth specific requirements for the filing of a plat application, giving public notice of the application, and requiring that the Hearing Examiner conduct a public hearing and make a final decision. These steps have and will be followed by City Staff.
 - Certain LUDR provisions can only be addressed at the time home 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 homes constructed within the plat will have to be provided with fire sprinkler systems; that home 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 and with the design requirements established within Sections 3 and 8 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 facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school;*
- Several parks and other recreational amenities will be developed within the project site.

- The plat will be served by City domestic water lines currently existing within the project site. Water lines shall have capacity to provide for the proposed project.
 - The plat will be served by City sanitary sewer service currently existing adjacent to the project site. Sewer lines shall have capacity to provide for the proposed project.
 - The plat will be served by Richland Energy Services currently existing adjacent to the project site. Electric service shall have capacity to provide for the proposed project.
 - The plat will be served by Badger Mountain Irrigation District. In the recent past, the district provided water to the agricultural uses on-site. Conversion of the property from agricultural to residential uses will not result in an increase in the amount of irrigation water usage.
 - The site is located within the Kennewick School District. The District owns property surrounded by the plat site, which it intends to develop with a future school.
 - The proposed plat proposes roughly 19.71 acres of open spaces and parks. Additionally, each home will contribute to development of parks through payment of parks impact fees.
 - 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 East Reata Road, Gage Blvd. and other new roadways coming in from the north. Richland's Comprehensive Plan indicates East Reata Road is classified as a major collector roadway in the Badger Mountain South community. All streets within the project will be public streets built to the standards identified in the proposed LUDR amendment.
 - The plat will create a segment of Gage Blvd. connecting to East Reata Road.
 - Roadways will also be developed within the plat with sidewalks built to LUDR standards. A contiguous sidewalk network throughout the Badger Mountain South area will contribute to recreational opportunities for residents. The LUDR regulations call for the payment of a park mitigation fee for each dwelling unit constructed within the plat.
 - 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.
- 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 and Badger Mountain South Subarea Plan, the Badger Mountain South Master Agreement (including Exhibit C, or, the LUDR), and City design and development regulations. It proposes, parks, trails, housing, and space for a new school, all greatly sought-after amenities (if not desperately needed)

in the area. As conditioned, the proposed project is in the best interest of the public for the reasons of expanding the City's utility and transportation network, enhancing transportation connectivity, increasing parks/open-spaces, providing place for expanded education services, and by contributing to meeting housing demands.

- 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:*
- a. The development application is consistent with the adopted comprehensive plan and meets the requirements and intent of the Richland Municipal Code..*
 - The proposal is generally consistent with the intent of the Comprehensive Plan, Badger Mountain South Subarea Plan, the Badger Mountain South Master Agreement, Exhibit C (or LUDR), and as conditioned will meet requirements of the Municipal Code as outlined above.
 - b. Impacts of the development have been appropriately identified and mitigated under RMC Chapter 22.09.*
 - The 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) adopted by the City in 2010, which is based on the Supplemental Final Environmental Impact Statement adopted in the Badger Mountain South Subarea Plan. The City intends to apply certain road improvement conditions to project approval.
 - c. 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, the Badger Mountain South Subarea Plan, the Badger Mountain South Master Agreement (including Exhibit C, Land Use Development Regulations [LUDR], and, customary City development regulations. It proposes not only to add much needed housing inventory but also educational and recreational amenities. It is considered by Staff to be beneficial to public health, safety and welfare and in the public interest. As mentioned above, Staff is recommending development requirements in the form of conditions, aimed at ensuring the development does not generate any significant impacts which would be detrimental to the peaceful enjoyment of existing land uses in the surrounding vicinity.
- E. *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 must follow the environmental mitigation as specified in the City's adopted Planned Action Ordinance. As such, the development is tasked with improving transportation facilities to prevent affected roadways from falling below a level of service D. The BMS Master Agreement, Exhibit B, lists a series of transportation-related improvements and study requirements and their associated triggers in terms of peak p.m. vehicle trip volumes. As previously discussed, Exhibit B is nearing a complete update following a 2022 Traffic Impact Analysis by Transportation Engineering NorthWest [TENW]. As discussed in *Transportation & Access*, the City has recently approved this TIA with a limited number of modifications. South Orchard preliminary plat conditions of approval borrow recommendations from said transportation improvements and are applied as recommended conditions of approval. Nor Am is currently reviewing City comments on the TIA. Public Works Staff are confident their recommended conditions of approval adequately mitigate the transportation impacts of the plat.
- F. *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 City Code, the Master Agreement, including the LUDR, and in the environmental mitigation conditions identified in the FSEIS, and, are directly related to the impacts of the proposed development.

FINDINGS, CONCLUSION, AND RECOMMENDATION:

Findings of Fact

1. The property owner in this matter is Badger Communities, LLC. The applicant and lead contact in this matter is Darrin Sweeney.
2. The proposal area is within the jurisdiction of the Richland Comprehensive Plan and the Badger Mountain South Subarea Plan. 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.
3. All proposed developments subject to the Badger Mountain LUDR regulations are required to be reviewed by the Badger Mountain South Master Plan Administrator [MPA]. 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.
4. The City has adopted a Planned Action Ordinance for the Badger Mountain South Master Planned Community.
5. The proposed plat lies within the South Orchard neighborhood area identified in section 7.D of the Badger Mountain South LUDR.
6. The project calls for the development of trails in a schedule which is consistent with the green infrastructure improvements called for in the Master Agreement between the City and Nor Am investment, LLC.

7. The proposed plat includes provisions for sidewalks and trails as set forth in the LUDR.
8. The proposed preliminary plat consists of a 174.37-acre site into 537 residential lots and twelve (12) tracts.
9. Improvements proposed to serve the preliminary plat will be consistent with the City's development standards by applying municipal code provisions.
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 preliminary plat of South Orchard was previously approved via S2021-104.
12. RMC 19.60.095(D) requires that development not lower the level of service standard for transportation facilities below a level of service D.
13. According to Richland Municipal Code (Chapter 22.12), the project is subject to payment of park mitigation fees, which will be used to fund future park improvements within the Badger Mountain South Master Planned Community.
14. The plat illustrates three park sites (Orchard Green) totaling 19.71 acres.
15. 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.
16. City Staff and other agencies reviewed the project and have recommended specific conditions of approval as listed in this report.
17. Section 24.12.053 of the RMC sets forth standards for review of preliminary plats that 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 that assure safe walking conditions for students who only walk to and from school.
18. The site is located within the Kennewick School District. The District owns property surrounded by the plat site, which it intends to develop with a future school.
19. The Badger Mountain Subarea Plan identifies sites for future public schools. This South Orchard plats amendment surrounds, but does not include, a future 14-acre school site currently the benefit of the Kennewick School District.
20. Pursuant to RCW 43.21C.440.3(b) a county, city, or town is not required to make a threshold determination and may not require additional environmental review, for a proposal that is determined to be consistent with the development or redevelopment described in the Planned Action Ordinance.
21. 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.
22. The Badger Mountain South Final Supplemental Environmental Impact Statement did not address potential impacts of the development on cultural/historic resources.

23. The subject site is within a 10-year Aquifer Recharge Area. Separate Critical Area requirements are not applicable with this proposal since it was within the scope of the FSEIS.
24. The subject site lies outside of the jurisdiction of the Shoreline Master Program. This project will have no effect on shorelines of statewide significance. Shoreline permitting requirements are not applicable with this proposal.
25. Both the MACR and the preliminary plat document indicate 20,473 linear feet of trails to be constructed.
26. The comment letter from the Washington State Department of Archaeology and Historic Preservation dated June 24, 2021 as included in the S2021-104 Staff Report, requested a professional archaeological survey be performed and the results thereof to be submitted to the Department for review prior to beginning ground-disturbing activities. The Hearing Examiner's December 16, 2021 Decision (*Exhibit 4*) Condition L chose to require an Inadvertent Discovery Plan. Staff would ask the Hearing Examiner to continue that Condition in the upcoming decision on this item, if approved.
27. The MPA issued a Master Agreement Consistency Recommendation [MACR] for the revised plat on May 8, 2023 (*Exhibit 1*).
28. Planning Staff issued a Master Agreement Consistency Recommendation [MACD] for the revised plat, on May 30, 2023 (*Exhibit 4*).
29. Planning Staff issued a Planned Action Consistency Determination [PACD] on May 30, 2023 (*Exhibit 5*).
30. The plat drawing does not represent transportation improvements required by the BMS Master Agreement nor those proposed in the traffic impact analysis by TENW and as contained in the traffic impact analysis letter and report (*Exhibit 6* and *Exhibit 7*). This discrepancy is addressed by way of recommended approval conditions.

Conclusions of Law

1. The proposed preliminary plat is consistent with the Badger Mountain South Subarea Plan 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 BMS master plan.
2. Pursuant to RMC Chapters 19.50, 22.09 and 22.10, the procedures required under the State Environmental Policy Act have been followed.
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 that 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 Critical Areas Ordinance are complete.
5. Recommended approval conditions ensure consistency with the provisions of RMC 19.60.095(D). Mitigating transportation improvements derived from the

2022 traffic impact analysis by TENW and as further recommended by Public Works Staff, are applied as approval conditions.

Recommendation

Staff has completed its review of a proposed major amendment for the South Orchard preliminary plat (SA2023-102) and recommends approval of the request subject to conformance with the recommended conditions of approval, below, which are warranted because the project shall conform to the City's adopted Comprehensive Plan, the Badger Mountain South Subarea Plan, the Badger Mountain South Master Agreement (including Exhibit C, or, the Land Use Development Regulations [LUDR]); and is consistent with the requirements of the City's subdivision regulations. City Staff has likewise issued a Planned Action Consistency Determination [PACD] and a Master Agreement Consistency Determination [MACD] for the plat, also subject to the recommended conditions of approval listed herein.

RECOMMENDED CONDITIONS OF APPROVAL

PUBLIC WORKS CONDITIONS

Pre-Plat Specific Conditions

1. The following street names have previously been approved for this preliminary plat, and should be reflected on the submitted pre-plat amendment:
 - "Road A" = Southgate Way
 - "Road B" = Tarragon Ave.
 - "Road F" = Sumac Ave.
 - "Road G" = Nuthatch St.
 - "Road I" = Scout St.
 - "Road J" = Boxberger St.
 - "Road K" – Stardust St.
 - "Road N" = Grapeview St.
 - "Road O" = Savanna St.
 - Proposed road names for Roads "L" and "M" need to be submitted for review.
2. If any of the tracts have the potential to one day become building lots, utility stubs should be provided to them to avoid the need to cut new streets.
3. Any future storm drainage tracts will be dedicated to the city for ownership. The "Tract Note" on sheet 5 of the pre-plat should be amended to include this.

General Conditions:

4. All final, approved plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically. Addendums are not allowed, all information shall be supplied in full size (and electronic) format. 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 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 final plat.

5. 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.
6. 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. Please visit the published fee schedule 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.
7. Public utility infrastructure located on private property will require recording of a City standard form easement prior to final acceptance of the infrastructure. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final platting. 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.
8. 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.
9. The contractor and developer 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.
10. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
11. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to installation or final platting.

Design Standards:

12. 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.
13. 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. SEVA 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.

14. **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) and 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:

- 15. The South Orchard preliminary plat is subject to the City's traffic impact fee program (RMC 12.03). The program includes street and intersection improvements sufficient to mitigate the off-site impacts of this project. The developer of this proposed project may receive credit for construction of the improvements listed in RMC 12.03.
- 16. The developer provided a Badger Mountain South Traffic Impact Analysis dated February 16, 2022 as required in Exhibit B, Section 5.3 of the Master Development Agreement. The City has accepted the analysis with City proposed changes and transmitted such to the developer. The developer has 30 days upon receipt to contest the proposed changes. If no rebuttal from the developer is received, the City considers the requirements in Exhibit B, Section 5.3 of the Master Development Agreement satisfied for this plat. Final plat approval will not be granted for the first phase of this project until the Badger Mountain South Traffic Impact Analysis is accepted by the Public Works Department.
- 17. This project will create impacts that shall be mitigated with the following improvements:

- A. The Gage Blvd./Reata Road intersection improvements shall include the construction of a roundabout designed for the 2040 anticipated full build-out traffic volumes. This intersection should be completed with the phase of construction that connects Gage Boulevard to Reata Road.
 - B. The Gage Blvd./Morningside Parkway intersection improvements shall include a roundabout or mini-roundabout to account for both on-site and planned off-site future peak traffic volumes related to development traffic from the west. These intersection improvements shall be completed along with the phase that constructs the Gage/Morningside intersection.
 - C. The Road A ("Southgate Way")/Reata Road intersection improvements shall include a westbound right turn lane from Reata onto Road A, and a southbound right turn lane from Road A onto Reata. These intersection improvements shall be completed along with the phase that constructs the Road A/Reata Road intersection.
 - D. The Morningside Parkway/Reata Road intersection improvements shall include a westbound right turn lane from Reata onto Morningside, an eastbound left turn lane from Reata onto Morningside, and a southbound right turn lane from Morningside onto Reata. These intersection improvements shall be completed along with the phase that completes the Morningside Parkway corridor.
 - E. Allison Way and Morningside Parkway shall have frontage improvements installed on these existing roadways beginning from Lot 431, proceeding around the corner to the intersection with Reata Road. The east side of Morningside Parkway shall also have frontage improvements installed from Reata Road to the SE corner of the intersection. Frontage improvements shall consist of curb & gutter, sidewalk (or separated pedestrian pathway), additional paving as needed, storm drainage facilities, and street lighting. Pedestrian connectivity is needed from the South Orchard plat to Reata Road.
18. The Gage Blvd./Road N ("Grapeview St.") intersection is anticipated as needing a roundabout when future development continues the extension of Gage Blvd. to the north. Adequate right-of-way shall be provided at this intersection for the anticipated roundabout.
19. The developer shall conduct a preliminary design of the horizontal and vertical alignment of Gage Blvd. and Road A ("Southgate Way") to a point at least 500-feet offsite to the north, or to its next northerly intersection, whichever is further, to confirm the most appropriate alignment. These designs shall be completed concurrent with phase 1.
20. Gage Blvd., Road A ("Southgate Way") and Road N ("Grapeview St.") will be classified as "Major Collectors". On-street parking and driveway accesses for single family lots will not be permitted onto Major Collector streets. Morningside Parkway will be classified as a Minor Collector.

21. A note will be included on the face of the final plat stating that no driveways will be allowed directly onto Reata Road with the exception of Lot 1. Proposed driveways from Lot 1 onto Reata Road will need to be approved by the City of Richland Traffic Engineer.
22. Lots fronting on Gage Blvd. shall take access from a rear alley easement. Single family residential driveway access to Gage Blvd. will not be permitted.
23. The City anticipates an update to the LUDR in the near future that will revise the standard street cross sections throughout Badger Mountain South. The developer is requested to consult with Public Works regarding the anticipated cross section changes and to utilize them in anticipation of the LUDR update being completed. Alternatively, this project shall utilize street cross section designs in the LUDR as it exists at the time of infrastructure permitting.
24. Benton County has transferred the Reata Road right of way adjacent to the South Orchard plat to the City's jurisdiction. The intersection designs and Reata Road widening shall be reviewed and approved by the City.
25. Traffic calming measures may be required, as approved by the Traffic Engineer.
26. The entire road section of Morningside Parkway shall be constructed full-width when the phase that constructs it adjacent to the vacant parcel is developed ("APN 1-0488-400-0002-001"). Sidewalks and street lights can be installed when that vacant parcel is developed.
27. A ten-foot public utility easement adjacent to the Reata Road frontage shall be provided on the face of the final plat.
28. 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, HOA tracts, etc.).
29. The developer and his engineer shall demonstrate on the construction plans that all future driveways, sidewalks and pedestrian ramps will meet City and ADA requirements, and also provide at least 5-feet of separation between driveway and/or pedestrian ramp transitions.
30. 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.

31. The vision-clearance triangle shall be shown on all corner lots (including access easements that serve multiple homes) on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in or within 500-feet of a curve, it will have to be evaluated per AASHTO guidelines. The assumed speeds for sight triangle evaluation are 35 mph for Major Collectors, 30 mph for Minor Collectors and 25 mph for local streets. This information shall be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
32. All private roads (alleys) shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
33. The proposed "alley" road section shall be a private access which is for the use and benefit of the homeowners that abut it, and are to be maintained by the adjacent property owners and/or the HOA. The City of Richland accepts no maintenance responsibility for these rear alley easements.
34. All intersections of private shared driveways and alleys with City streets shall be standard commercial driveway drops constructed to City standards.
35. Street signs indicating any restricted parking areas 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.
36. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements. Homes whose sole access is the proposed "rear alley" road section may have to place their garbage cans at locations acceptable to City solid waste collection vehicles.
37. 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:

38. Any grading operations that take place near or over the top of the existing domestic water main shall ensure that adequate cover remains over the water main so as to protect it from breakage or freezing. It shall be the responsibility of the developer to re-install any water mains that have too little (or too much) cover over them as a result of grading operations, or that will result in this water main being in a building lot. This water main needs to be within the roadway whenever possible. The existing main shall be exposed and surveyed at multiple locations as part of the grading permit application.

39. The proposed preliminary plat is located within the "Tapteal IV" water pressure zone. 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. The water system shall be sized to adequately supply domestic water and fire flows to the proposed development. These water mains shall be extended to the boundaries of the pre-plat.
40. If the homes within this preliminary plat are required to install residential fire sprinkler systems the sprinkler systems shall be the flow-through type in compliance with the City's cross connection control program.
41. The fire hydrant layout shall be approved by the City Fire Marshal.
42. 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:

43. It shall be the responsibility of the developer to extend a sewer main to this property to serve sanitary sewer at the time of plat construction.
44. This preliminary plat may receive City sanitary sewer service only after completion of a new sewer pump station and required improvements to the existing Dallas Road sewer pump station are completed. The developer shall complete the sewer system design and construction required to serve this project. If the developer constructs capacity beyond the needs of this project it will be eligible for a latecomer agreement per Richland Municipal Code.
45. 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.
46. Sanitary sewer shall be extended to the adjoining properties adjacent to the preliminary plat, where appropriate and where grade allows.

Storm Water:

47. 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.
48. 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.
49. 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.
50. 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").
51. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
52. 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.
53. 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.
 54. The amount of post-development storm runoff from the proposed site shall be in compliance with RMC Chapter 16.06.
 55. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat, where appropriate and where grade allows.
 56. 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.
 57. 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.

58. 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:

59. 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.
60. 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 final platting.
61. 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.
62. 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.
63. 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.

64. 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 proposed rear alley easements shall be private roadways which are for the use and benefit of the homeowners that abut said roads, and are to be maintained by the adjacent property owners or the HOA. The City of Richland accepts no maintenance responsibility for rear alley easements"*.
65. A note shall be added to the face of the plat that states: *"The private rear alley easements within this plat are fire lanes and parking is restricted. The required no-parking signs shall be installed by the developer where applicable."*
66. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the property owners to maintain.
67. A one-foot "No access / screening easement" will be required along the Reata Road, Gage Blvd., Grapeview St., and the Southgate Way Right of Ways.
68. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
69. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
70. Any restricted parking areas shall be indicated on the final plats.

PLANNING CONDITIONS

71. Ownership and maintenance of privately held open space/park, and other common areas should be included in specific covenants, conditions, and restrictions for the subdivision, sometimes called CC&Rs or CCRs.

EXHIBIT LIST

1. Application Materials
2. S2021-104 Master Agreement Consistency Recommendation [MACR]
3. S2021-104 Hearing Examiner Decision [Packet]
4. Master Agreement Consistency Determination [MACD]
5. Planned Action Consistency Determination [PACD]
6. Traffic Impact Analysis Letter
7. Traffic Impact Analysis Report
8. Public Notice and Affidavits
9. Agency Comments
10. Public Comments



Exhibit I

Application Materials



Plat Amendment Application

☒ Major

☐ Minor

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

PROPERTY OWNER INFORMATION

☒ Contact Person

Owner: **Badger Communities, LLC**

Address: **P.O. Box 1307, Gig Harbor, WA 98335**

Phone: **253-677-3402**

Email: **thefourcs@comcast.net**

APPLICANT/CONTRACTOR INFORMATION (if different)

☐ Contact Person

Company:

UBI#:

Contact:

Address:

Phone:

Email:

SURVEYOR INFORMATION

Contact: **Rogers Surveying, Inc.**

Address: **1455 Columbia Park Trail, Suite 201, Richland, WA 99352**

Phone: **509-783-4141**

Email: **ContactUs@rogerssurveying.com**

ENGINEER INFORMATION

Contact: **Barghuasen Consulting Engineers, Inc.**

Address: **18215 72nd Avenue South, Kent, WA 98032**

Phone: **425-251-6222**

Email: **cvisintainer@barghausen.com**

PROPERTY INFORMATION

Parcel #: **See Sheet 1 of the attached plat map**

Zoning: **Badger Mountain South Area**

Legal Description:

See Sheet 4 of the attached plat map

Preliminary Plat Name: **BMS-South Orchard**

☐ Changing

Gross Plat Acreage: **174.37**

Number of Lots: **549**

Smallest Lot Size: **4,581 sf**

Net Lot Area Acreage: **132.62**

Avg. Lot Size: **10,523 sf**

Largest Lot Size: **341,293 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

DESCRIPTION OF ALTERATION

Alterations are lot count with an increase of 64 lots (single family) from the previously entitled 471. Total lot count (including tract, multi-family, single family) is now 549.

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Refer to RMC 24.24.055

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: Darrin Sweeney

Applicant Signature: _____ Date _____

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA

LEGEND

	EXISTING	PROPOSED
CURB AND GUTTER		
CONCRETE		
ASPHALT		
GRAVEL		
RIPRAP		
PAINT STRIPING		
DIRECTIONAL ARROW		
SIGN		
CONTOURS		
WATER LINE		
FIRE HYDRANT		
WATER METER		
WATER VALVE		
IRRIGATION LINE		
IRRIGATION METER		
STORM LINE		
CATCH BASIN TYPE 1		
CATCH BASIN TYPE 2		
SANITARY SEWER LINE		
SANITARY SEWER FORCE MAIN		
SANITARY SEWER MANHOLE		
SANITARY SEWER CLEANOUT		
POWER OVERHEAD LINE		
POWER UNDERGROUND LINE		
POWER VAULTS		
UTILITY POLE		
FIBER LINE		
FIBER VAULT		
RIGHT-OF-WAY LINE		
PROPERTY LINE		
EASEMENT LINE		

CIVIL SHEET INDEX

1	OF 18	COVER SHEET
2	OF 18	ROAD SECTIONS
3	OF 18	ROAD SECTIONS
4	OF 18	LEGAL DESCRIPTIONS
5	OF 18	BMS DISTRICTS AND GREEN SPACE CALCS
6	OF 18	LOT LAYOUT
7	OF 18	LOT LAYOUT
8	OF 18	LOT LAYOUT
9	OF 18	LOT LAYOUT
10	OF 18	LOT TABLES
11	OF 18	GRADING AND DRAINAGE PLAN
12	OF 18	GRADING AND DRAINAGE PLAN
13	OF 18	GRADING AND DRAINAGE PLAN
14	OF 18	GRADING AND DRAINAGE PLAN
15	OF 18	UTILITY PLAN
16	OF 18	UTILITY PLAN
17	OF 18	UTILITY PLAN
18	OF 18	UTILITY PLAN

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, BARGHAUSEN CONSULTING ENGINEERS, INC. 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 DRAWINGS AS A RESULT.

PHASING LEGEND

PHASE	LOTS	UNITS	TRACTS
1	167	325	6
2	123	123	4
3	130	130	1
4	117	117	1

*DOES NOT INCLUDE PARCELS 104-884-0000-02001 AND 104-884-0000-02002

LAND USE TABLE

	ENTITLED	AMENDED
TOTAL SITE AREA	194.54 ACRES	174.37 ACRES**
TOTAL LOTS	475	549**
SINGLE FAMILY LOTS	471	535
MULTI-FAMILY LOTS	2	2
CIVIC LOTS	2	2***
TRACTS	29	12
MIN. SINGLE FAMILY LOT AREA	4,581 SF (LOT 118)	4,581 SF (LOT 118)
MAX SINGLE FAMILY LOT AREA	29,627 SF (LOT 167)	29,627 SF (LOT 167)
AVERAGE SINGLE FAMILY LOT AREA	9,177 SF	8,066 SF
PARK AREA (CIVIC)	286,505 SF	286,505 SF
SCHOOL AREA (CIVIC)	610,678 SF	597,465 SF
MULTI-FAMILY AREA	359,681 SF	356,956 SF
SINGLE-FAMILY AREA	4,315,286 SF	4,315,286 SF
TRACT AREA	30.59 ACRES	25.36 ACRES
ROW AREA	35.65 ACRES	41.75 ACRES
**DOES NOT INCLUDE PARCELS 104-884-0000-02001 AND 104-884-0000-02002		
***EXISTING CIVIC PARCELS 104-884-0000-02001 AND 104-884-0000-02002		

LUDR NOTES

- ALL RESIDENTIAL STRUCTURES LOCATED WITHIN THIS PLAT SHALL CONFORM TO THE BUILDING STANDARDS CONTAINED IN SECTIONS 2 AND 3 OF THE LAND USE AND DEVELOPMENT REGULATIONS FOR BADGER MOUNTAIN SOUTH COMMUNITY (LUDR).
- ALL RESIDENTIAL STRUCTURES LOCATED WITHIN THIS PLAT SHALL CONFORM TO THE SUSTAINABILITY STANDARDS CONTAINED IN SECTION 12 OF THE LUDR.
- THE LOT SIZES SHOWN DO NOT REFLECT THE ALLOWED MINIMUM OR MAXIMUM SIZES PERMITTED WITHIN BADGER MOUNTAIN SOUTH. SMALLER OR LARGER LOTS THAT MEET CODE MAY BE PRESENT AT THE TIME OF FINAL PLAT.
- ALL TRACTS SHOWN WILL BE OWNED AND MAINTAINED BY A HOMEOWNER'S ASSOCIATION INSTITUTED BY THE DEVELOPER AND SHALL CONFORM TO THE USES DESIGNATED AT THE TIME OF FINAL PLAT.

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.
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.

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'

CALL BEFORE YOU DIG:
1-800-424-5555 OR "811"

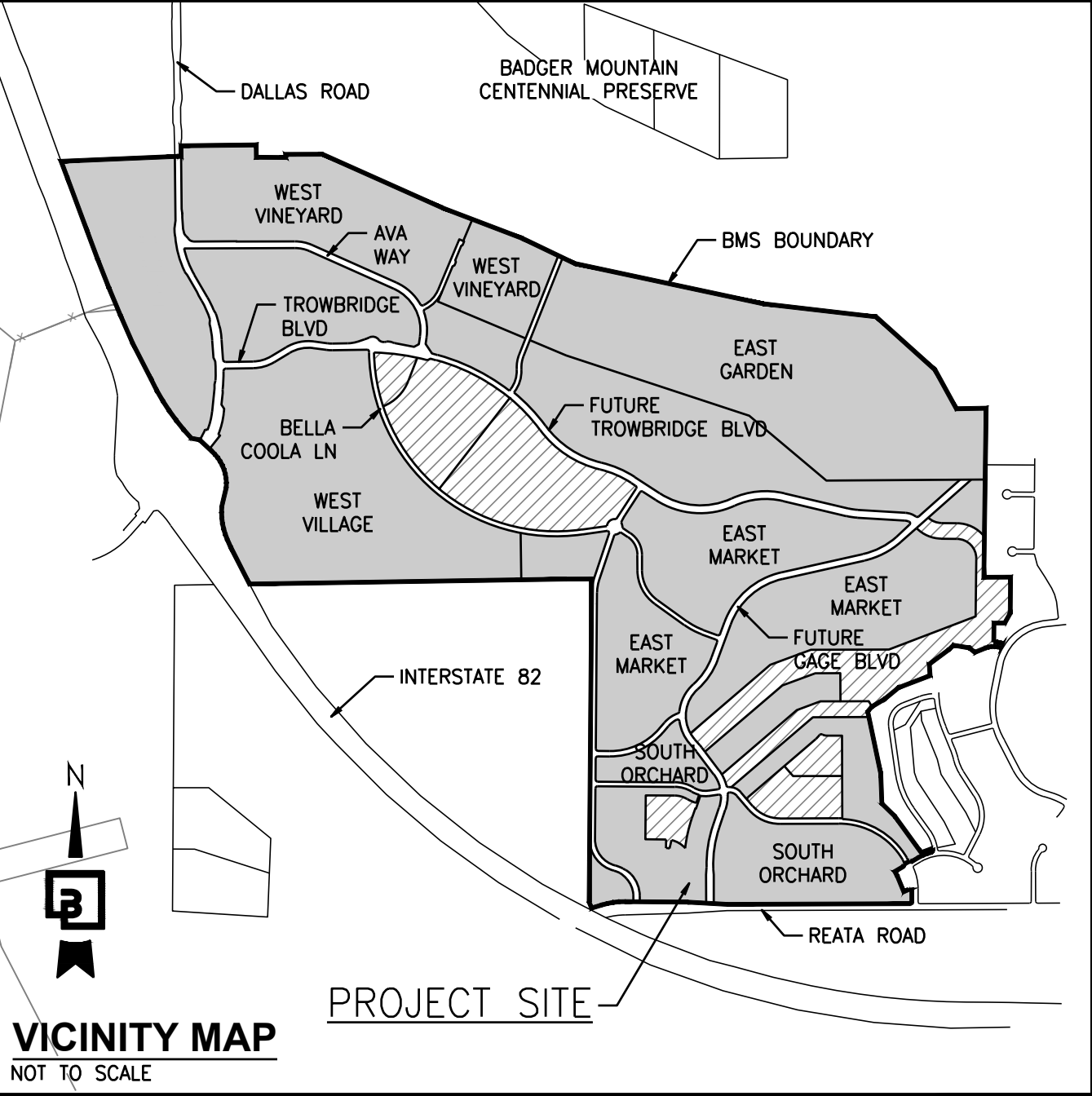
UTILITY CONFLICT NOTE

THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATIONS, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS NOR NOT BY POTHOLES THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE @ 1-800-424-5555 AND THEN POTHOLES ALL OF THE EXISTING UTILITIES AT LOCATION OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. LOCATIONS OF SAID UTILITIES AS SHOWN ON THESE PLANS ARE BASED UPON THE UNVERIFIED PUBLIC INFORMATION AND ARE SUBJECT TO VARIATION. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL CONSULT BARGHAUSEN CONSULTING ENGINEERS, INC. TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

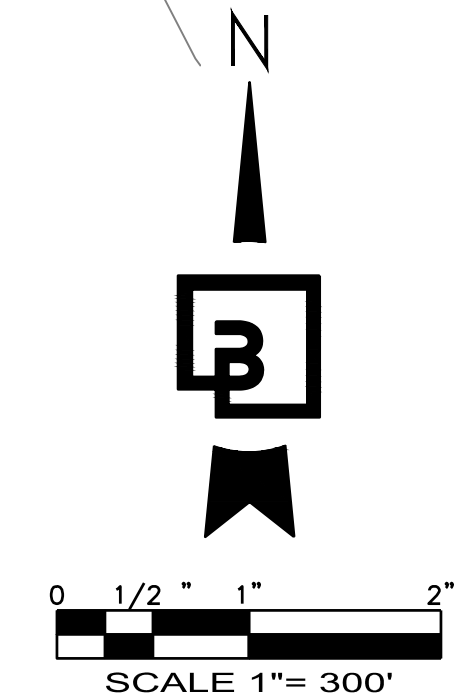
CONTRACTOR SHALL BE FULLY RESPONSIBLE FOR OBTAINING PERMITS FROM THE WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES FOR REMOVING AND REPLACING ALL SURVEY MONUMENTATION THAT MAY BE AFFECTED BY CONSTRUCTION ACTIVITY, PURSUANT TO WAC 332-120. APPLICATIONS MUST BE COMPLETED BY A REGISTERED LAND SURVEYOR. APPLICATIONS FOR PERMITS TO REMOVE MONUMENTS MAY BE OBTAINED FROM THE WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES, OR BY CONTACTING THEIR OFFICE BY TELEPHONE AT (206) 902-1190.

WASHINGTON STATE DEPARTMENT OF NATURAL RESOURCES
PUBLIC LAND SURVEY OFFICE
1111 WASHINGTON STREET S.E.
P.O. BOX 47060
OLYMPIA, WASHINGTON 98504-7060

UPON COMPLETION OF CONSTRUCTION, ALL MONUMENTS DISPLACED, REMOVED OR DESTROYED SHALL BE REPLACED BY A REGISTERED LAND SURVEYOR AT THE COST AND AT THE DIRECTION OF THE CONTRACTOR, PURSUANT TO THESE REGULATIONS. THE APPROPRIATE FORMS FOR REPLACEMENT OF SAID MONUMENTATION SHALL ALSO BE THE RESPONSIBILITY OF THE CONTRACTOR.



VICINITY MAP
NOT TO SCALE



APPLICANT

BADGER COMMUNITIES, LLC.
P.O. BOX 1307
GIG HARBOR, WA 98335
(253) 677-3402
CONTACT: GEOFF CLARK

ENGINEER

BARGHAUSEN CONSULTING ENGINEERS, INC.
18215 72ND AVE SOUTH
KENT, WA 98032
(425) 251-6222
CONTACT: CARA VISINTAINER, PE

LAND SURVEYOR

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

SITE ADDRESS

UNDETERMINED
RICHLAND, WA 99352

PARCEL NUMBER

104-882-0000-03000
104-882-0000-04000
104-882-0000-05000
104-882-0000-06000

UTILITIES

WATER: CITY OF RICHLAND
SEWER: CITY OF RICHLAND
IRRIGATION: BADGER MOUNTAIN IRRIGATION DISTRICT
TELEPHONE: CHARTER / ZIPLY
POWER: RICHLAND ENERGY SERVICES
GAS: CASCADE NATURAL GAS CORPORATION

Revision
No. Date By Cld. Appr.
Title:
COVER SHEET
FOR
BADGER MOUNTAIN SOUTH
SOUTH ORCHARD MAJOR AMENDMENT

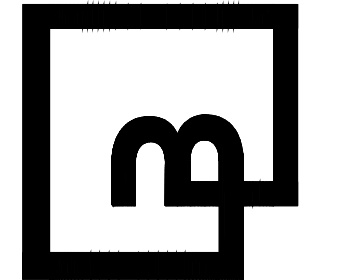
For:
BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



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Vertical N/A

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Drawn KDM
Checked CW
Approved CW
Date 5/8/23

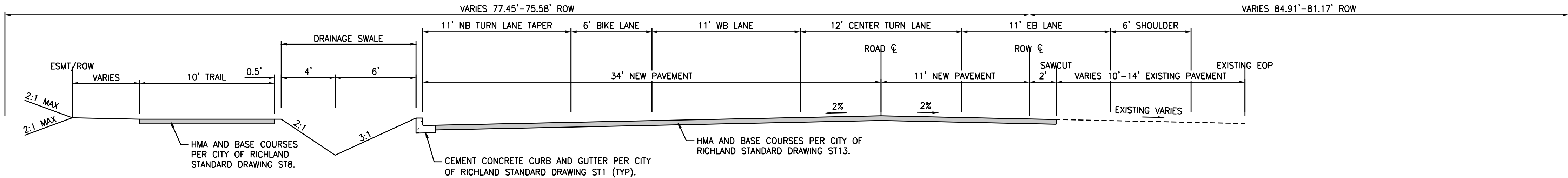
Barghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com



Job Number
22467.6
Sheet
1 of 18

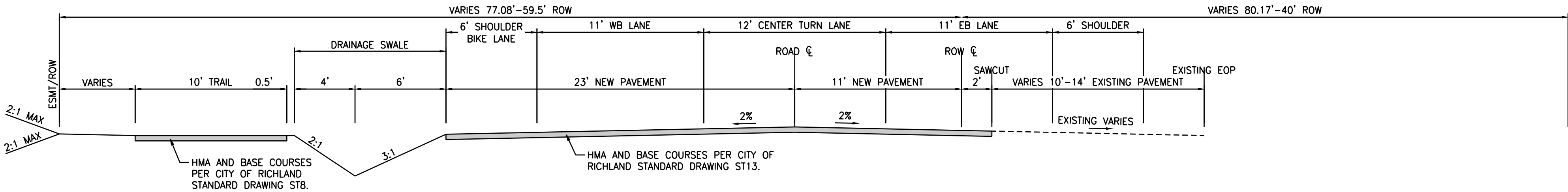
BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA



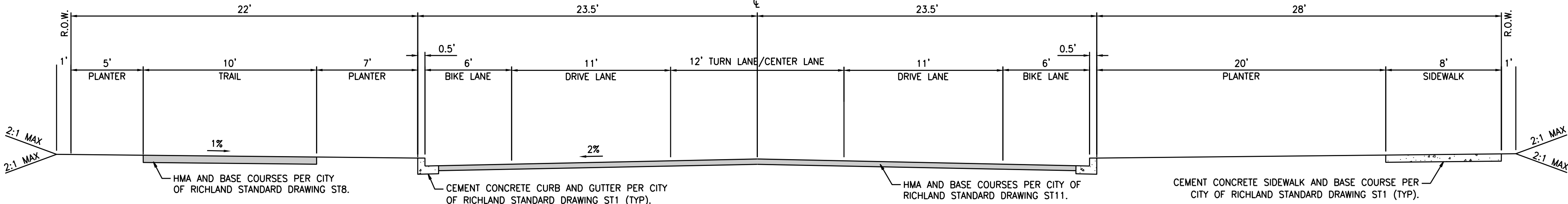
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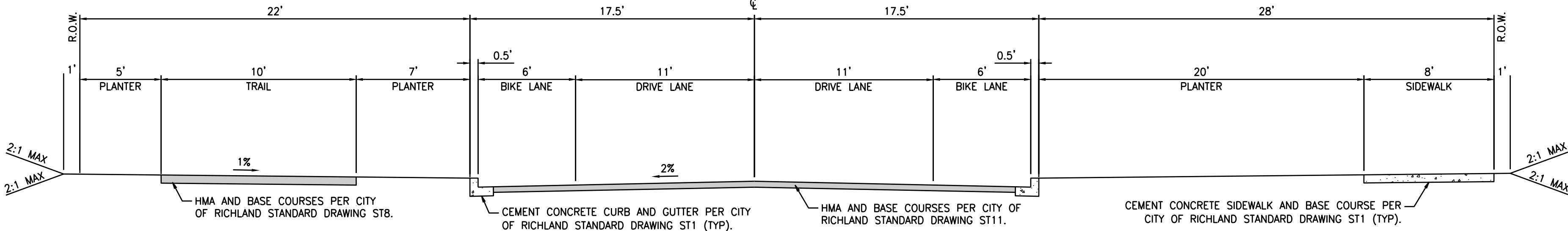
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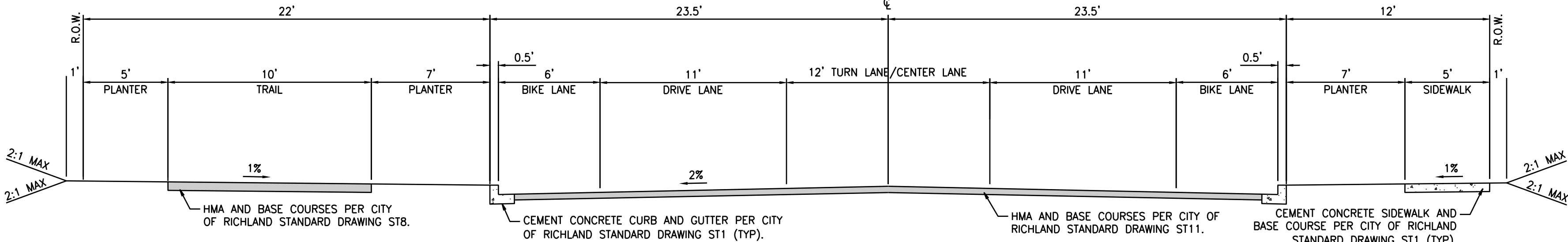
3 MAJOR COLLECTOR 3 LANE EDGE TYPE B

2 SCALE: NOT TO SCALE (GAGE BLVD)



4 MAJOR COLLECTOR 2 LANE EDGE TYPE B

2 SCALE: NOT TO SCALE (GAGE BLVD)



5 MAJOR COLLECTOR 3 LANE EDGE TYPE A AND B

2 SCALE: NOT TO SCALE (ROAD A)

CALL BEFORE YOU DIG:
1-800-424-5555 OR "811"

UTILITY CONFLICT NOTE:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT BY POTHOLES THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE @ 1-800-424-5555 AND THEN POTHOLES ALL OF THE EXISTING UTILITIES AT LOCATIONS OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. LOCATIONS OF SAID UTILITIES AS SHOWN ON THESE PLANS ARE BASED UPON THE UNVERIFIED PUBLIC INFORMATION AND ARE SUBJECT TO VARIATION. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL CONSULT BARGHAUSEN CONSULTING ENGINEERS, INC. TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

No.	Date	By	Chd.	Appr.	Revision

Title: ROAD SECTIONS FOR BADGER MOUNTAIN SOUTH SOUTH ORCHARD MAJOR AMENDMENT

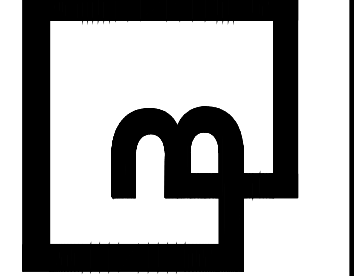
For: BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



Scale: Horizontal N/A Vertical N/A

KDM	KDM	CW	CW	Date
Designed	Drawn	Checked	Approved	5/8/23

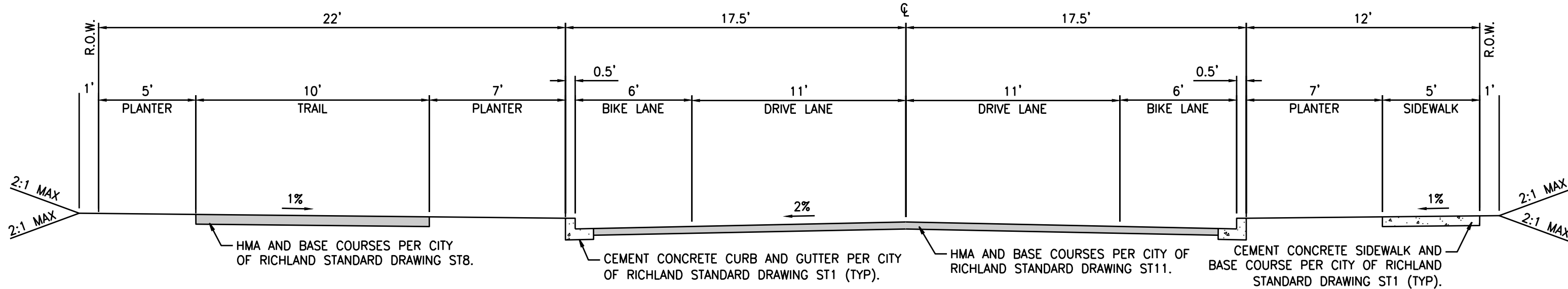
Barghausen Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com



Job Number 22467.6	Sheet 2 of 18
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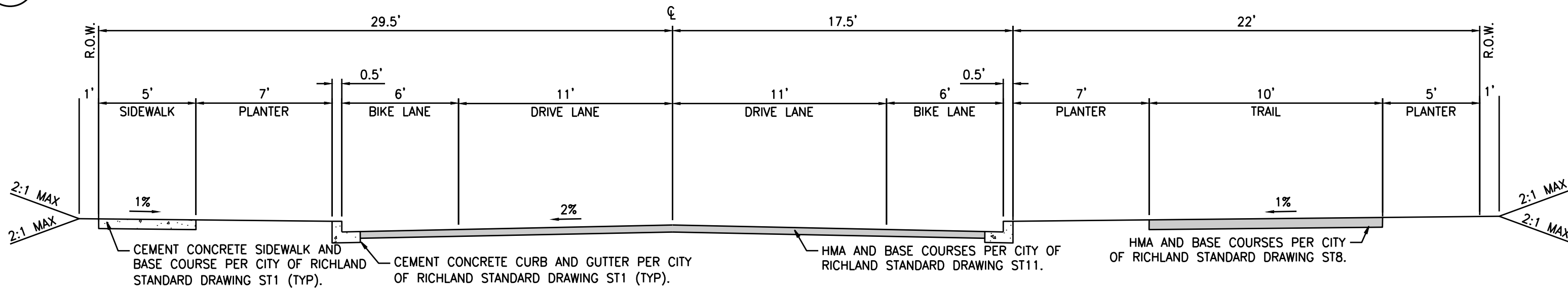
BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA



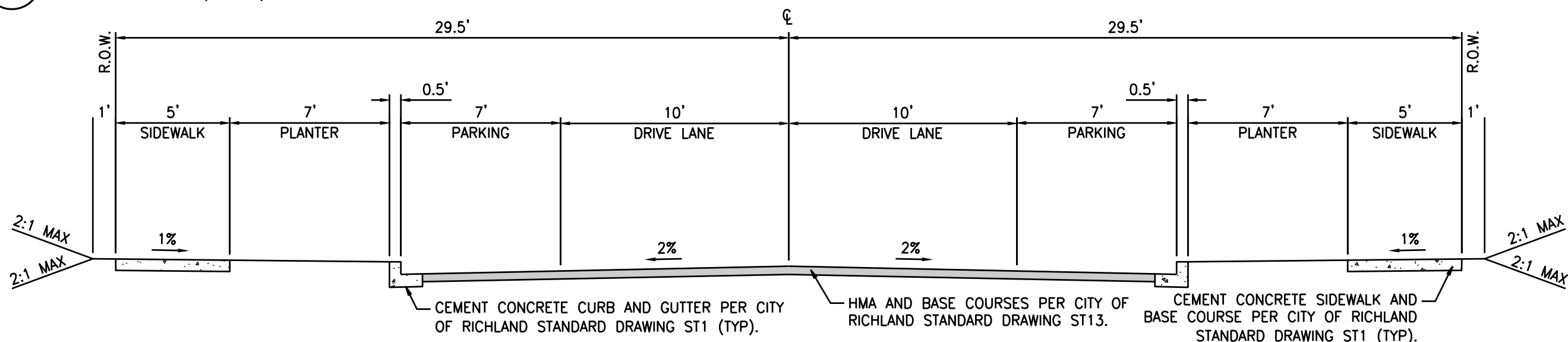
6 MAJOR COLLECTOR 2 LANE EDGE TYPE A AND B

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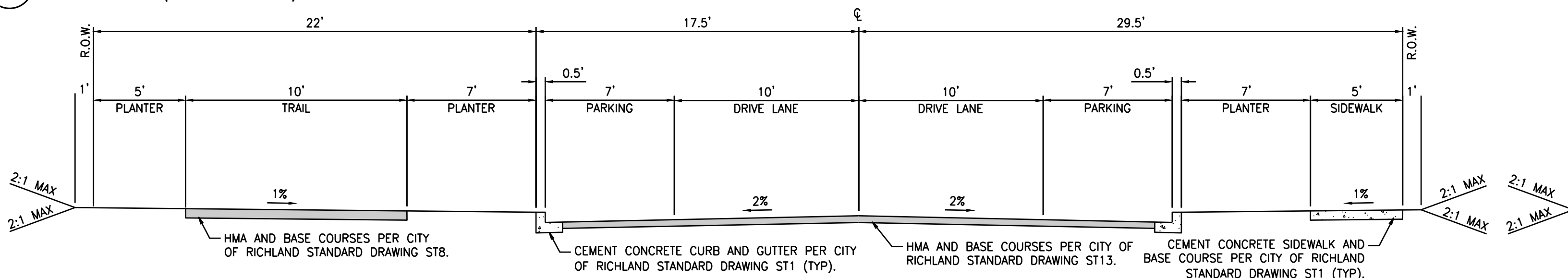
7 MAJOR COLLECTOR 2 LANE EDGE TYPE B AND A

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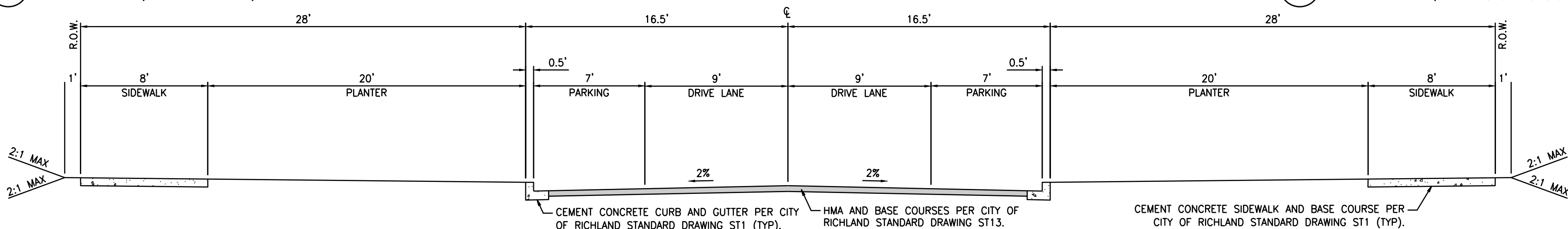
8 MINOR COLLECTOR EDGE TYPE A

3 SCALE: NOT TO SCALE (MORNINGSIDE PARKWAY)



9 MINOR COLLECTOR EDGE TYPE B AND A

3 SCALE: NOT TO SCALE (MORNINGSIDE PARKWAY)

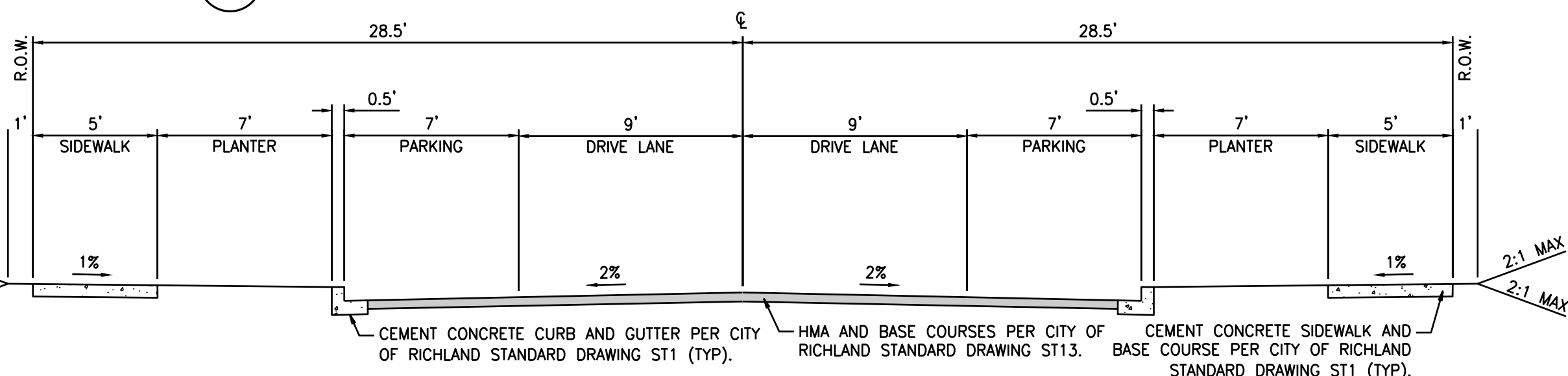


11 LOCAL ACCESS EDGE TYPE B

3 SCALE: NOT TO SCALE (ROAD E)

12 ALLEY SECTION

3 SCALE: NOT TO SCALE



10 LOCAL ACCESS EDGE TYPE A

3 SCALE: NOT TO SCALE (ROAD B, C, D, F, G, H, I, J, K, L, M, O, ALLISON WAY)

CALL BEFORE YOU DIG:
1-800-424-5555 OR "811"

UTILITY CONFLICT NOTE:

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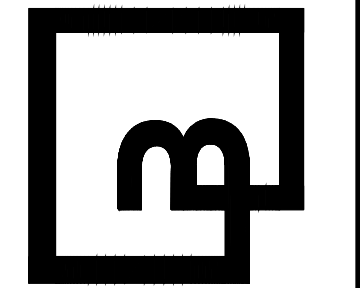
Revision	No.	Date	By	Chd.	Appr.
Title:					
ROAD SECTIONS FOR BADGER MOUNTAIN SOUTH SOUTH ORCHARD MAJOR AMENDMENT					

For:
BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



Scale:	Horizontal	Vertical
	N/A	N/A
Designed	KDM	
Drawn	KDM	
Checked	CW	
Approved	CW	
Date	5/8/23	

Barghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com



Job Number	22467.6
Sheet	3 of 18

EXISTING PARCEL LEGAL DESCRIPTIONS

PARCEL 104-882-0000-03000
THAT PORTION OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 4; THENCE SOUTH 0°27'45" WEST 68.76 FEET TO THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED AS PARCEL C IN DEED RECORDED UNDER AUDITOR'S FILE NUMBER 2009-012090, RECORDS OF BENTON COUNTY AND THE POINT OF BEGINNING; THENCE NORTH 89°44'48" EAST 80.06 FEET ALONG THE SOUTH LINE OF SAID PARCEL C TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 470.50 FEET (THE LONG CHORD OF SAID CURVE BEARS SOUTH 6°41'05" WEST 101.99 FEET); THENCE LEAVING THE SOUTH LINE OF SAID PARCEL C SOUTHWESTERLY 102.19 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°26'41"; THENCE SOUTH 0°27'45" WEST 2002.26 FEET PARALLEL WITH AND 60.00 FEET EASTERLY OF THE WEST LINE OF SAID SECTION 4 TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY 39.27 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'57"; THENCE SOUTH 89°32'12" EAST 156.17 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 820.50 FEET; THENCE NORTHEASTERLY 713.20 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°48'10"; THENCE NORTH 40°39'38" EAST 102.85 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 404.50 FEET; THENCE NORTHEASTERLY 213.10 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°11'06" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY 28.45 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 65°11'48"; THENCE SOUTH 84°21'03" EAST 85.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 454.50 FEET (THE LONG CHORD OF SAID CURVE BEARS SOUTH 17°47'35" EAST 361.62 FEET); THENCE SOUTHEASTERLY 371.91 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 46°53'03"; THENCE SOUTH 41°14'06" EAST 100.48 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 511.50 FEET; THENCE SOUTHEASTERLY 37.11 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°09'27"; THENCE SOUTH 37°04'40" EAST 366.99 FEET; THENCE NORTH 49°26'25" EAST 1264.93 FEET; THENCE NORTH 69°37'16" EAST 318.90 FEET; THENCE NORTH 89°48'08" EAST 618.96 FEET; THENCE SOUTH 29°04'39" EAST 79.80 FEET TO THE NORTHERLY MOST CORNER OF LOT 7 OF THE PLAT OF REATA RIDGE-PHASE 1A OF BADGER MOUNTAIN GOLF AND COUNTRY CLUB ACCORDING TO THE SURVEY THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 389, RECORDS OF BENTON COUNTY; THENCE SOUTH 40°22'10" WEST 81.35 FEET ALONG THE WESTERLY BOUNDARY OF SAID PLAT; THENCE SOUTH 11°52'29" EAST 144.08 FEET ALONG THE WESTERLY BOUNDARY OF SAID PLAT; THENCE SOUTH 46°43'03" WEST 299.01 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 121.50 FEET; THENCE SOUTHWESTERLY 100.55 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°25'07" (THE LONG CHORD OF SAID CURVE BEARS NORTH 66°29'19" WEST 97.71 FEET) THENCE SOUTH 89°48'08" WEST 50.80 FEET TO THE NORTHEAST CORNER OF THAT PARCEL DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NUMBER 2010-005611, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE SOUTH 89°48'22" WEST 192.13 FEET ALONG THE NORTH BOUNDARY OF SAID PARCEL TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 125.00 FEET; THENCE NORTHWESTERLY 37.82 FEET ALONG THE ARC OF SAID CURVE AND ALONG THE NORTH LINE OF SAID PARCEL THROUGH A CENTRAL ANGLE OF 17°20'02"; THENCE NORTH 72°51'37" WEST 52.28 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 289.00 FEET; THENCE SOUTHWESTERLY 87.07 FEET ALONG THE ARC OF SAID CURVE AND ALONG THE NORTHWESTERLY BOUNDARY OF SAID PARCEL THROUGH A CENTRAL ANGLE OF 17°15'47" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 40°48'46" WEST 86.75 FEET) THENCE SOUTH 49°26'39" WEST 117.27 FEET ALONG THE NORTHWESTERLY BOUNDARY OF SAID PARCEL; THENCE SOUTH 40°33'21" EAST 26.81 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PARCEL; THENCE SOUTH 49°26'25" WEST 59.95 FEET; THENCE NORTH 40°33'35" WEST 132.19 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 120.50 FEET; THENCE NORTHWESTERLY 104.64 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°45'21" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 40.06 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 91°49'06" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 545.50 FEET; THENCE SOUTHERLY 121.27 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°44'15"; THENCE NORTH 79°23'48" WEST 85.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 460.50 FEET; THENCE NORTHERLY 78.62 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°46'55" (THE LONG CHORD OF SAID CURVE BEARS NORTH 05°42'45" EAST 78.52 FEET) TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY 42.99 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 98°31'02"; THENCE SOUTH 82°18'16" WEST 67.89 FEET;
TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 34.87 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 79°55'10" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 343.50 FEET; THENCE SOUTHERLY 21.25 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°32'42"; THENCE NORTH 84°04'12" WEST 57.00 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY 42.06 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 96°23'52" (THE LONG CHORD OF SAID CURVE BEARS NORTH 42°16'08" WEST 37.27 FEET) TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 339.50 FEET; THENCE NORTHWESTERLY 82.33 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°53'38"; THENCE SOUTH 18°45'13" WEST 100.84 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 440.00 FEET; THENCE NORTHWESTERLY 127.50 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°36'10" (THE LONG CHORD OF SAID CURVE BEARS NORTH 67°03'12" WEST 127.05 FEET) TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 310.00 FEET; THENCE NORTHWESTERLY 166.56 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°47'05"; THENCE NORTH 89°32'12" WEST 370.39 FEET; THENCE SOUTH 00°27'48" WEST 560.00 FEET; THENCE NORTH 89°32'12" WEST 5.00 FEET; THENCE SOUTH 00°27'48" WEST 111.50 FEET; THENCE SOUTH 89°31'54" EAST 2.64 FEET; THENCE SOUTH 00°27'54" WEST 178.50 FEET;
THENCE NORTH 89°32'12" WEST 315.00 FEET; THENCE SOUTH 55°44'11" WEST 84.41 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 345.50 FEET; THENCE SOUTHEASTERLY 6.76 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 01°07'15" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 75°11'26" EAST 6.76 FEET) TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 404.50 FEET; THENCE SOUTHEASTERLY 105.37 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°55'33"; THENCE SOUTH 60°49'31" EAST 37.04 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 293.19 FEET; THENCE SOUTHEASTERLY 94.18 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°24'15" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 410.50 FEET; THENCE SOUTHEASTERLY 99.90 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°56'36" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY 33.90 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 77°41'59" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 328.50 FEET; THENCE NORTHEASTERLY 13.01 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°16'08"; THENCE SOUTH 13°54'32" EAST 57.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 39.43 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°22'18" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 30°54'19" WEST 35.47 FEET) TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 410.50 FEET; THENCE SOUTHWESTERLY 100.92 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°05'12"; THENCE SOUTH 00°11'38" EAST 70.13 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY MARGIN OF REATA ROAD; THENCE NORTH 89°29'23" WEST 187.22 FEET ALONG SAID NORTHERLY RIGHT OF WAY MARGIN TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1080.00 FEET; THENCE SOUTHWESTERLY 317.85 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID NORTHERLY RIGHT OF WAY MARGIN THROUGH A CENTRAL ANGLE OF 16°51'45" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 81°21'52" WEST 316.70 FEET) THENCE SOUTH 73°10'53" WEST 121.42 FEET ALONG SAID NORTHERLY RIGHT OF WAY MARGIN TO THE EASTERLY BOUNDARY OF LOT 1 OF THE RIDGE AT REATA WEST PHASE 1, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 452, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTH 21°44'10" WEST 83.86 FEET ALONG THE EASTERLY BOUNDARY OF SAID LOT 1; THENCE NORTH 00°27'45" EAST 4057.12 FEET ALONG THE EASTERLY BOUNDARY OF SAID LOT 1 TO THE POINT OF BEGINNING.

CONTAINS 72.34 ACRES, MORE OR LESS

PARCEL 104-882-0000-04000
THAT PORTION OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:
COMMENCING AT THE WESTERLY MOST CORNER OF THAT PARCEL DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NUMBER 2010-005611, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE SOUTH 40°33'21" EAST 26.81 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PARCEL TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 40°33'21" EAST 99.03 FEET ALONG SAID SOUTHWESTERLY BOUNDARY TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 462.50 FEET; THENCE SOUTHEASTERLY 162.63 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTHWESTERLY BOUNDARY THROUGH A CENTRAL ANGLE OF 20°08'47"; THENCE SOUTH 29°25'41" WEST 60.36 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 36.82 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 84°23'14" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 77°14'04" WEST 33.58 FEET) THENCE SOUTH 35°02'27" WEST 59.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 39.17 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°45'40"; THENCE SOUTH 35°16'47" WEST 57.02 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY 38.93 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°12'59" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 79°38'57" WEST 35.11 FEET) THENCE SOUTH 35°02'27" WEST 49.41 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 646.50 FEET; THENCE SOUTHWESTERLY 358.28 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°45'09" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 40.79 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 93°28'57"; THENCE SOUTH 00°11'38" EAST 57.00 FEET; THENCE SOUTH 89°48'22" WEST 1.15 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 39.27 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE SOUTH 00°11'38" EAST 57.00 FEET; THENCE SOUTH 89°48'22" WEST 29.50 FEET; THENCE SOUTH 00°11'54" EAST 195.62 FEET TO THE NORTHERLY RIGHT OF WAY MARGIN OF REATA ROAD; THENCE SOUTH 89°48'18" WEST 138.58 FEET ALONG SAID NORTHERLY RIGHT OF WAY MARGIN; THENCE NORTH 86°46'14" WEST 500.91 FEET ALONG SAID NORTHERLY RIGHT OF WAY MARGIN; THENCE NORTH 89°29'23" WEST 614.62 FEET ALONG SAID NORTHERLY RIGHT OF WAY MARGIN; THENCE NORTH 00°11'38" WEST 70.13 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 410.50 FEET; THENCE NORTHWESTERLY 100.92 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°05'12" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY 39.43 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°22'18"; THENCE NORTH 13°54'32" WEST 57.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 328.50 FEET; THENCE SOUTHWESTERLY 13.01 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°16'08" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 74°57'24" WEST 13.01 FEET) TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHWESTERLY 33.90 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 77°41'59" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 410.50 FEET; THENCE NORTHWESTERLY 99.90 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°56'36" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 293.19 FEET; THENCE NORTHWESTERLY 94.18 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°24'15"; THENCE NORTH 60°49'31" WEST 37.04 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 404.50 FEET; THENCE NORTHWESTERLY 105.37 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°55'33" TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 345.50 FEET; THENCE NORTHWESTERLY 82.33 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°53'38" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 83°31'15" EAST 82.12 FEET) TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY 42.06 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 96°23'52"; THENCE SOUTH 84°04'12" EAST 57.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 343.50 FEET; THENCE NORTHERLY 21.25 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°32'42" (THE LONG CHORD OF SAID CURVE BEARS NORTH 04°09'27" EAST 21.25 FEET) TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY 34.87 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 79°55'10"; THENCE NORTH 82°18'16" EAST 67.89 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHEASTERLY 42.99 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 98°31'02" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 460.50 FEET; THENCE SOUTHERLY 78.62 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°46'55"; THENCE SOUTH 79°23'48" EAST 85.00 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE WEST HAVING A RADIUS OF 545.50 FEET; THENCE NORTHERLY 121.27 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 12°44'15" (THE LONG CHORD OF SAID CURVE BEARS NORTH 04°14'05" EAST 121.02 FEET) TO THE BEGINNING OF A REVERSE CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE NORTHEASTERLY 40.06 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 91°49'06" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 120.50 FEET; THENCE SOUTHEASTERLY 104.64 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 49°45'21"; THENCE SOUTH 40°33'35" EAST 132.19 FEET; THENCE NORTH 49°26'25" EAST 59.95 FEET TO THE POINT OF BEGINNING.

CONTAINS 40.89 ACRES, MORE OR LESS

PARCEL 104-882-0000-05000
THAT PORTION OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:
COMMENCING AT THE WESTERLY MOST CORNER OF THAT PARCEL DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NUMBER 2010-005611, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE SOUTH 40°33'21" EAST 125.84 FEET ALONG THE SOUTHWESTERLY BOUNDARY OF SAID PARCEL TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 462.50 FEET; THENCE SOUTHEASTERLY 162.63 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTHWESTERLY BOUNDARY THROUGH A CENTRAL ANGLE OF 20°08'47" TO THE POINT OF BEGINNING; THENCE SOUTH 29°25'41" WEST 60.36 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 36.82 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 84°23'14" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 77°14'04" WEST 33.58 FEET) THENCE SOUTH 35°02'27" WEST 59.00 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 39.17 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°45'40"; THENCE SOUTH 35°16'47" WEST 57.02 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE WESTERLY 38.93 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°12'59" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 79°38'57" WEST 35.11 FEET) THENCE SOUTH 35°02'27" WEST 49.41 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 646.50 FEET; THENCE SOUTHWESTERLY 358.28 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 31°45'09" TO THE BEGINNING OF A COMPOUND CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 40.79 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 93°28'57"; THENCE SOUTH 00°11'38" EAST 57.00 FEET; THENCE SOUTH 89°48'22" WEST 1.15 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 25.00 FEET; THENCE SOUTHWESTERLY 39.27 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00"; THENCE SOUTH 00°11'38" EAST 57.00 FEET; THENCE SOUTH 89°48'22" WEST 29.50 FEET; THENCE SOUTH 00°11'54" EAST 195.62 FEET TO THE NORTHERLY RIGHT OF WAY MARGIN OF REATA ROAD; THENCE NORTH 89°48'18" EST 1349.99 FEET ALONG SAID NORTHERLY RIGHT OF WAY; THENCE NORTH 0°11'38" WEST 195.60 FEET; THENCE NORTH 89°48'22" EAST 13.68 FEET; THENCE NORTH 0°11'38" WEST 296.58 FEET; THENCE SOUTH 89°48'22" WEST 25.00 FEET; THENCE NORTH 0°11'38" WEST 353.55 FEET; THENCE SOUTH 89°48'22" WEST 15.00 FEET; THENCE NORTH 0°11'38" WEST 178.33 FEET; THENCE SOUTH 88°07'05" EAST 11.07 FEET; THENCE NORTH 1°46'15" EAST 61.58 FEET TO THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED IN DEED RECORDED UNDER SAID AUDITOR'S FILE NUMBER 2010-005611; THENCE SOUTH 89°48'25" WEST 799.34 FEET ALONG THE SOUTHERLY BOUNDARY OF SAID PARCEL TO THE BEGINNING OF A CURVE, CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 462.50 FEET; THENCE NORTHWESTERLY 238.05 FEET ALONG THE ARC OF SAID CURVE AND ALONG SAID SOUTHERLY BOUNDARY THROUGH A CENTRAL ANGLE OF 29°29'27" TO THE POINT OF BEGINNING.

CONTAINS 32.38 ACRES, MORE OR LESS

PARCEL 104-882-0000-06000
THAT PORTION OF SECTION 4, TOWNSHIP 8 NORTH, RANGE 28 EAST WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHEAST CORNER OF THAT PARCEL DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NUMBER 2010-005611, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTH 00°11'38" WEST 1065.50 FEET ALONG THE EASTERLY BOUNDARY OF SAID PARCEL; THENCE NORTH 89°48'08" EAST 50.80 FEET TO THE BEGINNING OF A CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 121.50 FEET; THENCE SOUTHEASTERLY 100.55 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 47°25'07"; THENCE NORTH 46°43'03" EAST 299.01 FEET TO A POINT ON THE WESTERLY BOUNDARY OF THE PLAT OF REATA RIDGE PHASE 1A OF THE BADGER MOUNTAIN GOLF & COUNTRY CLUB, ACCORDING TO THE SURVEY THEREOF RECORDED IN VOLUME 15 OF PLATS, PAGE 389, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE THE FOLLOWING 26 COURSES ALONG THE WESTERLY BOUNDARY OF SAID PLAT: THENCE SOUTH 11°52'29" EAST 195.19 FEET; THENCE SOUTH 11°50'59" EAST 60.17 FEET; THENCE SOUTH 11°52'13" EAST 410.41 FEET; THENCE SOUTH 02°05'01" EAST 29.09 FEET; THENCE SOUTH 02°06'25" EAST 115.72 FEET; THENCE SOUTH 02°13'29" EAST 124.96 FEET; THENCE SOUTH 01°59'32" EAST 112.74 FEET; THENCE SOUTH 45°21'47" EAST 18.17 FEET; THENCE SOUTH 45°26'02" EAST 213.10 FEET; THENCE SOUTH 35°57'02" EAST 33.87 FEET; THENCE SOUTH 35°57'43" EAST 424.08 FEET; THENCE SOUTH 36°00'59" EAST 116.35 FEET; THENCE NORTH 69°52'33" EAST 155.89 FEET; THENCE SOUTH 09°17'26" EAST 25.86 FEET; TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHWESTERLY 29.86 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°32'52" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 33°30'13" WEST 27.16 FEET) TO THE BEGINNING OF A NON-TANGENT REVERSE CURVE, CONCAVE TO THE SOUTHEAST, HAVING A RADIUS OF 630.00 FEET; THENCE SOUTHWESTERLY 184.72 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 16°47'59" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 67°53'46" WEST 184.06 FEET) THENCE SOUTH 59°29'40" WEST 100.06 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 20.00 FEET; THENCE NORTHWESTERLY 30.24 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 86°38'43" (THE LONG CHORD OF SAID CURVE BEARS NORTH 77°10'07" WEST 27.44 FEET); THENCE SOUTH 61°19'45" WEST 80.12 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE WEST, HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHERLY 32.81 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 93°59'55" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 12°28'48" WEST 29.25 FEET) THENCE SOUTH 59°29'40" WEST 130.71 FEET; THENCE SOUTH 30°30'20" EAST 59.99 FEET; THENCE SOUTH 22°08'48" EAST 222.82 FEET; THENCE NORTH 65°53'43" EAST 113.01 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE SOUTHWEST, HAVING A RADIUS OF 560.00 FEET; THENCE SOUTHEASTERLY 8.89 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°54'34" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 00°37'29" EAST 8.89 FEET) THENCE SOUTH 00°11'54" EAST 170.35 FEET TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE TO THE NORTHWEST, HAVING A RADIUS OF 20.00 FEET; THENCE SOUTHWESTERLY 31.41 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°59'23" (THE LONG CHORD OF SAID CURVE BEARS SOUTH 44°48'06" WEST 28.28 FEET) TO THE NORTHERLY RIGHT OF WAY MARGIN OF REATA ROAD; THENCE SOUTH 89°48'18" WEST 851.93 FEET ALONG SAID NORTHERLY RIGHT OF WAY MARGIN; THENCE NORTH 00°11'38" WEST 195.60 FEET; THENCE NORTH 89°48'22" EAST 13.68 FEET; THENCE NORTH 00°11'38" WEST 296.58 FEET; THENCE SOUTH 89°48'22" WEST 25.00 FEET; THENCE NORTH 00°11'38" WEST 353.55 FEET; THENCE SOUTH 89°48'22" WEST 15.00 FEET; THENCE NORTH 00°11'38" WEST 178.33 FEET; THENCE SOUTH 88°07'05" EAST 11.07 FEET; THENCE NORTH 01°46'15" EAST 61.58 FEET TO THE POINT OF BEGINNING.

CONTAINS 33.05 ACRES, MORE OR LESS

Job Number		Sheet		Title:		Revision	
22467.6		4 of 18		LEGAL DESCRIPTIONS		FOR	
Barghausen Consulting Engineers, Inc.		18215 72nd Avenue South Kent, WA 98032 425.251.6222		BADGER COMMUNITIES, LLC P.O. BOX 1307 GIG HARBOR, WA 98335		BADGER MOUNTAIN SOUTH SOUTH ORCHARD MAJOR AMENDMENT	
KDM		KDM		Scale:		Horizontal N/A	
Drawn		Checked		Vertical		N/A	
Approved		Date		5/8/23		5/8/23	
Barghausen		Barghausen.com		Professional Engineer		4284	
5/15/2023 7:26 AM		KMAP:DAO		5/8/23		5/8/23	

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA



LUDR DISTRICT LEGEND		
DISTRICT	NEIGHBORHOOD	LUDR SECTION
BMS-NC	COLLECTOR	3.C
BMS-NG	GENERAL	3.D
BMS-NE	EDGE	3.E
BMS-CIVIC		3.F
OVERLAY	SPECIAL DESIGNATION "P" OVERLAY DISTRICT	

TRAIL LEGEND	
CLASSIFICATION	
CITY PRIMARY	
PRIMARY	
SECONDARY	

SOUTH ORCHARD OPEN SPACE

ORCHARD GREEN		
SOUTH ORCHARD AREA	858,373 S.F.	19.71 ACRES

TRAIL FACTORS	
EQUIVALENT TRAIL LENGTHS SHALL BE APPLIED TO THE ACTUAL LENGTH OR 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 LOCATIONS	TRACTS	TYPE	ACTUAL LENGTH	FACTOR	EQ LENGTH	L.F. / RU	RU
REATA ROAD TRAIL	ROW	SECONDARY	3,945 L.F.	0.6	2,367.0 L.F.	16	147.9
GREEN BELT TRAIL	548, 542	SECONDARY	825 L.F.	0.6	495.0 L.F.	16	30.9
ORCHARD GREEN TRAIL	545, 547	SECONDARY	1,573 L.F.	0.6	943.8 L.F.	16	59.0
ROAD N TRAIL	ROW	PRIMARY	1,610 L.F.	1.0	1,610.0 L.F.	16	100.6
MORNINGSIDE PARKWAY TRAIL	ROW	PRIMARY	1,840 L.F.	1.0	1,840.0 L.F.	16	115.0
ROAD A TRAIL	ROW	PRIMARY	4,380 L.F.	1.0	4,380.0 L.F.	16	273.8
ORCHARD GREEN TRAIL	541, 543	CITY PRIMARY	3,720 L.F.	1.0	3,720.0 L.F.	16	232.5
GAGE BOULEVARD TRAIL	ROW	CITY PRIMARY	2,580 L.F.	1.0	2,580.0 L.F.	16	161.3
TOTAL			20,473 L.F.		17,935.8 L.F.		1,121.0

PARKS	AREA	S.F. / RU	RU
CITY PARK (PARCEL 104-884-0000-02002)	286,505 S.F.	6.58 ACRES	440.8
TOTAL	286,505 S.F.	6.58 ACRES	440.8

TOTAL ALLOWABLE RESIDENTIAL UNITS (RU)	
TRAILS	1,121.0 RU
PARKS	440.8 RU
TOTAL	1,561.8 RU

MISCELLANEOUS OPEN SPACE	TRACT	USE	AREA S.F.	ACRES
	538	GREEN BELT	38,149	0.88
	542	LANDSCAPE / TRAIL	7,180	0.16
	544	GREEN BELT	43,306	0.99
	545	LANDSCAPE / TRAIL	97,032	2.23
	546	LANDSCAPE	24,850	0.57
	548	LANDSCAPE / TRAIL	13,292	0.31
	549	GREEN BELT	22,552	0.52
TOTAL			246,361	5.66

CALL BEFORE YOU DIG:
1-800-424-5555 OR "811"

UTILITY CONFLICT NOTE:
THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION, DIMENSION, AND DEPTH OF ALL EXISTING UTILITIES WHETHER SHOWN ON THESE PLANS OR NOT BY POTHOLING THE UTILITIES AND SURVEYING THE HORIZONTAL AND VERTICAL LOCATION PRIOR TO CONSTRUCTION. THIS SHALL INCLUDE CALLING UTILITY LOCATE @ 1-800-424-5555 AND THEN POTHOLES ALL OF THE EXISTING UTILITIES AT LOCATIONS OF NEW UTILITY CROSSINGS TO PHYSICALLY VERIFY WHETHER OR NOT CONFLICTS EXIST. LOCATIONS OF SAID UTILITIES AS SHOWN ON THESE PLANS ARE BASED UPON THE UNVERIFIED PUBLIC INFORMATION AND ARE SUBJECT TO VARIATION. IF CONFLICTS SHOULD OCCUR, THE CONTRACTOR SHALL CONSULT BARGHAUSEN CONSULTING ENGINEERS, INC. TO RESOLVE ALL PROBLEMS PRIOR TO PROCEEDING WITH CONSTRUCTION.

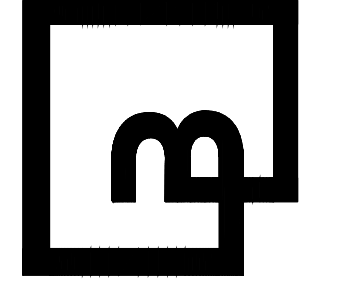
Revision
No. Date By Ctd. I Appr.
Title:
BMS DISTRICTS AND GREEN SPACE CALCS
FOR
BADGER MOUNTAIN SOUTH
SOUTH ORCHARD MAJOR AMENDMENT

For:
BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



Scale:	Horizontal 1" = 300'	Vertical N/A
KDM Designed	KDM Drawn	CW Checked
		CW Approved
		Date 5/8/23

Barghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com

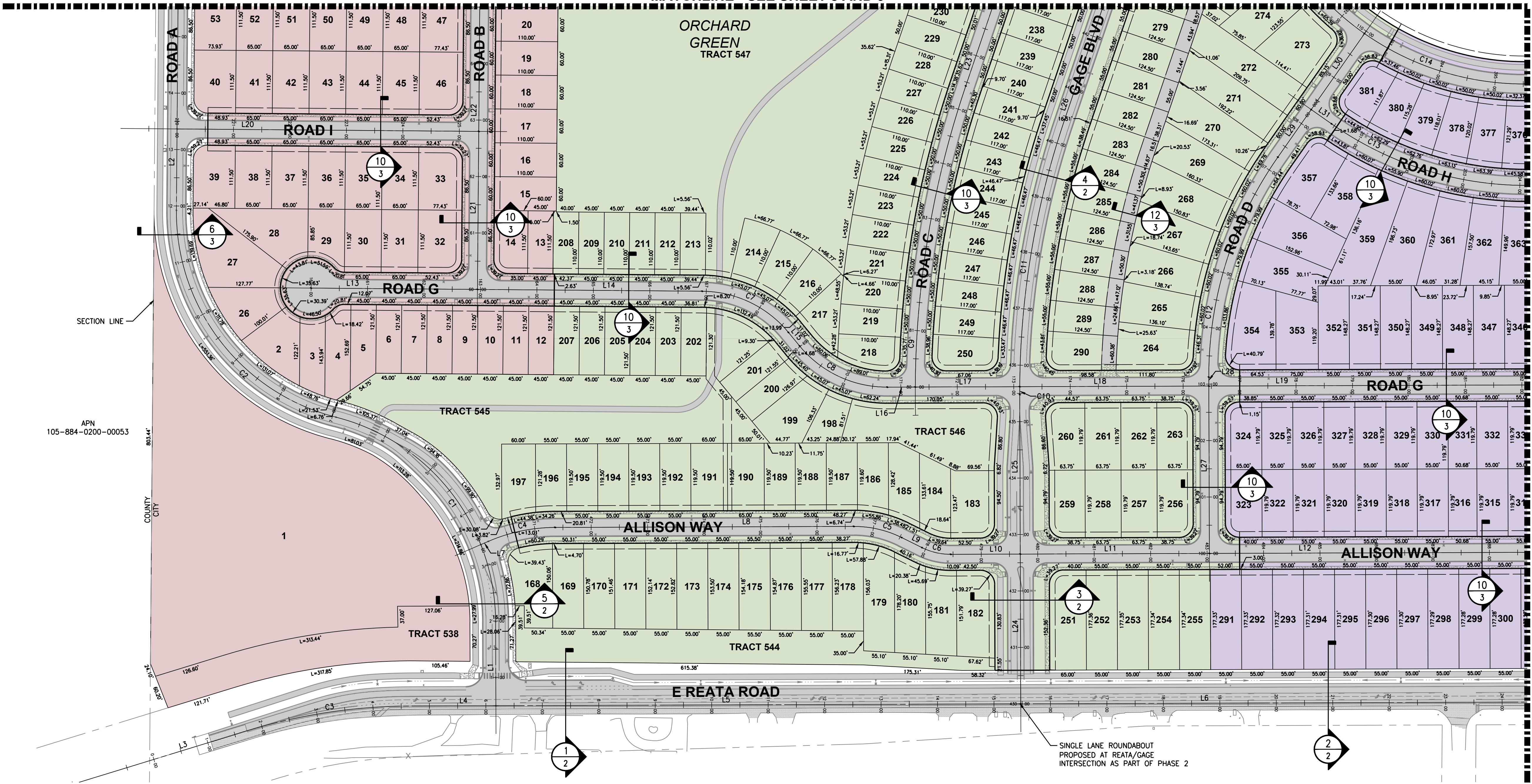


Job Number
22467.6
Sheet
5 of 18

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA

MATCHLINE - SEE SHEET 8 AND 9



PHASING LEGEND

PHASE	LOTS	UNITS	TRACTS
1	167	325	6
2	123	123	4
3	130	130	1
4	117	117	1

*DOES NOT INCLUDE PARCELS 104-884-0000-02001 AND 104-884-0000-02002

ALIGNMENT LINE TABLE

LINE #	DISTANCE	BEARING	START STATION	END STATION
L1	148.95	N0° 11' 38.32"W	0+50.00	1+98.95
L2	144.21	N0° 27' 47.75"E	1+92.29	13+36.50
L3	365.47	N72° 56' 16.87"E	-1+92.97	1+72.50
L4	150.94	N89° 47' 58.87"E	4+66.81	6+17.75
L5	929.65	N89° 47' 58.87"E	6+17.75	15+47.40
L6	2621.37	N89° 47' 58.87"E	15+47.40	41+68.78
L7	14.63	N66° 36' 58.39"E	470+00.00	470+14.63
L8	529.07	N89° 48' 21.68"E	471+36.05	476+65.12
L9	40.16	S63° 37' 44.14"E	477+52.98	477+93.14
L10	123.09	N89° 48' 21.68"E	478+46.00	479+69.08
L11	335.00	N89° 48' 21.68"E	479+69.08	483+04.08
L12	968.68	N89° 48' 21.68"E	483+04.08	492+72.76
L13	294.74	S89° 32' 12.25"E	160+00.00	162+94.74
L14	397.94	S89° 32' 12.25"E	162+94.74	166+92.68
L15	31.02	S39° 25' 37.21"E	168+67.60	168+98.61
L16	49.78	N89° 48' 21.68"E	170+75.82	171+25.60

ALIGNMENT LINE TABLE

LINE #	DISTANCE	BEARING	START STATION	END STATION
L17	185.01	N89° 48' 21.68"E	171+25.60	173+10.61
L18	334.93	N89° 48' 21.68"E	173+10.61	176+45.54
L19	968.68	N89° 48' 21.68"E	176+45.54	186+14.22
L20	534.37	S89° 32' 12.25"E	220+00.00	225+34.37
L21	280.00	N0° 27' 47.75"E	60+00.00	62+80.00
L22	280.00	N0° 27' 47.75"E	62+80.00	65+60.00
L23	240.61	N18° 45' 13.10"E	85+43.25	87+83.86
L24	265.37	N0° 11' 38.32"W	430+00.00	432+65.37
L25	282.60	N0° 11' 38.32"W	432+65.37	435+47.97
L26	240.61	N18° 45' 13.10"E	440+44.02	442+84.63
L27	296.58	N0° 11' 38.32"W	100+00.00	102+96.58
L28	15.75	N0° 11' 38.32"W	102+96.58	103+12.33
L29	102.90	N35° 02' 27.40"E	107+27.43	108+30.33
L30	164.39	N35° 02' 27.40"E	108+30.33	109+94.72
L31	43.81	S54° 53' 13.12"E	200+00.00	200+43.81
L32	403.12	N89° 48' 21.68"E	204+13.54	208+16.67

ALIGNMENT CURVE TABLE

CURVE #	RADIUS	CHORD LENGTH	CHORD BEARING	START STATION	END STATION
C1	375.00	459.46	N37° 58' 21.16"W	1+98.95	6+93.47
C2	375.00	462.85	N37° 38' 38.13"W	6+93.47	11+92.29
C3	1000.00	293.25	N81° 22' 06.37"E	1+72.50	4+66.81
C4	300.00	120.59	N78° 12' 40.04"E	470+14.63	471+36.05
C5	189.50	87.08	S76° 54' 41.23"E	476+65.12	477+52.98
C6	114.00	52.38	S76° 54' 41.23"E	477+93.14	478+46.00
C7	200.00	169.39	S64° 28' 54.73"E	166+92.68	168+67.60
C8	200.00	171.47	S64° 48' 37.76"E	168+98.61	170+75.82
C9	1685.00	540.90	N9° 31' 03.00"E	80+00.00	85+43.25
C10	1500.00	13.98	N0° 04' 22.82"E	435+47.97	435+61.95
C11	1500.00	480.00	N9° 32' 48.53"E	435+61.95	440+44.02
C12	675.00	408.59	N17° 25' 24.54"E	103+12.33	107+27.43
C13	600.00	363.91	S72° 32' 25.72"E	200+43.81	204+13.54
C14	492.50	298.15	S72° 34' 41.61"E	392+50.38	395+53.28

CALL BEFORE YOU DIG:
1-800-424-5555 OR "811"

UTILITY CONFLICT NOTE:

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Revision
No. Date By Cld. Appr.
Title:
LOT LAYOUT
FOR
BADGER MOUNTAIN SOUTH
SOUTH ORCHARD MAJOR AMENDMENT

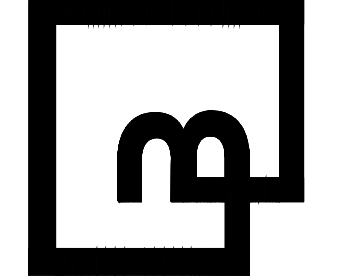
For:
BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



Scale:
Horizontal
1" = 100'
Vertical
N/A

KDM
Designed
KDM
Drawn
CWM
Checked
CWM
Approved
Date 5/8/23

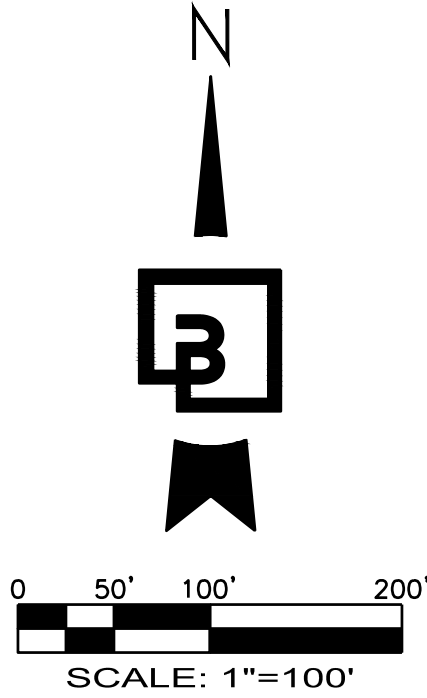
Barghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com



Job Number
22467.6
Sheet
6 of 18

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA



PHASING LEGEND

PHASE	LOTS	UNITS	TRACTS
1	167	325	6
2	123	123	4
3	130	130	1
4	117	117	1

*DOES NOT INCLUDE PARCELS 104-884-0000-02001 AND 104-884-0000-02002

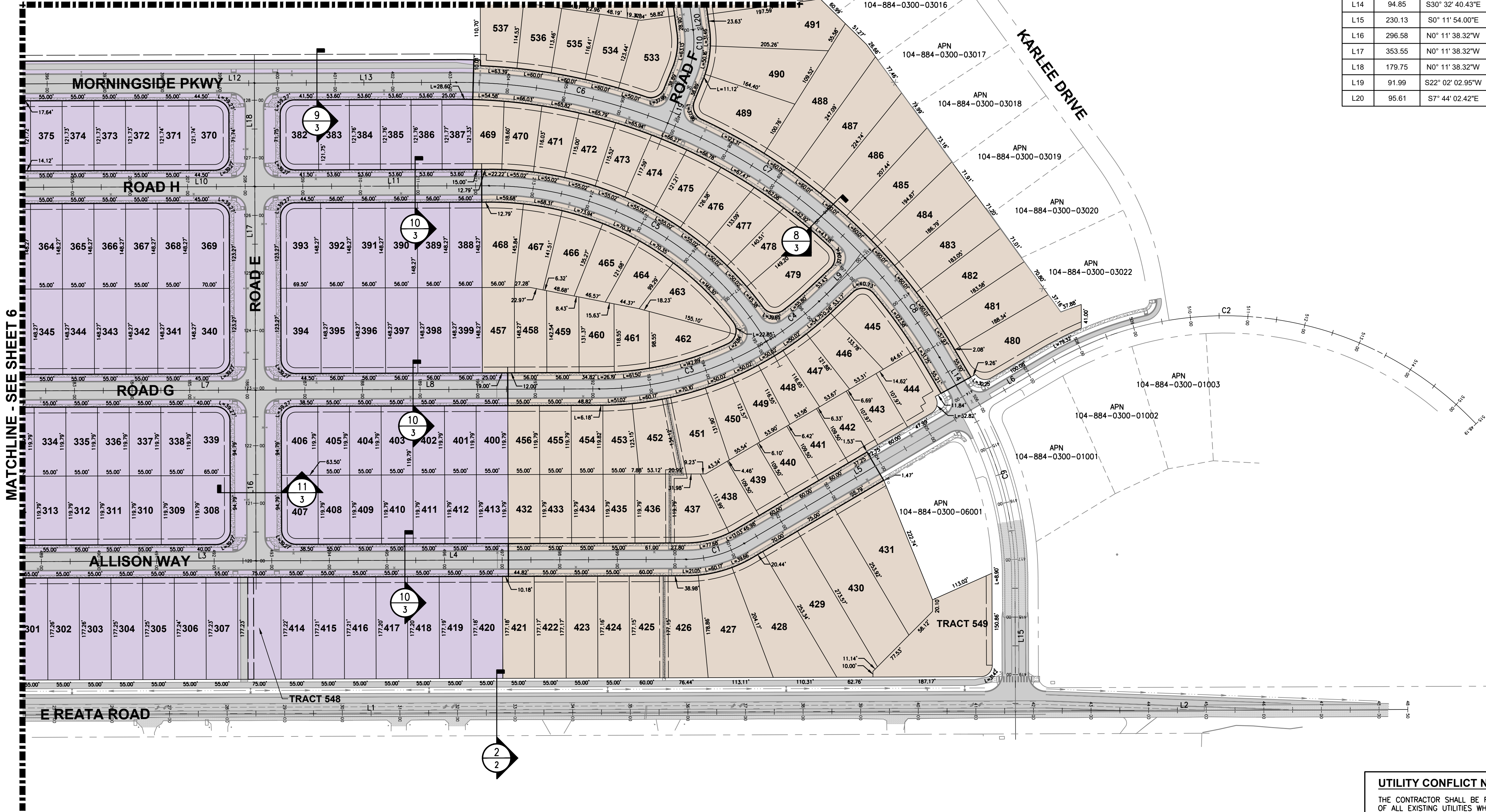
ALIGNMENT CURVE TABLE

CURVE #	RADIUS	CHORD LENGTH	CHORD BEARING	START STATION	END STATION
C1	200.00	104.63	N74° 38' 31.80"E	500+19.56	501+25.42
C2	600.00	748.09	S81° 39' 23.28"E	507+40.48	515+48.19
C3	560.00	301.58	N74° 11' 07.82"E	192+11.04	195+16.39
C4	560.00	115.32	N52° 39' 18.38"E	195+16.39	196+31.91
C5	560.00	552.29	S60° 38' 54.15"E	212+23.45	218+01.00
C6	970.00	374.02	S79° 04' 53.92"E	403+10.32	406+86.69
C7	970.00	415.12	S55° 36' 37.12"E	406+86.69	411+05.04
C8	970.00	214.74	S36° 53' 58.59"E	411+05.04	413+20.22
C9	600.00	314.08	S15° 22' 17.21"E	414+15.07	417+32.86
C10	150.00	77.06	S7° 09' 00.27"W	155+01.24	155+79.17

ALIGNMENT LINE TABLE

LINE #	DISTANCE	BEARING	START STATION	END STATION
L1	2621.37	N89° 47' 58.87"E	15+47.40	41+68.78
L2	681.22	N89° 47' 58.87"E	41+68.78	48+50.00
L3	968.68	N89° 48' 21.68"E	483+04.08	492+72.76
L4	746.80	N89° 48' 21.68"E	492+72.76	500+19.56
L5	456.21	N59° 28' 41.93"E	501+25.42	505+81.63
L6	158.85	N59° 28' 41.93"E	505+81.63	507+40.48
L7	968.68	N89° 48' 21.68"E	176+45.54	186+14.22
L8	596.82	N89° 48' 21.68"E	186+14.22	192+11.04
L9	109.49	N46° 44' 42.80"E	196+31.91	197+41.40
L10	403.12	N89° 48' 21.68"E	204+13.54	208+16.67
L11	406.79	N89° 48' 21.68"E	208+16.67	212+23.45
L12	406.64	N89° 48' 09.22"E	395+53.28	399+59.92
L13	350.40	N89° 48' 09.22"E	399+59.92	403+10.32
L14	94.85	S30° 32' 40.43"E	413+20.22	414+15.07
L15	230.13	S0° 11' 54.00"E	417+32.86	419+62.99
L16	296.58	N0° 11' 38.32"W	120+00.00	122+96.58
L17	353.55	N0° 11' 38.32"W	122+96.58	126+50.13
L18	179.75	N0° 11' 38.32"W	126+50.13	128+29.87
L19	91.99	S22° 02' 02.95"W	155+79.17	156+71.16
L20	95.61	S7° 44' 02.42"E	154+05.63	155+01.24

MATCHLINE - SEE SHEET 8



CALL BEFORE YOU DIG:
1-800-424-5555 OR "811"

UTILITY CONFLICT NOTE:

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Revision
Title: LOT LAYOUT FOR BADGER MOUNTAIN SOUTH SOUTH ORCHARD MAJOR AMENDMENT
No. Date By Cld. Appr.

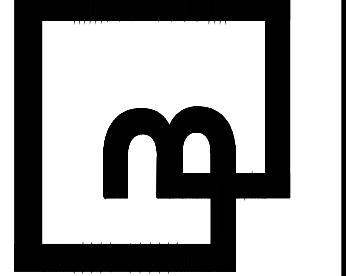
For: BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



Scale: Horizontal 1" = 100' Vertical N/A

Designed	KDM
Drawn	KDM
Checked	CW
Approved	CW
Date	5/8/23

Barghausen Consulting Engineers, Inc.
18215 72nd Avenue South
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barghausen.com

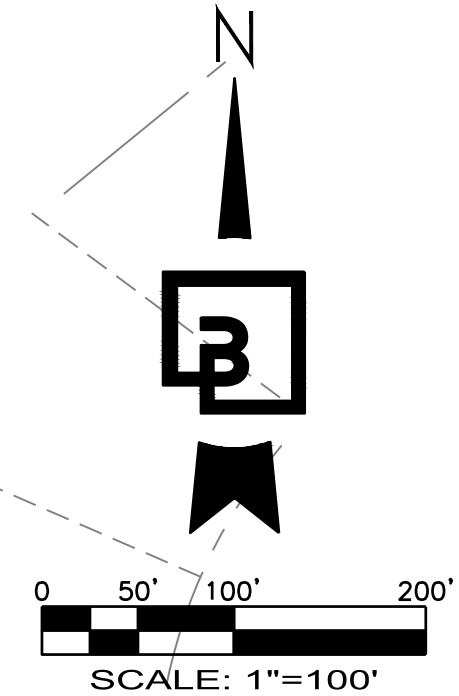
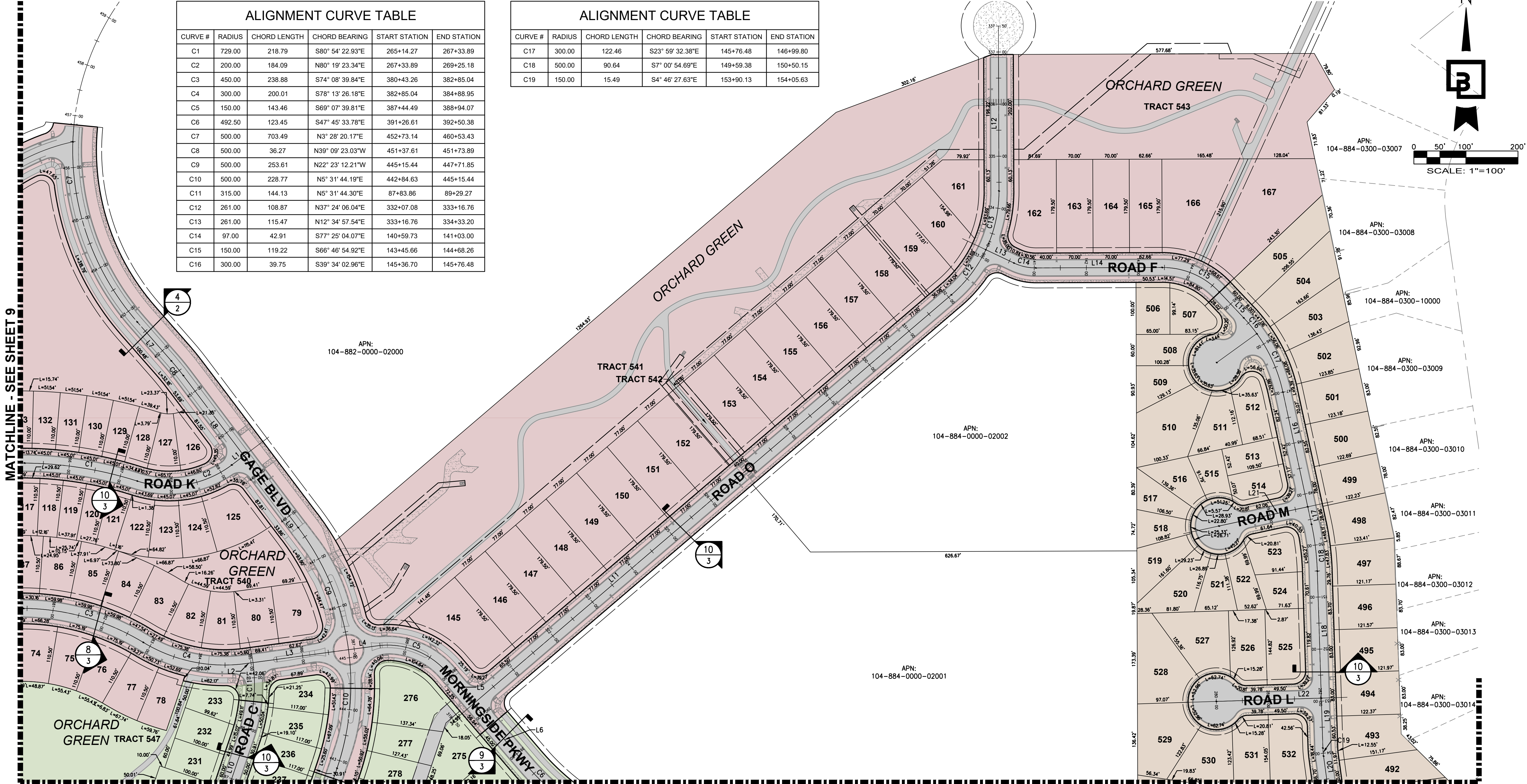


BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA

ALIGNMENT CURVE TABLE					
CURVE #	RADIUS	CHORD LENGTH	CHORD BEARING	START STATION	END STATION
C1	729.00	218.79	S80° 54' 22.93"E	265+14.27	267+33.89
C2	200.00	184.09	N80° 19' 23.34"E	267+33.89	269+25.18
C3	450.00	238.88	S74° 08' 39.84"E	380+43.26	382+85.04
C4	300.00	200.01	S78° 13' 26.18"E	382+85.04	384+88.95
C5	150.00	143.46	S69° 07' 39.81"E	387+44.49	388+94.07
C6	492.50	123.45	S47° 45' 33.78"E	391+26.61	392+50.38
C7	500.00	703.49	N3° 28' 20.17"E	452+73.14	460+53.43
C8	500.00	36.27	N39° 09' 23.03"W	451+37.61	451+73.89
C9	500.00	253.61	N22° 23' 12.21"W	445+15.44	447+71.85
C10	500.00	228.77	N5° 31' 44.19"E	442+84.63	445+15.44
C11	315.00	144.13	N5° 31' 44.30"E	87+83.86	89+29.27
C12	261.00	108.87	N37° 24' 06.04"E	332+07.08	333+16.76
C13	261.00	115.47	N12° 34' 57.54"E	333+16.76	334+33.20
C14	97.00	42.91	S77° 25' 04.07"E	140+59.73	141+03.00
C15	150.00	119.22	S66° 46' 54.92"E	143+45.66	144+68.26
C16	300.00	39.75	S39° 34' 02.96"E	145+36.70	145+76.48

ALIGNMENT CURVE TABLE					
CURVE #	RADIUS	CHORD LENGTH	CHORD BEARING	START STATION	END STATION
C17	300.00	122.46	S23° 59' 32.38"E	145+76.48	146+99.80
C18	500.00	90.64	S7° 00' 54.69"E	149+59.38	150+50.15
C19	150.00	15.49	S4° 46' 27.63"E	153+90.13	154+05.63



MATCHLINE - SEE SHEET 9

MATCHLINE - SEE SHEET 6 AND 7

PHASING LEGEND

PHASE	LOTS	UNITS	TRACTS
1	167	325	6
2	123	123	4
3	130	130	1
4	117	117	1

*DOES NOT INCLUDE PARCELS 104-884-0000-02001 AND 104-884-0000-02002

ALIGNMENT LINE TABLE

LINE #	DISTANCE	BEARING	START STATION	END STATION
L1	29.23	N52° 55' 20.29"E	269+25.18	269+54.41
L2	15.00	N82° 18' 15.05"E	384+88.95	385+03.95
L3	185.00	N82° 18' 14.91"E	385+03.95	386+88.95
L4	55.55	N82° 18' 15.52"E	386+88.95	387+44.49
L5	78.69	S40° 33' 35.14"E	388+94.07	389+72.76
L6	153.84	S40° 33' 35.14"E	389+72.76	391+26.61
L7	99.25	N41° 14' 06.35"W	451+73.89	452+73.14
L8	193.05	N37° 04' 39.71"W	449+44.56	451+37.61
L9	172.71	N37° 04' 39.71"W	447+71.85	449+44.56
L10	240.61	N18° 45' 13.10"E	85+43.25	87+83.86
L11	1207.08	N49° 26' 24.86"E	320+00.00	332+07.08
L12	316.80	N0° 11' 52.14"W	334+33.20	337+50.00

ALIGNMENT LINE TABLE

LINE #	DISTANCE	BEARING	START STATION	END STATION
L13	59.73	S64° 38' 16.01"E	140+00.00	140+59.73
L14	242.66	N89° 48' 07.86"E	141+03.00	143+45.66
L15	68.44	S43° 21' 57.71"E	144+68.26	145+36.70
L16	225.32	S12° 12' 56.55"E	146+99.80	149+25.13
L17	34.26	S12° 12' 56.55"E	149+25.13	149+59.38
L18	243.93	S1° 48' 52.84"E	150+50.15	152+94.07
L19	96.06	S1° 48' 52.84"E	152+94.07	153+90.13
L20	95.61	S7° 44' 02.42"E	154+05.63	155+01.24
L21	244.36	N77° 47' 03.45"E	289+30.00	291+74.36
L22	271.59	N88° 11' 07.16"E	279+30.00	282+01.59

CALL BEFORE YOU DIG:
1-800-424-5555 OR "811"

UTILITY CONFLICT NOTE:

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Revision
No. Date By Cld. Appr.
Title:
LOT LAYOUT
FOR
BADGER MOUNTAIN SOUTH
SOUTH ORCHARD MAJOR AMENDMENT

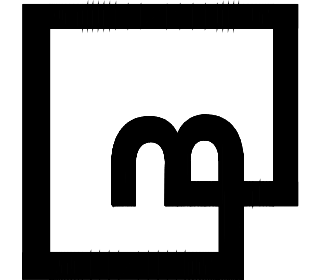
For:
BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



Scale:
Horizontal
1" = 100'
Vertical
N/A

Designed KDM
Drawn KDM
Checked CMW
Approved CMW
Date 5/8/23

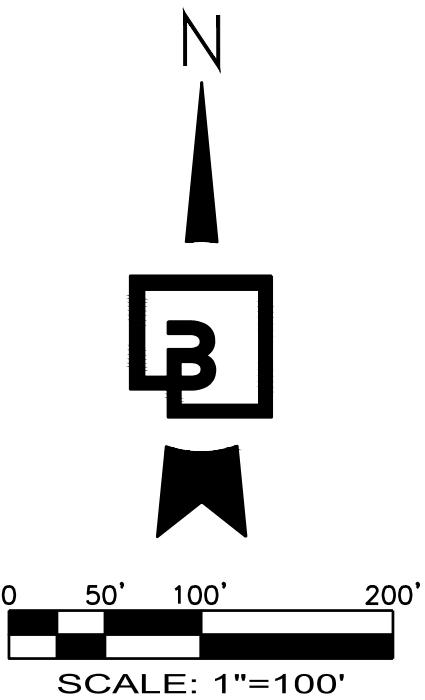
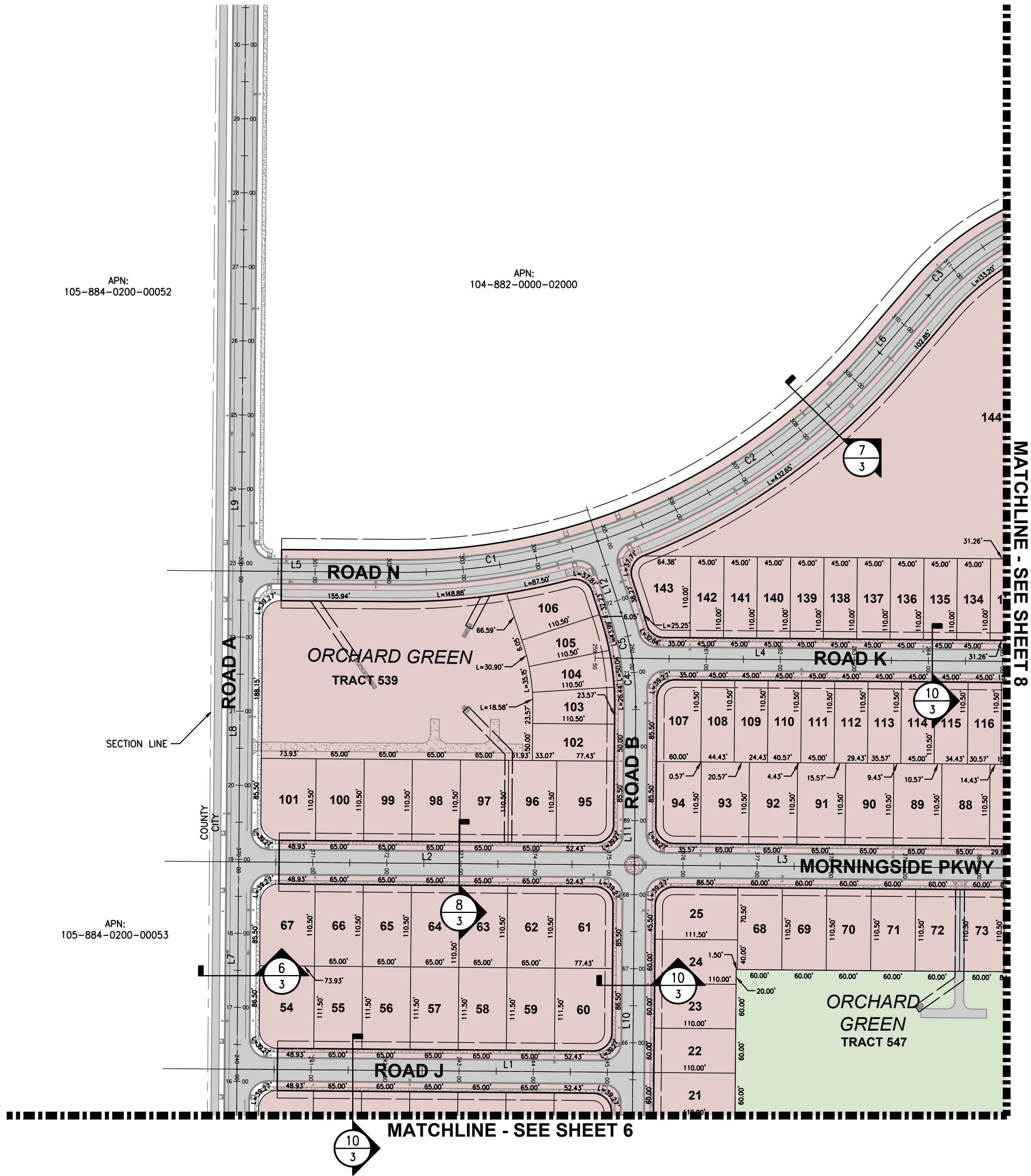
Barghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com



Job Number
22467.6
Sheet
8 of 18

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA



PHASING LEGEND				
PHASE	LOTS	UNITS	TRACTS	
1	167	325	6	
2	123	123	4	
3	130	130	1	
4	117	117	1	

*DOES NOT INCLUDE PARCELS 104-884-0000-02001 AND 104-884-0000-02002

ALIGNMENT LINE TABLE				
LINE #	DISTANCE	BEARING	START STATION	END STATION
L1	534.37	S89° 32' 12.25"E	240+00.00	245+34.37
L2	534.37	S89° 32' 12.25"E	370+00.00	375+34.37
L3	508.89	S89° 32' 12.25"E	375+34.37	380+43.26
L4	514.27	S89° 32' 12.25"E	260+00.00	265+14.27
L5	210.44	S89° 32' 12.25"E	300+00.00	302+10.44
L6	102.85	N40° 39' 38.22"E	309+49.28	310+52.13
L7	280.00	N0° 27' 47.75"E	16+16.50	18+96.50
L8	392.65	N0° 27' 47.75"E	18+96.50	22+89.15
L9	854.06	N0° 27' 47.75"E	22+89.15	31+43.21
L10	280.00	N0° 27' 47.75"E	65+60.00	68+40.00
L11	213.57	N0° 27' 47.75"E	68+40.00	70+53.57
L12	101.21	N18° 07' 00.44"W	71+83.28	72+84.49

ALIGNMENT CURVE TABLE					
CURVE #	RADIUS	CHORD LENGTH	CHORD BEARING	START STATION	END STATION
C1	850.00	274.43	N81° 10' 23.65"E	302+10.44	304+86.08
C2	850.00	457.49	N56° 16' 18.89"E	304+86.08	309+49.28
C3	375.00	239.18	N59° 15' 28.03"E	310+52.13	312+95.56
C4	400.00	65.65	N4° 14' 38.55"W	70+53.57	71+19.30
C5	400.00	63.92	N13° 32' 02.65"W	71+19.30	71+83.28

Revision

No.

Date

By

Chd.

Appr.

Title:

LOT LAYOUT
FOR
BADGER MOUNTAIN SOUTH
SOUTH ORCHARD MAJOR AMENDMENT

For:

BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335

Scale:

Horizontal
1" = 100'

Vertical
N/A

Designed

Drawn

Checked

Approved

Date

KDM

KDM

CW

CW

5/8/23

Barghausen Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com

22467.6

Sheet

9 of 18

CALL BEFORE YOU DIG:
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UTILITY CONFLICT NOTE:

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BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA

LOT TABLE

LOT	AREA (SF)
1	209,820
2	8,261
3	5,868
4	7,108
5	6,169
6	5,468
7	5,468
8	5,468
9	5,468
10	5,468
11	5,468
12	5,468
13	5,017
14	6,556
15	6,600
16	6,600
17	6,600
18	6,600
19	6,600
20	6,600
21	6,600
22	6,600
23	6,600
24	6,660
25	7,727
26	7,929
27	14,412
28	10,916
29	6,214
30	7,247
31	7,247
32	8,500
33	8,500
34	7,248
35	7,248
36	7,248
37	7,248
38	7,248
39	8,110
40	8,110
41	7,247
42	7,247
43	7,247
44	7,247
45	7,247
46	8,500
47	8,500
48	7,248
49	7,248
50	7,248
51	7,248
52	7,248
53	8,110
54	8,110
55	7,247
56	7,247
57	7,247
58	7,247
59	7,247
60	8,500

LOT	AREA (SF)
61	8,422
62	7,183
63	7,183
64	7,183
65	7,183
66	7,183
67	8,036
68	6,630
69	6,630
70	6,630
71	6,630
72	6,630
73	6,630
74	7,344
75	7,217
76	7,217
77	7,436
78	6,213
79	8,897
80	8,162
81	6,628
82	6,628
83	8,276
84	7,391
85	7,391
86	7,391
87	7,012
88	7,183
89	7,182
90	7,182
91	7,182
92	7,182
93	7,182
94	6,558
95	8,422
96	7,182
97	7,182
98	7,182
99	7,182
100	7,182
101	8,036
102	5,525
103	5,092
104	4,707
105	4,806
106	6,532
107	6,496
108	4,973
109	4,973
110	4,973
111	4,973
112	4,973
113	4,972
114	4,973
115	4,972
116	4,973
117	4,715
118	4,581
119	4,581
120	4,581

LOT	AREA (SF)
121	4,581
122	6,136
123	6,185
124	6,185
125	10,386
126	5,265
127	4,869
128	4,853
129	5,310
130	5,310
131	5,310
132	5,310
133	5,060
134	4,950
135	4,950
136	4,950
137	4,950
138	4,950
139	4,950
140	4,950
141	4,950
142	4,950
143	7,506
144	147,136
145	18,174
146	13,822
147	13,821
148	13,822
149	13,822
150	13,822
151	13,821
152	13,822
153	13,822
154	13,821
155	13,821
156	13,821
157	13,822
158	13,821
159	12,537
160	11,763
161	10,872
162	15,021
163	12,565
164	12,565
165	11,247
166	22,723
167	29,627
168	9,689
169	8,274
170	8,312
171	8,349
172	8,386
173	8,424
174	8,461
175	8,576
176	8,536
177	8,574
178	8,606
179	10,280
180	9,129

LOT	AREA (SF)
181	8,365
182	10,248
183	9,143
184	7,215
185	7,314
186	6,754
187	6,573
188	6,572
189	6,572
190	7,767
191	7,767
192	6,572
193	6,572
194	6,572
195	6,572
196	6,593
197	7,579
198	5,022
199	8,886
200	5,558
201	5,467
202	5,467
203	5,468
204	5,468
205	5,468
206	5,468
207	5,468
208	4,957
209	4,950
210	4,950
211	4,950
212	4,950
213	4,950
214	6,151
215	6,151
216	6,151
217	6,246
218	6,121
219	5,677
220	5,677
221	5,677
222	5,677
223	5,677
224	5,677
225	5,677
226	5,677
227	5,677
228	5,551
229	5,500
230	5,501
231	6,000
232	6,080
233	5,714
234	7,344
235	6,852
236	6,231
237	5,850
238	5,850
239	5,850
240	5,850

LOT	AREA (SF)
241	5,684
242	5,644
243	5,644
244	5,644
245	5,644
246	5,644
247	5,644
248	5,644
249	5,644
250	6,893
251	11,394
252	9,754
253	9,754
254	9,754
255	9,753
256	7,503
257	7,637
258	7,637
259	7,503
260	7,906
261	7,637
262	7,637
263	7,503
264	10,468
265	9,040
266	9,311
267	9,748
268	10,356
269	11,163
270	12,113
271	12,059
272	13,111
273	11,389
274	9,539
275	11,698
276	15,985
277	8,128
278	7,635
279	6,848
280	6,847
281	6,847
282	6,848
283	6,643
284	6,555
285	6,555
286	6,555
287	6,555
288	6,555
289	6,555
290	7,969
291	9,753
292	9,753
293	9,752
294	9,752
295	9,752
296	9,751
297	9,751
298	9,751
299	9,750
300	9,750

LOT	AREA (SF)
301	9,750
302	9,749
303	9,749
304	9,749
305	9,748
306	9,748
307	9,748
308	7,652
309	6,588
310	6,588
311	6,588
312	6,588
313	6,588
314	6,588
315	6,588
316	6,071
317	6,588
318	6,588
319	6,588
320	6,588
321	6,588
322	6,588
323	7,652
324	7,652
325	6,588
326	6,588
327	6,588
328	6,588
329	6,588
330	6,588
331	6,071
332	6,588
333	6,588
334	6,588
335	6,588
336	6,588
337	6,588
338	6,588
339	7,652
340	10,245
341	8,155
342	8,155
343	8,155
344	8,155
345	8,155
346	8,155
347	8,155
348	8,155
349	8,155
350	8,155
351	8,155
352	8,155
353	9,712
354	12,277
355	10,478
356	10,789
357	10,107
358	8,932
359	13,801
360	12,672

LOT	AREA (SF)
361	11,173
362	9,458
363	8,910
364	8,155
365	8,155
366	8,155
367	8,155
368	8,155
369	10,245
370	8,193
371	6,696
372	6,695
373	6,695
374	6,695
375	6,695
376	6,670
377	6,845
378	6,735
379	6,577
380	6,374
381	6,890
382	7,828
383	6,526
384	6,526
385	6,526
386	6,527
387	6,523
388	8,303
389	8,303
390	8,303
391	8,303
392	8,303
393	10,171
394	10,171
395	8,303
396	8,303
397	8,303
398	8,303
399	8,303
400	6,588
401	6,588
402	6,588
403	6,588
404	6,588
405	6,588
406	7,473
407	7,473
408	6,588
409	6,588
410	6,588
411	6,588
412	6,588
413	6,588
414	9,747
415	9,747
416	9,746
417	9,746
418	9,746
419	9,745
420	9,745

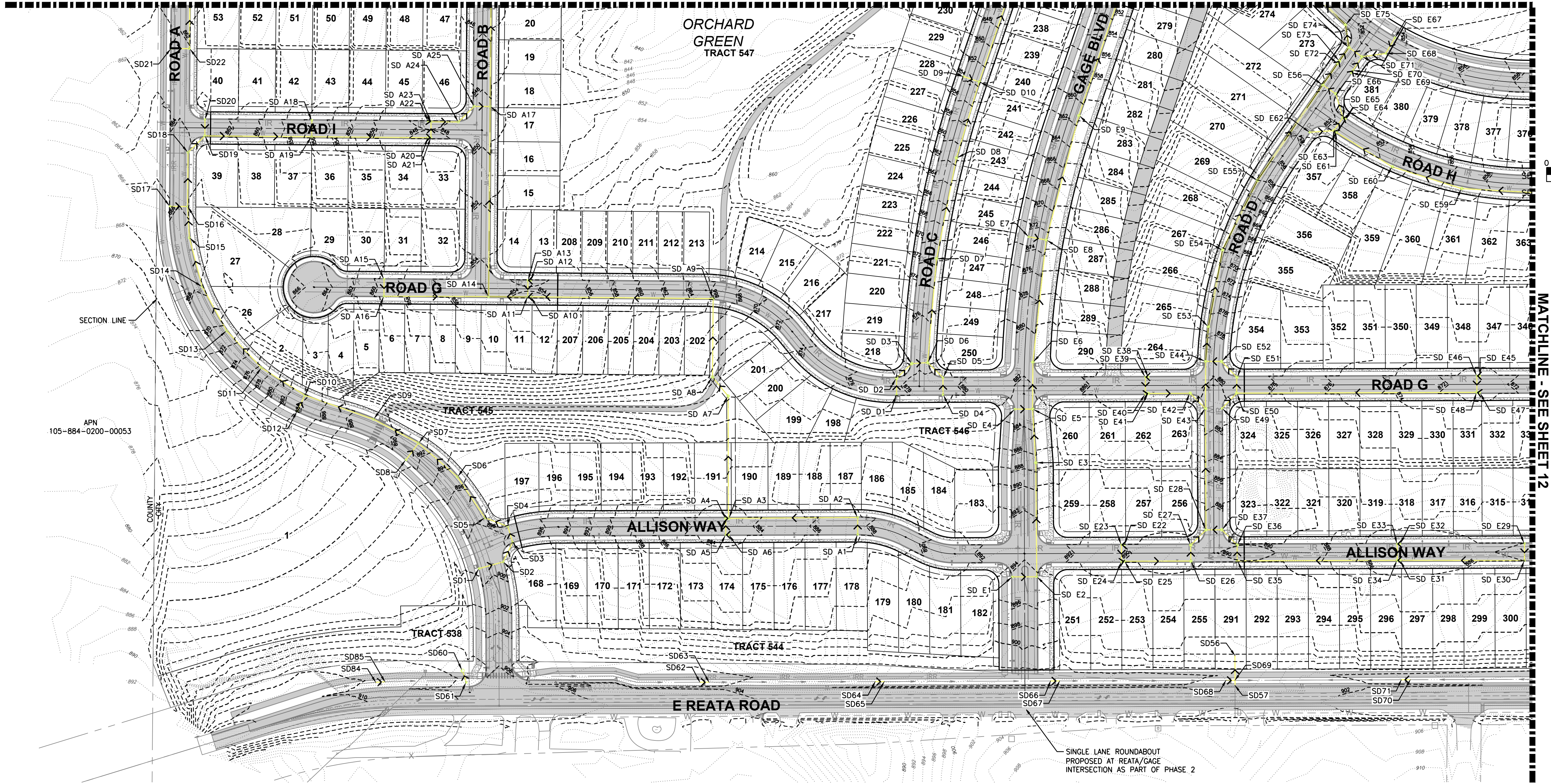
LOT	AREA (SF)
421	9,745
422	9,744
423	9,744
424	9,744
425	10,629
426	12,099
427	16,066
428	18,087
429	18,963
430	19,781
431	19,821
432	6,588
433	6,588
434	6,588
435	6,588
436	7,307
437	9,340
438	6,133
439	6,570
440	6,570
441	6,570
442	6,535
443	6,478
444	8,271
445	10,227
446	7,756
447	6,544
448	6,384
449	6,531
450	6,994
451	10,802
452	8,539
453	6,886
454	6,589
455	6,588
456	6,588
457	8,303
458	8,221
459	7,670
460	7,637
461	6,698
462	8,684
463	9,415
464	7,007
465	7,980
466	8,936
467	8,454
468	9,476
469	6,276
470	7,089
471	6,971
472	6,954
473	7,040
474	7,228
475	7,519
476	7,916
477	7,631
478	8,130
479	10,834
480	15,033

LOT	AREA (SF)
481	12,124
482	11,984
483	12,098
484	12,518
485	13,259
486	14,340
487	15,797
488	17,447
489	13,056
490	13,771
491	16,190
492	10,463
493	10,145
494	10,140
495	10,107
496	10,158
497	10,098
498	10,128
499	9,552
500	10,148
501	10,025
502	10,158
503	10,223
504	12,528
505	13,496
506	6,496
507	7,496
508	6,636
509	6,749
510	15,116
511	8,024
512	8,582
513	5,740
514	6,586
515	5,249
516	6,389
517	5,719
518	5,202
519	7,579
520	9,753
521	5,995
522	5,830
523	8,243
524	5,631
525	10,655
526	9,933
527	12,837
528	14,150
529	13,455
530	10,638
531	10,133
532	11,781
533	10,305
534	7,605
535	7,271
536	7,208
537	8,151

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA

MATCHLINE - SEE SHEET 13 AND 14



GRADING NOTES

ROUGH FINISHED GRADE CONTOURS SHOWN FOR PRELIMINARY PLATTING PURPOSES ONLY. GRADING AND DRAINAGE OF PHASED ENGINEERING PLANS MAY DIFFER FROM THOSE SHOWN.

CALL BEFORE YOU DIG:
1-800-424-5555 OR "811"

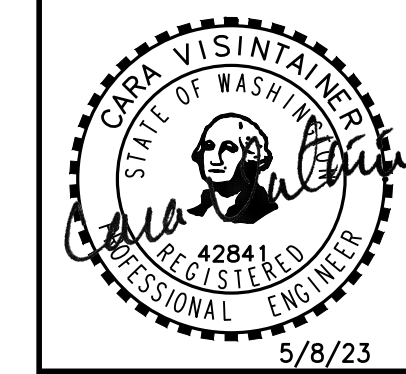
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Revision	No.	Date	By	Chd.	Appr.

Title: GRADING AND DRAINAGE PLAN
FOR
BADGER MOUNTAIN SOUTH
SOUTH ORCHARD MAJOR AMENDMENT

For: BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



Scale:	Horizontal 1" = 100'	Vertical N/A
Designed	KDM	
Drawn	KDM	
Checked	CW	
Approved	CW	
Date	5/8/23	

Barghausen
Consulting Engineers, Inc.
18215 72nd Avenue South
Kent, WA 98032
425.251.6222
barghausen.com



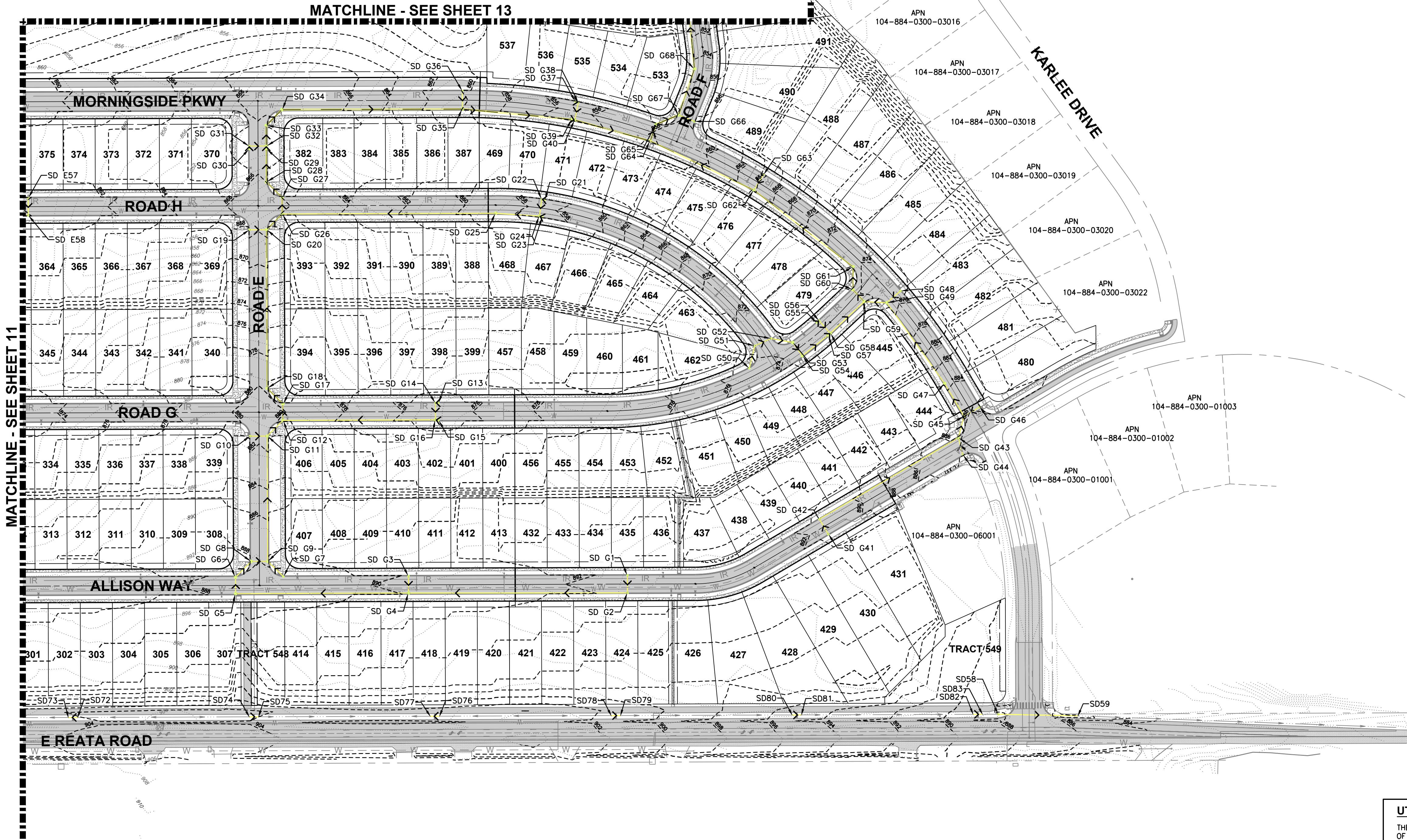
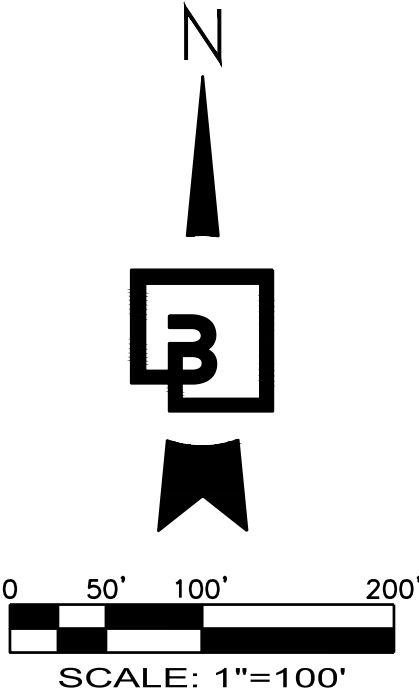
Job Number	22467.6
Sheet	11 of 18

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA

GRADING NOTES

ROUGH FINISHED GRADE CONTOURS SHOWN FOR PRELIMINARY PLATTING PURPOSES ONLY. GRADING AND DRAINAGE OF PHASED ENGINEERING PLANS MAY DIFFER FROM THOSE SHOWN.



CALL BEFORE YOU DIG:
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UTILITY CONFLICT NOTE:

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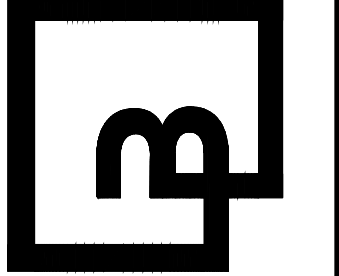
No.	Date	By	Chd.	Appr.	Revision
Title: GRADING AND DRAINAGE PLAN FOR BADGER MOUNTAIN SOUTH SOUTH ORCHARD MAJOR AMENDMENT					

For: BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



Scale:	Horizontal 1" = 100'	Vertical N/A
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		CW Approved
		Date 5/8/23

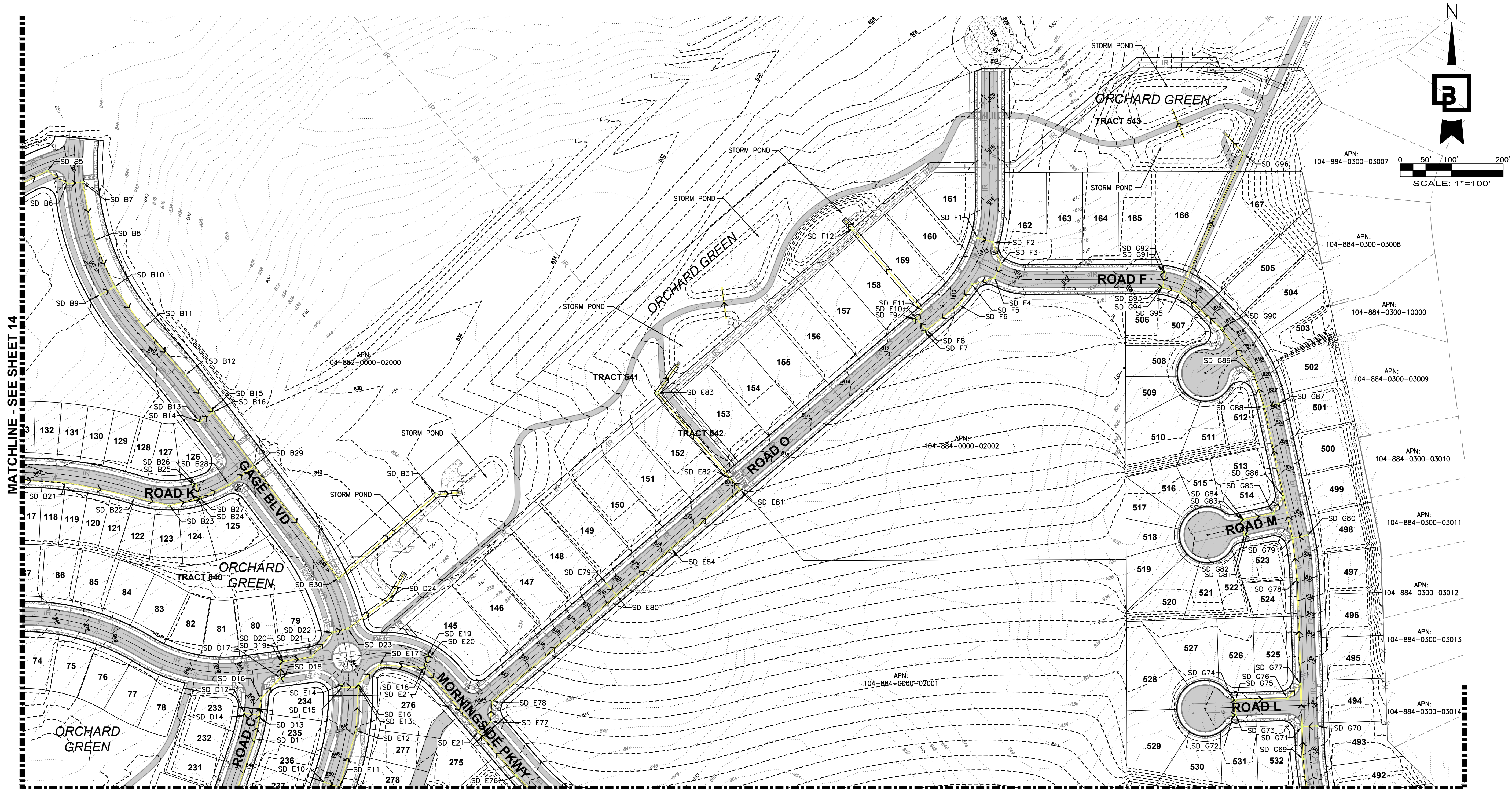
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Job Number 22467.6	Sheet 12 of 18
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BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA



GRADING NOTES

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MATCHLINE - SEE SHEET 11 AND 12

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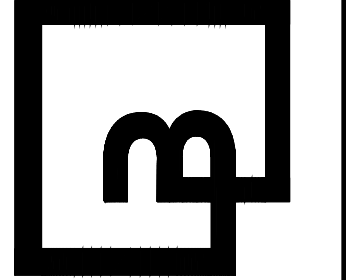
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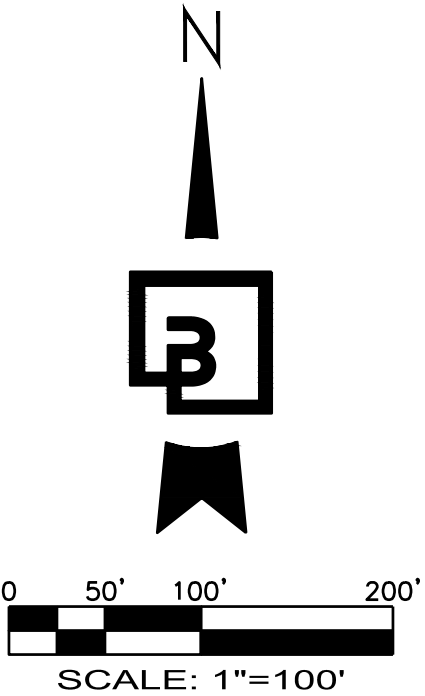
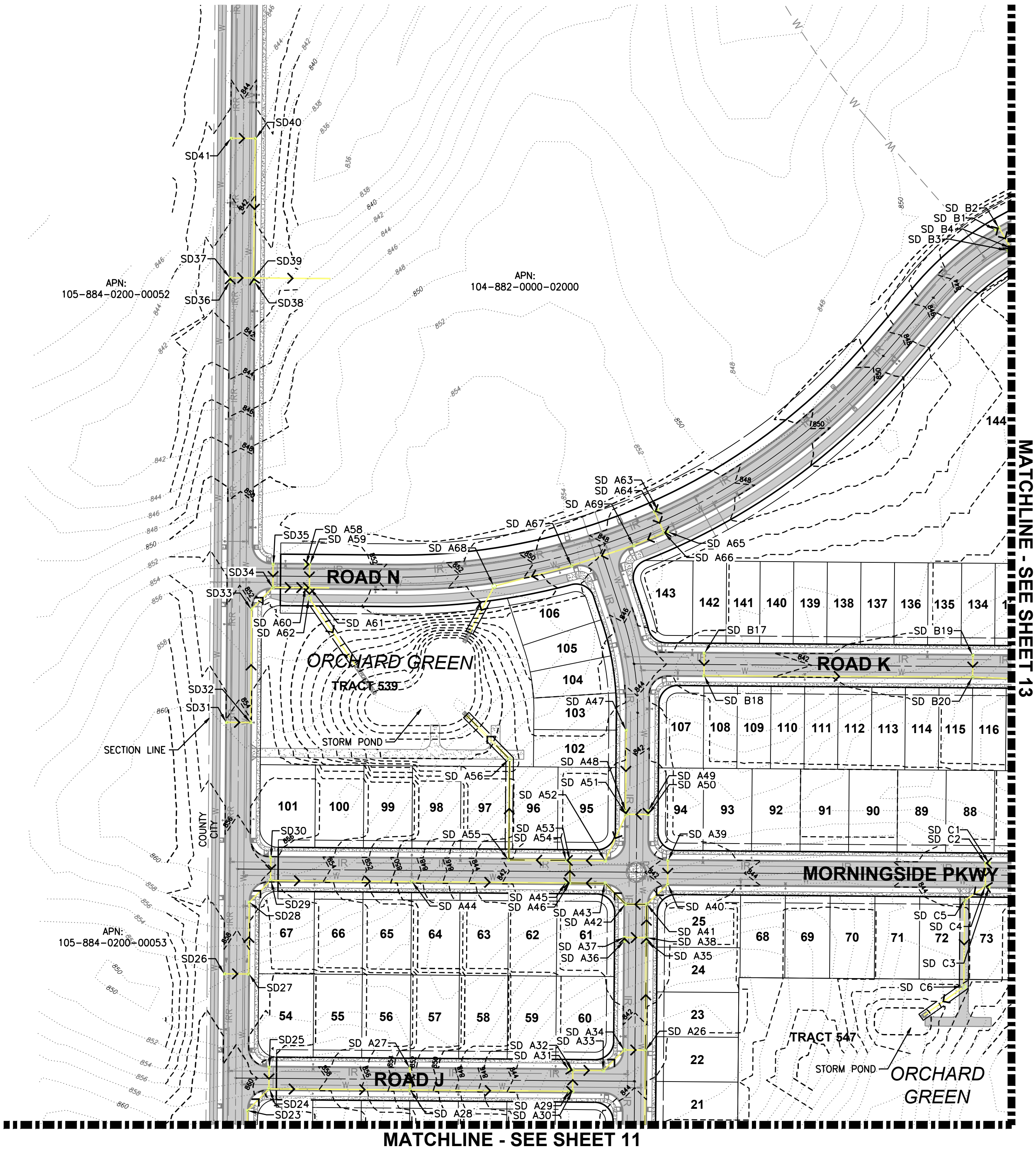
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Job Number	22467.6
Sheet	13 of 18

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA



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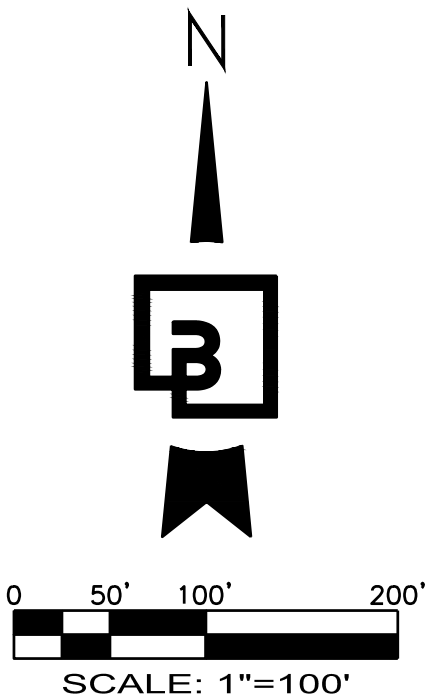
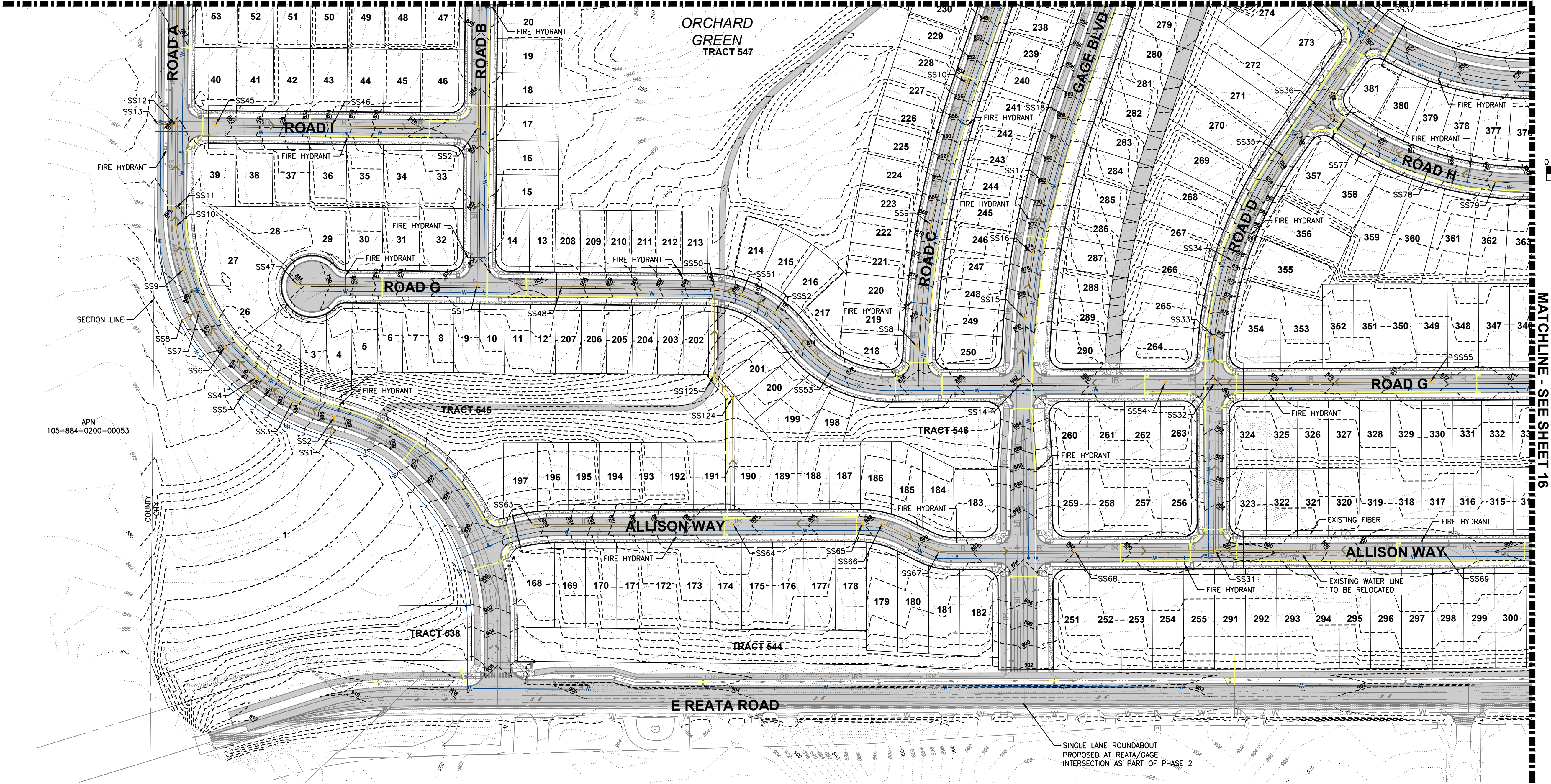
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For: BADGER COMMUNITIES, LLC P.O. BOX 1307 GIG HARBOR, WA 98335							
Scale: Horizontal 1" = 100' Vertical N/A							
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Designed	Drawn	Checked	Approved	Date 5/8/23			
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Job Number 22467.6		Sheet 14 of 18					

BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA

MATCHLINE - SEE SHEET 17 AND 18



UTILITY LEGEND			
PROPOSED		EXISTING	
	WATER MAIN		WATER MAIN
	IRRIGATION MAIN		IRRIGATION MAIN
	SANITARY SEWER MAIN		SANITARY SEWER MAIN
	STORM MAIN		STORM MAIN

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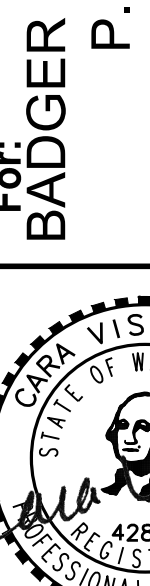
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425.251.6222 barghausen.com



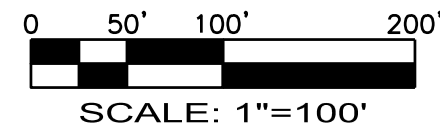
For: **BADGER COMMUNITIES, LLC**
P.O. BOX 1307
GIG HARBOR, WA 98335

Title: **UTILITY PLAN**
FOR
BADGER MOUNTAIN SOUTH
SOUTH ORCHARD MAJOR AMENDMENT

Revision		No.	Date	By	Chd.	Appr.
Job Number		22467.6				
Sheet		15 of 18				

	Barghausen Consulting Engineers, Inc. 18215 72nd Avenue South Kent, WA 98032 425.251.6222 barghausen.com	Designed	KDM	Scale: Horizontal 1" = 100' Vertical N/A	 5/8/23	For: BADGER COMMUNITIES, LLC P.O. BOX 1307 GIG HARBOR, WA 98335	Title: UTILITY PLAN FOR BADGER MOUNTAIN SOUTH SOUTH ORCHARD MAJOR AMENDMENT
		Drawn	KDM				
		Checked	CMW				
		Approved	CMW				
		Date	5/8/23				

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA



	PROPOSED		EXISTING
	WATER MAIN		WATER MAIN
	IRRIGATION MAIN		IRRIGATION MAIN
	SANITARY SEWER MAIN		SANITARY SEWER MAIN
	STORM MAIN		STORM MAIN

MATCHLINE - SEE SHEET 15

ROAD 1

ROAD G

ALLISON WAY

E REATA ROAD

KARLEE DRIVE

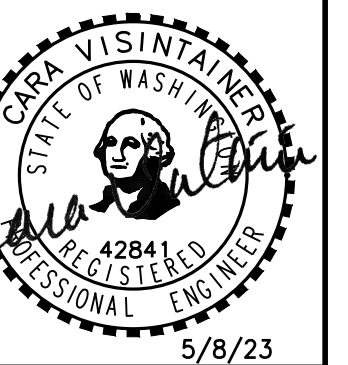
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BADGER COMMUNITIES, LLC
P.O. BOX 1307
GIG HARBOR, WA 98335



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Drawn	KDM
Checked	CMV
Approved	CMV
Date	5/8/23

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425.251.6222 **barghausen.com**

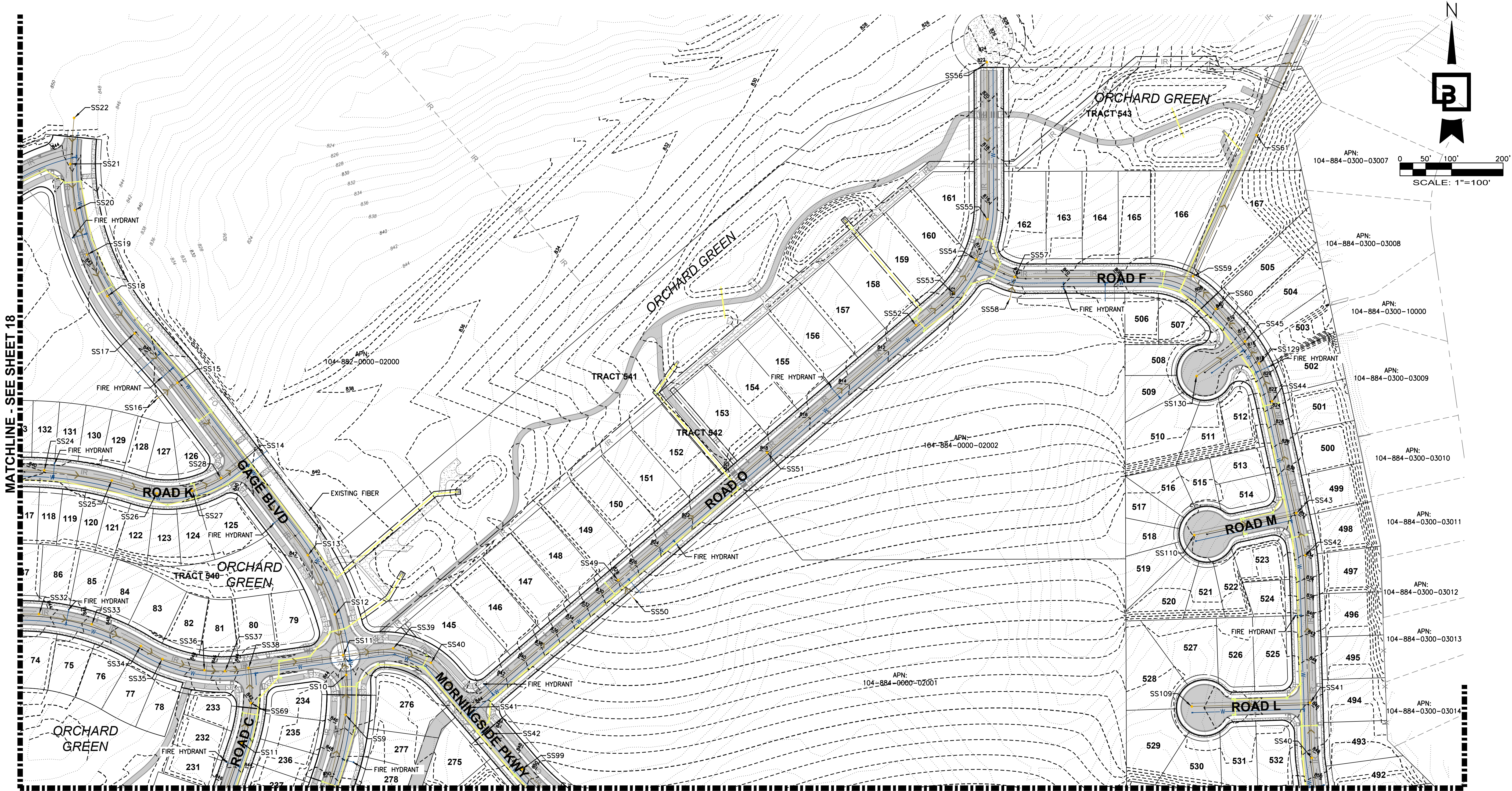
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BMS SOUTH ORCHARD - MAJOR AMENDMENT

A PORTION OF SEC. 4, T 8 N, R 28 E, W.M., CITY OF RICHLAND, WA



MATCHLINE - SEE SHEET 18

MATCHLINE - SEE SHEET 15 AND 16

UTILITY LEGEND			
PROPOSED		EXISTING	
	WATER MAIN		WATER MAIN
	IRRIGATION MAIN		IRRIGATION MAIN
	SANITARY SEWER MAIN		SANITARY SEWER MAIN
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Job Number 22467.6		Sheet 17 of 18	
Barghausen Consulting Engineers, Inc. 18215 72nd Avenue South Kent, WA 98032 425.251.6222 barghausen.com			
For: BADGER COMMUNITIES, LLC P.O. BOX 1307 GIG HARBOR, WA 98335			
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Revision No. Date By Ctd. Appr.			

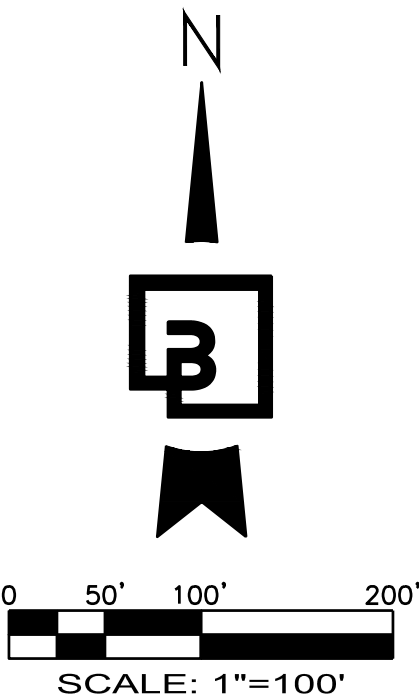
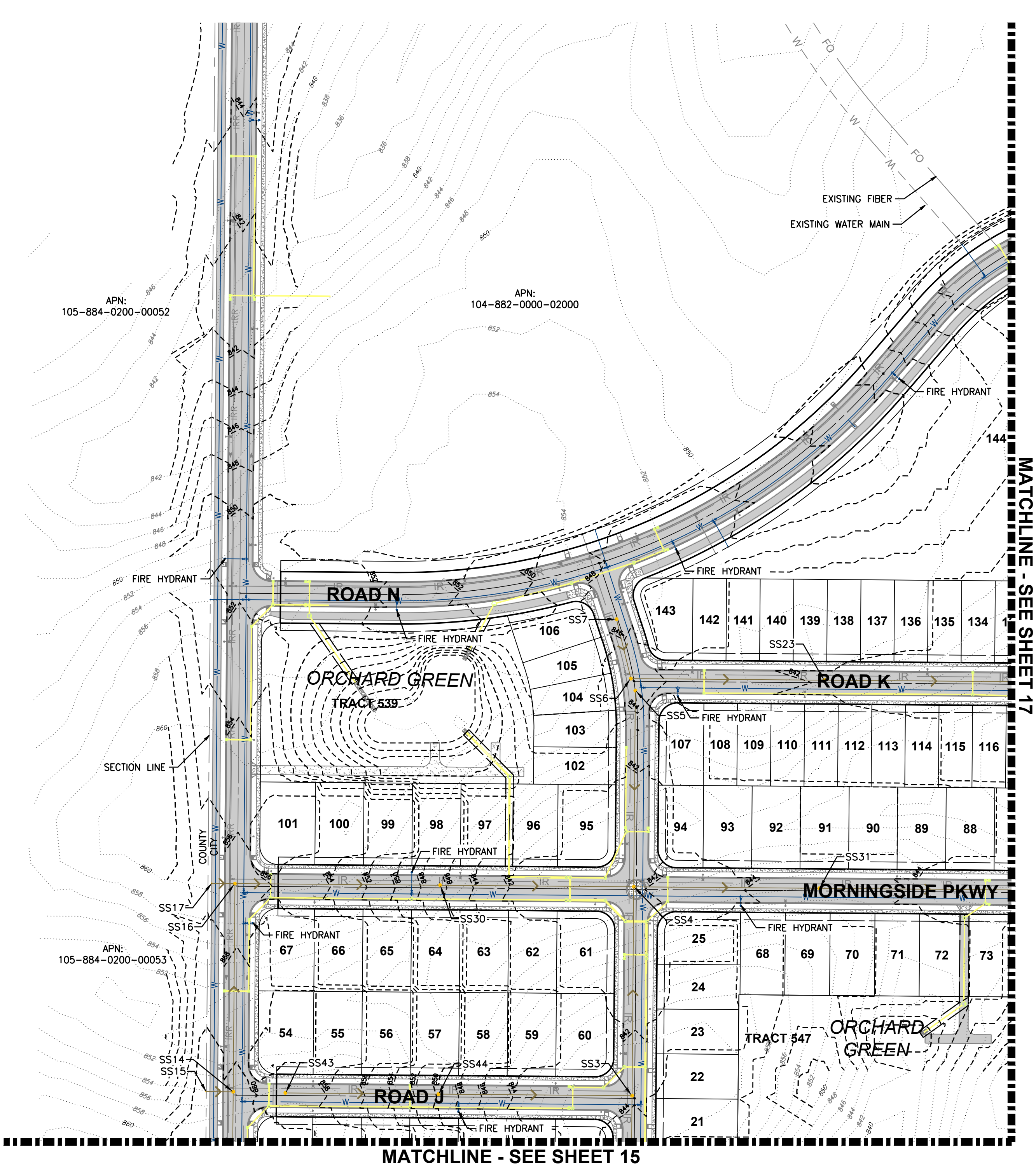
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KDM Designed
KDM Drawn
CWM Checked
CWM Approved
Date 5/8/23

5/8/23
Professional Engineer
CASA VISITANTE
STATE OF WASHINGTON
42841

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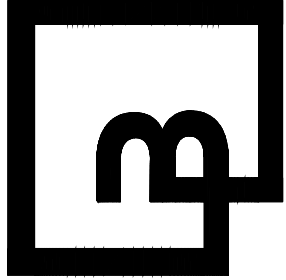
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Designed		Drawn		Checked		Approved	
Date		Date		Date		Date	
5/8/23		5/8/23		5/8/23		5/8/23	
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Job Number 22467.6		Sheet 18 of 18					





May 8, 2023

Mike Stevens
Planning Manager
City of Richland
625 Swift Blvd
Richland, WA 99354

RE: MACR Update for South Orchard Plat for Major Amendment application dated 5-3-2023

Dear Mr. Stevens,

This letter serves as an update to the MACR Supplement to the Preliminary Plat for South Orchard.

Badger Communities, LLC is requesting a major amendment to the plat conditions for South Orchard. As part of this request, Badger Communities, LLC approached me as the Associate Master Plan Administrator to update the MACR for review.

I have reviewed the City of Richland's plat conditions and the original MACR. From the documents I received from Badger Developers, LLC, it appears the applicant is only requesting to add 64 additional residential lots dispersed in Phases 2-4. As such, I support the proposal to add additional lots to the project after considering the following:

1. The additional lots do not significantly impact the layout of the roads and utilities as previously submitted.
2. There will be no impact to the first phase of the project which is currently permitted and under construction.
3. I was initially concerned about exceeding the density targets (LUDR 7.C) for South Orchard, but upon further review, the approved preliminary plat of South Orchard included land that was shown as East Market (LUDR 7.D) on the original neighborhood map. The maps in the LUDR are considered as illustrative (LUDR 7.D heading) so adjusting the boundaries for the preliminary plat was completely within the allowances in the LUDR. The increase in the overall density target for South Orchard will be taken into account for East Market in the future. The following is a breakdown of the proposed total residential lot increase per phase:
 - a. Phase 1: approved-325; proposed-0
 - b. Phase 2: approved-101; proposed-123 (22 residential lot increase)
 - c. Phase 3: approved-101; proposed-130 (29 residential lot increase)
 - d. Phase 4: approved-104; proposed-117 (13 residential lot increase)
4. The City of Richland City Council has asked staff to work with developers to try to find ways to make housing more attainable. By increasing the total lot count by reducing larger lot sizes, the costs associated with development will be spread over more lots and will reduce the price of lots in South Orchard. This will help reduce the overall cost of housing and make it more attainable.

5. The applicant is still exceeding the trail and green space requirements from the LUDR. The original MACR review showed 1,534 allowed RU based on the amount of trail and green space that is being provided in South Orchard. This is obviously well above the required amount for the 695 RU being proposed by this amendment.

I want to make sure that this proposal does not change or remove any of the recommendations/requirements from the original MACR. Additionally, I don't support any request to change or remove any of the original plat conditions from the City of Richland with the exception of adding additional lots and tracts as requested. If any requests to change the original MACR or the original City of Richland plat conditions are made, we reserve the right to review those changes and make a MACR determination.

Thank you,

Darrin Sweeney

Darrin Sweeney
Badger Mountain South
Associate Master Plan Administrator



Exhibit 2

S2021-104 Master Agreement Consistency Recommendation [MACR]

Badger Mountain South

Master Agreement Consistency Recommendation (MACR) Supplement to the Preliminary Plat Application for South Orchard

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 and the specific responses are provided for this application. 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
South Orchard

Date: October 21, 2021

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 Master Plan Administrator in conjunction with the Applicant and submitted with other Preliminary Plat materials, as required in Richland Municipal Code (RMC) Chapter 24.12.

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:

South Orchard

3. Project description including site size in acres:

A subdivision of 194.54 acres total area; 475 total lots including 471 Residential Lots, 29 Tracts, 2 Civic Lots, and 2 Multi-Family Lots created all within Badger Mountain South, lying adjacent to and North of Reata Road.

4. Is phasing proposed? Please explain:

The project will be designed and permitted in one effort. Phasing for final plat approval will be done per the phase lines on the plans.

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

See Sheet C005 for BMS Districts within South Orchard

- *BMS-NC (Neighborhood Collector-LUDR Section 3.C)*
- *BMS-NG (Neighborhood General-LUDR Section 3.D)*
- *BMS-NE (Neighborhood Edge-LUDR Section 3.E)*
- *BMS-Civic*
- *Special Designation "P" Overlay District (See land use table 2.C for "P" designation)*

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

Neighborhoods: South Orchard (LUDR Illustrative Plan 7.D on page 7-3)

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

- *BMS-NC- Single Family Residential and Multi Family as allowed in LUDR table 2.C note 2 & 3*
- *BMS-NG- Single Family Residential with the potential of Multi Family as allowed in LUDR table*

2.c note 3

- BMS-NE- Single Family Residential
- BMS-Civic- Orchard Green open space, City of Richland Park, Kennewick School Site, Trail System as shown on plat

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

Single Family Residences, Multi-Family (including Stacked unit buildings in BMS-NC) and Duplex/Row Houses in BMS-NC and BMS-NG per LUDR Table 2.D.

Kennewick School District in BMS-Civic (Tract 477)

Misc Park Structures for City of Richland Park (Tract 476)

LUDR COMPLIANCE

LUDR Section 1

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

LUDR Section 2

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

Please define the District for this application:

District Type:

- BMS-NC (Neighborhood Collector-LUDR Section 3.C)
- BMS-NG (Neighborhood General-LUDR Section 3.D)
- BMS-NE (Neighborhood Edge-LUDR Section 3.E)
- BMS-Civic
- Special Designation "P" Overlay District (See land use table 2.C for "P" designation)

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

LUDR Section 3

This section identifies the district development standards for five of the districts in Badger Mountain South. For this review, the District Intent will be reviewed. The specific building placement, profile, height, frontage type, and parking requirements will be reviewed as part of the MACR 2.

Does the requested use meet the District Intent as outlined in Section 3?

- BMS-NC (Neighborhood Collector-LUDR Section 3.C)- **Yes see LUDR 3-4, 3-5**
- BMS-NG (Neighborhood General-LUDR Section 3.D)- **Yes see LUDR 3-6**
- BMS-NE (Neighborhood Edge-LUDR Section 3.E)- **Yes see LUDR 3-7**
- BMS-Civic- **Yes see LUDR 3-8**
- Special Designation "P" Overlay District (See land use table 2.C for "P" designation)- **Yes see table 2.C for special overlay designation**

LUDR Section 4

This section identifies the special district development standards. There are no special district development areas proposed in South Orchard so it is not applicable to this review.

LUDR 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 The South Orchard Preliminary Plat, there are a total of 631 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 a minimum of 631 RU will be provided in the following manner:

TRAILS/PARK/GREEN SPACE REQUIREMENT

SEE SHEET C004

Trail Type and Park Calculation Factor (Trail lengths and Park SF shall be applied to the length of trail constructed and SF of Parks constructed and multiplied by the following trail factor):

- Primary Trail 1 RU per foot
- City Primary Trail 1 RU per foot
- Secondary Trail .6 RU per Foot
- Urban Trail 1 RU per Foot
- Park 1 RU per 650 SF

Total Trail to be constructed- 20,052 feet; Total credit based on trail type- 17,497.2 or 1,093.6 RU Credit

Total SF of Park to be constructed is 286,505; Total credit based on park SF- 440.8 RU Credit

TOTAL ALLOWED RU IN SOUTH ORCHARD FOR TRAIL AND PARK IS 1,534.4 RU (exceeds requirement)

This calculation does not factor in the Kennewick School District Parks and Open Space on Tract 477 as allowed in 5.F of the LUDR. This space will be calculated as the Kennewick school design progresses.

Other Comments:

There is an active comprehensive traffic impact study currently under final review with the City of Richland. After reviewing the initial remand from the Hearing Examiner and working with the City of Richland Public Works staff and TENW (the traffic engineer for the updated TIA), the applicant has provided a letter of explanation along with a letter from TENW that outlines the importance of the new TIA to the entire Badger Mountain Subarea and the traffic mitigations outlined in the new TIA and the codified City of Richland Traffic Impact Fee Program. These mitigations are supported by the City of Richland Public Works department even as the final details of the expanded TIA are being reviewed.

LUDR 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 pages COO2 and C003 for street type and edge type

LUDR 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: 290 ft.; Largest: 985 ft

Road O between intersections of Road F and Morningside Parkway has a length of 1,220 feet between roadways; however, several locations along its length have been given way for trail access to Orchard Green open space as well as a mid-block crossing between the proposed school and City of Richland Park parcel. Considering the trail access to green space, school site, and park site, the MPA recommends the block length is acceptable.

The original MACR for South Orchard had the following condition:

“Alison Way between tract 497 (trail access) and Morningside Parkway is 1,250 feet between roadways and a mid-block crossing. The MPA will require a mid-block crossing between lots 374 and 375 to comply with the requirements of this section.”

As part of this submittal, the mid-block crossing has been added to the preliminary plat

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 X

The City of Richland has classified Morningside Parkway as a “minor collector” which is provisioned for front loading driveway access

2. Non-alley load lots are not across from a Civic District space.
Yes No X

The NE District lots along Road O are positioned across from a future park and school parcel

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 X 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

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

LUDR Section 8

This section identifies the design standards for each of the Building Types allowed within the Districts.

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 proposed Building Types lot standards?

Yes X No

Please describe:

Lot dimensions vary, but all can meet one or more Building Type Requirements and related standards

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 04/01/2021 and the approved LUDAR.

Signature: 

Date: October 21, 2021



Exhibit 3

S2021-104 Hearing Examiner Decision [Packet]



NOTICE OF DECISION

PURSUANT TO RICHLAND MUNICIPAL CODE SECTION 19.60.080, NOTICE IS HEREBY GIVEN THAT ON DECEMBER 16, 2021 THE CITY OF RICHLAND HEARING EXAMINER ISSUED A DECISION APPROVING THE PRELIMINARY PLAT OF SOUTH ORCHARD (CITY FILE NO. S2021-104):

**DESCRIPTION
OF ACTION:**

The preliminary plat of "South Orchard" proposing to subdivide 194.5-acres into 475 lots and twenty-nine (29) tracts for residential, commercial, civic and open-space development, has been approved.

SEPA REVIEW:

The probable significant adverse environmental impacts of the proposed project have been adequately addressed in the Planned Action Ordinance [RMC 19.50.030 (B)].

APPROVED:

The subdivision application has been approved.

PROJECT LOCATION:

The project site is located along the north side of Reata Road, west of Morningside Parkway in the Badger Mountain South master planned community (APN 1-04882000001000)

Shane O'Neill,
Senior Planner

December 17, 2021
Date

A full text of the Hearing Examiner's recommendation report can be viewed at:
<https://www.ci.richland.wa.us/departments/development-services/planning/land-use>

An appeal of the Hearing Examiner's decision regarding this preliminary plat application shall be final, subject to judicial appeal in the time and manner as provided in RMC 19.70.060 and Ch. 36.70C RCW.



**BEFORE THE HEARING EXAMINER
FOR THE
CITY OF RICHLAND**

**FINDINGS, CONCLUSIONS AND
DECISION APPROVING
“SOUTH ORCHARD” PRELIMINARY PLAT**

FILE NUMBER: S2021-104

APPLICANT/OWNER: NOR AM INVESTMENTS, LLC

APPLICATION: TO SUBDIVIDE 194.5 ACRES INTO 475 LOTS, ALLOWING FOR RESIDENTIAL, COMMERCIAL, CIVIC, AND OPEN-SPACE DEVELOPMENT

LOCATION: PART OF THE BADGER MOUNTAIN SOUTH SUB-AREA, IN THE BADGER MOUNTAIN MASTER PLANNED COMMUNITY, ON THE WEST END OF THE SOUTHERNMOST PART OF THE BMS COMMUNITY, NORTH OF REATA ROAD

PARCEL NUMBERS: 1-0488-200-0001-000 (PARENT PARCEL)

REVIEW PROCESS: TYPE III, PRELIMINARY PLAT,
HEARING EXAMINER DECISION

SUMMARY OF DECISION: *APPROVAL*, SUBJECT TO CONDITIONS

DATE OF DECISION: DECEMBER 16, 2021

I. CONTENTS OF RECORD.

Copies of all materials in the record and a digital audio recording of the open-record hearing conducted for this application are maintained by the City and may be requested by using the City's Public Records online portal or other methods for requesting records as described in the City's Public Records Disclosure Policy No. 0260.

Exhibits: *Final Staff Report.* City of Richland Development Services Division Staff Report and recommendation of approval to the Hearing Examiner regarding the "South Orchard" Preliminary Plat, File No. S2021-104, transmitted to the Examiner on Nov. 12th, dated November 17, 2021, issued following Remand, with 11 attached exhibits, as identified and numbered on page 34 of such report (*80 pages in .pdf file of materials, with report on pages 1-34*);

Remand Order. Issued by the Hearing Examiner in September of 2021, based on issues that prevented approval at such time (six pages);

Initial Staff Report. City of Richland Development Services Division Staff Report to the Hearing Examiner detailing numerous issues regarding the "South Orchard" Preliminary Plat and recommending Remand of such application for revisions, File No. S2021-104, dated July 12, 2021, with 9 Exhibits as identified and numbered on page 33 of such report (*91 pages in .pdf file of materials*);

Applicant's Response to Initial Staff Report. Email correspondence from Applicant Representative, Mr. Sweeney, to City Staff, dated July 9, 2021, with multiple attachments, all transmitted to the Examiner from Staff on July 12, 2021;

Amended Staff Report, for initial public hearing in July. Staff memo amending Initial Staff Report, dated July 8, 2021, with several exhibits attached thereto, including an additional *Exhibit 7A*, an email comment from the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) Cultural Resources Protection Program (CRPP) dated July 7, 2021, which reads as follows:

"[CTUIR] has reviewed the materials regarding the BMS South Orchard project. The project area is in close proximity to three historic properties of religious and cultural significance, Piyuušmaamí uštáy ('hills of the snakes'), usipamá ('for horses'), and Wišpúšya ('Beaver') to the CTUIR. Given that the project area is in close proximity to these traditional use areas and that the project will reach native soils, the likelihood of encountering cultural resources is high. Therefore, we recommend a cultural resource survey with subsurface testing."

Primary Exhibits Relied upon in issuing this Decision – all provided with the Final Staff Report, with updated drawings, comments, and recommendations, based on revisions made to the proposal in response to the Remand Order:

1. Application, REVISED, dated October 21, 2021 (.pdf pages 35-36);
2. Preliminary Plat Maps, Road Sections, Grading and Drainage Plans, Utility and other plan sheets, including 10 pages of REVISED plan sheets dated 10.21.2021 (begins on .pdf page 37);
3. Applicant's Response to the Remand Order, undated (begins on .pdf page 55);
4. TENW memo dated October 18, 2021, re: ongoing review of BMS Traffic Impact Analysis (TIA) (begins on .pdf page 57);
5. Master Agreement Consistency Recommendation (MACR), revised, dated October 21, 2021 (.pdf page 58);
6. Master Agreement Consistency Determination (MACD), revised, dated Nov. 3, 2021 (.pdf page 64);
7. Planned Action Consistency Determination (PACD), revised, dated November 3, 2021 (.pdf page 65);
8. BMS Master Agreement, page D-6 (.pdf page 67);
9. Site Photos (.pdf page 68);
10. Public Notices and affidavits confirming same (.pdf page 72);
11. Written Comments received after Remand, before final hearing, including two items, one a letter dated Nov. 8, 2021 from the City of West Richland, and another dated Nov. 10, 2021 from WSDOT (these comments are marked as Exhibit 12 in .pdf file of materials, beginning on .pdf page 78).
12. (Added into the Record during the final night of hearing) Public Works Department memo dated November 9, 2021, detailing specific transportation improvement projects funded by Traffic Impact Fees collected in Traffic Impact Zone 3, where the proposed plat and other parts of the BMS community are located. Previously included as Exhibit 16 in the Goose Ridge II Decision. Submitted and discussed during Mr. O'Neill's testimony.
13. Applicant Response to Final Staff Report, undated, forwarded to the Examiner on November 18th.

14. Post-hearing Supplement to Final Staff Report, including additional conditions of approval, mistakenly omitted from the Staff Report, with attached emails by/between staff and applicant representatives, indicating acceptance with such proposed conditions.
15. Richland City Council packet item for its Nov. 16th meeting, with coversheet, proposed Interlocal Agreement, drawing, and other materials, updated to include signed copy of Richland City Council Resolution No. 139-21, adopted on November 16, 2021, authorizing an agreement with Benton County to revise the City of Richland's corporate boundary to include the Reata Road right-of-way where it runs below the BMS/South Orchard development project, discussed during the public hearing, as a way to resolve questions regarding frontage improvements and the like that will be required along such right-of-way if it is in the County or the City. *(signed copy transmitted to the Examiner on November 19th).*
16. BMS Master Agreement, from October 2015, complete copy added to the record by the Examiner for reference by interested parties.
17. Master Declaration of Covenants, Conditions, and Restrictions for Badger Mountain South, added to the record by the Examiner for reference by interested parties. *(Benton County Auditor's Office, Recording No. 2012-027520 COV, recorded on 09/07/2012 (30 pages)).*

Testimony/Comments: The following persons were sworn and provided testimony under oath during the open-record hearing on November 17th for the revised application:

1. Shane O'Neill, Senior Planner, for the City of Richland;
2. Pete Rogalski, P.E., Public Works Director for the City of Richland, explained his professional judgement and opinions that support wider streets than some shown in application materials, that traffic safety and general drivability would be reduced if narrower streets are used in some instances, and that the City's transportation impact fees collected for each building permit in the proposed plat will be sufficient to proportionally fund transportation system improvements needed to mitigate impacts of this project, and that the pending TIA will be used to refresh the list of transportation improvements needed for the BMS community, which is all located in a specific impact fee area, known as "zone 3";
3. Darren Sweeney, Applicant's representative, summarized written comments included in the record as Ex. 13, which included concurrence with a possible condition of approval to withhold final plat approval until the TIA is accepted ("We are working with City staff to make sure the new TIA is accepted and approved before the final plat of the first phase of South Orchard is approved. We would be

amenable to a preliminary plat condition to make that a requirement of the final plat”), spoke to the merits of the revised South Orchard preliminary plat application;

4. Kaleb Mapstead, P.E., with AHBL Inc., Engineer of record for the project applicant, summarized portions of plan sheets that he believes to show compliance with various requirements and standards for the proposal merits of application and responded to questions; clarified that final plat design would not include narrower (32 foot) road widths on streets that are considered “Major” collectors, noting Major collectors would be at least 34 feet;

For this application, the Examiner takes official notice of sworn testimony provided by Mr. Rogalski and Carlo D’Alessandro, PE, Transportation and Development Manager for the City of Richland Public Works Department, during the public hearing held on November 8, 2021 before the Hearing Examiner for the Goose Ridge II preliminary plat application (File No. S2021-107), which is also located in the BMS community and included comments from the City of West Richland similar to those found in Ex. 11 for this South Orchard project. During their testimony, Mr. Rogalski and Mr. D’Alessandro offered credible and un rebutted evidence that trip counts used to determine if transportation improvements are “triggered” so construction should move forward are based upon building permits issued, not lots approved in final subdivisions, so the 1,000 unit threshold and others referenced in some comments have not been or will not be met until such time as 1,000 building permits are issued for new homes in the BMS community.

II. APPLICABLE LAW.

Under applicable provisions of the Richland Municipal Code (RMC), a preliminary plat application is first subject to review and approval by city staff with respect to the engineering elements of said plat, then the Hearing Examiner is responsible for conducting an open record public hearing followed by a final written Decision. A preliminary plat application is a Type III procedure. RMC 19.20.010(C)(1).

As explained in RMC 24.12.050(A), the hearing examiner shall consider any preliminary plat application and shall conduct an open record public hearing in accordance with Chapter 19.60 RMC. After the public hearing and review of materials in the record, the hearing examiner shall determine whether the preliminary plat is in accordance with the comprehensive plan and other applicable code requirements and shall either make a decision of approval or disapproval. The same provision of the city’s code (RMC 24.12.050(A)) provides that any approval of the preliminary plat shall not be given by the hearing examiner without the prior review and approval of the city manager or their designee with respect to the engineering elements of said plat including the following:

1. Adequacy of proposed street, alley, right-of-way, easement, lighting, fire protection, drainage, and utility provisions;
2. Adequacy and accuracy of land survey data;
3. The submittal by the applicant of a plan for the construction of a system of street lights within the area proposed for platting, including a timetable for installation; provided, that in no event shall such a plan be approved that provides for the dedication of such a system of lighting to the city later than the occupancy of any of the dwellings within the subdivision.

The City's decision criteria for preliminary plat approval are substantially similar to state subdivision mandates found in RCW 58.17.110(2)¹ and reads as follows:

Richland Municipal Code 24.12.053 Preliminary plat – Required findings.

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

A. The preliminary plat conforms to the requirements of this title;

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 that 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 (addresses transportation concurrency considerations).

And, RMC 19.60.095 mandates the following additional findings:

19.60.095 Required findings.

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:

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

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

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

D. 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

¹ "A proposed subdivision and dedication shall not be approved unless the city, town, or county legislative body makes written findings that: (a) 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 that assure safe walking conditions for students who only walk to and from school; and (b) the public use and interest will be served by the platting of such subdivision and dedication. If it finds that the proposed subdivision and dedication make such appropriate provisions and that the public use and interest will be served, then the legislative body shall approve the proposed subdivision and dedication. []" RCW 58.17.110(2).

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. (emphasis added).

E. 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 burden of proof rests with the applicant, and any decision to approve or deny a preliminary plat must be supported by a preponderance of evidence. *RMC 19.60.060 and Hearing Examiner Rules of Procedure, Sec. 3.08.* The application must be supported by proof that it conforms to the applicable elements of the city’s development regulations, comprehensive plan and that any significant adverse environmental impacts have been adequately addressed. RMC 19.60.060.

The hearing examiner’s decision regarding this preliminary plat application shall be final, subject to judicial appeal in the time and manner as provided in RMC 19.70.060 and Ch. 36.70C RCW *(The city’s final decision on land use application may be appealed by a party of record with standing to file a land use petition in Benton County Superior Court. Such petition must be filed within 21 days of issuance of the decision).* See RMC 24.12.050(B).

III. ISSUE PRESENTED.

Whether a preponderance of evidence demonstrates that the applicant has satisfied their burden of proof to satisfy the criteria for preliminary plat approval?

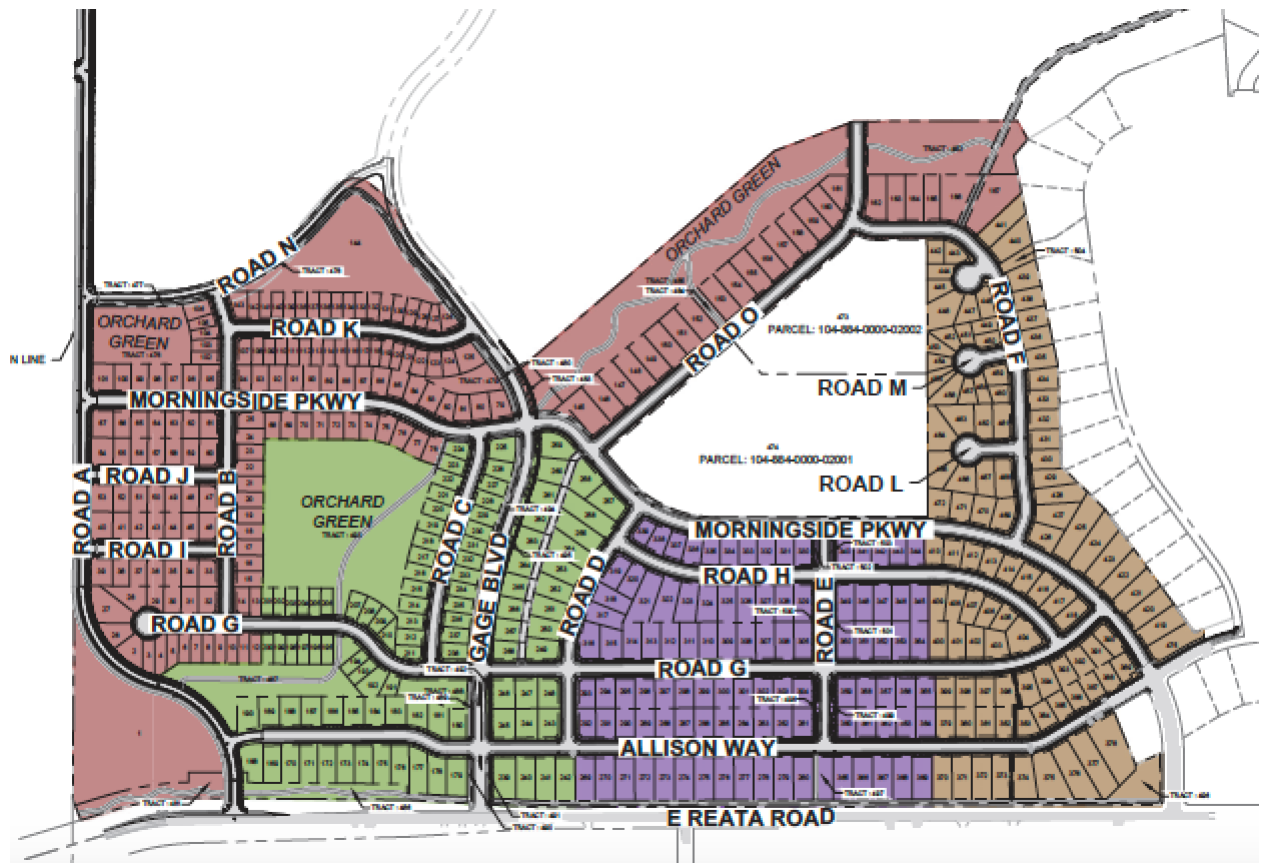
Short Answer: Yes, but only if the proposed plat is developed in compliance with specific conditions.

IV. FINDINGS OF FACT.

1. Upon consideration of the Staff Report, exhibits, public hearing testimony, follow-up research and review of applicable codes, plans, policies, controlling legal instruments, including without limitation the Badger Mountain South LUDR provisions, this Decision is now in order. Based on all the evidence, testimony, codes, policies, regulations, and other information contained in the Record, the Examiner issues the following findings, conclusions and Decision to approve the preliminary plat as set forth below.
2. Any statements in previous or following sections of this document that are deemed findings are hereby adopted as such. Captions should not be construed to modify the language of any finding, as they are only provided to identify some of the key topics at issue in this application.
3. Nor Am Investment, LLC, is the applicant and owner of the parcel(s) of property addressed in this revised preliminary plat application. *(Final Staff Report, pages 1-2; Exhibit 1, revised application; Ex. 2, revised plat drawings).*

4. The project site is part of the larger Badger Mountain South master planned community and is subject to review and compliance with applicable provisions of city development regulations as well as the Land Use and Development Regulations (LUDR) for the Badger Mountain South master planned community.
5. The Badger Mountain South master planned community is intended to be a “walkable and sustainable community” with a range of housing types, mixed-use neighborhoods, up to 5,000 dwelling units, businesses and other commercial activities, all subject to specially adopted Land Use and Development Regulations (LUDR) for the area. (*LUDR, 1.A, Intent, and 1.B, Purpose*). The property addressed in this application is located in the “South Orchard” portion of of the BMS community. (*LUDR, Sec. 1.E*).
6. Earlier this year, the city received a new application for a Preliminary Plat known as South Orchard, assigned File No. S2021-104. Testimony at the initial public hearing for this matter, on July 12th, explained that a previously approved preliminary subdivision for the same area expired at some point this year and is of no legal effect in this new application.
7. Based upon the record established at the initial public hearing, the Hearing Examiner found that the proposal could not be approved because it failed to meet applicable city requirements and LUDR provisions and remanded the application for additional information and revisions needed to satisfy relevant standards and approval criteria. (*Remand Order, dated September 29, 2021*).
8. On or about October 21, 2021, the Applicant submitted revised plat application materials, included as *Exhibits 1-4* in the Final Staff Report. Following review of the revised application materials, city staff deemed the materials complete for purposes of further review and acceptance on or about the same date it mailed, posted, and published Notices of the revised Application and Public Hearing for the matter on November 3 and 5, 2021. (*Final Staff Report, page 11; Ex. 10, copies of notices and confirmation materials*). All written comments received prior to the final public hearing from members of the public or interested agencies are included in the record as part of *Exhibit 11*. Copies of public comments received before the initial public hearing were also reviewed and considered in issuing this Decision. The applicant and City staff adequately addressed most of those comments and major concerns in revisions made to the application, and/or in new information included in the record following the Remand Order. The same is true for most all of the sworn testimony from the initial public hearing, which was considered in reaching this Decision, but was not of special relevance given that the application has been revised and additional evidence has been included in the record to clarify various issues.
9. This revised South Orchard preliminary plat application would divide 194.54 acres into a development site with 475 total lots, including 471 residential lots, 2 multi-family lots, 2 civic/open space lots, and 29 tracts. (*Final Staff Report, page 2; Ex. 2, Revised Preliminary Plat illustrations, dated October 21, 2021, Sheet C001, Land Use Table*).

10. For the reader's convenience, a screen shot of the revised Preliminary Plat of South Orchard illustration is provided below:



(Portion of revised plat drawing, included as part of Ex. 2, 'Revised Preliminary Plat' illustration, dated October 21, 2021, Sheet C001).

11. The application seeks approval to develop the proposed plat in 4 (four) phases, as depicted using different colors for each phase as shown above and on the more detailed plan sheets included in *Exhibit 2*.
12. The LUDR specifies various “districts” that are applied to properties in the BMS community. For this plat, most of the land area is located in the BMS-NG (Neighborhood General) District, with large portions in the BMS-NE (Neighborhood Edge) District, the BMS-NC (Neighborhood Connector) District, the BMS-NC District with an overlay, and the BMS-Civic District (*See Staff Report, discussion on pages 5 and 6; Ex. 2, revised preliminary plat plan sheet C005, labeled “BMS Districts”*).
13. Block standards are mandated in the LUDR at Section 7.B, including without limitation: a restriction on block lengths to no more than 1,000 feet (*see LUDR Sec. 7.B(2), which is satisfied by this application through use of trail connections, a midblock crossing, and the like to interrupt otherwise lengthy road-segments along blocks as explained on page 9 of the*

Staff Report, subject to a correction that the longest, uninterrupted block length for this revised plat appears to be 985 feet instead of 1,045-feet as stated in the Final Staff Report², see further discussion of the topic in Ex. 5, the updated MACR for this revised application, on .pdf page 62); and requirements for a minimum number of at least 2 (two) Building Types per block in portions of this proposed plat that are in the BMS-NC and BMS-NG districts (see Sec. 7.B(5)(a).

14. Section 2.D of the LUDR specifies all of the Building Types that are allowed in each District.
15. Conditions of approval must be enforced that require the applicant to identify all Building Types that will be allowed on each lot included in this plat, to ensure compliance with the Building Type, the minimum number of Building Types per block mandates, density, and other requirements. *(See discussion in Staff Report; Comments in Ex. 13, Applicant's response to Final Staff Report, providing additional information showing how proposal satisfies LUDR density requirements, and need to revise either LUDR or Master Agreement to be consistent with one another).*
16. Consistent with LUDR Sec. 1.G(5) and 7.B(5)(a)(2 and 3), the face of the final plat documents must identify the building type(s) that will be allowed on each lot, and demonstrate that there will be two building types per block for all blocks of the proposed plat that are within the BMS-NC and BMS-ND Districts. *(See proposed Condition of Approval No. 78, on page 34 of Final Staff Report).*
17. The Regulating Plan and purpose section for the various districts in the BMS community is found in the LUDR at Sec. 1.F.1(c), which reads in part as follows: *"No house in the BMS-NG District is intended to be farther than three blocks from any park, mini park or other type of open space."* *(LUDR, page 1-3, Sec. 1.F.1(c)).* While this LUDR provision did not come up during public testimony for this application, it has been a significant issue in other preliminary plats considered in the BMS community, especially the recent Goose Ridge II matter. While a cursory review of the revised plat design shown in Ex. 2 for this South Orchard subdivision appears to include genuine park, mini park, and open spaces, so that no house in the NG District areas will be further than three blocks from such amenities, all final plat reviews for each phase of this plat must ensure that Sec. 1.F.1(c) and all other LUDR provisions are satisfied. (NOTE: The "3-block" proximity rule in Sec. 1.F.1 of the LUDR should probably be included in future reviews and recommendation forms used by the Master Plan Administrator and City staff).
18. If not already, as determined by the Planning Manager and the City Attorney, Conditions addressing ownership and maintenance of privately held open space/park, and other common

² The higher figure showing the largest block size to be greater than 1,000 feet appears to be a typographical error, as a possible "carry-over" number first used in the initial staff report, because the revised and initial Master Agreement Consistency Recommendation both indicate that the longest block length (without interruptions) is just 985 feet. In any event, the MACR clearly evidences concurrence that the LUDR mandates a 1,000 foot limit on block-lengths, and the Examiner finds and concludes that the block-interruption strategies used in this revised plat are appropriate means to accomplish such objective.

areas should be included in specific covenants, conditions, and restrictions for the subdivision, sometimes called CC&Rs or CCRs.

19. The Examiner takes official notice of a recorded legal instrument that applies to properties located in the BMS master planned community³, specifically The Master Declaration of CC&R's for Badger Mountain South, which includes a section that reads as follows:

8.1 Applicability. The following use standards, conditions and restrictions shall apply to all residential lots within BMS. The CCRs for any Phase may contain more restrictive but not less restrictive standards, conditions and restrictions. In the event any architectural, design, construction, use, or maintenance standard, condition or restriction for a Phase is more restrictive than provided in this Article 8, the more restrictive standard, condition or restriction shall control.

20. Based upon the record, the Examiner finds and concludes that it is necessary to include requirements for additional CCRs that clarify spaces that are required for Park/Open Space purposes in this proposed plat, how such space is to be landscaped, the amenities required in such space, the function any Park or Open Space is intended to provide, and the like, as well as language recognizing that the City is not responsible for enforcing provisions in any CCR, but that it rests with the specific HOA for a particular subdivision.

Transportation Concurrency.

21. RMC 19.60.095(D) mandates that a projects like this preliminary plat proposal may 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. (emphasis added).*
22. One of the primary reasons for the Remand Order was based upon testimony and evidence showing that transportation concurrency requirements could not be satisfied until a final, updated Transportation study for the BMS community was approved by the City of Richland. Before the remand, there was no clarity on precisely what “yardstick” the City was using to

³ This document was not included in the application materials or the Staff Report but was provided to the Examiner during post-hearing research to obtain access to relevant legal instruments addressing many of the topics raised by BMS residents in connection with other BMS project applications before the Examiner. Given the substance of comments that were not adequately addressed in testimony or written materials already in the record, the Examiner found good cause to reopen and supplement the record at the end of last week, to include a copy of the CC&Rs and a copy of the entire BMS Master Agreement, which includes provisions that resolve some unanswered questions at the time of the Remand Order. The record is now closed, and this Decision is in order. (See H.Ex. Rule 1.14(d) re: official notice of records; and Rule 1.17, reopening to supplement record; new Exhibits 16 and 17).

determine if and when various road improvements will be required. Following the Remand, the City's Public Works Director and Transportation Engineer offered credible, un rebutted evidence and sworn testimony as part of the Goose Ridge II hearing process, establishing that "Building Permits issued" instead of "approved lots" are used as the yardstick to determine if and when various transportation improvement requirements are triggered for projects in the BMS community.

23. Having reviewed and considered the entire record, including the entire BMS Master Agreement that has been added to the record by the Examiner as *Exhibit 16*, and prior sworn testimony from City Public Works staff responsible for transportation system improvement issues, the Examiner finds and concludes that the "yardstick" used by the City to count units for purposes of triggering various transportation improvements is actual building permits issued by the City in the BMS community, and not the number of lots approved in final plats issued for properties that are located in the BMS community. (*Testimony of Mr. Rogalsky during this hearing as well as during the Goose Ridge II hearing; Testimony of Mr. D'Alessandro during the Goose Ridge II hearing; Ex. 12, Public Works Department memo detailing specific transportation improvement projects funded by Traffic Impact Fees collected in Traffic Impact Zone 3, where the proposed plat is located*).
24. Mr. Rogalsky provided credible and reassuring testimony, within the scope of his professional expertise, and provided written materials explaining that this proposal will be required to pay transportation impact fees that are used to fund a long list of specific transportation improvements needed to mitigate impacts associated with this proposed plat. (*Ex. 12; Testimony of Mr. Rogalsky*).
25. Based upon the testimony of Mr. Rogalsky, *Exhibit 12*, and the mitigation measures included in the Planned Action Consistency Determination issued on November 3, 2021 (*Ex. 7*), the Examiner expressly finds and concludes that a specific list of required transportation system improvements or strategies are or will be in place at the time of occupancy of this project, or the impact fee revenues to be collected for each building permit issued for homes in the new plat will serve as an adequate financial commitment to complete the required improvements within six years of final plat approval for this plat. However, if at the time of final plat approval for any phase of this plat, City officials determine that impact fees and other resources (including additional contributions from or work performed by private developers) have been or will be inadequate to complete transportation projects required as conditions to mitigate the impacts of this plat, then the final plat could be denied. (*See RMC 19.60.095(D), concurrency requirements for preliminary plats; RMC 24.12.110, Final Plat approval requirements*).
26. In response to public comments from local residents in the BMS community in other preliminary plat hearings, or from surrounding jurisdictions like the City of West Richland, expressing concerns that the timing of some transportation projects may have been changed from dates given in the Master Agreement, the Examiner directs attention to Section 19.4 of the BMS Master Agreement, which reads as follows: "The timing for the construction of

Transportation Improvements is set forth in Exhibit B⁴. The City and Nor Am may agree to change the timing of construction of road improvements if deemed to be in the public interest.” Mr. Rogalsky and Mr. D’Alessandro have offered credible testimony in public hearings summarizing some of the projects where timing has been changed, as they deemed to be in the public interest. Moving forward, periodic written reports or updates from the Public Works Director on the City’s website pages summarizing BMS community information may be helpful to keep the public and neighboring jurisdictions (like West Richland) better informed, and to maintain public confidence that transportation system requirements are appropriately monitored and enforced, all as the Public Works Director might deem to be in the public interest. An additional condition of approval has been included as part of this Decision, specifying that changes in the timing of road improvements required as part of this project shall be considered “Minor Revisions” to the approved preliminary plat, subject to a Type I approval process that includes public notice of such decisions and possible appeals to the Examiner, noting that any review of such revision requests will require substantial deference to any determination made by the Public Works Director. (See RMC 19.20.010 and .030; See Condition of Approval, General **Condition J**).

27. While the issue may have already been resolved through discussions between state and city officials, the applicant and City staff should be fully advised that no phase of final plat approval should move forward until concerns expressed by WSDOT are adequately addressed. See *Ex. 11*, the WSDOT Comment letter dated November 10, 2021, from Region Planning Engineer, Paul Gonseth, P.E., found on page 80 in the .pdf file for the Final Staff Report materials, which reads in relevant part as follows:

“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 interchanges, is a fully controlled limited access facility, Highway of Statewide Significance (HSS), and part of the National Highway System (NHS). We are not opposed to this proposal, or any previous proposals within the BMS subarea; however, we are concerned with the cumulative impact development of the subarea is having on I-82, specifically the Exit 104 interchange. Exit 104 currently operates within acceptable safety and operational thresholds and it is to the benefit of the city, county and state to preserve this interchange’s safety and efficiency. The additional vehicle trips generated by this project will cause the total subarea trip level to exceed all mitigation triggers described in exhibit B of the BMS master agreement. To date, no effort to mitigate subarea impacts to I-82 and Exit 104 has been made. The latest analysis, the draft BMS Traffic Impact Analysis (TIA) dated May 14, 2021, states the eastbound and westbound ramp terminals at Exit 104 are projected to fail in 2025. The TIA also recommends the developer only contribute towards a portion of the cost to mitigate these impacts and doesn’t clearly identify a complete funding strategy. It is our position that the BMS subarea is the sole driver creating the need for improvements to Exit 104, and the developer and city are responsible for ensuring these impacts are mitigated prior to the year 2025.

Therefore, as a condition of plat approval, the city and developer must amend the BMS master agreement to include fully funded mitigation strategies and updated timelines to preserve the safety and efficiency of the I-82 Exit 104 interchange. [...]”. (*Ex. 11, Comment Letter dated November 10, 2021, from WSDOT Region Planning Engineer, Paul Gonseth, P.E., included as part of documents erroneously marked Exhibit 12, provided with the Final Staff Report package, found on page 80 of 80 in the .pdf file*).

⁴ Included as *Ex. 16* in this record for the South Orchard application.

SEPA Compliance.

28. The City of Richland’s Planned Action Ordinance adopted in or about 2010 for the Badger Mountain master planned community covers development within the Badger Mountain South Subarea. The Supplemental Final Environmental Impact Statement issued in 2010 for the Planned Action Ordinance covers the site of this proposed plat. (*Final Staff Report, page 11*). Accordingly, standard SEPA review is not required, so long as the project is consistent with the master plan and mitigation measures adopted and identified in applicable SEPA documentation for the master planned area. (*Final Staff Report discussion on page 11; and Ex. 7, Planned Action Consistency Determination*). With such documentation, and so long as the project is developed in a manner that meets the conditions of approval imposed as part of this Decision, which mandates compliance with the LUDR provisions applicable to the BMS master planned community, the pending application satisfies(ies) applicable SEPA review requirements.
29. The applicant objected to Staff’s proposed Condition in the Initial Staff Report that would have mandated a professional archaeological survey of the site prior to ground disturbing activities, based on a letter from the Department of Archaeology and Historic Preservation. (*See .pdf page 74 of Initial Staff Report file materials, where a DAHP official explains that: “Our statewide predictive model indicates that there is a moderate probability of encountering cultural resources within the proposed project area.”; Initial Staff Report; Testimony of applicant representatives at the July hearing*).
30. There is no evidence in this record to show that DAHP’s predictive model mapping was ever included as part of the record reviewed or considered at the time the original environmental review occurred for the BMS community in the late 2000s or whenever it occurred.
31. Similarly, there is no evidence in the record showing that information included in a written comment submitted by the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) was ever included as part of the environmental information reviewed or considered when the BMS environmental reviews took place in the late 2000s. (*See Exhibit 7A, a written comment from the Confederated Tribes of the Umatilla Indian Reservation (CTUIR) Cultural Resources Protection Program (CRPP) dated July 7, 2021, which reads in part as follows:*

“[CTUIR] has reviewed the materials regarding the BMS South Orchard project. The project area is in close proximity to three historic properties of religious and cultural significance, Piyyuśmaamí uštáy (‘hills of the snakes’), usipamá (‘for horses’), and Wišpúuśya (‘Beaver’) to the CTUIR. Given that the project area is in close proximity to these traditional use areas and that the project will reach native soils, the likelihood of encountering cultural resources is high. Therefore, we recommend a cultural resource survey with subsurface testing.”
32. The Final Staff Report modifies the initial recommendation for a full cultural resource survey, omitting a recommended condition to this effect, and makes reference to RCW

43.21C.440.3(b), regarding no requirement for additional environmental review if a proposal is consistent with the development described in the planned action ordinance. (*Final Staff Report, page 20, item 28*).

33. In any event, the Examiner finds and concludes that there is a clear preponderance of un rebutted evidence establishing that cultural resource concerns must be taken into account as this project moves forward. Accordingly, the applicant must confer with DAHP and CTUIR officials, to generate an Inadvertent Discovery Plan, to be onsite throughout ground disturbance work on the site, independent of substantive SEPA authority, but to be consistent with other state statutes addressing cultural resource protections, including without limitation RCW 68.50.645, RCW 27.44.055, and RCW 68.60.055.

Public Hearing.

34. The open-record public hearing for this revised application occurred on November 17, 2021, wherein the undersigned Examiner presided, and all persons wishing to provide comments were heard, providing testimony under oath. Brief summaries of key topics raised during public testimony is provided in other parts of this Decision. The hearing was conducted using the Zoom online hearing platform, coordinated by City Staff, all in accord with proclamations and public health measures in effect at this time. The Examiner has visited the site of the proposed project on multiple occasions, and public roads leading to and from the vicinity of the proposed plat, and is familiar with the larger Badger Mountain South area from previous visits in connection with other applications over the last few years.
35. The Final Staff Report and recommendation of approval includes a number of specific findings and conditions that partially establish how the underlying plat application, as conditioned, can satisfy provisions of applicable law, be consistent with the city's Comprehensive Plan, and designed or conditioned to comply with applicable development standards and guidelines. It points out some requirements found in the LUDR that must be satisfied before any phase can be granted final plat approval.
36. Additional conditions of approval have been added by the Examiner to ensure that all staff and future developer representatives fully understand and appreciate that the burden is on the applicant to show compliance with applicable provisions of the LUDR and the Richland Municipal Code at every stage of development, whether or not such provisions are enumerated or referenced in the approved preliminary plat plans, in the staff report, or in this Decision.

Compliance with city development regulations achieves consistency with the Comprehensive Plan

37. RMC 24.04.020 explains that the purpose of the City's platting and subdivision codes is "*in furtherance of the comprehensive plan of the city*" and that such regulations contained in the city's platting and subdivision codes "*are necessary for the protection and preservation of the public health, safety, morals and the general welfare, and are designed, among other*

things, to encourage the most appropriate use of land throughout the municipality; to lessen traffic congestion and accidents; to secure safety from fire; to provide adequate light and air; to prevent overcrowding of land; to avoid undue concentration of population; to promote the coordinated development of unbuilt areas; to secure an appropriate allotment of land area in new developments for all the requirements of community life; to conserve and restore natural beauty and other natural resources; and to facilitate the adequate provision of transportation, water, sewerage and other public uses and requirements.” The effect of this provision boils down to this: compliance with the City’s Comprehensive Plan can be established, or at least partially established, through compliance with the city’s platting and subdivision regulations found in Title 24 of the Richland Municipal Code. In this matter, a preponderance of evidence in the record establishes compliance by the proposed plat (as conditioned herein) with the city’s land platting regulations that are applicable to this project, including without limitation those reflected in the LUDR for Badger Mountain South, thus implementing and complying with the City’s Comprehensive Plan. *(See Staff Report, all Findings)*. Obviously, if the proposed plat is not designed and/or conditioned to demonstrate compliance with all applicable LUDR provisions, then the application would NOT be compliant with the city’s comprehensive plan.

As Conditioned, and if developed in compliance with requirements in applicable LUDR provisions, the proposed plat will provide public benefits

38. The applicant’s submittals established that some aspects of the new subdivision will provide a public benefit, including without limitation, new housing inventory and options fulfilling the city’s goals and policies set forth in the Comprehensive Plan, construction of new roads, sidewalks, an attractive street system to serve the new plat, and other features that will serve to promote health benefits of a walkable, pedestrian-friendly community.

A preponderance of evidence in the record demonstrates the proposed project, as conditioned, satisfies approval criteria.

39. The record contains a preponderance of evidence to demonstrate that, as conditioned, the proposed plat makes appropriate provisions for:
- A. The public health, safety, and general welfare: *See Final Staff Report; all Findings above; Conditions of Approval; Ex. 7, Planned Action Consistency Determination, mitigation measures; Testimony of Public Works Director re: Transportation System improvement issues.*
 - B. Open Spaces: *Findings above, Conditions of approval; Final Staff Report, including discussion on bottom of page 14.*
 - C. Drainage Ways: the project will be consistent with all applicable standards for stormwater system design, including without limitation the Department of Ecology Stormwater Management Manual for Eastern Washington. *Final Staff Report, recommended Storm Water conditions; Ex. 7, mitigation measures.*

- D. Streets or roads, alleys, other public ways: the proposed plat has been reviewed by the City for compliance with applicable street system design requirements, and has been deemed consistent with all applicable LUDR and city standards for city roads, streets, driveways, access, circulation, transportation concurrency and the like. *Final Staff Report, proposed conditions; Testimony of Public Works Director; Ex. 12, list of transportation projects funded by impact fees to be collected in connection with this project; Ex. 7, mitigation measures; Conditions of Approval, including addressing Traffic and Streets.*
- E. Transit stops: To the extent transit stops are or may be located nearby to serve residents of the proposed plat, or Richland residents generally, the subdivision design, access and internal circulation patterns, as conditioned, are appropriate to allow for pedestrians and vehicles to access arterials and other routes that could direct users to existing or future transit stops and facilities. The proposed plat is within the Ben Franklin Transit service area, though no bus service is currently provided for the neighborhood. The transit agency was given lawful notice of the proposed plat and did not provide any comments or feedback for consideration as part of the record in this matter. *Staff Report, page 15.*
- F. Potable water supplies: The new subdivision will receive its domestic water supply from the City of Richland. Staff confirms that adequate capacity is available within the city's water supply system to provide domestic water. Irrigation water will continue to be available within the plat, as provided by the Badger Mountain Irrigation District. *Staff Report, pages 10 and 25; TAC recommended Domestic Water conditions on pages 18 and 19 of the Staff Report.*
- G. Sanitary systems: The City's sewer system has capacity to serve the proposed plat, and will do so. *Staff Report, at page 12 and 15, recommended Sanitary Sewer Conditions of Approval.*
- H. Parks and recreation, playgrounds, schools: The Staff Report and site plans show that the project includes provisions for new trails, green space, some park like amenities, advancing the Badger Mountain South vision with homes in close proximity to recreational venues throughout the master planned community. The Staff Report explains that the park mitigation fees will be paid for each dwelling unit constructed within the plat. School needs for future residents are adequately addressed in the LUDR for the Badger Mountain South master planned community. *Staff Report, page 15. Conditions of approval require compliance with LUDR provisions, including the 3-block proximity to parks/open space standard for homes in the NG districts, LUDR 1.F.1(c).*
- I. Planning features to assure safe walking conditions for students: The proposed plat includes walking paths and sidewalks that will adequately provide safe walking routes and conditions for school children. *Ex. 2, revised preliminary plat plans showing sidewalks and trails in the new plat.*

40. Except as modified in this Decision, all Findings, and statements of fact contained in the Final Staff Report are incorporated herein by reference as Findings of the undersigned hearing examiner.⁵

41. Based on all evidence, exhibits and testimony in the record, the undersigned Examiner specifically finds that the proposed plat, as conditioned below, makes appropriate provisions for the considerations detailed in applicable law, including without limitation RMC 24.12.050, .053, 19.60.095, and the LUDR provisions applicable to the Badger Mountain South area, and that the public use and interest will be served by the proposed plat and associated dedications and improvements.

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⁵ For purposes of brevity, only certain Findings from the Department's Recommendation are highlighted for discussion in this Decision, and others are summarized, but any mention or omission of particular findings should not be viewed to diminish their full meaning and effect, except as modified herein.

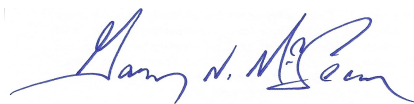
V. CONCLUSIONS OF LAW.

1. Based on the Findings as summarized above, the undersigned examiner concludes that the proposed plat, as conditioned below, conforms to all applicable zoning and land use requirements and appropriately mitigates adverse environmental impacts. Upon reaching such findings and conclusions as noted above, the preliminary plat meets the standards necessary to obtain approval by the City.
2. The proposed conditions of approval as set forth in the Staff Report and as modified by the Examiner in this Decision, are reasonable, supported by the evidence, and capable of accomplishment. Additional conditions have been added to ensure that provisions of the LUDR are followed as the project moves forward.
3. Any Finding or other statements in previous or following sections of this document that are deemed Conclusions are hereby adopted as such.

VI. DECISION.

Based upon the preceding Findings of Fact and Conclusions of Law, evidence presented through the course of the open record hearing, all materials contained in the contents of the record, and the Examiner's site visits through the BMS community, **the undersigned Examiner APPROVES the "South Orchard" Preliminary Plat** application, subject to the Conditions of Approval set forth below and adopted herein as part of this Decision.

Decision issued: December 16, 2021.



Gary N. McLean
Hearing Examiner for the City of Richland

**CONDITIONS OF APPROVAL
FOR THE
PRELIMINARY PLAT OF SOUTH ORCHARD
FILE NO. S2021-104**

In accord with authority granted in the Richland Municipal Code, the hearing examiner grants the above-referenced preliminary plat application subject to conditions, modifications and restrictions set forth below, all found necessary to make the application compatible with the environment, and carry out applicable state laws and regulations, and the regulations, policies, objectives and goals of the city's comprehensive plan, zoning code, subdivision code, and other ordinances, policies and objectives of the city.

General Conditions:

- A. Development of the plat shall be substantially consistent with drawings provided in the Preliminary Plat maps included as part of the revised application materials (*Ex. 2*), subject to modifications necessary to comply with these conditions of approval.
- B. Preliminary Plat approval shall be null and void if any condition enumerated herein is not satisfied.
- C. No construction or site development activities related to the plat may be undertaken until required city approvals become effective, and the City and other regulatory authorities with jurisdiction issue applicable permits.
- D. The applicant shall comply with all professional report conclusions and recommendations submitted in connection with the preliminary plat and engineering reviews, as approved and/or amended by the City.
- E. Applicant shall be responsible for consulting with state and federal agencies, and tribal entities with jurisdiction (if any) for applicable permit or other regulatory requirements. Approval of a preliminary plat does not limit the applicant's responsibility to obtain any required permit, license or approval from a state, federal, or other regulatory body. Any conditions of regulatory agency permits, licenses, or approvals shall be considered conditions for this project.
- F. The final engineering plans and submittals necessary to obtain final approvals for each phase of the plat shall conform to all applicable provisions of the Richland Municipal Code and the Conditions of Approval herein.
- G. The preliminary plat shall comply with all applicable provisions of the Richland Municipal Code, and LUDR provisions for the Badger Mountain South community where this plat is located, whether or not such provisions are enumerated or referenced in the approved preliminary plat plans, in the staff report or in this Decision; provided adjustments to road widths, sidewalk and trail dimensions shall be in accord with final reviews and determinations by the City's Public Works Director, who is authorized to exercise sound engineering judgment in such matters, and that some adjustments may constitute Minor or Major Revisions to the Preliminary Plat, as explained in Condition J, below. The burden is on the applicant to show compliance with these conditions and applicable provisions of the City's code and LUDR provisions at every stage of development, including without limitation the 1,000 foot limit on uninterrupted block lengths, and the "3-Block" proximity to a park, mini park, or other type of open space standard for houses in the BMS-NG District. (*LUDR Sec. 7.B.2 and Sec. 1.F.1(c)*).

- H. The preliminary plat can be developed in 4 (four) phases, as identified in the application materials and depicted on revised plan sheets included in Ex. 2, subject to compliance with all final conditions herein.
- I. Final Covenants, Conditions and Restrictions (CCRs) for each phase of this plat shall be submitted with the final plat application for each phase, and shall be recorded prior to the final plat. The CCRs are subject to review and approval of the Planning Manager and City Attorney to ascertain if the documents are sufficient to assure compliance with these Conditions of Approval, SEPA Mitigation measures, and LUDR provisions. At a minimum, the CCRs shall include provisions for repair, maintenance and performance guarantee of any tracts, private parks or open space, landscaping, facilities, utilities or amenities which are private and commonly owned by the homeowners of the plat, and clearly explaining that the City of Richland is not responsible for enforcement of private CCRs. Language shall also be included in the CCRs that require notification to the City of Richland Planning Manager of any amendments to the CCRs, and that the City shall have the authority to object to any modification that is inconsistent with any condition lawfully placed upon the subdivision by the City of Richland.
- J. ***Process for Review of Potential Minor or Major Revisions to this Preliminary Plat.*** Revisions to an approved preliminary plat are reviewed under RMC 19.20.010, with minor revisions reviewed as a Type I application (see RMC 19.20.010(A)(5)), which requires approval by the Director; and major revisions reviewed as a Type III application requiring approval by the Hearing Examiner (See RMC 19.20.010(C)(1)).

As provided in RMC 19.20.030, a Type I application does not require public notice, but public notice must be issued regarding any decision to approve a Type I application, which is then subject to appeal before the Hearing Examiner; and all Type III applications require full public notice of such application, an open record hearing, and a decision by the Hearing Examiner.

Because this application and others in the BMS community have generated significant public comments generally expressing concerns that some requirements, conditions, or expectations for prior BMS developments were modified or abandoned, or the timing of some requirements has been changed, it is in the public interest for this preliminary plat approval and future BMS projects to provide a clear condition explaining the sorts of revisions that will require a Type I or Type III review and approval, subject to application fees and filing requirements as determined by the Director or his/her designee.

For this preliminary plat, “Major Revisions” shall include proposed changes in primary access points or increase in the number of peak hour vehicle trips, expansion of site area, increase in the number of lots, elimination of or substantial change to a required transportation system improvement, substantial expansions of environmental impacts, or substantive changes to any finding of fact or condition of approval in the Decision approving the preliminary plat.

“Minor Revision” shall include proposed changes that the Director determines to be minor but still within the scope of the original preliminary plat approval. Minor revisions can include, without limitation: changes to the boundaries and lots within phases of the preliminary plat; changes in the timing of construction of road improvements mandated in the BMS Master Agreement, the LUDR, or these Conditions of Approval, if deemed to be in the public interest by the Public Works Director; technical engineering items and details, unless the proposed detail modifies or eliminates features specifically required as an element of approval; minor changes in lot or tract lines or dimensions, with no change in density; minor changes to street alignment or utility design; minor changes to street, sidewalk, or trail dimensions, based on site conditions, sound engineering judgement, or public safety considerations; reduction in the number of lots approved, as long as the modification meets any minimum density requirement; minor changes to clarify notations on the face of the plat; a change to a condition of approval that does not modify the intent of the original condition; and reconfiguration of

any designated park, trail, open space, or recreation areas, provided, that no reduction in overall area occurs.

- K. ***Right of Way Permit for Construction Traffic.*** Based on compelling testimony and evidence contained in the record for projects in the BMS master planned community that demonstrated a need for specific conditions to reduce the impacts of construction-related traffic that will move through surrounding neighborhood streets as the new plat is developed and homes are constructed therein, and under authority granted in development regulations found in the Richland Municipal Code, including without limitation RMC Chapter 12.08 (Right of Way Permits) and the purpose and intent of erosion, dust, traffic, pedestrian-safety and water-pollution control regulations set forth in other provisions of the RMC, the following Condition shall be satisfied prior to issuance of any clearing and grading, building, demolition, or other construction permit associated with development of or within the new plat that the Public Works Director determines is likely to have a material impact on any segment(s) of the city's existing public street network that will be used to obtain access to and from the plat-development site(s):

The applicant is required to apply for a Right of Way Permit before the issuance of any grading, building, demolition, or other construction permit associated with development of or within the new plat that the Public Works Director determines is likely to have a material impact on any segment(s) of the city's existing public street network that will be used to obtain access to and from the plat-development site(s). In some cases, more than one Right of Way Permit may be required, such as one for hauling and one for construction work within the right of way. A Right of Way Permit issued under this Condition is intended to regulate activity within the city right of way, and is required of any person who performs construction-related work within existing or proposed city rights-of-way, easements, or on city-owned infrastructure, including without limitation the following:

- a) Designated truck hauling routes.
- b) Truck loading and unloading activities.
- c) Hours of construction and hauling.
- d) Continuity of pedestrian facilities.
- e) Temporary traffic control and pedestrian detour routing for construction activities.
- f) Street sweeping and maintenance during excavation and construction.
- g) Location of construction fences.
- h) Parking for construction workers.
- i) Construction vehicles, equipment, and materials in the right of way.
- j) All other construction activities as they affect the public street system.

In addition, the applicant shall submit for review and approval by the Public Works Director a plan for providing pedestrian access on existing public streets that are impacted during construction of this project (if any). Access on such existing public streets shall be provided at all times during the construction process, except when specific construction activities such as shoring, foundation work, and construction of frontage improvements prevents access. General materials storage and contractor convenience are not reasons for preventing access along streets, sidewalks or other portions of the city street system surrounding the new plat.

- L. ***Inadvertent Discovery Plan Required.*** Based on unrebutted comment letters from DAHP and the Confederated Tribes of the Umatilla Indian Reservation, before commencement of any ground disturbing activities in connection with development of this proposed plat, the applicant shall submit a proposed Inadvertent Discovery Plan (IDP) for review and approval by the Planning Manager, which

shall be consistent with state codes and regulations regarding cultural resources. The proposed IDP should be developed in consultation with DAHP and tribal officials who provided comments in the record for this matter. A copy of an approved IDP, subject to updates and additional provisions or mandatory contacts that may be imposed by the City's Planning Manager, including current names and contact numbers, must be provided to all contractors and be available on-site for reference throughout all phases of the development process that might involve ground disturbance work. If ground-disturbing activities uncover or reveal objects that might appear to be protected resources during the course of construction, then all activity will cease that could cause further disturbance to such items, until notifications are made to appropriate parties, as detailed in the approved IDP and as may be mandated by the City's Planning Manager. This Condition may be satisfied with an IDP that is consistent with DAHP guidance on the topic, but must include current names and contact numbers. For instance, in an effort to standardize language and to be consistent with state law, the Department of Archaeology and Historic Preservation offers the following text relating to the inadvertent discovery of human skeletal remains to be used in the development of inadvertent discovery protocols⁶:

**Inadvertent Discovery of Human Skeletal Remains on
Non-Federal and Non-Tribal Land in the State of Washington
(See RCW 68.50.645, RCW 27.44.055, and RCW 68.60.055)**

"If ground disturbing activities encounter human skeletal remains during the course of construction, then all activity will cease that may cause further disturbance to those remains. The area of the find will be secured and protected from further disturbance until the State provides notice to proceed. The finding of human skeletal remains will be reported to the county medical examiner/coroner and local law enforcement in the most expeditious manner possible. The remains will not be touched, moved, or further disturbed. The county medical examiner/coroner will assume jurisdiction over the human skeletal remains and make a determination of whether those remains are forensic or non-forensic. If the county medical examiner/coroner determines the remains are non-forensic, then they will report that finding to the Department of Archaeology and Historic Preservation (DAHP) who will then take jurisdiction over the remains. The DAHP will notify any appropriate cemeteries and all affected tribes of the find. The State Physical Anthropologist will make a determination of whether the remains are Indian or Non-Indian and report that finding to any appropriate cemeteries and the affected tribes. The DAHP will then handle all consultation with the affected parties as to the future preservation, excavation, and disposition of the remains."

M. Whether restated or discussed elsewhere in these Conditions of Approval or this Decision, each and every of the mitigation conditions provided in Ex. 7, the Planned Action Consistency Determination issued for this revised application on November 3, 2021, are incorporated herein by reference as individual Conditions of Approval adopted by the Hearing Examiner for this preliminary plat.

Conditions Derived from the Final Staff Report:

1. 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.

⁶ Available on the DAHP website, at: <https://dahp.wa.gov/archaeology/human-remains/recommended-inadvertent-human-remains-discovery-language>

2. If any of the small tracts have the potential to one day become building lots, utility stubs should be provided to them to avoid the need to cut new streets.
3. Any future storm drainage tracts will be dedicated to the city for ownership. The “Tract Note” on sheet C001 of the pre-plat should be amended to include this.
4. 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.
5. 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. 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.
6. 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.
7. 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.
8. 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.
9. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.

10. 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:

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) For public utilities not located within public street rights-of-way the applicant shall provide maintenance access acceptable to the City and the applicant shall provide an exclusive 10-foot-wide public utility easement (minimum) to be conveyed to the City of Richland.
- e) 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.
- f) All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
- g) All public streets shall meet design requirements for sight distance (horizontal, vertical and intersectional).
- h) The final engineered construction plans shall identify locations for irrigation system, street lighting, gas service, power lines, telephone lines, cable television lines, street trees and mailboxes. All electrical appurtenances such as transformers, vaults, conduit routes, and streetlights (including their circuit) need to be shown in the plan view.
- i) The contractor shall be responsible for all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.
- j) If the project will be built in phases the applicant shall submit a 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:

- 2-inches compacted gravel, minimum (temp. SEVA only).
- 2% cross-slope, maximum.
- 5% slope, maximum. Any access road steeper than 5% shall be paved or be approved by the Fire Marshal.
- Be 20-feet in width.
- 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.

Survey Monument Destruction:

14. 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)).
 - d. 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.
 - e. 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:

15. The South Orchard preliminary plat is subject to the City’s traffic impact fee program (RMC 12.03), subject to payment of all such impact fees in an amount as established by the City of Richland at the time of each building permit application. The program includes street and intersection improvements sufficient to mitigate the off-site impacts of this project. The developer of this proposed project may receive credit for construction of the improvements listed in RMC 12.03.
16. Projects either completed and occupied or approved for future development within Badger Mountain South have resulted in traffic generation that requires an update to the Badger Mountain South Traffic Impact Analysis as identified in Exhibit B, Section 5.3 of the Master Development Agreement. **Final plat approval will not be granted for ANY phase of this project until the Badger Mountain South Traffic Impact Analysis is updated and accepted by the Public Works Director and other necessary approvals are accomplished to effectuate, amend, or mandate compliance with the approved TIA, as determined by the City Attorney (i.e., possible amendment to portions of the BMS Master Agreement, the LUDR, or other legal instruments).**
17. This project will create impacts to three intersections that **shall be mitigated** with intersection improvements.
- a. The Gage/Reata intersection improvements shall include the construction of a roundabout designed for the 2040 anticipated full build-out traffic volumes. This intersection should be completed with the phase of construction that connects Gage Boulevard to Reata Road.

- b. The Gage/Morningside intersection improvements shall include a roundabout or mini roundabout to account for both on-site and planned off-site future peak traffic volumes related to development traffic from the west. These intersection improvements shall be completed along with the phase that constructs the Gage/Morningside intersection.
 - c. The Road A/Reata Road intersection improvements shall include a westbound right turn lane from Reata onto Road A, and a southbound right turn lane from Road A onto Reata. These intersection improvements shall be completed along with the phase that constructs the Road A/Reata Road intersection.
- 18. The Gage Blvd./Road N intersection is anticipated as needing a roundabout when future development continues the extension of Gage Blvd. to the north. Adequate right-of-way shall be provided at this intersection for the anticipated roundabout.
 - 19. The developer shall conduct a preliminary design of Gage Blvd. and Road A (horizontal and vertical alignment) to a point at least 500-feet offsite to the north, or to its next northerly intersection, whichever is further, to confirm the most appropriate alignment. These designs shall be completed concurrent with phase 1.
 - 20. Gage Blvd., Road A and Road N will be classified as “Major Collectors”.
 - 21. On-street parking and driveway accesses for single family lots will not be permitted onto Major Collector streets.
 - 22. Morningside Parkway as designed on this proposed pre-plat will be classified as a Minor Collector.
 - 23. The curves at the south end of Road A need to be designed with a centerline radius compliant with a major collector, per AASHTO design guidelines. The applicable street section for Road A shall include a separated pathway for the full length of Road A, as detailed in the LUDR for a 2-lane arterial collector.
 - 24. Sheet C002 identifies a road section with a median, however it is not clearly identified where that road section is intended to be within the pre-plat. Medians shall not interfere with left-turning movements at intersections. The developer shall obtain approval from the City’s Traffic Engineer for all median designs.
 - 25. Lots fronting on Gage Blvd. shall take access from a rear alley easement. Single family residential driveway access to Gage Blvd. will not be permitted.
 - 26. The City anticipates an update to the LUDR in the near future that will revise the standard street cross sections throughout Badger Mountain South. The developer is requested to consult with Public Works regarding the anticipated cross section changes and to utilize them in anticipation of the LUDR update being completed. Alternatively, this project shall utilize street cross section designs in the LUDR as it exists at the time of infrastructure permitting.
 - 27. Road “A” shall be constructed full-width at the time that the phase which constructs the lots adjacent to Road A is developed. The full road section (curb, gutter, sidewalk, and pathway) shall be constructed on both sides at that time.
 - 28. Reata Road is currently a Benton County road in this area. Staff at the City and Benton County have begun a process to transfer this right of way to City jurisdiction. If this process is not completed all intersections with Reata Road must be reviewed and approved by Benton County. If the process is

completed as proposed by City and County staff, the intersection designs will be reviewed and approved by the City.

29. A note will be included on the face of the final plat stating that no driveways will be allowed directly onto Reata Road with the exception of Lot 1. Proposed driveways from Lot 1 onto Reata Road will need to be approved by the City of Richland Traffic Engineer and Benton County Public Works.
30. A ten-foot public utility easement adjacent to the Reata Road frontage shall be provided on the face of the final plat.
31. 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, HOA tracts, etc.).
32. The developer and his engineer shall demonstrate on the construction plans that all future driveways, sidewalks and pedestrian ramps will meet City and ADA requirements, and also provide at least 5-foot of separation between driveway and/or pedestrian ramp transitions.
33. 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.
34. The vision-clearance triangle shall be shown on all corner lots (including access easements that serve multiple homes) on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in or within 500-feet of a curve, it will have to be evaluated per AASHTO guidelines. The assumed speeds for sight triangle evaluation are 35 mph for Major Collectors, 30 mph for Minor Collectors and 25 mph for local streets. This information shall be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
35. All private roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
36. The proposed 18-foot “rear alley” easements shall be private access ways which are for the use and benefit of the homeowners that abut said roads and are to be maintained by the adjacent property owners and/or the HOA. The City of Richland accepts no maintenance responsibility for these rear alley easements.
37. All intersections of private shared driveways and alleys with City streets shall be standard commercial driveway drops constructed to City standards.
38. Street signs indicating any restricted parking areas 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.
39. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements. Homes whose sole access is the proposed “rear alley easement” road section may have to place their garbage cans at locations acceptable to City solid waste collection vehicles.

40. 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:

41. Any grading operations that take place near or over the top of the existing domestic water main shall ensure that adequate cover remains over the water main to protect it from breakage or freezing. It shall be the responsibility of the developer to re-install any water mains that have too little (or too much) cover over them as a result of grading operations, or that will result in this water main being in a building lot. This water main needs to be within the roadway whenever possible. The existing main shall be exposed and surveyed at multiple locations as part of the grading permit application.

42. 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.
43. If the homes within this preliminary plat are required to install residential fire sprinkler systems, the sprinkler systems shall be the flow-through type in compliance with the City's cross connection control program.
44. 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.
45. The fire hydrant layout shall be approved by the City Fire Marshal.
46. Domestic water mains shall be extended to adjoining properties adjacent to the preliminary plat, where appropriate.
47. 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:

48. It shall be the responsibility of the developer to extend a sewer main to this property to serve sanitary sewer at the time of plat construction.
49. This preliminary plat may receive City sanitary sewer service only after completion of a new sewer pump station and required improvements to the existing Dallas Road sewer pump station are completed. The developer shall update the Badger South subarea sewer service plan to reflect current planning assumptions for the development and complete the sewer system design and construction required to

serve this project. If the developer constructs capacity beyond the needs of this project it will be eligible for a latecomer agreement per Richland Municipal Code.

50. 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.
51. Sanitary sewer shall be extended to the adjoining properties adjacent to the preliminary plat, where appropriate and where grade allows.

Storm Water:

52. 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 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.
53. 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.
54. 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.
55. 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").
56. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
57. 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.

58. 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 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.
59. The amount of post-development storm runoff from the proposed site shall comply with RMC Chapter 16.06.
60. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat, where appropriate and where grade allows.
61. 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.
62. 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.
63. 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:

64. 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.

65. 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 rights-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 final platting.
66. 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.
67. 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.
68. 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.
69. 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 proposed rear alley easements shall be private roadways which are for the use and benefit of the homeowners that abut said roads and are to be maintained by the adjacent property owners or the HOA. The City of Richland accepts no maintenance responsibility for rear alley easements”.
70. A note shall be added to the face of the plat that states: “The private rear alley easements within this plat are fire lanes and parking is restricted. The required no-parking signs shall be installed by the developer where applicable.”
71. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the property owners to maintain.
72. A one foot “No access / screening easement” will be required along the Reata Road, Gage Blvd., and “Road A” Right of Ways.
73. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
74. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
75. Any restricted parking areas shall be indicated on the final plats.
76. Future construction shall meet the sustainability standards contained in Section 12 of the LUDR and with the design requirements established within Sections 3 and 8 of the LUDR.

77. Note #3, as shown on sheet C001 of Exhibit 2, is not valid and shall not appear on any subsequent final plat(s). All lots shall be designed to meet setback requirements of the applicable BMS zoning district(s).
78. *Building Types.* Consistent with LUDR Sec. 1.G(5), and Sec. 7.B(5)(a)(2 and 3), the face of the final plat documents for all phases of the project must identify the building type(s) that will be allowed on each lot, and demonstrate that there will be two building types per block for all blocks of the proposed plat that are within the BMS-NC and BMS-NG Districts.
79. This project shall utilize street cross-section designs as proposed in the LUDR amendments (CA2021-108) by NorAm and their engineer in a separate code amendment application, so long as such amendments are recommended by the Planning Manager and the Public Works Director.
80. 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 and the City will review to determine acceptable street names.
81. Final plats shall include addressing [brackets] placed on all lots and tracts adjacent to all public road frontages.
82. Pursuant to LUDR Section 1.G(5), final plats shall identify housing types allowed on each lot.
83. All rights-of-way shall include public pedestrian facilities and edge-type features as shown in Section 6 of the LUDR.

NOTE – In the event of a need for clarification regarding the application or interpretation of any term or condition of approval set forth above, either the applicant or the city can invoke the jurisdiction of the Hearing Examiner to issue a written clarification of a particular term or condition, through a written request detailing the matter, and the basis for such request. Such request shall be made as a Request for Reconsideration, submitted within seven (7) calendar days of the date this Decision is issued.

Notice of Rights to Request Reconsideration or Appeal This Decision

Reconsideration –

Sec. 2.22(a) of the Richland Hearing Examiner Rules of Procedure reads as follows:

(a) The Hearing Examiner may reconsider a decision or recommendation on an application, if it is filed in writing within 7 calendar days of the date of issuance. Only parties of record have standing to seek reconsideration. Any request for reconsideration shall be served on all parties of record and to any party's designated representative or legal counsel on the same day as the request is delivered to the Hearing Examiner. The Examiner will seek to accept or reject any request for reconsideration within 3 business days of receipt. If the Examiner decides to reconsider a decision, the appeal period will be tolled (placed on hold) until the reconsideration process is complete and a new decision is issued. If the Examiner decides to reconsider a recommendation made to the City Council, the transmittal to the City Council shall be withheld until the reconsideration process is complete and a new recommendation is issued. If the Examiner decides to reconsider a decision or recommendation, all parties of record shall be notified. The Examiner shall set a schedule for other parties to respond in writing to the reconsideration request and shall issue a decision no later than 10 business days following the submittal of written responses. A new appeal period shall run from the date of the Hearing Examiner's Order on Reconsideration.

Appeal –

The hearing examiner's decision regarding this preliminary plat application shall be final, subject to judicial appeal in the time and manner as provided in RMC 19.70.060 and Ch. 36.70C RCW (*The city's final decision on land use application may be appealed by a party of record with standing to file a land use petition in Benton County Superior Court. Such petition must be filed within 21 days of issuance of the decision*). See RMC 24.12.050(B).

NOTE: The Notice provided on this page is only a short summary, and is not a complete explanation of fees, deadlines, and other filing requirements applicable reconsideration or appeals. Individuals should confer with advisors of their choosing and review all relevant codes, including without limitation the city code provisions referenced above and the Land Use Petition Act (Chapter 36.70C RCW) for additional information and details that may apply.



Exhibit 4

Master Agreement Consistency Determination [MACD]



May 30, 2023

MASTER AGREEMENT CONSISTENCY DETERMINATION

For: Preliminary Plat Major Amendment Application for South Orchard, a Badger Mountain South Development (SA2023-102)

Applicant: Darrin Sweeney on behalf of Badger Communities, LLC

Project Description: Request to amend prior preliminary plat to now place 535, single-family residential lots, 2 multi-family lots, and 12 public amenity tracts on 174.37 acres.

Consistency Determination Type: Level 1

Master Agreement Consistency Recommendation: The Richland Planning Department received a revised master agreement consistency recommendation (MACR) from the Badger Mountain South Master Program Administrator [MPA] on May 8th, 2023.

After completing a review of the preliminary plat major amendment application of South Orchard, 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.

Sincerely,

Matthew Howie
Senior Planner



Exhibit 5

Planned Action Consistency Determination [PACD]



May 30, 2023

PLANNED ACTION CONSISTENCY DETERMINATION

For: Preliminary Plat Major Amendment Application for South Orchard, a Badger Mountain South Development (SA2023-102)

Applicant: Darrin Sweeney on behalf of Badger Communities, LLC

Project Description: Request to amend prior preliminary plat to now place 535, single-family residential lots, 2 multi-family lots, and 12 public amenity tracts on 174.37 acres.

Master Agreement Consistency Determination: Issued May 30, 2023.

After completing the review of the preliminary plat application of South Orchard and evaluating it considering 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. Following the major amendment, the South Orchard preliminary plat meets the description for a planned action as defined in City code and that as conditioned, the project will implement applicable conditions or mitigation measures identified in RMC 19.50 (Consistency with Development Regulations and SEPA); and
2. The South Orchard preliminary plat is consistent with the City of Richland Comprehensive Plan and the Badger Mountain Subarea Plan; and
3. The South Orchard 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 May 30, 2023; and
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 South Orchard preliminary plat; and
5. The South Orchard preliminary plat is not an essential public facility, as defined in RCW 36.70A.200; and
6. Based on the foregoing, a SEPA threshold determination or EIS is not required; and
7. The following environmental mitigation conditions shall apply to the South Orchard 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 applicant 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 applicant 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 South Orchard.
- 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.

Sincerely,



Mike Stevens, Planning Manager



Exhibit 6

Traffic Impact Analysis Letter



5/26/2023

Darrin Sweeney
NorAm

RE: Acceptance of Badger Mountain South Updated Traffic Impact Analysis dated February 16, 2022 with City Amendments

In accordance with Exhibit B to Master Agreement Environmental Conditions subsection 5.3, once the 1000 trips threshold has been reached, a Traffic Impact Analysis (TIA) shall be provided by the developer at every point the when the 500 p.m. peak hour trips are generated from Badger Mountain South. The scope of this study was very large as the City had identified substantial deficiencies in the study used to set the project's environmental mitigation conditions. Pursuant to the City's direction regarding the scope of the study the Developer and their traffic consultant TENW produced a draft traffic study dated May 14, 2021, which was subsequently returned with comments from the City. The developer and their traffic consultant TENW produced a second draft of traffic study dated February 16, 2022, which was subsequently supplemented by TENW with replacement pages to correct identified errors. On May 23, 2022, the City of Richland Public Works Department sent a review comment letter in response to the February 16, 2022 draft. The TIA and replacement pages are attached as Appendix B. The purpose of the City's review was to develop a plan for the City's concurrency with the findings for the proposed mitigation within the TIA and provide guidance to the developer to updated the TIA to a product the City could approve. The Developer and TENW have not subsequently provided an updated study document.. This letter serves as the City's proposed acceptance of the TIA and conditions under which the City will consider Nor Am to have fulfilled the requirements of Exhibit B to Master Agreement Environmental Conditions subsection 5.3.

Funding and Coordination with Outside Agencies

For projects within the footprint of Badger Mountain South (onsite) and within the City's Traffic Impact Fee (TIF) zone boundary, we suggest our recommended improvement scope to that proposed by the TIA even if it exceeds the overall LOS D or better requirement. Designing the internal system to operate well for all approaches is in all our best interests and the City will incorporate these changes into the TIF program to raise funds and reimburse the developer (NorAm) for building the recommended improvements.

For projects outside of the footprint of Badger Mountain South (offsite) and inside the City limits, three situations arose from our review. (1) The TIA analysis satisfies an overall average LOS of D or better at the intersection and we agree with the proposed mitigation; (2) The TIA analysis satisfies an overall average LOS of D or better at the intersection, but intersection approaches fail and the City provides recommended changes to lane configurations to ensure the intersection will operate without exorbitantly long delays and queues; and (3) The City disagrees with pro-rata share or proposed mitigation.

For projects outside of both the Badger Mountain South and the City limits, we reviewed the TIA analysis to ensure it satisfies the overall average LOS of D or better. Offsite intersections not within City of Richland limits were subject to consultation with The City of West Richland and Benton County. The City developed interlocal agreements with those agencies and incorporated the improvement projects into the City's TIF to reimburse those agencies for improvements they make to their transportation system.

The collection of TIF also applies to the I-82/Dallas Road ramp terminal intersections operated by the Washington Department of Transportation. The responsibilities for planning the improvements to the ramps rest with the developer in coordination with WSDOT who manages the relevant right-of-way. Early consultation with WSDOT is encouraged due to the potential for state requirements for additional study of intersection type and design.

Amendment to TIA Recommendations

The following tables represents the City's acceptable amendments to the TIA. These recommendations shall function as the basis for future traffic conditions for Badger Mountain South. Appendix A provides figures with the recommended intersection configurations.

Onsite Intersections

In general, the City concurs with trip distribution, as well as present and future intersection level of service computations. Below is the City's recommendation based on the analysis provided.

Study Intersection Number	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
A	Bella Coola Lane / Trowbridge Boulevard	Roundabout or signal	Roundabout	Already installed to needed configuration.

Study Intersection Number	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
B	Ava Way / Trowbridge Boulevard	Roundabout or signal	Roundabout	Already installed to needed configuration.
C	Sol Duc Avenue / Trowbridge Boulevard	Two-way stop control - Sol Duc Approaches	Two-way stop control - Sol Duc Approaches with left-turn lane on Trowbridge	Left-turns needed at Sol Duc due to thru and LT volumes on Trowbridge.
D	Unnamed N/S Road / Trowbridge Boulevard	Roundabout or signal	Single lane roundabout with additional EBRT and NBLT lanes.	Address queuing on approaches and better LOS.
E	Gage Boulevard / Corvina Street	Two-way stop control - Corvina Approaches	Add turn lanes on all Gage approaches.	Meet need for volumes on Gage.
F	Gage Boulevard / Trowbridge Boulevard	Roundabout or signal	Single lane roundabout	Roundabout is preference.
G	Gage Boulevard / Bella Coola Lane	Two-way stop control - Bella Coola Approach	Add turn lanes on all Gage approaches.	Meet need for volumes on Gage.
H	Gage Boulevard / Unnamed E/W Road	Two-way stop control - Unnamed E/W Approach	Add turn lanes on all Gage approaches.	Meet need for volumes on Gage.
I	Gage Boulevard / Morningside Parkway	Two-way stop control - Morningside Parkway Approach	Single lane mini-roundabout	Per South Orchard plat conditions.
J	Unnamed N/S Road (aka Southgate) /	Two-way stop control - Unnamed	Agree	Future consideration for school reserved.

Study Intersection Number	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
	Unnamed E/W Road	E/W Approach		
K	Unnamed N/S Road (aka Southgate)/ Bella Coola Lane	Roundabout or all-way stop	Single lane roundabout	Roundabout is preference.
L	Clark Ridge Drive / Bella Coola Lane	Two-way stop control - Clark Ridge Approach	Agree	Future consideration for school reserved.

Offsite Intersections (in City)

In general, the City concurs with trip distribution, as well as present and future intersection level of service computations. Below is the City's recommendation based on the analysis provided.

#	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
3	Dallas Road / Trowbridge Road	Roundabout	Roundabout with additional NB lane (configuration is NB thru/left, NB thru/right, NB right slip lane and EB lane (configuration is EB thru/left and EB right)).	Continuation of Dallas 4-5 lane section.
4	Dallas Road / Ava Way	Roundabout or signal	Roundabout with additional NB lane (configuration is NB thru/left and NB thru/right).	Continuation of Dallas 4-5 lane section.
10	Duportail Street / Keene Road	None - Meets LOS standard	Agree	N/A
11	Duportail Street / Kennedy Road	None - Meets LOS standard	Agree	N/A

#	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
12	Duportail Street / Queensgate Drive	Monitor	Additional SB left turn lane. Doing so effectively means that the WB ramp terminal on Queensgate would need modifications. Additional SB right turn. 10% Pro-rata share. 2030 Improvement year.	Intersection fails and requires mitigation. Identify pro-rata share and improvement year.
13	Queensgate Drive / I-182 WB Ramps	None - Meets LOS standard	Agree	N/A
14	Queensgate Drive / I-182 EB Ramps	None - Meets LOS standard	Agree	N/A
15	Keene Road / Queensgate Drive	None - Meets LOS standard	Agree	N/A
16	Gage Boulevard / Queensgate Drive / Bermuda Road	Roundabout	Roundabout with additional SB right turn lane.	Resolves approach failure.
17	Keene Road / Gage Boulevard	None - Meets LOS standard	Agree	N/A
18	Leslie Road / Gage Boulevard	Monitor	WB+EB right-turn, add SB thru, and NB dual left turn. 6% Pro-rata share. 2030 Improvement year.	Intersection fails and requires mitigation. Identify pro-rata share and improvement year.
19	Leslie Road / Reata Road	Roundabout or signal	Roundabout with additional right-turn lane on EB Reata and elimination of SB Leslie right slip lane in favor of a second SB lane (configuration is SB thru-right)	This solution addresses AM Reata approach failure and eliminates slip lane to thus being more cost effective while providing adequate LOS.

#	Study Intersection	TIA Proposed Mitigation	City Recommended Mitigation	Reason for Difference
20	Badger Road / Clearwater Avenue / Leslie Road	Monitor	SB Approach - Additional SB right-turn lane and WB receiving lane to extend west over RR tracks. WB Approach - Reconfigure to allow two thru movements (configuration is WB thru-left and thru-right). EB Approach - additional right turn lane and modification to south island for dual EB lefts (configuration is EB left-turn lane, left-turn/thru/right-turn lane, and right-turn lane. 20% Pro-rata share. 2030 Improvement year.	Intersection fails and requires mitigation. Identify pro-rata share. SB approach - necessary to address PM approach failure. WB approach - necessary to address AM approach failure. EB approach - necessary to address AM failure and queuing over 500 ft. Address if this recommendation is part of recent RR required study.
24	Morningside Parkway / Reata Road	TIP/Frontage	Stop control on Morningside approach and TWLTL and right-turn lane onto Morningside.	3-lane design per design standard for this road and EB right-turn lane per WSDOT guidance.
25	Gage Boulevard / Reata Road	TIP/Frontage	Roundabout - single lane	Per South Orchard plat conditions, meets need for roundabout.
26	Unnamed N/S (aka Southgate) / Reata Road	TIP/Frontage	Stop control on Unnamed N/S (Road A) approach and TWLTL and right-turn lane on Reata.	Per South Orchard plat conditions.

Offsite Intersections (outside of City limits)

In general, the City concurs with trip distribution, as well as present and future intersection level of service computations. As mentioned above, through consultation with the City of West Richland and Benton County, the City developed interlocal agreements with those agencies and incorporated the improvement projects into the

City's TIF to reimburse those agencies for improvements they make to their transportation system. The following table is for information purposes:

#	Study Intersection	Responsible Party	TIA Proposed Mitigation	Recommended Mitigation	Reason for Difference
1	Dallas Road / I-82 EB Ramps	Developer in coordination with Benton County / WSDOT	Roundabout or Signal	Roundabout, but may change upon consultation with WSDOT.	Access Revision Report and Intersection Control Evaluation required by WSDOT
2	Dallas Road / I-82 WB Ramps	Developer in coordination with Benton County / WSDOT	Roundabout or Signal	Roundabout, but may change upon consultation with WSDOT.	Access Revision Report and Intersection Control Evaluation required by WSDOT
5	Dallas Road / Arena Road	West Richland	Cul-de-sac	Partial closure eliminating EB movement at intersection and WB right-out only.	Maintains some access and accomplishes reduction in cut-through.
6	Bombing Range Road / Kennedy Road	West Richland	Roundabout or signal	Signal and NB right turn lane. 41% Pro-rata share.	Disagree with pro-rata share due to change in traffic volumes with partial closure of Arena. Additional lane needed to resolve approach failure.
7	Bombing Range Road	West Richland	None - Meets LOS standard	Remove roundabout, install traffic	Project already started by West Richland, but

#	Study Intersection	Responsible Party	TIA Proposed Mitigation	Recommended Mitigation	Reason for Difference
	/ Keene Road			signal and reconfigure lanes. 8% Pro-rata share.	accounting for BMS additional traffic.
8	Kennedy Road / Arena Road	West Richland	Cul-de-sac	Partial closure at Dallas Rd eliminating EB movement at intersection and WB right-out only.	Maintains full access at Kennedy and accomplishes reduction in cut-through.
9	Kennedy Road / Keene Road	West Richland	NB+SB right-turn overlap phases	Phase 1 – upgrade signal to add NB/SB right turn arrows. Phase 2 - Add exclusive left turn lanes for Kennedy Road and improve signal operations. 11% Pro-rata share.	Phase 1 – resolves immediate need as per TIA. Phase 2 - resolves approach failures for left turn phases at final build out of BMS.
21	Badger Road / I-82 WB Ramps	Benton County / WSDOT	None - Meets LOS standard	Agree	N/A
22	Badger Road / I-82 EB Ramps	Benton County / WSDOT	None - Meets LOS standard	Agree	N/A
23	Bermuda Road / Reata Road	Benton County	Roundabout or signal	Roundabout - single lane.	Roundabout preferred due to impracticality of signal.

Master Agreement Mitigation Measures, Updates to Improvement Timeline and Progress of Development

The BMS Master Agreement, Section 19 and Exhibit B requires that after the Phase 1 threshold has been reached (1000 trips), and the Phase 1 improvements constructed, a Traffic Impact Analysis (TIA) will be provided to the city by the master developer at

every point when 500 p.m. peak trips are generated. The improvements intended for Phase 1 traffic mitigation measures are not complete at the time of this letter. It is the intent of the City of Richland to utilize the TIA, its amendments, and its subsequent updates as a basis for recommending that the triggers identified in the Phase 1 traffic mitigation measures be replaced with the amended TIA as the basis for future traffic mitigation triggers. The City takes this position because the TIA has satisfactorily documented that the development has not resulted in traffic impacts as anticipated by the original analysis and master agreement and that the TIA satisfactorily identifies and programs all necessary traffic mitigation projects for the development.

The key weakness of the TIA is that it does not identify thresholds or triggers for needed traffic mitigations based on p.m. peak hour trips generated. However, the TIA establishes the recommendations based on an anticipated development timeline and years that the mitigation is proposed based on that timeline. To compensate for this weakness, the City will require, as provided for in the master agreement that at every 500 p.m. peak hour trips beyond 1000 trips generated the developer shall update its traffic impact analysis. These updates shall, at a minimum, include:

- Trips generated since development began,
- Future development timeline,
- Road network constructed,
- Land use and roadway assumptions planned with future phases, and
- Any new/changed recommendations for mitigation type and timeline.

In addition, a sensitivity analysis of select intersections may be required to determine the phase of development in which improvements are needed if phases are constructed at a different timeline than assumed in the TIA.

The City tracks p.m. peak hour trips generated by the BMS site by tracking approved building permits. The City will identify when the trip threshold is reached and communicate such to the developer.

The City also tracks the mitigations conditioned upon developments, mitigations completed by the developer, and identifies the developer's obligations to agencies outside of the City. The City will condition developments with traffic mitigation measures identified in the amended TIA based on the year identified in the TIA, but also development progression, trip generation, roadway network constructed, and any sensitivity analysis completed.

As stated above this letter provides the City's proposed acceptance of Nor Am's updated TIA, completed to comply with Exhibit B to Master Agreement Environmental Conditions subsection 5.3. If Nor Am wishes to contest the City's proposal I ask that Nor Am provide a written response to this letter within the next thirty days stating your objections to the City's proposal and the technical basis of your objection. If Nor Am

5/26/2023

Page 10

does not contest the City's proposal the City will proceed to administer the development on the basis of this proposal.

Sincerely,

A handwritten signature in blue ink, appearing to read "Pete Rogalsky", is written over the typed name and title.

Pete Rogalsky, PE
Public Works Director

Enclosure: Appendix A: City Recommended Intersection Layouts
Appendix B: February 16, 2022 Badger Mountain South Traffic Impact
Analysis as amended by replacement pages



Exhibit 7

Traffic Impact Analysis Report

Badger Mountain South

Richland, WA

Updated Transportation Impact Analysis
February 16, 2022

Prepared for:

Nor Am Investment, LLC
4405 71st Avenue Court NW
Gig Harbor, WA 98335

Prepared by:



Transportation Engineering NorthWest

11400 SE 8th Street, Suite 200
Bellevue, WA 98004
(425) 889-6747

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INTRODUCTION

This updated transportation impact analysis (TIA) has been prepared for the Badger Mountain South development located on the north side of I-82 and east of Dallas Road in Richland, WA. This study has been updated based on comments received from the City of Richland dated August 26, 2021, in response to review of the initial TIA dated May 14, 2021.

Project Description

Badger Mountain South (BMS) is a large mixed-use, multi-phased development on approximately 1,500 acres located in the Badger Mountain Subarea of Richland, WA. The BMS site is located north of I-82 and east of Dallas Road and is generally divided into six neighborhoods (BMS Station, West Village, West Vineyard, East Garden, East Market and South Orchard) as shown in the **Figure 1** vicinity map. As of November 2020, Phase 1 (approximately 700 dwelling units and 22,000 square feet of commercial use) had been constructed. Full project buildout is expected by 2040 and is anticipated to include a total of approximately 4,600 residential dwelling units (both single family and multifamily) and approximately 1,017,000 square feet of commercial development.

Vehicular access to/from the BMS site is currently provided via Dallas Road only. With full buildout of the development by 2040, vehicular access to the BMS site will be provided from Dallas Road, Reata Road, and via the future planned extension of Gage Blvd to/from the east. A preliminary site plan illustrating the anticipated buildout of the BMS site over the next 20 years is shown in **Figure 2**.

History and Purpose

Transportation impacts associated with the development of BMS were evaluated in the 2010 Badger Mountain South Final Supplemental EIS (FSEIS). The subsequent Badger Mountain South Subarea Plan and approved Master Agreement (2015) were based on the FSEIS analysis. Exhibit B of the 2015 Master Agreement (conditions of approval) outlines several traffic mitigation measures to be completed with the first 1,000 PM peak hour trips generated by Badger Mountain South (referred to as Phase 1). Exhibit B of the Master Agreement also documents the need for a TIA to be provided to the City for every 500 trips generated after the BMS Phase 1 threshold has been reached in order to identify potential off-site improvements beyond Phase 1 of BMS.

This Transportation Impact Analysis (TIA) was prepared to meet the requirement of the Master Agreement condition of approval for evaluation of traffic impacts beyond the development of BMS Phase 1. The analysis included in this TIA is intended to evaluate traffic impacts of an additional 500 PM peak hour project trips as well as full buildout of the BMS development; and to develop a mitigation strategy to address future roadway and intersection deficiencies as a result of buildout of BMS and growth in background traffic to the year 2040.

Project Approach and Study Scope

The detailed scope of work for this TIA was established through correspondence with the City of Richland, and their subsequent coordination with other local jurisdictions. A total of 26 off-site study intersections and 12 on-site study intersections were identified for evaluation during both the AM and PM peak hours. Additionally, the City required evaluation of four future development years (2025, 2030, 2035 and 2040) in order to assist with identifying the future development phases of BMS for which transportation mitigation will be needed.

The scope of work for this TIA is significantly different and more extensive than the traffic analysis included in 2010 FSEIS which analyzed a total of 11 off-site study intersections and 4 on-site study intersections for the PM peak hour only.

To analyze the transportation impacts from buildout of the Badger Mountain South development, the following tasks were undertaken:

- Assessed existing conditions through field reconnaissance and reviewed existing planning documents.
- Described existing roads, pedestrian facilities, and transit facilities in the project vicinity.
- Documented existing (2021) traffic volumes and intersection level of service (LOS) at 22 off-site study intersections during the weekday AM and PM peak hours.
- Documented planned roadway improvements in the project vicinity.
- Developed weekday daily, AM peak hour, and PM peak hour trip generation estimates for four future development years (2025, 2030, 2035, and 2040).
- Summarized traffic modeling information obtained from BFCG to determine the project trip distribution.
- Documented trip distribution and assignment of AM and PM peak hour project trips.
- Documented AM and PM peak hour traffic forecasts and assumptions for year 2040 conditions with full buildout of Badger Mountain South.
- Analyzed weekday AM and PM peak hour LOS for future year 2040 conditions with full project buildout at 26 off-site study intersections.
- Analyzed weekday AM and PM peak hour LOS for future year 2040 full buildout conditions at 12 on-site intersections and identified preliminary traffic control and channelization.
- Documented preliminary roadway functional classifications for internal roadways within BMS.
- Evaluated and documented potential mitigation measures at off-site intersections forecast to operate at LOS E or LOS F in 2040; note LOS D is acceptable per City of Richland.

Primary Data and Information Sources

- Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th edition, 2017.
- Peak Hour traffic counts by IDAX, November 2020.
- Peak Hour traffic counts by City of Richland, 2019 and 2021.
- *Highway Capacity Manual (HCM)*, 6th Edition, TRB.
- City of Richland *2022-2027 Six Year Transportation Improvement Program (TIP)*.
- City of West Richland *2022-2027 Six Year Transportation Improvement Program (TIP)*.
- *Benton Franklin Council of Governments 2021-2024 Transportation Improvement Program (TIP)*
- WSDOT *2022-2025 Statewide Transportation Improvement Program (STIP)*.

- City of Richland *Comprehensive Plan*, 2017.
- Badger Mountain South Sub Area Plan, 2010.
- Badger Mountain South Final Supplemental EIS, 2010.
- Benton Franklin Council of Governments traffic modeling.
- Ben Franklin Transit webpage, www.bft.org, February 2022.

Report Organization

This TIA report is organized to first describe Existing Conditions in the study area of the BMS development, which includes AM and PM peak hour traffic volumes and intersection operations. Then future year conditions are described in year 2040 to reflect full buildout of the BMS development and anticipated growth in background traffic.

Evaluation of existing and future conditions applies intersection level of service (LOS) to identify locations where future transportation improvements are necessary to maintain acceptable LOS operations by 2040.

Finally, a Mitigation section provides a description of transportation roadway and intersection improvements needed to accommodate buildout of BMS while also accounting for growth in background traffic. The Mitigation section is intended to provide a list of improvements to be used to monitor and identify road and intersection improvements as buildout of BMS occurs over the next 18 years.

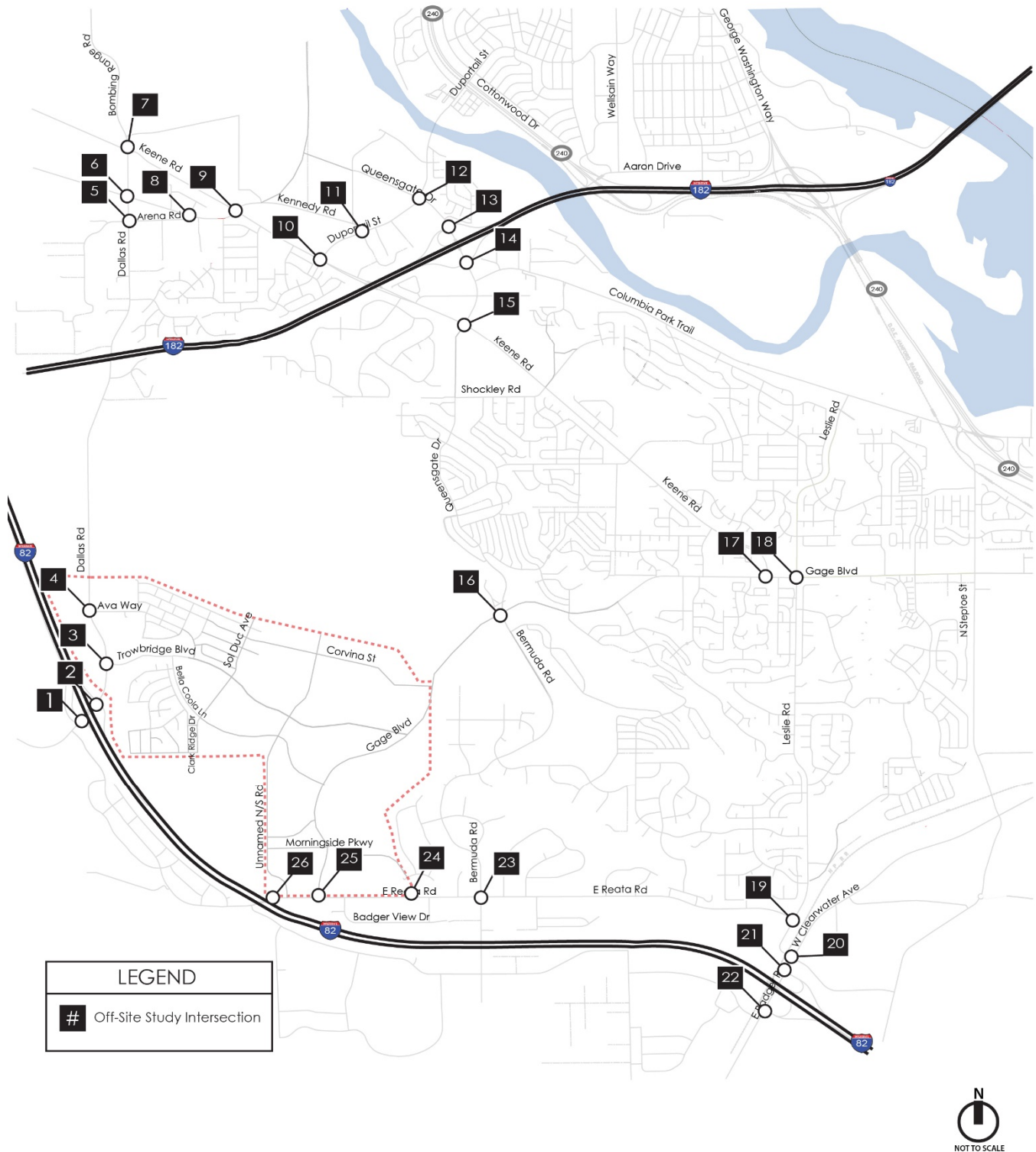


Figure 1: Project Site Vicinity and Off-Site Study Intersections

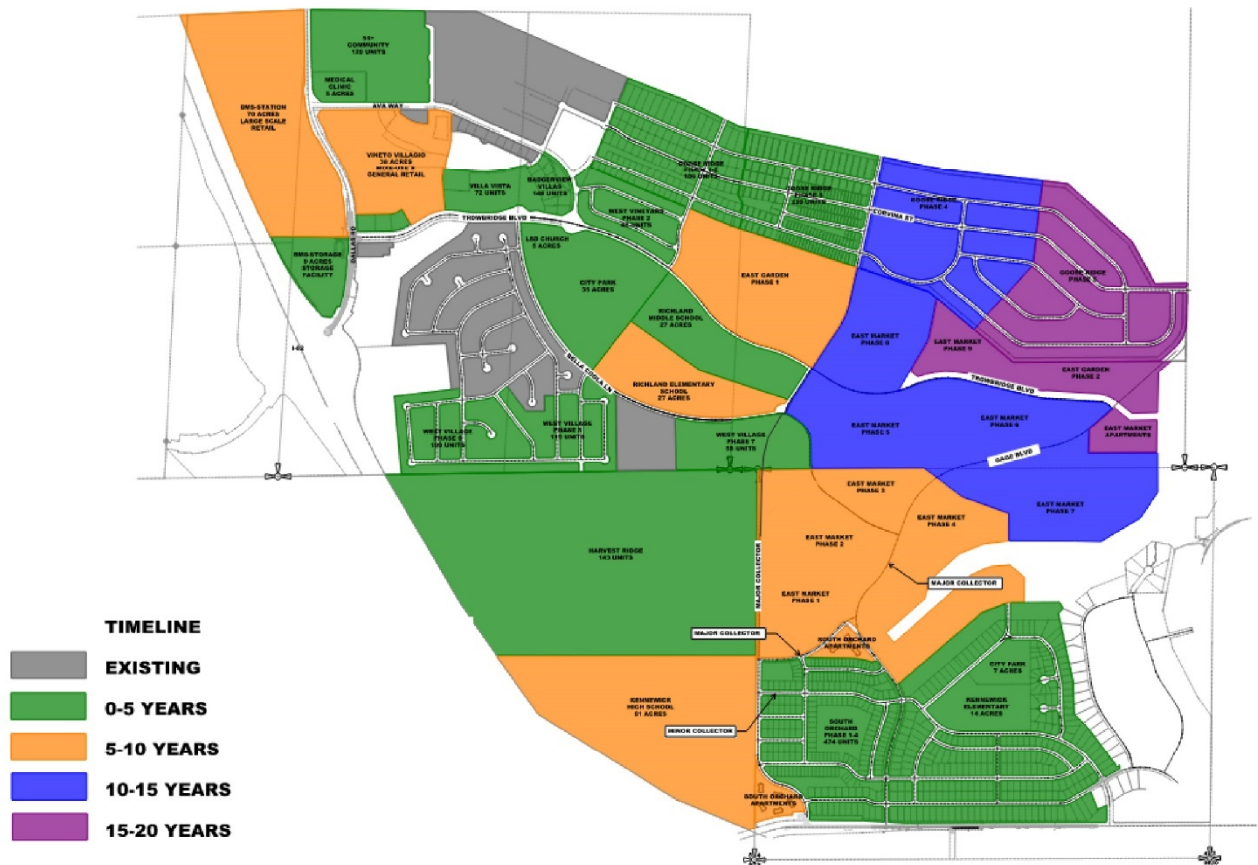


Figure 2: Preliminary Site Plan for Full Buildout of BMS

EXISTING CONDITIONS

Study Area

The existing transportation study area and roadway network providing access to the Badger Mountain South site is shown on **Figure 1**. The off-site study intersections evaluated in this transportation analysis were identified and agreed upon by the City of Richland. The 26 off-site study intersections and their corresponding jurisdiction are as follows (see also **Figure 1**):

1. Dallas Road / I-82 Eastbound Ramps (WSDOT/Richland)
2. Dallas Road / I-82 Westbound Ramps (WSDOT/Richland)
3. Dallas Road / Trowbridge Blvd (Richland)
4. Dallas Road / Ava Way (Richland)
5. Dallas Road / Arena Road (West Richland)
6. Bombing Range Road / Kennedy Road (West Richland)
7. Bombing Range Road / Keene Road (West Richland)
8. Arena Road / Kennedy Road (West Richland)
9. Kennedy Road / Keene Road (West Richland)
10. Duportail Street / Keene Road (Richland)
11. Duportail Street / Kennedy Road (Richland)
12. Duportail Street / Queensgate Drive (Richland)
13. Queensgate Drive / I-182 Westbound Ramps (WSDOT)
14. Queensgate Drive / I-182 Eastbound Ramps (WSDOT)
15. Queensgate Drive / Keene Road (Richland)
16. Gage Blvd / Queensgate Drive / Bermuda Road (Richland) – *Future Intersection*
17. Keene Road / Gage Blvd (Richland)
18. Leslie Road / Gage Blvd (Richland)
19. Leslie Road / Reata Road (Richland)
20. Leslie Road / Badger Road / Clearwater Avenue (Richland)
21. Badger Road / I-82 Westbound Ramps (WSDOT/Richland)
22. Badger Road / I-82 Eastbound Ramps (WSDOT/Richland)
23. Bermuda Road / Reata Road (Benton County/Richland)
24. Morningside Parkway / Reata Road (Benton County/Richland)
25. Gage Blvd / Reata Road (Benton County/Richland) – *Future Intersection*
26. Unnamed Road / Reata Road (Benton County/Richland) – *Future Intersection*

In addition to the 26 off-site study intersections, a total of 12 on-site (internal) study intersections were identified by the City of Richland as shown in **Figure 3**:

- A. Bella Coola Lane / Trowbridge Blvd
- B. Ava Way / Trowbridge Blvd
- C. Sol Duc Ave / Trowbridge Blvd
- D. Unnamed N/S Road / Trowbridge Blvd
- E. Gage Blvd / Trowbridge Blvd
- F. Gage Blvd / Corvina Street
- G. Gage Blvd / Bella Coola Lane
- H. Gage Blvd / Unnamed E/W Road
- I. Gage Blvd / Morningside Parkway
- J. Unnamed N/S Road / Unnamed E/W Road
- K. Unnamed N/S Road / Bella Coola Lane
- L. Clark Ridge Dr / Bella Coola Lane



Roadway Network

Table 1 describes the existing characteristics of the streets used as primary routes to and from the BMS site. Roadway characteristics are described in terms of directional orientation, arterial classification, number of lanes, posted speed limits, parking, pedestrian facilities, and bicycle facilities. The relationship of these roadways to the project site is shown in **Figure 1**. An aerial view of the transportation network in the site vicinity is shown on the next page.

Table 1
Existing Study Area Roadway Network

Roadway	Orientation	Existing Functional Classification	# of Travel Lanes	Posted Speed Limit (mph)	Parking	Sidewalks	Bicycle Facilities
Interstate 82 (I-82)	EW	Interstate	4	70	No	No	None
Interstate 182 (I-182)	E/W	Interstate	4	70	No	No	None
Dallas Rd	N/S	Minor Arterial	2	35/50	No	No	None
Trowbridge Blvd	E/W	Minor Arterial	2-4	30	No	Intermittent	None
Ava Way	E/W	Major Collector	2	25	No	Intermittent	None
Bombing Range Rd	N/S	Minor Arterial	2+	35	No	Both Sides	None
Kennedy Rd	E/W	Major Collector	2	40	No	Intermittent	None
Keene Rd	NW/SE	Principal Arterial	4+	30/45	No	Intermittent	Bike Lanes on Both Sides and Shared Use Path on North Side
Duportail St	N/S	Principal Arterial	4+	30	No	Both Sides	Bike Lanes on Both Sides
Queensgate Dr	N/S	Principal Arterial	4+	35	No	Both Sides	Bike Lanes on Both Sides and Shared Use Path on East Side from Keene to I-182
Gage Blvd	E/W	Minor Arterial	2-5	30-40	No	Intermittent	Bike Lanes on Both Sides east of Leslie
Leslie Rd	N/S	Minor Arterial	2+	35	No	Intermittent	Bike Lanes on Both Sides
Reata Rd	E/W	Major Collector	2	40	No	No	None

+ includes center two-way left-turn lane (TWLTL)

The following describes the primary roads providing access to the BMS area in more detail.

Interstate 82 (I-82) is an east-west limited access freeway that connects I-90 in central Washington to I-84 in Oregon. In the project vicinity, I-82 consists of two travel lanes in each direction with a posted speed limit of 70 mph (60 mph for trucks). Paved shoulders exist on both sides of the highway.

In the vicinity of Badger Mountain there is an interchange with I-82 at E Badger Road (Exit 109), an interchange with I-82 at Dallas Road (Exit 104) and an interchange with I-82 at I-182 (Exit 102). The I-82 interchange at Dallas Road provides primary access to the project site.

Interstate 182 (I-182) / US 12 is an east-west interstate freeway that connects the Tri Cities area between I-82 and the City of Walla Walla. In the project vicinity, I-182 consists of two travel lanes in each direction with a posted speed limit of 70 mph (60 mph for trucks). Paved shoulders exist on both sides of the highway. In the vicinity of the project site, there is an interchange with I-182 at I-82 (Exit 102) and an interchange with I-182 at Queensgate Drive (Exit 3). The I-182 interchange at Queensgate Drive provides primary access to West Richland to the northwest and the City of Kennewick to the southeast.

Dallas Road is a north-south major collector consisting of two lanes (one in each direction) and posted speed limits ranging from 35 to 50 mph. Dallas Road provides access to the BMS project site from its interchange with I-82. Paved shoulders exist on both sides of the roadway.

Gage Blvd is an east-west minor arterial consisting of two lanes in each direction with a center two way left turn lane. Gage Blvd connects the commercial area of Kennewick to residential Richland. The posted speed is 30 mph and sidewalks exist on both sides of the roadway east of Keene Road. A future planned road extension will connect Gage Blvd to Reata Road through the BMS site.

Reata Road is an east-west major collector consisting of two lanes (one in each direction) and a posted speed limit of 40 mph. Gravel shoulders exist on both sides of the roadway. Reata Road provides a connection between Dallas Road and Leslie Road along the southern boundary of the BMS site.

Nonmotorized Transportation Facilities

Pedestrian facilities in the immediate project vicinity include intermittent sidewalks on the north side of Ava Way, a paved pedestrian path on the southern side of Ava Way, and a paved pedestrian path on the south side of Trowbridge Blvd. The Badger Mountain Trailhead Park Loop, Canyon Trail, Langdon Trail, Sagebrush Trail and Skyline Trail are located directly north of the project site and are protected trails for pedestrians and bicycles. Other pedestrian facilities include curb ramps and crosswalks at the majority of the study intersections. There are no designated bicycle lanes in the immediate vicinity of the site.

Transit Service

Transit service to and from the project vicinity is provided by Ben Franklin Transit (BFT). There is no existing transit service in the vicinity of the BMS project site.

Existing Traffic Volumes

Year 2021 existing weekday AM and PM peak hour traffic volumes at the off-site study intersections were based on counts conducted in 2019, 2020, and 2021. The AM peak hour represents the highest one-hour time period between 7:00 and 9:00 AM and the PM peak hour represents the highest one-hour time period between 4:00 and 6:00 PM (standard ITE-defined peak period).

To calculate the impact of COVID-19 on existing peak hour traffic volumes collected in 2020 and 2021, the peak hour traffic volumes were compared to available historical peak hour traffic volumes provided by the City of Richland, the Benton Franklin Council of Governments (BFCG), and other

traffic studies in the project vicinity. An estimated 1.2 percent growth rate was applied to the 2017 and 2019 historical volumes to estimate existing 2021 “normal” conditions. The 1.2% annual growth rate was calculated based on a comparison of link traffic volumes at the off-site study intersections from the future year 2025 and year 2040 baseline (without BMS project traffic) traffic modeling provided by BFCG.

Based on the results of this volume comparison, to estimate “normal” 2020 existing traffic volumes for non-COVID conditions, the traffic counts collected in November 2020 were increased by 25 percent during the AM peak hour and 15 percent during the PM peak hour. All counts used in this updated TIA were conducted in November 2020 with exception to the following:

- **#7 Bombing Range Road / Keene Road** – December 2021 counts were used at this intersection for the AM peak hour; April 2019 counts were used at this intersection for the PM peak hour
- **#10 Duportail Street / Keene Road** – March 2021 counts were used at this intersection for the AM and PM peak hours
- **#11 Duportail Street / Kennedy Road** – August 2021 counts were used at this intersection for the AM peak hour; March 2021 counts were used at this intersection for the PM peak hour
- **#12 Duportail Street / Queensgate Drive** – March 2021 counts were used at this intersection for the AM and PM peak hours
- **#15 Keene Road / Queensgate Drive** – March 2021 counts were used at this intersection for the AM and PM peak hours
- **#24 Morning Side Parkway / Reata Road** – December 2021 counts were used at this intersection for the AM and PM peak hours

Traffic counts collected in March and August 2021 were increased by 15 percent during the AM peak hour and 5 percent during the PM peak hour to estimate “normal” 2021 existing traffic volumes. A COVID adjustment was not applied to counts conducted in December 2021 because the volume comparison showed that the December 2021 counts were higher than historical peak hour traffic volumes with an estimated growth rate of 1.2 percent applied, indicating that the December 2021 volumes reflect existing “normal” conditions.

It should be noted that the counts used in the previous BMS TIA at the intersection of Bombing Range Road / Keene Road (#7) were not used in this updated TIA due to concerns regarding the intersection’s proximity to several schools and schools being conducted remotely at the time counts were collected in November 2020. Therefore, this updated TIA uses counts with schools operating normally (December 2021 counts during the AM peak hour and April 2019 counts with an applied growth rate during the PM peak hour). Additionally, minor adjustments were made to the volumes at the Kennedy Road / Keene Road intersection (#9) to balance with the traffic volumes at Bombing Range Road / Keene Road.

The 2021 “normal” weekday AM and PM peak hour traffic volumes at the 23 off-site study intersections are illustrated in Error! Reference source not found. and Error! Reference source not found., respectively. It should be noted that three of the 26 off-site study intersections are not existing intersections but will be future intersections with the development of BMS and analyzed under future 2040 conditions). Detailed traffic count data sheets are included in **Appendix A**.

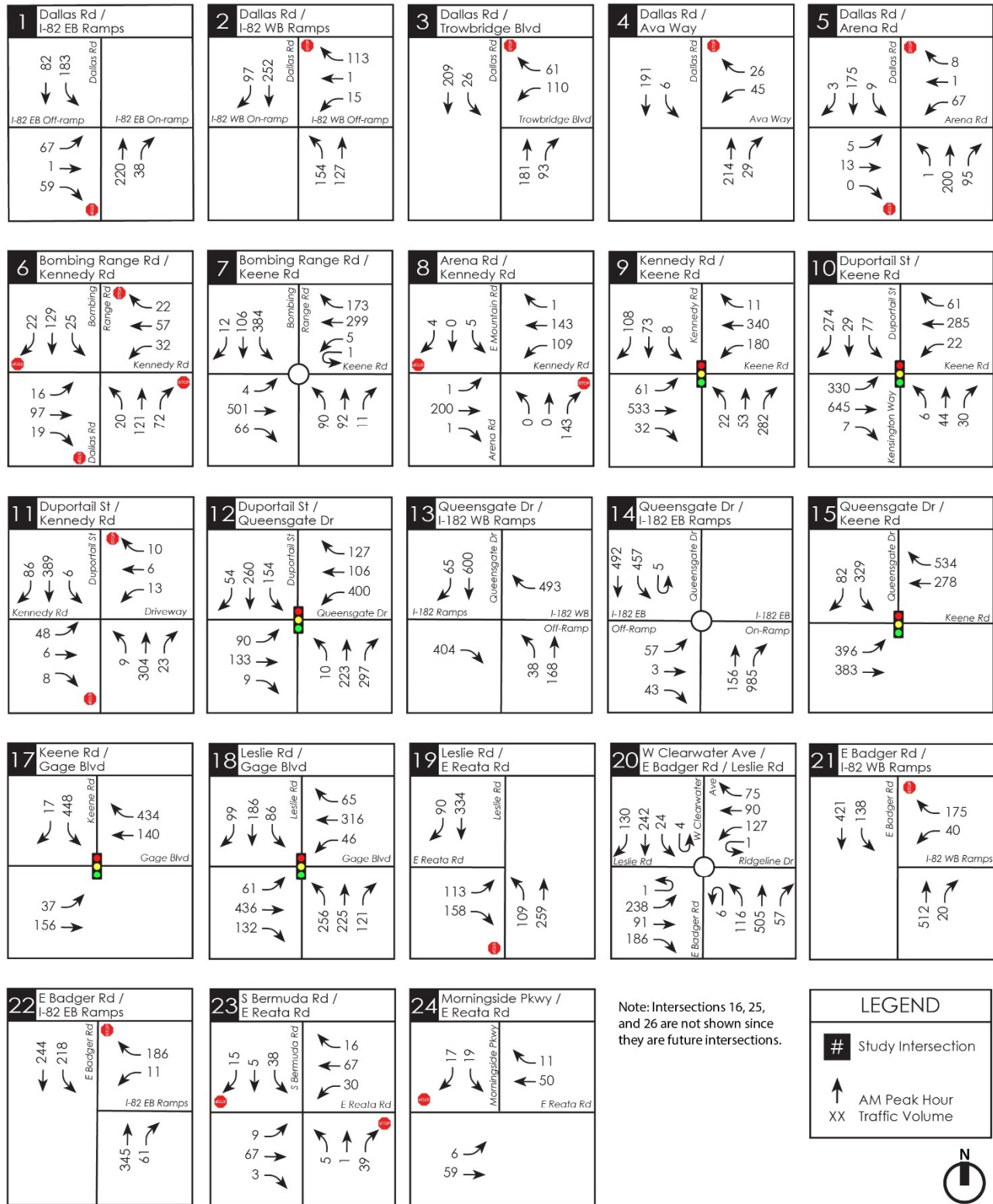


Figure 4: 2021 Existing Weekday AM Peak Hour Traffic Volumes

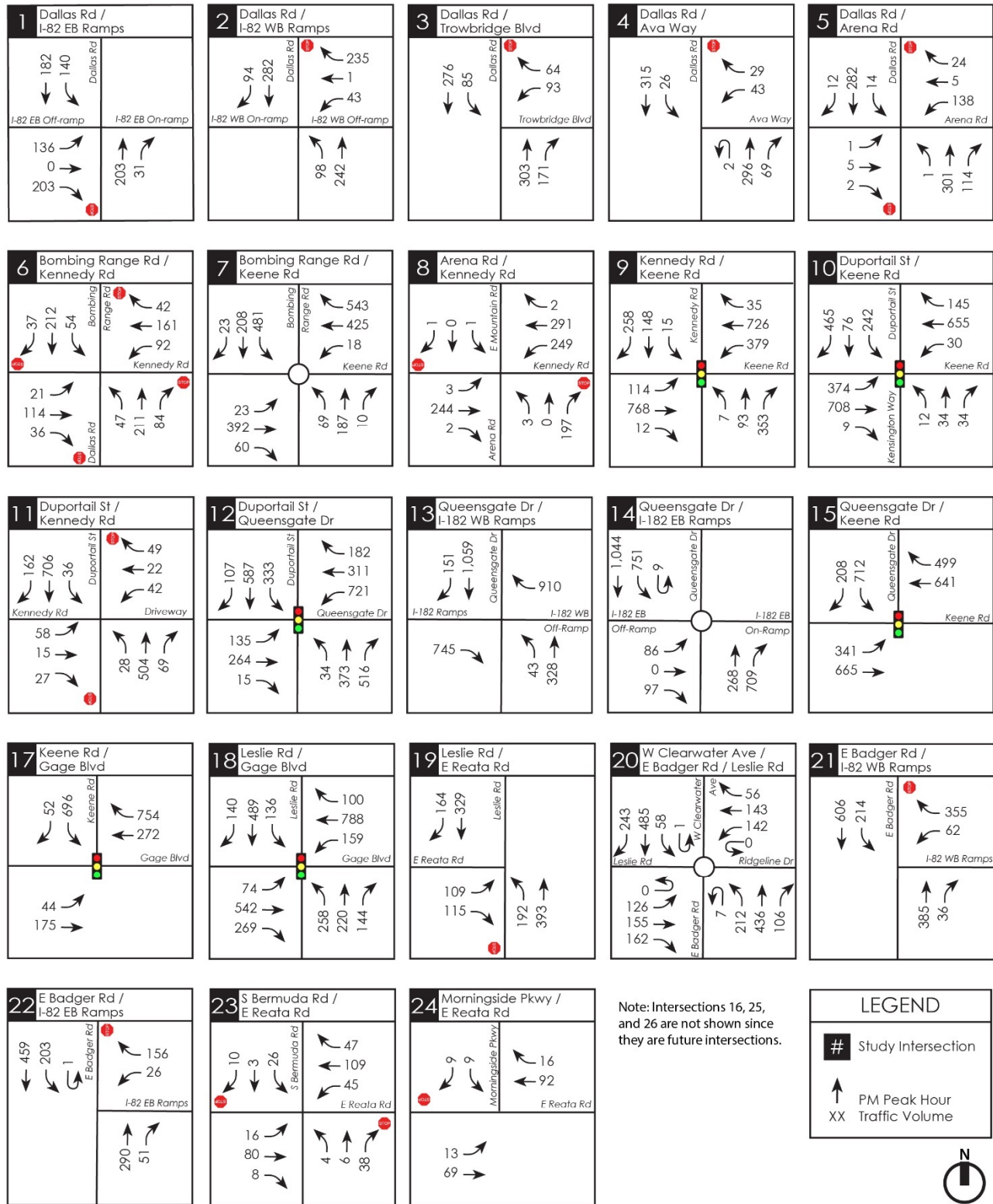


Figure 5: 2021 Existing Weekday PM Peak Hour Traffic Volumes

Existing Level of Service

Based on extensive scoping discussions with the City of Richland, existing weekday AM and PM peak hour level of service (LOS) analyses were conducted at 23 existing off-site study intersections (note that 3 of the 26 identified off-site study intersections are not existing intersections but will be future intersections with the development of BMS).

LOS generally refers to the degree of congestion on a roadway or intersection. It is a measure of vehicle operating speed, travel time, travel delays, and driving comfort. A letter scale from A to F generally describes intersection LOS. At signalized intersections, LOS A represents free-flow conditions (motorists experience little or no delays), and LOS F represents forced-flow conditions where motorists experience an average delay in excess of 80 seconds per vehicle.

The LOS reported for signalized intersections represents the average control delay (sec/veh) and can be reported for the overall intersection, for each approach, and for each lane group (additional v/c ratio criteria apply to lane group LOS only).

The LOS reported at stop-controlled intersections is based on the average control delay and can be reported for each controlled minor approach, controlled minor lane group, and controlled major-street movement (and for the overall intersection at all-way stop controlled intersections. Additional v/c ratio criteria apply to lane group or movement LOS only).

Table 2 outlines the current HCM 6th Edition LOS criteria for signalized and stop-controlled intersections based on these methodologies.

Table 2
LOS Criteria for Signalized and Stop Controlled Intersections

SIGNALIZED INTERSECTIONS			UNSIGNALIZED INTERSECTIONS		
Control Delay (sec/veh)	LOS by Volume-to Capacity (V/C) Ratio ¹		Control Delay (sec/veh)	LOS by Volume-to Capacity (V/C) Ratio ²	
	≤ 1.0	> 1.0		≤ 1.0	> 1.0
≤ 10	A	F	≤ 10	A	F
> 10 to ≤ 20	B	F	> 10 to ≤ 15	B	F
> 20 to ≤ 35	C	F	> 15 to ≤ 25	C	F
> 35 to ≤ 55	D	F	> 25 to ≤ 35	D	F
> 55 to ≤ 80	E	F	> 35 to ≤ 50	E	F
> 80	F	F	> 50	F	F

Source: Highway Capacity Manual, Transportation Research Board, 6th Edition, 2016.

¹ For approach-based and intersection-wide assessments at signals, LOS is defined solely by control delay.

² For two-way stop-controlled intersections, the LOS criteria apply to each lane on a given approach and to each approach on the minor street. LOS is not calculated for major-street approaches or for the intersection as a whole at two-way stop-controlled intersections. For approach-based and intersection-wide assessments at all-way stop controlled intersections and roundabouts, LOS is solely defined by control delay.

LOS calculations were based on methodology and procedures outlined in the 6th Edition of the *Highway Capacity Manual* using *Synchro 10* and *SIDRA 9* traffic analysis software. Existing signal timing at the signalized study intersections was provided by the City of Richland.

The 2021 existing AM and PM peak hour LOS analysis results at the existing off-site study intersections are summarized in **Table 3** (for signals and roundabouts) and **Table 4** (for stop-controlled). The LOS worksheets are included in **Appendix B**. It should be noted that study intersection #13 (Queensgate

Dr / I-182 WB Ramps) is not included in Table 3 or Table 4 because all movements at the intersection are uncontrolled and thus do not have any vehicular delay associated with them.

Table 3
2021 Existing Peak Hour LOS Summary at Off-Site Study Intersections (signals and roundabouts)

Study Intersection	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
<u>Signalized Intersections</u>				
9. Kennedy Road / Keene Road	C	22.5	C	27.3
10. Duportail Street / Keene Road	C	27.3	C	26.3
12. Duportail Street / Queensgate Drive	B	17.9	C	27.3
15. Queensgate Drive / Keene Road	B	18.8	C	24.4
17. Keene Road / Gage Blvd	B	14	B	14.1
18. Leslie Road / Gage Blvd	C	28.4	D	53.4
<u>Roundabout Intersections</u>				
7. Bombing Range Road / Keene Road	D	27.3	C	24.6
14. Queensgate Drive / I-182 EB Ramps	A	5.9	A	6.4
20. Badger Road / Clearwater Ave / Leslie Road	A	8.2	A	9.5

Table 4
2021 Existing Peak Hour LOS Summary at Off-Site Study Intersections (stop-controlled)

Study Intersection / Movement	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
<u>All-Way Stop Controlled Intersection</u>				
6. Bombing Range Road / Kennedy Road	A	9.7	C	15.9
<u>Two-Way Stop Controlled Intersections</u>				
1. Dallas Road / I-82 EB Ramps				
Eastbound Approach	C	21.5	E	41.1
Southbound Left-Turn	A	8.5	A	8.1
2. Dallas Road / I-82 WB Ramps				
Westbound Approach	B	11.2	C	16.9
Northbound Left-Turn	A	8.8	A	8.7
3. Dallas Road / Trowbridge Blvd				
Westbound Approach	B	14.3	C	22.2
Southbound Left-Turn	A	8.1	A	8.8
4. Dallas Road / Ava Way				
Westbound Approach	B	11.7	C	15.8
Southbound Left-Turn	A	8.0	A	8.2

Table 4 continued
2021 Existing Peak Hour LOS Summary at Off-Site Study Intersections (stop-controlled)

Study Intersection / Movement	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
5. Dallas Road / Arena Road				
Eastbound Approach	B	13.7	C	15.7
Westbound Approach	C	15.7	E	41.8
Northbound Left-Turn	A	7.6	A	7.9
Southbound Left-Turn	A	7.9	A	8.3
8. Arena Road / Kennedy Road				
Eastbound Left-Turn	A	7.5	A	7.8
Westbound Left-Turn	A	8.0	A	8.4
Northbound Approach	B	10.7	B	11.7
Southbound Approach	C	15.4	D	25.5
11. Duportail Street / Kennedy Road				
Eastbound Left-Turn	B	13.8	D	25.8
Eastbound Thru-Right	B	11.5	C	15.8
Westbound Left-Turn	B	11.3	C	17.3
Westbound Thru-Right	B	10.8	B	14.5
Northbound Left-Turn	A	8.5	B	10.1
Southbound Left-Turn	A	7.6	A	8.1
19. Leslie Road / Reata Road				
Eastbound Left-Turn	C	17.5	C	24.7
Eastbound Right-Turn	B	12.1	B	11.3
Northbound Left-Turn	A	8.8	A	9.3
21. Badger Road / I-82 WB Ramps				
Westbound Shared Left-Right	D	27.1	F	58.0
Southbound Left-Turn	A	9.7	A	9.0
22. Badger Road / I-82 EB Ramps				
Westbound Approach	C	16.5	C	15.1
Southbound Left-Turn	A	9.3	A	8.7
23. Bermuda Road / Reata Road				
Eastbound Left-Turn	A	7.5	A	7.6
Westbound Left-Turn	A	7.5	A	7.5
Northbound Approach	A	9.2	A	9.9
Southbound Approach	B	10.7	B	12.0
24. Morningside Parkway / Reata Road				
Eastbound Left-Turn	A	7.4	A	7.5
Westbound Right-Turn	A	0	A	0
Southbound Left-Turn	A	9.4	A	9.7
Southbound Right-Turn	A	8.7	A	8.8

AM Peak Hour

As shown in LOS **Table 3**, all signalized and roundabout study intersections are currently operating at LOS D or better during the AM peak hour.

As shown in LOS **Table 4**, the all-way stop controlled study intersection and all individual lane groups at the stop-controlled study intersections are currently operating at LOS D or better during the AM peak hour.

PM Peak Hour

As shown in **Table 3**, all signalized and roundabout study intersections are currently operating at LOS D or better during the PM peak hour.

As shown in **Table 4**, the all-way stop controlled study intersection and all individual lane groups at the stop-controlled study intersections are currently operating at LOS D or better during the PM peak hour with exception to the following:

- #1 Dallas Road/I-82 EB Ramps – the eastbound approach is currently operating at LOS E
- #5 Dallas Road/Arena Road – the westbound approach is currently operating at LOS E
- #21 Badger Road/I-82 WB Ramps – the westbound approach is currently operating at LOS F

FUTURE TRAFFIC ANALYSIS

This section provides information related to future planned roadway improvements, weekday AM and PM peak hour traffic volumes, and peak hour LOS at study intersections in year 2040. The 2040 traffic conditions account for buildout of the BMS development and growth in background traffic. Level of service (LOS) evaluation during weekday AM and PM peak hours is used to identify locations where future improvements will be necessary to maintain acceptable LOS operations by 2040. Locations where improvements are needed to provide acceptable LOS are then addressed later in the Mitigation Measures section of the report.

Planned Transportation Improvements

This section describes the planned transportation improvements located within the project study area. The following planning documents were reviewed to document planned capacity-related transportation improvements located within the project study area. It should be noted that planned improvements are noted for the next 6-year period; road and intersection improvements beyond 2027 are not identified.

- Benton-Franklin Council of Governments (BFCG) 2021-2024 Transportation Improvement Program (TIP)
- City of Richland 2022-2027 Six-Year Transportation Improvement Program (TIP)
- City of West Richland 2022-2027 Six-Year Transportation Improvement Program (TIP)
- Benton County 2022-2027 Six-Year Transportation Improvement Program (TIP)
- WSDOT 2022-2025 Statewide Transportation Improvement Program (STIP)

BFCG 2021-2024 TIP

No capacity related projects were identified within the project vicinity in the BFCG's 2021-2024 TIP.

City of Richland 2022 – 2027 TIP

Gage Blvd Improvements (Priority #8). Improvements of Gage Blvd from Penny Royal Ave to Morency Drive. The project involves the addition of curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2024. *The funding for this project is not secured.*

Queensgate Drive Extension Phase I (Priority #13). Extension of Queensgate Drive from Shockley Road to Keene Road. The new roadway will have three lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2025. *This project is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). The funding for this project is not secured and is anticipated to be constructed with development activity. Therefore, the schedule for this project is dependent on privately initiated development.*

Duportail / Kennedy Intersection Improvements (Priority #15). Reconstruct intersection of Duportail Street/Kennedy Road. Construction is anticipated to start in 2024.

Duportail / Driveway Intersection Improvements (Priority #16). Reconstruct intersection of Duportail Street/Driveway (north of Kennedy Road). Construction is anticipated to start in 2025. *This project is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

Dallas Road / Trowbridge Blvd Intersection Improvements (Priority #18). Improvements of the Dallas Road and Trowbridge Blvd intersection includes the reconstruction of the intersection to provide for added capacity. Construction is anticipated to start in 2025. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Dallas Road / Ava Way Intersection Improvements (Priority #20). Improvements of the Dallas Road and Ava Way intersection includes the reconstruction of the intersection to provide for added capacity. Construction is anticipated to start in 2024. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Dallas Road / I-82 WB Ramps Intersection Improvements (Priority #21). Improvements of the Dallas Rd and I-82 WB ramps intersection includes reconstruction of the ramp and intersection to provide for added capacity. Construction is anticipated to start in 2025. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Dallas Road / I-82 EB Ramps Intersection Improvements (Priority #22). Improvements of the Dallas Rd and I-82 EB ramps intersection includes reconstruction of the ramp and intersection to provide for added capacity. Construction is anticipated to start in 2025. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Dallas Road Widening (Priority #23). Widening of Dallas Road from city limits to I-82 to have four lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2026. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). This project is anticipated to be constructed with a combination of development activity impact fees and City grant funds.*

Gage Blvd Extension (Priority #24). Extension of Gage Blvd from Morency Drive to Queensgate Blvd to include three lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Based on information provided by the City, construction is anticipated to occur between 2030 and 2035. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). This project is anticipated to be constructed with a combination of development activity impact fees and City grant funds.*

Shockley Road Extension (Priority #25). Extension of Shockley Road from Keene Rd to south of Badger Valley Way to have two lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Based on information provided by the City, construction is likely to occur after 2030. *This project is currently unfunded but is part of the City of Richland's Traffic Impact Fee Program (RMC 12.03). Thus, this project is anticipated to be constructed with development activity.*

Trowbridge Blvd – Sol Duc Ave to Gage Blvd (Priority #26). Construction of Trowbridge Blvd between Sol Duc Ave and Gage Blvd to have two lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2025. *This project is anticipated to be funded and constructed by Badger Mountain South and is eligible for impact fee credit per the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

Bella Coola Lane – Copper Mountain Apartments to Gage Blvd (Priority #27). Construction of Bella Coola Lane from the Copper Mountain Apartments to Gage Blvd to have two lanes with curbs, gutter, sidewalks, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2025. *This project is anticipated to be funded and constructed by Badger Mountain South and is eligible for impact fee credit per the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

Gage Blvd / Trowbridge Blvd Intersection Improvements (Priority #28). Construction of the Gage Blvd/Trowbridge Blvd intersection. Construction is anticipated to start in 2026. *This project is anticipated to be funded and constructed by Badger Mountain South and is eligible for impact fee credit per the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

Gage Blvd - Badger Mountain South Improvements (Priority #29). Construction of Gage Blvd from Road B-C to Queensgate Drive to include two lanes with curb, gutter, sidewalk, bike lanes, streetlights, and storm drainage. Construction is anticipated to start in 2026. *This project is anticipated to be funded and constructed by Badger Mountain South and is eligible for impact fee credit per the City of Richland's Traffic Impact Fee Program (RMC 12.03).*

City of West Richland 2022-2027 TIP

Bombing Range Road / Keene Road Intersection Modifications (Priority #2). This project would signalize the intersection and construct associated lane improvements. Construction is anticipated to occur in 2025.

Bombing Range Road / Kennedy Road Intersection Modifications (Priority #16). This project would construct intersection modifications which may include signalization.

Benton County 2022-2027 TIP

Badger Road – I-82 Roundabouts and Pathway (Priority #5). This project would construct four roundabouts along Badger Road, three at the interchange with I-82 and one at Cottonwood Drive. A non-motorized pathway would also be constructed along the north side of the road to remove pedestrians and other non-motorized traffic from the roadway. Construction is anticipated to start in 2026. *This project is anticipated to be constructed by a combination of federal and state funding.*

Reata Road Widening and Pathway (Priority #17). This project would add a twelve-foot pathway on the north side of Reata Road and widen the roadway to accommodate three (3) eleven foot lanes from the I-82 Overpass to Richland City Limits. Construction is anticipated to start in 2026. *This project is currently unfunded.*

Badger Road Pathway (Priority #19). This project would add two six-foot bike lanes along seven miles of Badger Road from the City of Kennewick to Dallas Road. Construction is anticipated to start in 2026. *This project is anticipated to be constructed by County funding.*

WSDOT 2022 – 2025 STIP

No capacity related projects were identified within the project vicinity in WSDOT's 2021-2024 STIP.

Future Year 2040 Roadway Network

The roadway network for the future year 2040 LOS analysis at the 26 off-site study intersections was based on existing conditions except at the following intersections where identified improvements were assumed to be in place by 2040 (note that assumed improvements do not reflect known commitments to improvements):

- **#1 Dallas Road / I-82 Eastbound Ramps** – new southbound left-turn lane as identified in the BMS Master Agreement for Phase 1.
- **#2 Dallas Road / I-82 Westbound Ramps** – new westbound right-turn lane, a northbound left-turn lane, and a southbound right-turn lane as identified in the BMS Master Agreement for Phase 1.
- **#3 Dallas Road / Trowbridge Blvd** – widen Dallas Road to 4 lanes south of Trowbridge Blvd as identified in the BMS Master Agreement for Phase 1; also assumed to be a 4-leg roundabout with the west leg providing access to BMS development on the west side of Dallas Road
- **#4 Dallas Road / Ava Way** – new turn lanes on Dallas Road as identified in the BMS Master Agreement for Phase 1; also assumed to be unsignalized with Dallas Road free flow and Ava Way stop-controlled. A new west leg of the intersection was included at this intersection to account for planned BMS development on the west side of Dallas Road.
- **#7 Bombing Range Road / Keene Road** – reconstruct existing roundabout to a signalized intersection per City of West Richland TIP project. Assumed channelization includes: two eastbound through lanes with separate eastbound right and left-turn lanes; two westbound through lanes with separate westbound right and left-turn lanes; a northbound left-turn lane plus a shared through-right-turn lane; and dual southbound left-turn lanes plus a shared through-right-turn lane.
- **#11 Duportail Street / Kennedy Road** – new signalized intersection per City of Richland TIP project. Existing channelization was assumed at this intersection.
- **#15 Queensgate Drive / Keene Road** – new south leg as part of the Queensgate Drive Extension project identified in the City of Richland's Six-Year TIP. Assumed channelization improvements include the following: two eastbound through lanes with separate right and dual left-turn lanes; two westbound through lanes with separate right and left-turn lanes; dual northbound left-turn lanes plus a through lane and a shared through-right-turn lane; and dual southbound left-turn lanes with separate through and right-turn lanes.
- **#16 Gage Blvd / Queensgate Drive / Bermuda Road** – new intersection as part of the Queensgate Drive Extension Project identified in the City of Richland's Six-Year TIP; also assumed to be a roundabout per City of Richland.
- **#21 Badger Road / I-82 WB Ramps** – new roundabout per Benton County TIP project.
- **#22 Badger Road / I-82 EB Ramps** – new roundabout per Benton County TIP project.
- **#25 Gage Blvd / Reata Road** – new unsignalized intersection with Reata Road a single-lane in each direction with a center two-way left-turn lane; assumes Gage Boulevard is stop-controlled with separate southbound right and left-turn lanes.

- **#26 Unnamed N/S Road / Reata Road** – new unsignalized intersection with Reata Road a single-lane in each direction with a center two-way left-turn lane; assumes Unnamed N/S Road is stop-controlled with separate southbound right and left-turn lanes.
- **#5 Dallas Road / Arena Road** (requested by the City of Richland) – new dead-end cul-de-sac on the west end of Arena Road, east of its existing intersection with Dallas Road. As a result, the Dallas Road / Arena Road intersection would be a three-leg unsignalized intersection with the west leg of Arena Road stop-controlled, and Dallas Road free flow.

Project Land Use Assumptions by Year

Development of the BMS project will occur in phases over the next 18 years with full buildout anticipated to be achieved by 2040. **Table 5** below summarizes the existing BMS development as of November 2020 (when existing traffic volumes were conducted) and the future land use anticipated to be developed by years 2025, 2030, 2035, and 2040. It should be noted that the future land use assumptions by development year and by BMS neighborhood have been provided by the applicant/owner and are based on the best available information from the owner/applicant. However, it should be recognized that the assumptions may be updated or changed as the Badger Mountain South project develops over the next 18 years.

Table 5
Project Land Use Summary by Development Year

Land Use	Total Badger Mountain South Land Use				
	Existing (as of Nov 2020)	Year 2025	Year 2030	Year 2035	Year 2040 (Full Buildout)
<u>Residential</u>					
Single Family	428 DU	1,247 DU	1,617 DU	2,152 DU	2,382 DU
Multifamily	283 DU	808 DU	1,258 DU	1,598 DU	2,058 DU
Senior Adult Housing	--	150 DU	150 DU	150 DU	150 DU
Subtotal Residential	711 DU	2,205 DU	3,025 DU	3,900 DU	4,590 DU
<u>Commercial</u>					
Grocery Store	18,030 sf	18,030 sf	18,030 sf	18,030 sf	18,030 sf
Gas Station w/ Market	3,200 sf	3,200 sf	3,200 sf	3,200 sf	3,200 sf
Fast-Food w/ Drive-Thru	700 sf	700 sf	700 sf	700 sf	700 sf
Shopping Center	--	--	260,000 sf	485,000 sf	500,000 SF
Home Improvement Superstore	--	--	--	130,000 sf	130,000 sf
Sporting Goods Superstore	--	--	--	130,000 sf	130,000 sf
Medical Office	--	40,000 sf	40,000 sf	40,000 sf	40,000 sf
Mini-Warehouse	--	175,000 sf	175,000 sf	175,000 sf	175,000 sf
<u>Other</u>					
Church		20,000 sf	20,000 sf	20,000 sf	20,000 sf

In addition to the BMS land use assumptions summarized in **Table 5**, four schools and a separate single family residential plat anticipated to be constructed within the BMS subarea as follows:

- Elementary School (Kennewick School District) – 650 students (by 2025)
- Middle School (Richland School District) – 800 students (by 2025)

- Elementary School (Richland School District) – 650 students (by 2030)
- High School (Kennewick School District) – 2,000 students (by 2030)
- Harvest Ridge Single Family Residential Plat – 143 dwelling units (by 2025)

Project Trip Generation

Trip generation estimates for development of the BMS site in future years 2025, 2030, 2035 and 2040 (full buildout) were based on methodology documented in the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017). *It should be noted that although trip generation estimates were prepared for four future development years (2025, 2030, 2035, and 2040), the analysis documented in subsequent sections of this TIA focuses on year 2040 conditions with full buildout of the BMS site.*

Reductions to the gross trip generation estimates were made to account for internal and pass-by trips. Internal trips are made by people making multiple stops within a development without generating new trips onto the adjacent street system. The internal trip adjustments for the peak hours were based on methodology established in the ITE *Trip Generation Handbook*, 3rd Edition, 2017 and the internal adjustments for the weekday time period were based on methodology documented in the ITE *Trip Generation Handbook*, 2nd Edition. Pass-by trips are trips that are made by vehicles that are already on the adjacent streets and make intermediate stops at the commercial uses on route to a primary destination (i.e. on the way from work to home). The pass-by trips were based on methodology and studies documented in the ITE *Trip Generation Handbook*, 3rd Edition, 2017.

The resulting net new weekday daily, AM peak hour, and PM peak hour trip generation estimates for full buildout of the BMS site in 2040 are shown in **Table 6**. Detailed trip generation calculations for year 2040 conditions with full buildout are included in **Appendix C**. The detailed peak hour trip generation for future years 2025, 2030, and 2035 are included in **Appendix D**. *It should be noted that the future year 2040 trip generation estimates summarized in **Table 6** and included in **Appendix C** include existing BMS land use that was constructed and occupied as of November 2020.*

Table 6
Project Trip Generation Summary for Project Buildout (Year 2040)

Trip Type	Weekday New Trips Generated								
	Daily			AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total	In	Out	Total
Gross Trips	33,041	33,042	66,083	1,266	2,311	3,577	3,359	2,724	6,083
Less Internal Trips	-4,957	-4,957	-9,914	-63	-63	-126	-539	-539	-1,078
Less Pass-by Trips	<u>-5,079</u>	<u>-5,079</u>	<u>-10,158</u>	<u>-215</u>	<u>-163</u>	<u>-378</u>	<u>-431</u>	<u>-452</u>	<u>-883</u>
New Trips	23,005	23,006	46,011	988	2,085	3,073	2,389	1,733	4,122

As shown in **Table 6**, with full buildout in 2040 the BMS site is estimated to generate a total of 46,011 new weekday daily trips, with 3,073 new trips occurring during the weekday AM peak hour (988 entering, 2,085 exiting), and 4,122 new trips occurring during the weekday PM peak hour (2,389 entering, 1,733 exiting).

A more detailed summary of the total year 2040 (full buildout) BMS project trip generation by neighborhood is also included in **Table 7** next.

Table 7
Project Trip Generation Summary for Project Buildout (Year 2040) by BMS Subarea

BMS Neighborhood	2040 Land Use	Weekday Net New Trips Generated					
		AM Peak Hour			PM Peak Hour		
		In	Out	Total	In	Out	Total
BMS Station	130,000 sf home imp. superstore 130,000 sf sporting goods superstore 445,000 sf shopping center 175,000 sf mini-warehouse 150 DU senior housing 18,030 sf grocery store 40,000 sf medical office	346	208	554	743	683	1,426
West Vineyard	303 single family DU 220 multifamily DU	72	220	292	183	115	298
West Village	542 single family DU 301 multifamily DU 3,200 sf gas station/market 700 sf fast food with drive thru 20,000 sf church	144	386	530	349	221	570
East Garden	305 single family DU 785 multifamily DU 10,000 sf shopping center	128	394	522	329	209	538
East Market	850 single family DU 500 multifamily DU 45,000 sf shopping center	209	608	817	555	358	913
South Orchard	382 single family DU 252 multifamily DU	89	269	358	230	147	377
TOTAL		988	2,085	3,073	2,389	1,733	4,122

Project Trip Distribution and Assignment

The distribution of BMS project trips for year 2040 (full buildout) conditions was based on select zone traffic modeling provided by the Benton Franklin Council of Governments (BFCG). The BFCG traffic model distributed BMS project trips through the off-site study intersections based on specific project land use and trip generation assumptions associated with each of the model's TAZ's within the BMS subarea. The project distribution from the traffic model also assumed future planned roadway improvements (previously outlined) were in place. The total trip generation in and out of the BMS subarea based on the BFCG modeling was then compared to the total estimated BMS trip generation summarized above in **Table 6** and deemed to be comparable for the purposes of estimating the distribution of BMS project trips. Thus, the BFCG select zone modeling was used to develop BMS project trip distribution percentages that were then applied to the trip generation projections shown in **Table 6**. Although the BFCG traffic model is a PM peak hour based model, it was assumed that the general BMS trip distribution for the AM peak hour is similar the PM peak hour. The estimated peak hour BMS project trip distribution for year 2040 conditions is illustrated in **Figure 6**.

The specific distribution and assignment of net new peak hour BMS project trips through the BMS off-site access points and internal (on-site) study intersections was based on the general off-site trip distribution from the model (**Figure 6**), and the specific development assumptions and trip generation estimates for each of the six BMS neighborhood areas (BMS Station, West Village, West Vineyard, East Garden, East Market and South Orchard, as shown in **Figure 3**). The resulting AM and PM peak hour net new project trip assignment at the 26 off-site study intersections is shown in **Figures 7 and 8**, respectively. The resulting AM and PM peak hour net new project trip assignment at the 12 on-site study intersections is shown in **Figures 9 and 10**, respectively.

Internal project trips are typically not assigned as vehicular trips since they are assumed to occur internal to a project site and do not impact the off-site transportation network. However, it was conservatively assumed that all internal project trips would be vehicular trips for the purpose of evaluating traffic impacts. The assignment of peak hour internal vehicular trips through the BMS site was based on the specific origins and destinations of the internal project trips by land use and BMS neighborhood. The resulting AM and PM peak hour internal and pass-by project trip assignment at the 12 on-site study intersections is included in **Appendix E**. The resulting total AM and PM peak hour project trip assignment (net new plus internal plus pass-by trips) at the off-site study intersections is shown in **Figures 11 and 12**. The resulting total AM and PM peak hour project trip assignment (net new plus internal plus pass-by trips) at the on-site study intersections are shown in **Figures 13 and 14**.

Future Year 2040 Traffic Volumes

Future year 2040 AM and PM peak hour traffic volumes with full buildout of BMS were estimated by applying a 1.2 percent annual growth rate to the "normal" existing (year 2021) traffic volumes, adding in project traffic associated with full buildout of Badger Mountain South (see **Figures 13 and 14**), and adding in traffic volumes or estimated traffic volume adjustments associated with approved pipeline projects and planned roadway improvements. The 1.2% annual growth rate was calculated based on a comparison of link traffic volumes at the off-site study intersections from the future year 2025 and year 2040 baseline (without BMS project traffic) traffic modeling provided by BFCG; this approach was approved by the City of Richland in the traffic scoping process.

The pipeline projects and roadway improvement projects that were included in establishing future year 2040 traffic volumes are noted below:

Pipeline Projects

- Harvest Ridge residential plat – 143 single-family dwelling units
- Elementary School (Kennewick School District) – 650 students
- Middle School (Richland School District) – 800 students
- Elementary School (Richland School District) – 650 students
- High School (Kennewick School District) – 2,000 students
- Sienna Hills residential plat – 285 single-family dwelling units
- West Cliffe Heights residential plat – 203 single-family dwelling units
- Monson Property residential plat – 319 single family units and 57 multifamily units
- Queensgate Mixed-Use (QDMU) development

Roadway Improvement Projects

- Duportail Street bridge
- Queensgate Drive road Extension
- Gage Blvd road Extension

It should be noted that the QDMU, Sienna Hills, West Cliffe Heights, and Monson Property pipeline projects were not included in the previous BMS TIA (May 2021), but were included in this updated TIA to respond to City comments expressing concerns that the 2040 forecast volumes at the Queensgate Dr/Keene Road and Gage Blvd/Queensgate Dr/Bermuda Road intersections were too low. These additional pipeline volumes were distributed and assigned throughout the BMS study area, with exception to the QDMU pipeline volumes which were only assigned to 2 off-site study intersections (Queensgate Dr/Keene Road and Gage Blvd/Queensgate Dr/Bermuda Road).

At the time that the existing counts were conducted in November 2020, the Duportail Bridge was still under construction, and not open. Therefore, traffic volume adjustments at the study intersections to account for the Duportail Street bridge improvement project were estimated by comparing November 2020 counts to March 2021 counts with the bridge open. Traffic volume adjustments at the study intersections to account for the future Queensgate Drive Extension and Gage Blvd Extension roadway improvement projects were estimated based on the future year 2040 'baseline' traffic modeling (without BMS site traffic) provided by BFCG.

Additionally, the forecast 2040 traffic volumes at the intersection of Queensgate Drive/Keene Road were updated in this TIA based on review and comparison of Queensgate Drive Extension traffic volume forecasts as documented in the Queensgate Extension Study and as provided by the Queensgate Mixed-Use (QDMU) project.

The future 2040 weekday AM and PM peak hour traffic volumes with full buildout of BMS at the 26 off-site study intersections are shown in **Figure 15 and Figure 16**, respectively. The future 2040 with Full Buildout weekday AM and PM peak hour traffic volumes at the 12 on-site study intersections are shown in **Figure 17 and Figure 18**, respectively.

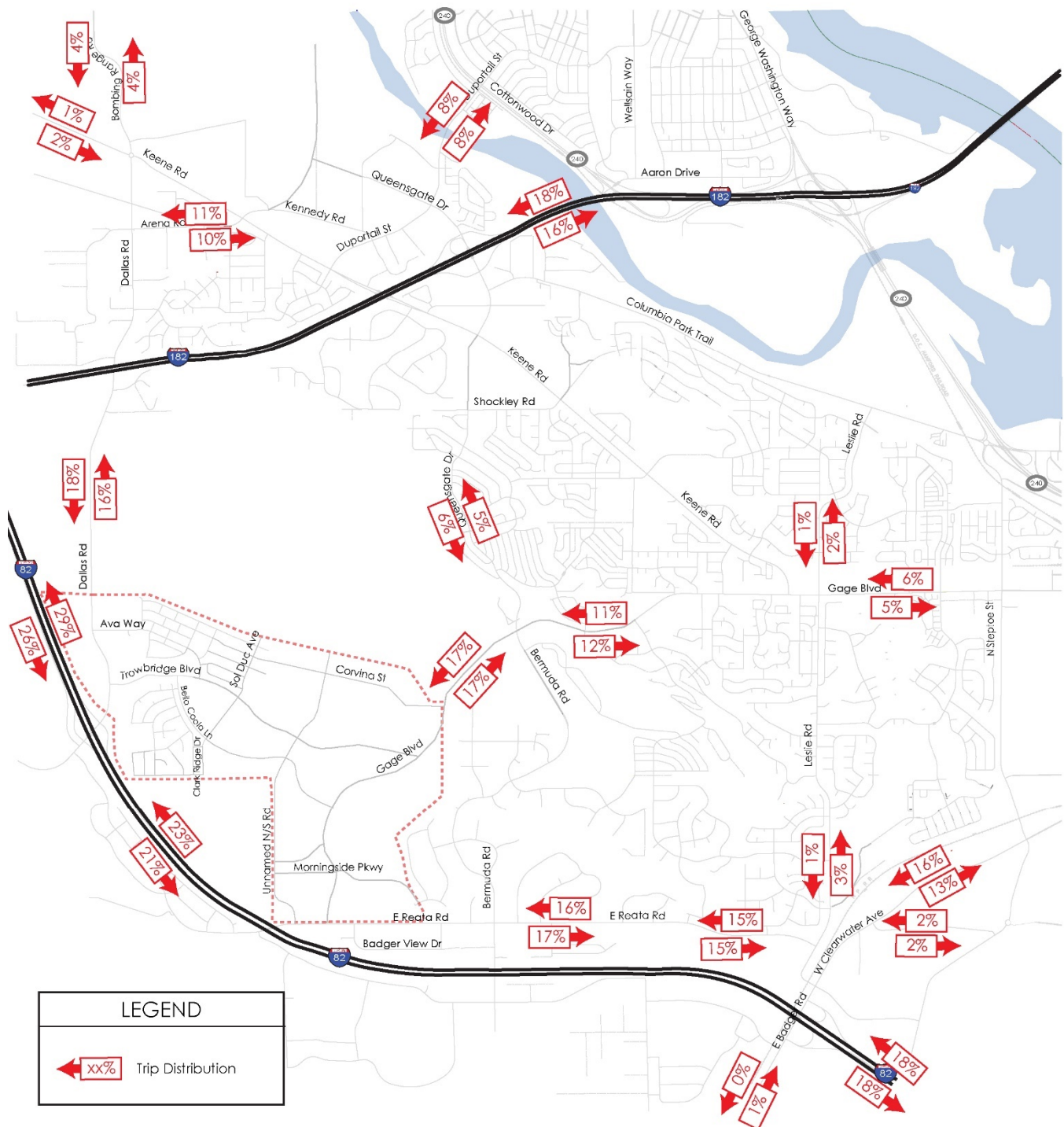


Figure 6: Year 2040 Peak Hour Project Trip Distribution



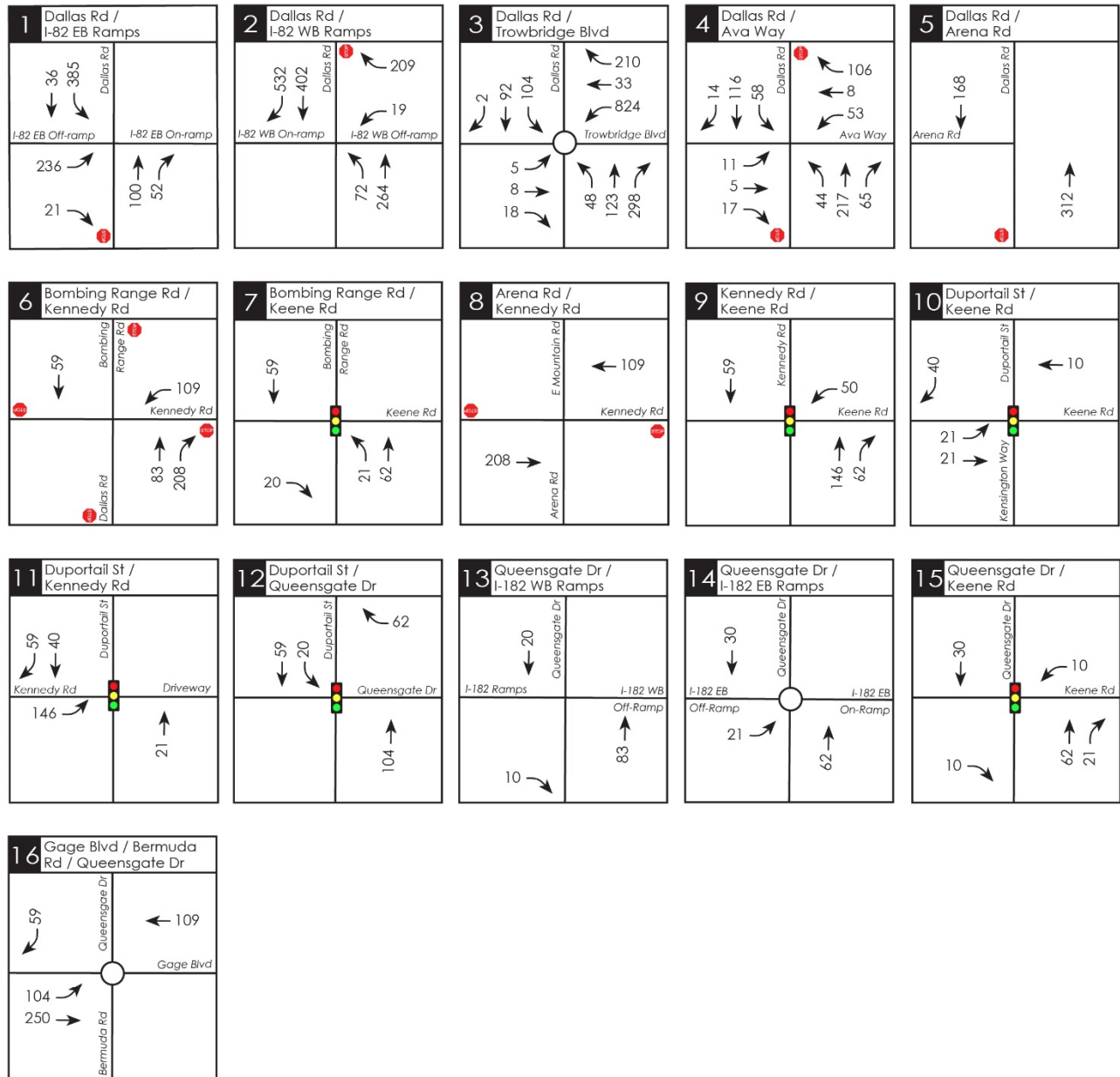


Figure 7a: Year 2040 AM Peak Hour Net New Project Trip Assignment (off-site)

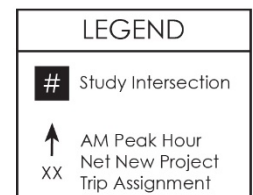
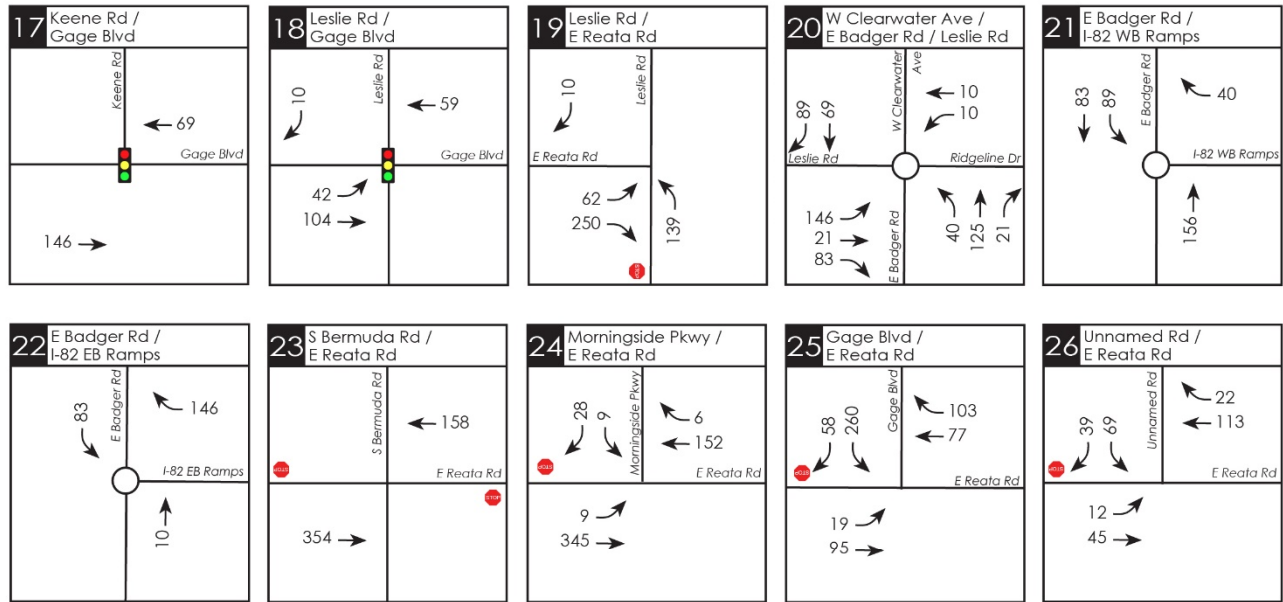


Figure 7b: Year 2040 AM Peak Hour Net New Project Trip Assignment (off-site)

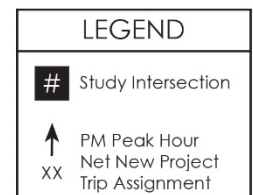
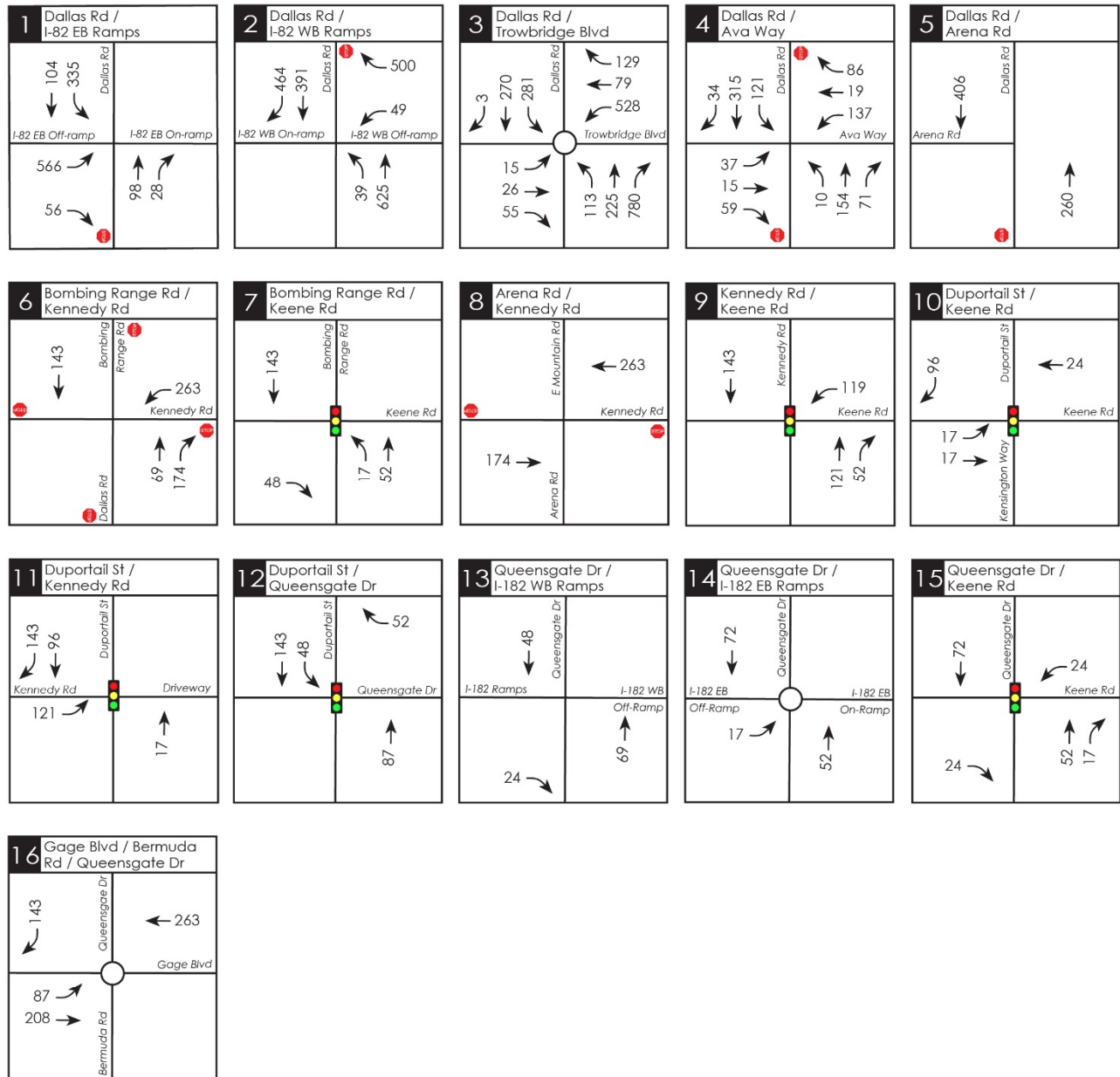


Figure 8a: Year 2040 PM Peak Hour Net New Project Trip Assignment (off-site)

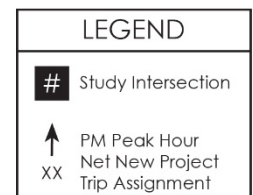
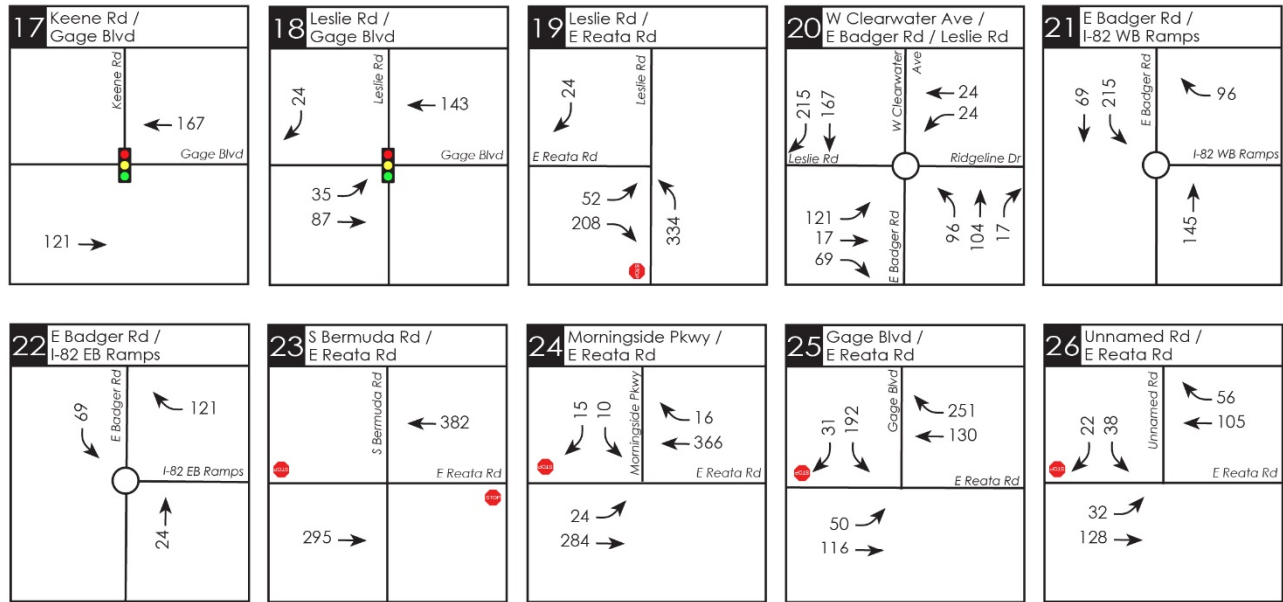


Figure 8b: Year 2040 PM Peak Hour Net New Project Trip Assignment (off-site)

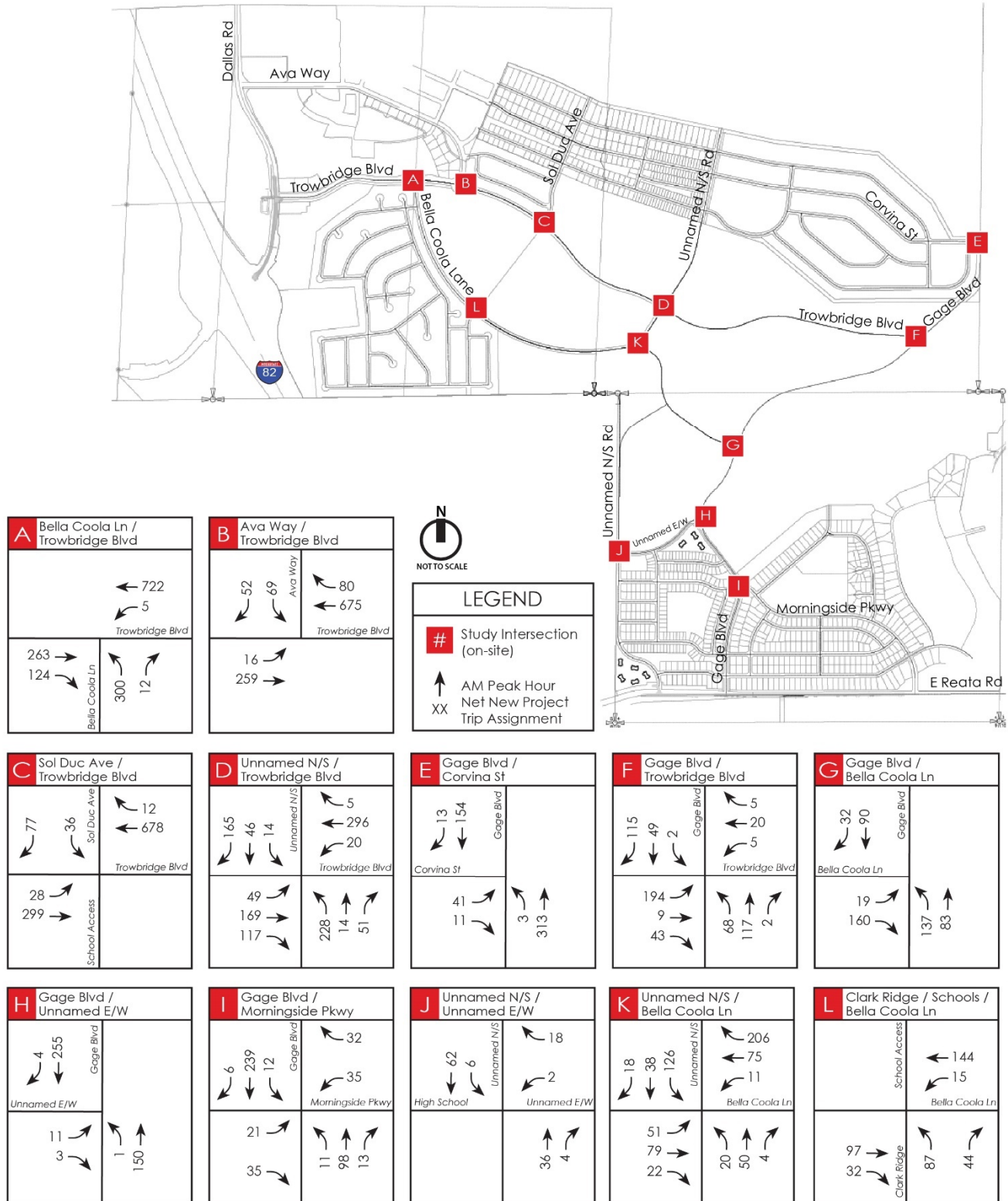


Figure 9: Year 2040 AM Peak Hour Net New Project Trip Assignment (on-site)

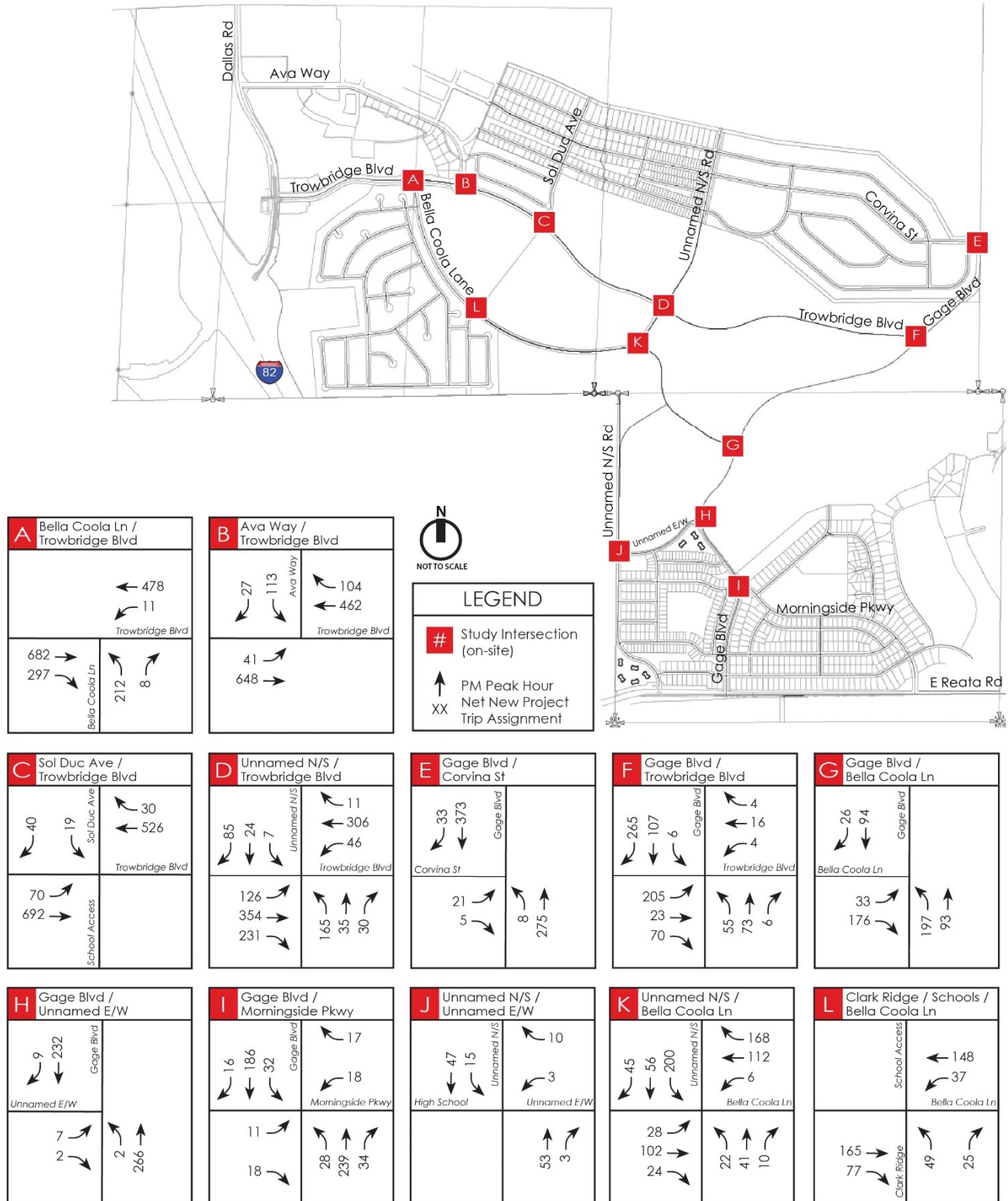


Figure 10: Year 2040 PM Peak Hour Net New Project Trip Assignment (on-site)

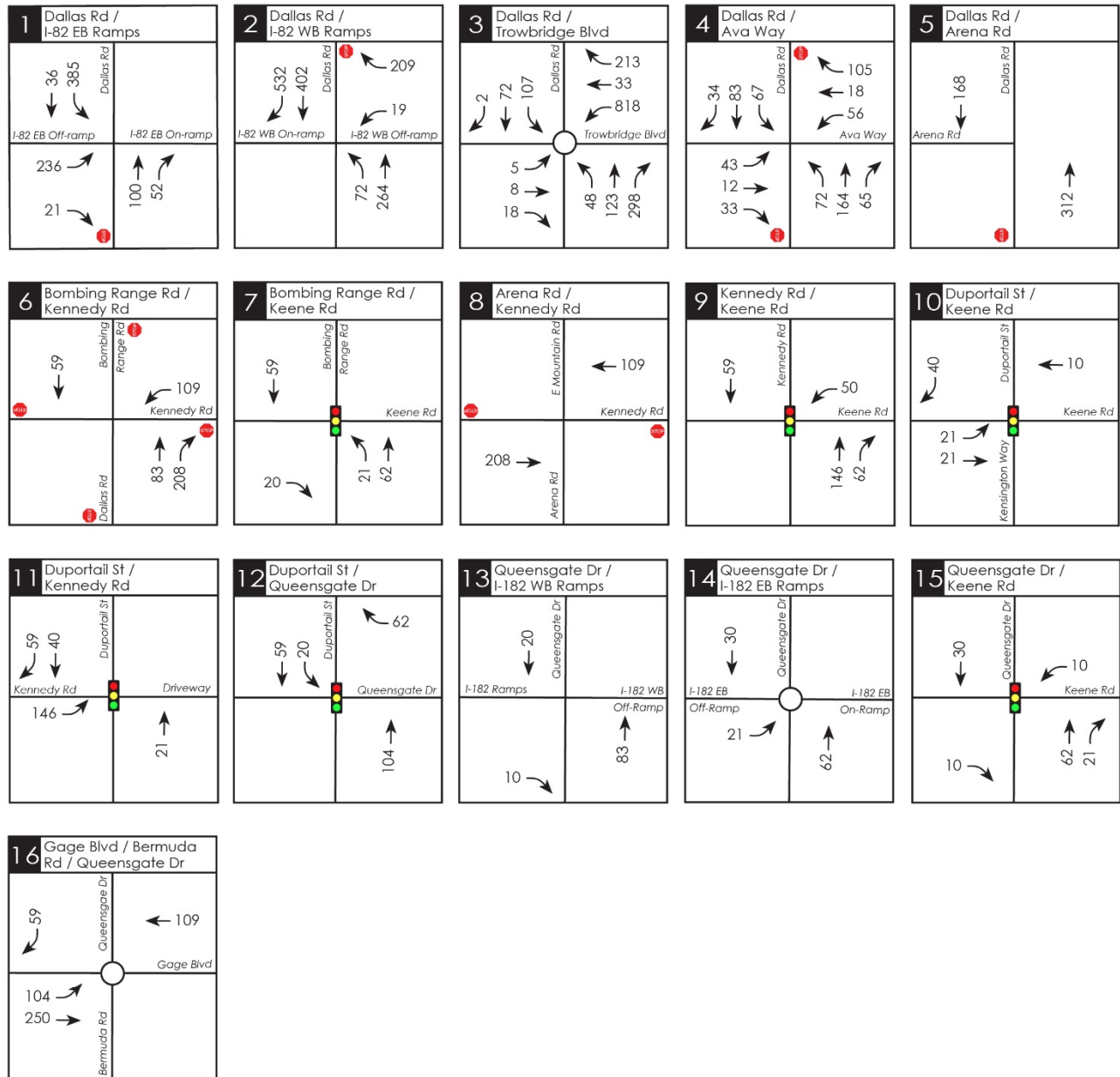


Figure 11a: Year 2040 AM Peak Hour Total Project Trip Assignment (off-site)

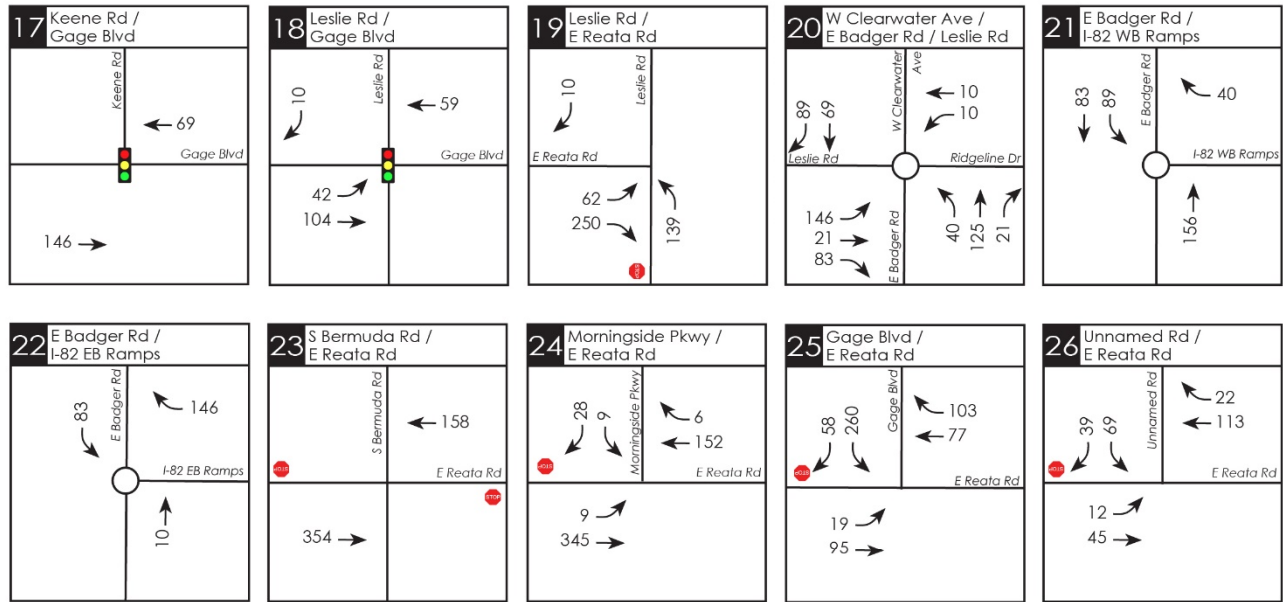


Figure 11b: Year 2040 AM Peak Hour Total Project Trip Assignment (off-site)

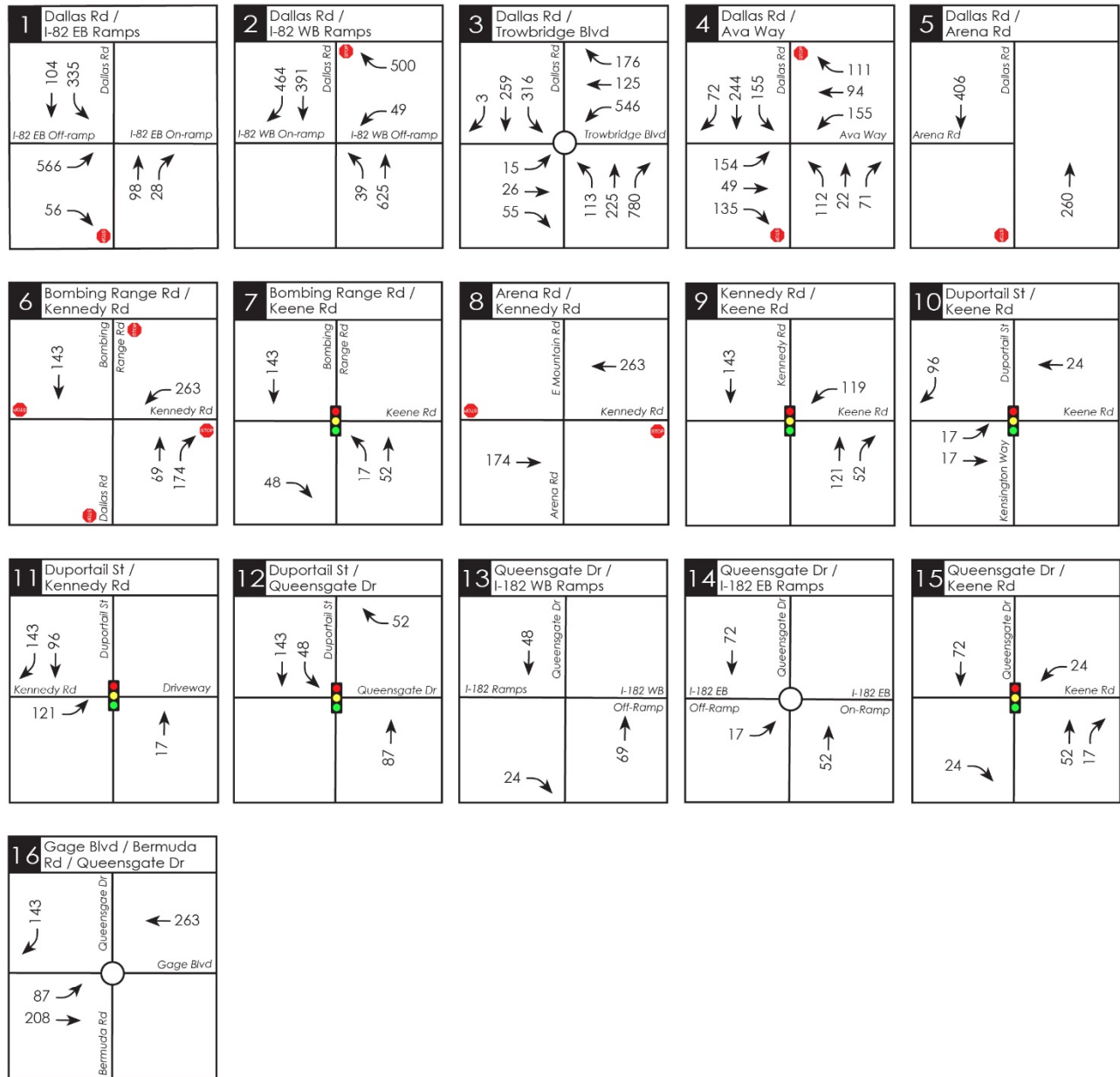


Figure 12a: Year 2040 PM Peak Hour Total Project Trip Assignment (off-site)

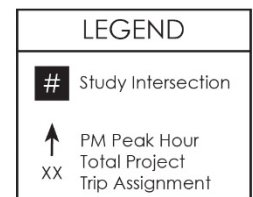
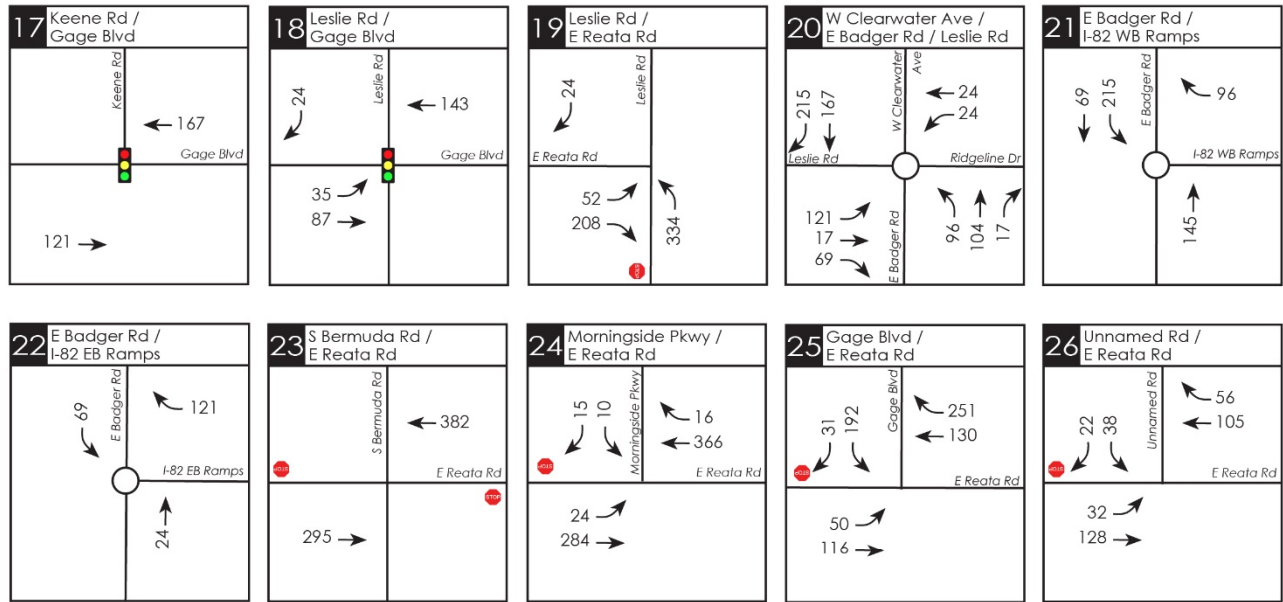


Figure 12b: Year 2040 PM Peak Hour Total Project Trip Assignment (off-site)

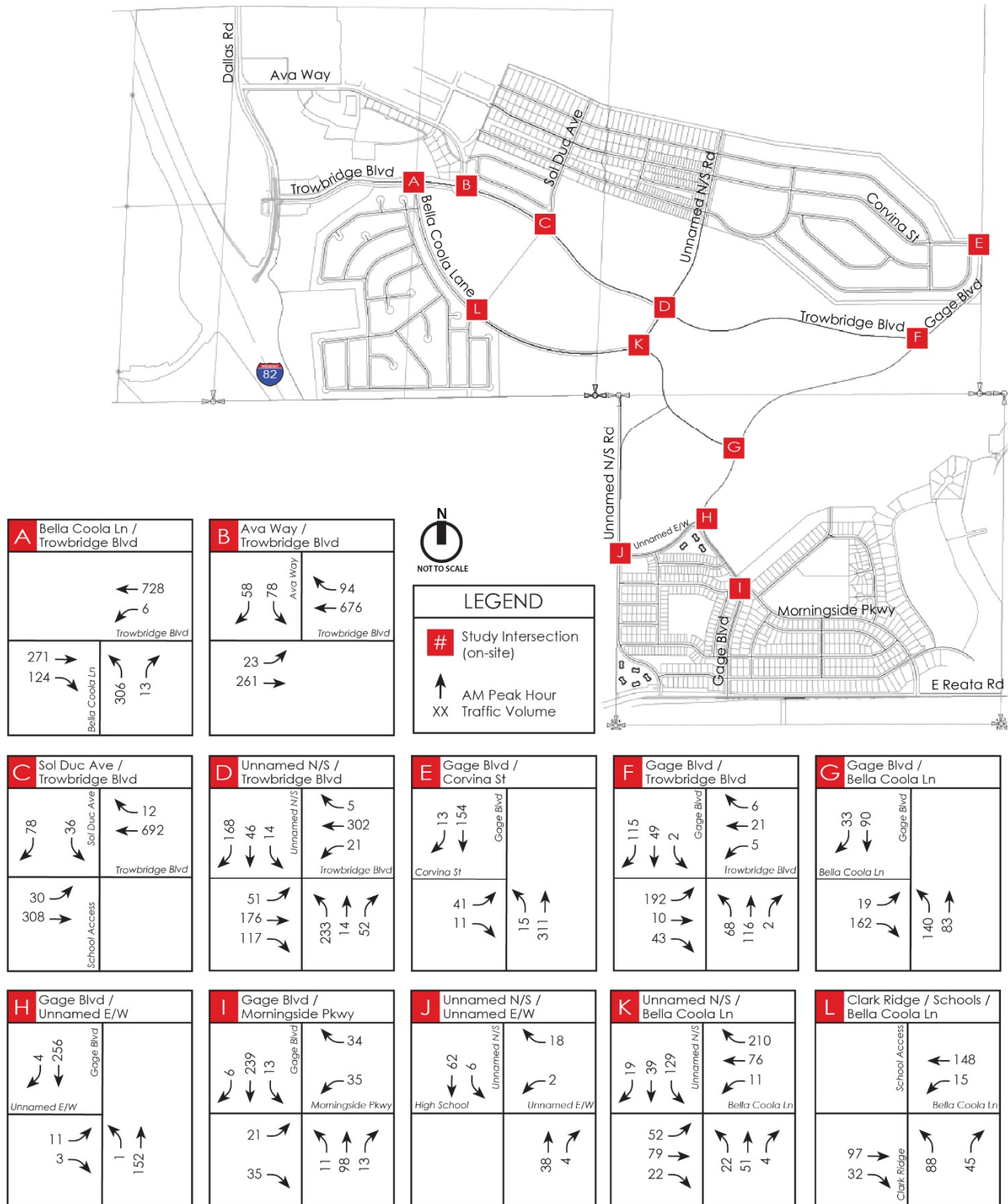


Figure 13: Year 2040 AM Peak Hour Total Project Trip Assignment (on-site)

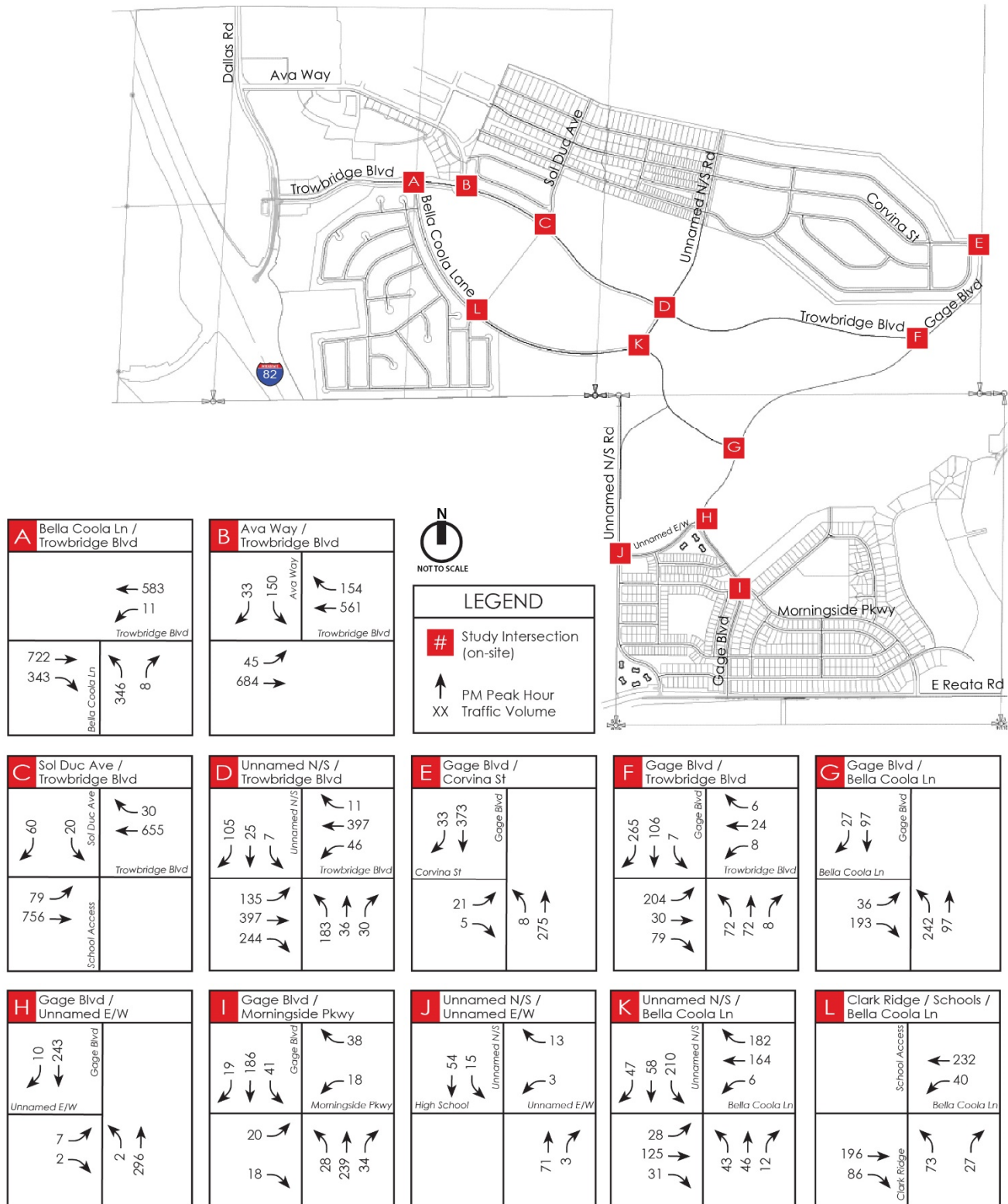


Figure 14: Year 2040 PM Peak Hour Total Project Trip Assignment (on-site)

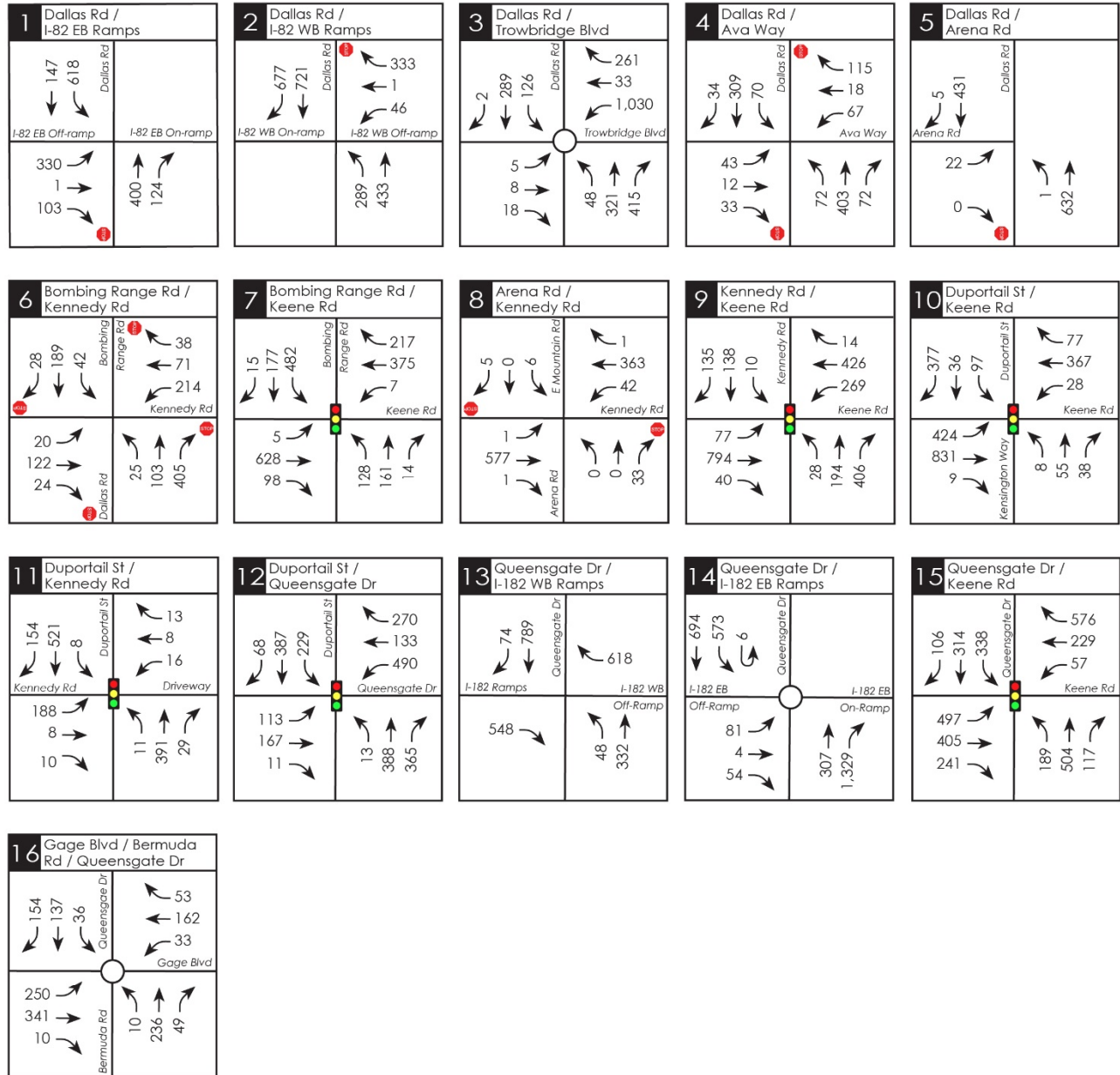


Figure 15a: Year 2040 (With Full BMS Buildout) AM Peak Hour Traffic Volumes (off-site)

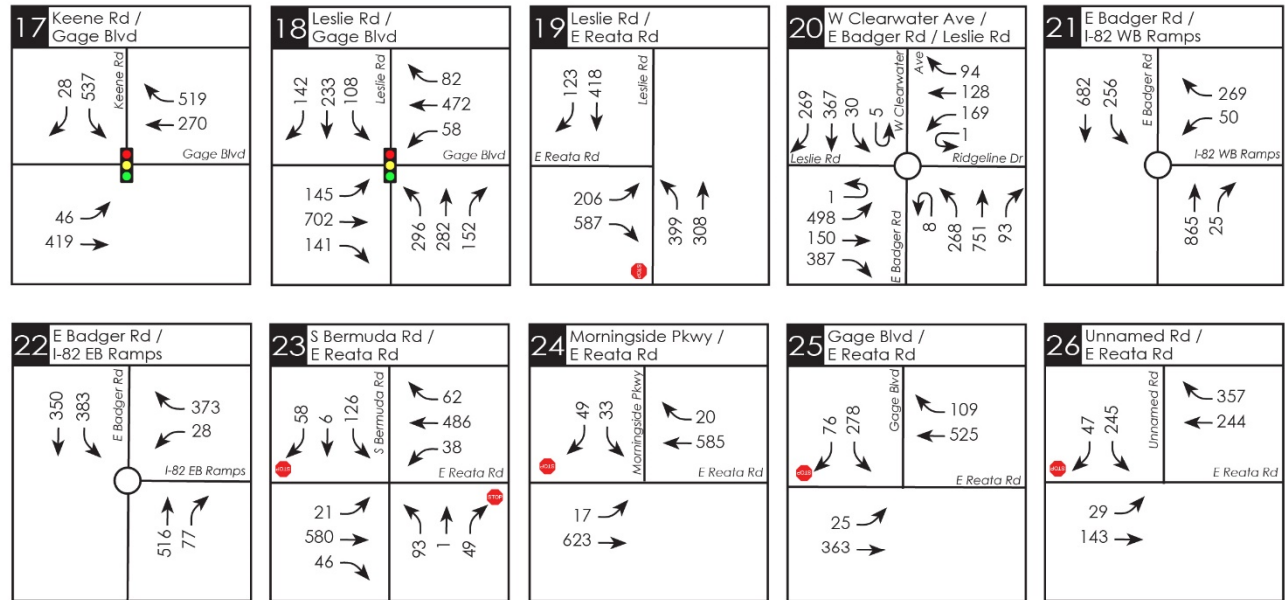


Figure 15b: Year 2040 (With Full BMS Buildout) AM Peak Hour Traffic Volumes (off-site)

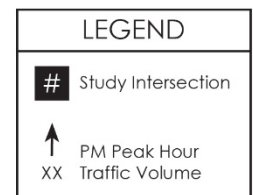
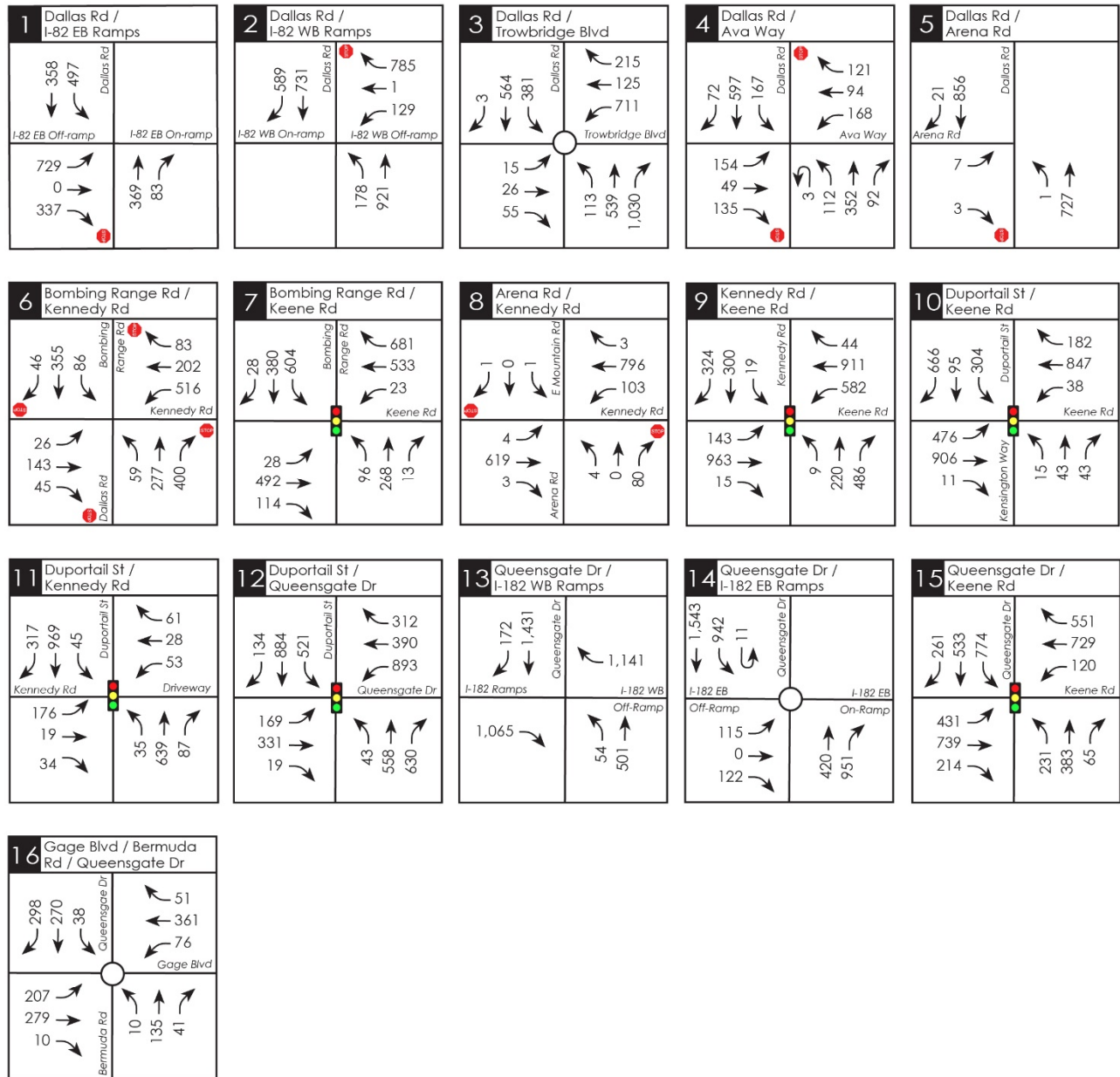


Figure 16a: Year 2040 (With Full BMS Buildout) PM Peak Hour Traffic Volumes (off-site)

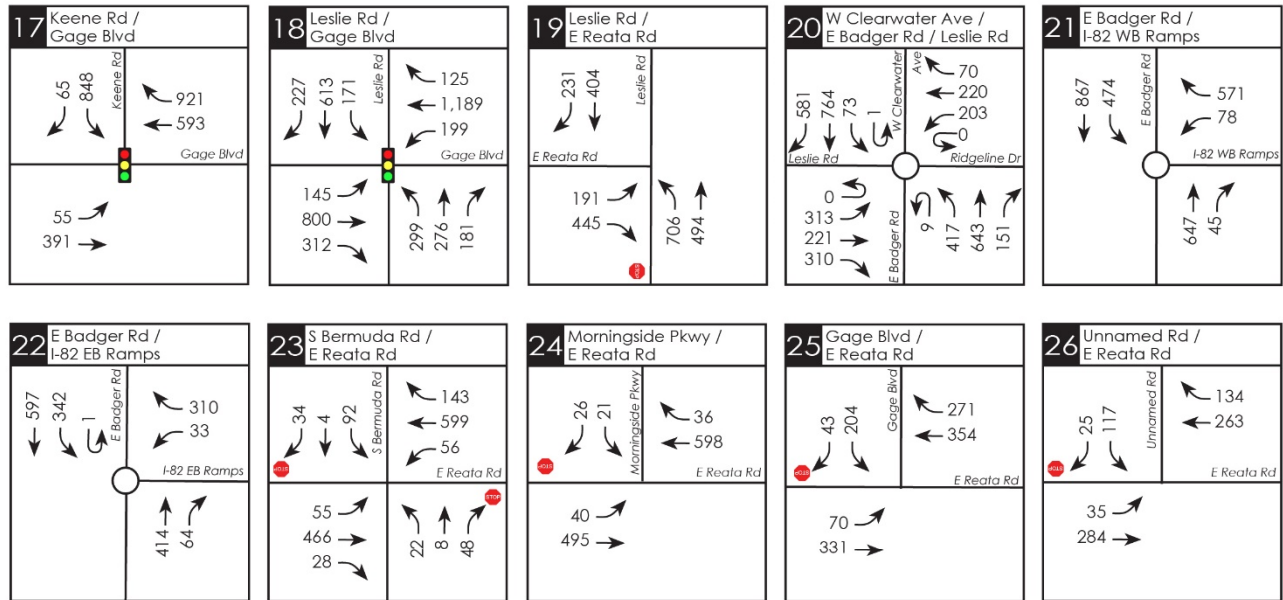


Figure 16b: Year 2040 (With Full BMS Buildout) PM Peak Hour Traffic Volumes (off-site)

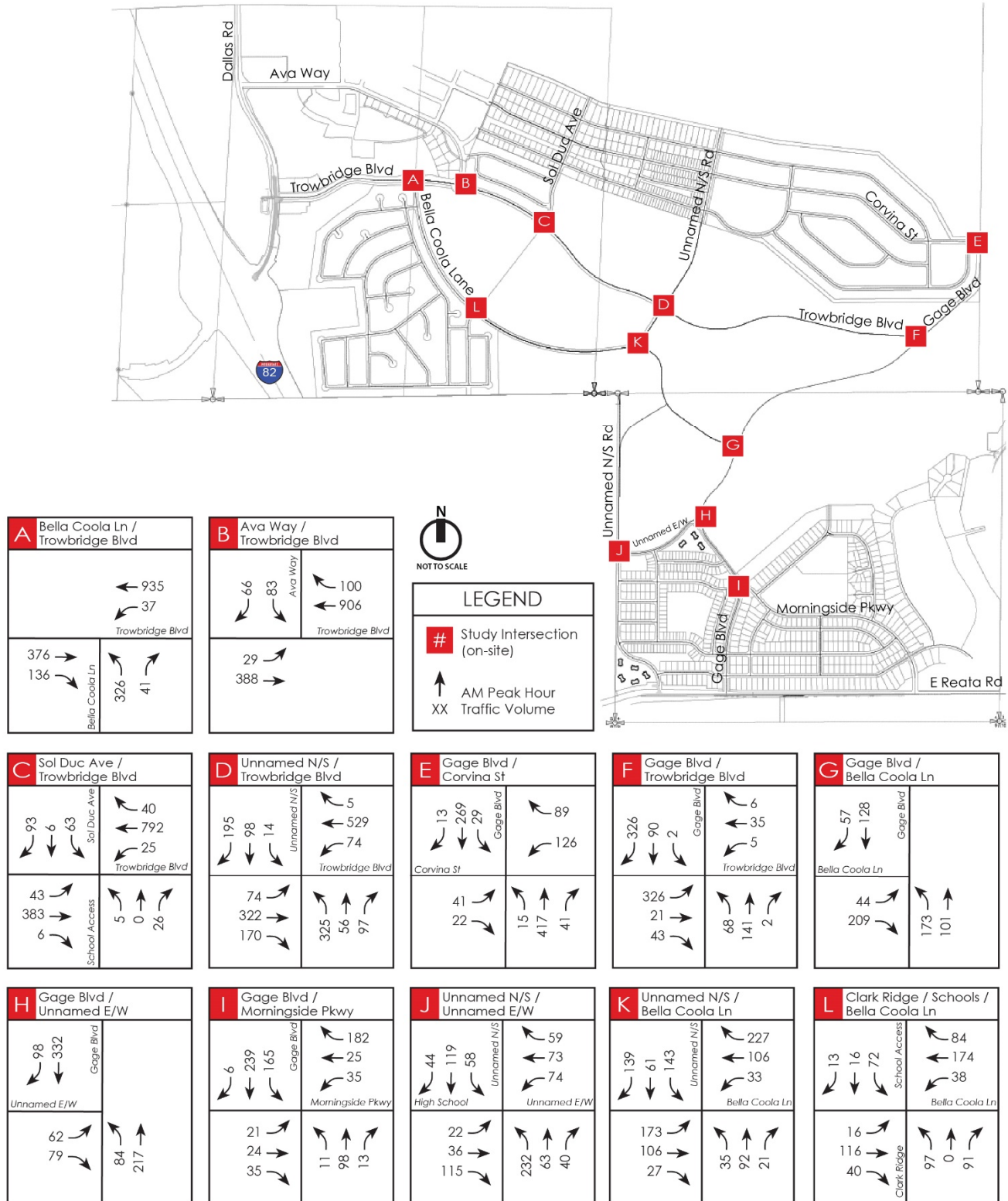


Figure 17: Year 2040 (With Full BMS Buildout) AM Peak Hour Traffic Volumes (on-site)

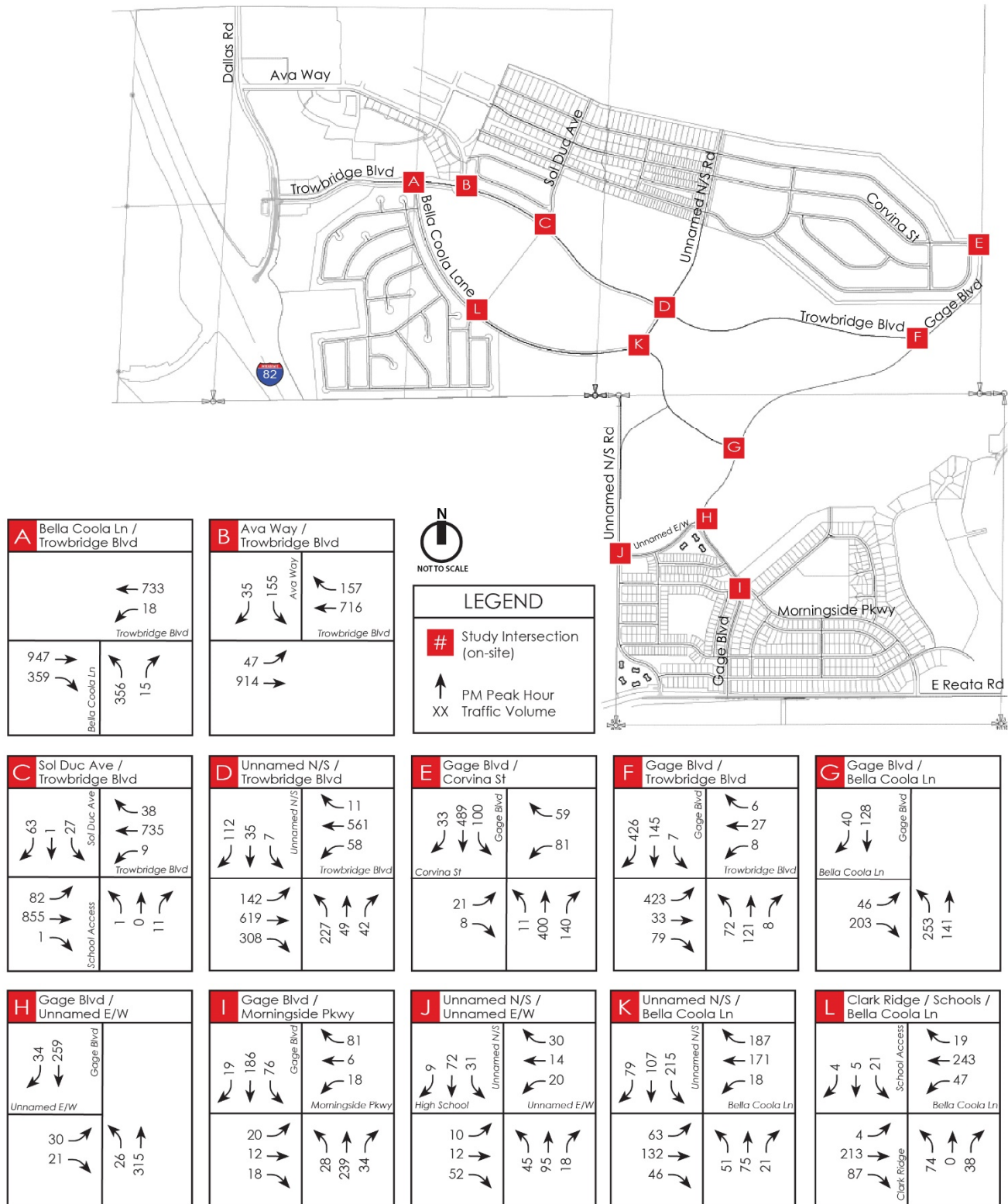


Figure 18: Year 2040 (With Full BMS Buildout) PM Peak Hour Traffic Volumes (on-site)

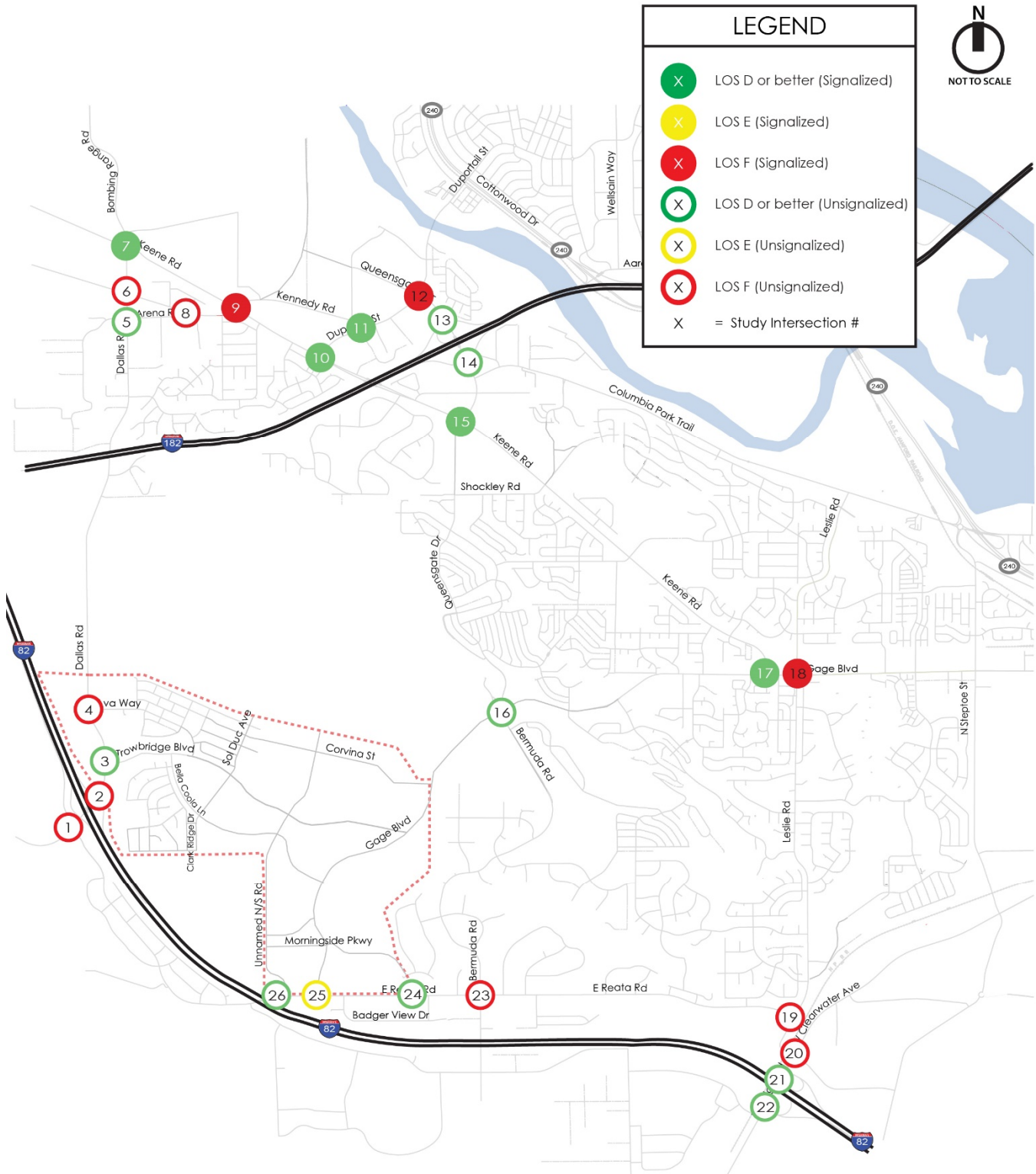


Figure 19: 2040 With Project (Full Build Out) LOS Summary

Future Year 2040 Level of Service at Off-Site Study Intersections

Future year weekday AM and PM peak hour Level of Service (LOS) analyses were conducted at the 26 off-site study intersections for year 2040 with Full Buildout of Badger Mountain South and the 2040 roadway network documented above. Intersection LOS are evaluated based on the methodology and procedures outlined in the 6th Edition of the *Highway Capacity Manual* (HCM) using the *Synchro 10* and *SIDRA 9* software programs. It should be noted that LOS at on-site intersections within the BMS development are described in a later section of this report.

The weekday AM and PM peak hour LOS results at the off-site study intersections for 2040 with Full Buildout conditions are summarized in **Table 8**. The year 2040 LOS results at the off-site intersections are also illustrated in **Figure 19**. The detailed LOS worksheets are included in **Appendix B**.

Table 8
2040 With Full Buildout Peak Hour LOS Summary at Off-Site Study Intersections

Study Intersection	2040 With Full Buildout of BMS			
	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
<u>Signalized Intersections</u>				
7. Bombing Range Road / Keene Road	D	53.0	D	35.5
9. Kennedy Road / Keene Road	C	35.0	F	84.6
10. Duportail Street / Keene Road	C	21.5	D	39.1
11. Duportail Street / Kennedy Road	B	16.3	B	16.4
12. Duportail Street / Queensgate Drive	C	20.3	F	91.9
15. Queensgate Drive / Keene Road	D	42.4	D	44.7
17. Keene Road / Gage Blvd	C	23.3	C	23.1
18. Leslie Road / Gage Blvd	C	32.8	F	84.3
<u>Roundabout Intersections</u>				
3. Dallas Road / Trowbridge Blvd	B	14.0	D	28.4
14. Queensgate Drive / I-182 EB Ramps	A	6.4	A	7.4
16. Gage Blvd / Queensgate Dr / Bermuda Road	B	10.5	C	16.5
20. Badger Road / Clearwater Ave / Leslie Road	D	35.0	F	83.3
21. Badger Road / I-82 WB Ramps	C	15.6	C	17.1
22. Badger Road / I-82 EB Ramps	B	11.7	B	11.7
<u>All-Way Stop Controlled Intersections</u>				
6. Bombing Range Road / Kennedy Road	F	53.3	F	>100
<u>Two-Way Stop Controlled Intersections</u>				
1. Dallas Road / I-82 EB Ramps				
Eastbound Approach	F	>100	F	>100
Southbound Left-Turn	B	13.4	B	10.9
2. Dallas Road / I-82 WB Ramps				
Westbound Shared Left-Thru	F	>100	F	>100
Westbound Right-Turn	C	15.9	F	>100
Northbound Left-Turn	C	22.7	C	15.5

Table 8 continued
2040 With Full Buildout Peak Hour LOS Summary at Off-Site Study Intersections

Study Intersection / Movement	2040 With Full Buildout of BMS			
	AM Peak Hour		PM Peak Hour	
	LOS	Delay (sec)	LOS	Delay (sec)
4. Dallas Road / Ava Way				
Eastbound Left-Turn	F	71.5	F	>100
Eastbound Shared Thru-Right	C	16.5	F	>100
Westbound Left-Turn	F	60.8	F	>100
Westbound Shared Thru-Right	C	17.5	F	>100
Northbound Left-Turn	A	8.3	A	9.9
Southbound Left-Turn	A	8.8	A	9.1
5. Dallas Road / Arena Road				
Eastbound Approach	C	16.1	C	20.0
Northbound Left-Turn	A	8.3	B	10.0
8. Arena Road / Kennedy Road				
Eastbound Left-Turn	A	8.1	A	9.5
Westbound Left-Turn	A	9.0	A	9.4
Northbound Approach	B	13.1	C	18.5
Southbound Approach	C	20.8	F	50.0
19. Leslie Road / Reata Road				
Eastbound Left-Turn	F	>100	F	>100
Eastbound Right-Turn	F	79.5	D	27.7
Northbound Left-Turn	B	11.5	D	25.7
23. Bermuda Road / Reata Road				
Eastbound Left-Turn	A	8.8	A	9.8
Westbound Left-Turn	A	9.2	A	8.7
Northbound Approach	E	38.3	C	21.6
Southbound Approach	F	59.9	F	51.0
24. Morningside Parkway / Reata Road				
Eastbound Left-Turn	A	9.0	A	9.2
Southbound Left-Turn	C	18.8	C	17.8
Southbound Right-Turn	B	13.8	B	13.5
25. Gage Blvd / Reata Road				
Eastbound Left-Turn	A	9.2	A	9.4
Southbound Left-Turn	E	49.7	D	29.8
Southbound Right-Turn	B	14.2	B	12.3
26. Unnamed N/S / Reata Road				
Eastbound Left-Turn	A	9.0	A	8.4
Southbound Left-Turn	C	20.9	C	15.3
Southbound Right-Turn	B	11.6	B	10.5

Signalized, Roundabout, and All-Way Stop Controlled Off-Site Study Intersections

As shown in **Table 8**, many of the intersections are anticipated to operate at LOS D or better during the AM and PM peak hours in 2040 with full buildout of BMS. Five study intersections are anticipated to operate at LOS F and would require improvements to improve to LOS D or better by year 2040; those intersections are described next along with a description of the proportionate share of traffic generated by BMS (during weekday AM and PM peak hours).

- **#6 Bombing Range Road / Kennedy Road.** BMS is estimated to add 459 AM peak hour trips (33.2% of total entering traffic) and 649 PM peak hour trips (29.0% of total entering traffic). Potential mitigation could include a roundabout or signal.
- **#9 Kennedy Road / Keene Road.** BMS is estimated to add 435 PM peak hour trips (10.8% of total entering traffic). Potential mitigation could include adding northbound and southbound right-turn overlap phases.
- **#12 Duportail Street / Queensgate Drive.** BMS is estimated to add 330 PM peak hour trips (6.8% of total entering traffic). Recent improvements were constructed at this intersection which generally render the intersection to be built out. However, the following improvements for the City to consider are anticipated to improve LOS: dual northbound right-turn lanes, a signalized northbound right-turn slip lane, and/or dual southbound left-turn lanes. Monitoring and future analysis of this intersection is proposed after BMS project opening to assess traffic volumes and intersection operations based on future conditions to determine if intersection improvements may be necessary to maintain acceptable LOS.
- **#18 Leslie Road / Gage Boulevard.** BMS is estimated to add 289 PM peak hour trips (6.4% of total entering traffic). Recent improvements have been constructed at this intersection which generally render the intersection to be built out. However, the following improvements for the City to consider in the future are anticipated to improve LOS: dual northbound left-turn lanes, dual southbound through lanes, an eastbound right-turn lane, and/or a westbound right-turn lane. The City should also consider adding right-turn overlap phases to any existing or future right-turn lanes. Monitoring and future analysis of this intersection is proposed after BMS project opening to assess traffic volumes and intersection operations based on future conditions to determine if intersection improvements may be necessary to maintain acceptable LOS.
- **#20 Badger Road / Clearwater Ave / Leslie Road.** BMS is estimated to add 854 PM peak hour trips (21.5% of total entering traffic). Potential mitigation at this existing roundabout intersection could include adding a southbound right-turn slip lane and/or an additional eastbound lane. There is an existing railroad crossing located approximately 150 feet west of the roundabout and pedestrian paths located on the northwest and southwest corners of this intersection that would be directly impacted by the addition of a southbound right-turn slip lane and/or additional eastbound lane. Monitoring and future analysis of this intersection is proposed after BMS project opening to assess traffic volumes and intersection operations based on future conditions to determine if intersection improvements may be necessary to maintain acceptable LOS. As traffic volumes increase with future development, consideration should also be given to changing the existing roundabout to a signalized intersection.

Two-Way Stop Controlled Off-Site Study Intersections

As shown in **Table 8**, many individual lane groups at the two-way stop-controlled study intersections are estimated to operate at LOS D or better during the AM and PM peak hours in 2040 with full buildout of BMS. Several of the two-way stop-controlled study intersections have controlled movements that are anticipated to operate at LOS E or LOS F and would require improvements to improve to LOS D or better by year 2040; those intersections are described next along with a description of the proportionate share of traffic generated by BMS.

- **#1 Dallas Road/I-82 EB Ramps** – the stop-controlled eastbound approach (off-ramp) is anticipated to operate at LOS F during the AM and PM peak hours. BMS is estimated to add 830 AM peak hour trips (48.2% of total entering traffic) and 1,187 PM peak hour trips (50.0% of total entering traffic). Potential mitigation could include a roundabout or signal.
- **#2 Dallas Road/I-82 WB Ramps** – the stop-controlled westbound shared left-thru lane on the off-ramp is anticipated to operate at LOS F during the AM and PM peak hours and the westbound right-turn lane is anticipated to operate at LOS F during the PM peak hour. BMS is estimated to add 1,498 AM peak hour trips (59.9% of total entering traffic) and 2,068 PM peak hour trips (62.0% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.
- **#4 Dallas Road/Ava Road** – the stop-controlled eastbound and westbound left-turn lanes are anticipated to operate at LOS F during the AM peak hour and the eastbound and westbound approaches (both lanes) are anticipated to operate at LOS F during the PM peak hour. BMS is estimated to add 752 AM peak hour trips (60.3% of total entering traffic) and 1,374 PM peak hour trips (64.9% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.
- **#8 Arena Road / Kennedy Road** – the stop-controlled southbound approach is anticipated to operate at LOS F during the PM peak hour. BMS is estimated to add 437 PM peak hour trips (27.1% of total entering traffic). The anticipated LOS F operation at this intersection stems from the delay experienced by two southbound trips exiting a residential driveway. As mentioned previously, the 2040 network assumes a cul-de-sac on the west side of Arena Road, which would eliminate the existing cutthrough traffic and any future cutthrough traffic on Arena Road that would occur as a result of future development. Removing the high volume of traffic traveling from the east on Kennedy Road that would have utilized Arena Road as a cutthrough to travel southbound on Dallas Road improved side-street operations at this intersection significantly. Therefore, no additional mitigation improvements are proposed at this intersection.
- **#19 Leslie Road/Reata Road** – the stop-controlled eastbound left-turn lane is anticipated to operate at LOS F during the AM and PM peak hours and the eastbound right-turn lane is anticipated to operate at LOS F during the AM peak hour. BMS is estimated to add 461 AM peak hour trips (22.6% of total entering traffic) and 618 PM peak hour trips (25.0% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.
- **#23 Bermuda Road/Reata Road** – the stop-controlled northbound approach is anticipated to operate at LOS F during the AM peak hour and LOS E during the PM peak hour and the southbound approach is anticipated to operate at LOS F during the

AM and PM peak hours. BMS is estimated to add 512 AM peak hour trips (32.5% of total entering traffic) 677 PM peak hour trips (43.5% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.

- **#24 Gage Blvd/Reata Road** – the stop-controlled southbound approach is anticipated to operate at LOS E during the AM peak hour. BMS is estimated to add 612 AM peak hour trips (44.5% of total entering traffic). Potential mitigation improvements at this intersection could include a roundabout or signal.

It should be noted that the PHF at the WSDOT Ramp intersections (#1, 2, 14, 21, and 22) was updated from the original BMS TIA to 1.0 to be consistent with WSDOT Synchro analysis protocol. As a result, the operations at these intersections improved when compared to the previous TIA.

Additionally, the future 2040 roadway network was updated to include the planned transportation projects adopted in Benton County's 2022-2027 TIP which improved 2040 with full buildout of BMS operations at the study intersections along Reata Road west of Leslie Road (#23, 24, 25, and 26) and the study intersections along Badger Road south of Clearwater Ave / Leslie Road at the I-82 ramps (#21 and 22).

At the locations listed above where improvements are necessary to maintain LOS D or better during weekday AM and PM peak hours in 2040, preliminary mitigation or mitigation strategies have been identified. Mitigation and proportionate share contribution of BMS traffic is provided in greater detail in the *Mitigation* section of the report.

Future Year 2040 Level of Service at On-Site Study Intersections

Future year weekday AM and PM peak hour LOS analyses were conducted at the 12 on-site study intersections for year 2040 with full buildout of Badger Mountain South and the preliminary internal roadway layout as shown previously in **Figure 2**. It should be noted that LOS at intersections outside of the BMS development (off-site study intersections) were described in the prior section.

The LOS analyses are based on the methodology and procedures outlined in the 6th Edition of the *Highway Capacity Manual* (HCM) using the *Synchro 10* and *SIDRA 9* software program.

Table 9 and Table 10 summarize the weekday AM and PM peak hour LOS results and proposed intersection control at the 12 on-site study intersections for 2040 with Full Buildout conditions. The detailed LOS worksheets are included in **Appendix F**.

The LOS analyses at intersections within the BMS development include turn lanes, channelization, and intersection control (i.e. stop sign or roundabout) necessary to ensure the on-site intersections would operate at acceptable LOS during the AM and PM peak hours with full buildout in 2040. The majority of the on-site study intersections will operate at LOS D or better with two-way stop control (side streets stop controlled and primary street free flow); therefore, two-way stop control is proposed at these intersections. However, at intersections A, B, D, F and K, more than one proposed intersection control was identified for control of the intersection, and the LOS results for both options are presented in **Table 9 and Table 10**. The specific lane channelization assumptions for both of the proposed control options at intersections A, B, D, F and K is included in **Appendix G**.

As shown in **Tables 9 and 10**, all controlled movements at the unsignalized BMS internal (on-site) intersections and all proposed roundabout or signalized intersections are expected to operate at LOS D or better during the AM and PM peak hours with the following exception:

- **C. Sol Duc Ave/Trowbridge Blvd** – the southbound approach is anticipated to operate at LOS E during the AM peak hour. Given that Sol Duc Ave is a minor side street roadway, no improvements are proposed for this side-street approach.

Table 9
2040 With Full Buildout AM Peak Hour LOS Summary for On-Site Study Intersections

Study Intersection / Movement	Proposed Intersection Control							
	Roundabout		Signal		Two-Way Stop		All-Way Stop	
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)
A. Bella Coola Ln / Trowbridge Blvd	A	8.7	B	10.3	-	-	-	-
B. Ava Way / Trowbridge Blvd	C	15.4	C	22.5	-	-	-	-
C. Sol Duc Ave / Trowbridge Blvd								
Eastbound Left-Turn	-	-	-	-	B	10.2	-	-
Westbound Left-Turn	-	-	-	-	A	8.3	-	-
Northbound Approach	-	-	-	-	C	15.6	-	-
Southbound Approach	-	-	-	-	E	42.6	-	-
D. Unnamed N/S / Trowbridge Blvd	B	19.2	D	46.2	-	-	-	-
E. Gage Blvd / Corvina S								
Eastbound Approach	-	-	-	-	C	16.7	-	-
Westbound Approach	-	-	-	-	C	23.0	-	-
Northbound Left-Turn	-	-	-	-	A	7.9	-	-
Southbound Left-Turn	-	-	-	-	A	8.5	-	-
F. Gage Blvd / Trowbridge Blvd	A	6.6	B	14.2	-	-	-	-
G. Gage Blvd / Bella Coola Lane								
Eastbound Left-Turn	-	-	-	-	B	13.6	-	-
Eastbound Right-Turn	-	-	-	-	B	10.7	-	-
Northbound Left-Turn	-	-	-	-	A	8.1	-	-
H. Gage Blvd/ Unnamed E/W								
Eastbound Approach	-	-	-	-	B	14.9	-	-
Northbound Left-Turn	-	-	-	-	A	8.6	-	-
I. Gage Blvd / Morningside Pkwy								
Eastbound Approach	-	-	-	-	C	16.1	-	-
Westbound Approach	-	-	-	-	C	15.0	-	-
Northbound Left-Turn	-	-	-	-	A	7.8	-	-
Southbound Left-Turn	-	-	-	-	A	7.8	-	-
J. Unnamed N/S / Unnamed E/W								
Eastbound Left-Turn	-	-	-	-	D	27.8	-	-
Eastbound Shared Thru-Right	-	-	-	-	B	13.7	-	-
Westbound Left-Turn	-	-	-	-	D	34.8	-	-
Westbound Shared Thru-Right	-	-	-	-	C	18.9	-	-
Northbound Left-Turn	-	-	-	-	A	8.2	-	-
Southbound Left-Turn	-	-	-	-	A	7.6	-	-
K. Unnamed N/S / Bella Coola Lane	A	7.3	-	-	-	-	C	15.9
L. Clark Ridge Dr / Bella Coola Lane								
Eastbound Left-Turn	-	-	-	-	A	7.9	-	-
Westbound Left-Turn	-	-	-	-	A	7.7	-	-
Northbound Approach	-	-	-	-	C	15.0	-	-
Southbound Approach	-	-	-	-	C	17.0	-	-

Table 10
2040 With Full Buildout PM Peak Hour LOS Summary for On-Site Intersections

Study Intersection / Movement	Proposed Intersection Control							
	Roundabout		Signal		Two-Way Stop		All-Way Stop	
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (sec)
A. Bella Coola Ln / Trowbridge Blvd	B	14.6	B	14.8	-	-	-	-
B. Ava Way / Trowbridge Blvd	C	17.1	B	13.1	-	-	-	-
C. Sol Duc Ave / Trowbridge Blvd								
Eastbound Left-Turn	-	-	-	-	B	10.2	-	-
Westbound Left-Turn	-	-	-	-	B	10.0	-	-
Northbound Approach	-	-	-	-	C	19.0	-	-
Southbound Approach	-	-	-	-	D	31.0	-	-
D. Unnamed N/S / Trowbridge Blvd	D	30.1	D	47.4	-	-	-	-
E. Gage Blvd / Corvina S								
Eastbound Approach	-	-	-	-	C	21.5	-	-
Westbound Approach	-	-	-	-	D	27.9	-	-
Eastbound Approach	-	-	-	-	A	8.7	-	-
Northbound Left-Turn	-	-	-	-	A	9.2	-	-
F. Gage Blvd / Trowbridge Blvd	A	8.9	B	16.4	-	-	-	-
G. Gage Blvd / Bella Coola Lane								
Eastbound Left-Turn	-	-	-	-	C	16.3	-	-
Eastbound Right-Turn	-	-	-	-	B	10.6	-	-
Northbound Left-Turn	-	-	-	-	A	8.3	-	-
H. Gage Blvd/ Unnamed E/W								
Eastbound Approach	-	-	-	-	B	12.0	-	-
Northbound Left-Turn	-	-	-	-	A	8.0	-	-
I. Gage Blvd / Morningside Pkwy								
Eastbound Approach	-	-	-	-	B	14.1	-	-
Westbound Approach	-	-	-	-	B	12.1	-	-
Northbound Left-Turn	-	-	-	-	A	7.8	-	-
Southbound Left-Turn	-	-	-	-	A	8.1	-	-
J. Unnamed N/S / Unnamed E/W								
Eastbound Left-Turn	-	-	-	-	B	11.6	-	-
Eastbound Shared Thru-Right	-	-	-	-	A	9.7	-	-
Westbound Left-Turn	-	-	-	-	B	11.9	-	-
Westbound Shared Thru-Right	-	-	-	-	B	10.1	-	-
Northbound Left-Turn	-	-	-	-	A	7.5	-	-
Southbound Left-Turn	-	-	-	-	A	7.5	-	-
K. Unnamed N/S / Bella Coola Lane	A	7.4	-	-	-	-	C	17.9
L. Clark Ridge Dr / Bella Coola Lane								
Eastbound Left-Turn	-	-	-	-	A	7.9	-	-
Westbound Left-Turn	-	-	-	-	A	8.1	-	-
Northbound Approach	-	-	-	-	C	17.2	-	-
Southbound Approach	-	-	-	-	C	16.4	-	-

Roadway Functional Classification for BMS Roads

This section uses the future 2040 future traffic volumes projections to compare to the City's roadway functional classifications and recommends roadway classifications for primary roadways within the BMS development. Future 2040 average daily traffic (ADT) for roadways within BMS were estimated based on the weekday AM and PM peak hour volumes multiplied by a k-factor of 9%.

Recommended roadway classifications for the internal roadways serving BMS were assessed based on the City of Richland's preliminary functional classification recommendations, which are provided in **Appendix H**. Those functional classifications include a range of average daily traffic (ADT) for a range of roadway types, including principal arterial, minor arterial, major collector, and local road.

Table 11 summarizes recommended roadway classifications and number of travel lanes for the primary roadways within and serving the BMS development. The recommendations are based on review of 2040 ADT and comparison to the City's functional classification recommendations (**Appendix H**). These recommendations are generally consistent with the functional classifications identified by the City for the BMS internal roadways with a few exceptions which are recommended to be re-considered by the City based on the future ADT projections in 2040.

Dallas Road between Ava and I-82 – propose re-consideration as a Principal Arterial with 4-5 travel lanes.

Trowbridge Blvd between Dallas Road and east of Ava Way to Unnamed N/S Road – propose re-consideration as a Principal Arterial with 4-5 travel lanes.

The number of travel lanes identified in **Table 11** is based on the future ADT by 2040 as well as the anticipated intersection control at the intersections along each roadway segment. Consideration may be given to whether 4 lane roadways should be 5 lanes in order to accommodate left-turns onto future internal roadway connections.

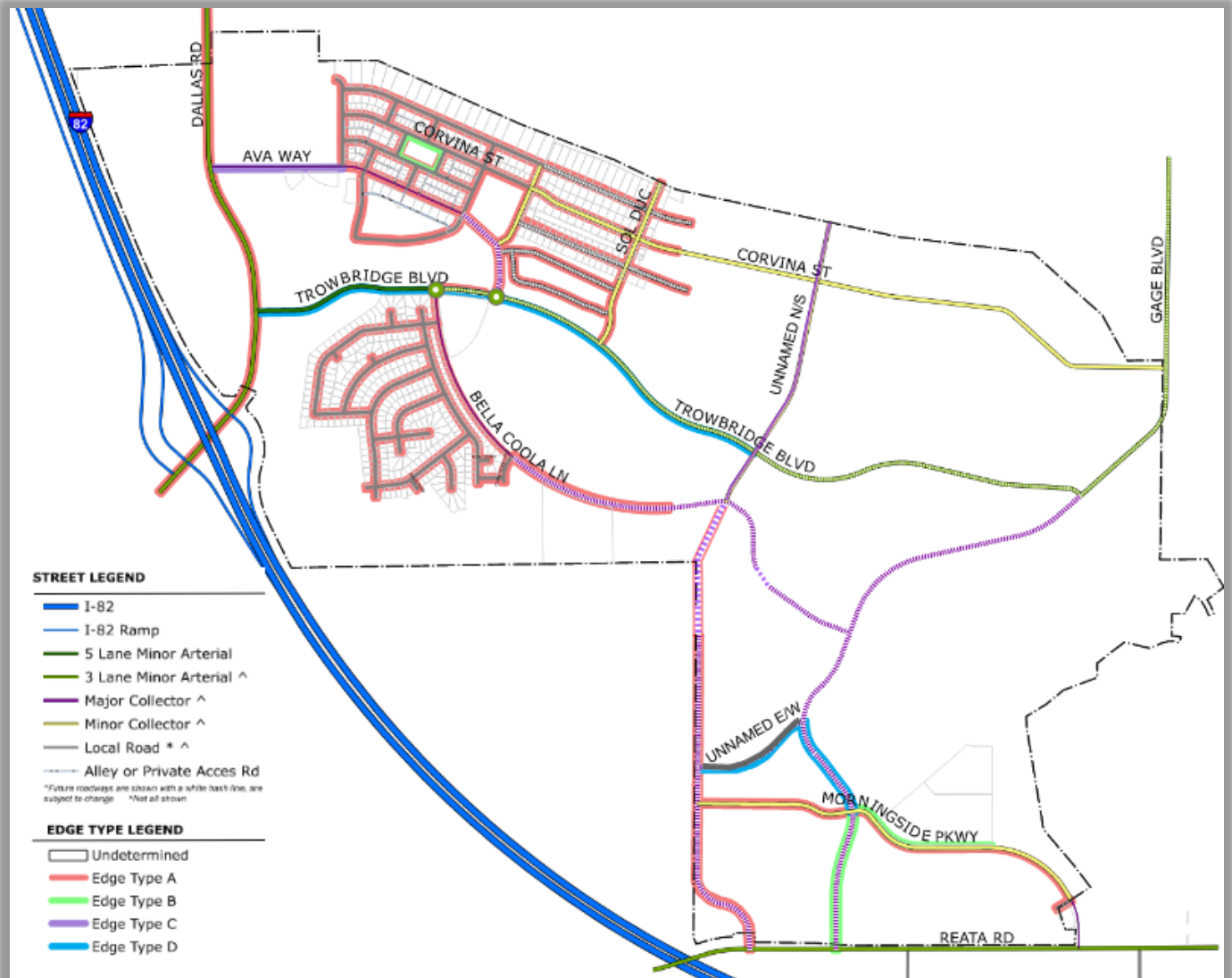
Table 11
Preliminary Functional Classification Recommendations for BMS Internal Roadways

Roadway / location	2040 PM Peak Hour Traffic Volume (total of both directions)	Estimated Average Daily Traffic (ADT) ¹	Preliminary # of Lanes	Preliminary Functional Classification Recommendation
<u>Dallas Road</u>				
north of Ava Way	1,463	16,300	2-3	Minor Arterial
south of Trowbridge Blvd	3,012	33,500	4-5	Principal Arterial ²
<u>Ava Way</u>				
east of Dallas Rd	691	7,700	2-3	Major Collector
north of Trowbridge Blvd	394	4,400	2-3	Major Collector
<u>Trowbridge Blvd</u>				
east of Dallas Rd	2,488	27,600	4-5	Principal Arterial ²
east of Bella Coola Ln	1,713	19,000	5	Principal Arterial ²
east of Ava Way	1,942	21,600	3	Principal Arterial ²
east of Unnamed N/S	1,298	14,400	3	Minor Arterial
west of Gage Blvd	1,060	11,800	3	Minor Arterial
<u>Bella Coola Ln</u>				
south of Trowbridge Blvd	748	8,300	2-3	Major Collector
west of Unnamed N/S	542	6,000	2-3	Major Collector
east of Unnamed N/S	744	8,300	2-3	Major Collector
west of Gage Blvd	542	6,000	2-3	Major Collector
<u>Unnamed N/S</u>				
South of Trowbridge Blvd	719	8,000	2-3	Major Collector
South of Bella Coola Ln	318	3,500	2-3	Major Collector
North of Unnamed E/W	247	2,700	2-3	Major Collector
South of Unnamed E/W	302	3,400	2-3	Major Collector
<u>Unnamed E/W</u>				
East of Unnamed N/S	125	1,400	2	Local Road
West of Gage Blvd	111	1,200	2	Local Road
<u>Gage Blvd</u>				
Northeast of Corvina St	1,102	12,200	2-3	Minor Arterial
North of Trowbridge Blvd	1,128	12,500	2-3	Minor Arterial
South of Trowbridge Blvd	433	4,800	2-3	Major Collector
South of Bella Coola Ln	725	8,100	2-3	Major Collector
South of Unnamed E/W	621	6,900	2-3	Major Collector
North of Reata Rd	588	6,500	2-3	Major Collector

1. ADT volumes were estimated from PM peak hour volumes with an applied K-factor of 9%.

2. Recommended for re-consideration as a Principal Arterial based on ADT projection by 2040.

The snip below illustrates a preliminary draft version of the internal roadway network plan for BMS showing primary roadways and alignments within the development area. The preliminary roadway classifications are generally consistent with those identified in **Table 11**. It is anticipated that this information will be reviewed as part of this traffic analysis and may be updated based on discussions with City staff in determining the most appropriate roadway classifications for BMS roads as those future phases develop.



Planned Non-Motorized Transportation Facilities

Future non-motorized pedestrian and bicycle facilities within the BMS project area are anticipated to be designed to the final adopted LUDR road sections at the time of development approval. Potential non-motorized facilities within the BMS subarea may include bicycle lanes on principal arterials, minor arterials, and minor collectors and sidewalks or pedestrian paths on all new roadways within BMS.

MITIGATION MEASURES

This section summarizes the measures necessary for Badger Mountain South (BMS) to mitigate anticipated transportation impacts at off-site study intersections with full buildout of the development (year 2040) based on the traffic analysis documented in this updated TIA. The identified mitigation at off-site study intersections was assigned to one of the following categories:

- Mitigation Proposed to Meet LOS Standard
- Future Monitoring Mitigation
- Alternative Mitigation Strategies
- No Mitigation Identified

The specific mitigation measures and strategies at all 26 off-site study intersections are summarized in **Table 12**; descriptions of the specific mitigation strategies are provided after Table 12. **Table 12** also identifies the development phase/year in which the mitigation strategy is anticipated, and provides an estimated pro-rata share of mitigation for the BMS development at some of the intersections based on year 2040 traffic volumes with full buildout of BMS.

The specific mitigation strategy, timing, and the pro-rata share contributions for BMS are anticipated to be confirmed based on discussions with the City of Richland, and potentially other stakeholders (WSDOT, West Richland, and Benton County) as necessary. The final mitigation measures and strategies are anticipated to be established in a new or updated Master Agreement for the BMS development.

Table 12
Summary of Mitigation Measures at Off-Site Study Intersections

Study Intersection	Meets LOS standard in 2040?	Mitigation Measure ¹	BMS Phase/Year Triggered ²	Estimated BMS Pro-Rata Share of Mitigation ³
Mitigation Proposed to Meet LOS Standard				
1. Dallas Road / I-82 EB Ramps	No	RAB or signal	2025	100%
2. Dallas Road / I-82 WB Ramps	No	RAB or signal	2025	100%
4. Dallas Road / Ava Way	No	RAB or signal	2025	100%
6. Bombing Range Rd / Kennedy Rd	No	RAB or signal	2030	31%
9. Kennedy Rd / Keene Road	No	NB+SB right-turn overlap phases	2030	11%
19. Leslie Road / Reata Road	No	RAB or signal	2030	25%
23. Bermuda Road / Reata Road	No	RAB or signal	2030	38%
24. Gage Blvd / Reata Road	No	RAB or signal	2030	53%
Future Monitoring Mitigation				
12. Duportail Street / Queensgate Drive	No	Monitoring		
18. Leslie Road / Gage Blvd	No	Monitoring		
20. Badger Rd / Clearwater Ave / Leslie Rd	No	Monitoring		
Alternative Mitigation Strategies *				
3. Dallas Road / Trowbridge Blvd	No	RAB	2025	100%
5. Dallas Road / Arena Road		Arena cul-de-sac		43%
8. Kennedy Road / Arena Road		Arena cul-de-sac		29%
16. Gage Blvd/Queensgate Dr/Bermuda Rd		RAB		38%
24. Morningside Pkwy / Reata Road		TIP/Frontage		
25. Gage Blvd / Reata Road		TIP/Frontage		
26. Unnamed N/S / Reata Road		TIP/Frontage		
No Mitigation Identified				
7. Bombing Range Rd / Keene Rd	<i>No mitigation identified because intersections meet LOS standard in 2040 with full buildout of BMS</i>			
10. Duportail Street / Keene Road				
11. Duportail Street / Kennedy Road				
13. Queensgate Drive / I-182 WB Ramps				
14. Queensgate Drive / I-182 EB Ramps				
15. Keene Rd / Queensgate Drive				
17. Keene Road / Gage Blvd				
21. Badger Road / I-82 WB Ramps				
22. Badger Road / I-82 EB Ramps				

1. RAB = roundabout

2. Based on the anticipated year buildout of the development phase (either 2025, 2030, 2035 or 2040).

3. Estimated pro-rata share based on weekday year 2040 AM and PM peak hour traffic volumes with BMS full buildout.

* Alternative mitigation strategies at these intersections discussed further below.

Mitigation Proposed to Meet LOS Standard

As shown in **Table 12**, mitigation measures (signal, roundabout, or overlap phasing) are proposed at 8 off-site study intersections that are forecast to operate at LOS F (not meeting LOS standards) in 2040 with full buildout of BMS.

Table 12 also identifies the development phase/year in which the mitigation is anticipated, and provides an estimated pro-rata share of mitigation for the BMS development based on year 2040 traffic volumes with full buildout of BMS. It is anticipated that the BMS development would have full responsibility (100% pro-rata share) for mitigation at the following 3 intersections:

- #1 Dallas Road / I-82 EB Ramps
- #2 Dallas Road / I-82 WB Ramps
- #4 Dallas Road / Ava Way

Future Monitoring Mitigation

As shown in **Table 12**, future monitoring is proposed at 3 off-site study intersections that are forecast to operate at LOS F (not meeting LOS standards) in 2040 with full buildout of BMS:

- #12 Duportail Road / Queensgate Drive
- #18 Leslie Road / Gage Blvd
- #20 Badger Road / Clearwater Ave / Leslie Road

All three of these intersections were either recently improved or would require substantial improvements to operate at an acceptable LOS (LOS D or better) in 2040.

Alternative Mitigation Strategies

As shown in **Table 12**, alternative mitigation strategies are identified at the following 8 off-site study intersections:

- #3 Dallas Road / Trowbridge Blvd. This intersection is assumed to be a roundabout in the 2040 roadway network. It is anticipated that the BMS development would have full responsibility (100% pro-rata share) for intersection improvements at this intersection.
- #5 Dallas Road / Arena Road. As requested by the City of Richland, Arena Road is assumed to dead-end east of Dallas Road via a new cul-de-sac by 2040. As a result, the Dallas Road / Arena Road intersection would be a three-leg unsignalized intersection with the west leg (Arena Road) stop-controlled and Dallas Road free flow. BMS is estimated to add 480 AM peak hour trips (44.0% of total entering traffic) and 666 PM peak hour trips (41.2% of total entering traffic).
- #8 Kennedy Road / Arena Road. Although this intersection is anticipated to have a side-street movement that operates at LOS F (not meeting LOS standards) in 2040, the delay for the minor side-street southbound left-turn movement improved significantly as a result of the planned project to dead-end Arena Road with a cul-de-sac east of Dallas Road; therefore, additional mitigation was not identified at this intersection. BMS is estimated to add 317 AM peak hour trips (30.8% of total entering traffic) and 437 PM peak hour trips (27.1% of total entering traffic).

- #16 Gage Blvd / Queensgate Drive / Bermuda Road. As requested by the City of Richland, this intersection is assumed to be a roundabout in the 2040 roadway network as part of the Queensgate Drive Extension Project identified in the City of Richland's 2021-2026 TIP. BMS is estimated to add 522 AM peak hour trips (35.5% of total entering traffic) and 701 PM peak hour trips (39.5% of total entering traffic).
- #24 Morningside Pkwy / Reata Road, #25 Gage Blvd / Reata Road, #26 Unnamed N/S Reata Road. Reata Road is assumed to be widened to include a center turn lane before 2040 per Benton County TIP project. The proposed BMS project would dedicate right-of-way to accommodate the planned roadway widening along its Reata Road frontage as its share of mitigation.

No Mitigation Identified

As shown in **Table 12**, no mitigation is identified at 9 off-site study intersections that are expected to operate at acceptable LOS in 2040 with full buildout of BMS.

LOS Analysis for Off-Site Study Intersections Where Mitigation is Identified

Weekday AM and PM peak hour LOS analyses were conducted for each of the mitigation options at the 8 off-site study intersections for which mitigation measures were identified to meet the LOS standard. The LOS results are summarized in **Tables 13 and 14**, respectively. A summary of the channelization assumptions at each intersection with more than one mitigation option is included **Appendix G** and the detailed LOS reports are included in **Appendix I**.

As shown in **Tables 13 and 14**, at the off-site study intersections anticipated to not meet LOS standards in 2040, all identified mitigation measures are expected to result in LOS D or better operations during both the AM and PM peak hours in 2040 with full buildout of the BMS development.

Table 13
2040 Full Buildout and Mitigation - AM Peak Hour Intersection LOS Summary

Study Intersection	Mitigation Measures					
	<u>Roundabout</u>		<u>Signal</u>		<u>Overlap Phasing</u>	
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (Sec)
1. Dallas Road / I-82 EB Ramps	C	18.0	D	37.5	-	-
2. Dallas Road / I-82 WB Ramps	B	11.3	A	8.7	-	-
3. Dallas Road / Trowbridge Road	-	-	-	-	-	-
4. Dallas Road / Ava Way	A	7.0	B	19.8	-	-
5. Dallas Road / Arena Road	-	-	-	-	-	-
6. Bombing Range Rd / Kennedy Rd	A	6.4	B	19.4	-	-
7. Bombing Range Rd / Keene Rd	-	-	-	-	-	-
8. Kennedy Road / Arena Road	-	-	-	-	-	-
9. Kennedy Rd / Keene Road	-	-	-	-	D	40.0
10. Duportail Street / Keene Road	-	-	-	-	-	-
11. Duportail Street / Kennedy Road	-	-	-	-	-	-
12. Duportail Street / Queensgate Drive	-	-	-	-	-	-
13. Queensgate Drive / I-182 WB Ramps	-	-	-	-	-	-
14. Queensgate Drive / I-182 EB Ramps	-	-	-	-	-	-
15. Keene Rd / Queensgate Drive	-	-	-	-	-	-
16. Gage Blvd / Queensgate Dr / Bermuda Rd	-	-	-	-	-	-
17. Keene Road / Gage Blvd	-	-	-	-	-	-
18. Leslie Road / Gage Blvd	-	-	-	-	-	-
19. Leslie Road / Reata Road	D	29.5	B	19.4	-	-
20. Badger Road / Clearwater Ave / Leslie Rd	-	-	-	-	-	-
21. Badger Road / I-82 WB Ramps	-	-	-	-	-	-
22. Badger Road / I-82 EB Ramps	-	-	-	-	-	-
23. Bermuda Road / Reata Road	B	10.7	B	16.1	-	-
24. Morningside Pkwy / Reata Road	-	-	-	-	-	-
25. Gage Blvd / Reata Road	A	9.6	B	17.1	-	-
26. Unnamed N/S / Reata Road	-	-	-	-	-	-

Table 14
2040 Full Buildout and Mitigation - PM Peak Hour Intersection LOS Summary

Study Intersection	Mitigation Options					
	<u>Roundabout</u>		<u>Signal</u>		<u>Overlap Phasing</u>	
	LOS	Delay (sec)	LOS	Delay (sec)	LOS	Delay (Sec)
1. Dallas Road / I-82 EB Ramps	D	31.6	D	47.7	-	-
2. Dallas Road / I-82 WB Ramps	C	21.8	B	14.5	-	-
3. Dallas Road / Trowbridge Road	-	-	-	-	-	-
4. Dallas Road / Ava Way	C	17.1	C	29.1	-	-
5. Dallas Road / Arena Road	-	-	-	-	-	-
6. Bombing Range Rd / Kennedy Rod	D	33.5	D	51.7	-	-
7. Bombing Range Rd / Keene Rd	-	-	-	-	-	-
8. Kennedy Road / Arena Road	-	-	-	-	-	-
9. Kennedy Rd / Keene Road	-	-	-	-	D	51.4
10. Duportail Street / Keene Road	-	-	-	-	-	-
11. Duportail Street / Kennedy Road	-	-	-	-	-	-
12. Duportail Street / Queensgate Drive	-	-	-	-	-	-
13. Queensgate Drive / I-182 WB Ramps	-	-	-	-	-	-
14. Queensgate Drive / I-182 EB Ramps	-	-	-	-	-	-
15. Keene Rd / Queensgate Drive	-	-	-	-	-	-
16. Gage Blvd / Queensgate Dr / Bermuda Rd	-	-	-	-	-	-
17. Keene Road / Gage Blvd	-	-	-	-	-	-
18. Leslie Road / Gage Blvd	-	-	-	-	-	-
19. Leslie Road / Reata Road	C	15.2	C	24.5	-	-
20. Badger Road / Clearwater Ave / Leslie Rd	-	-	-	-	-	-
21. Badger Road / I-82 WB Ramps	-	-	-	-	-	-
22. Badger Road / I-82 EB Ramps	-	-	-	-	-	-
23. Bermuda Road / Reata Road	B	11.3	B	15.5	-	-
24. Morningside Pkwy / Reata Road	-	-	-	-	-	-
25. Gage Blvd / Reata Road	A	8.4	B	17.5	-	-
26. Unnamed N/S / Reata Road	-	-	-	-	-	-



Exhibit 8

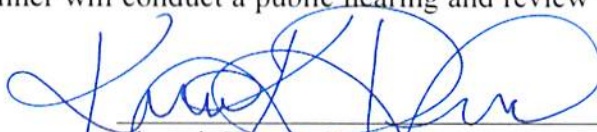
Public Notice and Affidavits

AFFIDAVIT OF MAILING

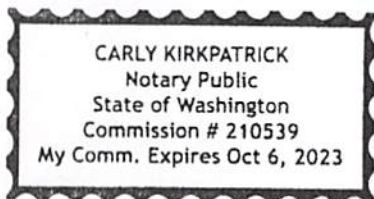
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

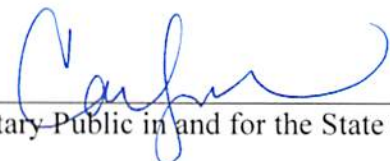
COMES NOW, Kirsten Recker, who, being first duly sworn upon oath deposes and says:

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 May, 2023, I mailed a copy of the attached NOTICE OF PUBLIC HEARING (SA2023-102) to the attached list of individuals via regular USPS on the date indicated above. The Richland Hearing Examiner will conduct a public hearing and review of the application on Monday, June 12th, 2023.


Signed: Kirsten Recker

SIGNED AND SWORN to before me this 22nd day of May, 2023 by Kirsten Recker.




Notary Public in and for the State of Washington,


Print Name

Residing at Benton County

My appointment expires: Oct. 6, 2023

1	BAUMGARTNER CRAIG S & AMANDA R	2806 KARLEE DRIVE	WA	RICHLAND	99352
2	HOOVER ANDREW J & KATHERINE M	2852 KARLEE DR	WA	RICHLAND	99352
3	SILER JOSHUA M & HOLLY M	2864 KARLEE DRIVE	WA	RICHLAND	99352
4	BECK TRAVIS H	2878 KARLEE DR	WA	RICHLAND	99352
5	CONLEY STEVEN R & CARRIE L	2890 KARLEE DR	WA	RICHLAND	99352
6	ROSAS JEREMY H & YESICA	2894 KARLEE DR	WA	RICHLAND	99352
7	TEJEDA NICANOR & BRITTNEY V	2914 KARLEE DR	WA	RICHLAND	99352
8	SCHAEFER LOUIS A & SHELLAGH K	2926 KARLEE DR	WA	RICHLAND	99352
9	CAMPBELL BRANDON PAUL & KELLI ANNE	2938 KARLEE DR	WA	RICHLAND	99352
10	BENAVIDES NICHOLAS	2950 KARLEE DR	WA	RICHLAND	99352
11	ECCLESTONE BRUCE R & JANIE	2962 KARLEE DR	WA	RICHLAND	99352
12	WELLS DONNIE & SUSAN	2974 KARLEE DR	WA	RICHLAND	99352
13	MCCABE COLLIN & KAYLA	2986 KARLEE DR	WA	RICHLAND	99352
14	HUDSON SHELLY L & LIMBOCKER ROBERT C	2998 KARLEE DR	WA	RICHLAND	99352
15	SLOCUM STEPHEN E & DEBRA L	2997 KARLEE DR	WA	RICHLAND	99352
16	NIPPER JAMES M & MARY M	2985 KARLEE DR	WA	RICHLAND	99352
17	KNIGGE RICHARD A & JESSICA A	2973 KARLEE DR	WA	RICHLAND	99352
18	CORTEZ CARLOS & AMANDA D	2961 KARLEE DR	WA	RICHLAND	99352
19	LIEBING STEVE C & SHAREE N	2949 KARLEE DR	WA	RICHLAND	99352
20	SISTRUNK JONATHAN & JILL	2937 KARLEE DR	WA	RICHLAND	99352
21	RAINSBERRY SCOTT N & NICOLE L	2925 KARLEE DR	WA	RICHLAND	99352- 9307
22	BURROUGHS JEFF L & AMBER L	2913 KARLEE DR	WA	RICHLAND	99352
23	PRIMUS KENNETH J & MELANIE	2895 KARLEE DR	WA	RICHLAND	99352
24	HEAD JOSHUA & ANGIE	2883 KARLEE DR	WA	RICHLAND	99352
25	LARSON SCOTT C & CYNTHIA A	6612 COMISKEY DR	WA	PASCO	99301
26	KELLY TIMOTHY G & KARI M	2867 KARLEE DR	WA	RICHLAND	99352
27	CASTLE MICKY N & NICHOLE M	2859 KARLEE DR	WA	RICHLAND	99352
28	HOPWOOD JOSHUA & JACQUELINE	2147 KARLEE DR	WA	RICHLAND	99352
29	HOPWOOD JOSHUA	2847 KARLEE DR	WA	RICHLAND	99352
30	WARF DONALD & MARTHA CHAVEZ	2839 KARLEE DR	WA	RICHLAND	99352
31	BYERS JON RICHARD & MUIR LISA EILEEN	2831 KARLEE DR	WA	RICHLAND	99352
32	LEE STEVEN A & WANDA F	2817 KARLEE DR	WA	RICHLAND	99352
33	HALL JESSE & HAMADA LAUREN	2561 ALLISON WAY	WA	RICHLAND	99352
34	MURSTIG DEAN E & MARTHA E	2603 ALLISON WAY	WA	RICHLAND	99352

AFFIDAVIT OF MAILING - 2
Address list attached.

1	ROWLEY STEVEN P & KATHERINE E	2625 ALLISON WAY	WA	RICHLAND	99352
		3011 MORNINGSIDE			
2	ZYLMAN ROBERT A & KAREN M	PKWY	WA	RICHLAND	99352
	MCLEMORE BRYAN R & ASHLEY B	2689 ALLISON WAY	WA	RICHLAND	99352
		2853 SUNSHINE			
3	HOFSTAD KEN & REENTS TERESA	RIDGE ROAD	WA	RICHLAND	99352
4	BORT ANTHONY B & STACY D	PO BOX 5635	WA	WEST RICHLAND	99353
		12513 DUBOIS AVE			98498-
	NOR AM INVESTMENT LLC	SW	WA	LAKEWOOD	5242
5	TILLENBURG ROGER & ERIN M	86503 E REATA RD	WA	KENNEWICK	99338
6	BADGER MOUNTAIN IRRIG DIST	87525 E REATA RD	WA	KENNEWICK	99338
	GERBER LISA JILL	88817 E REATA ROAD	WA	KENNEWICK	99338
7	PUBLIC UTILITY DISTRICT #1	2721 W 10TH AVE	WA	KENNEWICK	99336-4813
8	KENNEWICK SCHOOL DISTRICT	1000 W 4TH AVE	WA	KENNEWICK	99336-5533
9	DANNA MARK A & JODI L	86105 REATA RD	WA	KENNEWICK	99338
		85604 BADGER VIEW			
10	GENTRY BENJAMIN L & SHARON C	DR	WA	KENNEWICK	99338
	MANSFIELD STEVE E	82647 E REATA RD	WA	KENNEWICK	99338
11	HAREN JAMIE & ROY JOSH	82943 E REATA RD	WA	KENNEWICK	99338
	WARD JOHN F & GAIL H	83239 E REATA RD	WA	KENNEWICK	99338
12	LILLY TERRY	83535 E REATA RD	WA	KENNEWICK	99338
	MYERS LOREN & KRISTINE	83931 E REATA RD	WA	KENNEWICK	99338
13	GAITHER PAUL J & KARLA J	84227 E REATA ROAD	WA	KENNEWICK	99338
14	MORRISON DAVID STUART &				
	MAYUGA HENRIETTA LORENA	6618 W 20TH AVE	WA	KENNEWICK	99338
	HUMMEL JAMES & SHERYL	84719 E REATA RD	WA	KENNEWICK	99338
15	MARSH CAROLYN D	85126 E JENNA LN	WA	KENNEWICK	99338
	FLOHR DOUGLAS N & JANET R	85115 E REATA RD	WA	KENNEWICK	99338
16	BENDER CODY W & CHARMAINE J	1525 S IRVING PL	WA	KENNEWICK	99338
17	CANDY MOUNTAIN LLC	PO BOX 1307	WA	GIG HARBOR	98335
		12513 DUBOIS AVE			98498-
18	NOR AM INVESTMENT LLC	SW	WA	LAKEWOOD	5242
		625 SWIFT BLVD. MS-			
19	CITY OF RICHLAND	09	WA	RICHLAND	99352
					99336-
20	KENNEWICK SCHOOL DISTRICT	1000 W 4TH AVE	WA	KENNEWICK	5533
		12513 DUBOIS AVE			98498-
	NOR AM INVESTMENT LLC	SW	WA	LAKEWOOD	5242
21	BADGER COMMUNITIES LLC	PO BOX 1307	WA	GIG HARBOR	98335

AFFIDAVIT OF MAILING - 3
Address list attached.



CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING (SA2023-102)

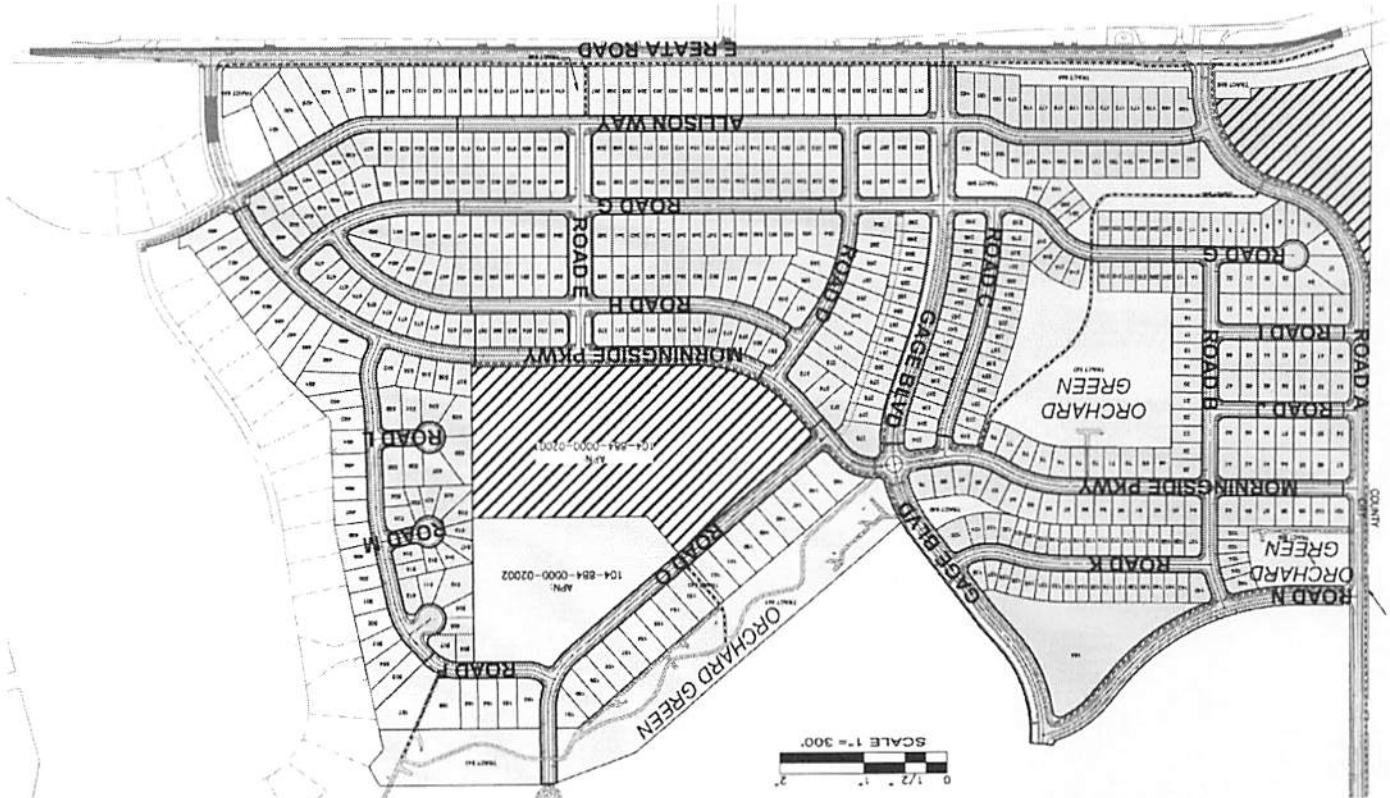
Notice is hereby given that Darrin Sweeney, on behalf of Badger Communities, LLC has filed preliminary plat major amendment to subdivide a 174-acre site into 535 single-family residential lots, 2 multi-family residential lots, and 12 public-amenity tracts to revise an earlier-approved preliminary plat called BMS South Orchard (S2021-104). The South Orchard site spreads across four (4) parcels (APN 1-04882000006000, 1-04882000003000, 1-04882000004000, 1-04882000005000) north of Reata Road and west of Karlee Drive.

The Richland Hearings Examiner will conduct a virtual public hearing and review of the application at 6:00 p.m., Monday, June 12th, 2023. 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: A Supplemental Final Environmental Impact Statement was completed for this site at the time the City adopted the Badger Mountain South Subarea Plan in 2010. The property was annexed at that time and the City adopted a Planned Action Ordinance (19.50 RMC). 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).

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Matthew Howie, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may emailed to mhowie@ci.richland.wa.us. The deadline for written comments is 5:00 p.m., June 12th. However, written comments must be received no later than 5:00 p.m. on Monday, June 5th, 2022 to be incorporated into the staff report. Comments received after that time will be entered into the record during the hearing.

The application will be reviewed in accordance with the regulations in RMC Title 23 Zoning, Title 19 Development Regulations Administration and Title 24 Plats and Subdivisions. Appeal procedures of decisions related to the above referenced applications 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 POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

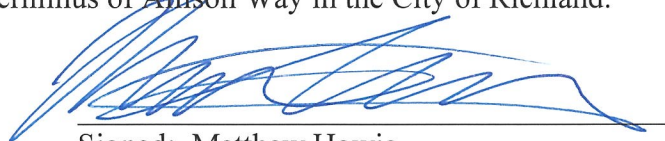
COMES NOW, **Matthew Howie**, who, being first duly sworn upon oath deposes and says:

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 May, 2023, I posted the attached NOTICE OF PUBLIC HEARING, File Number SA2023-102 (Major Preliminary Plat Amendment) in the following location:

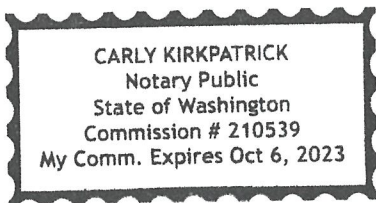
Directly across from and north of 82647 E Reata Rd, Kennewick, WA 99338.

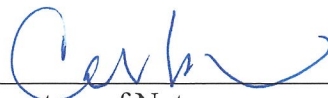
At the current western terminus of Allison Way in the City of Richland.



Signed: Matthew Howie

SIGNED AND SWORN to before me this 22nd day of May, 2023, by Matthew Howie.




Signature of Notary

Carly Kirkpatrick
Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

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	424902	Print Legal Ad-IPL01241230 - IPL0124123	HE PHN SA 2023-102	\$232.49	2	42 L

Attention: Jennifer Anderson

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

purchasing@ci.richland.wa.us

CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING AND OPTIONAL DNS

Notice is hereby given that Darrin Sweeney, on behalf of Badger Communities, LLC, has filed a preliminary plat major amendment to subdivide a 174-acre site into 535 single-family residential lots, 2 multi-family residential lots, and 12 public-amenity tracts to revise an earlier-approved preliminary plat called BMS South Orchard (S2021-104). The South Orchard site spreads across four (4) parcels (APN 1-04882000006000, 1-04882000003000, 1-04882000004000, 1-04882000005000) north of Reata Road and west of Karlee Drive.

The Richland Hearing Examiner will conduct a public hearing and review of the application on **Monday, June 12, 2023 at 6:00 p.m.** in the Richland City Council Chambers, 625 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing or visit the City of Richland's website at www.ci.richland.wa.us and join via Zoom.

Environmental Review: A Supplemental Final Environmental Impact Statement was completed for this site at the time the City adopted the Badger Mountain South Subarea Plan in 2010. The property was annexed at that time and the City adopted a Planned Action Ordinance (19.50 RMC). 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, LLC and the mitigation measures enumerated in the adopted SEPA documents are issued a Planned Action Consistency Determination (PACD).

Any person desiring to express their views or be notified of any decisions pertaining to this application should notify Matthew Howie, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may be emailed to mhowie@ci.richland.wa.us. The deadline for written comments is June 12, 2023 at 5:00 p.m. However, written comments must be received no later than 5:00 p.m. on Monday, June 5, 2023, to be incorporated into the staff report. Comments received after that time will be entered into the record during the hearing.

The application will be reviewed in accordance with the regulations in RMC Title 23 Zoning, Title 19 Development Regulations Administration and Title 24 Plats and Subdivisions. Appeal procedures of decisions related to the above-referenced applications 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.

Date Published: Sunday, May 28, 2023
IPL0124123
May 28 2023

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Stefani Beard, 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 05/28/2023, and ending on 05/28/2023 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:

05/28/23

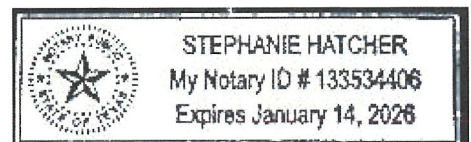
Stefani Beard

(Signature of Legals Clerk)

Sworn to and subscribed before me this 30th day of May in the year of 2023

Stephanie Hatcher

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 9

Agency Comments

From: [JoDee Peyton](#)
To: [Howie, Matthew](#)
Cc: [Cristian Gonzalez](#); [Sean Domagalski](#)
Subject: SA2023-102 South Orchard Plat, Major Amendment
Date: Tuesday, May 23, 2023 8:47:49 AM
Attachments: [image001.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

This office has reviewed the above referenced proposal and has no objections provided: Municipal services, such as sewer and water, are provided to the proposed lots.
Please feel free to give me a call with any questions or concerns. Thank you.

Please feel free to give me a call with any questions or concerns. Thank you.

JoDee A. Peyton, EHS III

Supervisor

Land Use, Sewage and Water Section

Benton-Franklin Health District

7102 W. Okanogan Place

Kennewick, WA 99336

p: 509.460.4318

Pronouns: she/her

www.bfhd.wa.gov jodeer@bfhd.wa.gov



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IMPORTANT: Email coming & going from our agency is not protected, thus client information can not be shared in this format. Please use voicemail or fax for client communication. The contents of this email and any attachments are confidential. They are intended for the named recipient(s) only. If you have received this email in error, please notify the system manager or the sender immediately and do not disclose the contents to anyone or make copies thereof.

From: [Brett Flippo](#)
To: [Howie, Matthew](#)
Subject: RE: SA2023-102 South Orchard Plat, Major Amendment
Date: Wednesday, May 24, 2023 2:36:09 PM
Attachments: [image001.png](#)
[20230524-SA2023-102-Comment Letter.pdf](#)

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Mr. Howie,

Please see the attached comment letter for the subject application.

Thanks,

Brett Flippo, PLS, CFedS
Kennewick Irrigation District

From: Howie, Matthew <mhowie@ci.richland.wa.us>
Sent: Monday, May 22, 2023 1:52 PM
To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Ashley Garza <agarza3605@gmail.com>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Bill Barlow <bbarlow@bft.org>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Clark Posey <clark.posey@co.benton.wa.us>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; David Billetdeaux <david@portofbenton.com>; Davis, Deanna <d.davis@bces.wa.gov>; Rodgers, Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrodgers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; 'Doan, Charles' <cdoan@ci.richland.wa.us>; gis@co.benton.wa.us; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Jason McShane <JMcShane@kid.org>; 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 <mjdeklyne@bpa.gov>; MAP <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rob Rodger <rob.rodger@bentoncleanair.org>; Robin Priddy <robin.priddy@bentoncleanair.org>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Seth Defoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; Sean Domagalski <seand@bfhd.wa.gov>; Hester, Laura <lhester@CI.RICHLAND.WA.US>
Subject: SA2023-102 South Orchard Plat, Major Amendment

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.

Hello all,

Please see the attached Referral Packet for a Major Amendment to the South Orchard preliminary plat to subdivide 147.37 acres into 537 lots and 12 tracts. The original plat called S2021-104 BMS South Orchard only proposed 475 units on 194.54 acres. The referral packet contains new information from this application as well as the original Hearing Examiner Decision on S2021-104.

Comments are due by Monday, June 5th, at 5pm.



Matthew Howie

Senior Planner

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

(509) 942-7587

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.



2015 South Ely Street
Kennewick, WA 99337
Customer Service 509-586-9111
Business 509-586-6012
FAX 509-586-7663
www.kid.org

May 24, 2023

Matthew Howie, Senior Planner
City of Richland – Development Services
625 Swift Blvd., MS-35
Richland, WA 99352

Subject: SA2023-102 South Orchard Major Plat Amendment - Review Comments

Dear Mr. Howie:

This letter provides Kennewick Irrigation District (KID) review comments for the South Orchard Major Plat Amendment (SA2023-102). The proposed Plat Amendment is comprised of Assessor Parcel Numbers 104882000003000 through 104882000006000, and is located in Section 4, Township 8 North, Range 28 East, W.M., Richland, Benton County, Washington. The subject property is located outside of KID's boundaries.

Due to the project's location in relation to KID's Badger East Drain, KID would like to inform the City of the following information regarding the effect of the proposed Plat Amendment upon the structural integrity, including lateral support, of KID's facilities, other risk exposures, and the safety of the public and irrigation district, and related conditions of approval that KID deems to be necessary as a result:

- 1) *Stormwater systems for the project should be designed to retain on-site, at minimum, a 100-year storm event.*

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

Brett Flippo, PLS, CFedS
Professional Land Surveyor

**CITY OF RICHLAND
PUBLIC WORKS ENGINEERING
DEVELOPMENT COMMENTS**

DATE: June 5, 2023

TO: MATT HOWIE, SENIOR PLANNER

PLAT REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4
JOHN DESKINS, TRAFFIC ENGINEER
CARLO D'ALLESANDRO, TRANSPORTATION AND DEVELOPMENT
MANAGER
PETE ROGALSKY, PUBLIC WORKS DIRECTOR

PROJECT NAME: SOUTH ORCHARD PRE-PLAT (MAJOR AMENDMENT) S2023-102

PROJECT LOCATION: BADGER MOUNTAIN SOUTH COMMUNITY, ADJACENT TO REATA RIDGE
AND NORTH OF REATA ROAD

The Public Works Engineering Division has reviewed the amended preliminary plat received in this office on May 22, 2023 for the above referenced property and has the following conditions.

Pre-Plat Specific Conditions

1. The following street names have previously been approved for this preliminary plat, and should be reflected on the submitted pre-plat amendment:
 - "Road A" = Southgate Way
 - "Road B" = Tarragon Ave.
 - "Road F" = Sumac Ave.
 - "Road G" = Nuthatch St.
 - "Road I" = Scout St.
 - "Road J" = Boxberger St.
 - "Road K" = Stardust St.
 - "Road N" = Grapeview St.
 - "Road O" = Savanna St.
 - Proposed road names for Roads "L" and "M" need to be submitted for review.
2. If any of the tracts have the potential to one day become building lots, utility stubs should be provided to them to avoid the need to cut new streets.
3. Any future storm drainage tracts will be dedicated to the city for ownership. The "Tract Note" on sheet 5 of the pre-plat should be amended to include this.

General Conditions:

4. All final, approved plans for public improvements shall be submitted prior to pre-con on a 24" x 36" hardcopy format and also electronically. Addendums are not allowed, all information shall be supplied in full size (and electronic) format. 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 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 final plat.

5. 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.
6. 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. Please visit the published fee schedule 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.
7. Public utility infrastructure located on private property will require recording of a City standard form easement prior to final acceptance of the infrastructure. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final platting. 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.
8. 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.
9. The contractor and developer 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.
10. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.
11. A copy of the preliminary plat shall be supplied to the Post Office and all locations of future mailbox clusters approved prior to installation or final platting.

Design Standards:

12. 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.

13. 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. SEVA 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.

14. 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) and 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:

15. The South Orchard preliminary plat is subject to the City's traffic impact fee program (RMC 12.03). The program includes street and intersection improvements sufficient to mitigate the off-site impacts of this project. The developer of this proposed project may receive credit for construction of the improvements listed in RMC 12.03.
16. The developer provided a Badger Mountain South Traffic Impact Analysis dated February 16, 2022 as required in Exhibit B, Section 5.3 of the Master Development Agreement. The City has accepted the analysis with City proposed changes and transmitted such to the developer. The developer has 30 days upon receipt to contest the proposed changes. If no rebuttal from the developer is received, the City considers the requirements in Exhibit B, Section 5.3 of the Master Development Agreement satisfied for this plat. Final plat approval will not be granted for the first phase of this project until the Badger Mountain South Traffic Impact Analysis is accepted by the Public Works Department.
17. This project will create impacts that shall be mitigated with the following improvements:

- A. The Gage Blvd./Reata Road intersection improvements shall include the construction of a roundabout designed for the 2040 anticipated full build-out traffic volumes. This intersection should be completed with the phase of construction that connects Gage Boulevard to Reata Road.
 - B. The Gage Blvd./Morningside Parkway intersection improvements shall include a roundabout or mini-roundabout to account for both on-site and planned off-site future peak traffic volumes related to development traffic from the west. These intersection improvements shall be completed along with the phase that constructs the Gage/Morningside intersection.
 - C. The Road A ("Southgate Way")/Reata Road intersection improvements shall include a westbound right turn lane from Reata onto Road A, and a southbound right turn lane from Road A onto Reata. These intersection improvements shall be completed along with the phase that constructs the Road A/Reata Road intersection.
 - D. The Morningside Parkway/Reata Road intersection improvements shall include a westbound right turn lane from Reata onto Morningside, an eastbound left turn lane from Reata onto Morningside, and a southbound right turn lane from Morningside onto Reata. These intersection improvements shall be completed along with the phase that completes the Morningside Parkway corridor.
 - E. Allison Way and Morningside Parkway shall have frontage improvements installed on these existing roadways beginning from Lot 431, proceeding around the corner to the intersection with Reata Road. The east side of Morningside Parkway shall also have frontage improvements installed from Reata Road to the SE corner of the intersection. Frontage improvements shall consist of curb & gutter, sidewalk (or separated pedestrian pathway), additional paving as needed, storm drainage facilities, and street lighting. Pedestrian connectivity is needed from the South Orchard plat to Reata Road.
18. The Gage Blvd./Road N ("Grapeview St.") intersection is anticipated as needing a roundabout when future development continues the extension of Gage Blvd. to the north. Adequate right-of-way shall be provided at this intersection for the anticipated roundabout.
 19. The developer shall conduct a preliminary design of the horizontal and vertical alignment of Gage Blvd. and Road A ("Southgate Way") to a point at least 500-feet offsite to the north, or to its next northerly intersection, whichever is further, to confirm the most appropriate alignment. These designs shall be completed concurrent with phase 1.
 20. Gage Blvd., Road A ("Southgate Way") and Road N ("Grapeview St.") will be classified as "Major Collectors". On-street parking and driveway accesses for single family lots will not be permitted onto Major Collector streets. Morningside Parkway will be classified as a Minor Collector.
 21. A note will be included on the face of the final plat stating that no driveways will be allowed directly onto Reata Road with the exception of Lot 1. Proposed driveways from Lot 1 onto Reata Road will need to be approved by the City of Richland Traffic Engineer.
 22. Lots fronting on Gage Blvd. shall take access from a rear alley easement. Single family residential driveway access to Gage Blvd. will not be permitted.
 23. The City anticipates an update to the LUDR in the near future that will revise the standard street cross sections throughout Badger Mountain South. The developer is requested to consult with Public Works regarding the anticipated cross section changes and to utilize them in anticipation of the LUDR update being completed. Alternatively, this project shall utilize street cross section designs in the LUDR as it exists at the time of infrastructure permitting.
 24. Benton County has transferred the Reata Road right of way adjacent to the South Orchard plat to the City's jurisdiction. The intersection designs and Reata Road widening shall be reviewed and approved by the City.

25. Traffic calming measures may be required, as approved by the Traffic Engineer.
26. The entire road section of Morningside Parkway shall be constructed full-width when the phase that constructs it adjacent to the vacant parcel is developed ("APN 1-0488-400-0002-001"). Sidewalks and street lights can be installed when that vacant parcel is developed.
27. A ten-foot public utility easement adjacent to the Reata Road frontage shall be provided on the face of the final plat.
28. 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, HOA tracts, etc.).
29. The developer and his engineer shall demonstrate on the construction plans that all future driveways, sidewalks and pedestrian ramps will meet City and ADA requirements, and also provide at least 5-feet of separation between driveway and/or pedestrian ramp transitions.
30. 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.
31. The vision-clearance triangle shall be shown on all corner lots (including access easements that serve multiple homes) on both the construction plans and the final plat document, in accordance with RMC Chapter 12.11.020. If the intersection is in or within 500-feet of a curve, it will have to be evaluated per AASHTO guidelines. The assumed speeds for sight triangle evaluation are 35 mph for Major Collectors, 30 mph for Minor Collectors and 25 mph for local streets. This information shall be designed by the engineer of record and supplied to the surveyor of record for inclusion into the final plat document.
32. All private roads (alleys) shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements.
33. The proposed "alley" road section shall be a private access which is for the use and benefit of the homeowners that abut it, and are to be maintained by the adjacent property owners and/or the HOA. The City of Richland accepts no maintenance responsibility for these rear alley easements.
34. All intersections of private shared driveways and alleys with City streets shall be standard commercial driveway drops constructed to City standards.
35. Street signs indicating any restricted parking areas 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.
36. All roads shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements. Homes whose sole access is the proposed "rear alley" road section may have to place their garbage cans at locations acceptable to City solid waste collection vehicles.
37. 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:

38. Any grading operations that take place near or over the top of the existing domestic water main shall ensure that adequate cover remains over the water main so as to protect it from breakage or freezing. It shall be the responsibility of the developer to re-install any water mains that have too little (or too much) cover over them as a result of grading operations, or that will result in this water main being in a building lot. This water main needs to be within the roadway whenever possible. The existing main shall be exposed and surveyed at multiple locations as part of the grading permit application.
39. The proposed preliminary plat is located within the "Tapteal IV" water pressure zone. 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. The water system shall be sized to adequately supply domestic water and fire flows to the proposed development. These water mains shall be extended to the boundaries of the pre-plat.
40. If the homes within this preliminary plat are required to install residential fire sprinkler systems the sprinkler systems shall be the flow-through type in compliance with the City's cross connection control program.
41. The fire hydrant layout shall be approved by the City Fire Marshal.
42. 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:

43. It shall be the responsibility of the developer to extend a sewer main to this property to serve sanitary sewer at the time of plat construction.
44. This preliminary plat may receive City sanitary sewer service only after completion of a new sewer pump station and required improvements to the existing Dallas Road sewer pump station are completed. The developer shall complete the sewer system design and construction required to serve this project. If the developer constructs capacity beyond the needs of this project it will be eligible for a latecomer agreement per Richland Municipal Code.
45. 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.
46. Sanitary sewer shall be extended to the adjoining properties adjacent to the preliminary plat, where appropriate and where grade allows.

Storm Water:

47. 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.

48. 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.
49. 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.
50. 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").
51. Any proposed storm drainage retention facilities within the boundary of the proposed preliminary plat shall not adversely affect neighboring properties.
52. 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.
53. 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.
54. The amount of post-development storm runoff from the proposed site shall be in compliance with RMC Chapter 16.06.

55. Stormwater collection pipes shall be extended to the adjoining properties adjacent to the plat, where appropriate and where grade allows.
56. 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.
57. 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.
58. 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:

59. 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.
60. 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 final platting.
61. 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.
62. 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.

63. 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.
64. 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 proposed rear alley easements shall be private roadways which are for the use and benefit of the homeowners that abut said roads, and are to be maintained by the adjacent property owners or the HOA. The City of Richland accepts no maintenance responsibility for rear alley easements*".
65. A note shall be added to the face of the plat that states: "*The private rear alley easements within this plat are fire lanes and parking is restricted. The required no-parking signs shall be installed by the developer where applicable.*"
66. All landscaped areas within the plat that are in the public Right of Way shall be the responsibility of the property owners to maintain.
67. A one-foot "No access / screening easement" will be required along the Reata Road, Gage Blvd., Grapeview St., and the Southgate Way Right of Ways.
68. The intended use and ownership of all tracts within the plat shall be noted on the final plat.
69. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.
70. Any restricted parking areas shall be indicated on the final plats.

From: [Prilucik, Jacob](#)
To: [Howie, Matthew](#)
Subject: RE: [EXTERNAL] SA2023-102 South Orchard Plat, Major Amendment
Date: Monday, June 5, 2023 9:44:27 AM
Attachments: [image001.png](#)
[Richland South Orchard Plat Amd \(2023\).pdf](#)

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Matthew,
WSDOT's comment letter regarding the subject proposal is attached. Let me know if you have any questions, thanks.

Jacob Prilucik
Office: (509) 577-1635 – prilucj@wsdot.wa.gov
Cell: (509) 225-0637

From: Howie, Matthew <mhowie@ci.richland.wa.us>
Sent: Monday, May 22, 2023 1:52 PM
To: Acevedo, Mizaël <macevedo@CI.RICHLAND.WA.US>; Ashley Garza <agarza3605@gmail.com>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Bill Barlow <bbarlow@bft.org>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Clark Posey <clark.posey@co.benton.wa.us>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; David Billetdeaux <david@portofbenton.com>; Davis, Deanna <d.davis@bces.wa.gov>; Rodgers, Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxroddgers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; 'Doan, Charles' <cdoan@ci.richland.wa.us>; gis@co.benton.wa.us; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Jason McShane <jmcshane@kid.org>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Cooper, Kelly (DOH) <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 <mjddeklyne@bpa.gov>; MAP <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Gonseth, Paul <GonsetP@wsdot.wa.gov>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rob Rodger <rob.rodger@bentoncleanair.org>; Robin Priddy <robin.priddy@bentoncleanair.org>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; Seth DeFoe <SDeFoe@kid.org>; WSDOT SC Planning Mailbox <SCPlanning@WSDOT.WA.GOV>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; Sean Domagalski <seand@bfhd.wa.gov>; Hester, Laura <lhester@CI.RICHLAND.WA.US>
Subject: [EXTERNAL] SA2023-102 South Orchard Plat, Major Amendment

WARNING: This email originated from outside of WSDOT. Please use caution with links and attachments.

Hello all,

Please see the attached Referral Packet for a Major Amendment to the South Orchard preliminary plat to subdivide 147.37 acres into 537 lots and 12 tracts. The original plat called S2021-104 BMS South Orchard only proposed 475 units on 194.54 acres. The referral packet contains new information from this application as well as the original Hearing Examiner Decision on S2021-104.

Comments are due by Monday, June 5th, at 5pm.



Matthew Howie

Senior Planner

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

(509) 942-7587

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June 5, 2023

City of Richland
625 Swift Blvd.
Richland, WA 99352

Attn: Matthew Howie

RE: SA2023-102 – South Orchard Plat, Major Amendment
SR 82 MP 106 Lt – Reata Road vicinity

We have reviewed the proposed plat amendment and have the following comments.

The subject property is within the Badger Mountain South (BMS) subarea and in the vicinity of Interstate 82 (I-82) including the Exit 104 (Dallas Road) and Exit 109 (Badger Road) interchanges. We are not opposed to the proposed subdivision, or other developments within this subarea; however, we are concerned with the cumulative impact these projects are having on I-82. WSDOT anticipates the majority of vehicle trips generated by this proposal will utilize these interchanges, and, according to our records, the level of build-out within the BMS subarea has triggered required mitigation to I-82 and the Dallas Road ramp terminals.

As stated in our comments regarding this and other subdivisions in the subarea, mitigation inside I-82 right-of-way must follow current WSDOT and FHWA design documentation and approval processes. The developer should be aware, the state's preferred alternative for intersection control is the roundabout. Signalization of the ramp terminals, as identified in the BMS master agreement, may not be allowed. At this time, we recommend the city and/or developer begin coordinating improvements to I-82 with WSDOT, in order to avoid any potential delays.

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, PE
Region Planning Engineer

PG:jjp

cc: SR 82, File #2020_006



Exhibit 10

Public Comments

From: [Kristine Myers](#)
To: [Howie, Matthew](#)
Cc: [Loren Myers](#)
Subject: Notice of Application, Public Hearing (SA2023-102)
Date: Monday, June 5, 2023 7:16:15 AM

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Good Morning,

We are Loren & Kristine Myers at 83931 E Reata Rd and have a couple questions we would like entered into the staff report.

1. Is the proposed Gage Blvd on this map going to be connected to the existing Gage Blvd?
2. Is the plan still to have a roundabout at the intersection of Gage & Reata Rd?
3. Will the public have an opportunity to voice questions and concerns during the public hearing?

Thank you for your attention to these concerns,

Loren & Kristine Myers

From: kipjg@frontier.com
To: [Howie, Matthew](#)
Cc: kipjg@frontier.com
Subject: City of Richland Notice of Application, Public Hearing (SA2023-102) Comments - Application to amend preliminary plat call BMS South Orchard
Date: Saturday, June 3, 2023 9:54:02 AM

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Mr. Matthew Howie,

Our concerns have been previously communicated to City of Richland planners, a Benton County Commissioners representative and Darrin Sweeney.

Our first concern is placement of roads within the proposed plat and their intersections with Reata Road. Specifically, the extension of Gage Blvd. appears to intersect Reata Road directly north of our property and opposite to our driveway. We envision this could easily create a situation where inattentive drivers miss their turn unto Reata Road and use our circular driveway to recover from their mistake. This presents both safety and privacy issues for us. Of further concern is that during our past communication efforts with the City we were made aware of a proposed single lane round-about to be constructed at the intersection of the Gage Blvd. extension and Reata Road. The proposed around-about has three legs; the end of Gage Blvd. leg and the west and east legs of Reata Road. If there were to be a fourth leg, it would be placed where our front yard driveway currently sits. It is unclear how we and our next-door neighbors would access Reata Road with the round-about placement. Additionally, we can't see how the round-about would not affect the general functionality, thus value, of our property.

There are locations along the south side of Reata Road that are better suited, either gullies not suited for building or established roadways (such as Badger View Drive), as the terminal point of Gage Blvd. or placement of a round-about. We request the placement of proposed roads in the plat be reconsidered.

Our residential property is lot 7 of Reata Place Plat, tax parcel 104884040000007, address 84227 E Reata Road.

Paul and Karla Gaither
kipjg@frontier.com
509 420 3771



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 6/12/2023

Agenda Category: New Business - Public Hearing

Prepared By: Kyle Hendricks, Planner

Subject:

Z2023-106 - 2155 Keene Road Terraces at Queensgate South Rezone from Agriculture (AG) and Suburban Agriculture (SAG) to Retail Business (C-2)

Department:

Development Services

Recommended Motion:

Staff recommends that the Hearing Examiner remand the item back to the applicant in order to address the buffer issue. Contract 92-10 clearly states that two (2) rows of residential development, separated by a street, should be the buffer width provided between Country Ridge Estates and any site proposed for commercial development.

Summary:

The applicant, Peter Harpster on behalf of Aqtera Engineering, has filed an application to rezone a property near the southwest corner of the intersection at Keene Road and Queensgate Drive, generally addressed as 2155 Keene Road. The 4.7 acre parcel in this application is currently zoned as Agriculture (AG) and Suburban Agriculture (SAG) and is proposed to be rezoned to Retail Business (C-2) in accordance with a Planned Unit Development, associated amendment Ordinance 2022-03, and the Richland Comprehensive Plan.

In 2010 a development agreement was created (Contract #92-10) to guide the development of the area. This was done in association with the Country Ridge homeowners association. This agreement was then modified by Ordinance 2022-03 to include various provisions related to development and local character changes since the original agreement was created. As a part of this agreement, the zones C-LB, C-1, and C-2 were all agreed to be appropriate for the area.

Attachments:

1. Z2023-106 2155 Keene Rd Staff Report

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

GENERAL INFORMATION:

PROPOSAL NAME: 2155 Keene Road, Rezone

LOCATION: 2155 Keene Road - Richland, Washington

APPLICANT: Peter Harpster, Aqtera Engineering

PROPERTY OWNER: Columbia Valley Property Holdings, Mallikarjuna Vallem

FILE NO.: Z2023-106

DESCRIPTION: Request to rezone Parcel 122983000002005 from Suburban Agriculture (SAG) and Agriculture (AG) to Retail Business (C-2).

PROJECT TYPE: Type IIIA Site-Specific Rezone

HEARING DATE: June 12, 2023

REPORT BY: Kyle Hendricks, Planner

RECOMMENDED ACTION: Remand back to applicant

**Vicinity
Map**

Item: 2155 Keene Rd, Rezone

Applicant: Peter Harpster

File #: Z2023-106

**Figure 1 - Vicinity Map****DESCRIPTION OF PROPOSAL**

The completion of a boundary line adjustment in 2022 has resulted in a wedge-shaped parcel approximately 4.7 acres in size. This parcel is currently zoned Agriculture (AG) and Suburban Agriculture (SAG). In accordance with contract #92-10 and Ordinance 2022-03 in association with the Richland Comprehensive Plan, the applicant is proposing to rezone this parcel to the Retail Business Commercial District (C-2). Figure 1 (above) shows the site within its larger context.

In addition to this request the applicant has proposed several code adjustments that would limit development to 40 feet in height, rather than 80 feet as is currently allowed in the C-2 zone. The 40 foot height restriction is proposed to satisfy the Contract 92-10 and Ordinance 2022-103 commitments. Development will also be oriented away from the western boundary of this parcel, generally directed to the northeast towards the future intersection of Queensgate and Keene Road. The applicants have indicated that the landscaped storm pond retention area associated with The Terraces at Queensgate South will also provide buffering between any new development on the subject property and the homes located within Country Ridge Estates. Application materials indicate that the distance between the western boundary of the subject property and the Country Ridge Estates development will be approximately 145 feet;

however, the width of the storm pond will be approximately 175 feet meaning that approximately 30 feet of storm pond will cross over property lines and be located upon the subject property.

REASON FOR REQUEST

Richland Municipal Code (RMC) Chapter 19.20.010(D)(1) 19.20.030, and 19.25.010 requires a site-specific rezone review to take place by the Hearing Examiner. See additional RMC guidance for the Hearing Examiner, below:

19.20.010 Procedures for processing development permits

For the purpose of project permit processing, all development permit applications shall be classified as one of the following: Type I, Type II, Type III, or Type IIIA.

D. Type IIIA permits include the following types of permit applications:

1. Site-specific rezones;

19.60.060 Burden of proof

Except for Type IV actions, the burden of proof is on the proponent. The project permit application must be supported by proof that it conforms to the applicable elements of the city's development regulations, comprehensive plan and that any significant adverse environmental impacts have been adequately addressed.

23.22.010 Purpose of commercial use districts

C. The retail business use district (C-2) is a business zone classification providing for a wide range of retail business uses and services compatible to the core of the city and providing a focal point for the commerce of the city. All activities shall be conducted within an enclosed building except that off-street loading, parking, and servicing of automobiles may be in the open and except that outdoor storage may be permitted when conducted in conjunction with the principal operation which is in an enclosed adjoining building. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

23.70.210(A) Public hearing and recommendation to council

Reclassification. The hearing examiner shall conduct an open record public hearing as required by RMC Title 19 for a Type IIIA permit application. The recommendation shall include written findings of fact and the reasons for the hearing examiner's action; and shall refer expressly to the maps, description and other matters intended by the hearing examiner to constitute the reclassification.

Additional Considerations.

Washington Courts apply three basic rules when reviewing appeals of rezone applications: (1) there is no presumption favoring the rezone request; (2) the proponent must demonstrate that there has been a change of circumstances since the original zoning provided if a proposed rezone implements the policies of the comprehensive plan, a showing of changed circumstances is usually not required; and (3) the rezone must have a substantial relationship to the public health, safety, morals or general welfare.

For the purposes of this rezone request, the central questions presented are:

1. Whether the requested rezone implements policies of the City's Comprehensive Plan, and /or whether there has been a change of circumstances since the original Medium Density Residential (R-2) zoning was adopted for the site?
2. Does the rezone bear a substantial relationship to the public health, safety, morals, or general welfare?

REVIEW AUTHORITY

Richland Municipal Code (RMC) Chapter 19.20.010(D)(1) 19.20.030, and 19.25.010 requires a site-specific rezone review to take place by the Hearing Examiner.

SITE DESCRIPTION & ADJACENT LAND USES

The 4.7 acre site near 2155 Keene Rd is a wedge-shaped undeveloped lot of varied elevation. The lot is generally flat near the northwest corner, before a significant increase of elevation to the southeast before flattening out again near the eastern edge of the lot.

CURRENT LAND USE DESIGNATION AND USES:

North: A strip of Developed Open Space (DOS) followed by Commercial (COM) varied stores.

East: Commercial (COM) undeveloped

South: Medium Density Residential (MDR)

West: Low density Residential (LDR) proposed storm retention, followed by single family homes in Country Ridge.

Land Use Map

Item: 2155 Keene Rd, Rezone
Applicant: Peter Harpster
File #: Z2023-106

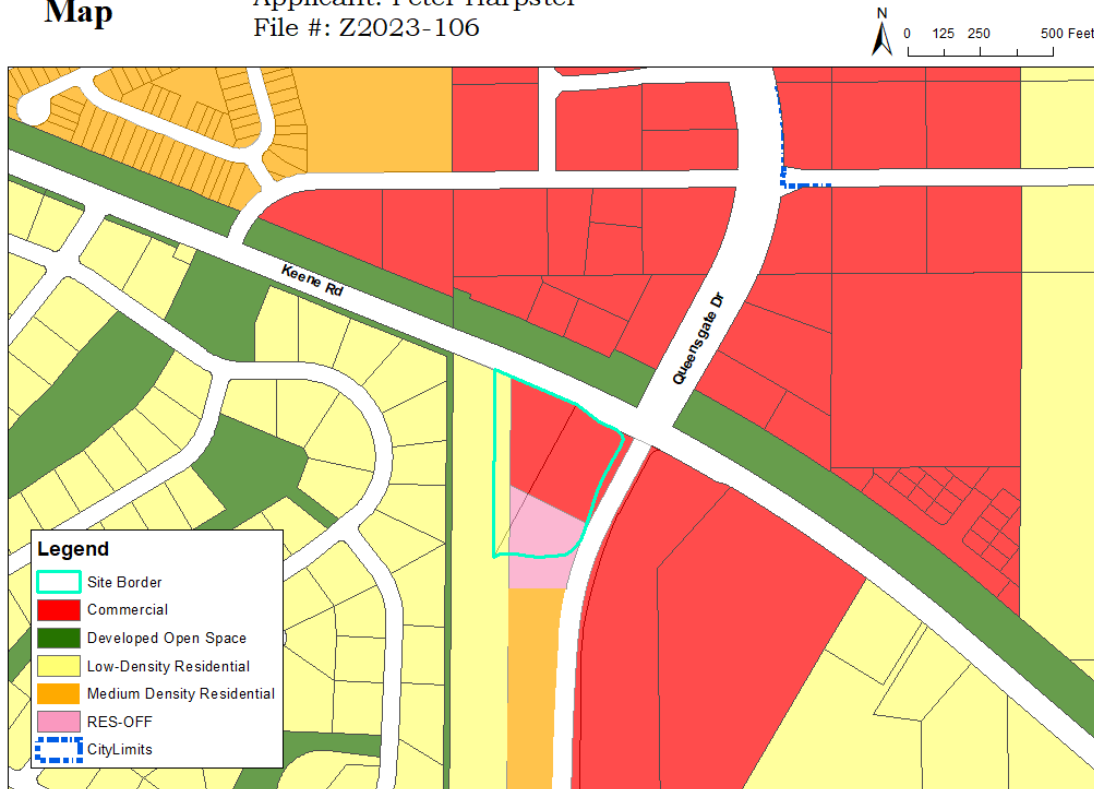


Figure 2 – Comprehensive Plan Land Use Map

COMPREHENSIVE PLAN

As illustrated in Figure 2 (above), the Comprehensive Plan Land Use designates the site primarily for commercial and residential office use, which correlates with the C-LB zone within the Richland Municipal Code. A small portion along the western boundary is designated as low density residential. This portion was captured by the previously mentioned boundary line adjustment to create the whole wedge-shaped parcel. This proposal wants to create a single use type for this area, with consideration for buffers with the nearby single-family dwellings.

Applicable Goals & Policies

Provided below is a set of Comprehensive Plan goals & policies which are particularly applicable to the subject property and associated proposals.

Economic Development Goal 6: Encourage vibrant mixed-use areas in Tri-Cities as destinations to live, work, and visit.

Policy 1: Stimulate the development of quality retail and entertainment venues through incentives and infrastructure investments.

Economic Development Goal 7: Recognize parks, natural areas, and a built environment with quality design for the value they offer as major attractions.

Policy 4: Promote quality design for public projects as well as private developments.

Land Use Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 1: Revitalize areas that are already within the City.

Policy 2: Facilitate planned growth and infill developments within the City.

Land Use Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1: Maintain a variety of land use designations to accommodate appropriate ... commercial...uses that will take advantage of the existing infrastructure network.

Policy 3: Ensure that the intent of the land use and districts are maintained.

Land Use Goal 4: Promote commercial and industrial growth that supports the City's economic development goals

Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

Policy 4: Encourage the use of buffers or transition zones between non-compatible land uses.

Policy 5: In areas where residential uses are in close proximity to industrial or commercial lands, adequate development standards should be used in industrial or commercial developments to mitigate the impacts on residential uses.

Land Use Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

CURRENT ZONING

The subject site is currently zoned Agriculture (AG) and Suburban Agriculture (SAG), which are intended for more rural settings with agricultural and large lot residential related uses. As the area develops, the AG and SAG zones will be incompatible with the intention of the property owner and recently approved Planned Unit Development (PUD) commonly referred to as The Terraces at Queensgate South (PUD2022-101). Surrounding parcels are zoned as follows:

North: PPF and C-3/C-1, developed bike and pedestrian trail and various commercial uses like restaurant and gas station (north of Keene Road).

East: PUD, planned unit development/Terraces at Queensgate South

South: PUD, planned unit development/Terraces at Queensgate South

West: PUD, planned unit development/Terraces at Queensgate South

Zoning Map

Item: 2155 Keene Rd, Rezone
Applicant: Peter Harpster
File #: Z2023-106

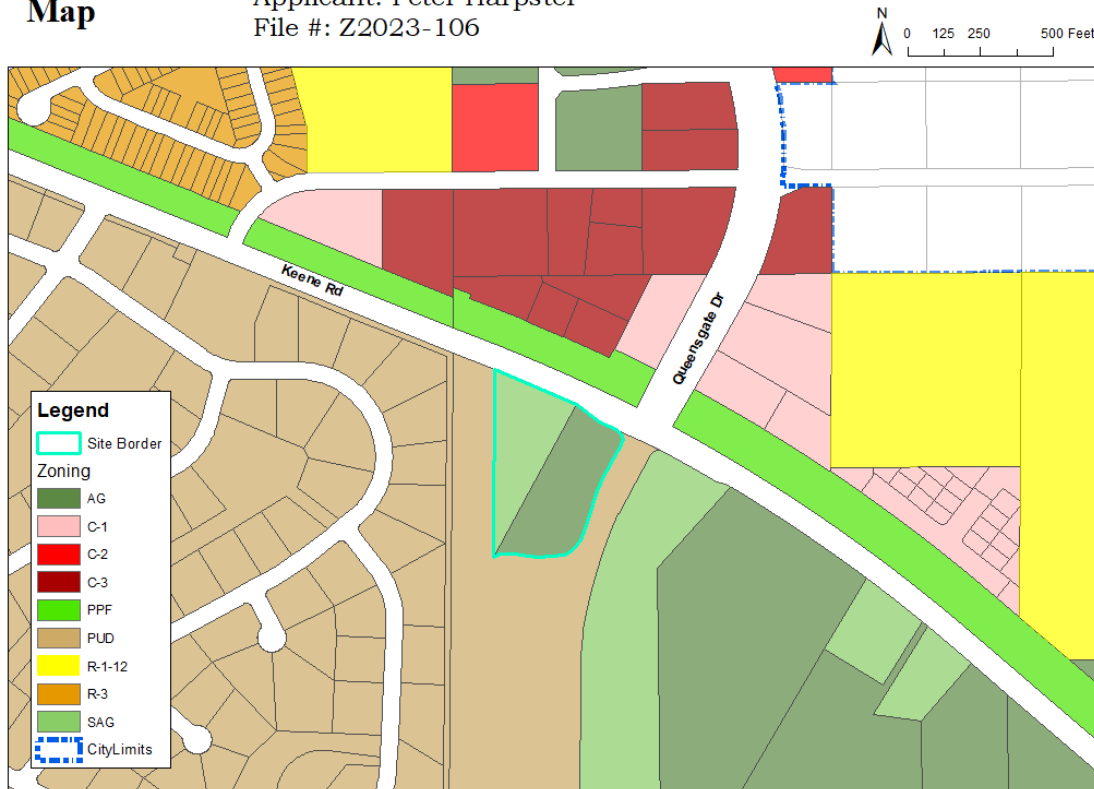


Figure 3 – Zoning Map

REQUESTED ZONING

Following the applicant's request, City staff is presenting this staff report and associated application materials for a site-specific rezone of 4.7 acres from AG and SAG to Retail Business Use District (C-2).

The retail business use district (C-2) is a business zone classification providing for a wide range of retail business uses and services compatible to the core of the city and providing a focal point for the commerce of the city. All activities shall be conducted within an enclosed building except that off-street loading, parking, and servicing of automobiles may be in the open and except that outdoor storage may be permitted when conducted in conjunction with the principal operation which is in an enclosed adjoining building. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

This zone would allow for a variety of food, office, and retail uses. The application materials state an intent to limit the automotive and some residential uses that are permitted within C-2.

Figure 4 – Site Requirements

	C-LB	C-1	C-2
Front Yard Setback Minimum	20 feet	45 feet	0 feet ²
Side Yard Setback Minimum	0 feet	0 feet	None
Rear Setback Minimum	0 feet	0 feet	None
Height	55 feet	30 feet	80 feet (Proposed 40 feet)

2. No setback required if street right-of-way is at least 80 feet in width. Otherwise, a minimum setback of 40 feet from street centerline is required.

AREA NARRATIVE

In 2010 a development agreement was created (Contract #92-10)(Exhibit 4) to guide the development of the area. A main takeaway from this agreement was to have a buffer area of two tiers of low-density residential lots with a road located between Country Ridge Estates and any future commercial development on the neighboring property. This agreement was then modified by Ordinance 2022-03 (Exhibit 5) to include various provisions related to development and local character changes since the original agreement was created. As a part of this agreement the zones C-LB, C-1, and C-2 were all agreed to be appropriate for the area subject to this rezone request.

In October of 2022, a Boundary Line Adjustment was approved by the city, which produced the 4.7 acre property that is the subject of this application (Exhibit 6).

In June, 2022 Aqtera Engineering submitted an application to create a planned unit development on the adjacent property (Adjusted Lot 4 – PUD2022-101). A determination of non-significance was issued for the project after Notices of Application were sent to nearby property owners. A public hearing was held by the Richland Hearing Examiner on January 9, 2023. This item was approved with various conditions of approval by the Richland City Council on May 2nd, 2023

UTILITY AVAILABILITY

There are existing domestic water, sewer, storm, irrigation, and electrical power line connections in place near the site with adequate capacity to supply the proposed project.

Utility Map

Item: 2155 Keene Rd, Rezone

Applicant: Peter Harpster

File #: Z2023-106

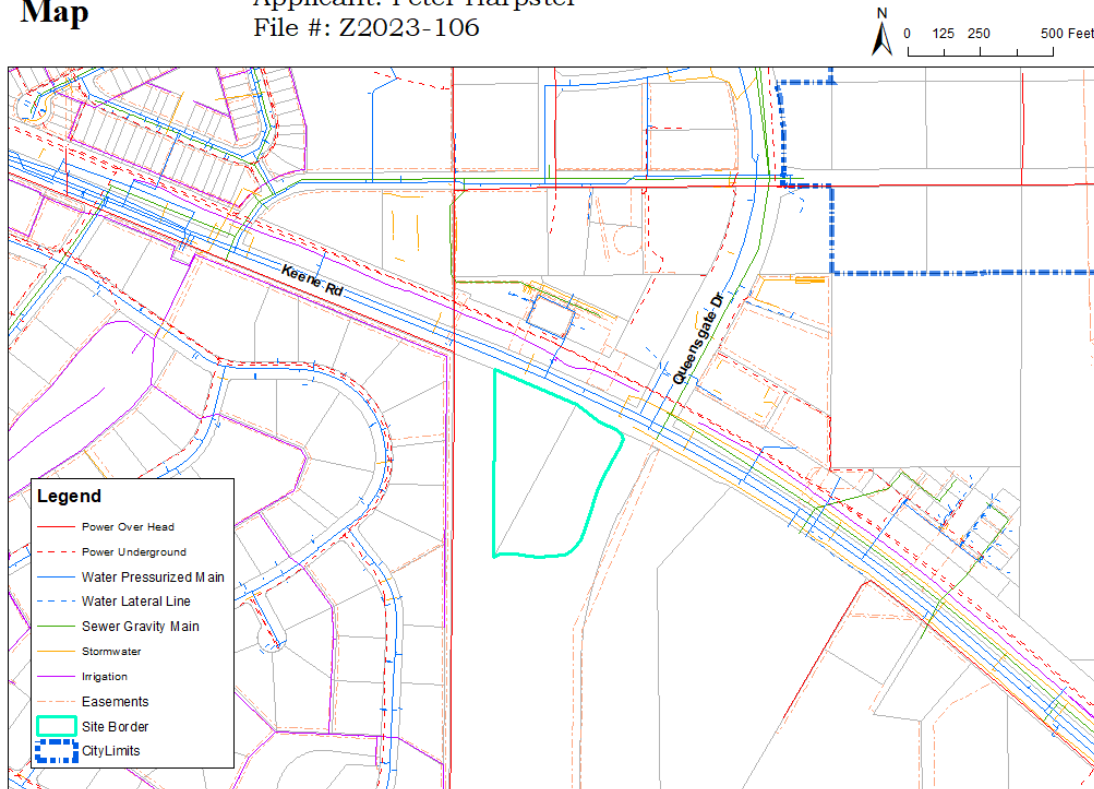


Figure 5 – Utilities Map

Sewer

There are two existing 12-inch gravity mains at the intersection of Queensgate Dr and Keene Rd. One runs north along Queensgate, and the other runs along Keene Rd.

Water

There is a 24-inch distribution main that runs along the Keene Rd right-of-way.

Power

The site has an existing overhead primary conductor running along the eastern boundary of the PUD site. There are also underground primary conductors that run along the Keene Rd right-of-way.

Stormwater

There are 10-inch gravity main stormwater drainage connections located along the Keene Rd right-of-way.

Irrigation

A three-inch distribution main irrigation line runs along the Country Ridge boundary to the west of the site. A one-inch distribution main is approximately located across the Keene Rd right-of-way.

TRANSPORTATION & ACCESS

The site is currently vacant and only allows access via a dirt road at the intersection of Queensgate Dr and Keene Rd. The Terraces at Queensgate South Planned Unit Development shows that Queensgate Dr will be constructed through the area and connects with Shockley Rd approximately 1,680 feet to the south. This PUD plan shows a driveway for the subject property connecting to a secondary planned street, named Lambert Dr.

According to recent city information there is one Benton Franklin Transit bus route along Keene Rd (Route 123). The bus stop is located adjacent to the northern boundary of the site.

EASEMENTS

There are no easements that currently exist on the site.

FIRE SAFETY

The nearest fire hydrant is located across Keene Rd, approximately 100 feet from the nearest northern boundary of the site.

SCHOOLS

The only nearby school is Orchard Elementary School, more than 1.5 miles away, by way of street travel. This application does not indicate an intent for residential properties on this specific site. However, nearby properties within the PUD are planned to have a variety of housing options.

SEPA

This proposal is not subject to State environmental review under the State Environmental Policy Act. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

CRITICAL AREAS

The subject site does not lie within any critical areas identified by the city. The Washington Department of Fish and Wildlife identifies a presumptive shrub steppe habitat near the southern portion of this site; however, a grading permit (GR18-01074) was ready to issue, but never picked up, therefore that permit has been cancelled since. From aerial images available to the city between 2016 and 2022, minor vegetation clearing & grading has occurred, small vegetation has grown back in certain areas of the lot.

SHORELINE MASTER PROGRAM

The subject site lies outside of the jurisdiction of the Shoreline Master Program. This rezone request will have no effect on shorelines of statewide significance. Shoreline permitting requirements are not applicable with this rezone request.

AGENCY COMMENTS

A variety of public agencies and City departments were given an opportunity to comment on the proposal. While comments were received, no comments were regarding this zoning action.

The Washington Department of Fish and Wildlife did note that that a few young trees have begun to grow since the site was last graded, this may be nesting habitat for songbirds, a protected wildlife under RCW 77.12.020(3). They recommend that development occurs outside of the nesting season, approximately February 1 – July 31. They also recommend that before any development or removal of vegetation, that the area is surveyed at least one week prior to any such activities, for any nesting that may have occurred. Active nests are protected under the Migratory Bird Treaty Act.

PUBLIC COMMENTS

Owners of all properties within 300-feet of the plat site were directly notified of the project by way of USPS mailing. As of the date of this report, city staff have received two comment letters, one from the Country Ridge Homeowners Association, and the other from a nearby resident. Both of these letters expressed strong concern over the buffer area between Country Ridge and the proposed rezone, and future development. In particular, these letters contend that the buffer agreement pursuant to Contract 92-10 and Ordinance 2022-103 will not be met. Staff will address this issue further down in the staff report.

PUBLIC NOTICE

Notice of Hearing Mailed:	May 18, 2023
Notice of Hearing Posted:	May 18, 2023
Notice of Hearing Published:	May 28, 2023
Public Hearing:	June 12, 2023

Notice of application and notice of hearing was provided 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 3*.

ANALYSIS

The current zoning for this property, AG and SAG, are not only incompatible with the comprehensive plan designations of commercial and residential office, but they would underserve the proposed community described in the adjacent PUD. A small retail area that is zoned C-2 would provide opportunity to provide additional service that may be lacking in the immediate area. These services will be within a relatively close distance to current and future residents.

The development agreement (Contract 92-10) calls for a buffer between the residents of Country Ridge and future commercial development upon areas identified for such. This agreement primarily stated that two tiers of residential lots with a street in between them and a masonry wall shall be constructed between the neighborhood and development of these lots to act as a buffer (Exhibit 4). The applicants have proposed the inclusion of a landscaped strip of open space measuring 175' in width between any development on the subject property and the eastern boundary of the Country Ridge development. A landscaped strip was shown in The Terraces at Queensgate South PUD application in 2022. However, it should be noted that the distance between Country Ridge and the subject parcel is

approximately 145', which is 30 feet less than the 175 feet indicated by the applicants. However, the applicants contend that there will be approximately 30 feet of buffer on the subject property, thus resulting in a total buffer width of 175 feet.

Based upon the language contained within contract 92-10 and ordinance 2022-103, staff believes that the distance between the eastern boundary of the Country Ridge Estates neighborhood and the western boundary of any commercially zoned property should be no less than 204'. This distance is the same as what will exist south and adjacent to proposed Lambert Drive in the R-1-12 portion of the Terraces at Queensgate South PUD (2022-101) and appears to be the minimum width necessary to contain two (2) rows of residential development with a street separating them. It is staff's opinion that the applicants have not justified why the width should be any less between Country Ridge Estates and the area to be zoned C-2.

The application materials include a set of conditions/restrictions proposed by the applicant. If this request to rezone is approved, these conditions will require a Property Use and Development Agreement (PUDA) between the city and the owner, the conditions/restrictions within the application are listed below:

PROPOSED ZONING RESTRICTIONS

1. Uses

Future use of the subject properties shall be consistent with the land uses as identified in the C-2 Retail Business zone as it exists today (time of council review) or as it may be amended in the future; provided that the following uses shall not be permitted:

- a. Automotive Repair Uses;
- b. Car Wash;
- c. Fuel Station/Mini Mart;
- d. Truck Rentals;
- e. Truck Stop;
- f. Vehicle Sales;
- g. Contractor's Offices;
- h. Funeral Establishments;
- i. Laundry/Dry Cleaning Uses;
- j. Telemarketing Services;
- k. Emergency Shelters;
- l. Transitional Housing;
- m. Secondhand Store;

2. Design Standards.

- a. Buildings over 50 feet wide shall use one or more of the following techniques to divide building elevations into smaller parts: pronounced changes in massing; pronounced changes in wall planes; significant variations in the cornice/roofline.
- b. Building colors shall emphasize muted earth tones.
- c. The use of highly reflective or glossy materials shall be used for accents only.

- d. Rich materials and a variety of materials are encouraged on both wall planes, roof and ground plane. If used, stone or decorative block veneers shall highlight significant building features and massed elements.
- e. All sides of a building shall express consistent architectural detail and character.
- f. Site walls and screen walls shall be architecturally integrated with the building.
- g. Screening devices, site walls and enclosed service, loading and refuse areas should be designed to be an integral part of building architecture. All outdoor storage and refuse collection areas shall be screened.
- h. Extensive use of floor to ceiling glass storefronts is appropriate only under arcaded areas.
- i. Rooftop mechanical equipment shall be screened.
- j. All outdoor lighting for building security and for lighting parking areas shall be screened in a manner consistent with City outdoor lighting standards and shall generally be consistent with dark sky standards.
- k. All utilities serving commercial buildings shall be undergrounded.
- l. Building setbacks shall be consistent with C-2 zoning standards.
- m. Off-street parking requirements shall meet the minimum standards as identified in the City zoning code.

3. Development Standards

- a. Building height shall be limited to a maximum of 40 feet.
- b. Development shall be oriented to the east, towards Queensgate Drive or Keene Road and away from the Country Ridge property boundary.
- c. Landscaping and screening within the open space area on Tract E of the Terraces at Queensgate South PUD shall be in accordance with approved plans and shall be installed prior to or simultaneously with the completion of any commercial building within the site.
- d. Landscaping, screening or combination thereof shall be placed to block vehicle headlights from shining onto the adjacent residential properties for vehicles entering or exiting the site.
- e. The open space tract located along the western boundary of the site shall be reserved for storm drainage facilities and landscaping. Other possible improvements permitted on this site would be limited to walking or bicycle trails and possible park furniture such as benches, picnic tables or gazebos.

It should be noted that the requested rezone does not approve any development activity on the site. As with all development proposals, City development regulations will apply to any future/specific projects that may eventually be proposed on the site.

Staff also wants to address questions posed to Hearing Examiner under “Reason for Request”:

1. Whether the requested rezone implements policies of the City’s Comprehensive Plan, and /or whether there has been a change of circumstances since the original zoning was adopted for the site?
The site is already designated for commercial [COM] uses by the City’s Comprehensive Plan. The requested rezone is meant to facilitate the applicant’s plans to develop the site in a manner fully authorized by the appropriate commercial zoning regulations.

2. Does the rezone bear a substantial relationship to the public health, safety, morals, or general welfare?

It appears that the proposed rezone is consistent with this criterion because the rezone is consistent with the City's Comprehensive Plan, and any future, project-specific proposal will have to meet city development regulations, including SEPA, traffic impact reviews, public infrastructure concurrency reviews, and payment of any impact fees in effect at the time of an application. However, based upon the language within Contract 92-10 it does not appear that the buffer distance between Country Ridge Estates and this site will be met.

The Planning Department recommends that the Hearing Examiner remand the item back to the applicant in order to address the buffer issue. Contract 92-10 clearly states that two (2) rows of residential development, separated by a street, should be the buffer width provided between Country Ridge Estates and any site proposed for commercial development. Based upon the applicant's recent PUD (The Terraces at Queensgate South), the buffer width should be no less than 204 feet (75' lot depth x's 2, plus 54' of right-of-way = 204 feet).

However, should the Hearing Examiner decide to approve the rezone request, staff suggests that the following conditions be contained within the Property Use and Development Agreement:

1. Should development occur upon Parcel 3 (subject property) prior to the completion of the *Terraces at Queensgate* Planned Unit Development project, the owner/applicant shall be required to complete the full buildout of the adjacent roadways and/or all associated frontage improvements along Parcel 3.
2. The location/establishment of driveways for Parcel 3 have been pre-approved as a result of The *Terraces at Queensgate PUD* project. Additional and/or relocated driveways onto Parcel 3 will not be allowed.
3. Any/all conditions which apply to The *Terraces at Queensgate PUD* project shall still be applicable once the site has been rezoned to C-2.
4. Future use of the subject properties shall be consistent with the land uses as identified in the C-2 Retail Business zone as it exists today (time of council review) or as it may be amended in the future; provided that the following uses shall not be permitted:
 - a. Automotive Repair Uses;
 - b. Car Wash;
 - c. Fuel Station/Mini Mart;
 - d. Truck Rentals;
 - e. Truck Stop;
 - f. Vehicle Sales;
 - g. Contractor's Offices;
 - h. Funeral Establishments;
 - i. Laundry/Dry Cleaning Uses;

- j. Telemarketing Services;
 - k. Emergency Shelters;
 - l. Transitional Housing;
 - m. Secondhand Store;
5. Buildings over 50 feet wide shall use one or more of the following techniques to divide building elevations into smaller parts: pronounced changes in massing; pronounced changes in wall planes; significant variations in the cornice/roofline.
 6. Building colors shall emphasize muted earth tones.
 7. The use of highly reflective or glossy materials shall be used for accents only.
 8. Rich materials and a variety of materials are encouraged on both wall planes, roof and ground plane. If used, stone or decorative block veneers shall highlight significant building features and massed elements.
 9. All sides of a building shall express consistent architectural detail and character.
 10. Site walls and screen walls shall be architecturally integrated with the building.
 11. Screening devices, site walls and enclosed service, loading and refuse areas should be designed to be an integral part of building architecture. All outdoor storage and refuse collection areas shall be screened.
 12. Extensive use of floor to ceiling glass storefronts is appropriate only under arcaded areas.
 13. Rooftop mechanical equipment shall be screened.
 14. All outdoor lighting for building security and for lighting parking areas shall be screened in a manner consistent with City outdoor lighting standards and shall generally be consistent with dark sky standards.
 15. All utilities serving commercial buildings shall be undergrounded.
 16. Building setbacks shall be consistent with C-2 zoning standards.
 17. Off-street parking requirements shall meet the minimum standards as identified in the City zoning code.
 18. Building height shall be limited to a maximum of 40 feet.
 19. Development shall be oriented to the east, towards Queensgate Drive or Keene Road and away from the Country Ridge property boundary.
 20. A buffer measuring 204' shall be provided between the Country Ridge Estates and future commercial development to provide the buffer established within Contract 92-10, Ordinance 2022-03, and PUD2022-101.
 21. Landscaping and screening within the open space area on Tract E of the Terraces at Queensgate South PUD shall be in accordance with approved plans and shall be installed prior to or simultaneously with the completion of any commercial building within the site.
 22. Landscaping, screening or combination thereof shall be placed to block vehicle headlights from shining onto the adjacent residential properties for vehicles entering or exiting the site.
 23. The open space tract located along the western boundary of the site shall be reserved for storm drainage facilities and landscaping. Other possible improvements permitted on this site would be limited to walking or bicycle trails and possible park furniture such as benches, picnic tables or gazebos.

SUGGESTED FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2023-106) and recommends the Hearing Examiner remand the request back to applicant based on the following:

1. The applicant Peter Harpster and Aqtera Engineering is acting on behalf of the property owner, Columbia Valley Property Holdings LLC.
2. The application is to rezone Benton County Assessor's Tax Parcel Number 122983000002005.
3. The lot is zoned as Agriculture (AG) and Suburban Agriculture (SAG).
4. The requested zone change is to change the parcel to Retail Business (C-2).
5. C-LB, C-1, or C-2 may be zoned in this area.
6. The parcel is approximately 4.7 acres in size.
7. The note on Exhibit B-1 of Ordinance 2022-03 states:
"The boundary line between low density residential and the adjacent land use categories is not intended to depict a specific width for the low density residential area. The width of the low density residential area is intended to accommodate two tiers of residential lots with a street in between them. Some minor adjustments to the location of this boundary is anticipated as development of the area occurs." Staff does not believe this application is compliant with the intent of this note.
8. Section 10(A) of Contract 92-10 states:
"A buffer area of low-density residential development designated along the westerly property boundary of the Site, adjacent to the Country Ridge property line and zoned for R-1-12. The buffer would provide for two tiers of single-family residential lots separated by a road corridor, providing for an overall density not to exceed three (3) lots per acre (inclusive of such road corridor) A Planned Unit Development may be utilized to achieve a density average consistent with this agreement. These lots would meet all R-1-12 zoning standards, and such lots adjoining the adjacent Country Ridge development shall be laid out with their rear yards facing the Country Ridge property line."
9. In the application materials the buffer between the Country Ridge community and commercial development would be 175'. The buffer between the property lines is approximately 145'. As shown in PUD2022-101 the buffer to accommodate two tiers of low density residential and a street in between these residences was shown to be 204' Along Lambert Drive.
10. The surrounding area is a part of the Terraces at Queensgate South Planned Unit Development.
11. This rezone would allow for retail uses near residential uses.
12. The site is located at the intersection of two Principal Arterial roads, Queensgate Dr and Keene Rd.
13. No portion of this proposed rezone is in the Shoreline Management Program's jurisdiction.
14. The site currently has no easements recorded.
15. The application is exempt from the provisions of the State Environmental Policy Act (SEPA), as identified in WAC 197-11-800(6)(c).

16. Notice requirements of RMC 19.30.040 have been met:

- a. Notice of Hearing Mailed: May 18, 2023
- b. Notice of Hearing Posted: May 18, 2023
- c. Notice of Hearing Published: May 28, 2023

EXHIBIT LIST

- 1. Application Materials
- 2. Zoning and Land Use Maps
- 3. Ord. 21-10
- 4. Contract 92-10
- 5. Ord. 2022-03
- 6. BLA2022-115
- 7. PUD2022-101 Map
- 8. Public Notices & Affidavits
- 9. Agency Comments
- 10. Public Comments



Exhibit I

Application Materials



**City of Richland
Development Services**

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

Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION		☐ Contact Person
Owner: Columbia Valley Property Holdings/Mallikarjuna R Vallem		
Address: 500 108th Ave NE, Suite 1100-1, Bellevue WA 98004		
Phone: 619-400-7845	Email: mvallem@brickwise-holdings.com	

APPLICANT/CONTRACTOR INFORMATION (if different)		☒ Contact Person
Company: Aqtera Engineering	UBI#:	
Contact: Peter Harpster		
Address: 2815 Saint Andrews Loop, Suite C, Pasco WA 99301		
Phone: 509-212-9596	Email: pharpster@aqtera.com	

DESCRIPTION OF WORK
Rezone 4.7 acres to C-2 Commercial

PROPERTY INFORMATION		
Parcel #: unknown		
Legal Description: Revised Lot 3 Record of Survey for Boundary Line Adjustment Survey #5735		
Current Zoning: AG & Sub AG	Current Comp Plan: Commercial	Requested Zoning: C-2
Current Use: Vacant	Proposed Use: Retail	Area of Property: 4.7

APPLICATION MUST INCLUDE
1. Completed application and filing fee 2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved 3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE
The unique characteristics, if any, of the property or circumstances of the owner: Refer to attached narrative.
Any hardship that may result in the event the rezone is not granted: Refer to attached narrative.

The manner in which the proposed rezone conforms to patterns in adjacent zones: Refer to attached narrative.
Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones: Refer to attached narrative.
Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title: Refer to attached narrative.
The benefits or detriments accruing to the City which would result from the granting or denial of this special permit: Refer to attached narrative.
Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone: Refer to attached narrative.
Whether the proposed rezone represents spot zoning and whether a larger area should be considered: Refer to attached narrative.
Identify impacts on the environment and public safety: Refer to attached narrative.

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.

Mallikarjuna Vallem

Applicant Printed Name: _____

Applicant Signature: Mallikarjuna Vallem

Date 4/28/2023

Zone Change Application

Columbia Valley Property Holdings

April 2023

Project Team

Owner

Mallikarjuna R Vallem
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Record of Survey for Boundary Line Adjustment Survey #5735

Overall Project Description

Introduction

The project consists of a rezone of 4.7 acres from its current Agricultural and Suburban Agricultural zoning to a C-2 Commercial zone. The site is located south of Keene Road and east of the Country Ridge plat. The eastern boundary of the site borders the future extension of Queensgate Drive and is north and east of and adjacent to the Preliminary Planned Unit Development known as “The Terraces at Queensgate South.” Immediately west of and adjacent to the proposed rezone area is a 2.8 acre tract, known as Tract E of Terraces at Queensgate South that would be left as an open space tract and serve as storm drainage ponds for the adjacent development. This tract would also be landscaped to provide a buffer between future on-site commercial development and the adjacent Country Ridge neighborhood.

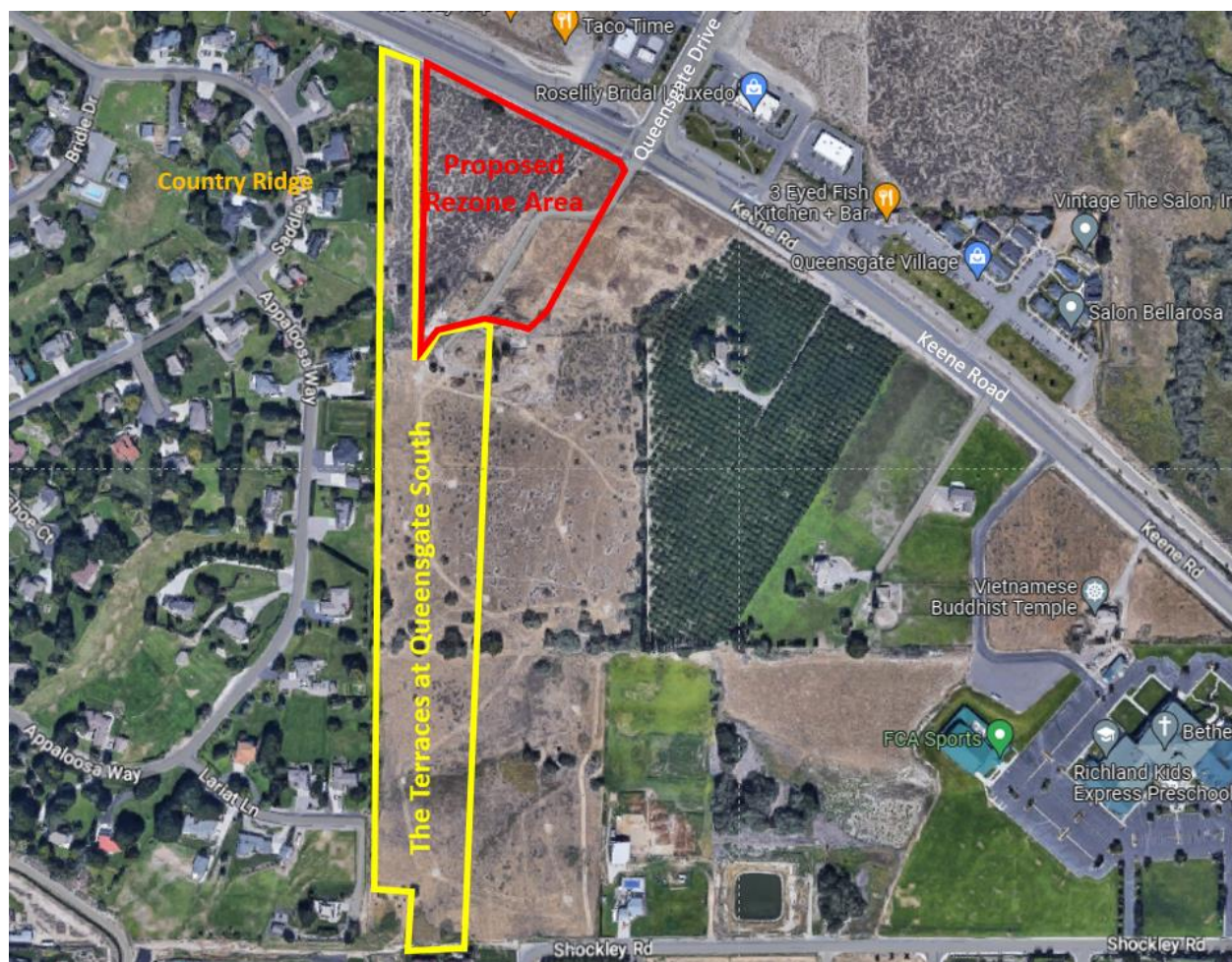


Figure 1: Vicinity Map

Development of The Terraces at Queensgate South PUD requires the dedication of right-of-way for the future extension of Queensgate Drive from Keene Road to Shockley Road and the partial construction of the roadway. The eastern and southern boundaries of this site are formed by the Queensgate and Lambert Drive rights-of-way that will be created through the development of the PUD.

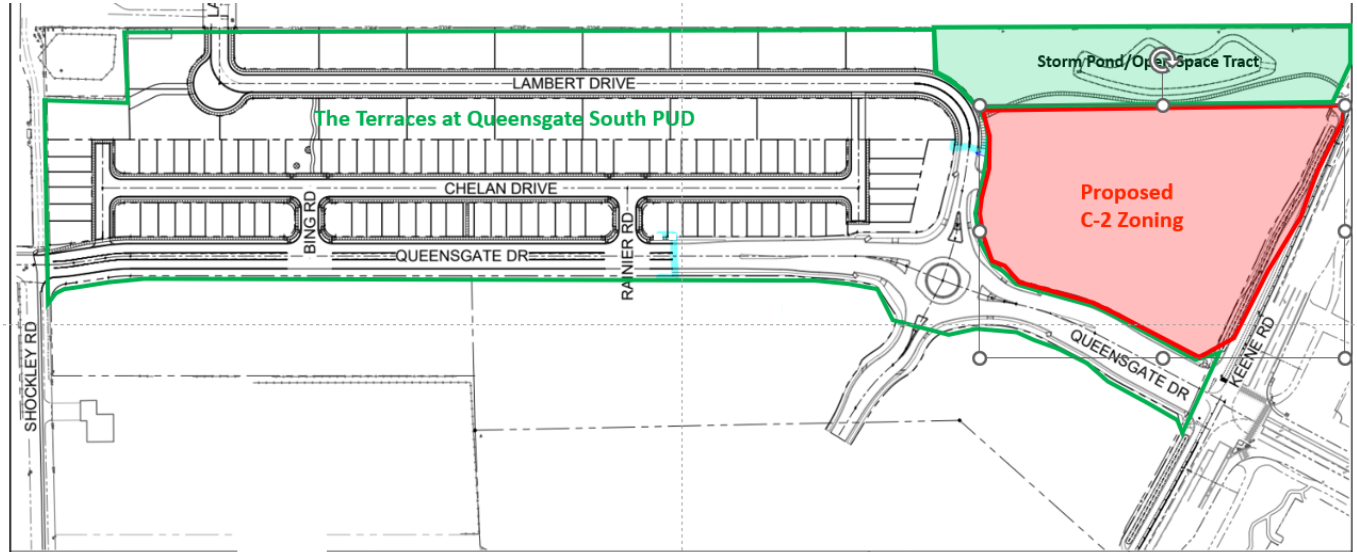


Figure 2: Future Alignment of Queensgate Drive

A roundabout would be constructed as a central feature of the Queensgate Drive extension. From the location of the roundabout northward to Keene Road, Queensgate Drive will be constructed to an arterial standard street with two northbound travel lanes, two center left turn lanes two southbound travel lanes, bike lanes, sidewalks and a modified traffic signal at the Queensgate/Keene intersection. From the roundabout southward, full Queensgate improvements are part of the improvements required of the Terraces at Queensgate South PUD. Access to the proposed commercial rezone area would only be provided along the southern boundary of the site. No direct access would be provided from Queensgate Drive. A service entrance may be provided near the western boundary of the site directly from Keene Road.

The 4.7 acre lot (204,845 square feet) is proposed for commercial development. The remaining 2.8 acres, (Tract E of the Terraces at Queensgate South) located along the western boundary of the site would be reserved as a storm drainage facility and open space tract.

Existing Conditions

The site is undeveloped. East of and adjacent to the site is additional undeveloped property and a cherry orchard. Land use adjacent to and west of the project site includes a low density single family neighborhood (Country Ridge). To the north, there are a variety of commercial uses, across Keene Road, including the Queensgate Village, which is a cluster of small commercial buildings that house a variety of office, service and retail uses as well as a farmer's market that operates on Sundays. Other retail developments to the north and northwest of the site include a restaurant, coffee shop, gas station, car wash, cell tower and a mini storage facility.



Figure 3: Comprehensive Plan Land Use Map

Comprehensive Plan

The City's comprehensive plan designates the majority of the site as suitable for commercial development. The southern portion of the site is designated as Multi-Family Residential/Office and along the western boundary of the site, the land use designation is Low Density Residential.

Transportation

The City's Transportation Plan calls for the extension of Queensgate Drive, an arterial collector street, adjacent to the site as part of its Functionally Classified Street Network. With the development of this property and adjacent lands, the Queensgate Drive extension will be fully

built out with multiple travel lanes, turn lanes, a roundabout, bicycle paths and pedestrian walkways from the intersection with Keene Road to Shockley Road.

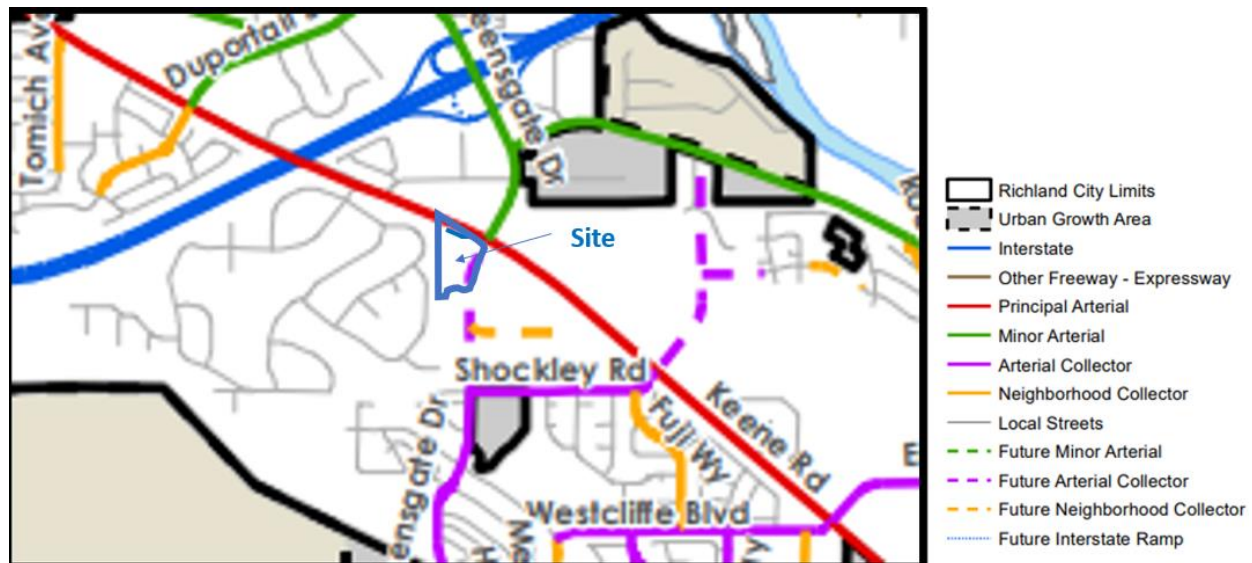


Figure 4: Richland Functionally Classified Street Network Plan

Existing Zoning

The existing zoning of the site is agricultural and suburban agriculture. Adjacent land to the west is an open space tract that is a part of the Terraces at Queensgate South PUD. Beyond this open space tract there is a residential Planned Unit Development, known as Country Ridge. Existing zoning to the south and east is also agricultural and suburban agricultural, although adjacent land primarily south of the site consists of a preliminarily approved PUD known as the Terraces at Queensgate South.

The C-2 Commercial zoning that is proposed for the site is adjacent to an open space tract and would also be subject to an existing development agreement with the City. (Refer to both original and revised agreements beginning on page 39.) In accordance with the development agreement, building height for this commercial property would be limited to a maximum of 40 feet. As the provisions of the C-2 zone allow for buildings up to 75 feet in height, the City will need to put a provision in place through a concomitant agreement or similar mechanism to limit building height as specified in the agreement. The following narrative describes how the current proposal conforms to the agreement.



Figure 4: Existing Zoning Map

Compliance with Development Agreement

- a. *Buffer adjacent to Country Ridge* – the development agreement calls for 2 tiers of lots with a public road in between. The Terraces at Queensgate South PUD included a design to meet this requirement within a strip of property measuring 204 feet in width. The proposed rezone would place commercial development that would be separated from the Country Ridge property boundary by a strip of open space measuring 175' in width. This open space, as the low point of the site would also serve as a passive drainage facility. Landscaping of this open space would help to buffer the adjoining residential land uses. The intent of the agreement was to provide a buffer for the more intensive development that was projected to occur within the site. The proposed plan does exactly that. The proposed open space provides a greater level of protection for the adjacent homes than does the single family residential development allowed under the provisions of the development agreement. As a point of comparison, directly north of the country ridge subdivision there are a number of commercial land uses. The separation between the Country Ridge lots fronting along Keene Road and the commercial uses located on the north side of Keene is approximately 180 feet. Within this 180 foot strip of land, there is both the Keene Road corridor - a 5 lane arterial street, and the Keene Road walking path. Here, the proposal would provide essentially the same distance between commercial and residential uses, with a landscaped open space area instead of an arterial street. In addition, future commercial development of the site would be oriented towards to the north towards Keene Road or to the east towards

Queensgate Drive in order to be as visible as possible to the high traffic volumes on those streets.

- b. Commercial development of the site would be mitigated in the following ways:
 - 1. A six-foot masonry wall would be built along the Country Ridge property boundary, as specified in the conditions of approval for the Terraces at Queensgate South PUD.
 - 2. Landscaping of the open space area, to be reviewed and approved by the City of Richland prior to or concurrent with the development of commercial uses on-site.
 - 3. Limitation on building height of any commercial construction on the site as specified in the development agreement to no more than 40 feet;
 - 4. Screening of the future commercial use on-site to include the following:
 - i. screening of any rooftop mechanical equipment;
 - ii. Screening of any outdoor storage or refuse collection areas;
 - iii. Shielding of all outdoor lighting;
 - iv. Design of any future commercial buildings to focus building entry, parking and activity centers on the east side of the building area, away from the western property boundary.
 - 5. The development agreement specifies that “the process of implementing the comprehensive plan may result in some minor deviations to the plan, such as adjustments in zoning boundary lines. Such deviations may be acceptable if they are deemed minor in nature and consistent with the provisions of the agreement.

c. *Zoning* – the agreement specifies that zoning for the portion of the site designated as Commercial shall either be C-1, C-2 or C-LB or may be part of a Planned Unit Development. Identified compatibility concerns at the zoning or project stage may be addressed by concomitant agreement(s) that limit potential commercial uses shown to be incompatible with nearby residential uses. Zoning for the portions of the Site designated as Multi-Family/Office shall be zoned C-LB (Limited Business) or shall be part of a Planned Unit Development. Unless otherwise approved by a variance at the project stage, permitted development will be limited to building heights no more than forty (40) feet on portions of the Site zoned commercial west of Queensgate Drive. This rezone proposal is generally compliant with these requirements as follows:

- 1. The site would be zoned C-2 as provided for in the agreement;
- 2. Building height would be limited to 40 feet as called for in the agreement, to be implemented through a concomitant agreement or other similar means as determined by the City;
- 3. The southern portion of the site is designated as suitable for Multi-Family/Office in the agreement. The C-LB zoning would typically be used to implement a Multi-Family/Office comprehensive plan designation. The C-LB zone allows for both office and apartment buildings. A three or four story building, whether developed for

professional office or apartment use would have a greater impact on the adjacent Country Ridge neighborhood than a commercial building in this circumstance. Office and/or apartments would include windows and perhaps balconies on the upper floors of buildings overlooking the Country Ridge homes, resulting in a lack of privacy for some of the Country Ridge residents. This would be more disruptive to the neighborhood than a one or two story retail building that is oriented away from the Country Ridge neighborhood.

4. Two separate zoning classifications on the same property are neither practical nor desirable.
5. Some latitude is built into the agreement providing for some minor deviations to the plan (Refer to Section 10(k) of the agreement), The proposed shifting of the zoning boundaries to include the entire site in a single zoning classification qualifies as a minor deviation as contemplated in the agreement, given the proposed layout of the site.

Proposed Zoning Restrictions

In order to ensure that the development proceeds in accordance with the descriptions provided within this narrative, the applicants propose that zoning restrictions be made of record through a concomitant agreement or similar document, acceptable to the City and that would include the following restrictions:

1. **Uses.** Future use of the subject properties shall be consistent with the land uses as identified in the C-2 Retail Business zone as it exists today or as it may be amended in the future; provided that the following uses shall not be permitted:

a. Automotive Repair Uses; b. Car Wash; c. Fuel Station/Mini Mart; d. Truck Rentals; e. Truck Stop; f. Vehicle Sales; g. Contractor's Offices;	h. Funeral Establishments; i. Laundry/Dry Cleaning Uses; j. Telemarketing Services; k. Emergency Shelters; l. Transitional Housing; m. Secondhand Store;
--	---
2. **Design Standards.**
 - a. Buildings over 50 feet wide shall use one or more of the following techniques to divide building elevations into smaller parts: pronounced changes in massing; pronounced changes in wall planes; significant variations in the cornice/roofline.
 - b. Building colors shall emphasize muted earth tones.
 - c. The use of highly reflective or glossy materials shall be used for accents only.

- d. Rich materials and a variety of materials are encouraged on both wall planes, roof and ground plane. If used, stone or decorative block veneers shall highlight significant building features and massed elements.
- e. All sides of a building shall express consistent architectural detail and character.
- f. Site walls and screen walls shall be architecturally integrated with the building.
- g. Screening devices, site walls and enclosed service, loading and refuse areas should be designed to be an integral part of building architecture. All outdoor storage and refuse collection areas shall be screened.
- h. Extensive use of floor to ceiling glass storefronts is appropriate only under arcaded areas.
- i. Rooftop mechanical equipment shall be screened.
- j. All outdoor lighting for building security and for lighting parking areas shall be screened in a manner consistent with City outdoor lighting standards and shall generally be consistent with dark sky standards.
- k. All utilities serving commercial buildings shall be undergrounded.
- l. Building setbacks shall be consistent with C-2 zoning standards.
- m. Off-street parking requirements shall meet the minimum standards as identified in the City zoning code.

3. Development Standards.

- a. Building height shall be limited to a maximum of 40 feet.
- b. Development shall be oriented to the east, towards Queensgate Drive or Keene Road and away from the Country Ridge property boundary.
- c. Landscaping and screening within the open space area on Tract E of the Terraces at Queensgate South PUD shall be in accordance with approved plans and shall be installed prior to or simultaneously with the completion of any commercial building within the site.
- d. Landscaping, screening or combination thereof shall be placed to block vehicle headlights from shining onto the adjacent residential properties for vehicles entering or exiting the site.
- e. The open space tract located along the western boundary of the site shall be reserved for storm drainage facilities and landscaping. Other possible improvements permitted on this site would be limited to walking or bicycle trails and possible park furniture such as benches, picnic tables or gazebos.

RMC 19.60.095(D) Required Findings for Type II and Type III Applications

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

Response – Consistency with comprehensive plan: The site's frontage along Keene Road is designated for commercial development in the City's land use plan. Applying the proposed C-2 zoning on site would implement the comprehensive plan. Additionally, the plan calls for the extension of Queensgate Drive, a minor arterial street, to be extended across the site between Keene and Shockley Roads. The development of the adjacent PUD project makes provision for this road extension.

Additionally, the project will help to implement the following goals and policies contained within the City's comprehensive plan:

LU Goal 1: Plan for growth within the urban growth area and promote compatible land use.

Policy 2: Facilitate planned growth and infill developments within the City.

Comment: *The site is located inside both City limits and urban growth area boundaries; is surrounded by developed properties and so qualifies as infill development, and so is therefore consistent with policy #2. The project would be compatible with adjacent land uses and so is consistent with the overall intent of this goal.*

LU Goal 2: Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.

Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.

Policy 3: Ensure that the intent of the land use and districts are maintained.

Comment: *Commercial development of the site will provide needed commercial services along Keene Road, the major street corridor in South Richland. It will include an open space amenity and attractive landscaping along the western boundary of the site. Utility infrastructure is in place to be extended into the site to support the project.*

LU Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City's network of parks and trail system.

Comment: The adjoining PUD project will result in the extension of Queensgate Drive from Keene Road to Shockley Road, an important connection in Richland's transportation network. The roadway corridor includes accommodation for vehicles, bicycles and pedestrians and is consistent with Richland's adopted complete streets policies. The proposed commercial land included in this application will provide commercial services in close proximity to both new and existing residential neighborhoods and will provide for pedestrian pathways between residential and commercial land uses.

UD Goal 1: Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.

Policy 1: Establish and enhance the positive attributes of residential, commercial, central business, and other districts with appropriate transition between them.

Policy 2: Encourage redevelopment and upgrade of suitable commercial areas.

Policy 3: Improve streetscape and connectivity for safe and pedestrian friendly environments.

Comment: The adjacent planned improvement of Queensgate Drive will accommodate pedestrian and bicycle routes adjoining the project site, providing for pedestrian access between proposed commercial and residential land uses. The proposed commercial uses will provide additional commercial services along the Keene Road corridor, while making good use of grade changes and landscaping to provide an effective transition between planned residential and commercial uses.

UD Goal 1: Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.

Policy 1: Establish and enhance the positive attributes of residential, commercial, central business, and other districts with appropriate transition between them.

Comment: The project will provide for an effective landscape buffer and a masonry wall separating the proposed commercial uses from an existing residential neighborhood and so meets the intent of Policy 1.

B. Impacts of the development have been appropriately identified and mitigated under Chapter 22.09 RMC. (SEPA)

Response: The Washington Administrative Code Section 197-11-800(6)(a)(ii)(c) exempts rezone applications for projects that are located within an urban growth area; and that are consistent with the City's comprehensive plan when that plan has been reviewed through the SEPA process. When the City's current plan was adopted in 2017, the plan was evaluated through an Environmental Impact Statement. The plan does identify the site as suitable for commercial development. Therefore, the criteria to meet the exemption from SEPA review are met in this application.

Additionally, much of the environmental information prepared for the adjacent Terraces at Queensgate South PUD included studies that apply to this site, including a survey and topographic map, a custom soils report, a geotechnical evaluation, a cultural resources report, and engineering plans for the extension of roads and utilities and detailed plans for the proposed roundabout and modifications to the traffic signal at the intersection of Keene Road and Queensgate Drive.

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

Response: The proposed rezone application promotes and protects public health, safety and welfare in the following ways:

- Provides for an urban commercial center to that will provide a variety of goods and services to the immediate neighborhood and larger South Richland area in a manner that is consistent with the City's adopted comprehensive plan;
- Provides commercial facilities in a location that is adjacent to major transportation corridors, including bus routes;
- Includes provisions to provide adequate and effective buffers to the adjacent low density residential neighborhood;
- Is consistent with the provisions of the Development Agreement that is place on the Queensgate South site that will provide for safe and improved traffic flow along Queensgate Drive and to the proposed commercial property;
- Is consistent with the plans for the extension of an arterial street that is a key component to the City's transportation plan; and
- Maintains appropriate setbacks and open spaces to ensure adequate light, air and access for adjacent residents and future users of the commercial property.

D. 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.

Response: The traffic analysis prepared for the adjacent PUD demonstrated that the full completion of the entire Queensgate Drive road extension and related improvements will ensure that traffic within the project site and adjacent areas will operate without falling below a level of service D.

E. 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.

Response: This determination will need to be made by the City during the review of this proposal. Conditions of approval attached to the project will need to address the conditions outlined in the development agreement between the City and the property owner as specified in Richland Contract #92-10 as revised (copies attached.)

Rezone – Application Form Questions

1. *The unique characteristics, if any, of the property or circumstances of the owner:*

Response: The property proposed for rezone has frontage along Keene Road, an arterial street that already contains commercial zoning directly adjacent to and north of Keene Road. Additionally, the property will front along the Queensgate Drive extension, a minor arterial street. The site's location at the intersection of two arterial streets provides a unique circumstance that provides a strong justification for a commercial rezone.

2. *Any hardship that may result in the event the rezone is not granted:*

Response: If denied, the site's existing Agricultural and Suburban Agricultural zoning would remain in place. Neither of these existing zones is appropriate. Agricultural zoning within the City's urban growth area is intended to serve as a holding zone and suburban agricultural zoning is intended to be applied in rural areas to provide for the maintenance of animals and farm crops (See RMC 23.14.010.) Rural or agricultural land use is not appropriate in locations that are largely surrounded by urban development, with close proximity to urban services and utilities. The hardship imposed on the property owner would be the denial of reasonable uses for the property in favor of overly restrictive uses that are not economically feasible, given the value of the land.

3. *The manner in which the proposed rezone conforms to patterns in adjacent zones:*

Response: There is existing commercial zoning directly north, across Keene Road from the site. Additionally, the development agreement that governs future development of the site requires specific measures, including construction of a masonry wall along the western property boundary, building height limitations, identification of appropriate buffers and architectural design requirements all intended to mitigate the impacts of commercial development on adjacent properties.

4. *Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:*

Response: The City will benefit through the commercial development of the property, which would provide additional commercial services in the growing South Richland area, thereby providing City residents with both additional shopping and job opportunities, while providing the City with additional sales and property tax revenues. All development proposed within this project is consistent with both the City's future land use map as well as the goals and policies of

the City's comprehensive plan. (Refer to the discussion on the project's compliance with comprehensive plan goals, beginning on page 11 of this document.)

5. *The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:*

Response: The extension of Queensgate Drive across the site will provide an important arterial street connection in South Richland. In accordance with the terms of the development agreement in place on the site, the Queensgate drive extension is a requirement of development. Additionally, the traffic signal at the intersection of Queensgate and Keene will be modified to accommodate the extension of Queensgate. Both of these improvements will implement important provisions of the City's transportation plan for the area, which will be a significant benefit to South Richland residents.

6. *Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:*

Response: The proposed rezone is entirely consistent with the City's comprehensive plan, which intends for the site's frontage along Keene Road to be developed with commercial uses. The existing Agricultural and Suburban Agricultural zoning that is in place on site does not implement the comprehensive plan; does not provide needed commercial services for the area and would not provide for the Queensgate Drive extension called for in the comprehensive plan.

7. *Whether the proposed rezone represents spot zoning and whether a larger area should be considered:*

Response: The proposed rezone is consistent with the comprehensive plan that calls for commercial development along the Keene Road frontage. The plan does not call for commercial development of the parcels that are located directly adjacent to the site to the west but does identify adjacent land to the east of the site as suitable for commercial development. Property to the north, across Keene Road is already zoned for and developed with commercial uses. The proposal cannot be considered a spot zone.

8. *Identify impacts on the environment and public safety:*

Response: The site does not contain any critical areas as identified in the City's comprehensive plan. Further, the environmental work already prepared for the previous PUD project provides detailed environmental information without identifying any significant adverse impacts. Development of the site will impact public safety, as commercial development will require police, fire and emergency service protection beyond what is needed for the current use of the site. Emergency access will be provided through the construction of city standard streets that will provide adequate turning radii for emergency service vehicles. Future buildings will be required to meet fire code standards for exiting, placement of fire hydrants, installation of fire protective sprinkler systems and related requirements as established in building and fire codes. The specific design requirements of these buildings will be reviewed and approved at the time detailed construction plans are submitted to the city for review. The site is located approximately one mile from the existing fire station on Duportail Avenue and so would easily fall within desired emergency response times for the fire department. Revenues associated with commercial development including sales and property taxes will provide the City with funding to bear the additional costs associated with providing public safety services to the proposed development.

Rezone – Criteria for Review

Washington Courts have applied the following three basic rules when reviewing appeals of rezone applications:

1. There is no presumption favoring the rezone request;

Response: The proposed C-2 commercial zoning is a rational zoning classification for this property for the following reasons:

- The site has been designated as suitable for commercial uses within the City's adopted comprehensive plan;
- Commercial land uses, subject to specific mitigation measures, are anticipated within the development agreement that is in place on the property (refer to attached Contract #92-10.);
- The location of the site, adjoining the Keene Road corridor, a major arterial street, makes commercial development of the site the most likely and reasonable land use for the site and provides for additional commercial services to the residents of the South Richland area;
- The proximity of commercial development to the north across the Keene Road corridor makes commercial development of the site a compatible use within the neighborhood; and
- The proposed buffers and physical separation between the site and nearby residential land uses are sufficient to adequately protect residential uses from commercial land use impacts.

2. *The proponent must demonstrate that there has been a change of circumstances since the original zoning provided if a proposed rezone implements the policies of the comprehensive plan, a showing of changed circumstances is usually not required; and*

Response: The site has been designated as suitable for commercial development and so the rezone is consistent with the comprehensive plan. It is also consistent with the development agreement that is in force on the property. Further, there are changed conditions since the comprehensive plan designation and agreement were put in place in 2010. Specifically, there has been significant growth in South Richland over the past 13 years that has generated a need for additional commercial development. This growth has also increased the need for a minor arterial street connection (Queensgate Drive) that would not be possible without the proposed rezone unless significant expense were incurred by the City to acquire the needed right-of-way and construct a full minor arterial street.

3. *The rezone must have a substantial relationship to the public health, safety, morals or general welfare.*

Response: The proposed rezone and associated development will result in an important arterial street connection through the extension of Queensgate Drive through the site as contemplated in the City's adopted comprehensive plan. Completion of this arterial street connection will improve traffic circulation and safety throughout the South Richland area by completing the last link in Queensgate Drive between the freeway and the residential neighborhoods to the south. Approval of the rezone will provide for commercial development that will be an attractive, convenient and desirable place to work and shop.

Contract #92-10 Section 10 of Development Agreement

The project site is subject to a development agreement that the City originally entered into with the property owners in 2010. The agreement (Contract #92-10) was modified in 2022. Section 10 of the agreement includes the following provisions regulating the development of the site.

- a) *A buffer area of low density residential designated along the westerly property boundary of the site, adjacent to the Country Ridge property line and zoned for R-1-12. The buffer would provide for two tiers of single family residential lots separated by a road corridor, providing for an overall density not to exceed three (3) lots per acres (inclusive of such road corridor). A Planned Unit Development may be utilized to achieve a density average consistent with this agreement. These lots would meet all R-1-12 zoning standards, and such lots adjoining the adjacent Country Ridge development shall be laid out with their rear yards facing the Country Ridge property line.*

Response: Two tiers of lots with a public road in between were included in the adjacent Terraces at Queensgate South PUD project. The proposed commercial rezone would provide separation from the Country Ridge property boundary by a strip of open space measuring 175' in width. This open space, as the low point of the site would also serve as a passive drainage facility. Generous landscaping of this open space would help to buffer the adjoining residential land uses. The intent of the agreement was to provide a buffer for the more intensive development that was projected to occur within the site. The proposed plan does exactly that. The proposed open space provides a greater level of protection for the adjacent homes than does the single family residential development allowed under the provisions of the development agreement. As a point of comparison, directly north of the country ridge subdivision there are a number of commercial land uses. The separation between the Country Ridge lots fronting along Keene Road and the commercial uses located on the north side of Keene is approximately 180 feet. Within 180 foot strip of land, there is both the Keene Road corridor - a 5 lane arterial street, and the Keene Road walking path. Here, the proposal would provide essentially the same distance between commercial and residential uses, with a landscaped open space area instead of an arterial street. In addition, the commercial use proposed would require future commercial uses to face either Keene Road or Queensgate Drive, ensuring that only the backs of commercial buildings would face the Country Ridge neighborhood. Mitigation of the impacts of commercial development would be addressed in the following ways:

1. A six-foot masonry wall would be built along the Country Ridge property boundary, as specified in the development agreement and the approved PUD plans;

2. Landscaping of the open space area, to be reviewed and approved by the City of Richland prior to or concurrent with the commercial development of the site;
3. Limitation on building height of any commercial construction on the site as specified in the development agreement to no more than 40 feet;
4. Screening of the future commercial building to include the following:
 - i. screening of any rooftop mechanical equipment;
 - ii. Screening of any outdoor storage or refuse collection areas;
 - iii. Shielding of all outdoor lighting;
 - iv. Design of any commercial buildings on-site to focus building entry, parking and activity centers on the east side of the building area, away from the western property boundary.
5. The development agreement specifies that "the process of implementing the comprehensive plan may result in some minor deviations to the plan, such as adjustments in zoning boundary lines. Such deviations may be acceptable if they are deemed minor in nature and consistent with items a thru j as listed above.

b) Areas that are designated as Medium Density Residential in the comprehensive plan; may be developed to an average density of ten (10) units per acre. For the purposes of calculating density within the Medium Density portions of the site, all residential lands designated either Low density residential or Medium Density Residential may be used to determine the maximum overall permitted density of ten (10) units per acre, provided that the low density buffer identified in subsection a (above) shall be maintained at a maximum density of 3 dwellings units per acre.

Response: Residential development is not a part of this commercial rezone proposal.

c) A masonry wall, at least six feet in height shall be installed along the length of the western property boundary of the Site, providing a separation between the Site and the adjoining plat of Country Ridge. This wall shall be constructed simultaneously with the development of the adjacent lands that are designated Low Density Residential. Approval of a specific design for the masonry wall shall be part of the development approval process for the Low Density Residential lands. The wall shall be constructed in earth tones consistent with surrounding neighborhoods such as the Applewood and Cherrywood subdivision.

Response: A masonry wall meeting the standards established in the development agreement is proposed to be built along the boundary with the Country Ridge subdivision as part of PUD approval for the Terraces at Queensgate South.

d) *The Owner shall provide dedicated right-of-way for a future extension of Queensgate Drive, extending southward from Keene Road, through the Site to its connection to Shockley Road. This right-of-way dedication shall be made to the City at the time that an applicable land use application is reviewed and finalized by the Owner or a Developer for any portion of the Site and shall be dedicated in its entirety at such time. The right-of-way width for future Queensgate Drive shall be determined at the subdivision or land use approval stage based on City development standards then in effect and consultation with the City's Public Works Director or designee. The specific alignment of the future roadway for Queensgate Drive shall be mutually agreed to by the Owner (or the Developer) and the City. Access points to and from future Queensgate Drive shall be determined at the subdivision or project review stage, however, the Owner (and Developer as the Owner's successor-in-interest) understands that direct access from single family residential lots shall not be allowed, and commercial access points may be limited consistent with City development standards then in effect and based on review and evaluation by the City's Public Works Director or designee.*

Response: Full development of the site will include complete improvements of Queensgate Drive to a minor arterial standard with multiple travel lanes, turn lanes, a roundabout, bicycle paths and sidewalks. The applicant's team has been working closely with City staff to coordinate the general design of this road corridor.

e) *Buffer standards for the eastern boundary of the site shall be established at the time a specific zoning proposal is submitted to the City and at a minimum shall address:*

- 1. Building setbacks;*
- 2. Maximum building height;*
- 3. Landscape screening and/or fencing;*
- 4. Restrictions on outdoor lighting;*
- 5. Restrictions on location of outdoor storage areas, truck loading docks, refuse collection areas.*

The intent of the buffer shall be to provide an adequate separation between the proposed commercial/multi-family residential use and the adjoining low density residential land use to protect the low density residential property from impacts of noise, and light and glare.

Response: This commercial rezone proposal does not include property near the eastern boundary of the lands that are subject to the development agreement.

f) *Access from future development onto Keene Road and/or the future Queensgate Drive shall be subject to road approach review and/or permits from the City, which review may include review of commercially reasonable site distances from existing intersections, including the intersection of Keene Road/Queensgate Drive.*

Response: The applicant's team has worked closely with city staff to coordinate potential locations for access onto Keene Road. Current plans call for a 300' separation between Queensgate/Keene intersection and the proposed roundabout. No direct access from Queensgate Drive would be provided to the commercial property.

g) Zoning for the portion of the Site designated as Commercial may be C-1, C-2 or C-LB or may be part of a Planned Unit Development. Identified compatibility concerns at the zoning or project stage may be addressed by concomitant agreement(s) that limit potential commercial uses shown to be incompatible with nearby residential uses. Zoning for the portions of the Site designated as Multifamily/Office shall be zoned C-LB (Limited Business) or shall be part of a Planned Unit Development. Unless otherwise approved by a variance at the project stage, permitted development will be limited to building heights no more than forty (40) feet on portions of the Site zoned commercial west of Queensgate Drive.

Response: This proposal is generally compliant with these requirements as follows:

1. The site would be zoned C-2 as provided for in the agreement;
2. Building height would be limited to 40 feet as called for in the agreement, to be implemented through a concomitant agreement or similar means as determined by the City;
3. Given that the future commercial development of the site will be oriented towards Queensgate Drive, away from the Country Ridge neighborhood, (as contemplated in the proposed concomitant agreement), a C-2 commercial use would be less impactful to the neighborhood than a C-LB multi-family building or professional office building that includes windows and/or balconies overlooking homes within Country Ridge.
4. Some latitude is built into the agreement providing for some minor deviations to the plan (Refer to Section 10(k) of the agreement), The proposed shifting of the zoning boundaries to include the entire site with C-2 zoning qualifies as a minor deviation as contemplated in the agreement.

h. Development proposals within the portions of the Site designated as Commercial shall not be approved unless they are determined to be consistent with the design standards included in Exhibit B (attached) of this agreement and Section 23.28.020(D)(1) through (4) of the Richland Municipal Code.

Response: Commercial development will be designed to be consistent with these standards.

i. Development proposals within the portions of the Site designated as Low Density Residential shall be reviewed and approved through the City Subdivision process as specified in Title 24 of

the Richland Municipal Code or through the Planned Unit Development Application Procedures as set forth in Chapter 23.50 of the Richland Municipal Code.

Response: Residential development is not part of this commercial rezoning proposal.

- j. Development proposals within the portion of the site adjoining Lariat Lane Right-of-Way shall provide for the extension of Lariat Lane eastward to connect with the future Queensgate Drive extension, unless said extension is determined to be unnecessary by the City. Any extension from Lariat Lane into the Site shall be accomplished through an indirect route that will include at least nine hundred (900) feet of travel in a north-south orientation before Lariat Lane can be connected to Queensgate Drive. The design of Lariat Lane may also include other traffic calming measures. The intent of this provision is to provide connectivity between the County Ridge neighborhood and the Site but to keep Lariat Lane from functioning as a collector street.*

Response: This requirement is not applicable to this commercial rezoning proposal. It was addressed in the adjacent Terraces at Queensgate South PUD.

- k. The process of implementing the comprehensive plan may result in some minor deviations to the plan, such as adjustments in zoning boundary lines. Such deviations may be acceptable if they are deemed minor in nature and consistent with items a through j as listed above.*

Response: The commercial rezone proposal does include some minor deviations to the zoning boundaries, where C-2 zoning is requested for the entirety of the site, rather than split zoning as contemplated in the original agreement, with a mix of C-2 and C-LB zoning. Future commercial development would be less impactful than a 55 foot tall apartment building or office building that would likely include windows and/or balconies overlooking the nearby Country Ridge neighborhood. Instead, future retail use would be focused to the east, with no traffic or appreciable activity occurring on the west side of the building facing County Ridge.

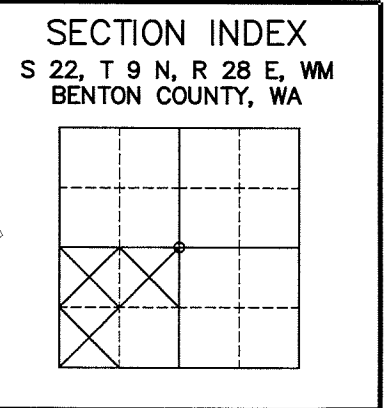
- l. The City shall provide notification to the Country Ridge Homeowners Association President and Richard Forman of any development proposed within the Site that requires public review under the provisions of the Richland Municipal Code.*

Response: This is an obligation to be met by the City.

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT
PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
BENTON COUNTY, WASHINGTON.

SURVEY #5135

SHEET 1 OF 5



ORIGINAL LEGAL DESCRIPTIONS

LOT 1

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.97 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 2°58'00" A DISTANCE OF 294.60 FEET; THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET; THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 66.36 FEET TO THE TRUE POINT OF BEGINNING; THENCE, LEAVING SAID MARGIN, SOUTH 27°57'01" WEST A DISTANCE OF 289.88 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1090.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°53'51" A DISTANCE OF 454.63 FEET TO A POINT OF COMPOUND CURVE HAVING A RADIUS OF 9540.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°54'48" A DISTANCE OF 651.57 FEET; THENCE NORTH 88°25'48" EAST A DISTANCE OF 276.58 FEET; THENCE NORTH 89°14'37" EAST A DISTANCE OF 98.91 FEET; THENCE NORTH 00°41'01" WEST A DISTANCE OF 883.15 FEET; THENCE NORTH 42°11'07" EAST A DISTANCE OF 376.94 FEET TO THE HEREINBEFORE SAID RIGHT-OF-WAY MARGIN AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET AND FROM WHICH THE CHORD BEARS NORTH 59°04'12" WEST A DISTANCE OF 10.47 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 0°06'20" A DISTANCE OF 10.47 FEET; THENCE NORTH 70°46'11" WEST, ALONG SAID MARGIN, A DISTANCE OF 50.61 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5680.00 FEET AND FROM WHICH THE CHORD BEARS NORTH 60°52'21" WEST A DISTANCE OF 247.80 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 2°29'59" A DISTANCE OF 247.82 FEET; THENCE NORTH 66°00'37" WEST, ALONG SAID MARGIN, A DISTANCE OF 66.36 FEET TO THE POINT OF BEGINNING.

LOT 2

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 260.00 FEET; THENCE, LEAVING SAID LINE, NORTH 89°14'37" EAST A DISTANCE OF 20.03 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 79.99 FEET; THENCE NORTH 89°14'37" EAST A DISTANCE OF 105.00 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 150.00 FEET TO INTERSECT A LINE 30.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89°14'37" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 266.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°14'37" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 242.31 FEET; THENCE, LEAVING SAID LINE, NORTH 00°29'16" EAST A DISTANCE OF 767.54 FEET; THENCE SOUTH 88°25'48" WEST A DISTANCE OF 276.58 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 9540.00 FEET AND FROM WHICH THE CHORD BEARS SOUTH 02°05'05" EAST A DISTANCE OF 740.58 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°26'56" A DISTANCE OF 740.77 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS 260.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°41'08" A DISTANCE OF 21.26 FEET; THENCE SOUTH 00°22'35" WEST A DISTANCE OF 1.80 FEET TO THE POINT OF BEGINNING.

LOT 3

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.97 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 0°28'22" A DISTANCE OF 46.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID MARGIN THROUGH A CENTRAL ANGLE OF 2°29'37" A DISTANCE OF 247.65 FEET; THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET; THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 131.96 FEET; THENCE, LEAVING SAID MARGIN, SOUTH 27°57'01" WEST A DISTANCE OF 289.88 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1090.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°01'40" A DISTANCE OF 285.89 FEET; THENCE SOUTH 89°57'18" WEST A DISTANCE OF 199.29 FEET; THENCE NORTH 00°29'16" EAST A DISTANCE OF 736.83 FEET TO THE POINT OF BEGINNING.

LOT 4

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 260.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°29'16" EAST ALONG SAID WEST LINE A DISTANCE OF 2173.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.97 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 0°28'22" A DISTANCE OF 46.96 FEET; THENCE, LEAVING SAID MARGIN, SOUTH 00°29'16" WEST A DISTANCE OF 736.83 FEET; THENCE NORTH 89°57'18" EAST A DISTANCE OF 199.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1090.00 FEET AND FROM WHICH THE CHORD BEARS SOUTH 08°29'16" WEST A DISTANCE OF 168.57 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°52'11" A DISTANCE OF 168.74 FEET TO A POINT OF COMPOUND CURVE HAVING A RADIUS OF 9540.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°21'44" A DISTANCE OF 1392.33 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS 260.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°41'08" A DISTANCE OF 21.26 FEET; THENCE SOUTH 00°22'35" WEST A DISTANCE OF 1.80 FEET TO INTERSECT A LINE 30.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION; THENCE SOUTH 89°14'37" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 266.75 FEET; THENCE, LEAVING SAID LINE, NORTH 00°29'16" EAST A DISTANCE OF 150.00 FEET; THENCE SOUTH 89°14'37" WEST A DISTANCE OF 105.00 FEET; THENCE NORTH 00°29'16" EAST A DISTANCE OF 79.99 FEET; THENCE SOUTH 89°14'37" WEST A DISTANCE OF 20.03 FEET TO THE POINT OF BEGINNING.

BASIS OF BEARING

NAD 1983/11
WASHINGTON STATE PLANE SOUTH PROJECTION, BASED ON GPS
OBSERVATIONS USING WSRN AND GEOID 2012A. UNITS OF MEASUREMENT
ARE US SURVEY FEET.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 15th DAY OF NOVEMBER, 2022, AT 32 MINUTES PAST 10 A.M. RECORDS OF THE BENTON COUNTY AUDITOR, KENNEWICK, WASHINGTON.

RECORDING NUMBER 2022-035589

Brenda Chilton
COUNTY AUDITOR
B01 P5135
FEE
Munata (Deputy)
BY

SURVEY FOR

COLUMBIA VALLEY PROPERTY HOLDINGS, LLC
16455 NE 99TH STREET
REDMOND, WA98052

EQUIPMENT USED

3" TOTAL STATION USING STANDARD FIELD
TRAVERSE METHODS FOR CONTROL AND STAKING.

FOUND CORNERS

F1: FOUND WORLEY REBAR AND CAP LS 41966 0.10'W OF CORNER
F2: FOUND WORLEY REBAR AND CAP LS 41966 0.15'W AND 0.14'S OF CORNER
F3: FOUND WORLEY REBAR AND CAP LS 41966 0.10'W OF CORNER
F4: FOUND WORLEY REBAR AND CAP LS 41966 0.10'E AND 0.10'S OF CORNER
F5: FOUND 1/2" CRIMPED IRON PIPE 0.78'S OF CORNER
F6: FOUND WORLEY REBAR AND CAP LS 13352 3.81'N OF CORNER
F7: FOUND BENT 5/8" REBAR WITH NO CAP 0.22'W AND 0.12'N OF CORNER
F8: FOUND 1/2" CRIMPED IRON PIPE AT CORNER
F9: FOUND WORLEY REBAR AND CAP LS 13352 AT CORNER
F10: FOUND WORLEY REBAR AND CAP LS 41966 0.19'W AND 0.13'N OF CORNER
F11: FOUND 1/2" CRIMPED IRON PIPE 0.53'E AND 0.76'N OF CORNER
F12: FOUND WORLEY REBAR AND CAP LS 41966 1.23'W AND 0.64'N OF CORNER
F13: FOUND WORLEY REBAR AND CAP LS 13352 2.23'W AND 1.25'N OF CORNER
F14: FOUND WORLEY REBAR AND CAP LS 13352 2.13'W AND 1.04'N OF CORNER
F15: FOUND WORLEY REBAR AND CAP LS 41966 0.24'W AND 0.16'N OF CORNER
F16: FOUND WORLEY REBAR AND CAP LS 41966 AT CORNER
F17: FOUND WORLEY REBAR AND CAP LS 41966 AT CORNER
F18: FOUND WORLEY REBAR AND CAP LS 41966 AT CORNER
F219: FOUND WORLEY REBAR AND CAP LS 41966 1.36'E AND 1.08'S OF CORNER

ORIGINAL PARCEL AREAS

PARCEL 1	451,061 SF±
PARCEL 2	202,070 SF±
PARCEL 3	205,128 SF±
PARCEL 4	718,979 SF±
TOTAL	1,577,238 SF±

REVISED PARCEL AREAS

PARCEL 1	333,696 SF±
PARCEL 2	138,316 SF±
PARCEL 3	204,845 SF±
PARCEL 4	900,381 SF±
TOTAL	1,577,238 SF±

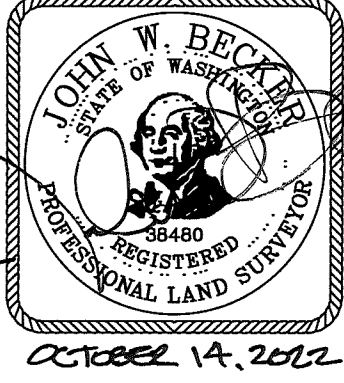
DWN. BY	DATE
TD	9/7/22
CHKD. BY	JOB NO.
JB	2210404

SURVEYOR'S CERTIFICATE

I, JOHN W. BECKER, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF WASHINGTON, HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION IN SEPTEMBER, 2022, IN COMPLIANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, CHAPTER 58.09 R.C.W. AND 332-130 W.A.C., AT THE REQUEST OF COLUMBIA VALLEY PROPERTY HOLDINGS, LLC.

JOHN W. BECKER, PLS 38480

DATE



TACOMA · SEATTLE · SPOKANE · TRI-CITIES

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

2022-035589 B: 01 P: 5735 SUR
11/15/2022 10:32:17 AM Pages: 6 Fee: \$307.50
Benton County Auditor's Office
Benton County Auditor's Office

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT

SURVEY # 5735

SHEET 2 OF 5

PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
BENTON COUNTY, WASHINGTON.

REVISED LEGAL DESCRIPTIONS

REVISED LOT 1

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.96 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 02°58'00" A DISTANCE OF 294.60 FEET; THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET; THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 128.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5680.00 FEET, THE CHORD OF WHICH BEARS SOUTH 61°55'07" EAST A DISTANCE OF 40.40 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°24'27" A DISTANCE OF 40.40 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°05'32" A DISTANCE OF 207.42 FEET; THENCE SOUTH 70°46'11" EAST A DISTANCE OF 50.61 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET, THE CHORD OF WHICH BEARS SOUTH 59°04'12" EAST A DISTANCE OF 10.47; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°06'20" A DISTANCE OF 10.47 FEET; THENCE LEAVING SAID SOUTHERLY MARGIN, SOUTH 42°11'07" WEST A DISTANCE OF 376.94 FEET; THENCE SOUTH 00°41'01" EAST A DISTANCE OF 883.15 FEET TO THE NORTH LINE OF LOT 1 AS DEPICTED ON SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 960, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE SOUTH 89°14'37" WEST ALONG SAID NORTH LINE AND ITS WESTERLY PROJECTION A DISTANCE OF 280.89 FEET; THENCE NORTH 00°29'16" EAST A DISTANCE OF 579.01 FEET; THENCE NORTH 04°48'01" EAST A DISTANCE OF 79.68 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1774.22 FEET, THE CHORD OF WHICH BEARS NORTH 16°32'54" EAST A DISTANCE OF 433.99 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°03'01" A DISTANCE OF 435.08 FEET; THENCE NORTH 28°26'30" EAST A DISTANCE OF 231.11 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'36" A DISTANCE OF 47.04 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

REVISED LOT 2

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 30.00 FEET TO THE NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE NORTH 89°14'37" EAST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 496.95 FEET TO THE TRUE POINT OF BEGINNING THENCE CONTINUING ALONG SAID NORTHERLY MARGIN, NORTH 89°14'37" EAST A DISTANCE OF 137.14 FEET TO THE SOUTHWEST CORNER OF LOT 1 AS DEPICTED ON SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 960, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE OF SAID LOT A DISTANCE OF 767.54 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 89°14'37" WEST ALONG THE WESTERLY PROJECTION OF THE NORTH LINE OF SAID LOT A DISTANCE OF 181.98 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 621.99 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 264.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°42'36" A DISTANCE OF 40.13 FEET; THENCE SOUTH 08°13'19" EAST A DISTANCE OF 58.44 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 336.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°22'27" A DISTANCE OF 19.79 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°54'31" A DISTANCE OF 44.98 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

REVISED LOT 3

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 155.77 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 12.19 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 02°58'00" A DISTANCE OF 294.60 FEET; THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET; THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 70.08 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 30.00 FEET; THENCE LEAVING SAID SOUTHERLY MARGIN, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 94°27'08" A DISTANCE OF 49.46 FEET; THENCE SOUTH 28°26'30" WEST A DISTANCE OF 140.55 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 341.00; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°1'00" A DISTANCE OF 77.47 FEET; THENCE SOUTH 15°25'30" WEST A DISTANCE OF 77.90 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 233.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°39'14" A DISTANCE OF 31.13 FEET; THENCE SOUTH 23°04'44" WEST A DISTANCE OF 38.23 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 53.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°05'50" A DISTANCE OF 16.74 FEET; THENCE SOUTH 41°10'33" WEST A DISTANCE OF 32.82 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 43.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°59'50" A DISTANCE OF 33.02 FEET; THENCE SOUTH 85°10'23" WEST A DISTANCE OF 66.34 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 531.64 FEET, THE CHORD OF WHICH BEARS SOUTH 88°53'40" WEST A DISTANCE OF 40.99 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THOUGH A CENTRAL ANGLE OF 04°25'09" A DISTANCE OF 41.00 FEET; THENCE NORTH 80°03'24" WEST A DISTANCE OF 61.27 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 127.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°07'24" A DISTANCE OF 80.07 FEET; THENCE NORTH 00°29'20" EAST A DISTANCE OF 647.47 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

REVISED LOT 4

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

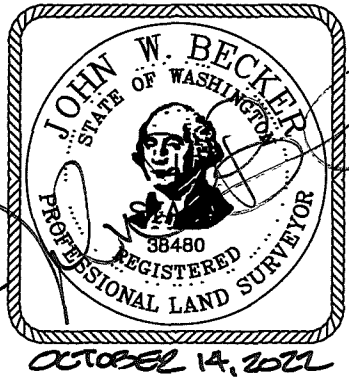
COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 30.00 FEET TO THE NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE NORTH 89°14'37" EAST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 125.03 FEET TO THE TRUE POINT OF BEGINNING THENCE CONTINUING ALONG SAID NORTHERLY MARGIN, NORTH 89°14'37" EAST A DISTANCE OF 371.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 30.00 FEET, THE CHORD OF WHICH BEARS NORTH 47°48'07" WEST A DISTANCE OF 40.88 FEET; THENCE LEAVING SAID NORTHERLY MARGIN, NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°54'31" A DISTANCE OF 44.98 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 336.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°22'27" A DISTANCE OF 19.79 FEET; THENCE NORTH 08°13'19" WEST A DISTANCE OF 58.44 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 264.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°42'36" A DISTANCE OF 40.13 FEET; THENCE NORTH 00°29'16" EAST A DISTANCE OF 1201.00 FEET; THENCE NORTH 04°48'01" EAST A DISTANCE OF 79.68 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1774.22 FEET, THE CHORD OF WHICH BEARS NORTH 16°32'54" EAST A DISTANCE OF 433.99 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°03'01" A DISTANCE OF 435.08 FEET; THENCE NORTH 28°26'30" EAST A DISTANCE OF 231.11 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'36" A DISTANCE OF 47.04 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5680.00 FEET, THE CHORD OF WHICH BEARS NORTH 61°55'07" WEST A DISTANCE OF 40.40 FEET; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY MARGIN AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°24'27" A DISTANCE OF 40.40 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY MARGIN, NORTH 66°00'37" WEST A DISTANCE OF 128.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 30.00 FEET, THE CHORD OF WHICH BEARS SOUTH 18°47'04" EAST A DISTANCE OF 44.04 FEET; THENCE LEAVING SAID SOUTHERLY MARGIN, SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 94°27'08" A DISTANCE OF 49.46 FEET; THENCE SOUTH 28°26'30" WEST A DISTANCE OF 140.55 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 341.00; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°1'00" A DISTANCE OF 77.47 FEET; THENCE SOUTH 15°25'30" WEST A DISTANCE OF 77.90 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 233.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°39'14" A DISTANCE OF 31.13 FEET; THENCE SOUTH 23°04'44" WEST A DISTANCE OF 38.23 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 53.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°05'50" A DISTANCE OF 16.74 FEET; THENCE SOUTH 41°10'33" WEST A DISTANCE OF 32.82 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 43.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°59'50" A DISTANCE OF 33.02 FEET; THENCE SOUTH 85°10'23" WEST A DISTANCE OF 66.34 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 531.64 FEET, THE CHORD OF WHICH BEARS SOUTH 88°53'40" WEST A DISTANCE OF 40.99 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THOUGH A CENTRAL ANGLE OF 04°25'09" A DISTANCE OF 41.00 FEET; THENCE NORTH 80°03'24" WEST A DISTANCE OF 61.27 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 127.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°07'24" A DISTANCE OF 80.07 FEET; THENCE NORTH 00°29'20" EAST A DISTANCE OF 647.47 FEET TO SAID SOUTHERLY MARGIN; THENCE NORTH 68°05'20" WEST A DISTANCE OF 155.77 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00°29'16" WEST ALONG SAID WEST LINE A DISTANCE OF 2173.16 FEET; THENCE LEAVING SAID WEST LINE, NORTH 89°14'37" EAST A DISTANCE OF 20.03 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 79.99 FEET; THENCE NORTH 89°14'37" WEST A DISTANCE OF 105.0 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

DWN. BY	DATE
TD	9/7/22
CHKD. BY	JOB NO.
JB	2210404

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 19th DAY OF November, 2022, AT 32 MINUTES PAST 10 A.M. RECORDS OF THE BENTON COUNTY AUDITOR, KENNEDICK WASHINGTON. RECORDING NUMBER 2022- 035589.

Brenda Chilton
COUNTY AUDITOR
601 P5735
FEE
mlmanc (Deputy)
BY



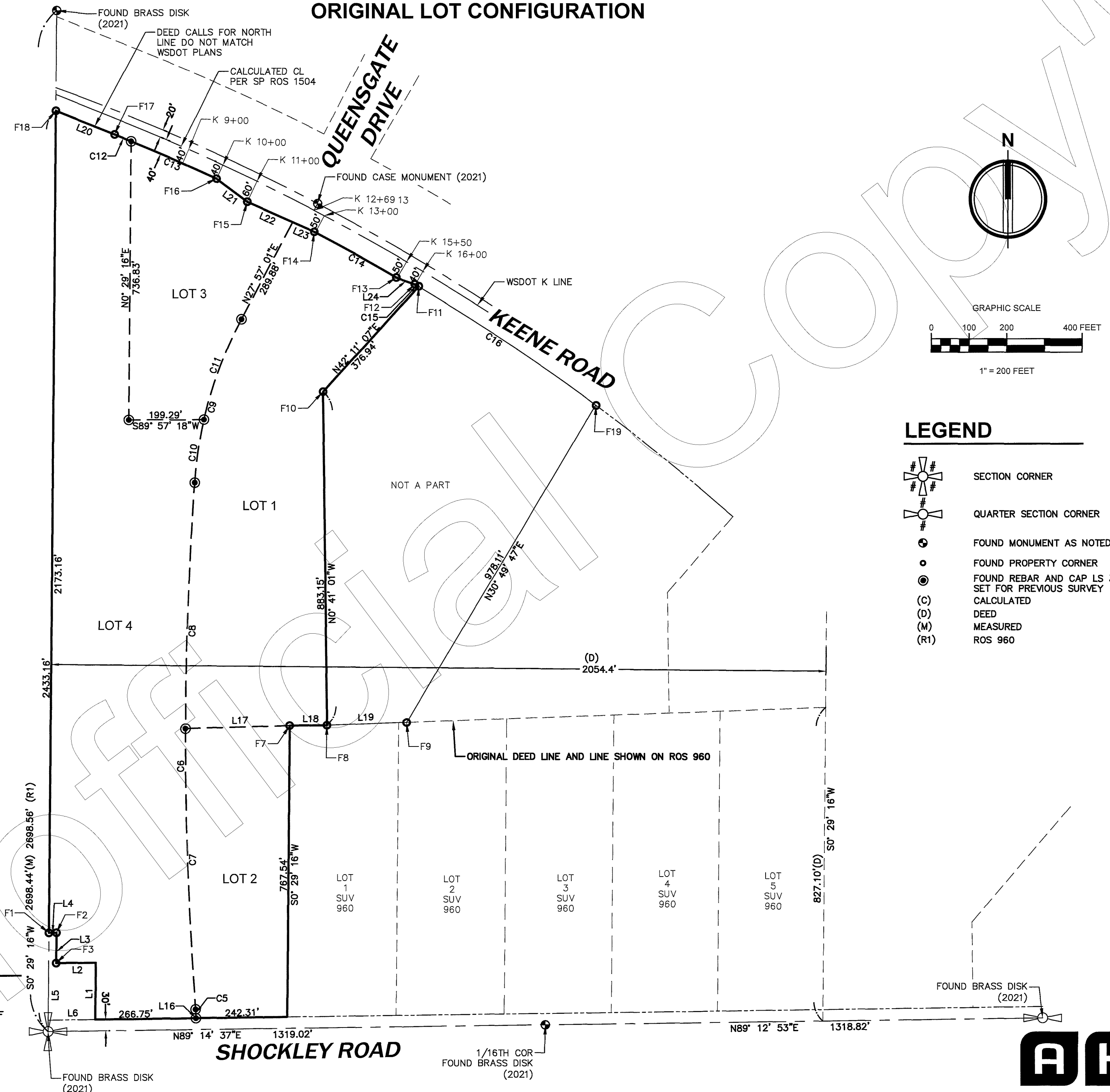
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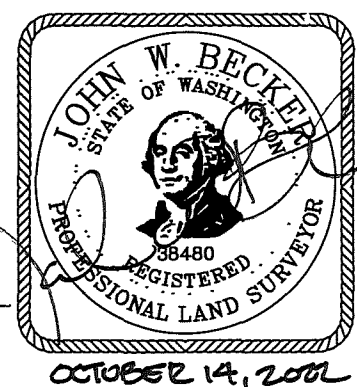
RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT **SURVEY #5735** SHEET 3 OF 5
PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
BENTON COUNTY, WASHINGTON.

ORIGINAL LOT CONFIGURATION



LEGEND

- SECTION CORNER
- QUARTER SECTION CORNER
- FOUND MONUMENT AS NOTED
- FOUND PROPERTY CORNER
- FOUND REBAR AND CAP LS 38480 SET FOR PREVIOUS SURVEY
- (C) CALCULATED
- (D) DEED
- (M) MEASURED
- (R1) ROS 960



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 15th DAY OF NOVEMBER, 2022, AT 32 MINUTES PAST 10 A.M. RECORDS OF THE BENTON COUNTY AUDITOR, KENNEWICK, WASHINGTON.

RECORDING NUMBER 2022-035589

Brenda Chilton
COUNTY AUDITOR

B01 P5735

FEE

W. L. L. (Deputy)

BY

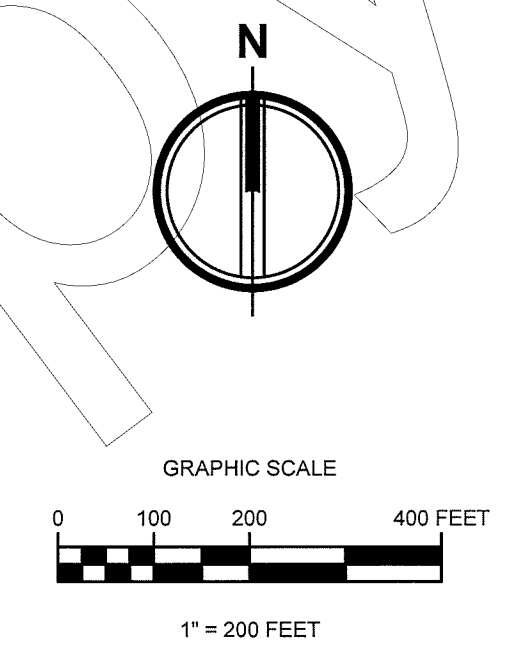
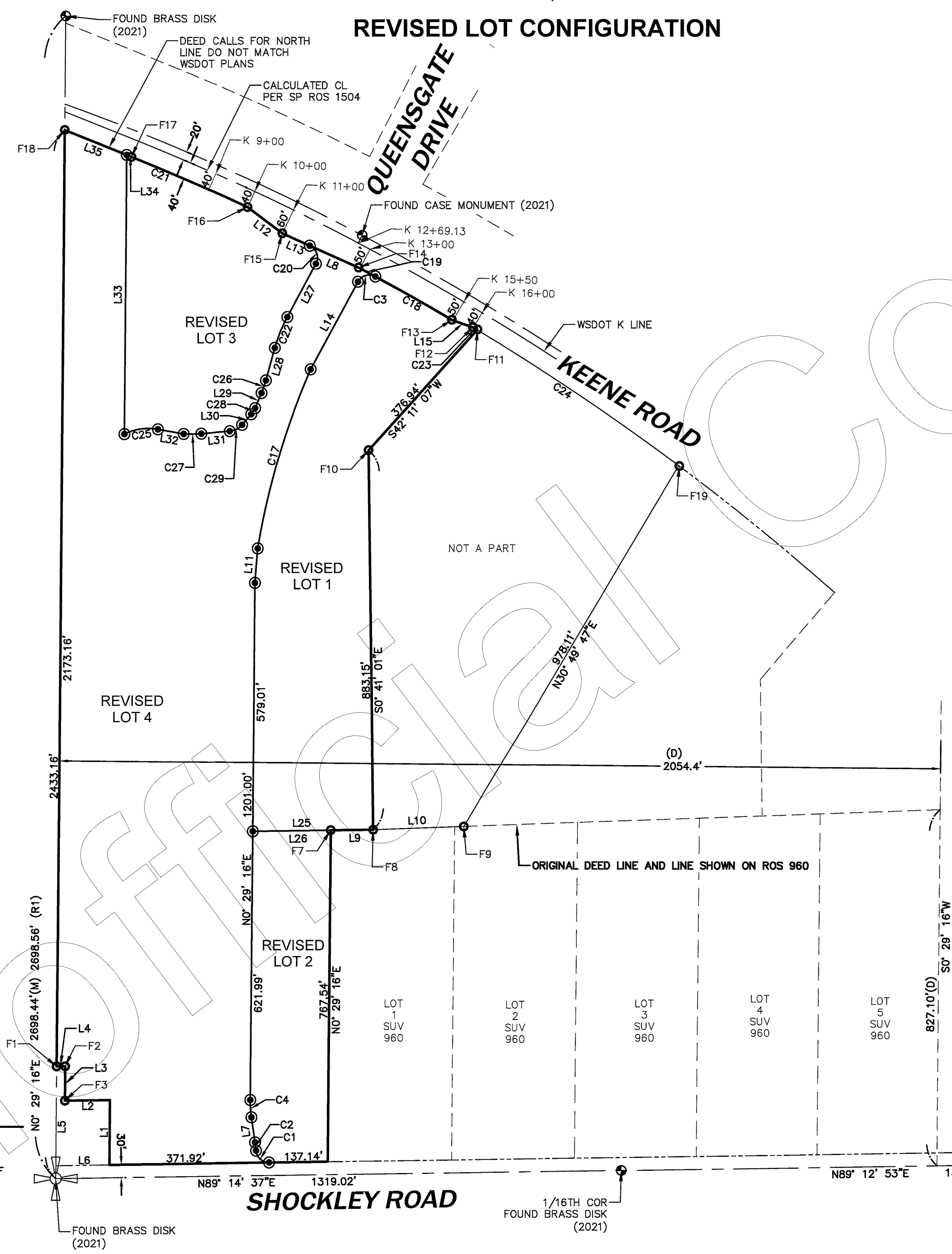
DWN. BY	DATE
TD	9/7/22
CHKD. BY	JOB NO.
JB	2210404



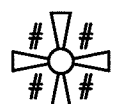
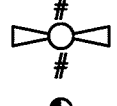
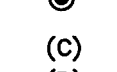
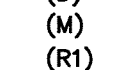
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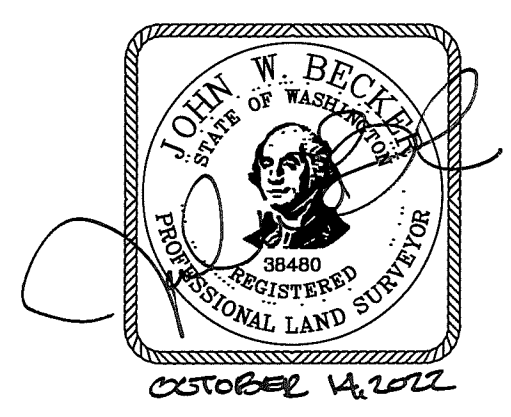
5804 Road 90, Suite H Pasco, WA 99301
509.380.5883 TEL 253.383.2572 FAX www.ahbl.com WEB

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT **SURVEY #5735** SHEET 4 OF 5
PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
BENTON COUNTY, WASHINGTON.



LEGEND

-  SECTION CORNER
-  QUARTER SECTION CORNER
-  FOUND MONUMENT AS NOTED
-  FOUND PROPERTY CORNER
-  SET REBAR AND CAP LS 38480
-  (C) CALCULATED
-  (D) DEED
-  (M) MEASURED
-  (R1) ROS 960



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 15th DAY OF NOVEMBER,
2022, AT 32 MINUTES PAST 10 A.M. RECORDS OF
THE BENTON COUNTY AUDITOR, KENNEWICK, WASHINGTON.
RECORDING NUMBER 2022-039989
BY Brenda Chilton
COUNTY AUDITOR
801 P5735
FEE
BY Mcnamara (Deputy)

DWN. BY	DATE
TD	9/7/22
CHKD. BY	JOB NO.
JB	2210404



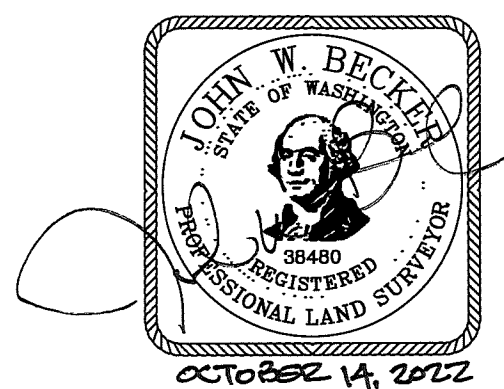
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RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT **SURVEY#5735** SHEET 5 OF 5
PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
BENTON COUNTY, WASHINGTON.
REVISED LOT CONFIGURATION

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	44.98	30.00	85°54'31"	N47° 48' 07"W	40.88
C2	19.79	336.00	3°22'27"	N6° 32' 06"W	19.78
C3	47.04	30.00	89°50'36"	N73° 21' 48"E	42.37
C4	40.13	264.00	8°42'36"	N3° 52' 01"W	40.09
C5	21.26	260.00	4°41'08"	N1° 57' 59"W	21.26
C6	1392.33	9540.00	8°21'44"	S0° 07' 42"E	1391.10
C7	740.77	9540.00	4°26'56"	N2° 05' 05"W	740.58
C8	651.57	9540.00	3°54'48"	N2° 05' 47"E	651.44
C9	454.63	1090.00	23°53'51"	S16° 00' 06"W	451.34
C10	168.74	1090.00	8°52'11"	N8° 29' 16"E	168.57
C11	285.89	1090.00	15°01'40"	N20° 26' 12"E	285.07
C12	46.96	5690.00	0°28'22"	S67° 51' 09"E	46.96
C13	247.65	5690.00	2°29'37"	S66° 22' 09"E	247.63
C14	247.82	5680.00	2°29'59"	N60° 52' 21"W	247.80
C15	10.47	5690.00	0°06'20"	N59° 04' 12"W	10.47
C16	565.87	5690.00	5°41'53"	S56° 10' 05"E	565.64
C17	435.08	1774.22	14°03'01"	N16° 32' 54"E	433.99
C18	207.42	5680.00	2°05'32"	S60° 40' 08"E	207.41
C19	40.40	5680.00	0°24'27"	S61° 55' 07"E	40.40
C20	49.46	30.00	94°27'08"	S18° 47' 04"E	44.04
C21	294.60	5690.00	2°58'00"	N66° 36' 20"W	294.57
C22	77.47	341.00	13°01'00"	S21° 56' 00"W	77.30
C23	10.47	5690.00	0°06'20"	S59° 04' 12"E	10.47
C24	565.87	5690.00	5°41'53"	S56° 10' 05"E	565.64
C25	80.07	127.00	36°07'24"	S81° 52' 54"W	78.75
C26	31.13	233.00	7°39'14"	S19° 15' 07"W	31.10
C27	41.00	531.64	4°25'09"	S88° 53' 40"W	40.99
C28	16.74	53.00	18°05'50"	S32° 07' 39"W	16.67
C29	33.02	43.00	43°59'50"	S63° 10' 28"W	32.21

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	150.00	S0° 29' 16"W
L2	105.00	N89° 14' 37"E
L3	79.99	S0° 29' 16"W
L4	20.03	N89° 14' 37"E
L5	229.94	N0° 27' 52"E
L6	125.03	N89° 14' 37"E
L7	58.44	S8° 13' 19"E
L8	128.24	S66° 00' 37"E
L9	98.91	N89° 14' 37"E
L10	211.32	N87° 56' 53"E
L11	79.68	N4° 48' 01"E
L12	101.12	S53° 13' 09"E
L13	70.08	S66° 00' 37"E
L14	231.11	N28° 26' 30"E
L15	50.61	S70° 46' 11"E
L16	1.80	N0° 22' 35"E
L17	276.58	N88° 25' 48"E
L18	98.91	N89° 14' 37"E
L19	211.32	N87° 56' 53"E
L20	167.97	S68° 05' 20"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L21	101.12	S53° 13' 09"E
L22	131.96	S66° 00' 37"E
L23	66.36	S66° 00' 37"E
L24	50.61	N70° 46' 11"W
L25	280.89	S89° 14' 37"W
L26	181.98	S89° 14' 37"W
L27	140.55	S28° 26' 30"W
L28	77.90	S15° 25' 30"W
L29	38.23	S23° 04' 44"W
L30	32.82	S41° 10' 33"W
L31	66.34	S85° 10' 23"W
L32	61.27	N80° 03' 24"W
L33	647.47	N0° 29' 20"E
L34	12.19	S68° 05' 20"E
L35	155.77	S68° 05' 20"E



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 15th DAY OF NOVEMBER,
2022 AT 32 MINUTES PAST 10 A.M. RECORDS OF
THE BENTON COUNTY AUDITOR, KENNEWICK, WASHINGTON.

RECORDING NUMBER 2022-035589

Brenda Chilton
COUNTY AUDITOR

B01 P5735
FEE

McCrath (Deputy)
BY

DWN. BY	DATE
TD	9/7/22
CHKD. BY	JOB NO.
JB	2210404



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



510 N. COLORADO ST., STE B
KENNEWICK, WA 99336 Phone: 509-783-0661 Fax: 509-783-2256

SUBDIVISION GUARANTEE

SCHEDULE A

Office File Number BF15325 Ref. No.:	Policy Number	Date of Policy at 12:00 AM	Amount of Insurance \$0.00	Premium \$0.00
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NAME OF ASSURED:

Aqtera Engineering

THE ASSURANCES REFERRED TO ON THE FACE PAGE ARE:

THAT, ACCORDING TO THOSE PUBLIC RECORDS WHICH, CONSTRUCTIVE NOTICE OF MATTERS RELATIVE TO THE DESCRIPTION OF WHICH IS FULLY SET FORTH IN UNDER THE RECORDING LAWS, IMPART FOLLOWING DESCRIBED REAL PROPERTY:

SEE ATTACHED EXHIBIT "A"

TITLE TO SAID REAL PROPERTY IS VESTED IN:

Columbia Valley Property Holdings, LLC, a Washington Limited Liability Company

SUBJECT TO THE MATTERS SHOWN BELOW UNDER EXCEPTIONS, WHICH EXCEPTIONS ARE NOT NECESSARILY SHOWN IN THE ORDER OF THEIR PRIORITY.

EXCEPTIONS:

1. GENERAL TAXES AND ASSESSMENTS, IF ANY, NO SEARCH HAVING BEEN MADE THEREOF; ALSO, TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS.
2. UNPATENTED MINING CLAIMS, RESERVATIONS OR EXCEPTIONS IN THE UNITED STATES PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; WATER RIGHTS, CLAIMS OR TITLE TO WATER.
3. TITLE TO ANY PROPERTY BEYOND THE LINES OF THE REAL PROPERTY EXPRESSLY DESCRIBED HEREIN, OR TITLE TO STREETS, ROADS, AVENUES, LANES, WAYS OR WATERWAYS ON WHICH SUCH REAL PROPERTY ABUTS, OR THE RIGHT TO MAINTAIN THEREIN VAULTS, TUNNELS, RAMPS, OR ANY OTHER STRUCTURE OR IMPROVEMENT; OR ANY RIGHTS OR EASEMENTS THEREIN UNLESS SUCH PROPERTY, RIGHTS OR EASEMENTS ARE EXPRESSLY AND SPECIFICALLY SET FORTH IN SAID DESCRIPTION.

Subdivision Guarantee

Page 1

Policy Number:

ADDITIONAL EXCEPTIONS:

1. **LIABILITY TO FUTURE ASSESSMENT BY KENNEWICK IRRIGATION DISTRICT, NONE NOW DUE AND PAYABLE.**
2. **RESERVATIONS BY THE UNITED STATES OF AMERICA INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 514550.**
3. **MATTERS SHOWN ON RECORD SURVEY NOS. 1098, 504 AND 5562.**
4. **DEVELOPMENT AGREEMENT RECORDED UNDER AUDITOR'S FILE NO. 2010-024273.**
5. **GROWTH MANAGEMENT SETTLEMENT AGREEMENT RECORDED UNDER AUDITOR'S FILE NO. 2010-024274.**
6. **UNRECORDED LEASEHOLDS, IF ANY; RIGHTS OF VENDORS AND HOLDERS OF A SECURITY INTEREST ON PERSONAL PROPERTY INSTALLED UPON THE LAND; AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES AT THE EXPIRATION OF THE TERM.**
7. **EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;**
RECORDED: NOVEMBER 25, 1959
RECORDING NO.: 427504
IN FAVOR OF: BENTON RURAL ELECTRIC ASSOCIATION
FOR: ELECTRIC POWER WIRES
8. **EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;**
RECORDED: FEBRUARY 21, 1957
RECORDING NO.: 368616
IN FAVOR OF: BENTON RURAL ELECTRIC ASSOCIATION
FOR: ELECTRIC POWER WIRES
9. **TERMS AND CONDITIONS OF THOSE CERTAIN CONTRACTS RELATIVE TO THE OPERATION OF THE KENNEWICK IRRIGATION DISTRICT ENTERED INTO BETWEEN THE UNITED STATES OF AMERICA AND GEORGE AND BETTY HUNT AND RECORDED OCTOBER 15, 1956 UNDER AUDITOR'S FILE NO. 363433.**
10. **EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**
GRANTEE: KERRY AND JONGJIT WATTS
RECORDED: October 18, 2007
AUDITOR'S FILE NO.: 2007-034554
AREA AFFECTED: PARCEL A
FOR: UTILITIES
11. **DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:**
GRANTOR: COLUMBIA VALLEY PROPERTY HOLDINGS, LLC
TRUSTEE: BENTON FRANKLIN TITLE COMPANY
BENEFICIARY: THE TIGER IRON TRUST, DATED JANUARY 14TH 2017, ACTING BY AND THROUGH KERRY LINDON WATTS, TRUSTEE
AMOUNT: \$7,250,000.00
DATED: UNDISCLOSED
RECORDED: November 10, 2021
AUDITOR'S FILE NO.: 2021-051441

Subdivision Guarantee

Policy Number:

12. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: COLUMBIA VALLEY PROPERTY HOLDINGS, LLC
TRUSTEE: BENTON FRANKLIN TITLE COMPANY
BENEFICIARY: FRIENDSHIP ENTERPRISES, LLC
AMOUNT: \$2,750,000.00
DATED: UNDISCLOSED
RECORDED: November 10, 2021
AUDITOR'S FILE NO.: 2021-051460

13. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: COLUMBIA VALLEY PROPERTY HOLDINGS, LLC
TRUSTEE: BENTON FRANKLIN TITLE COMPANY
BENEFICIARY: FRIENDSHIP ENTERPRISES, LLC
AMOUNT: \$2,000,000.00
DATED: UNDISCLOSED
RECORDED: November 10, 2021
AUDITOR'S FILE NO.: 2021-051461

14. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: COLUMBIA VALLEY PROPERTY HOLDINGS, LLC
TRUSTEE: BENTON FRANKLIN TITLE COMPANY
BENEFICIARY: FRIENDSHIP ENTERPRISES, LLC
AMOUNT: \$1,500,000.00
DATED: UNDISCLOSED
RECORDED: November 10, 2021
AUDITOR'S FILE NO.: 2021-051462

15. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: COLUMBIA VALLEY PROPERTY HOLDINGS, LLC
TRUSTEE: BENTON FRANKLIN TITLE COMPANY
BENEFICIARY: FRIENDSHIP ENTERPRISES, LLC
AMOUNT: \$500,000.00
DATED: UNDISCLOSED
RECORDED: November 10, 2021
AUDITOR'S FILE NO.: 2021-051463

END OF SCHEDULE A EXCEPTIONS.

Subdivision Guarantee

Benton Franklin Title Company

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **Benton Franklin Title Company**

We may collect nonpublic personal information about you from the following sources:

- Information we receive from you such as on applications or other forms.
- Information about your transactions we secure from our files, or from [our affiliates or] others.
- Information we receive from a consumer reporting agency.
- Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates as permitted by law.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

ORT 287-C 5/07/01

EXHIBIT ALOT 1 (1-2298-303-0002-002)

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22;

THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NO. 845365;

THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.97 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 2°58'00" A DISTANCE OF 294.60 FEET;

THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET;

THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 66.36 FEET TO THE TRUE POINT OF BEGINNING;

THENCE, LEAVING SAID MARGIN, SOUTH 27°57'01" WEST A DISTANCE OF 289.88 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1090.00 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°53'51" A DISTANCE OF 454.63 FEET TO A POINT OF COMPOUND CURVE HAVING A RADIUS OF 9540.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°54'48" A DISTANCE OF 651.57 FEET;

THENCE NORTH 88°25'48" EAST A DISTANCE OF 276.58 FEET;

THENCE NORTH 89°14'37" EAST A DISTANCE OF 98.91 FEET;

THENCE NORTH 00°41'01" WEST A DISTANCE OF 883.15 FEET;

THENCE NORTH 42°11'07" EAST A DISTANCE OF 376.94 FEET TO THE HEREINBEFORE SAID RIGHT-OF-WAY MARGIN AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET AND FROM WHICH THE CHORD BEARS NORTH 59°04'12" WEST A DISTANCE OF 10.47 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 0°06'20" A DISTANCE OF 10.47 FEET;

THENCE NORTH 70°46'11" WEST, ALONG SAID MARGIN, A DISTANCE OF 50.61 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5680.00 FEET AND FROM WHICH THE CHORD BEARS NORTH 60°52'21" WEST A DISTANCE OF 247.80 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 2°29'59" A DISTANCE OF 247.82 FEET;

THENCE NORTH 66°00'37" WEST, ALONG SAID MARGIN, A DISTANCE OF 66.36 FEET TO THE POINT OF BEGINNING.

Subdivision Guarantee

Page 5

LOT 2 (1-2298-300-0002-001)

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22;

THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 260.00 FEET;

THENCE, LEAVING SAID LINE, NORTH 89°14'37" EAST A DISTANCE OF 20.03 FEET;

THENCE SOUTH 00°29'16" WEST A DISTANCE OF 79.99 FEET;

THENCE NORTH 89°14'37" EAST A DISTANCE OF 105.00 FEET;

THENCE SOUTH 00°29'16" WEST A DISTANCE OF 150.00 FEET TO INTERSECT A LINE 30.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION;

THENCE NORTH 89°14'37" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 266.75 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89°14'37" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 242.31 FEET;

THENCE, LEAVING SAID LINE, NORTH 00°29'16" EAST A DISTANCE OF 767.54 FEET;

THENCE SOUTH 88°25'48" WEST A DISTANCE OF 276.58 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 9540.00 FEET AND FROM WHICH THE CHORD BEARS SOUTH 02°05'05" EAST A DISTANCE OF 740.58 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°26'56" A DISTANCE OF 740.77 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS 260.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°41'08" A DISTANCE OF 21.26 FEET;

THENCE SOUTH 00°22'35" WEST A DISTANCE OF 1.80 FEET TO THE POINT OF BEGINNING.

LOT 3 (1-2298-300-0003-002)

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22;

THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NO. 845365;

THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.97 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 0°28'22" A DISTANCE OF 46.96 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID MARGIN THROUGH A CENTRAL ANGLE OF 2°29'37" A DISTANCE OF 247.65 FEET;

THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET;

THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 66.36 FEET;

THENCE, LEAVING SAID MARGIN, SOUTH 27°57'01" WEST A DISTANCE OF 289.88 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1090.00 FEET;

THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°01'40" A DISTANCE OF 285.89 FEET;

THENCE SOUTH 89°57'18" WEST A DISTANCE OF 199.29 FEET;

THENCE NORTH 00°29'16" EAST A DISTANCE OF 736.83 FEET TO THE POINT OF BEGINNING.

LOT 4 (1-2298-300-0004-000)

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22;

THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 260.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING NORTH 00°29'16" EAST ALONG SAID WEST LINE A DISTANCE OF 2173.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER AUDITOR'S FILE NO. 845365;

THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.97 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET;

THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 0°28'22" A DISTANCE OF 46.96 FEET;

THENCE, LEAVING SAID MARGIN, SOUTH 00°29'16" WEST A DISTANCE OF 736.83 FEET;

THENCE NORTH 89°57'18" EAST A DISTANCE OF 199.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1090.00 FEET AND FROM WHICH THE CHORD BEARS SOUTH 08°29'16" WEST A DISTANCE OF 168.57 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°52'11" A DISTANCE OF 168.74 FEET TO A POINT OF COMPOUND CURVE HAVING A RADIUS OF 9540.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°21'44" A DISTANCE OF 1392.33 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS 260.00 FEET;

THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°41'08" A DISTANCE OF 21.26 FEET;

THENCE SOUTH 00°22'35" WEST A DISTANCE OF 1.80 FEET TO INTERSECT A LINE 30.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION;

THENCE SOUTH 89°14'37" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 266.75 FEET;

THENCE, LEAVING SAID LINE, NORTH 00°29'16" EAST A DISTANCE OF 150.00 FEET;

THENCE SOUTH 89°14'37" WEST A DISTANCE OF 105.00 FEET;

THENCE NORTH 00°29'16" EAST A DISTANCE OF 79.99 FEET;

THENCE SOUTH 89°14'37" WEST A DISTANCE OF 20.03 FEET TO THE PONT OF BEGINNING.

LOT 5 (1-2298-300-0001-009)

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, LYING SOUTHERLY OF THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365 AND LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22;

THENCE NORTH 00°32'05" EAST ALONG THE WEST LINE OF SAID SECTION A DISTANCE OF 797.55 FEET;

THENCE, LEAVING SAID LINE, NORTH 89°14'37" EAST, PARALLEL WITH THE SOUTH LINE OF SAID SECTION, A DISTANCE OF 733.00 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 87°56'53" EAST A DISTANCE OF 211.32 FEET;

THENCE NORTH 30°49'47" EAST A DISTANCE OF 978.11 FEET, MORE OR LESS, TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD ON A CURVE CONCAVE TO THE SOUTHWEST, THE RADIUS POINT OF WHICH BEARS SOUTH 36°40'51" WEST A DISTANCE OF 5690.00 FEET;

THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 5°41'53" A DISTANCE OF 565.87 FEET;

THENCE, LEAVING SAID MARGIN, SOUTH 42°11'07" WEST A DISTANCE OF 376.94 FEET;

THENCE SOUTH 00°41'01" EAST A DISTANCE OF 883.15 FEET TO THE POINT OF BEGINNING.

ENDORSEMENT

Attached to and forming a part of
Policy Number **SGW-08004583**
Issued By **Benton Franklin Title Company**
acting as agent for
Old Republic National Title Insurance Company

Endorsement No. **1**
File Number **BF15325**

The Company hereby assures the Assured that there are no matters shown by the public records which affect the estate or interest described in Schedule A, other than those shown in Schedule B, except:

NO CHANGES

The effective date for the Guarantee is hereby extended to the date shown herein, subject, however, to any additional matters shown above.

The total liability of the Company under said Guarantee and under this endorsement thereto shall not exceed, in the aggregate, the amount stated in said Guarantee. This endorsement is made a part of said Guarantee and in subject to the exclusions from coverage, the limits of liability and other provisions of the Conditions and Stipulations therein, except as modified by the provisions hereof.

Dated: **June 14, 2022** at **8:00 a.m.**

**Benton Franklin Title Company as agent for
Old Republic National Title Insurance Company**

Countersigned



Authorized Signatory

Note: This endorsement shall not be valid or binding
until countersigned by an authorized signatory.

Guarantee Update Endorsement

Contract No. 92-10

**DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF RICHLAND
AND JOHN PERRY, JULEE ANN PERRY, BEULAH COSENS, LINDA
NORWOOD, KERRY WATTS AND JONGJIT WATTS**

THIS DEVELOPMENT AGREEMENT is made and entered into this 20th day of ~~June~~ ^{July}, 2009, by and between the City of Richland, a First Class code Washington municipal corporation, hereinafter the "City," and John Perry, Julee Ann Perry, Beulah Cousins, Linda Norwood, Kerry Watts and Jongjit Watts, property owners; hereinafter the "Owners."

RECITALS

WHEREAS, the Washington State Legislature has authorized the execution of a development agreement between a local government and a person or persons having ownership or control of real property within its jurisdiction (RCW 36.70B.170(1)); and

WHEREAS, a development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement (RCW 36.70B.170(1)); and

WHEREAS, for the purposes of this development agreement, "development standards" include, but are not limited to, all of the standards listed in RCW 36.70B.170(3); and

WHEREAS, a development agreement must be consistent with the applicable development regulations adopted by a local government planning under chapter 36.70A RCW (RCW 36.70B.170(1)); and

WHEREAS, this Development Agreement by and between the City of Richland and the Owners relates to the amendment of the City Comprehensive Plan land use designations for approximately 47 acres of land generally located south of Keene Road, north of Shockley Road, east of the Plat of Country Ridge and which consists of five separate parcels of record and which has been the subject of File #Z2008-109; and

WHEREAS, the following events have occurred in the processing of the Developer's application:

a) By Ordinance No. 32-08, the City amended the City's Comprehensive Plan land use designation for the Property from Low Density Residential to Commercial (12.5 acres) and Medium Density Residential (34.5 acres) ;

b) Richard Forman and the Country Ridge Homeowners Association, parties of record, filed an appeal before the Eastern Washington Growth Management Hearings Board challenging the validity of the comprehensive plan amendment;

c) Adoption of this development agreement will complete a settlement agreement entered into between the city of Richland, the property owners and the appellants.

d) After a public hearing, by Ordinance No. ~~21-10~~ the City Council authorized the City Manager to sign this Development Agreement with the Owners; and

Now, therefore, the parties hereto agree as follows:

General Provisions

Section 1. *The Project.* Future development of the site is anticipated to be a mix of commercial, office and residential uses as set forth in the comprehensive plan. The owners acknowledge that there is not yet a specific development proposal for the site. This agreement anticipates that the Owners will develop plans themselves and/or sell the site to a Developer(s) who will then develop specific plans for the future use of the site.

Section 2. *The Site.* The project site is legally described in Exhibit A, attached hereto and incorporated herein by this reference.

Section 3. *Definitions.* As used in this Development Agreement, the following terms, phrases and words shall have the meanings and be interpreted as set forth in this Section.

a) “*Adopting Ordinance*” means the Ordinance which approves this Development Agreement, as required by RCW 36.70B.200.

b) “*Developer*” means any party or parties who acquire ownership of the site or a portion of the site and bring forward plans for the future development of the site and who shall be subject to the applicable provisions of this agreement.

c) “*Existing Development Regulations*” means the ordinances adopted by the City Council of Richland in effect on the date that the Adopting Ordinance takes effect, including the following provisions of the Richland Municipal Code: Title 12 – Streets, Title 19 – Development Regulation Administration, Title 20 – Buildings, Title 22 – Environment, Title 23 – Zoning, Title 24 – Subdivision, and Title 27 Signs as well as all other provisions of City Code that address design standards.

d) “*Owners*” means collectively the parties who have ownership interest in the five parcels of record that comprise the Site.

e) “*Project*” means the anticipated development of the Site, as specified in Section 1 and as addressed in the City’s adopted comprehensive plan.

Section 4. *Exhibits.* Exhibits to this Agreement are as follows:

a) Exhibit A – Legal description of the Site.

b) Exhibit B – Design standards

Section 5. *Parties to Development Agreement.* The parties to this Agreement are:

a) The “City” is the City of Richland, 505 Swift Boulevard, Richland, WA 99352.

b) The “Owners” are John Perry, PO Box 5900, Kennewick, WA 99336; Julee Ann Perry, 1102 Appaloosa Way, Richland, WA 99352; Beulah Cosens, 3680 Keene Road, Richland, WA 99352; Linda Norwood, 324 Columbia Point Drive, Richland, WA

99352; Kerry Watts and Jongjit Watts, 68 Canyon Street, Richland, WA 99352; all of whom have ownership interests in some of the five parcels that comprise the site.

c) The “Developer.” From time to time, as provided in this Agreement, the Owners may sell or otherwise lawfully dispose of a portion of the Site to a Developer who shall be subject to the provisions of this Agreement related to such portion of the Site.

Section 6. *Project is a Private Undertaking.* It is agreed among the parties that the Project is a private development and that the City has no interest therein except as authorized in the exercise of its governmental functions.

Section 7. *Term of Agreement.* This Agreement shall commence upon the effective date of the Adopting Ordinance approving this Agreement, and shall continue in force indefinitely. This agreement may be modified upon the City’s adoption of zoning for the site in a fashion consistent with the Comprehensive Plan, provided that any modification to the agreement shall be consistent with Section 18 herein and shall be consistent with the intent of this agreement. This or any future agreement shall be terminated when the Site has been fully developed. Fully developed shall mean any combination of final plat and site plan approval consistent with this agreement that bind the entire site. The terms and conditions of settlement agreement regarding Eastern Washington Growth Management Hearing Board appeal No. 09-1004 are incorporated by reference into this development agreement. Other than as set forth in these agreements, the Growth Board Petitioners do not obtain any greater participation rights in the development of the site described in Exhibit A.

Section 8. *Vested Rights of Owner.* During the term of this Agreement, in developing the Site consistent with the Project described herein, the Owners are assured, and the City agrees, that the Site shall be permitted to develop in accordance with the comprehensive plan designations put into place on the site and that the development rights, obligations, terms and conditions specified in this Agreement are fully vested in the Owners and may not be changed or modified by the City, except as may be expressly permitted by, and in accordance with, the terms and conditions of this Agreement, or as expressly consented thereto by the Owners.

Section 9. *Current Permitted Uses* The current permitted uses, the density and intensity of use, the maximum height and size of proposed buildings shall be consistent with the zoning regulations pertaining to the SAG Suburban Agriculture and AG – Agricultural zoning districts, as codified in Title 23 of the Richland Municipal Code. This zoning shall remain in place until such time when the Owners and/or a Developer brings forward a proposal to amend the zoning.

Section 10 *Future Uses.* The future permitted uses, the density and intensity of use, the maximum height and size of proposed buildings shall be determined when the City grants approval of an application(s) for zoning amendment brought forward by the Owners and/or Developer. The future zoning shall be consistent with the City’s adopted comprehensive plan and shall include the following:

- a) A buffer area of Low density residential development designated along the westerly property boundary of the Site, adjacent to the Country Ridge property line and zoned for R-1-12. The buffer would provide for two tiers of single family residential lots separated by a road corridor, providing for an overall density not to exceed three (3) lots per acre (inclusive of such road corridor). A Planned Unit Development may be utilized to achieve a density average consistent with this agreement. These lots would meet all R-1-12 zoning standards, and such lots adjoining the adjacent Country Ridge development shall be laid out with their rear yards facing the Country Ridge property line.
- b) Areas that are designated as Medium Density Residential in the comprehensive plan may be developed to an average density of ten (10) units per acre. For the purposes of calculating density within the Medium Density portions of the site, all residential lands designated either Low density residential or Medium Density Residential may be used to determine the maximum overall permitted density of ten (10) units per acre, provided that the low density buffer identified in subsection a (above) shall be maintained at a maximum density of 3 dwelling units per acre.
- c) A masonry wall, at least six feet in height shall be installed along the length of the western property boundary of the Site, providing a separation between the Site and the adjoining plat of Country Ridge. This wall shall be constructed simultaneously with the development of the adjacent lands that are designated Low Density Residential. Approval of a specific design for the masonry wall shall be part of the development approval process for the Low Density Residential lands. The wall shall be constructed in earth tones consistent with surrounding neighborhoods such as the Applewood and Cherrywood subdivisions.
- d) The Owners shall provide a dedication of a future Queensgate Drive Right-of-Way, extending southward from Keene Road, through the Site to its connection to Shockley Road. This Right-of-Way dedication shall be granted in its entirety at the time that a zoning application is brought forward by the Owners or a Developer for any portion of the Site. The Right-of-Way dedication for Queensgate Drive shall be 70 feet in width. The specific alignment of the future roadway shall be as mutually agreed to by the Owners and the City. Queensgate Drive has been classified as a planned Arterial Collector on the City's Street Function Class Map. As such, direct access from residential lots will be prohibited and commercial access will be managed to limit the number of access points.
- e) Buffer standards for the eastern boundary of the site shall be established at the time a specific zoning proposal is submitted to the City and at a minimum shall address:
 - 1. Building setbacks;
 - 2. Maximum building height;
 - 3. Landscape screening and/or fencing;
 - 4. Restrictions on outdoor lighting;

5. Restrictions on location of outdoor storage areas, truck loading docks, refuse collection areas.

The intent of the buffer shall be to provide an adequate separation between the proposed commercial/multi-family residential use and the adjoining low density residential land use to protect the low density residential property from impacts of noise, and light and glare.

- f) No access for future development from the Site onto Keene Road will be permitted. Access from future development onto the future Queensgate Drive shall be separated from the Keene Road/Queensgate Drive intersection by a minimum distance of 300 feet;
- g) Zoning for the portions of the site designated as Commercial shall either be C-1 Neighborhood Retail or shall be part of a Planned Unit Development that will specifically limit the potential commercial uses to those that are of a neighborhood scale and compatible with nearby residential uses and otherwise consistent with C-1 Neighborhood Retail zoning. Zoning for the portions of the site designated as Multi-Family/Office shall be zoned C-LB Limited Business or shall be part of a Planned Unit Development that will specifically limit uses to those that are compatible with C-LB Limited Business zoning. In either case, the permitted development will be specifically limited to buildings no more than thirty (30) feet in height or more than two-stories.
- h) Development proposals within the portions of the Site designated as Commercial shall not be approved unless they are determined to be consistent with the design standards included in Exhibit B (attached) of this agreement and Section 23.28.020(D)(1) through (4) of the Richland Municipal Code.
- i) Development proposals within the portions of the Site designated as Low Density Residential shall be reviewed and approved through the City Subdivision process as specified in Title 24 of the Richland Municipal Code or through the Planned Unit Development Application Procedures as set forth in Chapter 23.50 of the Richland Municipal Code.
- j) Development proposals within the portion of the site adjoining Lariat Lane Right-of-Way shall provide for the extension of Lariat Lane eastward to connect with the future Queensgate Drive extension, unless said extension is determined to be unnecessary by the City. Any extension of Lariat Lane into the Site shall be accomplished through an indirect route that will include at least nine hundred (900) feet of travel in a north-south orientation before Lariat Lane can be connected to Queensgate Drive. The design of Lariat Lane may also include other traffic calming measures. The intent of this provision is to provide connectivity between the Country Ridge neighborhood and the Site but to keep Lariat Lane from functioning as a collector street.
- k) The process of implementing the comprehensive plan may result in some minor deviations to the plan, such as adjustments in zoning boundary lines. Such deviations may be acceptable if they are deemed minor in nature and consistent with Items a through j as listed above.
- l) The City shall provide notification to the Country Ridge Homeowners Association President and Richard Forman of any development proposed

within the Site that requires public review under the provisions of the Richland Municipal Code.

Section 11. *Subject to City Development Standards.* The Owners acknowledge that the development of the site shall be subject to the City's development standards in place at the time development proposals are brought forward, including but not limited to requirements for payments of fees and/or dedication of property for mitigation of traffic and park impacts; and for the installation and extension of public utility and street systems.

Section 12. *Further Discretionary Actions.* The Owners acknowledge that the City Municipal Code contemplates the exercise of further discretionary powers by the City. These powers include, but are not limited to, review of permit applications under SEPA and under the provisions of Title 19 of the Richland Municipal Code – Development Regulation Administration. Nothing in this Agreement shall be construed to limit the authority or the obligation of the City to hold legally required public hearings, or to limit the discretion of the City and any of its officers or officials in complying with or applying the provisions of the City Municipal Code.

Section 13. *Existing Land Use Fees and Impact Fees.*

A. Land use fees adopted by the City by ordinance as of the effective date of this Agreement may be increased by the City from time to time, and applicable to permits and approvals for the Site, as long as such fees apply to similar applications and projects in the City.

B. All impact fees shall be paid as set forth in the approved permit or approval, or as addressed in the Titles 12 and 20 of the Richland Municipal Code.

Section 14. *Default.*

A. Failure or delay by either party not released from this Agreement, to perform any term or provision of this Agreement shall constitute a default. In the event of alleged default or breach of any terms or conditions of this Agreement, the party alleging such default or breach shall give the other party not less than thirty (30) days notice in writing, specifying the nature of the alleged default and the manner in which said default may be cured. During this thirty (30) day period, the party or Owners charged shall not be considered in default for purposes of termination or institution of legal proceedings.

B. After notice and expiration of the thirty (30) day period, if such default has not been cured or is not being diligently cured in the manner set forth in the notice, the other party or Owners to this Agreement may, at its option, institute legal proceedings pursuant to this Agreement. In addition, the City may decide to file an action to enforce the City's Codes, and to obtain penalties and costs as provided in the Richland Municipal Code.

C. Extensions of time granted in writing by mutual consent by all parties to this agreement shall not be construed as a default.

Section 15. *Termination* This or any future Agreement shall be terminated when the Site has been fully developed in accordance with the Agreement. Fully developed shall mean

any combination of final plat approval and site plan approval consistent with this agreement that binds the entire site.

Section 16. *Assignment and Assumption.* This agreement shall not restrict the right of the owners to sell, assign or transfer their properties to any person, firm or corporation. The Owners shall provide the City with written notice of any intent to sell, assign, or transfer all or a portion of the Subject Property, at least 30 days in advance of such action.

Section 17. *Covenants Running with the Land.* The conditions and covenants set forth in this Agreement and incorporated herein by the Exhibits shall run with the land and the benefits and burdens shall bind and inure to the benefit of the parties. The Owners, Developer(s) and every purchaser, assignee or transferee of an interest in the Site, or any portion thereof, shall be obligated and bound by the terms and conditions of this Agreement, and shall be the beneficiary thereof and a party thereto, but only with respect to the Site, or such portion thereof, sold, assigned or transferred to it. Any such purchaser, assignee or transferee shall observe and fully perform all of the duties and obligations of an Owner contained in this Agreement, as such duties and obligations pertain to the portion of the Site sold, assigned or transferred to it.

Section 18. *Amendment to Agreement; Effect of Agreement on Future Actions.* This Agreement may be amended by mutual consent of all of the parties, to make minor amendments consistent with the terms of this agreement or to obtain relief from unduly oppressive terms or conditions, provided that any such amendment shall follow the process established by law for the adoption of a development agreement (*see*, RCW 36.70B.200) and be consistent with the intent of the original agreement. However, nothing in this Agreement shall prevent the City Council from making any amendment to its Comprehensive Plan, Zoning Code, Official Zoning Map or development regulations affecting the Site as the City Council may deem necessary to the extent required by a serious threat to public health and safety. The City shall provide notification to the Country Ridge Homeowners Association President of any proposed amendment to this Development Agreement.

Section 19. *Releases.* Owners, and any subsequent Developer, may free itself from further obligations relating to the sold, assigned, or transferred property, provided that the buyer, assignee or transferee expressly assumes the obligations under this Agreement as provided herein.

Section 20. *Notices.* Notices, demands, correspondence to the City and Owners shall be sufficiently given if dispatched by pre-paid first-class mail to the addresses of the parties as designated in Section 5. Notice to the City shall be to the attention of both the City Director of Community Development and the City Attorney. Notices to subsequent Owners shall be required to be given by the City only for those Owners who have given the City written notice of their address for such notice. The parties hereto may, from time to time, advise the other of new addresses for such notices, demands or correspondence.

Section 21. *Applicable Law and Attorneys' Fees.* This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. If litigation is initiated to enforce the terms of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs from the non-prevailing party. Venue for any action shall lie in Benton County Superior Court or the U.S. District Court for Eastern Washington.

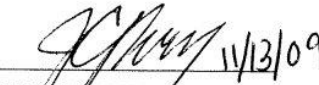
Section 22. *Third Party Legal Challenge.* In the event any legal action or special proceeding is commenced by any person or entity other than a party or an Owner to challenge this Agreement or any provision herein, the City may elect to tender the defense of such lawsuit or individual claims in the lawsuit to Owner(s). In such event, Owners shall hold the City harmless from and defend the City from all costs and expenses incurred in the defense of such lawsuit or individual claims in the lawsuit, including but not limited to, attorneys' fees and expenses of litigation, and damages awarded to the prevailing party or parties in such litigation. The Owners shall not settle any lawsuit without the consent of the City. The City shall act in good faith and shall not unreasonably withhold consent to settle.

Section 23. *Specific Performance.* The parties specifically agree that damages are not an adequate remedy for breach of this Agreement, and that the parties are entitled to compel specific performance of all material terms of this Development Agreement by any party in default hereof.

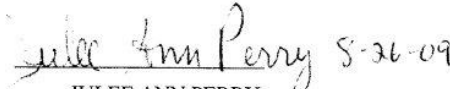
Section 24. *Severability.* If any phrase, provision or section of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, or if any provision of this Agreement is rendered invalid or unenforceable according to the terms of any statute of the State of Washington which became effective after the effective date of the ordinance adopting this Agreement, and either party in good faith determines that such provision or provisions are material to its entering into this Agreement, that party may elect to terminate this Agreement as to all of its obligations remaining unperformed.

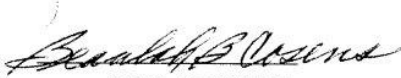
IN WITNESS WHEREOF, the parties hereto have caused this Development Agreement to be executed as of the dates set forth below:

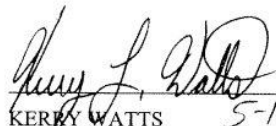
OWNERS

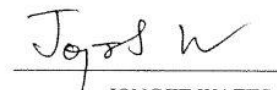

JOHN C. PERRY


LINDA NORWOOD

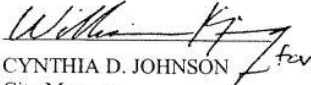

JULEE ANN PERRY


BEULAH COSENS


KERRY WATTS 5-11-10


JONGJIT WATTS 5-11-10

CITY OF RICHLAND


CYNTHIA D. JOHNSON
City Manager

APPROVED AS TO FORM:

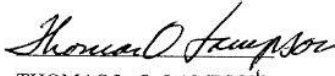

THOMAS L. O. LAMPSON
City Attorney 4/20/10

EXHIBIT A

Legal Description

Those portions of the Southwest Quarter of Section 22, Township 9 North, Range 28 E.W.M. lying south of the Keene Road Right-of-Way and north of the Shockley Road Right-of-Way and consisting of the following Benton County Assessor Parcel Identification Numbers: 1-2298-300-0002-002, 1-2298-300-0002-001, 1-2298-300-0001-009, 1-2298-300-0004-000, 1-2298-300-0003-002 & 1-2298-300-0005-000.

EXHIBIT B DESIGN GUIDELINES

In order to enhance the human scale and respect the scale and character of the adjoining residential neighborhoods, commercial uses developed under this agreement will comply with the following guidelines:

- The design of all buildings in this commercial area should share similar design characteristics and design vocabulary. Utilizing similar colors, materials and textures as well as repeating patterns, rhythms and proportions found within the architecture of surrounding commercial and residential buildings should be used to achieve unity.
- Buildings should respect the predominant scale of development in the surrounding area by designing with elements of a similar scale and providing a gradual transition to any larger scaled masses proposed.
- Taller buildings or portions of a building should be located internally to a site with buildings stepping down in height as they reach the edges of sites that are adjoined by smaller scaled development.
- Buildings or portions of a building mass over 50 feet wide are encouraged to divide their elevations into smaller parts. A pronounced change in massing, pronounced changes in wall planes and introducing significant variations in the cornice/roofline are all possible methods to accomplish the desired divisions of elevations into smaller parts.
- Building colors should emphasize muted earth tones. The use of highly reflective or glossy materials should be used for accent only.
- Rich materials and a variety of materials are desirable on both the wall planes, roofs and ground plane. If stone or decorative block veneers are incorporated, the material should be used to highlight significant building features and massed elements.
- All sides of a building should express consistent architectural detail and character.
- All site walls and screen walls should be architecturally integrated with the building.
- Screening devices, site walls and enclosed service, loading and refuse areas should be designed to be an integral part of the building architecture.
- Extensive use of floor to ceiling glass storefronts is appropriate only under arcaded areas.

ORDINANCE NO. 2022-03

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING THE 2010 LAND DEVELOPMENT AGREEMENT
AFFECTING 47 ACRES SOUTH OF KEENE ROAD AND EAST OF
THE PLAT OF COUNTRY RIDGE.**

WHEREAS, on July 20, 2010, the City entered into a Development Agreement affecting 47 acres south of Keene Road and east of the Plat of Country Ridge (the “Original Agreement”)(Richland Contract No. 92-10); and

WHEREAS, the Original Agreement was entered into pursuant to RCW 36.70B.170(1) and as authorized by City of Richland Ordinance No. 21-10 for the purpose of settling an appeal filed by the Country Ridge Homeowners Association related to the City’s 2009 Comprehensive Plan amendments affecting the property (*see* Eastern Washington Growth Management Hearing Board Appeal No. 09-1004); and

WHEREAS, by its own terms, the Original Agreement may be amended by mutual agreement of the parties with notice to the Country Ridge Homeowners Association President; and

WHEREAS, despite execution of the Original Agreement in 2010, the property has remained undeveloped, likely due to the fact that its ownership has been divided among multiple unrelated individuals; and

WHEREAS, recently, the 47-acre property came under the common ownership of Columbia Valley Property Holdings, LLC; and

WHEREAS, the City received a request from the property owner to amend the Original Agreement, and a letter of support from the Country Ridge Homeowners Association. Upon review, the proposed First Amendment to Development Agreement maintains critical components of the Original Agreement and appears to be consistent with the intent of the 2010 settlement agreement and the Richland Comprehensive Plan amendments adopted by Ordinance No. 21-10; and

WHEREAS, a public hearing is required before a decision on the proposed First Amendment to Development Agreement can be rendered by Richland City Council (RCW 36.70B.200).

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The findings and conclusions contained in Section 1.01 of Ordinance No. 21-10 are adopted in support of approval of the First Amendment to Development Agreement and are incorporated by this reference as though set forth herein.

Section 2. The First Amendment to Development Agreement, attached hereto as **Exhibit A**, allows for development of a coordinated mixed use plan benefitting South Richland and the City as a whole while leaving all critical components of the Original Agreement unchanged.

Section 3. The Country Ridge Homeowners Association submitted written approval signed by a duly authorized representative acknowledging no opposition to the proposed amendments to the Original Agreement.

Section 4. The First Amendment to Development Agreement attached hereto as **Exhibit A** is hereby approved, and the City Manager is authorized to sign the same on behalf of the City of Richland.

Section 5. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

Section 6. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 7. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

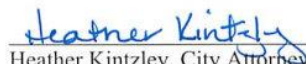
PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 15th day of February, 2022.


Michael Alvarez, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

First Reading: February 1, 2022
Second Reading: February 15, 2022
Date Published: February 20, 2022

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT to the July 20, 2010 Development Agreement is made and entered into this ____ day of _____, 2022 (the "Effective Date") by and between the **City of Richland**, a Washington municipal corporation ("City") and **Columbia Valley Property Holdings, LLC**, a Washington limited liability company and successor-in-interest to John Perry, Julie Ann Perry, Beulah Cousins, Linda Norwood, and Kerry and Jongjit Watts ("Owner").

I. RECITALS

WHEREAS, the City and original owners entered into a Development Agreement authorized by RCW 36.70B.170(1) dated July 20, 2010 and recorded under Benton County Auditor's File No. 2010-024273 (the "Original Agreement"); and

WHEREAS, the Original Agreement set forth development standards relating to the future zoning and development of the property subject to the Development Agreement (sometimes referred to as the "Property" or the "Site"); and

WHEREAS, the current Owner (as successor-in-interest to the original owners) has requested modifications to the Original Agreement to accommodate future mixed-use development on the Site, which modifications are substantially consistent with the intent of the Original Agreement and allowed under Section 18 of the Original Agreement and applicable law (see RCW 36.70B.200); and

WHEREAS, the Parties have agreed to amend the Original Agreement as set forth below in order for the Site to be developed.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Owner hereby agree as follows:

II. AGREEMENT

1. **Section 5(b)** of the Original Agreement, under the title *Parties to Development Agreement*, is replaced in its entirety with the following:

b) The "Owner" is Columbia Valley Property Holdings, LLC, who has succeeded to the interest of the original owners under the Original Agreement and is Owner of the entire Site.

2. **Section 7** of the Original Agreement, under the title *Term of Agreement*, is replaced in its entirety with the following:

Section 7. Term of Agreement. This Agreement (as amended) shall commence on the effective date of the Adopting Ordinance approving this Amendment. This Agreement may be further modified upon the City's adoption of zoning regulations or land use applications consistent with the Comprehensive Plan, provided that any additional modifications to the Agreement shall be consistent with Section 18 of the Original Agreement and applicable law. The Agreement (as amended) shall terminate when the Site has been fully developed. "Fully developed" means any combination of subdivision, site plan or land use approvals consistent with the

Agreement that bind the entire Site. The Country Ridge Homeowners Association, a Washington non-profit corporation, reviewed the terms of the Original Agreement and the First Amendment to the Development Agreement, although not a formal party to the Agreement, and by its letter attached hereto as **Exhibit A-1**, confirms that the Original Agreement (as amended) meets the intent of the Settlement Agreement regarding Eastern Washington Growth Management Hearing Board appeal No. 09-1004, the terms and conditions of which are hereby incorporated by reference into this Agreement. Other than as set forth in these agreements, the Growth Board Petitioners do not obtain any greater participation rights in the development of the Site described in Exhibit A.

3. **Section 10(d)** of the Original Agreement, under the title *Future Uses*, is replaced in its entirety with the following:

d) The Owner shall provide dedicated right-of-way for a future extension of Queensgate Drive, extending southward from Keene Road, through the Site to its connection to Shockley Road. This right-of-way dedication shall be made to the City at the time that an applicable land use application is reviewed and finalized by the Owner or a Developer for any portion of the Site, and shall be dedicated in its entirety at such time. The right-of-way width for future Queensgate Drive shall be determined at the subdivision or land use approval stage based on City development standards then in effect and consultation with the City's Public Works Director or designee. The specific alignment of the future roadway for Queensgate Drive shall be mutually agreed to by the Owner (or the Developer) and the City. Access points to and from future Queensgate Drive shall be determined at the subdivision or project review stage, however, the Owner (and Developer as the Owner's successor-in-interest) understands that direct access from single family residential lots shall not be allowed, and commercial access points may be limited consistent with City development standards then in effect and based on review and evaluation by the City's Public Works Director or designee.

4. **Section 10(f)** of the Original Agreement, under the title *Future Uses*, is replaced in its entirety with the following:

f) Access from future development onto Keene Road and/or the future Queensgate Drive shall be subject to road approach review and/or permits from the City, which review may include review of commercially reasonable site distances from existing intersections, including the intersection of Keene Road/Queensgate Drive.

5. **Section 10(g)** of the Original Agreement, under the title *Future Uses*, is replaced in its entirety with the following:

g) Zoning for the portion of the Site designated as Commercial may be C-1, C-2 or C-LB or may be part of a Planned Unit Development. Identified compatibility concerns at the zoning or project stage may be addressed by concomitant agreement(s) that limit potential commercial uses shown to be incompatible with nearby residential uses. Zoning for the portions of the Site designated as Multi-Family/Office shall be zoned C-LB (Limited Business) or shall be part of a Planned Unit Development. Unless otherwise approved by a variance at the project stage, permitted development will be limited to building heights no more than **forty (40) feet** on portions of the Site zoned commercial west of Queensgate Drive. Attached

Contract No. 92-10

as **Exhibit B-1** is a colored land use map showing the existing comprehensive plan designations for the Site.

6. Effect of Amendment. This First Amendment to the Development Agreement is intended to modify the Original Agreement. In the event of a conflict between the terms and conditions of the Original Agreement and this Amendment, the terms and provisions of this First Amendment shall control. Except as expressly modified by this First Amendment to the Development Agreement, all terms and conditions of the Original Agreement remain in full force and effect.
7. Governing Law. This Amendment shall be construed in accordance and governed by the laws of the state of Washington.
8. Effective Date. This First Amendment to the Development Agreement is made effective on the Effective Date first set forth above.

City of Richland
a Washington municipal corporation

Columbia Valley Property Holdings, LLC
a Washington limited liability company

By: _____
Jon Amundson, ICMA-CM
City Manager

By: _____
Mallikarjuna Vallem
Managing Member

Approved as to Form:

Heather Kintzley, City Attorney

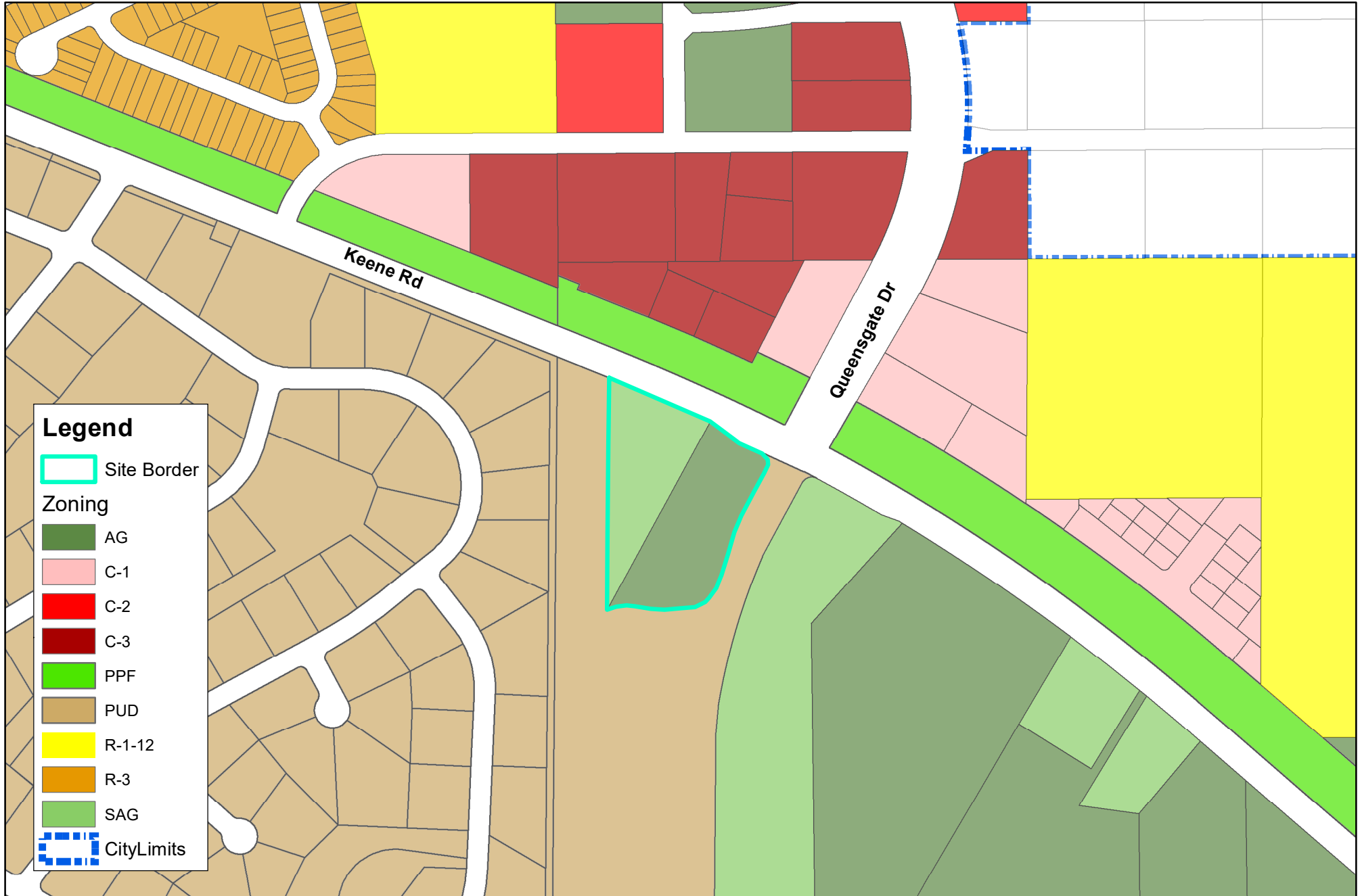
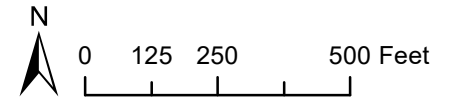


Exhibit 2

Zoning and Land Use Maps

Zoning Map

Item: 2155 Keene Rd, Rezone
Applicant: Peter Harpster
File #: Z2023-106



Land Use Map

Item: 2155 Keene Rd, Rezone
Applicant: Peter Harpster
File #: Z2023-106

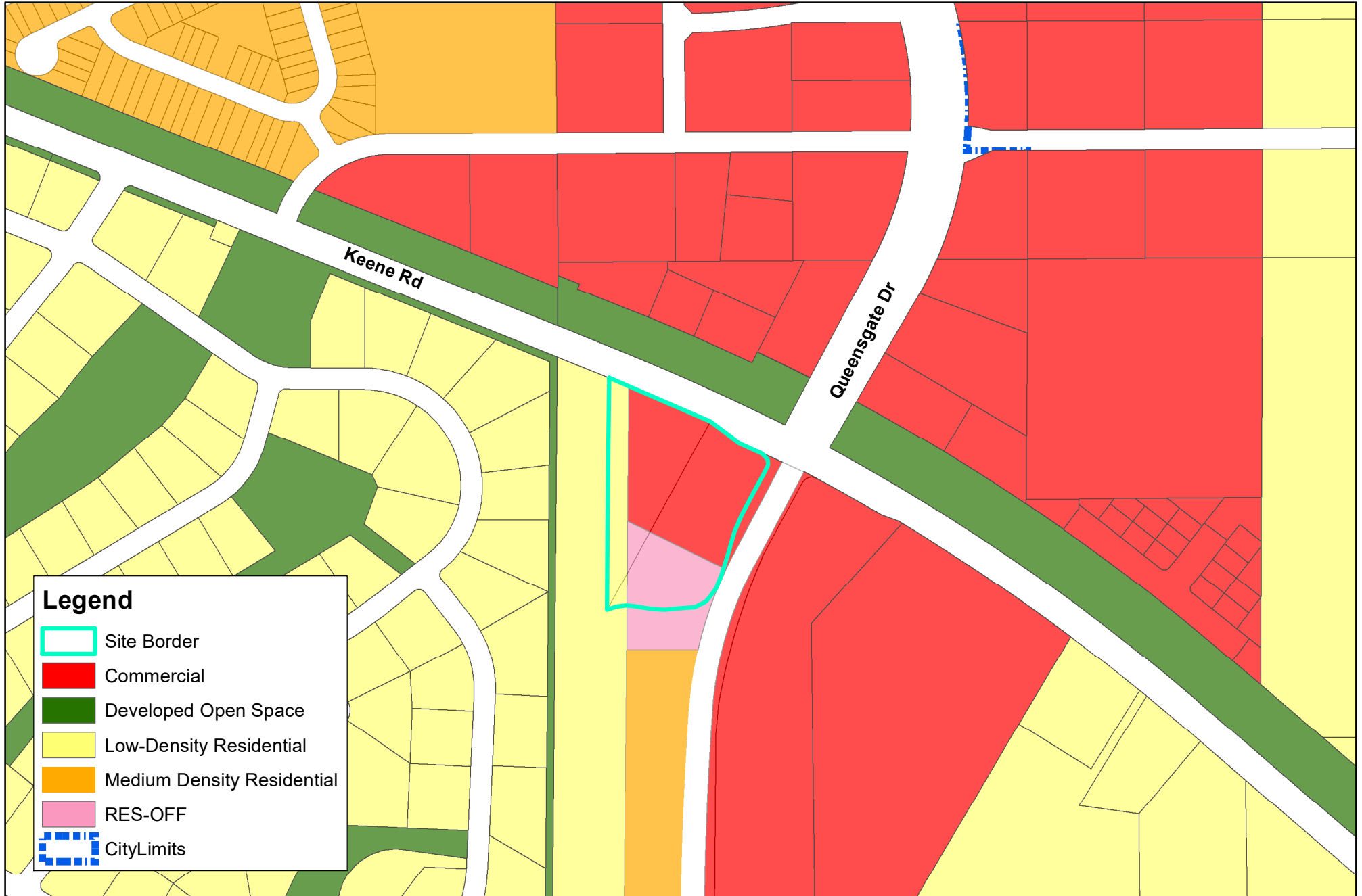
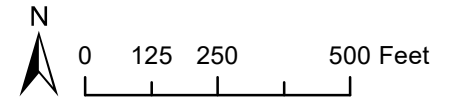




Exhibit 3

Ordinance 21-10

ORDINANCE NO. 21-10

AN ORDINANCE of the City of Richland amending the Comprehensive Plan and amending Title 23 of the Richland Municipal Code.

WHEREAS, on or about June 30, 2008, John Perry, Julee Ann Perry, Beulah Cosens, Linda Norwood, Kerry Watts and Jongjit Watts submitted a Petition to amend the City of Richland Comprehensive Plan and a Petition for Change of Zoning District Classification (together, known as City File No. Z2008-109 ("Z2008-109")); and

WHEREAS, on December 2, 2008, the City of Richland adopted Ordinance No. 32-08, amending the City of Richland Comprehensive Plan, reclassifying approximately 12.5 acres of property from Low and Medium Density Residential to Commercial and approximately 34.5 of primarily Low Density Residential to Medium Residential within the City limits, south of Keene Road and east of the plat of Country Ridge (Ordinance No. 32-08"); and

WHEREAS, on or about February 7, 2008, the Country Ridge Homeowners Association and Richard Forman filed an appeal before the Growth Management Hearings Board for Eastern Washington contesting the validity of the Respondent's Comprehensive Plan Amendments; and

WHEREAS, through negotiation among the interested parties, an amendment to City of Richland Comprehensive Plan has been proposed that would modify the changes thereto effected by Ordinance No. 32-08 by reclassifying certain portions of the property within the proposed area and reconfiguring zoning and density in a manner which remains consistent with the City of Richland's Comprehensive Plan; and

WHEREAS, the Parties agree a settlement is preferred to resolving the matter through a hearing before the Growth Management Hearings Board;

WHEREAS, the Richland City Council has considered all recommendations and reports submitted to it and held a public hearing on July 20, 2010; and

WHEREAS, it is hereby found to be in the best interest of the citizens of Richland that the amendments to the Comprehensive Plan in the form provided herein be adopted.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Richland as follows:

Section 1.01 The following Findings and Conclusions for the adoption of a settlement agreement between the City of Richland and the Country Ridge Homeowners Association and Richard Forman form the basis for the adoption of the this Comprehensive Plan as set forth in Sections 1.02 and 1.03 of this ordinance.

1. The City of Richland Comprehensive Plan, originally adopted in 1997, designated the 47.9-acre area as suitable for Low and Medium Density Residential development;
2. The City took action in 2008 to approve a comprehensive plan amendment to designate the site as suitable for Commercial and Medium Density Residential development;
3. The City's decision to amend its comprehensive plan was appealed to the Eastern Washington Growth Management Hearings Board by Richard Forman and the Country Ridge Homeowners Association;
4. The Hearings Board has not rendered a decision on the appeal at the request of the City and the appellants, who have worked together with the applicants to develop agreements to both settle the appeal (settlement agreement) and to guide the future development of the site (development agreement);
5. Under the provision of these agreements, the existing zoning of the property SAG – Suburban Agriculture and AG – Agricultural would remain in place until the property owners brought forward a specific request for a change in zoning consistent with the provisions of the development agreement;
6. The existing Richland Comprehensive Plan calls for the extension of a collector road, Queensgate Drive, to extend southward from Keene Road across the subject properties to Shockley Road.
7. Lands are designated for low density residential land uses under the Comprehensive Plan to the west, east and south of the subject properties. Properties to the north are designated for commercial land uses;
8. Properties to the west are zoned Planned Unit Development; property to the south is zoned R-1-10 Single Family Residential; property to the east is zoned AG – Agricultural and SAG – Suburban Agriculture and property to the north is zoned C-1 Neighborhood Retail;
9. The level of population growth anticipated in the comprehensive plan of a 39% increase over the next 20 years does justify the need for some additional commercial and medium density residential land;
10. The area adjacent to Keene Road and the future Keene Road/Queensgate Drive intersection is suitable for commercial land uses given the existing and proposed transportation system in the area and the proximity of existing commercial uses located directly north of the subject properties;

11. The future extension of a collector road through the middle of the subject properties provides an appropriate area for future medium density residential and multi-family/office development;
12. The proposed agreements provide a number of specific mitigation measures that will ensure that future development of the site will be appropriately buffered. Measures include the provision of low density residential development immediately adjacent to adjoining properties; the construction of a masonry wall; the provision of buffers; restrictions on the nature of future commercial uses and the provision of design standards to guide the appearance and size of future commercial buildings;
13. The approval of the settlement agreement and development agreement is consistent with the following comprehensive plan policies:
 - Land Use Goal 3, which promotes commercial growth and revitalization that serves residents and strengthens and expands the tax base;
 - Policy 4 of Land Use Goal 3, relating to the provision of neighborhood oriented commercial land uses in Neighborhood Activity Centers;
 - Policy 1 of Land Use Goal 4 which calls for a balanced distribution of residential uses and densities throughout the urban growth area;
 - Policy 2 of Land Use Goal 4 which encourages residential densification;
 - Policy 8 of Land Use Goal 7 which directs the City to use sight and sound buffers or transition zones between non-compatible uses.
14. The conditions listed in the development agreement are necessary and desirable to ensure that the right-of-way necessary to develop the City's collector street system is established;
15. The conditions listed in the development agreement are necessary and desirable to ensure that appropriate access control is maintained along the City's collector and arterial streets to ensure that traffic flow is maintained.
16. The conditions listed in the development agreement are necessary and desirable to ensure that appropriate separation of differing land uses is provided to mitigate land use impacts
17. Based on the above findings and conclusions, adoption of the settlement agreement and development agreement and implementation of the resulting comprehensive plan amendment would be in the best interest of the community of Richland.

Section 1.02 Section 23.01.030 of the Richland Municipal Code, as last amended by Ordinance No. 33-09, is hereby amended to read as follows:

23.01.030 Plan Adopted.

There is hereby adopted as a current and flexible guide to coordinate the public and private development of property and other resources of the City of Richland that certain Comprehensive Plan adopted by the Richland City Council on October 6, 1997, and amended on December 14, 1998, December 7, 1999, December 19, 2000, October 16, 2001, December 2, 2002, December 3, 2003, December 7, 2004, December 6, 2005, December 19, 2006, December 4, 2007, December 2, 2008 and November 17, 2009, and August 3, 2010, which is on file with the City Clerk and consists of maps, general goals and policies relating to economic development, land use, transportation, utilities, capital facilities and housing, and also establishes an Urban Growth Area Boundary Land Use Plan Map. (Ord. 47-05; Ord. 40-06; Ord. 41-07; Ord. 32-08: Ord. 33-09)

Section 1.03 Richland City Council directs the City Clerk to maintain the following amendments to the City of Richland's Comprehensive Plan as follows: Exhibit A – Amendment to Land Use, duly certified by the clerk as a true copy and to be retained as a permanent record and the following Amendment to Land Use Goal 7, Policy 8;

The City will ensure the use of sight and sound buffers or transitions in zones between non-compatible land uses.

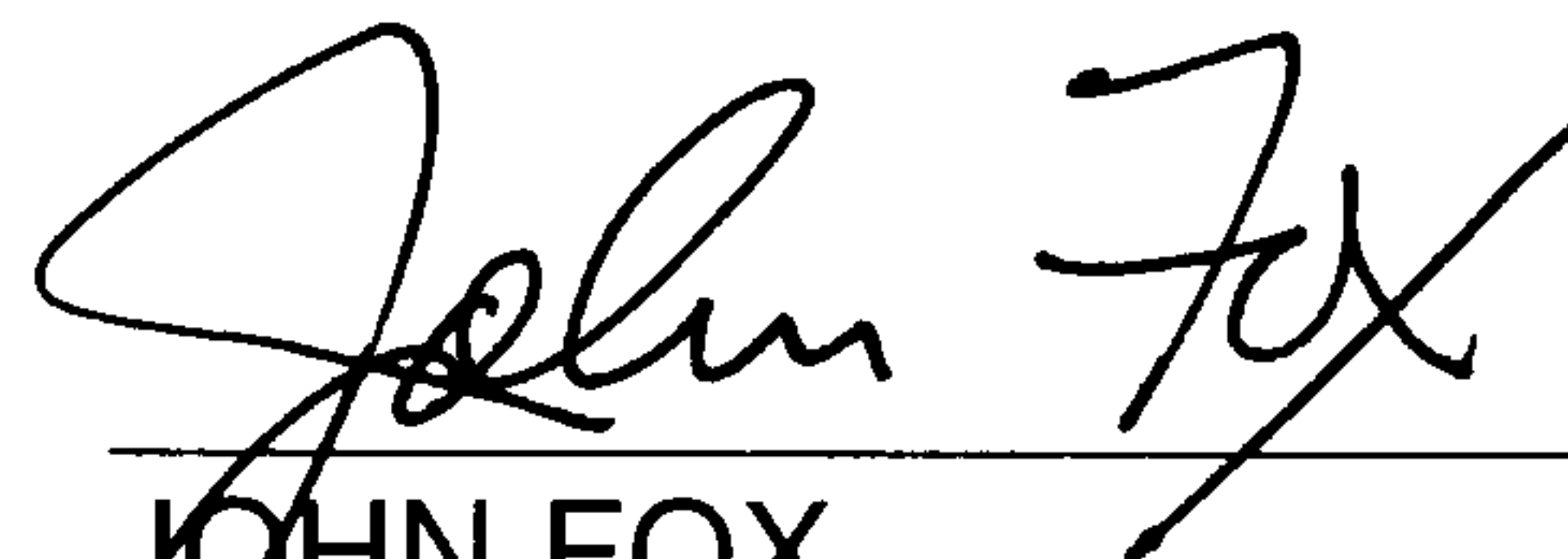
- A) Commercially designated areas generally south of Keene Road, north of Shockley Road and east of the Country Ridge development shall be provided with a low density buffer consisting of two tiers of lots and an average density of three dwelling units per acre.
- B) Residential land between Keene and Shockley Road and adjoining the proposed Queensgate Drive extension can be developed with an average density of ten units/acre provided the low density buffer identified in "A" above is maintained.
- C) The developer(s) shall be responsible for the construction of a solid masonry wall along the eastern boundary of the Country Ridge development between Keene Road and Shockley Road at the time that the adjacent property is developed.
- D) Appropriate buffers shall also be provided along the eastern boundaries of this commercial area lined between Keene Road and Shockley Road, along the Queensgate Drive extension in order to provide adequate separation to the adjoining residential properties. Buffer standards shall be determined when specific zoning or development plans are reviewed and approved by the City and may include limitations on building height, building setback and design, landscape planning, and the placement of fencing or masonry walls.

Section 1.04 If any section, sentence, clause, or phrase of the amendments set forth in this Comprehensive Plan amendment ordinance should be timely challenged to

any body or court with authority and jurisdiction to hear such a challenge, or if such amendment be determined to be invalid or unconstitutional, such challenge, invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause, phrase or amendment of this adopted comprehensive plan amendment ordinance.

Section 1.05 This ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

PASSED by the City Council of the City of Richland, at a regular meeting on the 3rd day of August, 2010.



JOHN FOX
Mayor

ATTEST:



DEBRA C. BARHAM, CMC
Chief Deputy City Clerk

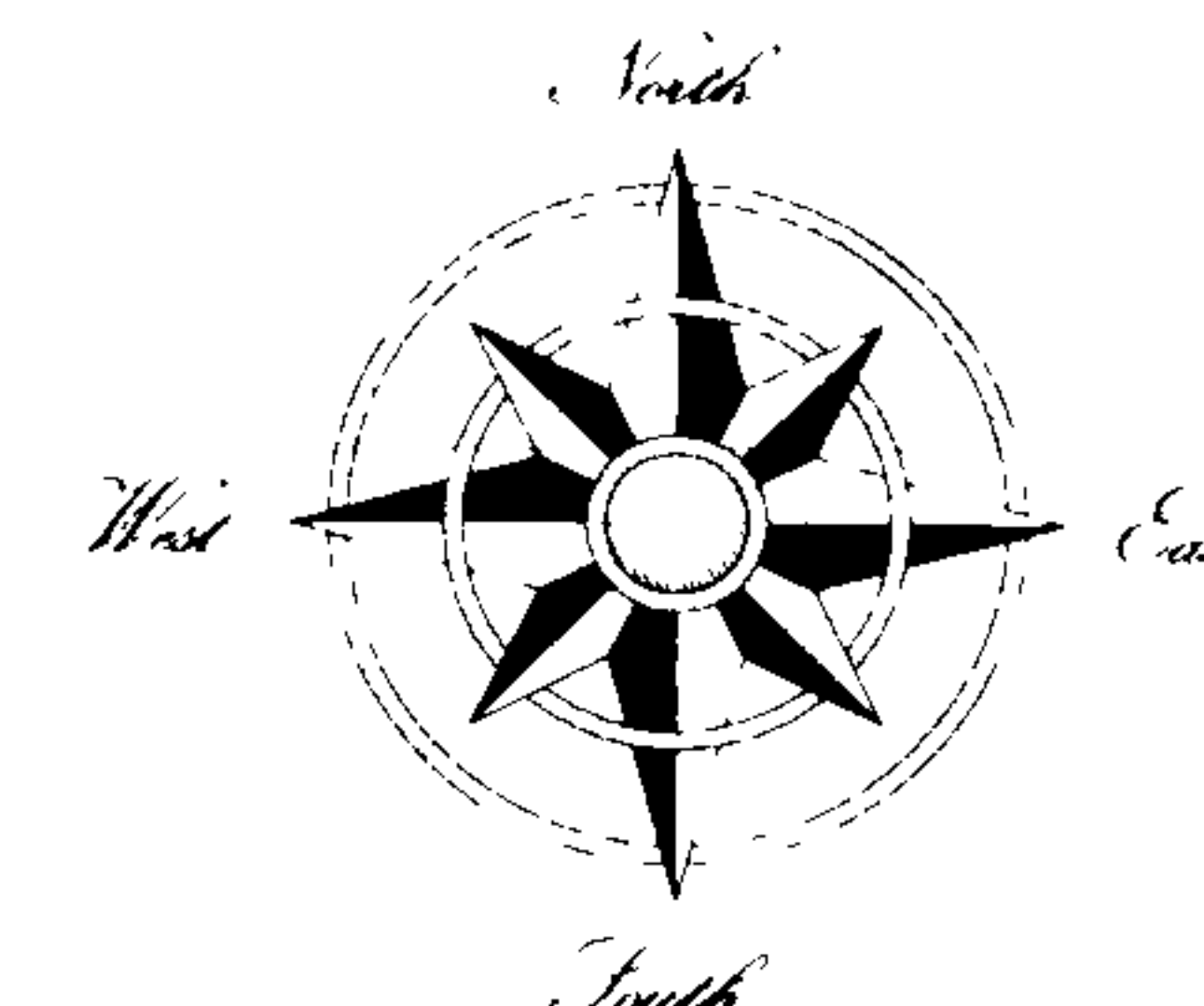
APPROVED AS TO FORM:



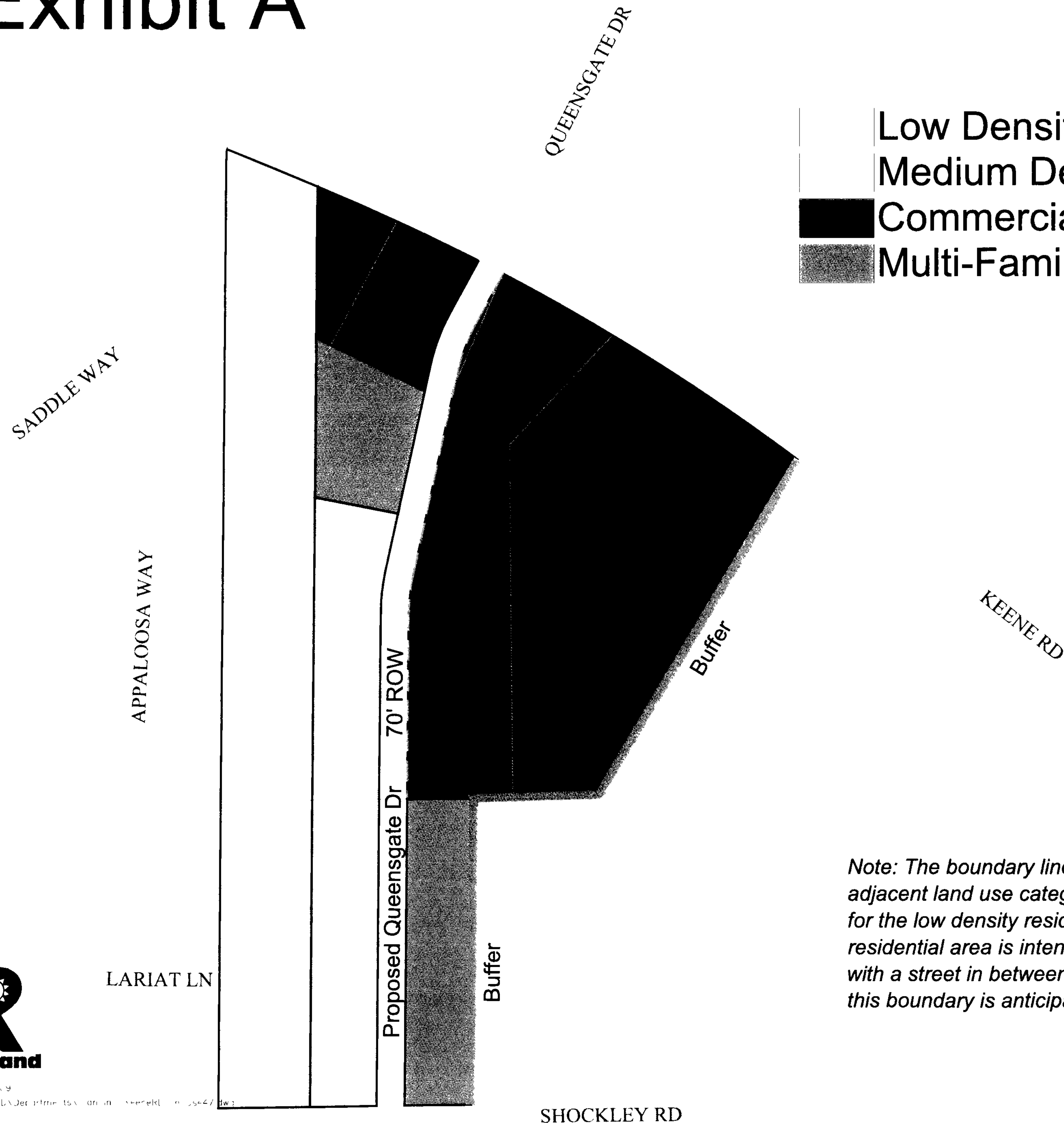
THOMAS O. LAMPSON
City Attorney

Date Published: August 8, 2010

Exhibit A



Low Density Residential
Medium Density Residential
Commercial
Multi-Family/Office



Note: The boundary line between low density residential and the adjacent land use categories is not intended to depict a specific width for the low density residential area. The width of the low density residential area is intended to accommodate two tiers of residential lots with a street in between them. Some minor adjustment to the location of this boundary is anticipated as development of the area occurs.



29 IN 219

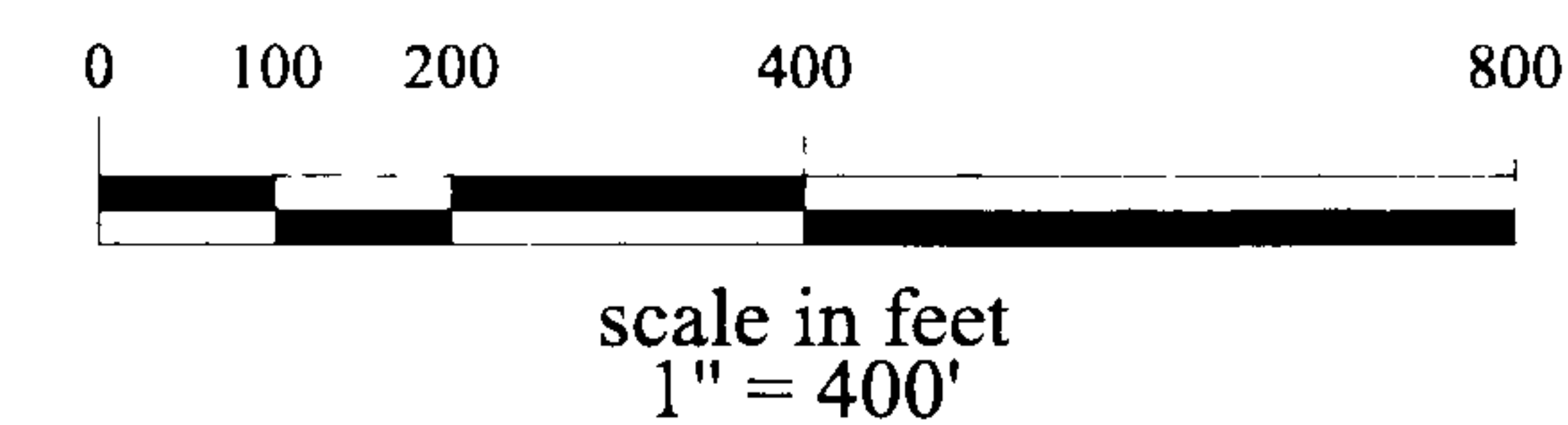
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Exhibit 4

Contract 92-10

WASHINGTON STATE COUNTY AUDITOR'S/RECORDER'S
INDEXING FORM (Cover Sheet)

92-10

2010-024273 AGR

08/27/2010 08:44:54 AM Pages: 13 Fee: \$74.00

Richland City Clerk

Benton County, Benton County Auditor's Office



August 24, 2010

Return address:

City Clerk

City of Richland

P.O. Box 190, MS-05

Richland, WA 99352

Please print or type information

Document Title(s) (or transactions contained therein):

Development Agreement

Reference Number(s) of Documents assigned or released:

(on page _____ of document(s))

Grantor(s) (Last name first, then first name and initials)

1. City of Richland

2.

3.

4.

5. ☐ Additional names on page _____ of document.

Grantee(s) (Last name first, then first name and initials)

1. Perry, John

2. Perry, Julie Ann

3. Cosens, Beulah

4. Norword, Linda

5. ☒ Additional names on page 1 of document.

Legal description (abbreviated: i.e. lot, block, plat or section, townships, range)

Exhibit A on page 11

*Sec 22, Township 9 North,
Range 28*

☐ Additional legal is on page _____ of document.

Assessor's Property Tax Parcel/Account Number

1-2298-300-0002-002

☒ Additional legal is on page 12 of document.

The Auditor/Recorder will rely on the information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**DEVELOPMENT AGREEMENT
BY AND BETWEEN THE CITY OF RICHLAND
AND JOHN PERRY, JULEE ANN PERRY, BEULAH COSENS, LINDA
NORWOOD, KERRY WATTS AND JONGJIT WATTS**

THIS DEVELOPMENT AGREEMENT is made and entered into this ^{20th} day of ~~June~~^{July}, 2009, by and between the City of Richland, a First Class code Washington municipal corporation, hereinafter the "City," and John Perry, Julee Ann Perry, Beulah Cousins, Linda Norwood, Kerry Watts and Jongjit Watts, property owners; hereinafter the "Owners."

RECITALS

WHEREAS, the Washington State Legislature has authorized the execution of a development agreement between a local government and a person or persons having ownership or control of real property within its jurisdiction (RCW 36.70B.170(1)); and

WHEREAS, a development agreement must set forth the development standards and other provisions that shall apply to, govern and vest the development, use and mitigation of the development of the real property for the duration specified in the agreement (RCW 36.70B.170(1)); and

WHEREAS, for the purposes of this development agreement, "development standards" include, but are not limited to, all of the standards listed in RCW 36.70B.170(3); and

WHEREAS, a development agreement must be consistent with the applicable development regulations adopted by a local government planning under chapter 36.70A RCW (RCW 36.70B.170(1)); and

WHEREAS, this Development Agreement by and between the City of Richland and the Owners relates to the amendment of the City Comprehensive Plan land use designations for approximately 47 acres of land generally located south of Keene Road, north of Shockley Road, east of the Plat of Country Ridge and which consists of five separate parcels of record and which has been the subject of File #Z2008-109; and

WHEREAS, the following events have occurred in the processing of the Developer's application:

a) By Ordinance No. 32-08, the City amended the City's Comprehensive Plan land use designation for the Property from Low Density Residential to Commercial (12.5 acres) and Medium Density Residential (34.5 acres) ;

b) Richard Forman and the Country Ridge Homeowners Association, parties of record, filed an appeal before the Eastern Washington Growth Management Hearings Board challenging the validity of the comprehensive plan amendment;

c) Adoption of this development agreement will complete a settlement agreement entered into between the city of Richland, the property owners and the appellants.

d) After a public hearing, by Ordinance No. 21-10 the City Council authorized the City Manager to sign this Development Agreement with the Owners; and

Now, therefore, the parties hereto agree as follows:

General Provisions

Section 1. *The Project.* Future development of the site is anticipated to be a mix of commercial, office and residential uses as set forth in the comprehensive plan. The owners acknowledge that there is not yet a specific development proposal for the site. This agreement anticipates that the Owners will develop plans themselves and/or sell the site to a Developer(s) who will then develop specific plans for the future use of the site.

Section 2. *The Site.* The project site is legally described in Exhibit A, attached hereto and incorporated herein by this reference.

Section 3. *Definitions.* As used in this Development Agreement, the following terms, phrases and words shall have the meanings and be interpreted as set forth in this Section.

a) “*Adopting Ordinance*” means the Ordinance which approves this Development Agreement, as required by RCW 36.70B.200.

b) “*Developer*” means any party or parties who acquire ownership of the site or a portion of the site and bring forward plans for the future development of the site and who shall be subject to the applicable provisions of this agreement.

c) “*Existing Development Regulations*” means the ordinances adopted by the City Council of Richland in effect on the date that the Adopting Ordinance takes effect, including the following provisions of the Richland Municipal Code: Title 12 – Streets, Title 19 – Development Regulation Administration, Title 20 – Buildings, Title 22 – Environment, Title 23 – Zoning, Title 24 – Subdivision, and Title 27 Signs as well as all other provisions of City Code that address design standards.

d) “*Owners*” means collectively the parties who have ownership interest in the five parcels of record that comprise the Site.

e) “*Project*” means the anticipated development of the Site, as specified in Section 1 and as addressed in the City’s adopted comprehensive plan.

Section 4. *Exhibits.* Exhibits to this Agreement are as follows:

a) Exhibit A – Legal description of the Site.

b) Exhibit B – Design standards

Section 5. *Parties to Development Agreement.* The parties to this Agreement are:

a) The “City” is the City of Richland, 505 Swift Boulevard, Richland, WA 99352.

b) The “Owners” are John Perry, PO Box 5900, Kennewick, WA 99336; Julee Ann Perry, 1102 Appaloosa Way, Richland, WA 99352; Beulah Cosens, 3680 Keene Road, Richland, WA 99352; Linda Norwood, 324 Columbia Point Drive, Richland, WA

99352; Kerry Watts and Jongjit Watts, 68 Canyon Street, Richland, WA 99352; all of whom have ownership interests in some of the five parcels that comprise the site.

c) The “Developer.” From time to time, as provided in this Agreement, the Owners may sell or otherwise lawfully dispose of a portion of the Site to a Developer who shall be subject to the provisions of this Agreement related to such portion of the Site.

Section 6. *Project is a Private Undertaking.* It is agreed among the parties that the Project is a private development and that the City has no interest therein except as authorized in the exercise of its governmental functions.

Section 7. *Term of Agreement.* This Agreement shall commence upon the effective date of the Adopting Ordinance approving this Agreement, and shall continue in force indefinitely. This agreement may be modified upon the City’s adoption of zoning for the site in a fashion consistent with the Comprehensive Plan, provided that any modification to the agreement shall be consistent with Section 18 herein and shall be consistent with the intent of this agreement. This or any future agreement shall be terminated when the Site has been fully developed. Fully developed shall mean any combination of final plat and site plan approval consistent with this agreement that bind the entire site. The terms and conditions of settlement agreement regarding Eastern Washington Growth Management Hearing Board appeal No. 09-1004 are incorporated by reference into this development agreement. Other than as set forth in these agreements, the Growth Board Petitioners do not obtain any greater participation rights in the development of the site described in Exhibit A.

Section 8. *Vested Rights of Owner.* During the term of this Agreement, in developing the Site consistent with the Project described herein, the Owners are assured, and the City agrees, that the Site shall be permitted to develop in accordance with the comprehensive plan designations put into place on the site and that the development rights, obligations, terms and conditions specified in this Agreement are fully vested in the Owners and may not be changed or modified by the City, except as may be expressly permitted by, and in accordance with, the terms and conditions of this Agreement, or as expressly consented thereto by the Owners.

Section 9. *Current Permitted Uses* The current permitted uses, the density and intensity of use, the maximum height and size of proposed buildings shall be consistent with the zoning regulations pertaining to the SAG Suburban Agriculture and AG – Agricultural zoning districts, as codified in Title 23 of the Richland Municipal Code. This zoning shall remain in place until such time when the Owners and/or a Developer brings forward a proposal to amend the zoning.

Section 10 *Future Uses.* The future permitted uses, the density and intensity of use, the maximum height and size of proposed buildings shall be determined when the City grants approval of an application(s) for zoning amendment brought forward by the Owners and/or Developer. The future zoning shall be consistent with the City’s adopted comprehensive plan and shall include the following:

- a) A buffer area of Low density residential development designated along the westerly property boundary of the Site, adjacent to the Country Ridge property line and zoned for R-1-12. The buffer would provide for two tiers of single family residential lots separated by a road corridor, providing for an overall density not to exceed three (3) lots per acre (inclusive of such road corridor). A Planned Unit Development may be utilized to achieve a density average consistent with this agreement. These lots would meet all R-1-12 zoning standards, and such lots adjoining the adjacent Country Ridge development shall be laid out with their rear yards facing the County Ridge property line.
- b) Areas that are designated as Medium Density Residential in the comprehensive plan may be developed to an average density of ten (10) units per acre. For the purposes of calculating density within the Medium Density portions of the site, all residential lands designated either Low density residential or Medium Density Residential may be used to determine the maximum overall permitted density of ten (10) units per acre, provided that the low density buffer identified in subsection a (above) shall be maintained at a maximum density of 3 dwelling units per acre.
- c) A masonry wall, at least six feet in height shall be installed along the length of the western property boundary of the Site, providing a separation between the Site and the adjoining plat of Country Ridge. This wall shall be constructed simultaneously with the development of the adjacent lands that are designated Low Density Residential. Approval of a specific design for the masonry wall shall be part of the development approval process for the Low Density Residential lands. The wall shall be constructed in earth tones consistent with surrounding neighborhoods such as the Applewood and Cherrywood subdivisions.
- d) The Owners shall provide a dedication of a future Queensgate Drive Right-of-Way, extending southward from Keene Road, through the Site to its connection to Shockley Road. This Right-of-Way dedication shall be granted in its entirety at the time that a zoning application is brought forward by the Owners or a Developer for any portion of the Site. The Right-of-Way dedication for Queensgate Drive shall be 70 feet in width. The specific alignment of the future roadway shall be as mutually agreed to by the Owners and the City. Queensgate Drive has been classified as a planned Arterial Collector on the City's Street Function Class Map. As such, direct access from residential lots will be prohibited and commercial access will be managed to limit the number of access points.
- e) Buffer standards for the eastern boundary of the site shall be established at the time a specific zoning proposal is submitted to the City and at a minimum shall address:
 - 1. Building setbacks;
 - 2. Maximum building height;
 - 3. Landscape screening and/or fencing;
 - 4. Restrictions on outdoor lighting;

5. Restrictions on location of outdoor storage areas, truck loading docks, refuse collection areas.

The intent of the buffer shall be to provide an adequate separation between the proposed commercial/multi-family residential use and the adjoining low density residential land use to protect the low density residential property from impacts of noise, and light and glare.

- f) No access for future development from the Site onto Keene Road will be permitted. Access from future development onto the future Queensgate Drive shall be separated from the Keene Road/Queensgate Drive intersection by a minimum distance of 300 feet;
- g) Zoning for the portions of the site designated as Commercial shall either be C-1 Neighborhood Retail or shall be part of a Planned Unit Development that will specifically limit the potential commercial uses to those that are of a neighborhood scale and compatible with nearby residential uses and otherwise consistent with C-1 Neighborhood Retail zoning. Zoning for the portions of the site designated as Multi-Family/Office shall be zoned C-LB Limited Business or shall be part of a Planned Unit Development that will specifically limit uses to those that are compatible with C-LB Limited Business zoning. In either case, the permitted development will be specifically limited to buildings no more than thirty (30) feet in height or more than two-stories.
- h) Development proposals within the portions of the Site designated as Commercial shall not be approved unless they are determined to be consistent with the design standards included in Exhibit B (attached) of this agreement and Section 23.28.020(D)(1) through (4) of the Richland Municipal Code.
- i) Development proposals within the portions of the Site designated as Low Density Residential shall be reviewed and approved through the City Subdivision process as specified in Title 24 of the Richland Municipal Code or through the Planned Unit Development Application Procedures as set forth in Chapter 23.50 of the Richland Municipal Code.
- j) Development proposals within the portion of the site adjoining Lariat Lane Right-of-Way shall provide for the extension of Lariat Lane eastward to connect with the future Queensgate Drive extension, unless said extension is determined to be unnecessary by the City. Any extension of Lariat Lane into the Site shall be accomplished through an indirect route that will include at least nine hundred (900) feet of travel in a north-south orientation before Lariat Lane can be connected to Queensgate Drive. The design of Lariat Lane may also include other traffic calming measures. The intent of this provision is to provide connectivity between the Country Ridge neighborhood and the Site but to keep Lariat Lane from functioning as a collector street.
- k) The process of implementing the comprehensive plan may result in some minor deviations to the plan, such as adjustments in zoning boundary lines. Such deviations may be acceptable if they are deemed minor in nature and consistent with Items a through j as listed above.
- l) The City shall provide notification to the Country Ridge Homeowners Association President and Richard Forman of any development proposed

within the Site that requires public review under the provisions of the Richland Municipal Code.

Section 11. *Subject to City Development Standards.* The Owners acknowledge that the development of the site shall be subject to the City's development standards in place at the time development proposals are brought forward, including but not limited to requirements for payments of fees and/or dedication of property for mitigation of traffic and park impacts; and for the installation and extension of public utility and street systems.

Section 12. *Further Discretionary Actions.* The Owners acknowledge that the City Municipal Code contemplates the exercise of further discretionary powers by the City. These powers include, but are not limited to, review of permit applications under SEPA and under the provisions of Title 19 of the Richland Municipal Code – Development Regulation Administration. Nothing in this Agreement shall be construed to limit the authority or the obligation of the City to hold legally required public hearings, or to limit the discretion of the City and any of its officers or officials in complying with or applying the provisions of the City Municipal Code.

Section 13. *Existing Land Use Fees and Impact Fees.*

A. Land use fees adopted by the City by ordinance as of the effective date of this Agreement may be increased by the City from time to time, and applicable to permits and approvals for the Site, as long as such fees apply to similar applications and projects in the City.

B. All impact fees shall be paid as set forth in the approved permit or approval, or as addressed in the Titles 12 and 20 of the Richland Municipal Code.

Section 14. *Default.*

A. Failure or delay by either party not released from this Agreement, to perform any term or provision of this Agreement shall constitute a default. In the event of alleged default or breach of any terms or conditions of this Agreement, the party alleging such default or breach shall give the other party not less than thirty (30) days notice in writing, specifying the nature of the alleged default and the manner in which said default may be cured. During this thirty (30) day period, the party or Owners charged shall not be considered in default for purposes of termination or institution of legal proceedings.

B. After notice and expiration of the thirty (30) day period, if such default has not been cured or is not being diligently cured in the manner set forth in the notice, the other party or Owners to this Agreement may, at its option, institute legal proceedings pursuant to this Agreement. In addition, the City may decide to file an action to enforce the City's Codes, and to obtain penalties and costs as provided in the Richland Municipal Code.

C. Extensions of time granted in writing by mutual consent by all parties to this agreement shall not be construed as a default.

Section 15. *Termination* This or any future Agreement shall be terminated when the Site has been fully developed in accordance with the Agreement. Fully developed shall mean

any combination of final plat approval and site plan approval consistent with this agreement that binds the entire site.

Section 16. *Assignment and Assumption.* This agreement shall not restrict the right of the owners to sell, assign or transfer their properties to any person, firm or corporation. The Owners shall provide the City with written notice of any intent to sell, assign, or transfer all or a portion of the Subject Property, at least 30 days in advance of such action.

Section 17. *Covenants Running with the Land.* The conditions and covenants set forth in this Agreement and incorporated herein by the Exhibits shall run with the land and the benefits and burdens shall bind and inure to the benefit of the parties. The Owners, Developer(s) and every purchaser, assignee or transferee of an interest in the Site, or any portion thereof, shall be obligated and bound by the terms and conditions of this Agreement, and shall be the beneficiary thereof and a party thereto, but only with respect to the Site, or such portion thereof, sold, assigned or transferred to it. Any such purchaser, assignee or transferee shall observe and fully perform all of the duties and obligations of an Owner contained in this Agreement, as such duties and obligations pertain to the portion of the Site sold, assigned or transferred to it.

Section 18. *Amendment to Agreement; Effect of Agreement on Future Actions.* This Agreement may be amended by mutual consent of all of the parties, to make minor amendments consistent with the terms of this agreement or to obtain relief from unduly oppressive terms or conditions, provided that any such amendment shall follow the process established by law for the adoption of a development agreement (*see*, RCW 36.70B.200) and be consistent with the intent of the original agreement. However, nothing in this Agreement shall prevent the City Council from making any amendment to its Comprehensive Plan, Zoning Code, Official Zoning Map or development regulations affecting the Site as the City Council may deem necessary to the extent required by a serious threat to public health and safety. The City shall provide notification to the Country Ridge Homeowners Association President of any proposed amendment to this Development Agreement.

Section 19. *Releases.* Owners, and any subsequent Developer, may free itself from further obligations relating to the sold, assigned, or transferred property, provided that the buyer, assignee or transferee expressly assumes the obligations under this Agreement as provided herein.

Section 20. *Notices.* Notices, demands, correspondence to the City and Owners shall be sufficiently given if dispatched by pre-paid first-class mail to the addresses of the parties as designated in Section 5. Notice to the City shall be to the attention of both the City Director of Community Development and the City Attorney. Notices to subsequent Owners shall be required to be given by the City only for those Owners who have given the City written notice of their address for such notice. The parties hereto may, from time to time, advise the other of new addresses for such notices, demands or correspondence.

Section 21. *Applicable Law and Attorneys' Fees.* This Agreement shall be construed and enforced in accordance with the laws of the State of Washington. If litigation is initiated to enforce the terms of this Agreement, the prevailing party shall be entitled to recover its reasonable attorneys' fees and costs from the non-prevailing party. Venue for any action shall lie in Benton County Superior Court or the U.S. District Court for Eastern Washington.

Section 22. *Third Party Legal Challenge.* In the event any legal action or special proceeding is commenced by any person or entity other than a party or an Owner to challenge this Agreement or any provision herein, the City may elect to tender the defense of such lawsuit or individual claims in the lawsuit to Owner(s). In such event, Owners shall hold the City harmless from and defend the City from all costs and expenses incurred in the defense of such lawsuit or individual claims in the lawsuit, including but not limited to, attorneys' fees and expenses of litigation, and damages awarded to the prevailing party or parties in such litigation. The Owners shall not settle any lawsuit without the consent of the City. The City shall act in good faith and shall not unreasonably withhold consent to settle.

Section 23. *Specific Performance.* The parties specifically agree that damages are not an adequate remedy for breach of this Agreement, and that the parties are entitled to compel specific performance of all material terms of this Development Agreement by any party in default hereof.

Section 24. *Severability.* If any phrase, provision or section of this Agreement is determined by a court of competent jurisdiction to be invalid or unenforceable, or if any provision of this Agreement is rendered invalid or unenforceable according to the terms of any statute of the State of Washington which became effective after the effective date of the ordinance adopting this Agreement, and either party in good faith determines that such provision or provisions are material to its entering into this Agreement, that party may elect to terminate this Agreement as to all of its obligations remaining unperformed.

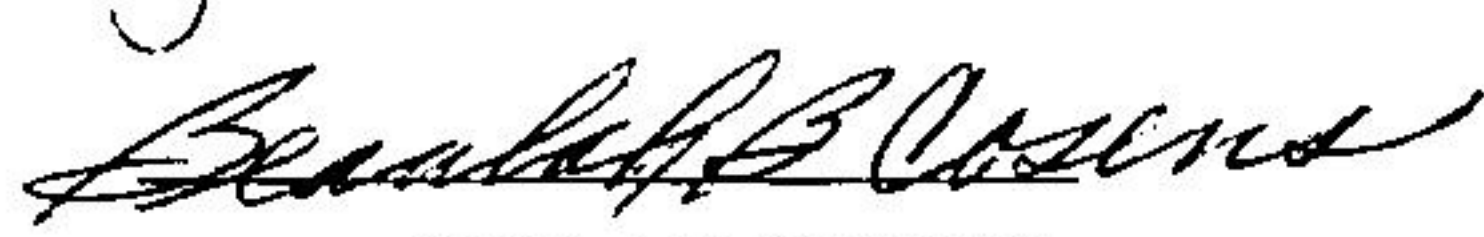
IN WITNESS WHEREOF, the parties hereto have caused this Development Agreement to be executed as of the dates set forth below:

OWNERS

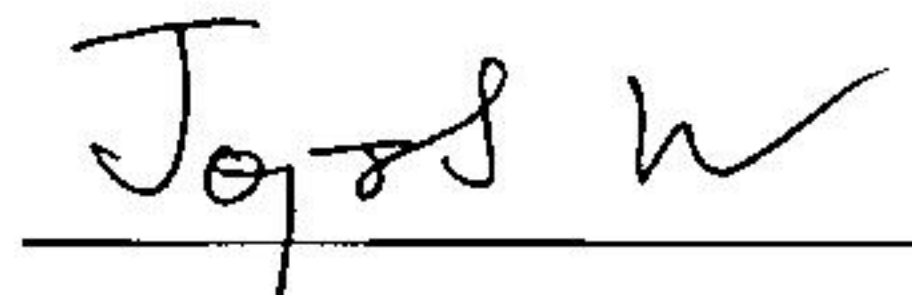

JOHN C. PERRY


LINDA NORWOOD

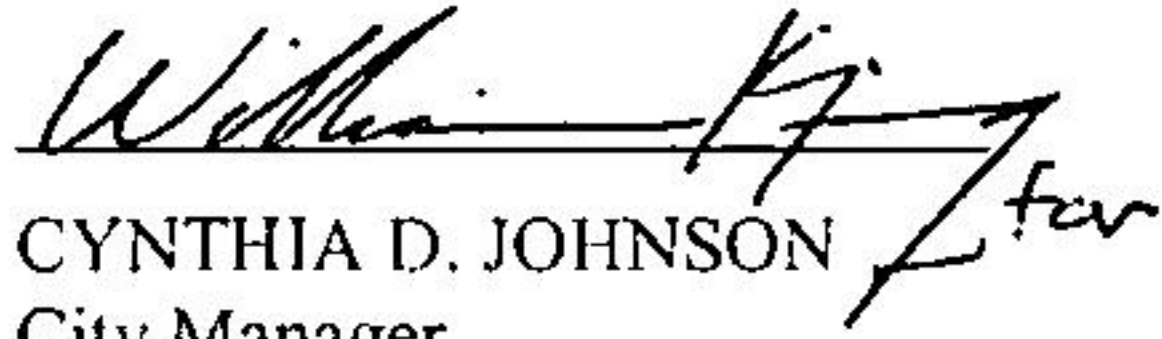

JULEE ANN PERRY


BEULAH COSENS


KERRY WATTS 5-11-10


JONGJIT WATTS 5-11-10

CITY OF RICHLAND


CYNTHIA D. JOHNSON
City Manager

APPROVED AS TO FORM:


THOMAS L. O. LAMPSON
City Attorney 8/20/10

EXHIBIT A

Legal Description

Those portions of the Southwest Quarter of Section 22, Township 9 North, Range 28 E.W.M. lying south of the Keene Road Right-of-Way and north of the Shockley Road Right-of-Way and consisting of the following Benton County Assessor Parcel Identification Numbers: 1-2298-300-0002-002, 1-2298-300-0002-001, 1-2298-300-0001-009, 1-2298-300-0004-000, 1-2298-300-0003-002 & 1-2298-300-0005-000.

EXHIBIT B

DESIGN GUIDELINES

In order to enhance the human scale and respect the scale and character of the adjoining residential neighborhoods, commercial uses developed under this agreement will comply with the following guidelines:

- The design of all buildings in this commercial area should share similar design characteristics and design vocabulary. Utilizing similar colors, materials and textures as well as repeating patterns, rhythms and proportions found within the architecture of surrounding commercial and residential buildings should be used to achieve unity.
- Buildings should respect the predominant scale of development in the surrounding area by designing with elements of a similar scale and providing a gradual transition to any larger scaled masses proposed.
- Taller buildings or portions of a building should be located internally to a site with buildings stepping down in height as they reach the edges of sites that are adjoined by smaller scaled development.
- Buildings or portions of a building mass over 50 feet wide are encouraged to divide their elevations into smaller parts. A pronounced change in massing, pronounced changes in wall planes and introducing significant variations in the cornice/roofline are all possible methods to accomplish the desired divisions of elevations into smaller parts.
- Building colors should emphasize muted earth tones. The use of highly reflective or glossy materials should be used for accent only.
- Rich materials and a variety of materials are desirable on both the wall planes, roofs and ground plane. If stone or decorative block veneers are incorporated, the material should be used to highlight significant building features and massed elements.
- All sides of a building should express consistent architectural detail and character.
- All site walls and screen walls should be architecturally integrated with the building.
- Screening devices, site walls and enclosed service, loading and refuse areas should be designed to be an integral part of the building architecture.
- Extensive use of floor to ceiling glass storefronts is appropriate only under arcaded areas.



Exhibit 5

Ordinance 2022-03

ORDINANCE NO. 2022-03

**AN ORDINANCE OF THE CITY OF RICHLAND, WASHINGTON,
AMENDING THE 2010 LAND DEVELOPMENT AGREEMENT
AFFECTING 47 ACRES SOUTH OF KEENE ROAD AND EAST OF
THE PLAT OF COUNTRY RIDGE.**

WHEREAS, on July 20, 2010, the City entered into a Development Agreement affecting 47 acres south of Keene Road and east of the Plat of Country Ridge (the “Original Agreement”)(Richland Contract No. 92-10); and

WHEREAS, the Original Agreement was entered into pursuant to RCW 36.70B.170(1) and as authorized by City of Richland Ordinance No. 21-10 for the purpose of settling an appeal filed by the Country Ridge Homeowners Association related to the City’s 2009 Comprehensive Plan amendments affecting the property (*see* Eastern Washington Growth Management Hearing Board Appeal No. 09-1004); and

WHEREAS, by its own terms, the Original Agreement may be amended by mutual agreement of the parties with notice to the Country Ridge Homeowners Association President; and

WHEREAS, despite execution of the Original Agreement in 2010, the property has remained undeveloped, likely due to the fact that its ownership has been divided among multiple unrelated individuals; and

WHEREAS, recently, the 47-acre property came under the common ownership of Columbia Valley Property Holdings, LLC; and

WHEREAS, the City received a request from the property owner to amend the Original Agreement, and a letter of support from the Country Ridge Homeowners Association. Upon review, the proposed First Amendment to Development Agreement maintains critical components of the Original Agreement and appears to be consistent with the intent of the 2010 settlement agreement and the Richland Comprehensive Plan amendments adopted by Ordinance No. 21-10; and

WHEREAS, a public hearing is required before a decision on the proposed First Amendment to Development Agreement can be rendered by Richland City Council (RCW 36.70B.200).

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. The findings and conclusions contained in Section 1.01 of Ordinance No. 21-10 are adopted in support of approval of the First Amendment to Development Agreement and are incorporated by this reference as though set forth herein.

Section 2. The First Amendment to Development Agreement, attached hereto as **Exhibit A**, allows for development of a coordinated mixed use plan benefitting South Richland and the City as a whole while leaving all critical components of the Original Agreement unchanged.

Section 3. The Country Ridge Homeowners Association submitted written approval signed by a duly authorized representative acknowledging no opposition to the proposed amendments to the Original Agreement.

Section 4. The First Amendment to Development Agreement attached hereto as **Exhibit A** is hereby approved, and the City Manager is authorized to sign the same on behalf of the City of Richland.

Section 5. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

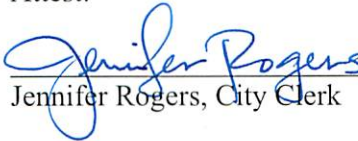
Section 6. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

Section 7. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including but not limited to the correction of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

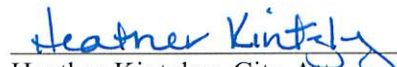
PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 15th day of February, 2022.


Michael Alvarez, Mayor

Attest:


Jennifer Rogers, City Clerk

Approved as to Form:


Heather Kintzley, City Attorney

First Reading: February 1, 2022
Second Reading: February 15, 2022
Date Published: February 20, 2022

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

THIS FIRST AMENDMENT to the July 20, 2010 Development Agreement is made and entered into this ____ day of _____, 2022 (the "Effective Date") by and between the **City of Richland**, a Washington municipal corporation ("City") and **Columbia Valley Property Holdings, LLC**, a Washington limited liability company and successor-in-interest to John Perry, Julee Ann Perry, Beulah Cousins, Linda Norwood, and Kerry and Jongjit Watts ("Owner").

I. RECITALS

WHEREAS, the City and original owners entered into a Development Agreement authorized by RCW 36.70B.170(1) dated July 20, 2010 and recorded under Benton County Auditor's File No. 2010-024273 (the "Original Agreement"); and

WHEREAS, the Original Agreement set forth development standards relating to the future zoning and development of the property subject to the Development Agreement (sometimes referred to as the "Property" or the "Site"); and

WHEREAS, the current Owner (as successor-in-interest to the original owners) has requested modifications to the Original Agreement to accommodate future mixed-use development on the Site, which modifications are substantially consistent with the intent of the Original Agreement and allowed under Section 18 of the Original Agreement and applicable law (see RCW 36.70B.200); and

WHEREAS, the Parties have agreed to amend the Original Agreement as set forth below in order for the Site to be developed.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Owner hereby agree as follows:

II. AGREEMENT

1. **Section 5(b)** of the Original Agreement, under the title *Parties to Development Agreement*, is replaced in its entirety with the following:

b) The "Owner" is Columbia Valley Property Holdings, LLC, who has succeeded to the interest of the original owners under the Original Agreement and is Owner of the entire Site.

2. **Section 7** of the Original Agreement, under the title *Term of Agreement*, is replaced in its entirety with the following:

Section 7. *Term of Agreement*. This Agreement (as amended) shall commence on the effective date of the Adopting Ordinance approving this Amendment. This Agreement may be further modified upon the City's adoption of zoning regulations or land use applications consistent with the Comprehensive Plan, provided that any additional modifications to the Agreement shall be consistent with Section 18 of the Original Agreement and applicable law. The Agreement (as amended) shall terminate when the Site has been fully developed. "Fully developed" means any combination of subdivision, site plan or land use approvals consistent with the

Agreement that bind the entire Site. The Country Ridge Homeowners Association, a Washington non-profit corporation, reviewed the terms of the Original Agreement and the First Amendment to the Development Agreement, although not a formal party to the Agreement, and by its letter attached hereto as **Exhibit A-1**, confirms that the Original Agreement (as amended) meets the intent of the Settlement Agreement regarding Eastern Washington Growth Management Hearing Board appeal No. 09-1004, the terms and conditions of which are hereby incorporated by reference into this Agreement. Other than as set forth in these agreements, the Growth Board Petitioners do not obtain any greater participation rights in the development of the Site described in Exhibit A.

3. **Section 10(d)** of the Original Agreement, under the title *Future Uses*, is replaced in its entirety with the following:

d) The Owner shall provide dedicated right-of-way for a future extension of Queensgate Drive, extending southward from Keene Road, through the Site to its connection to Shockley Road. This right-of-way dedication shall be made to the City at the time that an applicable land use application is reviewed and finalized by the Owner or a Developer for any portion of the Site, and shall be dedicated in its entirety at such time. The right-of-way width for future Queensgate Drive shall be determined at the subdivision or land use approval stage based on City development standards then in effect and consultation with the City's Public Works Director or designee. The specific alignment of the future roadway for Queensgate Drive shall be mutually agreed to by the Owner (or the Developer) and the City. Access points to and from future Queensgate Drive shall be determined at the subdivision or project review stage, however, the Owner (and Developer as the Owner's successor-in-interest) understands that direct access from single family residential lots shall not be allowed, and commercial access points may be limited consistent with City development standards then in effect and based on review and evaluation by the City's Public Works Director or designee.

4. **Section 10(f)** of the Original Agreement, under the title *Future Uses*, is replaced in its entirety with the following:

f) Access from future development onto Keene Road and/or the future Queensgate Drive shall be subject to road approach review and/or permits from the City, which review may include review of commercially reasonable site distances from existing intersections, including the intersection of Keene Road/Queensgate Drive.

5. **Section 10(g)** of the Original Agreement, under the title *Future Uses*, is replaced in its entirety with the following:

g) Zoning for the portion of the Site designated as Commercial may be C-1, C-2 or C-LB or may be part of a Planned Unit Development. Identified compatibility concerns at the zoning or project stage may be addressed by concomitant agreement(s) that limit potential commercial uses shown to be incompatible with nearby residential uses. Zoning for the portions of the Site designated as Multi-Family/Office shall be zoned C-LB (Limited Business) or shall be part of a Planned Unit Development. Unless otherwise approved by a variance at the project stage, permitted development will be limited to building heights no more than **forty (40) feet** on portions of the Site zoned commercial west of Queensgate Drive. Attached

as **Exhibit B-1** is a colored land use map showing the existing comprehensive plan designations for the Site.

6. Effect of Amendment. This First Amendment to the Development Agreement is intended to modify the Original Agreement. In the event of a conflict between the terms and conditions of the Original Agreement and this Amendment, the terms and provisions of this First Amendment shall control. Except as expressly modified by this First Amendment to the Development Agreement, all terms and conditions of the Original Agreement remain in full force and effect.
7. Governing Law. This Amendment shall be construed in accordance and governed by the laws of the state of Washington.
8. Effective Date. This First Amendment to the Development Agreement is made effective on the Effective Date first set forth above.

City of Richland
a Washington municipal corporation

Columbia Valley Property Holdings, LLC
a Washington limited liability company

By: _____
Jon Amundson, ICMA-CM
City Manager

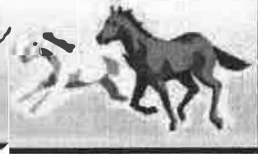
By: _____
Mallikarjuna Vallem
Managing Member

Approved as to Form:

Heather Kintzley, City Attorney

Exhibit A-1

Country Ridge Home Owners Association
PO Box 844, Richland, WA 99352



July 15, 2021

To: The City of Richland, WA – Development Services

From: Erinn Johnson, President, Country Ridge Homeowners Association

Re: Proposed Amendment to Development Agreement, Contract No. 92-10

To Whom It May Concern,

Over the last month, members of the Country Ridge Homeowners Association (CRHOA) board of directors met with land developer Jaya Holdings LLC and their representatives. The meetings regarded a proposed amending of the Development Agreement (Reference 1) associated with approximately 47 acres of lands situated south of Keene Rd to Shockley Rd, and directly east of the CRHOA development's boundary. We appreciate the opportunity provided to engage in constructive dialog about the proposed amendment to ensure interests reasonable to both our association and the land owner/developer are understood. Our homeowners association is an indirect party to a proposed change through the incorporation of the provisions contained in the Settlement Agreement (Reference 2) into an amendment to the City of Richland's Comprehensive Plan. That Settlement Agreement in part caused the incorporation of certain site design elements into the city's comprehensive plan, and into Reference 1, that are of interest to CRHOA. Specifically, those elements are:

- Two tiers of low density single-family home sites bordering the N-S masonry wall, zoned R1-12 but limited to no more than three homes per acre. [Reference 1, Section 10(a)],
- A six foot or greater masonry wall is to be erected by the developer along the CRHOA N-S line that would effectively separate the new development from the CRHOA development. [Reference 1, Section 10(c)],
- No direct connection of Lariat Lane to Queensgate Extension (when extended from the Keene/Queensgate intersection to the South). [Reference 1, Section 10(j)].

CRHOA finds that the proposed amendment (Reference 3) maintains the above described three features. Additionally, the amendment to Section 10(j) proposes that the existing Lariat Land Right-of Way shall connect to or extend Lariat Lane into the new development site only as a secondary or emergency access road. The CRHOA finds this proposed change acceptable and furthermore most desirable as a means to eliminate "cut-through" traffic from one development to the other except under emergency conditions. Additionally, such a design feature would ensure no added traffic impacts at the intersection of Country Ridge Drive with Keene Rd. Those impacts have already been identified as a problem due to increased Keene Rd traffic levels and the more recent and possible future development of neighborhoods to our west that rely on Country Ridge Drive for ingress and egress to their communities.

By this letter, duly signed by the CRHOA President as the authorized representative of our homeowners association, it is stated that CRHOA is not opposed to an amendment of the Development Agreement as proposed and specifically as shown in Appendix A to this letter. Furthermore, this letter confirms that the Original Development Agreement with the proposed Amendment is intended to be consistent with the Settlement Agreement (Reference 2).

Sincerely,

 7/15/21
Erinn Johnson, CRHOA President / date

References:

1. Contract 92-10, Development Agreement by and Between the City of Richland and John Perry, Julie Ann Perry, Beulah Cosens, Linda Norwood, Kerry Watts and Jonghit Watts, entered into on the 20th day of July, 2010. Benton County Record 2010-024273, recorded August 24, 2010.
2. Settlement of Growth Management Hearing Board for Eastern Washington Related to City of Richland Comprehensive Plan Amendments Effected by Ordinance No 32-08, dated August 2009. Benton County Record 2010-024274, recorded August 24, 2010.
3. Proposed Amended Development Agreement, Contract No. 92-10, specifically as shown in Appendix A to this letter.

**Appendix A: Contract No. 92-10, AMENDED DEVELOPMENT AGREEMENT
(as proposed to CRHOA on July 14, 2021)**

Contract No. 92-10

AMENDED DEVELOPMENT AGREEMENT

THIS AMENDED DEVELOPMENT AGREEMENT (the "Agreement") is made and entered into this _____ day of _____, 2021 (the "Effective Date") by and between the City of Richland, a First Class code Washington municipal corporation, hereinafter the "City," and Kerry Watts and Jongjit Watts, property owners; hereinafter the "Owners."

RECITALS

A. The City and original owners entered into a Development Agreement authorized by RCW 36.70B.170(1) dated July 20, 2010 and recorded under Benton County Auditor's File No. 2010-024273 (the "Original Development Agreement");

B. The Original Development Agreement set forth development standards relating to the future zoning and development of the property subject to the Development Agreement (sometimes referred to as the "Property" or the "Site");

C. The current Owners in conjunction with a potential Developer has requested modifications to the Original Development Agreement to accommodate future mixed-use development of the Site, which modifications are substantially consistent with the intent of the Original Development Agreement and allowed under Section 18 of the Original Development Agreement and applicable law (see RCW 36.70B.200); and

D. The parties to the Original Development Agreement have agreed to amend and modify the Agreement as set forth below in order for the Site to be developed.

AGREEMENT

Now, therefore, the parties Amend the Agreement as follows:

1. Effect of Amendment. This Amended Development Agreement is intended to supplement and modify the Original Development Agreement as described below. In the event of a conflict between the terms and conditions of the Original Development Agreement and any prior amendments, the terms and provisions of this Amended Development Agreement shall control. Except as expressly modified or supplemented by this Amended Development Agreement, all terms and conditions of the Original Development Agreement shall remain in full force and effect.

2. Parties to Development Agreement. **Section 5(b)** of the Agreement is amended and restated to read as follows:

b) The "Owners" of the Site are now Kerry Watts and Jongjit Watts, 68 Canyon Street, Richland, WA 99352; who have succeeded to the interest of the original owners under the Original Development Agreement, and who are in the process of entering into one or more contracts with a Developer.

3. Term of Agreement. **Section 7** of the Agreement shall be amended and restated to read as follows:

Section 7. *Term of Agreement.* This Agreement (as amended) shall commence on the effective date of the Adopting Ordinance approving this Amendment. This Agreement may be further modified upon the City's adoption of zoning regulations or land use applications consistent with the Comprehensive Plan, provided that any additional modifications to the Agreement shall be consistent with Section 18 of the Original Development Agreement and applicable law. The Agreement (as amended) shall terminate when the Site has been fully developed. Fully developed shall mean any combination of subdivision, site plan or land use approvals consistent with the Agreement that binds the entire Site. The Country Ridge Homeowner's Association, a Washington non-profit corporation, has reviewed the terms of this Amended Development Agreement, but is not a formal party to the Agreement, and by its letter (attached as **Exhibit A**), confirms that the Original Development Agreement (as amended) is intended to be consistent with the Settlement Agreement referred to in Section 7 of the Original Development Agreement (referred to by Growth Management Hearing Board Appeal No. 09-1004).

4. Future Uses. **Section 10(d)** of the Agreement shall be amended and restated to read as follows:

d) The Owners shall provide dedicated Right-of-Way for a future extension of Queensgate Drive, extending southward from Keene Road, through the Site to its connection to Shockley Road. This Right-of-Way dedication shall be made to the City at the time that an applicable land use application is reviewed and finalized by the Owners or a Developer for any portion of the Site, and shall be dedicated in its entirety at such time. The Right-of-Way width for future Queensgate Drive shall be determined at the subdivision or land use approval stage based on City development standards then in effect and consultation with the City's traffic engineer. The specific alignment of the future roadway for Queensgate Drive shall be mutually agreed to by the Owners (or the Developer) and the City. Access points to and from future Queensgate Drive shall be determined at the subdivision or project review stage, however, the Owner (and Developer as the Owner's successor-in-interest) understands that direct access from residential lots may be prohibited, and commercial access points may be limited consistent with City development standards then in effect and based on review and evaluation by the City traffic engineer.

Section 10(f) of the Agreement shall be amended and restated to read as follows:

f) Access from future development onto Keene Road and/or the future Queensgate Drive shall be subject to road approach review and/or permits from the City Traffic Engineering Department, which review may include review of commercially reasonable site distances from existing intersections, including the intersection of Keene Road/Queensgate Drive.

Section 10(g) of the Agreement shall be amended and restated to read as follows:

g) Zoning for the portion of the Site designated as Commercial may be C-1, C-2 or C-LB or may be part of a Planned Unit Development. Identified compatibility concerns at the zoning or project stage may be addressed by concomitant agreement(s) that limit potential commercial uses shown to be incompatible with nearby residential uses. Zoning for the portions of the Site designated as Multi-Family/Office shall be zoned C-LB (Limited Business) or shall be part of Planned Unit Development. Unless otherwise approved by a variance at the project stage, permitted development will be limited to building heights no more than **forty (40) feet** on portions of the Site zoned commercial west of Queensgate Drive. Attached as **Exhibit B** is a colored land use map showing the existing comprehensive plan designations for the Site.

Section 10(h) of the Agreement shall be amended and restated to read as follows:

h) Development proposals within the portions of the Site designated as Commercial, shall not be approved unless they are determined to be substantially consistent with the design standards set forth on **Exhibit B** attached to the Agreement, and Section 23.28.020(D)(1) through (4) of the Richland Municipal Code.

Section 10(j) of the Agreement shall be amended and restated to read as follows:

j) Development proposals within the portion of the Site adjoining the existing Lariat Lane Right-of-Way shall connect to or extend Lariat Lane into the Site only as a secondary or emergency access road, unless traffic studies show that an extension of Lariat Lane into the Site is required. The intention of this provision is to avoid connectivity and through traffic between the County Ridge neighborhood to the west and the Site, and to limit such access to emergency vehicles or a secondary access only. Notwithstanding the foregoing, if the City based on the traffic impacts of development proposals requires more intensive road connections to Lariat Lane, such access shall be accomplished through an indirect route that will include at least nine hundred (900) feet of travel in a north-south orientation before Lariat Lane can be connected to Queensgate Drive. The design of Lariat Lane may also include other traffic calming measures. The intent of this provision is to provide connectivity between the Country Ridge neighborhood and the Site but to keep Lariat Lane from functioning as a collector street.

5. No Other Changes. Except as Amended by this Amended Development Agreement, the original Development Agreement shall remain in full force and effect.

6. Effective Date. This Amended Development Agreement is made effective on the Effective Date first set forth above.

Kerry Watts, Owner

Jongjit Watts, Owner

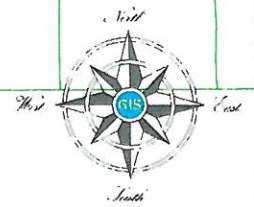
City of Richland,
a Washington municipal corporation

By: _____
Jon Amundson
Interim City Manager

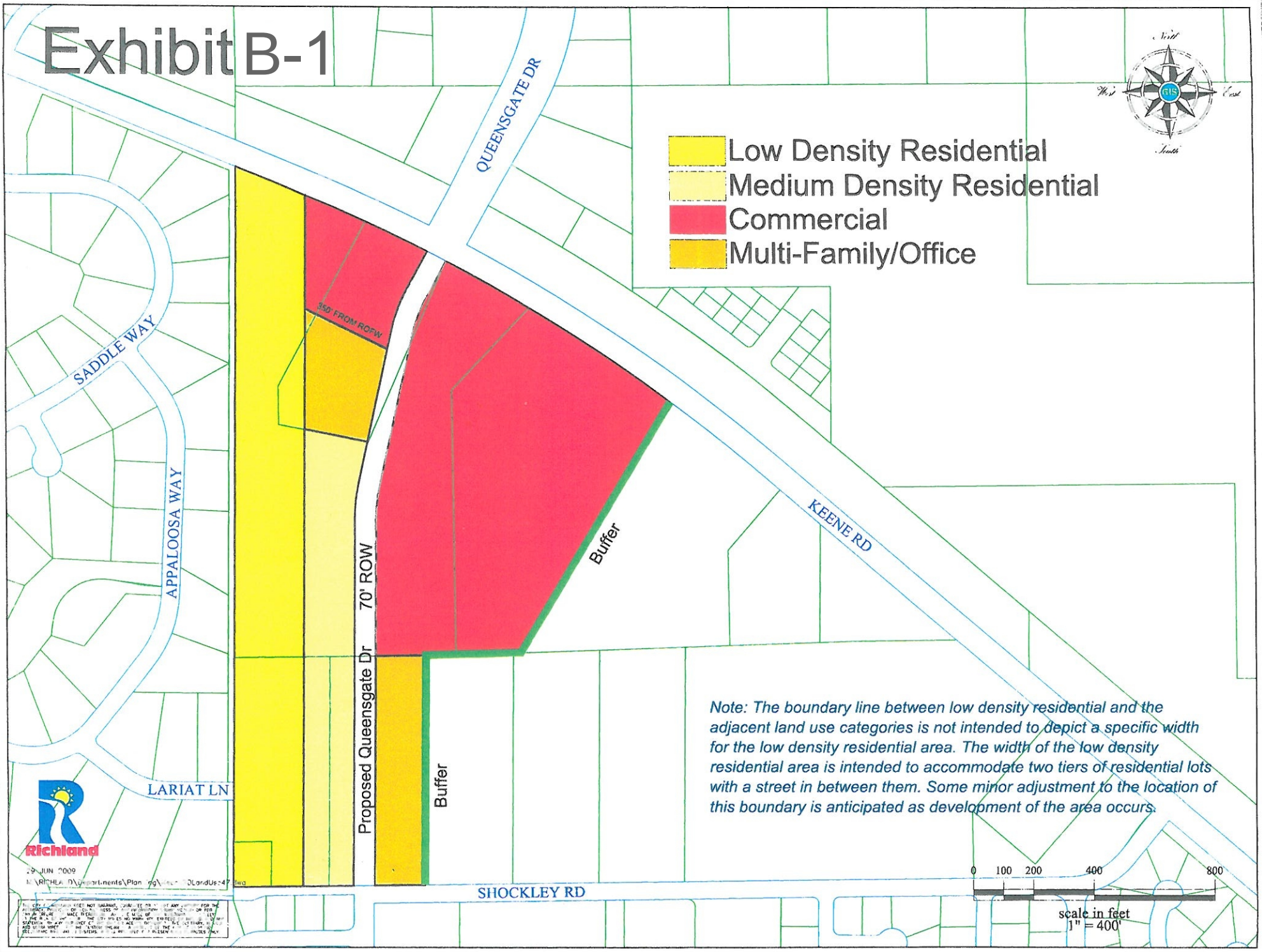
APPROVED AS TO FORM:

Heather Kintzley
City Attorney

Exhibit B-1



- Low Density Residential
- Medium Density Residential
- Commercial
- Multi-Family/Office



29 JUN 2009
N:\RICHLAND\Departments\Plan\99\Richland\LandUse\47

THIS MAP IS A PRELIMINARY DRAFT. IT IS NOT A FINAL MAP. IT IS NOT TO BE USED FOR ANY PURPOSES WITHOUT THE WRITTEN APPROVAL OF THE RICHLAND COUNTY PLANNING DEPARTMENT. ANY CHANGES TO THIS MAP WILL BE MADE BY THE RICHLAND COUNTY PLANNING DEPARTMENT. THE RICHLAND COUNTY PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE RICHLAND COUNTY PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING OUT OF OR FROM THE USE OF THIS MAP. THE RICHLAND COUNTY PLANNING DEPARTMENT IS NOT RESPONSIBLE FOR ANY DAMAGES, INCLUDING CONSEQUENTIAL DAMAGES, ARISING OUT OF OR FROM THE USE OF THIS MAP.

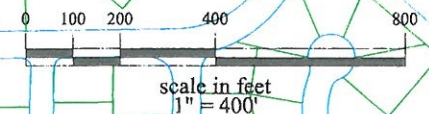




Exhibit 6

Boundary Line Adjustment

(BLA2022-115)



CITY OF RICHLAND
DEVELOPMENT SERVICES DEPARTMENT
625 Swift Boulevard, MS-35
Richland, WA 99352
Telephone (509) 942-7794
Fax (509) 942-7764

CI.RICHLAND.WA.US · 509-942-7390

October 13, 2022

BENTON COUNTY ASSESSORS OFFICE
P.O. BOX 902
PROSSER, WA 99350

RE: DEVELOPMENT SERVICES DEPARTMENT APPROVAL – BOUNDARY LINE
ADJUSTMENT (BLA 2022-115) BETWEEN PARCEL NOS. 122983000002002,
1229830000020001, 122983000003002 AND 122983000004000, LOCATED
WITHIN SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON
COUNTY, WASHINGTON.

To Whom It May Concern:

The City of Richland Development Services Department has reviewed the record survey prepared
by AHBL, Inc., involving the following parcels:

*Parcel Numbers: 122983000002002, 1229830000020001, 122983000003002 and
122983000004000; as illustrated in the attached record survey.*

The Development Services Department has determined that the proposed boundary line adjustment
is in compliance with the City's zoning requirements pursuant to the provisions of Title 23 of the
Richland Municipal Code (RMC) and may be recorded.

If you have any questions on this matter, please contact me at 509-942-7596.

Sincerely,

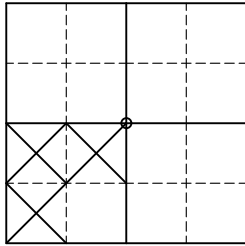
Mike Stevens
Planning Manager
City of Richland
(509)942-7596
mstevens@ci.richland.wa.us

C: BLA 2022-115

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT
PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
BENTON COUNTY, WASHINGTON.

SHEET 1 OF 5

SECTION INDEX
S 22, T 9 N, R 28 E, WM
BENTON COUNTY, WA



ORIGINAL LEGAL DESCRIPTIONS

LOT 1

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.97 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 2°58'00" A DISTANCE OF 294.60 FEET; THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET; THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 66.36 FEET TO THE TRUE POINT OF BEGINNING; THENCE, LEAVING SAID MARGIN, SOUTH 27°57'01" WEST A DISTANCE OF 289.88 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1090.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 23°53'51" A DISTANCE OF 454.63 FEET TO A POINT OF COMPOUND CURVE HAVING A RADIUS OF 9540.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°54'48" A DISTANCE OF 651.57 FEET; THENCE NORTH 88°25'48" EAST A DISTANCE OF 276.58 FEET; THENCE NORTH 89°14'37" EAST A DISTANCE OF 98.91 FEET; THENCE NORTH 00°41'01" WEST A DISTANCE OF 883.15 FEET; THENCE NORTH 42°11'07" EAST A DISTANCE OF 376.94 FEET TO THE HEREINBEFORE SAID RIGHT-OF-WAY MARGIN AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET AND FROM WHICH THE CHORD BEARS NORTH 59°04'12" WEST A DISTANCE OF 10.47 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 0°06'20" A DISTANCE OF 10.47 FEET; THENCE NORTH 70°46'11" WEST, ALONG SAID MARGIN, A DISTANCE OF 50.61 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5680.00 FEET AND FROM WHICH THE CHORD BEARS NORTH 60°52'21" WEST A DISTANCE OF 247.80 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 2°29'59" A DISTANCE OF 247.82 FEET; THENCE NORTH 66°00'37" WEST, ALONG SAID MARGIN, A DISTANCE OF 66.36 FEET TO THE POINT OF BEGINNING.

LOT 2

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 260.00 FEET; THENCE, LEAVING SAID LINE, NORTH 89°14'37" EAST A DISTANCE OF 20.03 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 79.99 FEET; THENCE NORTH 89°14'37" EAST A DISTANCE OF 105.00 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 150.00 FEET TO INTERSECT A LINE 30.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION; THENCE NORTH 89°14'37" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 266.75 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°14'37" EAST, ALONG SAID PARALLEL LINE, A DISTANCE OF 242.31 FEET; THENCE, LEAVING SAID LINE, NORTH 00°29'16" EAST A DISTANCE OF 767.54 FEET; THENCE SOUTH 88°25'48" WEST A DISTANCE OF 276.58 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 9540.00 FEET AND FROM WHICH THE CHORD BEARS SOUTH 02°05'05" EAST A DISTANCE OF 740.58 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°26'56" A DISTANCE OF 740.77 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS 260.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°41'08" A DISTANCE OF 21.26 FEET; THENCE SOUTH 00°22'35" WEST A DISTANCE OF 1.80 FEET TO THE POINT OF BEGINNING.

LOT 3

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.97 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 0°28'22" A DISTANCE OF 46.96 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTHEASTERLY ALONG THE ARC OF SAID CURVE AND ALONG SAID MARGIN THROUGH A CENTRAL ANGLE OF 2°29'37" A DISTANCE OF 247.65 FEET; THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET; THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 131.96 FEET; THENCE, LEAVING SAID MARGIN, SOUTH 27°57'01" WEST A DISTANCE OF 289.88 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1090.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 15°01'40" A DISTANCE OF 285.89 FEET; THENCE SOUTH 89°57'18" WEST A DISTANCE OF 199.29 FEET; THENCE NORTH 00°29'16" EAST A DISTANCE OF 736.83 FEET TO THE POINT OF BEGINNING.

LOT 4

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 260.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°29'16" EAST ALONG SAID WEST LINE A DISTANCE OF 2173.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.97 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 0°28'22" A DISTANCE OF 46.96 FEET; THENCE, LEAVING SAID MARGIN, SOUTH 00°29'16" WEST A DISTANCE OF 736.83 FEET; THENCE NORTH 89°57'18" EAST A DISTANCE OF 199.29 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 1090.00 FEET AND FROM WHICH THE CHORD BEARS SOUTH 08°29'16" WEST A DISTANCE OF 168.57 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°52'11" A DISTANCE OF 168.74 FEET TO A POINT OF COMPOUND CURVE HAVING A RADIUS OF 9540.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 8°21'44" A DISTANCE OF 1392.33 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS 260.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 4°41'08" A DISTANCE OF 21.26 FEET; THENCE SOUTH 00°22'35" WEST A DISTANCE OF 1.80 FEET TO INTERSECT A LINE 30.00 FEET NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF SAID SECTION; THENCE SOUTH 89°14'37" WEST, ALONG SAID PARALLEL LINE, A DISTANCE OF 266.75 FEET; THENCE, LEAVING SAID LINE, NORTH 00°29'16" EAST A DISTANCE OF 150.00 FEET; THENCE SOUTH 89°14'37" WEST A DISTANCE OF 105.00 FEET; THENCE NORTH 00°29'16" EAST A DISTANCE OF 79.99 FEET; THENCE SOUTH 89°14'37" WEST A DISTANCE OF 20.03 FEET TO THE PONT OF BEGINNING.

BASIS OF BEARING

NAD 1983/11
WASHINGTON STATE PLANE SOUTH PROJECTION, BASED ON GPS
OBSERVATIONS USING WSRN AND GEOID 2012A. UNITS OF MEASUREMENT
ARE US SURVEY FEET.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS ____DAY OF _____,
20____, AT _____ MINUTES PAST _____M. RECORDS OF
THE _____ COUNTY AUDITOR, _____, WASHINGTON.
RECORDING NUMBER _____.

COUNTY AUDITOR

FEE

BY

SURVEY FOR

COLUMBIA VALLEY PROPERTY HOLDINGS, LLC
16455 NE 99TH STREET
REDMOND, WA98052

EQUIPMENT USED

3" TOTAL STATION USING STANDARD FIELD
TRAVERSE METHODS FOR CONTROL AND STAKING.

FOUND CORNERS

F1: FOUND WORLEY REBAR AND CAP LS 41966 0.10'W OF CORNER
F2: FOUND WORLEY REBAR AND CAP LS 41966 0.15'W AND 0.14'S OF CORNER
F3: FOUND WORLEY REBAR AND CAP LS 41966 0.10'W OF CORNER
F4: FOUND WORLEY REBAR AND CAP LS 41966 0.10'E AND 0.10'S OF CORNER
F5: FOUND 1/2" CRIMPED IRON PIPE 0.78'S OF CORNER
F6: FOUND WORLEY REBAR AND CAP LS 13352 3.81'N OF CORNER.
F7: FOUND BENT 5/8" REBAR WITH NO CAP 0.22'W AND 0.12'N OF CORNER
F8: FOUND 1/2" CRIMPED IRON PIPE AT CORNER
F9: FOUND WORLEY REBAR AND CAP LS 13352 AT CORNER
F10: FOUND WORLEY REBAR AND CAP LS 41966 0.19'W AND 0.13'N OF CORNER
F11: FOUND 1/2" CRIMPED IRON PIPE 0.53'E AND 0.76'N OF CORNER
F12: FOUND WORLEY REBAR AND CAP LS 41966 1.23'W AND 0.64'N OF CORNER
F13: FOUND WORLEY REBAR AND CAP LS 13352 2.23'W AND 1.25'N OF CORNER
F14: FOUND WORLEY REBAR AND CAP LS 13352 2.13'W AND 1.04'N OF CORNER
F15: FOUND WORLEY REBAR AND CAP LS 41966 0.24'W AND 0.16'N OF CORNER
F16: FOUND WORLEY REBAR AND CAP LS 41966 AT CORNER
F17: FOUND WORLEY REBAR AND CAP LS 41966 AT CORNER
F18: FOUND WORLEY REBAR AND CAP LS 41966 AT CORNER
F219: FOUND WORLEY REBAR AND CAP LS 41966 1.36'E AND 1.08'S OF CORNER

ORIGINAL PARCEL AREAS

PARCEL 1	451,061 SF±
PARCEL 2	202,070 SF±
PARCEL 3	205,128 SF±
PARCEL 4	718,979 SF±
TOTAL	1,577,238 SF±

REVISED PARCEL AREAS

PARCEL 1	333,696 SF±
PARCEL 2	138,316 SF±
PARCEL 3	204,845 SF±
PARCEL 4	900,381 SF±
TOTAL	1,577,238 SF±

DWN. BY

DATE

TD

9/7/22

CHKD. BY

JOB NO.

JB

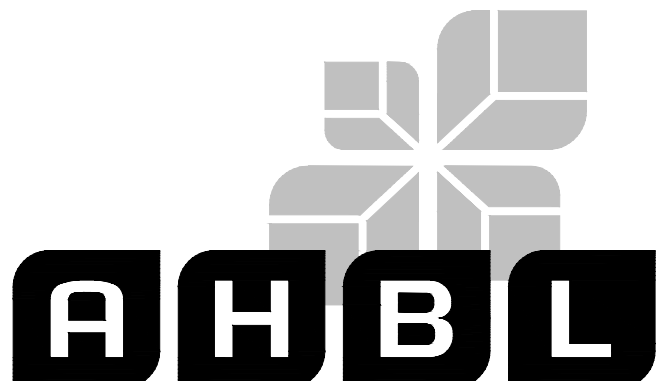
2210404

SURVEYOR'S CERTIFICATE

I, JOHN W. BECKER, A PROFESSIONAL LAND SURVEYOR IN THE
STATE OF WASHINGTON, HEREBY CERTIFY THAT THIS MAP
CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY
DIRECT SUPERVISION IN SEPTEMBER, 2022, IN COMPLIANCE WITH THE
REQUIREMENTS OF THE SURVEY RECORDING ACT, CHAPTER 58.09
R.C.W. AND 332-130 W.A.C., AT THE REQUEST OF COLUMBIA VALLEY
PROPERTY HOLDINGS, LLC.

JOHN W. BECKER, PLS 38480

DATE



TACOMA • SEATTLE • SPOKANE • TRI-CITIES

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

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT
PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
BENTON COUNTY, WASHINGTON.

REVISED LEGAL DESCRIPTIONS

REVISED LOT 1

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 167.96 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 02°58'00" A DISTANCE OF 294.60 FEET; THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET; THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 128.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5680.00 FEET, THE CHORD OF WHICH BEARS SOUTH 61°55'07" EAST A DISTANCE OF 40.40 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°24'27" A DISTANCE OF 40.40 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 02°05'32" A DISTANCE OF 207.42 FEET; THENCE SOUTH 70°46'11" EAST A DISTANCE OF 50.61 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET, THE CHORD OF WHICH BEARS SOUTH 59°04'12" EAST A DISTANCE OF 10.47; THENCE EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 00°06'20" A DISTANCE OF 10.47 FEET; THENCE LEAVING SAID SOUTHERLY MARGIN, SOUTH 42°11'07" WET A DISTANCE OF 376.94 FEET; THENCE SOUTH 00°41'01" EAST A DISTANCE OF 883.15 FEET TO THE NORTH LINE OF LOT 1 AS DEPICTED ON SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 960, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE SOUTH 89°14'37" WEST ALONG SAID NORTH LINE AND ITS WESTERLY PROJECTION A DISTANCE OF 280.89 FEET; THENCE NORTH 00°29'16" EAST A DISTANCE OF 579.01 FEET; THENCE NORTH 04°48'01" EAST A DISTANCE OF 79.68 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1774.22 FEET, THE CHORD OF WHICH BEARS NORTH 16°32'54" EAST A DISTANCE OF 433.99 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°03'01" A DISTANCE OF 435.08 FEET; THENCE NORTH 28°26'30" EAST A DISTANCE OF 231.11 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'36" A DISTANCE OF 47.04 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

REVISED LOT 2

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 30.00 FEET TO THE NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE NORTH 89°14'37" EAST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 496.95 FEET TO THE TRUE POINT OF BEGINNING THENCE CONTINUING ALONG SAID NORTHERLY MARGIN, NORTH 89°14'37" EAST A DISTANCE OF 137.14 FEET TO THE SOUTHWEST CORNER OF LOT 1 AS DEPICTED ON SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 960, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE OF SAID LOT A DISTANCE OF 767.54 FEET TO THE NORTHWEST CORNER THEREOF; THENCE SOUTH 89°14'37" WEST ALONG THE WESTERLY PROJECTION OF THE NORTH LINE OF SAID LOT A DISTANCE OF 181.98 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 621.99 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 264.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°42'36" A DISTANCE OF 40.13 FEET; THENCE SOUTH 08°13'19" EAST A DISTANCE OF 58.44 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 336.00 FEET; THENCE SOUTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°22'27" A DISTANCE OF 19.79 FEET OF THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°54'31" A DISTANCE OF 44.98 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

REVISED LOT 3

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 2433.16 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365; THENCE SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 155.77 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 68°05'20" EAST ALONG SAID MARGIN A DISTANCE OF 12.19 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5690.00 FEET; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE, AND ALONG SAID MARGIN, THROUGH A CENTRAL ANGLE OF 02°58'00" A DISTANCE OF 294.60 FEET; THENCE SOUTH 53°13'09" EAST, ALONG SAID MARGIN, A DISTANCE OF 101.12 FEET; THENCE SOUTH 66°00'37" EAST, ALONG SAID MARGIN, A DISTANCE OF 70.08 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 30.00 FEET; THENCE LEAVING SAID SOUTHERLY MARGIN, ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 94°27'08" A DISTANCE OF 49.46 FEET; THENCE SOUTH 28°26'30" WEST A DISTANCE OF 140.55 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 341.00; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°1'00" A DISTANCE OF 77.47 FEET; THENCE SOUTH 15°25'30" WEST A DISTANCE OF 77.90 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 233.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°39'14" A DISTANCE OF 31.13 FEET; THENCE SOUTH 23°04'44" WEST A DISTANCE OF 38.23 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 53.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°05'50" A DISTANCE OF 16.74 FEET; THENCE SOUTH 41°10'33" WEST A DISTANCE OF 32.82 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 43.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°59'50" A DISTANCE OF 33.02 FEET; THENCE SOUTH 85°10'23" WEST A DISTANCE OF 66.34 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 531.64 FEET, THE CHORD OF WHICH BEARS SOUTH 88°53'40" WEST A DISTANCE OF 40.99 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THOUGH A CENTRAL ANGLE OF 04°25'09" A DISTANCE OF 41.00 FEET; THENCE NORTH 80°03'24" WEST A DISTANCE OF 61.27 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 127.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°07'24" A DISTANCE OF 80.07 FEET; THENCE NORTH 00°29'20" EAST A DISTANCE OF 647.47 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

REVISED LOT 4

THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 22; THENCE NORTH 00°29'16" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 30.00 FEET TO THE NORTHERLY MARGIN OF SHOCKLEY ROAD; THENCE NORTH 89°14'37" EAST ALONG SAID NORTHERLY MARGIN A DISTANCE OF 125.03 FEET TO THE TRUE POINT OF BEGINNING THENCE CONTINUING ALONG SAID NORTHERLY MARGIN, NORTH 89°14'37" EAST A DISTANCE OF 371.92 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 30.00 FEET, THE CHORD OF WHICH BEARS NORTH 47°48'07" WEST A DISTANCE OF 40.88 FEET; THENCE LEAVING SAID NORTHERLY MARGIN, NORTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 85°54'31" A DISTANCE OF 44.98 FEET TO THE BEGINNING OF A REVERSE CURVE CONCAVE TO THE WEST HAVING A RADIUS OF 336.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 03°22'27" A DISTANCE OF 19.79 FEET; THENCE NORTH 08°13'19" WEST A DISTANCE OF 58.44 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE EAST HAVING A RADIUS OF 264.00 FEET; THENCE NORTHERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°42'36" A DISTANCE OF 40.13 FEET; THENCE NORTH 00°29'16" EAST A DISTANCE OF 1201.00 FEET; THENCE NORTH 04°48'01" EAST A DISTANCE OF 79.68 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 1774.22 FEET, THE CHORD OF WHICH BEARS NORTH 16°32'54" EAST A DISTANCE OF 433.99 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°03'01" A DISTANCE OF 435.08 FEET; THENCE NORTH 28°26'30" EAST A DISTANCE OF 231.11 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 30.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 89°50'36" A DISTANCE OF 47.04 FEET TO THE SOUTHERLY RIGHT-OF-WAY MARGIN OF KEENE ROAD AS DEEDED TO THE STATE OF WASHINGTON BY WARRANTY DEED RECORDED UNDER BENTON COUNTY AUDITOR'S FILE NO. 845365, AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 5680.00 FEET, THE CHORD OF WHICH BEARS NORTH 61°55'07" WEST A DISTANCE OF 40.40 FEET; THENCE NORTHWESTERLY ALONG SAID SOUTHERLY MARGIN AND SAID CURVE, THROUGH A CENTRAL ANGLE OF 00°24'27" A DISTANCE OF 40.40 FEET; THENCE CONTINUING ALONG SAID SOUTHERLY MARGIN, NORTH 66°00'37" WEST A DISTANCE OF 128.24 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 30.00 FEET, THE CHORD OF WHICH BEARS SOUTH 18°47'04" EAST A DISTANCE OF 44.04 FEET; THENCE LEAVING SAID SOUTHERLY MARGIN, SOUTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 94°27'08" A DISTANCE OF 49.46 FEET; THENCE SOUTH 28°26'30" WEST A DISTANCE OF 140.55 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 341.00; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 13°1'00" A DISTANCE OF 77.47 FEET; THENCE SOUTH 15°25'30" WEST A DISTANCE OF 77.90 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 233.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°39'14" A DISTANCE OF 31.13 FEET; THENCE SOUTH 23°04'44" WEST A DISTANCE OF 38.23 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 53.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 18°05'50" A DISTANCE OF 16.74 FEET; THENCE SOUTH 41°10'33" WEST A DISTANCE OF 32.82 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 43.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 43°59'50" A DISTANCE OF 33.02 FEET; THENCE SOUTH 85°10'23" WEST A DISTANCE OF 66.34 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 531.64 FEET, THE CHORD OF WHICH BEARS SOUTH 88°53'40" WEST A DISTANCE OF 40.99 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE THOUGH A CENTRAL ANGLE OF 04°25'09" A DISTANCE OF 41.00 FEET; THENCE NORTH 80°03'24" WEST A DISTANCE OF 61.27 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 127.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF 36°07'24" A DISTANCE OF 80.07 FEET; THENCE NORTH 00°29'20" EAST A DISTANCE OF 647.47 FEET TO SAID SOUTHERLY MARGIN; THENCE NORTH 68°05'20" WEST A DISTANCE OF 155.77 FEET TO THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE SOUTH 00°29'16" WEST ALONG SAID WEST LINE A DISTANCE OF 2173.16 FEET; THENCE LEAVING SAID WEST LINE, NORTH 89°14'37" EAST A DISTANCE OF 20.03 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 79.99 FEET; THENCE NORTH 89°14'37" WEST A DISTANCE OF 105.0 FEET; THENCE SOUTH 00°29'16" WEST A DISTANCE OF 150.00 FEET TO THE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS ____DAY OF _____ ,
20____ AT _____ MINUTES PAST _____M. RECORDS OF
THE _____ COUNTY AUDITOR, _____, WASHINGTON.
RECORDING NUMBER _____ .

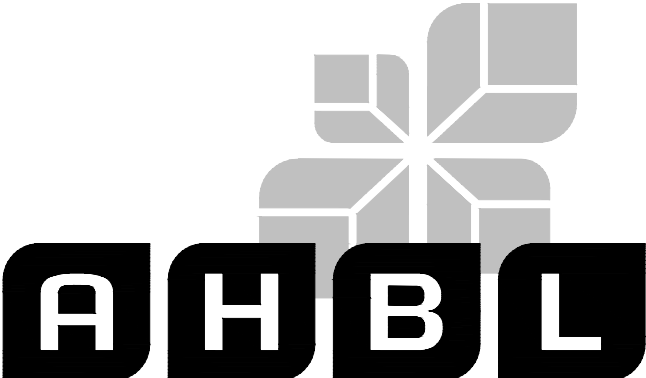
COUNTY AUDITOR

FEE

BY



DWN. BY	DATE
TD	9/7/22
CHKD. BY	JOB NO.
JB	2210404



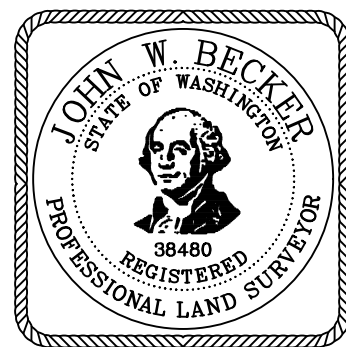
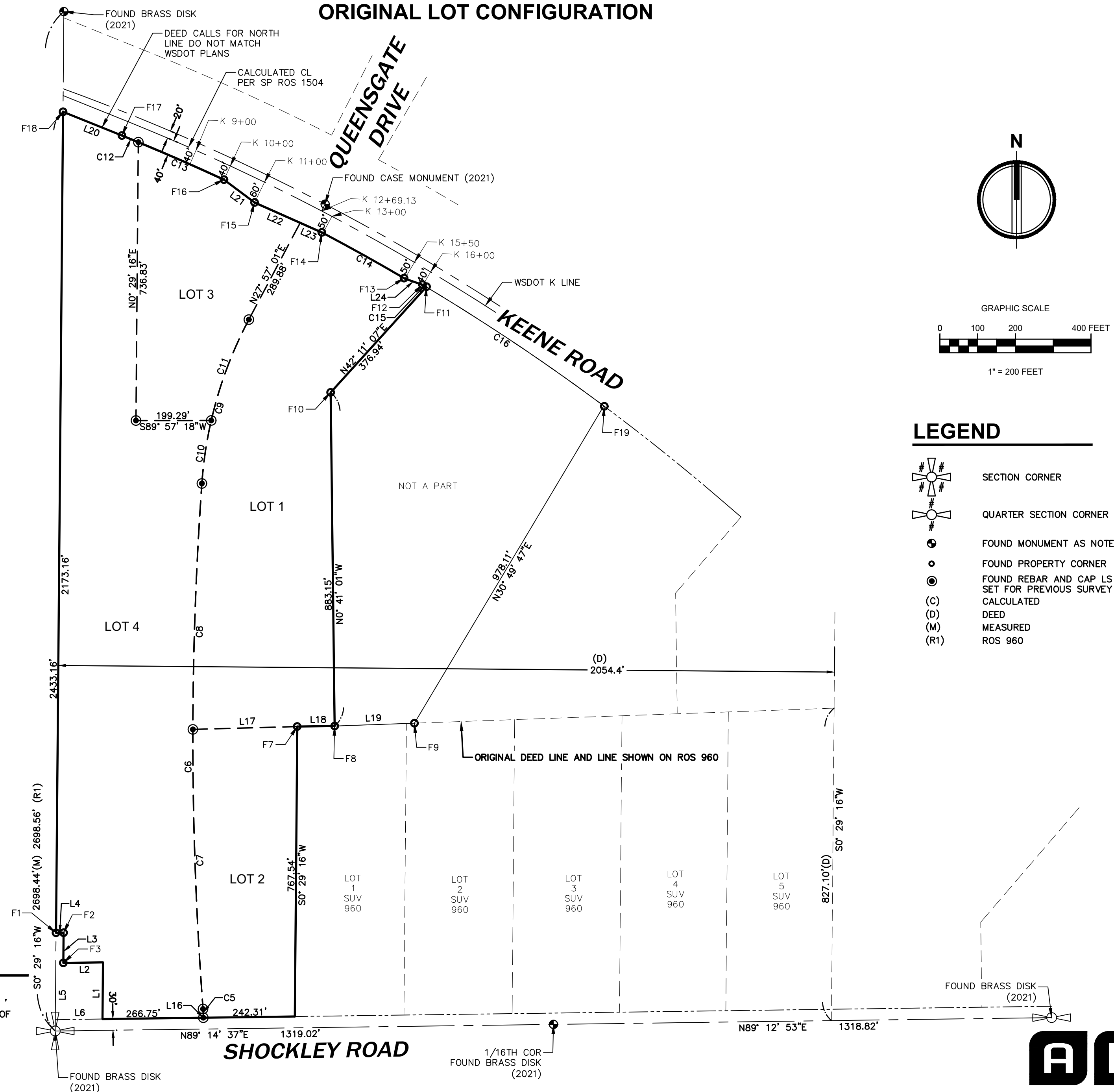
TACOMA • SEATTLE • SPOKANE • TRI-CITIES

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

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT
PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
BENTON COUNTY, WASHINGTON.

SHEET 3 OF 5

ORIGINAL LOT CONFIGURATION



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS ____ DAY OF _____,
20____ AT _____ MINUTES PAST _____ M. RECORDS OF
THE _____ COUNTY AUDITOR, _____, WASHINGTON.
RECORDING NUMBER _____.

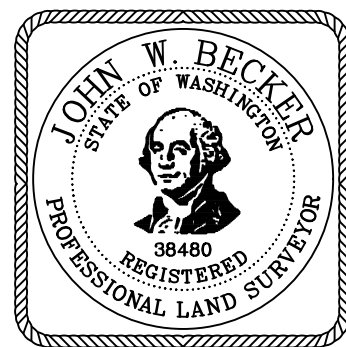
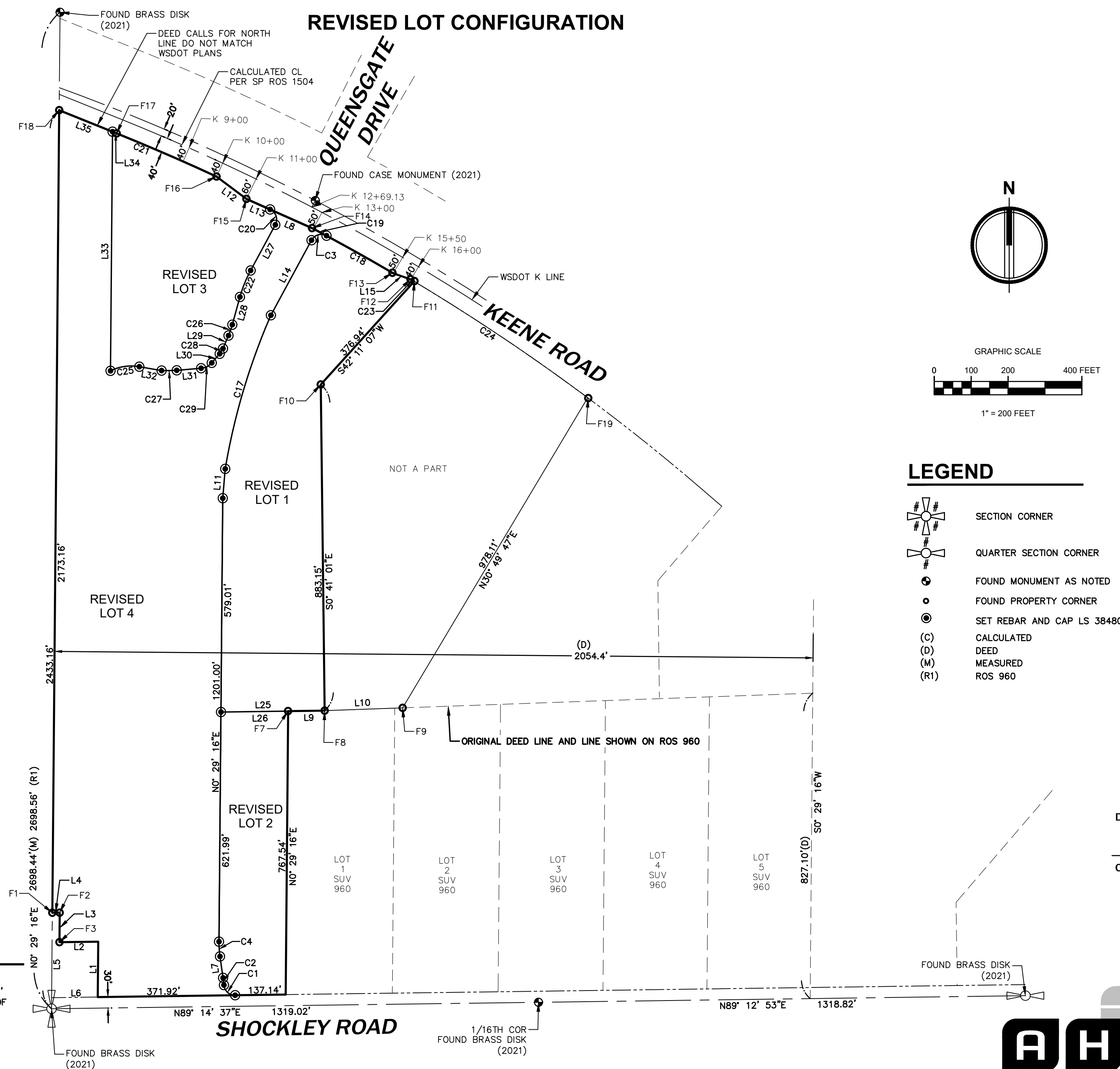
COUNTY AUDITOR _____
FEE _____
BY _____

DWN. BY	DATE
TD	9/7/22
CHKD. BY	JOB NO.
JB	2210404



RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT
PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,
BENTON COUNTY, WASHINGTON.

SHEET 4 OF 5



AUDITOR'S CERTIFICATE

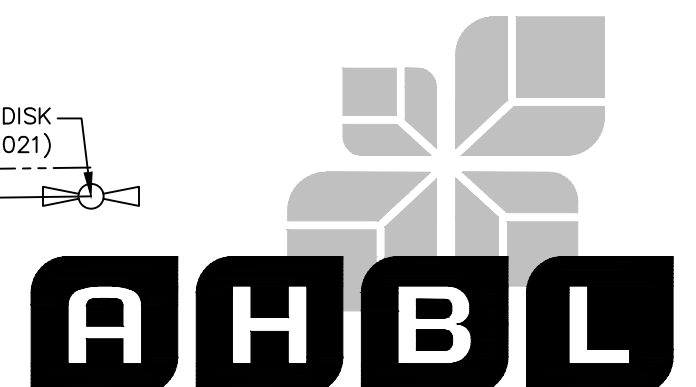
FILED FOR RECORD THIS _____ DAY OF _____,
20____, AT _____ MINUTES PAST _____ M. RECORDS OF
THE _____ COUNTY AUDITOR, _____, WASHINGTON.
RECORDING NUMBER _____.

COUNTY AUDITOR _____

FEE _____

BY _____

DWN. BY	DATE
TD	9/7/22
CHKD. BY	JOB NO.
JB	2210404



TACOMA • SEATTLE • SPOKANE • TRI-CITIES

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

RECORD OF SURVEY FOR BOUNDARY LINE ADJUSTMENT

PORTIONS OF THE SW 1/4, THE NW 1/4 AND THE NE 1/4 OF THE SW 1/4 OF SECTION 22,

TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.,

BENTON COUNTY, WASHINGTON.

REVISED LOT CONFIGURATION

CURVE TABLE					
CURVE #	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	44.98	30.00	85°54'31"	N47° 48' 07"W	40.88
C2	19.79	336.00	3°22'27"	N6° 32' 06"W	19.78
C3	47.04	30.00	89°50'36"	N73° 21' 48"E	42.37
C4	40.13	264.00	8°42'36"	N3° 52' 01"W	40.09
C5	21.26	260.00	4°41'08"	N1° 57' 59"W	21.26
C6	1392.33	9540.00	8°21'44"	S0° 07' 42"E	1391.10
C7	740.77	9540.00	4°26'56"	N2° 05' 05"W	740.58
C8	651.57	9540.00	3°54'48"	N2° 05' 47"E	651.44
C9	454.63	1090.00	23°53'51"	S16° 00' 06"W	451.34
C10	168.74	1090.00	8°52'11"	N8° 29' 16"E	168.57
C11	285.89	1090.00	15°01'40"	N20° 26' 12"E	285.07
C12	46.96	5690.00	0°28'22"	S67° 51' 09"E	46.96
C13	247.65	5690.00	2°29'37"	S66° 22' 09"E	247.63
C14	247.82	5680.00	2°29'59"	N60° 52' 21"W	247.80
C15	10.47	5690.00	0°06'20"	N59° 04' 12"W	10.47
C16	565.87	5690.00	5°41'53"	S56° 10' 05"E	565.64
C17	435.08	1774.22	14°03'01"	N16° 32' 54"E	433.99
C18	207.42	5680.00	2°05'32"	S60° 40' 08"E	207.41
C19	40.40	5680.00	0°24'27"	S61° 55' 07"E	40.40
C20	49.46	30.00	94°27'08"	S18° 47' 04"E	44.04
C21	294.60	5690.00	2°58'00"	N66° 36' 20"W	294.57
C22	77.47	341.00	13°01'00"	S21° 56' 00"W	77.30
C23	10.47	5690.00	0°06'20"	S59° 04' 12"E	10.47
C24	565.87	5690.00	5°41'53"	S56° 10' 05"E	565.64
C25	80.07	127.00	36°07'24"	S81° 52' 54"W	78.75
C26	31.13	233.00	7°39'14"	S19° 15' 07"W	31.10
C27	41.00	531.64	4°25'09"	S88° 53' 40"W	40.99
C28	16.74	53.00	18°05'50"	S32° 07' 39"W	16.67
C29	33.02	43.00	43°59'50"	S63° 10' 28"W	32.21

LINE TABLE		
LINE #	LENGTH	DIRECTION
L1	150.00	S0° 29' 16"W
L2	105.00	N89° 14' 37"E
L3	79.99	S0° 29' 16"W
L4	20.03	N89° 14' 37"E
L5	229.94	N0° 27' 52"E
L6	125.03	N89° 14' 37"E
L7	58.44	S8° 13' 19"E
L8	128.24	S66° 00' 37"E
L9	98.91	N89° 14' 37"E
L10	211.32	N87° 56' 53"E
L11	79.68	N4° 48' 01"E
L12	101.12	S53° 13' 09"E
L13	70.08	S66° 00' 37"E
L14	231.11	N28° 26' 30"E
L15	50.61	S70° 46' 11"E
L16	1.80	N0° 22' 35"E
L17	276.58	N88° 25' 48"E
L18	98.91	N89° 14' 37"E
L19	211.32	N87° 56' 53"E
L20	167.97	S68° 05' 20"E

LINE TABLE		
LINE #	LENGTH	DIRECTION
L21	101.12	S53° 13' 09"E
L22	131.96	S66° 00' 37"E
L23	66.36	S66° 00' 37"E
L24	50.61	N70° 46' 11"W
L25	280.89	S89° 14' 37"W
L26	181.98	S89° 14' 37"W
L27	140.55	S28° 26' 30"W
L28	77.90	S15° 25' 30"W
L29	38.23	S23° 04' 44"W
L30	32.82	S41° 10' 33"W
L31	66.34	S85° 10' 23"W
L32	61.27	N80° 03' 24"W
L33	647.47	N0° 29' 20"E
L34	12.19	S68° 05' 20"E
L35	155.77	S68° 05' 20"E



AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS ____DAY OF _____ ,
20____, AT _____ MINUTES PAST _____M. RECORDS OF
THE _____ COUNTY AUDITOR, _____, WASHINGTON.
RECORDING NUMBER _____ .

COUNTY AUDITOR

FEE

BY

DWN. BY	DATE
TD	9/7/22
CHKD. BY	JOB NO.
JB	2210404

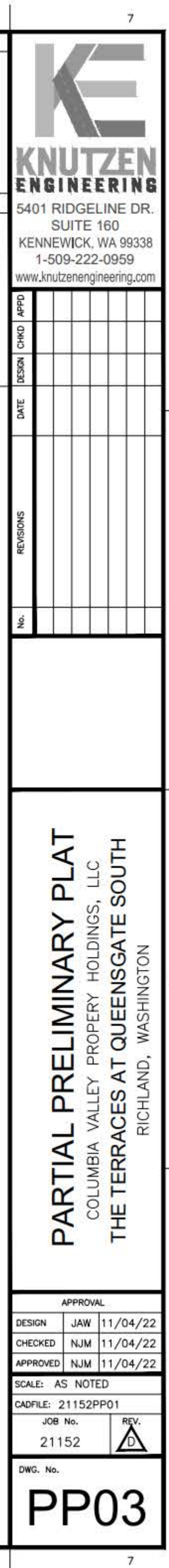
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509.380.5883 TEL 253.383.2572 FAX www.ahbl.com WEB



Exhibit 7

PUD2022-101 Map



5401 RIDGELINE DR.
SUITE 160
KENNEWICK, WA 99338
1-509-222-0959
www.knutzenengineering.com

[illegible]

PARTIAL PRELIMINARY PLAT
COLUMBIA VALLEY PROPERTY HOLDINGS, LLC
THE TERRACES AT QUEENSGATE SOUTH
RICHLAND, WASHINGTON

APPROVAL		
DESIGN	JAW	11/04/22
CHECKED	NJM	11/04/22
APPROVED	NJM	11/04/22

SCALE: AS NOTED	
CADFILE: 21152PP01	
JOB No. 21152	REV. 

DWG. No.
PP03



Exhibit 8

Public Notice and Affidavits



CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING (Z2023-106)

Notice is hereby given that Aqtera Engineering, has filed a change of zoning application to rezone approximately 4.7 acres near the intersection of Keene Road and Queensgate Drive from Agricultural (AG) and Suburban Agricultural (SAG) to Retail Commercial (C-2). This change of zoning is intended to implement the Comprehensive Plan and Property Use and Development Agreement Ord. 2022-03. The project site is currently vacant and located south of Keene Road and west of Queensgate Drive (APN 1-22983000002005).

A public hearing on the proposed site plan review will be held before the Hearing Examiner on Monday, June 12, 2023 at 6:00 PM within the City Council Chambers located at 625 Swift Blvd. All interested parties are invited to attend and present testimony at the public hearing or via Zoom by visiting the City's website: www.ci.richland.wa.us.

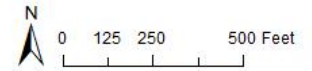
Environmental Review: The proposal is not subject to environmental review according to WAC 197-11-904.

Public Comment: Any person desiring to express their views or to be notified of any decision pertaining to this application should notify Kyle Hendricks, Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may be emailed to khendricks@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, June 2nd, 2023, 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 Sunday, June 11th, 2023; however verbal comments may be presented during the public hearing

Appeal: The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration and Title 23 Zoning. 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: 2155 Keene Rd
Applicant: Peter Harpster
File #: Z2023-106

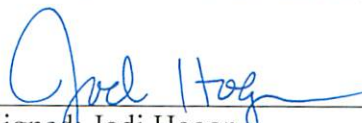


AFFIDAVIT OF MAILING

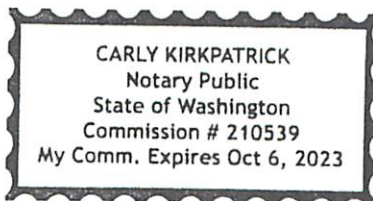
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Jodi Hogan, 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 18th day of May, 2023, I mailed a copy of the attached NOTICE OF PUBLIC HEARING (Z2023-106 2155 Keene Rd) to the attached list of individuals via regular USPS on the date indicated above. The Richland Planning Commission will conduct a public hearing and review of the application on June 12, 2023.


Signed: Jodi Hogan

SIGNED AND SWORN to before me this 18th day of May, 2023 by Jodi Hogan.




Notary Public in and for the State of Washington,


Print Name

Residing at Benton County

My appointment expires: Oct. 6, 2023

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Kyle Hendricks**, 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 18th day of May, 2023, I posted the attached NOTICE OF PUBLIC HEARING, File Number Z2023-106 (2155 Keene Road Rezone) in the following location:

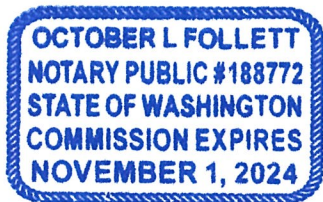
On the southwest side of the intersection at Keene Road and Queensgate Drive, near the south western crosswalk ramp (parcel # 1-22983000003004), Richland WA


Signed: Kyle Hendricks

SIGNED AND SWORN to before me this 18th day of May, 2023, by Kyle Hendricks.


Signature of Notary

October L. Follett
Printed Name



Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: 11-1-2024



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	424274	Print Legal Ad-IPL01238790 - IPL0123879	HE PHN Z2023-106	\$158.31	1	54 L

Attention: Jennifer Anderson

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

purchasing@ci.richland.wa.us

CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING

Notice is hereby given that Aqtera Engineering has filed a change of zoning application to rezone approximately 4.7 acres near the intersection of Keene Road and Queensgate Drive from Agricultural (AG) and Suburban Agricultural (SAG) to Retail Commercial (C-2). This change of zoning is intended to implement the Comprehensive Plan and Property Use and Development Agreement, Ordinance No. 2022-03. The project site is currently vacant and located south of Keene Road and west of Queensgate Drive (APN 1-22983000002005).

The Richland Hearing Examiner will conduct a public hearing on the proposed rezoning on **Monday, June 12, 2023 at 6:00 p.m.** in the Richland City Council Chambers, 625 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing or visit the City of Richland's website at www.ci.richland.wa and join via Zoom. Environmental Review: The proposal is not subject to environmental review according to WAC 197-11-904.

Any person desiring to express their views or be notified of any decision pertaining to this application should notify Kyle Hendricks, Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may be emailed to khendricks@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, June 2, 2023, 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 Sunday, June 11, 2023; however, verbal comments may be presented during the public hearing.
Date Published: Sunday, May 28, 2023
IPL0123879
May 28 2023

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Stefani Beard, 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 05/28/2023, and ending on 05/28/2023 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:

05/28/23

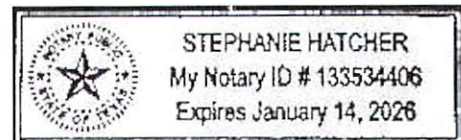
Stefani Beard

(Signature of Legals Clerk)

Sworn to and subscribed before me this 30th day of May in the year of 2023

Stephanie Hatcher

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 9

Agency Comments

MEMORANDUM***PUBLIC WORKS
CIVIL AND UTILITY ENGINEERING***

TO: KYLE HENDRICKS – PLANNER

FROM: JASON REATHAFORD – PUBLIC WORKS, ENGINEERING TECH 4
JOHN WHITTIER – CIVIL ENGINEER 1

DATE: June 2nd, 2023

SUBJECT: RE-ZONE APPLICATION #Z2023-106 – 2155 KEENE RD

Kyle,

Public Works has reviewed the submitted short plat application received on May 18th, 2023 and have the comments noted below.

1. Any parcel that elects to build prior to the completion of the *Terraces at Queensgate* project shall be required to complete the full buildout of the adjacent roadways and/or all associated frontage improvements along their parcel.
2. Note that the establishment of driveways for parcel 3 has been pre-approved for the *Terraces at Queensgate* project. Additional driveways will not be allowed at other driveway points along the parcel.
3. Any current conditions that apply to the *Terraces at Queensgate* project shall be applicable after the re-zoning application is approved.

If you have any questions, please let us know.

Thank you,
Jason x7742
John x7649



May 31, 2023

City of Richland
625 Swift Boulevard, MS-35
Richland, WA 99352

Attn: Kyle Hendricks, Planner khendricks@ci.richland.wa.us

Subject: Rezone Z2023-106, 2155 Keene Road

We have reviewed the Rezone Z2023-106, 2155 Keene Road and have the following comments.

- The proposed project is approximately 0.5 miles from I-182, Exit 3, that is a fully controlled limited access highway with a posted speed limit of 70 miles per hour.
- The proposed zoning on 4.2 acres from Suburban Agricultural (SAG) to Retail Commercial (C-2) may increase AADT using stated examples in the application such as automotive repair, car wash, fuel station, mini mart or truck stop.
- As specific developments are proposed, they will be subject to review for their impacts to the WSDOT system. Impacts that are determined to be significant will require mitigation, and it is anticipated that all costs will be borne by the development(s). Of particular concern are the project's peak hour trip generation and its impacts on ramp terminal capacity, safety, ingress and egress. This information is normally obtained through a Traffic Impact Analysis (TIA) performed by the developer prior to construction.

Thank you for the opportunity to review and comment on this proposal. If you have any questions regarding our comments, please contact Mark Reynolds at (509) 577-1929.

Sincerely,

Paul Gonseth, P.E.
Planning Engineer

PG:mrr

cc: Area 3 Maintenance Supervisor



State of Washington
Department of Fish and Wildlife
2620 North Commercial Avenue, Pasco, WA 99301
Phone: (509) 312-8117, E-mail: Troy.Maikis@dfw.wa.gov

May 30, 2023

Kyle Hendricks
City of Richland Planning Division
625 Swift Blvd., MS-35
Richland, WA 99352
(509) 942-7683

Re: Z2023-106 - 2155 Keene Rd Rezone

The Washington Department of Fish and Wildlife (WDFW) has reviewed relevant maps and documents for the proposed rezone application for 2155 Keene Rd, Richland, WA (Z2023-106).

The proposed project covers 4.7 acres, of mostly annual grassland along with occasional young trees that have begun to grow since the site was last graded. These trees have the potential to provide nesting habitat for songbirds. Many birds local to our area as well as active nests are protected under the Migratory Bird Treaty Act as well as being listed as “protected wildlife” under RCW 77.12.020(3). As such, we offer the following recommendations to help Richland minimize potential impacts to nesting songbirds that may occur as a result of this action or subsequent associated actions.

WDFW recommends any grading or vegetation removal occur outside the nesting season (February 1- July 31) and that a nesting bird survey (including raptors) be conducted within 1 week prior to the start of activities on the site as well as prior to each portion of the project that occurs following a break in activity between February 1 and July 31. If a nest becomes active during construction or is observed to be active during the survey, please contact Troy Maikis at troy.maikis@dfw.wa.gov or (509) 312-8117 to identify if any additional measures may be appropriate. WDFW also recommends that work on the site begin outside of the February 1 – July 31 timing window, as any birds that move into an area with pre-existing construction noise and activities are often more acclimated to the noise and therefore less likely to experience disturbance due to construction.

WDFW looks forward to working with The City of Richland on this project to ensure the best outcome for the county, its residents, and our local wildlife.

Sincerely,

Troy Maikis

Area Habitat Biologist; Benton and Franklin Counties
Washington Department of Fish & Wildlife
2620 Commercial Ave, Pasco, WA 99301
(509) 312-8117 Troy.Maikis@dfw.wa.gov

cc: Elizabeth Torrey, WDFW Assistant Habitat Program Manager, Region 3, Ellensburg

Hendricks, Kyle

From: WSDOT Aviation Land Use Inquiries and Application Submittals
<AviationLandUse@WSDOT.WA.GOV>
Sent: Monday, May 22, 2023 2:40 PM
To: Hendricks, Kyle
Subject: RE: [EXTERNAL] Z2023-106 - 2155 Keene Rd Rezone

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

M Hendricks,

WSDOT Aviation Division reviewed this proposal on 5/22/2023. We have no concerns or comments.

Cheers,

David Ison, PhD | Aviation Planner
Airport Land Use Compatibility & Emerging Aviation Technologies
Washington State Department of Transportation
isond@wsdot.wa.gov C: 360-890-5258

From: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Sent: Thursday, May 18, 2023 9:44 AM
To: Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Anderson, Ryan (ECY) <rand461@ecy.wa.gov>; AshleyMorton@ctuir.org; bmidmanager@badgermountainirrigation.com; Michelle.Cooke@co.benton.wa.us; Benton County - Segregations <Segregations@co.benton.wa.us>; osp@noanet.net; engservice@bentonpud.org; bbarlow@bft.org; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; carrie.thompson@bnsf.com; Casey_Barney@Yakama.com; catherinedickson@ctuir.org; clark.posey@co.benton.wa.us; Corrine_Camuso@Yakama.com; Hamilton, Craig <C.Hamilton@bces.wa.gov>; sepa@dahp.wa.gov; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; darrick@basindisposal.com; david@portofbenton.com; Davis, Deanna <d.davis@bces.wa.gov>; dxrogers@bpa.gov; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; emendenhall@westrichland.org; FormerOrchards@ecy.wa.gov; gary.graff@ecy.wa.gov; gis@co.benton.wa.us; greg.wendt@co.benton.wa.us; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; jmcshane@kid.org; Jessica_Lally@Yakama.com; john.lyle@bentoncleanair.org; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; jecottrell@bpa.gov; junior.campos@charter.com; katherine.cichy@ziply.com; Cooper, Kelly (DOH) <Kelly.Cooper@DOH.WA.GOV>; kevin.knodel@rsd.edu; KSliger@bft.org; development@kid.org; webmaster@kid.org; mjdeklyne@bpa.gov; map@bces.wa.gov; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; michael.tovey@ziply.com; langn@bentonpud.org; noah.lee@bentoncleanair.org; Noah_Oliver@Yakama.com; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Gonseth, Paul <GonsetP@wsdot.wa.gov>; QWright@portofbenton.com; ReathaFord, Jason <JReathaFord@CI.RICHLAND.WA.US>; reviewteam@commerce.wa.gov; richard.krasner@rsd.edu; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; robin.priddy@bentoncleanair.org; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; seand@bfhd.wa.gov; sepacenter@dnr.wa.gov; separegister@ecy.wa.gov; sepaunit@ecy.wa.gov; SDefoe@kid.org; WSDOT SC Planning Mailbox <SCPlanning@WSDOT.WA.GOV>; Tyutyunnik, Ruvim <rtyutyunnik@CI.RICHLAND.WA.US>; rittemwr@dfw.wa.gov; R3Planning@dfw.wa.gov; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; Simpson, William (COM) <william.simpson@commerce.wa.gov>; WSDOT Aviation Land Use Inquiries and Application Submittals

<AviationLandUse@WSDOT.WA.GOV>

Subject: [EXTERNAL] Z2023-106 - 2155 Keene Rd Rezone

WARNING: This email originated from outside of WSDOT. Please use caution with links and attachments.

Hello,

Attached is the referral packet for a rezone application at 2155 Keene Rd, near the intersection of Queensgate Dr. The application is to change the zoning from Agriculture (AG) and Suburban Agriculture (SAG) to General Commercial (C-2). This change is intended to implement the Comprehensive Plan and Property use agreement Ordinance 2022-03. This application is not subject to environmental review. Previously, a comprehensive plan amendment was filed in 2022 in regard to contract 92-10 which guided development of the surrounding land.

Please review and reply with any questions or comments by end of day Friday June 2nd, 2023.

Thank you,



Kyle Hendricks

Planner

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

(509) 942-7683

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Hendricks, Kyle

From: Chris Sittman <CSittman@kid.org>
Sent: Wednesday, May 24, 2023 8:22 AM
To: Hendricks, Kyle
Subject: RE: Z2023-106 - 2155 Keene Rd Rezone

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

KID has no comments regarding this matter.

Sincerely,

Chris D. Sittman
Engineering Dept./CAD Specialist
Kennewick Irrigation District
2015 S. Ely St.
Kennewick, WA 99337
Desk: 509-460-5435
Cell: 509-873-1123

From: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Sent: Thursday, May 18, 2023 9:44 AM
To: Acevedo, Mizaël <macevedo@CI.RICHLAND.WA.US>; rand461@ECY.WA.GOV; AshleyMorton@ctuir.org; bmidmanager@badgermountainirrigation.com; Michelle.Cooke@co.benton.wa.us; Benton County - Segregations <Segregations@co.benton.wa.us>; osp@noanet.net; engservice@bentonpud.org; bbarlow@bft.org; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; carrie.thompson@bnsf.com; Casey_Barney@Yakama.com; catherinedickson@ctuir.org; clark.posey@co.benton.wa.us; Corrine_Camuso@Yakama.com; Hamilton, Craig <C.Hamilton@bces.wa.gov>; sepa@dahp.wa.gov; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; darrick@basindisposal.com; david@portofbenton.com; Davis, Deanna <d.davis@bces.wa.gov>; dxrodders@bpa.gov; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; emendenhall@westrichland.org; FormerOrchards@ecy.wa.gov; gary.graff@ecy.wa.gov; gis@co.benton.wa.us; greg.wendt@co.benton.wa.us; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Jason McShane <JMcShane@kid.org>; Jessica_Lally@Yakama.com; john.lyle@bentoncleanair.org; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; jecottrell@bpa.gov; junior.campos@charter.com; katherine.cichy@ziply.com; kelly.cooper@doh.wa.gov; kevin.knodel@rsd.edu; KSliger@bft.org; Development <development@kid.org>; Matthew Berglund <MBerglund@kid.org>; mjdeklyne@bpa.gov; map@bces.wa.gov; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; michael.tovey@ziply.com; langn@bentonpud.org; noah.lee@bentoncleanair.org; Noah_Oliver@Yakama.com; Orr, Bruce <borr@CI.RICHLAND.WA.US>; gonsetp@wsdot.wa.gov; QWright@portofbenton.com; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; reviewteam@commerce.wa.gov; richard.krasner@rsd.edu; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; robin.priddy@bentoncleanair.org; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; seand@bfhd.wa.gov; sepacenter@dnr.wa.gov; separegister@ecy.wa.gov; sepaunit@ecy.wa.gov; Seth Defoe <SDefoe@kid.org>; scplanning@wsdot.wa.gov; Tyutyunnik, Ruvim <rtutyunnik@CI.RICHLAND.WA.US>; rittermwr@dfw.wa.gov; R3Planning@dfw.wa.gov; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; william.simpson@commerce.wa.gov; WSDOT Aviation Land Use Inquiries and

Application Submittals <AviationLandUse@wsdot.wa.gov>

Subject: Z2023-106 - 2155 Keene Rd Rezone

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.

Hello,

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Please review and reply with any questions or comments by end of day Friday June 2nd, 2023.

Thank you,



Kyle Hendricks

Planner

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

(509) 942-7683

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Hendricks, Kyle

From: Rodgers, Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrodgers@bpa.gov>
Sent: Friday, June 2, 2023 7:04 AM
To: Hendricks, Kyle
Cc: Cummings, Nicole M (BPA) - TERR-TRI CITIES RMHQ
Subject: RE: [EXTERNAL] Z2023-106 - 2155 Keene Rd Rezone

[EXTERNAL EMAIL] Exercise caution before clicking links or opening attachments.

Kyle,

Bonneville Power Administration's (BPA) has had the opportunity to review Z2023-106 - 2155 Keene Rd Rezone. The application is to change the zoning from Agriculture (AG) and Suburban Agriculture (SAG) to General Commercial (C-2).

In researching our records, we have found that this proposal will not directly impact BPA facilities approximately 1650 feet west of the subject property. BPA does not have any objections to the approval of this request at this time.

If you have any questions or need additional information, please feel free to contact Nicole Cummings at (509) 542-5499 or by email at nmcummings@bpa.gov.

Thank you for the opportunity to review this application.



Deborah Rodgers

Realty Technician Contractor
2211 North Commercial Avenue, Pasco, WA 99301
Bonneville Power Administration | TERR/Tri-Cities-RMHQ
Real Property Field Services | P 509.544.4749
dxrodgers@bpa.gov

From: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Sent: Thursday, May 18, 2023 9:44 AM
To: Acevedo, Mizaël <macevedo@CI.RICHLAND.WA.US>; rand461@ECY.WA.GOV; AshleyMorton@ctuir.org; bmidmanager@badgermountainirrigation.com; Michelle.Cooke@co.benton.wa.us; Benton County - Segregations <Segregations@co.benton.wa.us>; osp@noanet.net; engservice@bentonpud.org; bbarlow@bft.org; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; carrie.thompson@bnsf.com; Casey_Barney@Yakama.com; catherinedickson@ctuir.org; clark.posey@co.benton.wa.us; Corrine_Camuso@Yakama.com; Hamilton, Craig <C.Hamilton@bces.wa.gov>; sepa@dahp.wa.gov; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; darrick@basindisposal.com; david@portofbenton.com; Davis, Deanna <d.davis@bces.wa.gov>; Rodgers, Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrodgers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; emendenhall@westrichland.org; FormerOrchards@ecy.wa.gov; gary.graff@ecy.wa.gov; gis@co.benton.wa.us; greg.wendt@co.benton.wa.us; Hester, Laura <lhester@CI.RICHLAND.WA.US>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; jmcshane@kid.org; Jessica_Lally@Yakama.com; john.lyle@bentoncleanair.org; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; jecottrell@bpa.gov; junior.campos@charter.com; katherine.cichy@ziply.com; kelly.cooper@doh.wa.gov; kevin.knodel@rsd.edu; KSliger@bft.org; development@kid.org; webmaster@kid.org; mjdeklyne@bpa.gov; map@bces.wa.gov; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; michael.tovey@ziply.com; langn@bentonpud.org;

noah.lee@bentoncleanair.org; Noah_Oliver@Yakama.com; Orr, Bruce <borr@CI.RICHLAND.WA.US>; gonsetp@wsdot.wa.gov; QWright@portofbenton.com; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; reviewteam@commerce.wa.gov; richard.krasner@rsd.edu; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; robin.priddy@bentoncleanair.org; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; seand@bfhd.wa.gov; sepacenter@dnr.wa.gov; separegister@ecy.wa.gov; sepaunit@ecy.wa.gov; SDefoe@kid.org; scplanning@wsdot.wa.gov; Tyutyunnik, Ruvim <rtutyunnik@CI.RICHLAND.WA.US>; rittemwr@dfw.wa.gov; R3Planning@dfw.wa.gov; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; william.simpson@commerce.wa.gov; WSDOT Aviation Land Use Inquiries and Application Submittals <AviationLandUse@wsdot.wa.gov>

Subject: [EXTERNAL] Z2023-106 - 2155 Keene Rd Rezone

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Please review and reply with any questions or comments by end of day Friday June 2nd, 2023.

Thank you,



Kyle Hendricks

Planner

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Exhibit 10

Public Comments

Country Ridge Home Owners Association
PO Box 844, Richland, WA 99352



June 1, 2023

Kyle Hendricks, Planner
City of Richland
625 Swift Boulevard, MS #35
Richland, WA 99352

sent via email only: khendricks@ci.richland.wa.us

RE: The Terraces at Queensgate South
Hearing Date: June 12, 2023

Dear Mr. Hendricks,

Please accept this letter as Country Ridge HOA's formal objection to the application to rezone the approximately 4.7-acre parcel near the intersection of Keene Road and Queensgate Drive (APN 1-22983000002005) to Commercial C-2, as submitted by Aqterra Engineering on behalf of Columbia Valley Property Holdings, LLC's, (hereinafter "The Developer").

By way of background, in August 2010, Country Ridge Homeowners Association, The City of Richland, and the Developer's predecessors in interest entered into a Settlement Agreement recorded under Benton County Auditor's No. 2010-024274 that attached to and ran with land. Also, in August 2010 a Development Agreement was entered into by the City of Richland and the Developer's predecessors in interest, recorded under Benton County Auditor's No. 2010-024273, city contract No. 92-10. In 2022, said Development Agreement was amended under City Ordinance No. 2022-03. Finally, in February 2023 the City Hearing Examiner, Gary McLean, recommended the City Council approve The Terraces at Queensgate South Preliminary PUD including development of Phase 1, near the border of the Country Ridge HOA.

Country Ridge HOA objects to the Developer's request to rezone a 4.7-acre parcel, known as APN 1-22983000002005, to the extent that said rezoning encroaches upon the residential buffer required by the Settlement Agreement and Amended Development Agreement. Said Agreements mandate that a residential buffer consisting of two tiers of single-family residential lots separated by a road corridor be placed along the entire eastern boundary of Country Ridge HOA. Country Ridge HOA views this buffer to be a minimum of 234', based on city zoning requirements and developer lot dimensions.

Country Ridge HOA entered into voluntary conditions upon the Developer's application for approval of the PUD and Phase 1 of the development whereunder said residential buffer along the southern portion of the eastern boundary of our HOA would contain two rows of R-1-12 zoned houses and a road corridor, and the total width of the buffer would be 204'. Country Ridge HOA agreed to the reduction to 204' largely in exchange for the Developer's agreement that the homes to be constructed would not exceed one story. The Developer is now calling for a further reduction of our required residential buffer width along the northern portion of the development under the guise that stormwater drainage ponds give Country Ridge HOA an even better buffer. We disagree.

Open space or stormwater drainage ponds are not a requisite substitute for the distance two tiers of residential homes would provide the HOA. Furthermore, the approach violates the Settlement Agreement and Section



10(g) and 10(h) of the Amended Development Agreement that clearly requires a residential buffer. Pursuant to Section 10(g) "Zoning for the portion of the Site designated as Commercial may be C-1, C-2 or C-LB or may be part of a Planned Unit Development". The Developer here is clearly requesting that a portion of the site that is currently designated as Low Density Residential be rezoned to C-2 in violation of the Development Agreement and Comprehensive Plan. Also, 10(h) of the Amended Development agreement requires that "development proposals within the portions of the Site designated as Commercial shall not be approved unless they are determined to be substantially consistent with the design standards set forth in Exhibit B, which depicts the low-density residential zoning along Country Ridge HOA's entire eastern boundary as the residential buffer.

Our position is that two tiers of residential lots with a road corridor cannot feasibly be less than 204' and said distance should be the minimum distance between Country Ridge HOA and any future commercial development. Therefore, no commercial zoning should exist within 204' of Country Ridge HOA's eastern boundary. It would be inconsistent with the prior Agreements and the City's Comprehensive Plan to rezone the entirety of the 4.7-acre lot to the extent that it encroaches on the required 204' residential buffer adjacent to eastern boundary of the Country Ridge HOA. Further, Figure 3 on page 5 of 54 of the developer's rezoning application depicts the Developer's request that a portion of the Proposed Zone Change Area impacts the required low density residential portion of the city's Comprehensive Plan Land Use Map. Said drawing is incorporated into the Settlement Agreement and Development Agreement. The examiner should deny said rezoning request within the required low density residential portion of the map.

To reiterate, rezoning any portion of the required 204' residential buffer to C-2 or other commercial zoning is inappropriate and a violation of the Settlement Agreement and Development Agreement as amended. Country Ridge HOA respectfully requests that the Hearing Examiner deny the rezoning application to the extent that it changes any zoning to commercial within the 204' width of the required residential buffer along the eastern boundary of Country Ridge HOA.

Sincerely,

A handwritten signature in black ink, appearing to read "Max Schneider".

Max Schneider, President
Country Ridge HOA

June 2nd, 2023

Mr. Kyle Hendricks,

Planner,

625 Swift Boulevard, MS-35, Richland, WA 99352.

khendricks@ci.richland.wa.us

RE: Comments on Z2023-106 Zoning Change Request

Mr. Hendricks,

I am a resident of the Country Ridge neighborhood on the east side, my house is very near to the area where a zoning change request is submitted.

Unfortunately, this application is a deceiving tactic from the developer. The developer has just got approval for Phase I, and now they want to move forward with Phase II, without even starting in Phase I

What is the point in dividing the approval stages into several phases that are separated by few months. This is simply to mislead the public about the big picture and how this proposed development is in reality one single phase.

As I explained on my comments on Phase I, while the developer was seeking approval for Phase I of the development, and now the zone change for Phase II, it is almost impossible to separate Phase I from Phase II to understand how this development will impact current residences. As all south Richland residences nearby this new development, I will be negatively impacted by this Zone change for the following reasons:

Negative Impact Converting Quiet (country style life) South Richland neighborhoods into a noisy downtown style with very high density residential buildings and large scale commercial developments

- a. As described in the developer Phase I application, the three phases of this development will result in *"19 large single family lots, 260 townhome units, a grocery, pharmacy, four two story commercial buildings and a hotel"*, which will clearly negatively impact Quiet South Richland neighborhoods adjacent to this development converting it into a new downtown with associated noise, pollution, view blockage with large building blocks, traffic congestions, crime rate increase and consequently reduced property values. **This Zone change request is the starting point to put an end to south Richland neighborhoods as quiet residential areas.**

- b. The main purpose for the requested zoning change is to pave the road for a large scale commercial development proposed by the developer that will convert the life of current residences into a nightmare similar to the commercial hub in Duportail Street with the daily traffic accidents, crowdedness, pollution and noise that by no means suitable for residential areas.
- c. There is no justification for such large scale commercial development given that there is already a commercial hub nearby that is far from residential areas with many land lots are still available for commercial development. In addition to city of Richland plans for more commercial areas out of Kennedy Road. **This zone change will result in the largest commercial development on this side of Keene Rd all the way from West Richland to Gage Blvd.**
- d. In Phase I application, the developer proposed Grocery and Pharmacy in the area where he is requesting the zoning change. This retail building will be almost in the backyard of the houses in the East side of Country Ridge neighborhood with daily truck loading and unloading, large volume of cars entering and leaving the large parking lot with significant amount of night light pollution with the associated privacy invasion that will make it impossible for the residences on this side to open any window or enjoy their backyard.
- e. There is no need for such stores in this area given that there 4 different grocery stores within few miles. There is no other place in the City of Richland where grocery stores are built in the middle of residential neighborhoods.
- f. Any commercial development should be a small scale residential friendly similar to Queensgate Village on the other side of the Keen Rd in front of this project. As such any zoning change should be rather into C-1 or C-LB, as it was agreed up on in the 2010 agreement. The amendment in Feb 2022 was unethical as the developer did not disclose their plans for large scale commercial development at this time.
- g. **Again, there is no any justification for this Zone change that will result in large scale commercial development in the middle of residential areas, this is very bad planning from the City of Richland planners, and they should rather think about a solution for the big commercial miss they have created in Duportail St, with daily car accidents.**

Negative Traffic Impact on Keens Rd/Queens Gate traffic light:

- a. The proposed zonal change to C-2, means large scale commercial development and that means heavy traffic entering and exiting, that will make the Keens Rd/Queens Gate traffic light which is already congested a daily traffic nightmare for south Richland residence, add on top of that the proposed 300 houses, 4 restaurants and 4 story hotel proposed on different phase of developments.
- b. With the proposed very high density residential townhomes and large scale commercial developments, it is very likely the proposed Roundabout at Queensgate extension will be congested and drivers will be looking for other short cuts, driving into the proposed Lambert Drive, into Lariat Lan, into lower Appaloosa way, into Saddle way. Residences in East Country Ridge will be double impacted with the Traffic in Lambert Drive near their backyard which will show up again in their front yard either on lower Appaloosa Way or Saddle way.
- c. The proposed roundabout is so near to Keen Rd, which will result in cars packing up in Keen Rd, trying to make a right turn into this new development with a congested Roundabout, consequently it will be more difficult for Country Ridge residence to make right turn from Country Ridge Rd into Keen Rd.
- d. This development will also negatively impact the families in the proposed 89 town homes in Phase 1, children and seniors living in these townhomes will have no place to play and walk in but the single street that all these 89 families are jammed in, and the heavy commercial traffic means these children and senior citizens can easily get struck by cars visiting this large scale commercial development as shown in Figure 1, **the question to the city planners is how many Citizens need to die or injured in car accidents to understand this is a bad planning to change zoning to C-2 in the middle of residential area.**

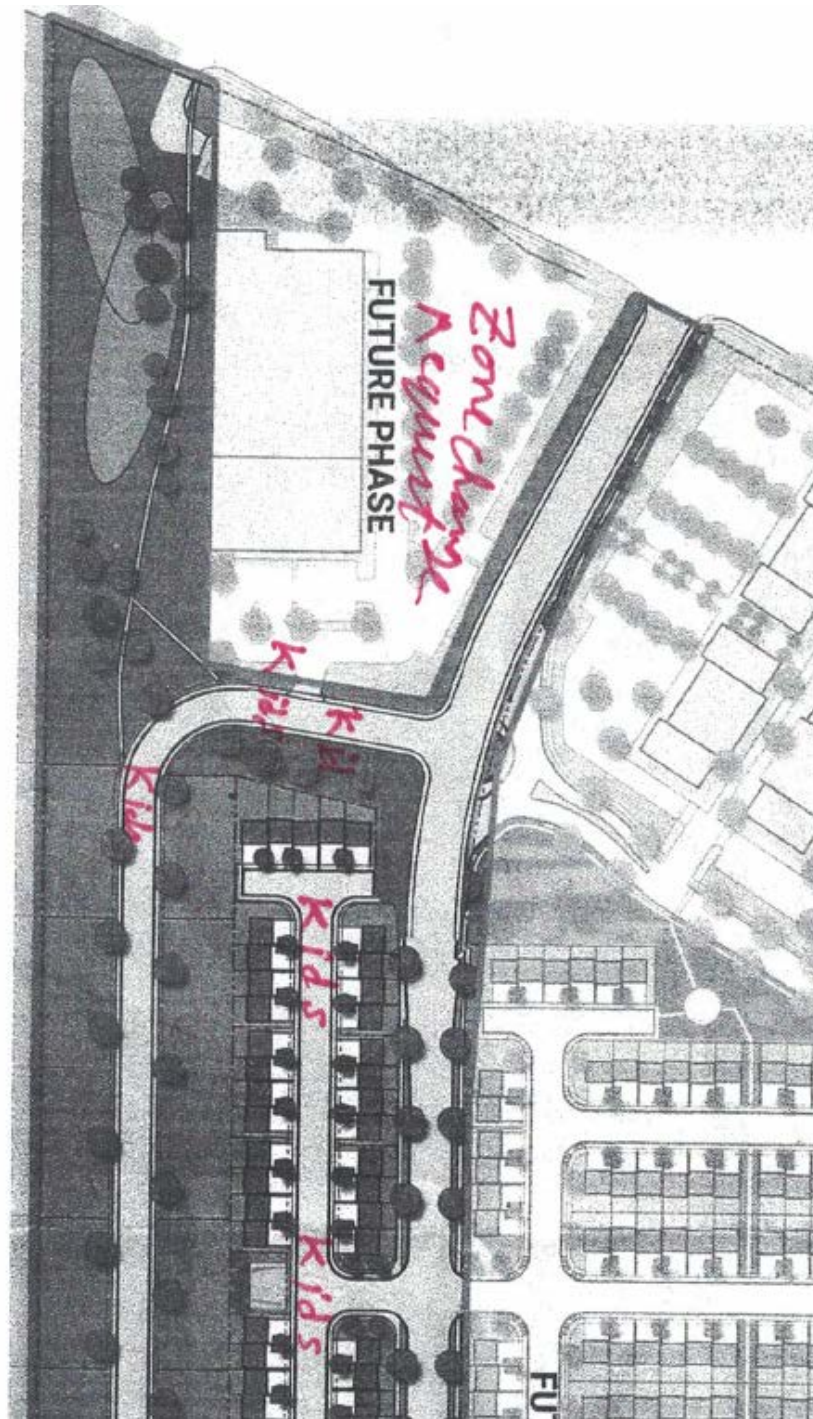


Figure 1, Subjecting Kids and senior citizens to heavy traffic dangerous from large scale commercial development as a result of C-2 zoning change

Violation of the August 24th, 2010 Settlement Agreement:

The proposed area for Zoning change violates the 2010 Settlement Agreement between City of Richland, Land Owners, Mr. Richard Foreman and Country Ridge Home Owner association as follows:

1) Violation of section 2.3:

Section 2.3 The Amendment shall include a buffer of property zoned R-1-12 - Single Family Residential adjacent to the Country Ridge property line. The buffer would provide for two tiers of single family residential lots separated by a road corridor, providing for an overall density not to exceed three (3) lots per acre (inclusive of such road corridor). These lots would meet all R-1-12 zoning standards, and such lots shall be laid out with their rear yards facing the Country Ridge property line;

It is clear that the area that developer is asking to change its Zoning into commercial is violating this term as show in Figure 1. The developer is trying to cut part of the buffer so they can develop their proposed grocery store.

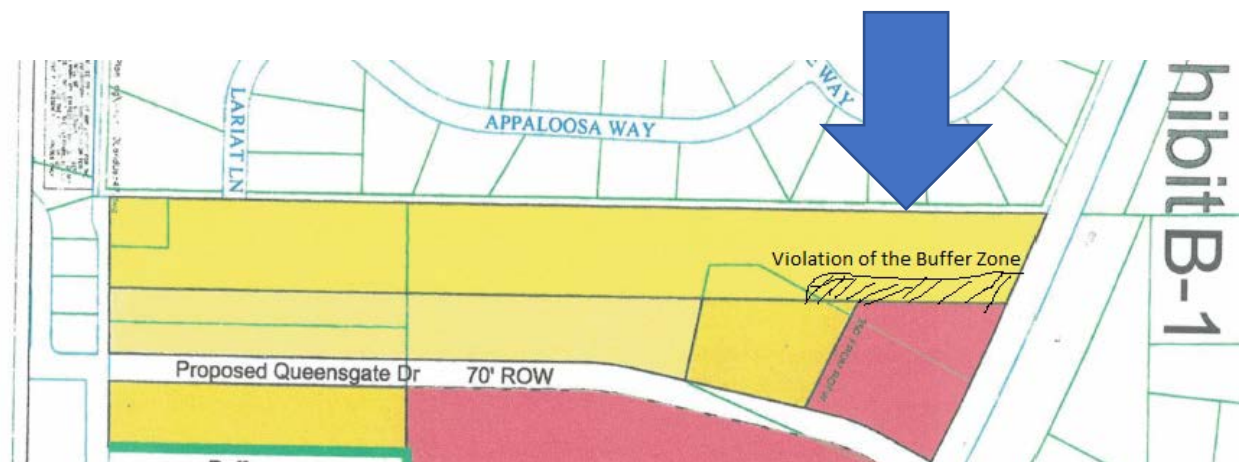


Figure 2, Violation of the buffer Zone requirements

2) Violation of areas classification:

The developers is proposing to change an area that is more than 3 acres, this violates section 2.2 that states:

“Commercial Property west of Queensgate :2.75 acres”

“Office : 2.93 acres”

Commercial development should be only within the allowed 2.75 acres

3)-Violation of Buffer requirements:

The proposed zone change should not be approved, until it is clear what is the proposed commercial development and what will be the buffer for residential area, otherwise it violates section 2.4/D that states:

The city will ensure the use of sight and sound buffers or transitions in zones non-combatable land use

Zoning change should be rejected until we have a full development plan including the buffer areas, and until Phase I is completed, so the residences of Phase I houses will have a say to share their concerns about this new commercial development

To the City of Richland Mayer, City Council, City Lawyer, City manger, I have the following:
Open Questions about City of Richland Planners Biased Position supporting this Developer

1-In the city council meeting on April 18th , the developer lawyer indicates that a leading staff in the developer team used to work in the planning department in the City of Richland.

As such, I am asking the city of Richland lawyer and the city examiner to audit all communications between the city planners and the developers to make sure that the city planners are not giving their former colleague any special treatments, insider information and/or hidden advices. I am also asking the City of Richland lawyer to fully disclose the City of Richland polices regarding City planners go and work for the developers whom they used to evaluate their development plans, **how is the city managing this potential conflict of interest?**

2-In their Phase I report, city of Richland planners did a gross mistake assuming that the Country Ridge trails are part of Phase I development, and repeated the same in front of the City Examiner during the hearing to give the impression that residences in Phase I will have

green areas to walk in, which is totally far from truth. How much trust we can put in the City planners fairness after this mistake.

3-In their Phase I evaluation report, the city of Richland planners were vigorously defending the developer phase 2 and Phase 3 development plans even though the application was for Phase I, as the City Examiner made it clear during the hearing and in his report. Why the city planners are so Keen to protect and justify the developers Phase 2 and 3 plans even though that was a report on Phase I.

4-The city of Richland planners choose comments and hearing dates where public will be very busy to minimize the number of comments they would receive.

- The deadline for Phase I comments was in the busy Christmas season on December 28. I sent e-mail to City planning manager asking for the application location the city web site on December 22nd @10:26am, and I did not get a reply until December 28@9:28am, just less than 6 hours when the comments are due by 5pm, and I have the proof for that. I imagine this misleading of public has happened to others.
- The city council meeting in April 18th for Phase I hearing was crowded with protesters related to other event and it was impossible for us to come and comment on Phase I development.
- Now for this Zone change request, they are using the same tactics, in the week of memorial holiday, where a lot of people have summer travel plans.

Final Conclusions:

If really the city of Richland leadership is advocating for Neighborhood Equity, this area proposed for zone change should be rather designated as a community park for those unfortunate 300 families that the developer is planning to jam with very little green areas for them to breath fresh air, but unfortunately the wellbeing of Richland Citizens is in the least of their interest.

I strongly urge Richland city staff and the Examiner to reject the developers plan for Zone change due to all the above mentioned reasons.

Sincerely,
Nader Samaan, PhD, PE
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