



Agenda
Hearing Examiner Meeting
Monday, August 12, 2024
Richland City Hall ~ Council Chambers
625 Swift Boulevard

Hearing Examiner: Gary McLean

Staff Liaison: Planning Manager Stevens

Public Hearing - 6:00 p.m.

Public Hearing Explanation:

New Business - Public Hearing:

1. PLN-T2-2024-00003, Special Use Permit, to Construct a 498 Square Foot Drive-Through Coffee Stand Located at 590 Gage Boulevard
 - Kyle Hendricks, Planner
2. PLN-T3A-2024-00001 Rezone of Approximately 1.7 Acres From Neighborhood Retail (C-1) to Retail Business (C-2) Located at 9025 Center Parkway
 - 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.

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



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 8/12/2024

Agenda Category: New Business - Public Hearing

Prepared By: Kyle Hendricks, Planner

Subject:

PLN-T2-2024-00003, Special Use Permit, to Construct a 498 Square Foot Drive-Through Coffee Stand Located at 590 Gage Boulevard

Department:

Development Services

Recommended Motion:

City staff has reviewed the application and has determined there is sufficient compliance with the comprehensive code and recommends approval as conditioned.

Summary:

An application has been filed for a special use permit to allow the construction of a 498 square-foot drive-through coffee stand for Wake Up Call Coffee at 590 Gage Boulevard. This lot previously consisted of a gas station and convenience store, but the building and gasoline pumps were removed several years ago. The lot is zoned C-1 (Neighborhood Retail), which requires the issuance of a special use permit for a Restaurant/Drive-Through use.

Attachments:

1. 590 Gage Special Use Permit Full Staff Report PLN-T2-2024-00003



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

GENERAL INFORMATION:

PROPOSAL NAME: 590 Gage Blvd Special Use Permit

LOCATION: 590 Gage Boulevard

APPLICANT: Shane O' Neill, Clover Planning & Zoning on behalf of The Wake-Up Call Coffee

PROPERTY
OWNER: 590 Gage Blvd Richland LLC

FILE NO.: PLN-T2-2024-00003

DESCRIPTION: Request to construct a 498 square foot drive through coffee stand in the Neighborhood Retail (C-1) zone.

PROJECT TYPE: Type II Zoning Special Use Permit

HEARING DATE: August 12, 2024

REPORT BY: Kyle Hendricks, Planner

RECOMMENDED
ACTION: Approval subject to completion of proposed conditions

Vicinity Map

Item: 590 Gage Blvd Special Use Permit
Applicant: Shane O' Neill
File #: PLN-T2-2024-00003

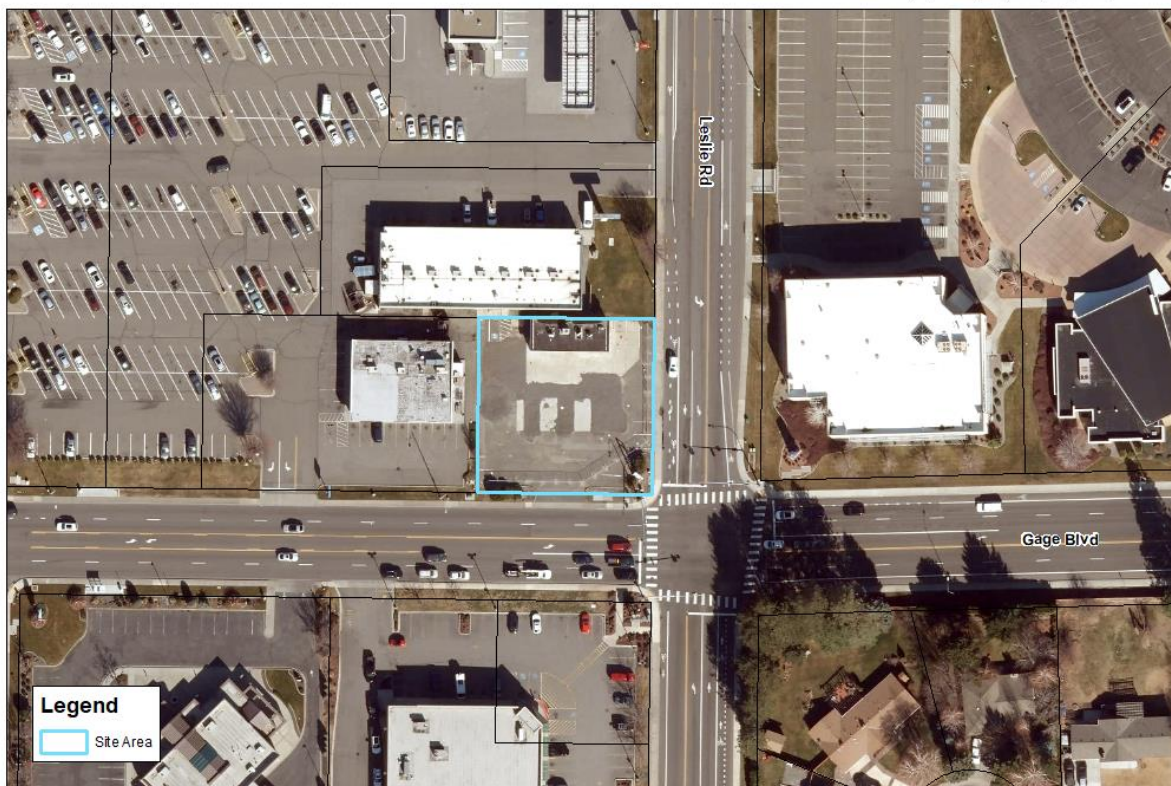
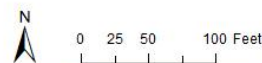


Figure 1 – Vicinity Map

PROJECT DATA

Approximate Site Area:	15,704 Square Feet
Building footprint:	498 Square Feet
Patio area:	Approximately 588 square feet
Parking Stalls:	5 (1 ADA spot)

DESCRIPTION OF PROPOSAL

Shane O' Neill, Clover Planning and Zoning has filed a special use permit application on behalf of The Wake Up Call Coffee to seek land use approval to construct an approximately 498 square foot drive through coffee stand at 590 Gage Boulevard. This location is at the northwest corner of the Gage Boulevard and Leslie Road intersection, a highly traversed intersection within the city of Richland. The proposal includes five parking stalls, one of which is for ADA use and a vehicle queuing lane to accommodate approximately eight average vehicles.

REASON FOR REQUEST AND REVIEW AUTHORITY

Richland Municipal Code (RMC) Chapter 23.46.025 states that the "hearing examiner shall conduct the review of special use permit applications for the following uses", to include "3. Businesses with drive-through window service in the C-1 neighborhood retail and WF –

waterfront districts;”. Other direction to the Hearing Examiner continues:

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.

19.25.100 General criteria for examiner decisions.

- A. Each decision of the hearing examiner shall be in writing and shall include findings and conclusions, based on the record, to support the decision.
- B. The hearing examiner’s findings and conclusions shall indicate the manner in which the decision is intended to carry out and implement applicable state laws and regulations, as well as the regulations, policies, objectives and goals of the city’s comprehensive plan, zoning code, subdivision code, and other laws, policies and objectives of the city.

23.46.040 Hearings – Findings – Conditions.

The hearing body shall conduct an open record public hearing on an application for special use permit as required by RMC Title 19 for a Type III permit application.

- A. Any person may appear at the public hearing in person, or by agent or attorney.
- B. The hearing body shall make a finding that it is empowered under the section of this code described in the application to consider the application for the special use permit.
- C. The hearing body shall approve, approve with conditions or deny an application for a special use permit based on findings of fact with respect to the following criteria:
 - 1. The size and dimensions of the site provide adequate area for the proposed use;
 - 2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;

3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;
 4. The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city shoreline management regulations (RMC Title 26) and the city sign regulations (RMC Title 27) have been met; and
 5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.
- D. The hearing body may impose conditions on the approval of a special use permit in addition to or above and beyond those required elsewhere in this title, which are found necessary to ensure the use is compatible with the public interest. These conditions may include, but are not limited to, the following:
1. Limiting the hours, days, place and/or manner of operation;
 2. Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and/or dust;
 3. Requiring additional setback areas, lot area and/or lot depth or width;
 4. Limiting the building height, size or lot coverage, and/or location on the site;
 5. Designating the size, number, location and/or design or vehicle access points;
 6. Requiring street right-of-way dedication and/or street improvement;
 7. Requiring additional landscaping, berms and/or screening of the proposed use and/or its parking or loading areas and designating the required size, height, type and/or location of fencing and landscaping materials;
 8. Limiting the number, size, location, height and/or lighting of signs.
- E. Violation of any conditions, requirements, and safeguards, when made a part of the terms under which the special use permit is granted, shall be deemed a violation of this code and punishable under RMC 23.70.270.
- F. The hearing body may prescribe a time limit within which the action for which the special use permit is required shall be begun and/or completed. Failure to begin and/or complete such action within the time limit set shall void the special use permit. The time limits may be extended by the hearing body for good cause shown. In the event that no specific time limit to begin or complete a special use permit is identified, then the special use permit shall remain valid for a period of two years from the date that the permit was issued. The hearing body may authorize issuance of a special use permit for a specified probationary period of time, at the termination of which the applicant must resubmit a new application in accordance with the provisions of RMC 23.46.020.

23.42.047 Businesses with drive-through window service.

When permitted in a use district as a special use, restaurants with drive-through window service shall be designed and operated substantially in compliance with the following requirements and conditions in addition to those set forth in Chapter 23.22 RMC:

A. Vehicular Access and Circulation.

1. Design plans shall provide for the safe and efficient movement of vehicles entering, using and exiting the site;

2. The internal circulation on the site shall provide for pedestrian access from parking lots to the lobby entrance(s) without traversing the vehicular stacking lane(s) for the drive-through window service;

B. The drive-through window service vehicular stacking lane(s) shall be of sufficient length to provide for anticipated average monthly peak volumes, and in any case shall meet the minimum requirements set forth in RMC 23.54.020;

C. The design, signage, and operational characteristics of the establishment shall prevent or discourage vehicles from waiting for service on public sidewalks or streets;

D. No communication systems shall exceed a measurement of 55 decibels at any residential property line adjoining the site;

E. Businesses with drive-through window service are not permitted within the parkway district.

SITE DESCRIPTION & ADJACENT LAND USES

The site of the proposal is located at the northwest corner of the Gage Boulevard and Leslie Road intersection and can be described as flat. According to handwritten city building inspection cards it appears a gas service station and mini mart was constructed in October 1980. Aerial images available to staff appears to display the gas station was in operation in 2018, by showing vehicles parked on the property and structures intact. Then in the next available image taken in 2020, all structures appear to be demolished and the property is fenced off. The lot appears to have remained vacant and in a state of disrepair, with pieces of broken up concrete and other building materials since this approximate time. Due to the nature of a gas service station, there are environmental concerns, like leakage into the ground soils. It appears this site is being monitored by the Washington State Department of Ecology, however to Staffs best ability, using information available to the city, it appears no further action is required for this site.

All adjacent land uses appear to reflect the intent of the neighborhood retail (C-1) zoning district, hosting various food and personal service businesses in predominately suburban, auto oriented multi-tenant buildings of the past. These adjacent buildings do not have dedicated pedestrian pathways available from the street sidewalks. The Kadlec clinic located across Leslie Boulevard from the subject site, does have a pedestrian path available from the sidewalk. Additionally, this project does propose pedestrian oriented access from the city sidewalk, albeit pedestrians would ultimately have to cross the drive through queuing lane to access a service window.

The lot is almost entirely flat and not within any critical areas or shoreline management jurisdiction. The area can be accessed from either Gage Boulevard (Principal Arterial street) to the south, or Leslie Road (Minor Arterial street) to the east.

CURRENT LAND USE DESIGNATION AND USES:

North: COM (Commercial) Multi-tenant building, various food and personal services.

East: COM (Commercial) Kadlec clinic

South: COM (Commercial) Walgreens pharmacy
West: COM (Commercial) Multi-tenant building, various food and personal services.
Southeast: LDR (Low Density Residential) Single family homes (across intersection)

**Land Use
Map**

Item: 590 Gage Blvd Special Use Permit
Applicant: Shane O' Neill
File #: PLN-T2-2024-00003

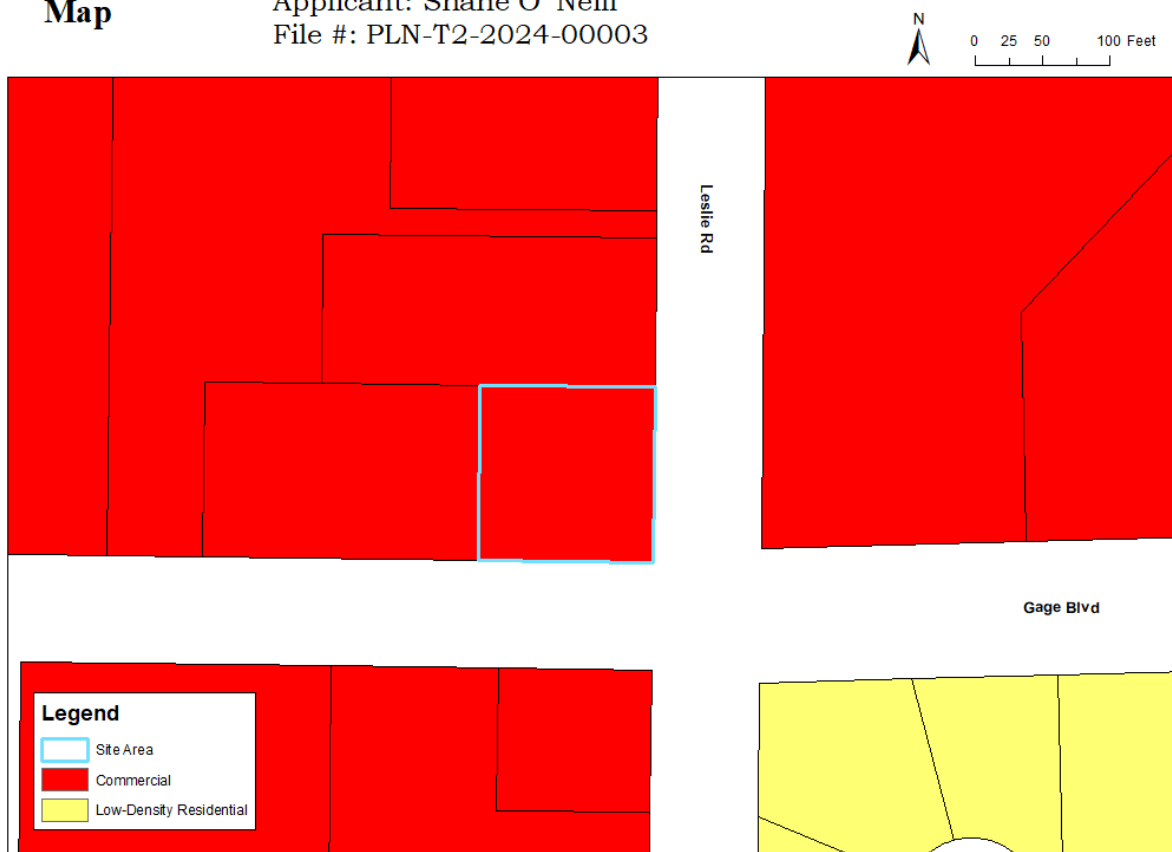


Figure 2 – Comprehensive Plan Map

COMPREHENSIVE PLAN

As illustrated in Figure 2 (above), Richland's Comprehensive Plan designates the site for Commercial (COM) land use (RMC 23.22).

Applicable Goals & Policies

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

Economic Development Element Goal 1: Build the diversity, resiliency, and equity of the City's economy to ensure opportunities for growth and shared prosperity.

Policy 1: Support the growth of a balanced mix of companies in the following sectors: high technology, professional service, personal service, retail trade, agricultural processing, energy industries, manufacturing, and tourism.

Land Use Element 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, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View areas.

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

Land Use Element 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 Element Goal 4: Promote commercial and industrial growth that supports the City's economic development goals.

Policy 3: Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.

Transportation Element Goal 2: Improve safety, connectivity, and operating efficiency of the transportation system.

Policy 1: Implement appropriate access control for arterial collectors and arterial streets.

Urban Design Element Goal 1: Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.

Policy 2: Encourage redevelopment and upgrade of suitable commercial areas.

CURRENT ZONING

The subject site is zoned C-1, Neighborhood Retail Business use district. Surrounding parcels are zoned as follows:

North: C-1, Neighborhood Retail Business district

East: C-1, Neighborhood Retail Business district

South: C-1, Neighborhood Retail Business district

West: C-1, Neighborhood Retail Business district

Southeast: R-1-10, Single Family Residential (across intersection)

Zoning Map

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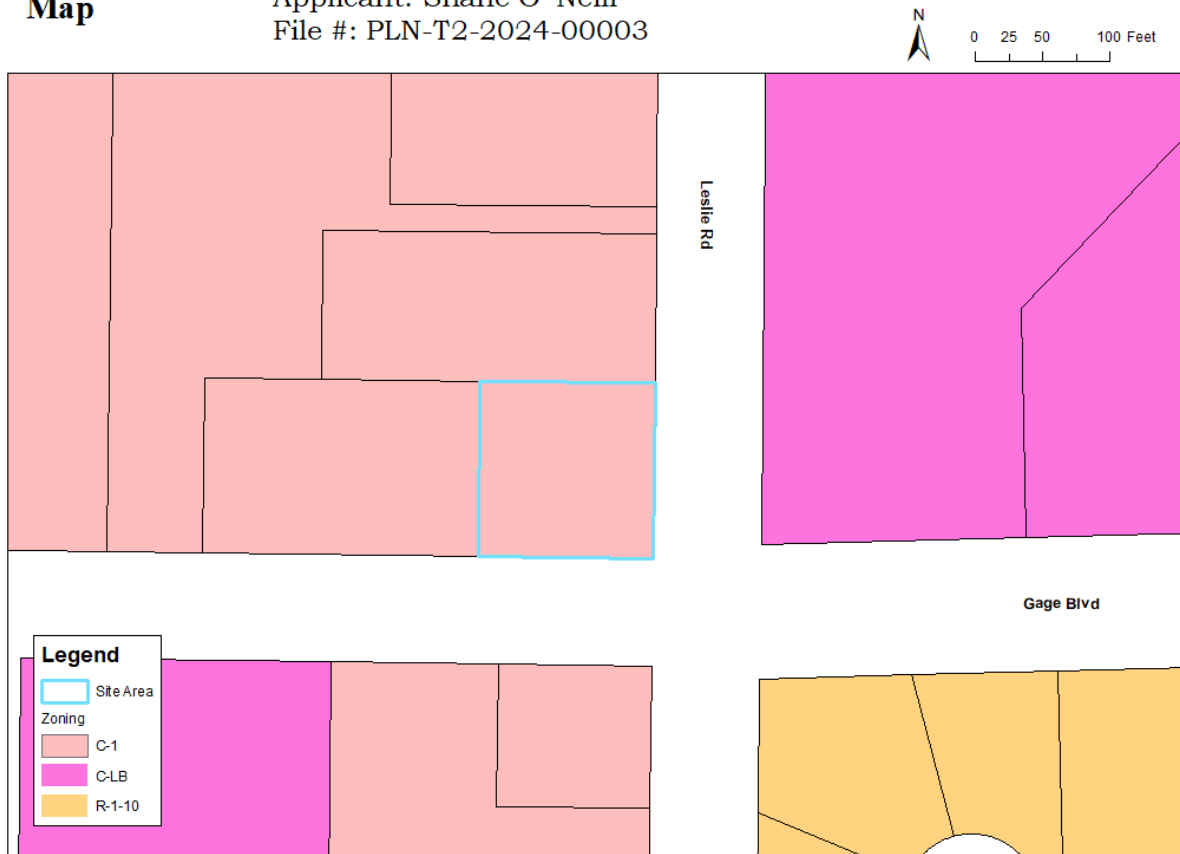


Figure 3 – Zoning Map

The neighborhood retail business use district (C-1) is a limited retail business zone classification for areas which primarily provide retail products and services for the convenience of nearby neighborhoods with minimal impact to the surrounding residential area. 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. (RMC 23.22.010(B)).

C-1 DIMENSIONAL STANDARDS

The following standards apply in the C-1 zone per RMC 23.22.040:

Minimum Lot Area Requirement	None
Maximum Density	N/A
Minimum Lot Width	N/A
Minimum Front Yard Setback	45 feet ¹
Minimum Side Yard Setback	0 feet ⁷
Minimum Rear Yard Setback	0 feet ⁷
Maximum Building Height	30 feet

Minimum Dwelling Unit

N/A

1. 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.
7. Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.

UTILITY AVAILABILITY

There are existing sewer, water, irrigation, stormwater, and power connections available near the site with adequate capacity to supply the proposed project.

**Utility
Map**

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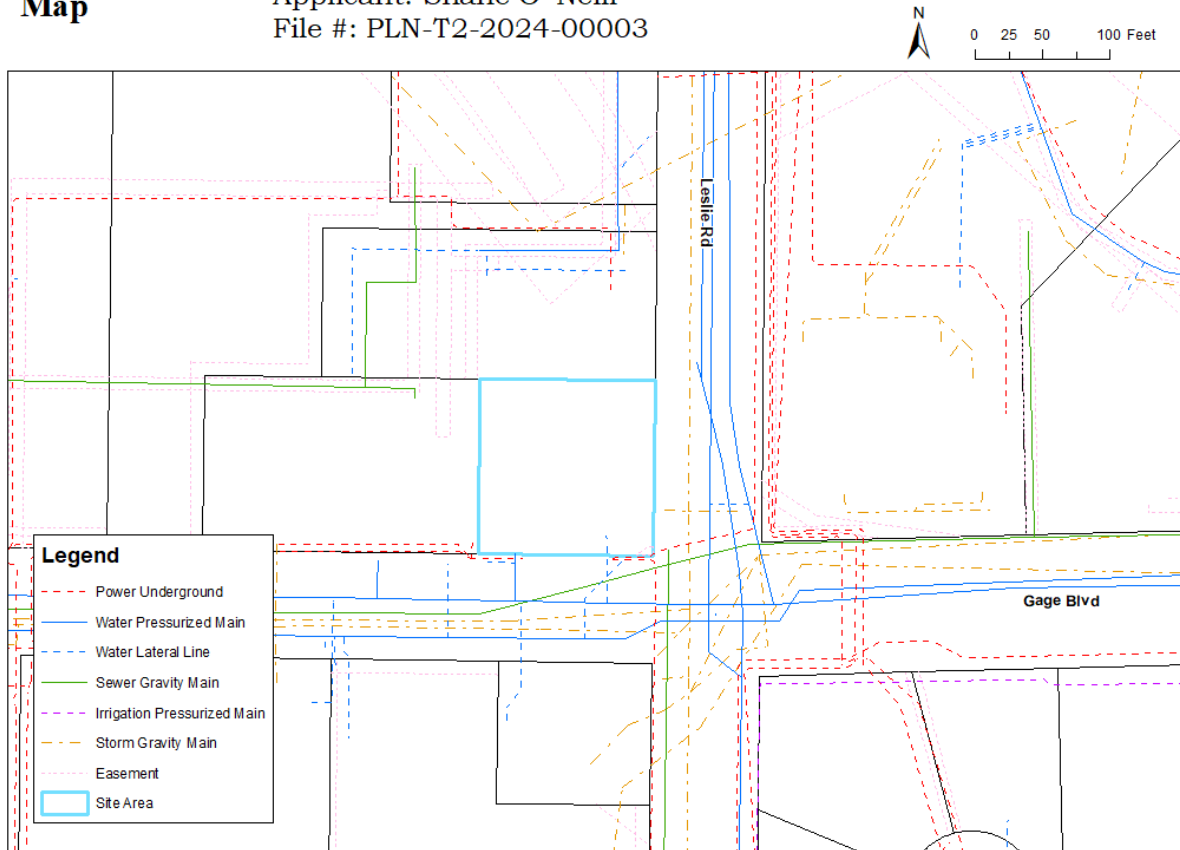


Figure 4 – Utility Map

Sewer

There is an existing 12-inch gravity main south of the site within the adjacent city right of way.

Water

There are distribution mains in each adjacent city right of way.

Irrigation

There is a two-inch distribution main within the Meadow Springs neighborhood diagonally across the Gage and Leslie intersection.

Stormwater

There are 36-inch gravity main stormwater connections in each adjacent city right of way.

Power

There are underground power connections available to the site. There is a transformer along the southern boundary of the subject site.

TRANSPORTATION & ACCESS

Access to the site is available from Gage Boulevard and Leslie Road. The proposed site plan displays driveways to both arterial streets. The site is along the Benton Franklin Route 123 bus route, with bus stops approximately 330 feet west of the subject site. The proposed site plan (Exhibit 1) also indicates a pedestrian path from the Gage Boulevard sidewalk to access the site.

The proposed building plan appears to display a service window to the drive through vehicle stacking lane, but also a service window available to walkup customers on the patio, located on the western side of the proposed building. Although Planning Staff recognizes RMC 23.42.047 [A.2] (included below) regulates that pedestrian access from parking lots to lobby areas shall not cross the vehicular stacking lanes, there is not internal lobby to trigger this requirement. It appears this technicality in verbiage is being used to benefit the site plan. Staff recognizes the site area limitations, but in the interest of public safety also expresses a sincere concern for the pedestrian requirement to cross the vehicular stacking lane. It is reasonable to assume the patio of approximately 588 square feet, which also proposes bicycle parking, will host walk up customers and cyclists in some capacity during operation due to the proximity to residential uses (Meadow Springs, Orchard Hills Apartments, and Birchfield Meadows Townhomes). In accordance with Comprehensive Plan Community Goal 8, and Urban Design Goal 1, Policy 3 (below), Staff requests the applicant explain how pedestrians will experience a safe crossing experience.

A raised crossing platform or alternate road surface texture and color design and “Yield to pedestrians” signage would mitigate staff concerns for public safety. The raised crossing platform will make pedestrians appear taller and more visible to motorists, while also requiring motorists to cautiously proceed through the vehicle stacking lane at a slower speed to navigate the obstacle. An alternate road surface texture and color design would also visually and physically represent a difference in traffic flow for motorists, whereas crossing paint markings will eventually fade, and are minimally effectively at signifying any difference in traffic flow. The yield signage will provide notice that pedestrians are present and have the right of way when crossing the vehicle lane. Planning staff invites the Hearing Examiner to exercise their power granted by RMC 23.46.040 (D) to add a condition of approval to require these mitigations in accordance with the comprehensive plan goals listed below.

23.45.047 A.2. The internal circulation on the site shall provide for pedestrian access from parking lots to the lobby entrance(s) without traversing the vehicular stacking lane(s) for the drive-through window service;

Community Goal 8: Provide infrastructure and public facilities that serve the best interest of the community.

Urban Design Element Goal 1: Create a physically attractive and culturally vibrant, pedestrian- and bicycle-friendly environment in the City.

Policy 3: Improve streetscape and connectivity for safe and pedestrian-friendly environments.

Transportation Map

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File #: PLN-T2-2024-00003

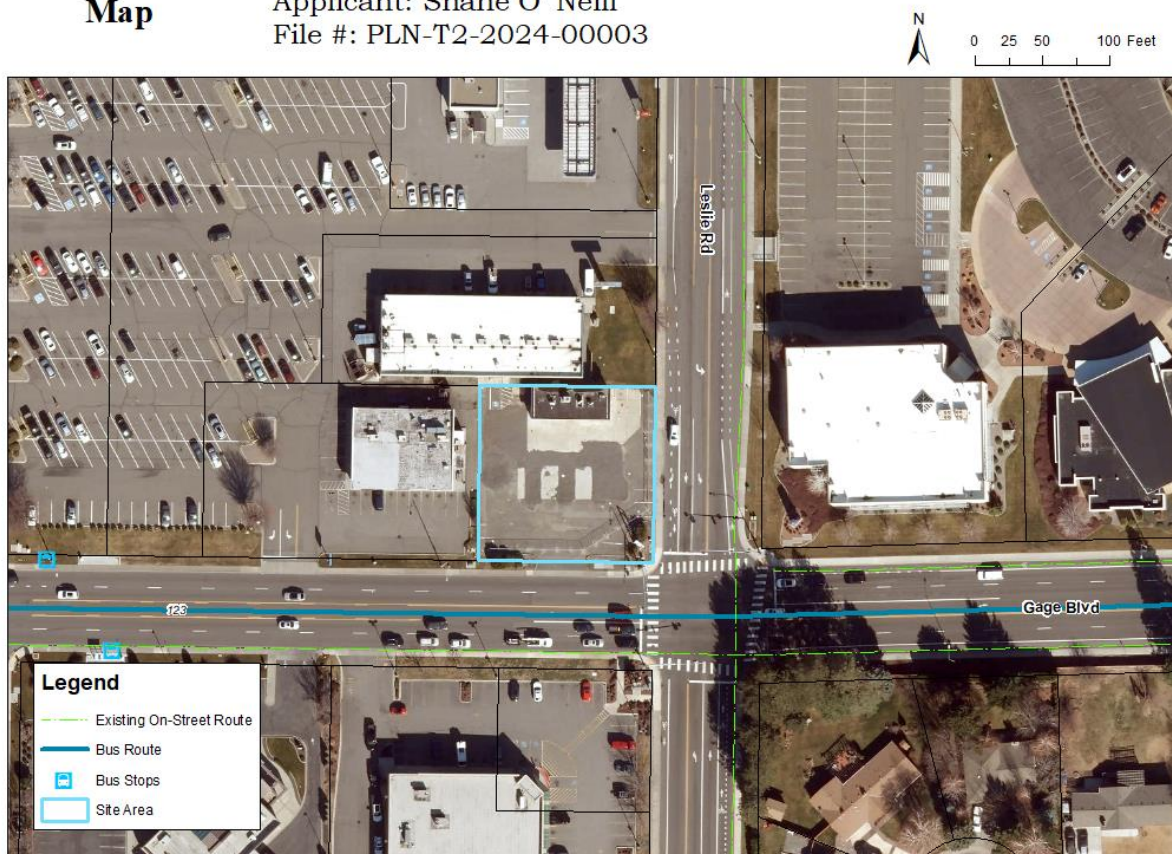


Figure 5 – Transportation Map

EASEMENTS

There are currently no easements on the subject site.

FIRE SAFETY

The City of Richland Fire Department will provide fire protection services to the subject property and resulting development. Currently, there is one hydrant to the southwest of the subject site, approximately 100 feet to the proposed building.

SCHOOLS

The plat falls within the boundaries of the Richland School District. Badger Mountain Elementary School is approximately 3,700 feet to the northwest of the subject site by way of street travel.

SEPA

The proposal is subject to State environmental review under the State Environmental Policy Act. A Determination of Non-Significance was issued on July 3, 2024.

CRITICAL AREAS

The subject site does not lie within any existing, recognized Critical Area. Critical Area requirements are not applicable with this proposal.

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. Comments received are included as an exhibit to this report and/or utilized as conditions of approval. No comments were received from these agencies in opposition of this project.

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 no public comments regarding this project.

PUBLIC NOTICE

Notice of Hearing Mailed:	July 19, 2024
Notice of Hearing Posted:	July 18, 2024
Notice of Hearing Published:	July 28, 2024
Public Hearing:	August 12, 2024

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 the exhibits. A determination of non-significance was issued by the city on July 3, 2024.

ANALYSIS

Based upon the Code language in RMC 23.46.040, discussed previously, Staff will offer analysis for section C.

C. The hearing body shall approve, approve with conditions or deny an application for a special use permit based on findings of fact with respect to the following criteria:

1. The size and dimensions of the site provide adequate area for the proposed use; *In reference to RMC 23.22.040 and RMC 23.42.047, which contain the development standards for businesses with drive through service. The applicant has demonstrated with the proposed site plan that the subject site provides adequate area for the business.*

2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development; *There are no known pre-existing physical limitations prohibiting development of the site in accordance with the current use proposed. As previously stated it appears that the environmental concern of the previous gas station on the subject site needs no further action, but the applicant should be aware and take necessary precautions as there may be contaminants on the subject site.*

3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project; *All public facilities available for use by the proposed project have adequate capacity for proposed project.*

4. The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city shoreline management regulations (RMC Title 26) and the city sign regulations (RMC Title 27) have been met; and *Based on the staff site visit, there is existing signage and fencing to discourage public interaction with the facility. Approval of this special use permit is conditioned that the drive through coffee stand design shall meet the requirements and standards of RMC 23.22.040, RMC 27 and RMC 23.42.047.*

5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated. *The subject site is only adjacent to other C-1 Commercial uses, no impacts are anticipated, additionally the proposed site plan provides the necessary setbacks from property lines. The residential neighborhood of Meadow Springs is located diagonally across the adjacent intersection, it appears with the application materials that the proper mitigations are being taken, namely lighting complying with municipal code.*

Regarding the language under RMC 19.60.095, Staff will offer the following analysis:

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

The proposed project appears to meet most applicable Code-related requirements, most of which are found within RMC 23.22 and RMC 23.42.047. As previously mentioned, staff is concerned about the safety of the pedestrian crossing across the vehicle stacking lane. Mitigation like a raised crosswalk and signage could be utilized for a relatively low cost.

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

Staff issued a Determination of Non-Significance (DNS) for the project (PLN-T1-2024-00027), as proposed, on July 3, 2024.

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

The City has identified interest within the comprehensive plan to have infill and redevelopment of lots within the city boundary, which this proposal achieves.

- 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.

There has been no indication to Staff that the proposed project will result in surface transportation impacts which would lower local level of service below rating "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.

Correct. Staff have considered impacts of the development proposal and have drafted conditions, which in our estimation, provide robust mechanisms for mitigation of said impacts.

Planning staff offers this final analysis:

As previously stated, during staffs review of this special use permit it has been discovered that this lot was previously an automobile gas station for a number of years. But this use has been abandoned and demolished for a handful of years, creating an unattractive view at one of the busiest intersections within the City of Richland. Although this fact alone should not grant this special use permit, it appears that the applicant has met the necessary municipal code requirements and is proposing a use that will generally improve the appearance of the desolate subject site, with a popular use and associated landscaping as required by the municipal code, although specific landscaping design has yet to be provided.

As previously discussed by staff, there is a concern of overall pedestrian access to the proposed service window, that many other drive through coffee stands also provide. This

special use proposal appears to meet the general intent of the C-1 zoning district by providing a convenient service to nearby neighborhoods, while mitigating perceived impacts to these neighborhoods.

FINDINGS OF FACT

Staff has completed its review of the request for a Special Use Permit (PLN-T2-2024-00003) and recommends approval of the request subject to conformance to the conditions of approval identified below and based on the following findings:

1. The City of Richland Comprehensive Plan designates the subject site as suitable for proposed use subject to a Special Use Permit per Richland Municipal Code [RMC] 23.46, RMC 23.22 and RMC 23.42.047.
2. The subject site is located within the neighborhood retail business use district (C-1)
3. RMC Chapter 23.46.025 designates the Hearing Examiner to conduct the review of special use permit applications for drive through restaurants in the C-1 zoning district.
4. Shane O' Neill, Clover Planning and Zoning, on behalf of Wake Up Call Coffee has filed an application for a special use (Type II) permit, seeking land use approval to construct a drive through coffee stand in the C-1 Zone.
5. Applications for Special Use Permit are evaluated under the criteria contained in RMC 23.46.040.
6. A special use permit is classified as a Type II application under RMC 19.20.030.
7. Required findings for Type II applications are found under 19.60.095.
8. General criteria for Hearing Examiner decisions are outlined in 19.25.100.
9. Public notice of the application and hearing was provided via mail to surrounding landowners within 300 feet of the site; through the posting of a sign on-site and through a legal advertisement in the Tri-City Herald, all in accordance with the notice provisions contained in RMC 19.40.010.
10. The applicant filed an environmental checklist along with their special use permit application.
11. The City issued a Determination on Non-Significance (PLN-T1-2024-00027) for the project on July 3, 2024, thus satisfying the requirements of the State Environmental Policy Act.
12. The subject site is currently vacant but appears as a previously developed and abandoned property.
13. There are existing power, water, sewer and stormwater facilities near the site, all of which have adequate capacity to serve the proposed development.
14. The proposal, as conditioned, is consistent with the City's comprehensive plan.
15. The proposed site is not impacted by the City's Critical Areas regulations or Shoreline Master Program.
16. City staff and other utility providers reviewed the project and have recommended specific conditions of approval as set forth in this report.
17. As conditioned, the project meets the criteria for the issuance of a special use permit as established in RMC 23.46.040.
18. As conditioned, the proposed special use permit makes appropriate provisions for the public health, safety and general welfare, is consistent with the adopted comprehensive plan, meets the requirements and intent of the Richland Municipal Code, and, has appropriately identified and mitigated environmental impacts as described under RMC Chapter 22.09.

RECOMMENDATION

Staff has completed its review of the request for special use permit (PLN-T2-2024-00003, PLN-T1-2024-00027) and recommends approval of the request subject to conformance with the conditions of approval, below, which are warranted because the project conforms to the City's adopted Comprehensive Plan and zoning regulations; has followed the required State Environmental Policy Act procedures; and is consistent with the requirements of a drive through coffee stand, with conditions.

RECOMMENDED CONDITIONS OF APPROVAL

1. The applicant shall include yield to pedestrian signage at the crossing across the vehicle stacking lane and a raised crosswalk platform or an alternative road color and texturing to delineate the crosswalk.

EXHIBIT LIST

1. Application Materials
2. Site Plan
3. SEPA Checklist
4. Determination of Non-Significance
5. Public Notice and Affidavits
6. Agency Comments



Clover Planning & Zoning, LLC
Land Use Services Consultant

6/13/2024

To: Richland Hearing Examiner and Planning Department Staff

From: Shane O'Neill, Senior Planner, Clover Planning & Zoning LLC

Subject: Special Use Permit to Allow a Drive-Through Café in the C-1 Zone

Site: 590 Gage Blvd, Richland WA (Benton Tax Parcel #126984000012000)

The owner of 590 Gage Boulevard seeks land use approval to allow development and operation of a 498 square foot drive-through café located at the northwest corner of the intersection of Gage Blvd. and Leslie Blvd. The parcel is 0.36 acres in size and directly fronts both Leslie Road and Gage Blvd. Richland's Functional Street Classification map identifies Leslie Road as a minor arterial roadway and Gage Blvd. as a principal arterial roadway. A proposed site plan is included as Exhibit A.

The language below provides applicable Zoning Code regulations and responses thereto. City staff and the Hearing Examiner are invited to borrow any of the statements below for use as findings of fact and/or conclusions of law.

Richland Municipal Code

C-1 Zone Purpose

RMC 23.22.010 Purpose of commercial zones.

B. The neighborhood retail business use district (C-1) is a limited retail business zone classification for areas which primarily provide retail products and services for the convenience of nearby neighborhoods with minimal impact to the surrounding residential area. 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.

The proposed café will offer convenient beverage service to nearby neighborhoods and passersby while introducing minimal impact to the residential areas. Considering the site previously contained a fueling station with convenience store, the neighbors have become accustomed to a much higher traffic impact

land use in this location than the café will introduce. The café will likely be perceived as a relief to the neighbors as compared to seeing another gas station.

C-1 zoning of this site conforms to the site's Commercial land use designation in the Comprehensive Plan.

Land Use

Richland Municipal Code 23.22.030 requires special use permit (SUP) approval for restaurants with drive-through window service. A SUP application was completed using the City's online permitting portal.

Performance Standards

Richland Municipal Code 23.22.020(4) requires *lighting, including permitted illuminated signs, shall be shielded or arranged so as not to reflect or cause glare to extend into any residential districts, or to interfere with the safe operation of motor vehicles.*

In accordance with RMC 23.58 outdoor lighting will be shielded from the horizontal plane to avoid light trespass and to avoid causing traffic hazards by way of glare or distraction. Sign details and lighting plans have not been developed for the purpose of Special Use Permit review, but it is reasonable for the Hearing Examiner to repeat this lighting regulation as a condition of approval.

The site is not immediately adjacent to a residentially zoned property. Performance standards of RMC 23.22.020(7) shall not apply.

C-1 Zone Development Standards

RMC 23.22.040 provides minimum building setbacks. The building is setback approximately 50-feet from Gage Blvd, which is the primary frontage.

The east building setback is approximately 30 feet from Leslie Blvd. RMC 23.22.040 foot note #7 offers a 20-foot minimum setback for side yards adjoining streets; Leslie Blvd being that street. The footnote reads:

“Side yard and rear yard setbacks are not required except for lots adjoining a residential development, residential district, or a street. Lots adjoining either a residential development or residential district shall maintain a minimum 15-foot setback. Lots adjoining a street shall maintain a minimum 20-foot setback. Required side or rear yards shall be landscaped or covered with a hard surface, or a combination of both. No accessory buildings or structures shall be located in such yards unless otherwise permitted by this title.”

The site requirements and development standards for commercial use districts table (RMC 23.22.040) lists minimum side and rear setbacks at zero feet each. Building placement provides a setback from the

west property line exceeding 60 feet and a setback from the north line exceeding 35 feet; well above the zero-foot minimums.

General Provisions and Special Conditions

RMC 23.42.047 Businesses with drive-through window service.

When permitted in a use district as a special use, restaurants with drive-through window service shall be designed and operated substantially in compliance with the following requirements and conditions in addition to those set forth in Chapter 23.22 RMC:

A. Vehicular Access and Circulation.

- 1. Design plans shall provide for the safe and efficient movement of vehicles entering, using and exiting the site;*

The site plan implements maximum spatial efficiency for vehicle circulation while prioritizing driveway separation distances from the road intersection to improve traffic safety. The driveway design offers two, two-way driveways, one on each road frontage. Customer vehicles will be able to join the queueing line from either approach. Vehicles exiting the service line will have the choice of using either driveway to exit the site. The Leslie Road approach will be limited to right-in, right-out only. The Gage Blvd approach will be full access, initially, to be monitored periodically for function and safety.

- 2. The internal circulation on the site shall provide for pedestrian access from parking lots to the lobby entrance(s) without traversing the vehicular stacking lane(s) for the drive-through window service;*

This criterion appears to be aimed at buildings offering walk-in customer service(s) to ensure pedestrian safety. This development does not contain a lobby entrance and customers are not invited into the building. On-site parking will primarily be for employees.

A close examination of the wording of this criterion indicates that the proposal is not subject to this standard due to a lack of “lobby entrance(s)”. There are instances of stores and sit-down restaurants also having drive-through windows where it would be paramount to ensure regular walk-in customers are not put at risk by having to cross queueing lanes. That scenario does not exist in this proposal.

B. The drive-through window service vehicular stacking lane(s) shall be of sufficient length to provide for anticipated average monthly peak volumes, and in any case shall meet the minimum requirements set forth in RMC 23.54.020;

RMC 23.54.020(E)(5) requires 5 parking stalls per window with a minimum of 8 stalls. In confirming staff’s administration of this section, it has been determined the 8-stall minimum relates to vehicle queueing and that 23.54.020(E)(2) for take-out service, applies to the building itself. At a parking rate of

1 stall/100 square feet of gross floor area, this building carries a requirement for five (5) striped parking stalls, which are provided on the west side of the building. A detailed parking analysis is provided on the site plan. The proposed parking and queueing counts are consistent with other similar drive-through cafes throughout the greater Tri-Cities area.

C. The design, signage, and operational characteristics of the establishment shall prevent or discourage vehicles from waiting for service on public sidewalks or streets;

The building is centrally located on the site. Circuitous drive isles are designed to maximize vehicle queueing capacity on this relatively small parcel. The single queueing isle entry point is located approximately 75 feet from the nearest driveway approach (Leslie Rd). The proposed configuration minimizes the potential for sidewalk obstruction to the maximum extent.

D. No communication systems shall exceed a measurement of 55 decibels at any residential property line adjoining the site;

Outdoor communications systems are not part of the business model. Modern technology employed may include waiters with handheld tablets, walking to customer vehicles to take orders. No outdoor speakers will be used.

E. Businesses with drive-through window service are not permitted within the parkway district.

The site is not located in the Parkway District.

Sincerely,

Shane O'Neill

Shane O'Neill

Clover Planning & Zoning LLC

www.plancllover.com

(509)713-4560

cloverplanning@protonmail.com

VICINITY MAP

CONTACT / PROJECT SUMMARY

PRIMARY CONTACT:

EVAN VERDUIN
TREK ARCHITECTURE
122 S. MONROE, SUITE 202
SPOKANE, WA 99201
509.315.4830
EVAN@TREKARCH.COM

PROPERTY OWNER:

590 GAGE BLVD RICHLAND LLC

ESTIMATED PROJECT VALUATION:

\$500,000

ESTIMATED START DATE:

SUMMER 2024

ZONING CODE SUMMARY

PROJECT ADDRESS:

590 GAGE BLVD
RICHLAND, WA, 99352

ASSESSOR'S PARCEL NUMBER:

126984000012000

LEGAL DESCRIPTION:

THE EAST 130 FEET OF THE SOUTH 130 FEET OF SECTION 26, TOWNSHIP 9 NOR-1TH RANGE 28 WITHIN THE FOLLOWING DESCRIBED PARCEL, THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26 DEFINED AS FOLLOWS, COMMENCING AT THE SOUTHEAST CORNER

ZONE:

C-1

LOT SIZE:

15,600 SF (.36 acres)

HEIGHT:

ALLOWED: 30'
PROPOSED: 12'

MINIMUM SETBACK FROM LOT LINES:

FRONT ALLOWED: 45'

FRONT PROPOSED: 45'

SIDE (STREET) ALLOWED: 20'

SIDE (STREET) PROPOSED: 45'

SIDE ALLOWED: 5'

SIDE PROPOSED: 5'

BACK ALLOWED: 5'

BACK PROPOSED: 5'

PARKING REQUIRED:

5 SPACES

OCCUPANCY GROUPS

IBC CHAPTER 3 OCCUPANCY CLASSIFICATION:

CURRENT USE: VACANT
PROPOSED BUSINESS USE: B

ALLOWABLE HEIGHT AND AREA

IBC TABLE 504.3/504.4/506.2

TYPE (CONST.)	HEIGHT (FEET)	HEIGHT (STORIES)	AREA (sf)
B	V-B	2	9,000

ACTUAL AREA PER FLOOR:

489 S.F. +/-

CONSTRUCTION TYPES

LEVELS	OCCUPANCY GROUPS	CONSTRUCTION TYPE:
LEVEL 1	B	TYPE V-B

IBC TABLE 601.602

FIRE-RESISTANCE REQUIREMENTS - TYPE V-B CONSTRUCTION:

STRUCTURAL FRAME:

0 HR

EXTERIOR BEARING WALLS:

0 HR

INTERIOR BEARING WALLS:

0 HR

EXTERIOR NON-BEARING WALLS:

SEE TABLE 602

INTERIOR NON-BEARING WALLS:

0 HR

(30 MIN. FIRE PARTITIONS AT DWELLING UNIT SEPARATIONS PER SECTION 420.2)

FLOOR CONSTRUCTION:

0 HR

(30 MIN. HORIZONTAL ASSEMBLIES AT DWELLING UNIT SEPARATIONS PER SECTION 420.3)

ROOF CONSTRUCTION:

0 HR

MEANS OF EGRESS

IBC SECTION 1006.2.1:

COMMON PATH:

<100'-0" REQ'D

IBC TABLE 1006.3.1:

EXITS REQUIRED:

1 EXIT REQUIRED
(1 EXIT PROVIDED)

IBC SECTION 1017:

EXIT ACCESS TRAVEL DISTANCE:

200' MAX. ALLOWED,
ACTUAL TRAVEL
DISTANCE IS 15'.

ACCESSIBILITY

IBC CHAPTER 11

ACCESSIBLE COMMERCIAL SPACES REQUIRED PER 2018 IBC CHAPTER 11 AND AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES

AUTOMATIC SPRINKLER SYSTEMS

IBC SECTION 903:

AUTOMATIC SPRINKLER SYSTEMS:

NOT REQ'D

IBC SECTION 905:

STANDPIPE SYSTEMS:

NOT REQ'D

IBC SECTION 906

FIRE EXTINGUISHERS: TO BE LOCATED WITHIN 75' TRAVEL DISTANCE

IBC SECTION 907:

FIRE ALARM SYSTEM WITH NOTIFICATION SYSTEM:

NOT REQ'D

SMOKE ALARMS:

NOT REQ'D

ZONING PROVISIONS

PARKING REQUIREMENTS

RMC 23.54.020(E)(2) REQUIRED NUMBER OF PARKING SPACES

REQUIRED: 1 SPACE / 100 SF GROSS FLOOR AREA
489 SF = 5 SPACES

PROVIDED: 5 SPACES

STACKING REQUIREMENTS

RMC 23.54.020(E)(5) REQUIRED NUMBER OF STACKING SPACES

REQUIRED: 5 SPACE / DRIVE-IN WINDOW, MINIMUM OF 8
8 SPACES PROVIDED (~147'9" @ 18' PER CAR LENGTH)

PROVIDED: 8 SPACES

DRIVEWAY REQUIREMENTS

RMC 12.04.095 WITDH OF DRIVEWAYS

REQUIRED: 35' FOR TWO WAY OPERATION

PROVIDED: 35'

LANDSCAPING REQUIREMENTS

RMC 23.54.140 LANDSCAPING OF PARKING FACILITIES

REQUIRED: MINIMUM 5' LANDSCAPING STRIP ABUTTING ADJACENT PROPERTIES THAT ARE NOT PUBLIC RIGHT OF WAY

PROVIDED: 5' LANDSCAPING STRIP

REQUIRED: MINIMUM 10' LANDSCAPING STRIP ABUTTING PUBLIC RIGHT OF WAY

PROVIDED: 10' LANDSCAPING STRIP

SETBACK REQUIREMENTS

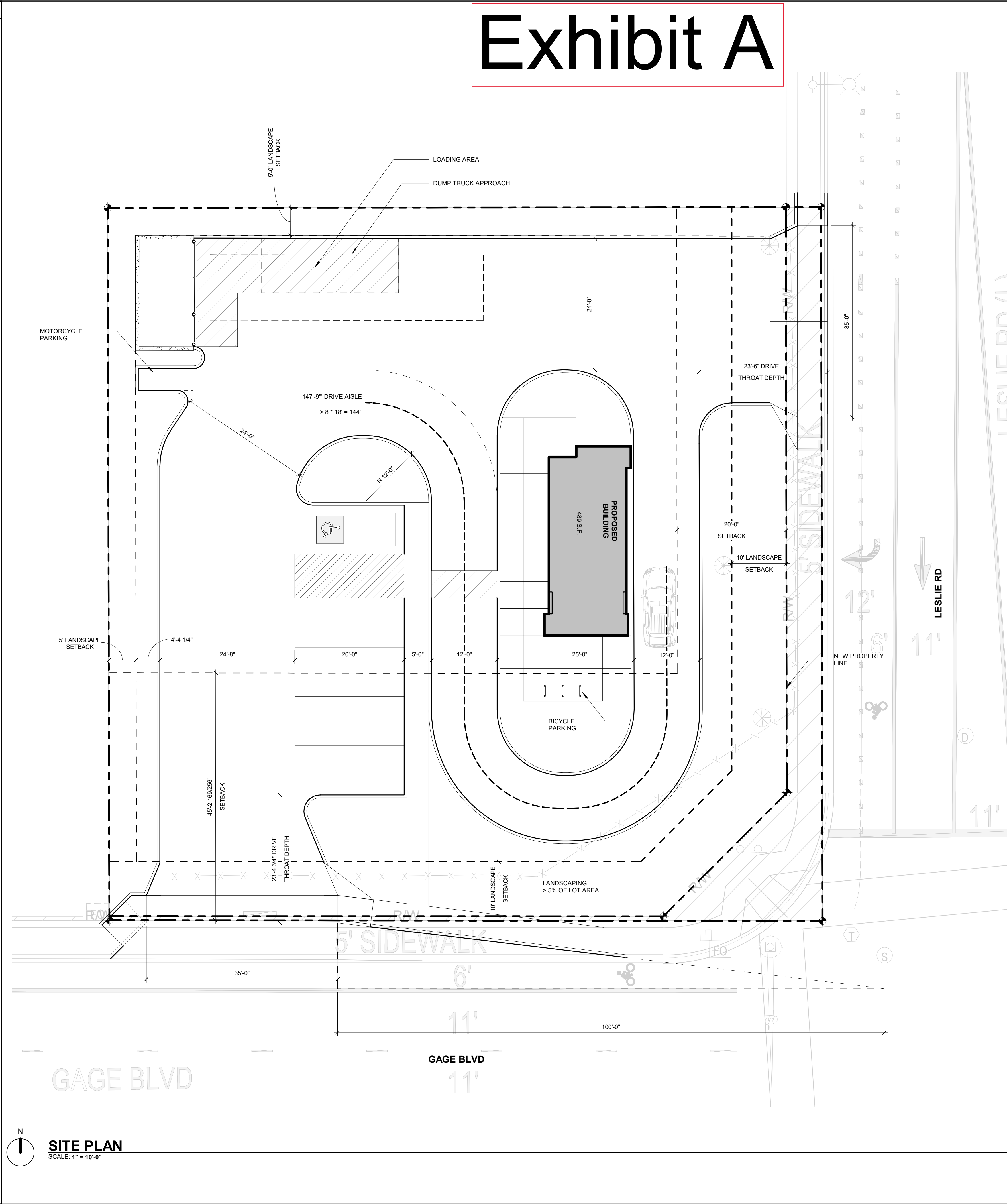
RMC 23.22.040 SITE REQUIREMENTS AND DEVELOPMENT STANDARDS

REQUIRED: MINIMUM 45' FRONT YARD SETBACK

PROVIDED: 45' SETBACK

REQUIRED: 20' SIDE SETBACK FROM ADJOINING STREET

PROVIDED: 20' SETBACK



TREKARCHITECTURE

GENERAL

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DRAWING SCALES AS INDICATED ARE FOR REFERENCE ONLY AND ARE NOT INTENDED TO ACCURATELY DEPICT ACTUAL OR DESIGNED CONDITIONS. WRITTEN DIMENSIONS SHALL GOVERN.

ARCHITECT

TREK ARCHITECTURE

122 S MONROE, STE #202
SPOKANE, WA 99201
509.315.4830
HELLO@TREKARCH.COM

OWNER

OWNER INFORMATION

ADDRESS

PROFESSIONAL SEAL

NEW PROJECT TYPOLOGY FOR:

WUC Gage Blvd

ADDRESS

590 GAGE BOULEVARD, RICHLAND, WA, 99352

JOB

24.07

DRAWN BY

Author

CHECKED BY

Checker

SCALE

As Indicated

DATE

08.22.23

PROJECT STATUS

PRE-DESIGN - NOT FOR CONSTRUCTION

REVISIONS

#	DESCRIPTION	DATE
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PRELIMINARY SITE PLAN

PSP1



SUPPLEMENTAL NO. 1

to

PRELIMINARY COMMITMENT

Issued By Benton Franklin Title Company

acting as agent for

Old Republic National Title Insurance Company

Order No.: BF18988

Escrow Officer: Dina McMahon-Jackson

Title Officer: Craig Joseph

Ref:

590 Gage Blvd Richland, LLC/ 590 Gage Blvd LLC

Property Address: **590 Gage Blvd.**

Richland, WA 99352

This Supplemental is made a part of said Commitment including any prior Supplemental, and is subject to the schedules, terms and provisions and the conditions and stipulations therein, except as modified by the provisions hereof:

ATTENTION: This Supplemental contains changes which impact title to the property set forth in the above referenced commitment.

AMEND LEGAL DESCRIPTION, AS FOLLOWS:

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON BEING THE EAST 130 FEET OF THE SOUTH 130 FEET LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION;

THENCE NORTH 89° 42' 57" WEST ALONG THE SOUTH LINE THEREOF, 40 FEET;

THENCE NORTH 00° 02' 45" EAST, PARALLEL WITH AND 40 FEET WESTERLY OF THE EAST LINE OF SAID SECTION, FOR 40 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89° 42' 57" WEST FOR 406.45 FEET;

THENCE NORTH 00° 17' 03" EAST FOR 480 FEET;

THENCE SOUTH 89° 42' 57" EAST FOR 404.46 FEET TO A POINT 40 FEET WEST OF SAID EAST LINE;

THENCE SOUTH 00° 02' 45" WEST, PARALLEL WITH AND 40 FEET WESTERLY OF SAID EAST LINE FOR 480 FEET TO THE TRUE POINT OF BEGINNING;

INCLUSIVE OF THAT ADJACENT PORTION OF VACATED (PRIOR) KEENE ROAD AS VACATED BY CITY OF RICHLAND ORDINANCE NO. 39-81 AND RECORDED AUGUST 3, 1981 UNDER AUDITOR'S FILE NO. 846617;

EXCEPT THEREFROM ANY PORTION OF EXISTING KEENE ROAD;
AND EXCEPT THEREFROM ANY PORTION OF THE BUREAU OF RECLAMATION 50' RIGHT OF WAY
EASEMENT;

AND EXCEPT THEREFROM THAT PORTION CONVEYED TO THE CITY OF RICHLAND BY DEED
RECORDED UNDER AUDITOR'S FILE NO. [2024-002067](#).

A handwritten signature in black ink, appearing to read "Mark D. Smith", with a long horizontal flourish extending to the right.

Authorized Signature



510 N. COLORADO ST., STE B, KENNEWICK, WA 99336
Phone: 509-783-0661 Fax: 509-783-2256

DISTRIBUTION LIST

Our Order No.: BF18988
Reference No:
Re: 590 Gage Blvd Richland, LLC/590 Gage Blvd LLC
Property Address: 590 Gage Blvd.
Richland, WA 99352

This Preliminary Commitment has been prepared and distributed to the following parties:

	Lender
Escrow Officer: Dina McMahon-Jackson	
Selling Agent	Listing Agent
Additional Selling Agent	Additional Listing Agent
Buyer's Attorney	Seller's Attorney
Mortgage Broker	Additional Lender
	Title Officer: Craig Joseph

COMMITMENT FOR TITLE INSURANCE



510 N. COLORADO ST., STE B
KENNEWICK, WA 99336
Phone: 509-783-0661 Fax: 509-783-2256



ALTA COMMITMENT FOR TITLE INSURANCE

Issued by OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

NOTICE

IMPORTANT—READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a Florida corporation, (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Amount of Insurance and the name of the Proposed Insured.

If all of the Schedule B, Part I—Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Issued through the office of:

**Benton Franklin Title Company as agent for
Old Republic National Title Insurance Company**

Authorized Officer or Agent

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company

1408 North Westshore Blvd., Suite 900, Tampa, Florida 33607
(612) 371-1111

www.oldrepublictitle.com

By

President

Attest

Secretary

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

ORT Form 4757-NA

ALTA Commitment for Title Insurance 2021 v. 01.00
07/01/2021

COMMITMENT CONDITIONS

1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
- b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
- c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
- e. "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
- g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
- i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
- j. "Title": The estate or interest in the Land identified in Item 3 of Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- a. the Notice;
- b. the Commitment to Issue Policy;
- c. the Commitment Conditions;
- d. Schedule A;
- e. Schedule B, Part I—Requirements;
- f. Schedule B, Part II—Exceptions; and
- g. a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company is not liable for any other amendment to this Commitment.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

5. LIMITATIONS OF LIABILITY

- a. The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - i. comply with the Schedule B, Part I—Requirements;
 - ii. eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - iii. acquire the Title or create the Mortgage covered by this Commitment.
- b. The Company is not liable under Commitment Condition 5.a. if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- c. The Company is only liable under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
- e. The Company is not liable for the content of the Transaction Identification Data, if any.
- f. The Company is not obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- g. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM

- a. Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- b. Any claim must be based in contract under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
- c. This Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- d. The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- e. Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- f. When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT IS ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for closing, settlement, escrow, or any other purpose.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

10. CLASS ACTION

All claims and disputes arising out of or relating to this commitment, including any service or other matter in connection with issuing this commitment, any breach of a commitment provision, or any other claim or dispute arising out of or relating to the transaction giving rise to this commitment, must be brought in an individual capacity. no party may serve as plaintiff, class member, or participant in any class or representative proceeding. any policy issued pursuant to this commitment will contain a class action condition.

This page is only a part of a 2021 ALTA Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



Benton Franklin Title Company
510 N. COLORADO ST., STE B, KENNEWICK, WA 99336
Phone: 509-783-0661 Fax: 509-783-2256

Agent for
Old Republic National Title Insurance Company
ALTA COMMITMENT FOR TITLE INSURANCE 2021

SCHEDULE A

Title Officer: **Craig Joseph**
Escrow Officer: **Dina McMahon-Jackson**
Ref: **590 Gage Blvd Richland, LLC / 590 Gage Blvd LLC**
Issuing Office ALTA Registry ID: **1072211**

Order No.: **BF18988**
Loan ID No.:
Property Address: **590 Gage Blvd.,
Richland, WA 99352**

1. COMMITMENT DATE: **January 17, 2024 at 8:00 AM.**

2. POLICY OR POLICIES TO BE ISSUED:

- | | | |
|---|--------|---------------------|
| a. ALTA 2021 STANDARD OWNER'S POLICY | Amount | \$660,000.00 |
| Proposed Insured: | | |
| 590 Gage Blvd LLC | | |
| b. ALTA 2021 EXTENDED LOAN POLICY | Amount | \$TO COME |
| Proposed Insured: | | |
| Undisclosed | | |
| c. | Amount | |
| Proposed Insured: | | |

PREMIUM INFORMATION:

- | | | | |
|---------------------------------|-------------------|-----------------------|--------------------------|
| a. GENERAL SCHEDULE RATE | \$1,595.00 | Tax: \$138.77 | Total: \$1,733.77 |
| b. SIMULTANEOUS RATE | \$TO COME | Tax: \$TO COME | Total: \$TO COME |
| c. | | Tax: | Total: |

3. THE ESTATE OR INTEREST IN THE LAND DESCRIBED HEREIN AND WHICH IS COVERED BY THIS COMMITMENT IS:

Fee Simple

4. THE ESTATE OR INTEREST REFERRED TO HEREIN IS AT DATE OF COMMITMENT VESTED IN:

590 Gage Blvd Richland, LLC, a Washington Limited Liability Company

5. THE LAND REFERRED TO IN THIS COMMITMENT IS SITUATED IN THE COUNTY OF BENTON, STATE OF WASHINGTON AND IS MORE FULLY DESCRIBED AS FOLLOWS:

SEE ATTACHED EXHIBIT "A"

SCHEDULE B - SECTION I

REQUIREMENTS:

ALL OF THE FOLLOWING REQUIREMENTS MUST BE MET:

1. THE PROPOSED INSURED MUST NOTIFY THE COMPANY IN WRITING OF THE NAME OF ANY PARTY NOT REFERRED TO IN THIS COMMITMENT WHO WILL OBTAIN AN INTEREST IN THE LAND OR WHO WILL MAKE A LOAN ON THE LAND. THE COMPANY MAY THEN MAKE ADDITIONAL REQUIREMENTS OR EXCEPTIONS.
2. PAY THE AGREED AMOUNT FOR THE ESTATE OR INTEREST TO BE INSURED.
3. PAY THE PREMIUMS, FEES, AND CHARGES FOR THE POLICY TO THE COMPANY.
4. DOCUMENTS SATISFACTORY TO THE COMPANY THAT CONVEY THE TITLE OR CREATE THE MORTGAGE TO BE INSURED, OR BOTH, MUST BE PROPERLY AUTHORIZED, EXECUTED, DELIVERED, AND RECORDED IN THE PUBLIC RECORDS.

END OF SCHEDULE B - SECTION I REQUIREMENTS

**SCHEDULE B - SECTION II
EXCEPTIONS FROM COVERAGE**

Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provision of the document will be excepted from coverage.

The Policy will not insure against loss or damage resulting from the terms and conditions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

STANDARD EXCEPTIONS:

- A. (a) Taxes or assessments that 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; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records
- B. Any facts, rights, interests, or claims that are not shown by the Public Records at Date of Policy but that could be (a) ascertained by an inspection of the Land, or (b) asserted by persons or parties in possession of the Land.
- C. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records at Date of Policy.
- D. Any encroachment, encumbrance, violation, variation, easement, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records at Date of Policy.
- E. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; (d) Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements and equitable servitudes, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records
- F. Any lien or right to a lien for services, labor, material or equipment unless such lien is shown by the Public Records at Date of Policy.
- G. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records or are shown in Schedule B..

END OF SCHEDULE B SECTION II STANDARD EXCEPTIONS

SPECIAL EXCEPTIONS:

1. LIEN OF EXCISE TAX, IF UNPAID.

STATE EXCISE TAX RATE IS A GRADUATED, MARGINAL RATE, BASED ON SALES PRICE (PLUS \$5.00 STATE TECHNOLOGY FEE):

\$525,000 OR LESS	1.10%
\$525,000.01 - \$1,525,000.00	1.28%
\$1,525,000.01 - \$3,025,000.00	2.75%
\$3,025,000.01 OR MORE	3.00%

AGRICULTURAL LAND/TIMBERLAND EXCISE IS 1.28% REGARDLESS OF SALES PRICE.

PLUS ADDITIONAL LOCAL EXCISE TAX RATE ON FULL SALES PRICE FOR CITY (.50%) OR COUNTY (.25%). TAX AREA: R3

CALCULATION IS MARGINAL (FIRST \$525,000.00 IS AT LOWER RATE, PLUS AMOUNT OF PRICE ABOVE \$525,000.00 AT HIGHER RATE).

EXAMPLE: \$600,000.00 SALES PRICE: \$525,000.00 AT 1.1% PLUS \$75,000.00 AT 1.28% = \$6,735.00 PLUS LOCAL EXCISE TAX RATE AND \$5.00 STATE TECHNOLOGY FEE

2. GENERAL TAXES FOR 2024, PAYABLE FEBRUARY 15, 2024, THE AMOUNT OF WHICH IS NOT NOW ASCERTAINABLE. TAX ACCOUNT NO. 1-2698-400-0012-000. FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.

NOTE: GENERAL TAXES FOR 2023 IN THE SUM OF \$4,654.97 ARE PAID IN FULL.

3. KENNEWICK IRRIGATION DISTRICT FOR 2024, PAYABLE FEBRUARY 15, 2024, THE AMOUNT OF WHICH IS NOT NOW ASCERTAINABLE. TAX ACCOUNT NO. 1-2698-400-0012-000. FIRST HALF ARE DELINQUENT MAY 1. LAST HALF ARE DELINQUENT NOVEMBER 1.

4. LIABILITY TO FUTURE ASSESSMENT BY KENNEWICK IRRIGATION DISTRICT, NONE NOW DUE AND PAYABLE.

5. RESERVATIONS CONTAINED IN DEED RECORDED UNDER AUDITOR'S FILE NO. 397554, AS FOLLOWS:

GRANTOR RESERVES A RIGHT OF WAY FOR CANALS, ETC., HERETOFORE CONSTRUCTED OR THAT MAY HEREAFTER BE CONSTRUCTED BY AUTHORITY OF THE GRANTOR IN CONNECTION WITH KENNEWICK DIVISION; AND ALSO RIGHT OF WAY FOR ROADS HERETOFORE OR THAT MAY HEREAFTER BE ESTABLISHED TO SERVICE DISTRICT FACILITIES.

6. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE:	GENERAL TELEPHONE COMPANY OF THE NORTHWEST, INC.
PURPOSE:	COMMUNICATION SERVICES
RECORDED:	July 15, 1974
AUDITOR'S FILE NO.:	667454
AREA AFFECTED:	SEE INSTRUMENT

7. RIGHT OF WAY EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF, FOR ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE, TOGETHER WITH NECESSARY APPURTENANCES, AS GRANTED BY INSTRUMENT:

RECORDED:	January 11, 1999
AUDITOR'S FILE NO.:	1999-000865
IN FAVOR OF:	PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY

8. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:

GRANTEE: CITY OF RICHLAND
PURPOSE: ACCESS AND UTILITY
RECORDED: February 10, 2015
AUDITOR'S FILE NO.: [2015-003726](#)
AREA AFFECTED: SEE INSTRUMENT

9. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: 590 GAGE BLVD RICHLAND LLC
TRUSTEE: JUNIPER TRUSTEE SERVICES CORP.
BENEFICIARY: JUNIPER CAPITAL CORPORATION
AMOUNT: \$175,000.00
DATED: September 18, 2023
RECORDED: September 29, 2023
AUDITOR'S FILE NO.: [2023-020684](#)

10. 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.

11. RIGHTS, IF ANY, FOR UTILITIES WHICH MAY HAVE BEEN GRANTED IN VACATED KEENE ROAD, PREVIOUS TO THE VACATION THEREOF.

12. ANY QUESTION AS TO THE LOCATION OF IMPROVEMENTS WITH RESPECT TO THE PROPERTY LINES WHICH A CURRENT ALTA SURVEY MIGHT DISCLOSE.

END OF SCHEDULE B - SECTION II SPECIAL EXCEPTIONS

NOTES:

- a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

590 Gage Blvd.
Richland, WA 99352

- b. ACCORDING TO THE RECORDS OF BENTON COUNTY ASSESSOR, THE CURRENT VALUE OF SAID PREMISES IS AS FOLLOWS:

TAX ACCOUNT NO.:	1-2698-400-0012-000
LAND:	\$381,590.00
IMPROVEMENTS:	\$168,290.00
TOTAL:	\$549,880.00

- c. THE FOLLOWING ABBREVIATED LEGAL DESCRIPTION IS PROVIDED AS A COURTESY TO ENABLE THE DOCUMENT PREPARER TO CONFORM WITH THE REQUIREMENTS OF RCW 65.04.045, PERTAINING TO STANDARDIZATION OF RECORDED DOCUMENTS.

ABBREVIATED LEGAL DESCRIPTION:

SECTION 26, TOWNSHIP 9 NOR- TH RANGE 28

- d. THE LEGAL DESCRIPTION HAS BEEN EDITED FOR CLARITY AND CONSISTENCY, FURTHER, IT IS INCOMPLETE AND DEPENDANT ON THE RECORDING OF A FORTHCOMING DEED TO THE CITY OF RICHLAND
- e. THE LEGAL DESCRIPTION SUBMITTED HAS BEEN MODIFIED AS SET FORTH HEREIN TO COMPLY WITH THE RECORD AND THE PRESUMED INTENTION OF THE PARTIES TO THE TRANSACTION. THE SAME SHOULD BE EXAMINED AND APPROVED BY SAID PARTIES PRIOR TO CLOSING.
- f. CONVEYANCES AFFECTING SAID PREMISES WITHIN THE LAST 24 MONTHS WERE RECORDED UNDER AUDITOR'S FILE NO(S). 2023-020683, A COPY OF WHICH ARE ATTACHED.
- g. IF REQUESTED ON THE CLOSING ORDER, ANY APPROPRIATE, NO-CHARGE ENDORSEMENT (I.E. ALTA 6-06, 7, 8.1, 8.2, 9-06, 102.4, PUD 5-06 OR 5.1-06, ETC.) WILL BE INCLUDED WITH THE FINAL POLICY.
- h. PARAGRAPHS A THROUGH G UNDER GENERAL EXCEPTIONS HEREIN ARE DELETED FOR THE EXTENDED COVERAGE LOAN POLICY.
- i. ACCORDING TO THE APPLICATION FOR TITLE INSURANCE, TITLE IS TO VEST IN 590 Gage Blvd LLC. WE FIND NO PERTINENT MATTERS OF RECORD AGAINST THE NAME(S) OF SAID PARTY/PARTIES.
- j. EVIDENCE OF THE CORPORATE EXISTENCE OF 590 Gage Blvd LLC, A CORPORATION, SHOULD BE SUBMITTED, TOGETHER WITH EVIDENCE OF THE IDENTITY AND AUTHORITY OF THE OFFICERS THEREOF TO EXECUTE THE FORTHCOMING INSTRUMENT.

END OF SCHEDULE B - SECTION II NOTES



Authorized Signature

EXHIBIT "A"

THAT PORTION OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON BEING THE EAST 130 FEET OF THE SOUTH 130 FEET LYING WITHIN THE FOLLOWING DESCRIBED PARCEL:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION;

THENCE NORTH 89° 42' 57" WEST ALONG THE SOUTH LINE THEREOF, 40 FEET;

THENCE NORTH 00° 02' 45" EAST, PARALLEL WITH AND 40 FEET WESTERLY OF THE EAST LINE OF SAID SECTION, FOR 40 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 89° 42' 57" WEST FOR 406.45 FEET;

THENCE NORTH 00° 17' 03" EAST FOR 480 FEET;

THENCE SOUTH 89° 42' 57" EAST FOR 404.46 FEET TO A POINT 40 FEET WEST OF SAID EAST LINE;

THENCE SOUTH 00° 02' 45" WEST, PARALLEL WITH AND 40 FEET WESTERLY OF SAID EAST LINE FOR 480 FEET TO THE TRUE POINT OF BEGINNING;

INCLUSIVE OF THAT ADJACENT PORTION OF VACATED (PRIOR) KEENE ROAD AS VACATED BY CITY OF RICHLAND ORDINANCE NO. 39-81 AND RECORDED AUGUST 3, 1981 UNDER AUDITOR'S FILE NO. 846617;

EXCEPT THEREFROM ANY PORTION OF EXISTING KEENE ROAD;

AND EXCEPT THEREFROM ANY PORTION OF THE BUREAU OF RECLAMATION 50' RIGHT OF WAY EASEMENT;

AND EXCEPT THEREFROM THAT PORTION CONVEYED TO THE CITY OF RICHLAND BY DEED RECORDED UNDER AUDITOR'S FILE NO. *forthcoming*.



FACTS

WHAT DOES OLD REPUBLIC TITLE
DO WITH YOUR PERSONAL INFORMATION?

Why?	Financial companies choose how they share your personal information. Federal law gives consumers the right to limit some but not all sharing. Federal law also requires us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand what we do.
What?	The types of personal information we collect and share depend on the product or service you have with us. This information can include: • Social Security number and employment information • Mortgage rates and payments and account balances • Checking account information and wire transfer instructions When you are <i>no longer</i> our customer, we continue to share your information as described in this notice.
How?	All financial companies need to share customers' personal information to run their everyday business. In the section below, we list the reasons financial companies can share their customers' personal information; the reasons Old Republic Title chooses to share; and whether you can limit this sharing.

Reasons we can share your personal information	Does Old Republic Title share?	Can you limit this sharing?
For our everyday business purposes — such as to process your transactions, maintain your account(s), or respond to court orders and legal investigations, or report to credit bureaus	Yes	No
For our marketing purposes — to offer our products and services to you	No	We don't share
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness	No	We don't share
For our affiliates to market to you	No	We don't share
For non-affiliates to market to you	No	We don't share

Questions

Go to www.oldrepublictitle.com (Contact Us)

Who we are	
Who is providing this notice?	Companies with an Old Republic Title name and other affiliates. Please see below for a list of affiliates.

What we do	
How does Old Republic Title protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal law. These measures include computer safeguards and secured files and buildings. For more information, visit http://www.oldrepublictitle.com/privacy-policy .
How does Old Republic Title collect my personal information?	We collect your personal information, for example, when you: • Give us your contact information or show your driver's license • Show your government-issued ID or provide your mortgage information • Make a wire transfer We also collect your personal information from others, such as credit bureaus, affiliates, or other companies.
Why can't I limit all sharing?	Federal law gives you the right to limit only: • Sharing for affiliates' everyday business purposes - information about your creditworthiness • Affiliates from using your information to market to you • Sharing for non-affiliates to market to you State laws and individual companies may give you additional rights to limit sharing. See the State Privacy Rights Section location at https://www.oldrepublictitle.com/privacy-policy for your rights under state law.

Definitions	
Affiliates	Companies related by common ownership or control. They can be financial and nonfinancial companies. • <i>Our affiliates include companies with an Old Republic Title name, and financial companies such as Attorneys' Title Fund Services, LLC, Lex Terrae National Title Services, Inc., Mississippi Valley Title Services Company.</i>
Non-affiliates	Companies not related by common ownership or control. They can be financial and non-financial companies. • <i>Old Republic Title does not share with non-affiliates so they can market to you</i>
Joint marketing	A formal agreement between non-affiliated financial companies that together market financial products or services to you. • <i>Old Republic Title doesn't jointly market.</i>

Affiliates Who May be Delivering This Notice				
American First Abstract, LLC	American Guaranty Title Insurance Company	Attorneys' Title Fund Services, LLC	Compass Abstract, Inc.	eRecording Partners Network, LLC.
Genesis Abstract, LLC	Guardian Consumer Services, Inc.	iMarc, Inc.	L.T. Service Corp.	Lenders Inspection Company
Lex Terrae National Title Services, Inc.	Lex Terrae, Ltd.	Mississippi Valley Title Services Company	National Title Agent's Services Company	Old Republic Branch Information Services, Inc.
Old Republic Diversified Services, Inc.	Old Republic Escrow of Vancouver, Inc.	Old Republic Exchange Company	Old Republic National Ancillary Services, Inc.	Old Republic Title and Escrow of Hawaii, Ltd.
Old Republic Title Insurance Company	Old Republic Title Company	Old Republic Title Companies, Inc.	Old Republic Title Company of Conroe	Old Republic Title Company of Indiana
Old Republic Title Company of Nevada	Old Republic Title Company of Oklahoma	Old Republic Title Company of Oregon	Old Republic Title Company of St. Louis	Old Republic Title Company of Tennessee
Old Republic Title Information Concepts	Old Republic Title Insurance Agency, Inc.	Old Republic Title, Ltd.	RamQuest Software, Inc.	Republic Abstract & Settlement, LLC
Sentry Abstract Company	Surety Title Agency, Inc.	Trident Land Transfer Company, LLC		





Wake Up Call
COFFEE CO.





Wake up call
COFFEE CO.



Kennedy RD
3200

Kennedy



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wake
up
call
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3205

SEPA¹ Environmental Checklist

Commented [BL(1)]: Use this template for Short Reports that are 12 pages or LESS including appendices. This type of report does not include a table of contents.

Detailed instructions are located at the end of the template if needed.

Purpose of checklist

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization, or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. **You may use “not applicable” or “does not apply” only when you can explain why it does not apply and not when the answer is unknown.** You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to **all parts of your proposal**, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for lead agencies

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for nonproject proposals

For nonproject proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B, plus the Supplemental Sheet for Nonproject Actions (Part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in "Part B: Environmental Elements" that do not contribute meaningfully to the analysis of the proposal.

¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/Checklist-guidance>

A. Background

[Find help answering background questions](#)²

1. Name of proposed project, if applicable:

Wake-Up-Call Drive-Through Cafe

2. Name of applicant:

Shane O'Neill, Clover Planning & Zoning LLC

3. Address and phone number of applicant and contact person:

Shane O'Neill, (509)713-4560, 6904 Rogue Drive, Pasco, WA 99301

4. Date checklist prepared:

June 11, 2024

5. Agency requesting checklist:

City of Richland

6. Proposed timing of schedule (including phasing, if applicable):

Construction beginning 2024 and completed early 2025

7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.

No

8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal.

Pre-Demolition Hazardous Materials Survey Report by PBS Engineering, dated Sept. 2023

No Further Action Opinion from Dept. of Ecology, dated July 14, 2023

9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain.

A Special Use Permit application with the City of Richland is a required land use approval

10. List any government approvals or permits that will be needed for your proposal, if known.

A Special Use Permit application with the City of Richland is a required land use approval

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.)

Development of a 0.36-acre site in the C-1 zone with a 500 square foot drive-through café.

² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-A-Background>

Site development includes paving and landscaping.

- 12. Location of the proposal.** Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist.

590 Gage Blvd is located at the northwest corner of Gage Blvd. and Leslie Drive, Richland, Washington. Site plan included herewith.

B.Environmental Elements

1. Earth

[Find help answering earth questions³](#)

- a. General description of the site:

Circle or highlight one: Flat, rolling, hilly, steep slopes, mountainous, other:

- b. What is the steepest slope on the site (approximate percent slope)?

2%

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them, and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils.

Warden very fine sandy loam, 0 to 2 percent slopes, eroded

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.

No

- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.

200 cubic yards, no fill, no export

- f. Could erosion occur because of clearing, construction, or use? If so, generally describe.

³ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-earth>

Wind erosion is possible.

- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?**

85% impervious surfaces from the building and parking/driving asphalt

- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any.**

Temporary erosion and sediment control measures include silt fencing and site watering during construction.

2. Air

[Find help answering air questions⁴](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.**

Construction vehicle combustion engine emissions and customer vehicles will be generated in the short and long term. Emission cannot be reasonably quantified.

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.**

No

- c. Proposed measures to reduce or control emissions or other impacts to air, if any:**

Integrated vehicle emission control technologies

3. Water

[Find help answering water questions⁵](#)

- a. Surface:**

[Find help answering surface water questions⁶](#)

- 1. Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into.**

No

⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-Air>

⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water>

⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Surface-water>

2. Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.

No

3. Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material.

None

4. Will the proposal require surface water withdrawals or diversions? Give a general description, purpose, and approximate quantities if known.

No

5. Does the proposal lie within a 100-year floodplain? If so, note location on the site plan.

No

6. Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge.

No

b. Ground:

[Find help answering ground water questions](#)⁷

1. Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give a general description, purpose, and approximate quantities if known.

No

2. Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (domestic sewage; industrial, containing the following chemicals...; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve.

None

c. Water Runoff (including stormwater):

1. Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe.

Stormwater will be capture and infiltrated on-site using infiltration trench(es).

⁷ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-3-Water/Environmental-elements-Groundwater>

2. Could waste materials enter ground or surface waters? If so, generally describe.

No

3. Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe.

No

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any:

Stormwater will be capture and infiltrated on-site using infiltration trench(es).

4. Plants

[Find help answering plants questions](#)

a. Check the types of vegetation found on the site:

- ☐ deciduous tree: alder, maple, aspen, other
- ☐ evergreen tree: fir, cedar, pine, other
- ☐ shrubs
- ☐ grass
- ☐ pasture
- ☐ crop or grain
- ☐ orchards, vineyards, or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

b. What kind and amount of vegetation will be removed or altered?

None

c. List threatened and endangered species known to be on or near the site.

None

d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any.

Locally available trees, grasses and shrubs will be planted along both frontages.

e. List all noxious weeds and invasive species known to be on or near the site.

The site lacks vegetation.

5. Animals

[Find help answering animal questions](#)⁸

- a. List any birds and other animals that have been observed on or near the site or are known to be on or near the site.

Examples include:

- Birds: hawk, heron, eagle, songbirds, other:
- Mammals: deer, bear, elk, beaver, other:
- Fish: bass, salmon, trout, herring, shellfish, other:

none

- b. List any threatened and endangered species known to be on or near the site.

none

- c. Is the site part of a migration route? If so, explain.

Richland lies within the Pacific Flyway

- d. Proposed measures to preserve or enhance wildlife, if any.

None

- e. List any invasive animal species known to be on or near the site.

None

6. Energy and natural resources

[Find help answering energy and natural resource questions](#)⁹

- a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc.

Electric for air heating and cooling and for water heating

- b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe.

No

- c. What kinds of energy conservation features are included in the plans of this proposal? List other proposed measures to reduce or control energy impacts, if any.

2021 WSEC construction compliance

⁸ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-5-Animals>

⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-6-Energy-natural-resou>

7. Environmental health

[Health Find help with answering environmental health questions](#)¹⁰

- a. **Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste, that could occur because of this proposal? If so, describe.**

No

1. **Describe any known or possible contamination at the site from present or past uses.**

Underground fuel storage tanks have been removed. HazMat report included herewith.

2. **Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the vicinity.**

None affecting site design. Soil remediation is complete.

3. **Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project.**

None

4. **Describe special emergency services that might be required.**

Police, fire, ambulance

5. **Proposed measures to reduce or control environmental health hazards, if any.**

OSHA protocol compliance, sewer connection

b. Noise

1. **What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)?**

None

2. **What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site)?**

Passenger vehicle idling noise will be cloaked by the traffic noise associated with the adjacent signalized road intersection.

3. **Proposed measures to reduce or control noise impacts, if any:**

Mitigation measures are not warranted.

¹⁰ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-7-Environmental-health>

8. Land and shoreline use

[Find help answering land and shoreline use questions](#)¹¹

- a. **What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.**

Site – vacant

North – Commercial

West – Commercial

East – Medical Clinic

South – Commercial

The proposed café will not impact the surrounding land uses

- b. **Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses because of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?**

No

1. **Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how?**

No

- c. **Describe any structures on the site.**

None

- d. **Will any structures be demolished? If so, what?**

No

- e. **What is the current zoning classification of the site?**

C-1 (Neighborhood Retail)

- f. **What is the current comprehensive plan designation of the site?**

Commercial

- g. **If applicable, what is the current shoreline master program designation of the site?**

NA

- h. **Has any part of the site been classified as a critical area by the city or county? If so, specify.**

¹¹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-8-Land-shoreline-use>

No

- i. **Approximately how many people would reside or work in the completed project?**

Approximately 5 employees

- j. **Approximately how many people would the completed project displace?**

Zero

- k. **Proposed measures to avoid or reduce displacement impacts, if any.**

None warranted

- l. **Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any.**

Zoning code review and compliance

- m. **Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:**

None warranted

9. Housing

[Find help answering housing questions](#)¹²

- a. **Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.**

Zero

- b. **Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.**

Zero

- c. **Proposed measures to reduce or control housing impacts, if any:**

None warranted

10. Aesthetics

[Find help answering aesthetics questions](#)¹³

- a. **What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?**

Up to fifteen foot tall structure. Stucco, metal and Hardi-board

- b. **What views in the immediate vicinity would be altered or obstructed?**

None

¹² <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-9-Housing>

¹³ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-10-Aesthetics>

c. Proposed measures to reduce or control aesthetic impacts, if any:

Franchise design requirements ensure attractive outward appearance.

11. Light and glare

[Find help answering light and glare questions](#)¹⁴

a. What type of light or glare will the proposal produce? What time of day would it mainly occur?

Parking lot lighting

b. Could light or glare from the finished project be a safety hazard or interfere with views?

No

c. What existing off-site sources of light or glare may affect your proposal?

None

d. Proposed measures to reduce or control light and glare impacts, if any:

Outdoor lighting will be shielded from the horizontal plane to eliminate light trespass.

12. Recreation

[Find help answering recreation questions](#)

a. What designated and informal recreational opportunities are in the immediate vicinity?

A municipal linear park containing a pathway and lawn is located 600 feet to the north.

b. Would the proposed project displace any existing recreational uses? If so, describe.

No

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any:

Mitigation measures are not warranted.

13. Historic and cultural preservation

[Find help answering historic and cultural preservation questions](#)¹⁵

a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.

No

b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material

¹⁴ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-11-Light-glare>

¹⁵ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-13-Historic-cultural-p>

evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.

No

- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.

Visual surface inspection. The site was previously excavated, and soil replace to remediate contamination from underground fuel storage tanks.

- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.

Excavation will cease if artifacts are uncovered. Local Tribes and DAHP will be consulted immediately for further direction.

14. Transportation

[Find help with answering transportation questions](#)¹⁶

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.

Leslie Road and Gage Blvd provide direct access to the site. Roads appear on the site plan.

- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?

Gage and Leslie belong to Ben-Franklin Transit bus routes

- c. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle, or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).

No. Adjacent roads are fully developed.

- d. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe.

No

- e. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?

¹⁶ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-B-Environmental-elements/Environmental-elements-14-Transportation>

Coffee/Donut Shop with Drive-Through, No Indoor Seating Land Use Code 938

According to the 11th Edition of the ITE Trip Generation Manual, the café will generate approximately 176 vehicle trips per day.

- f. **Will the proposal interfere with, affect, or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.**

No

- g. **Proposed measures to reduce or control transportation impacts, if any:**

Driveway approaches have been setback from the road intersection to the maximum extend feasible.

15. Public services

[Find help answering public service questions¹⁷](#)

- a. **Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.**

Reasonably, no.

- b. **Proposed measures to reduce or control direct impacts on public services, if any.**

Mitigation measures are not warranted.

16. Utilities

[Find help answering utilities questions¹⁸](#)

- a. **Circle utilities currently available at the site: electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other:**

- b. **Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed.**

Connections will be made to the existing municipal sewer, water and power stubs.

C. Signature

[Find help about who should sign¹⁹](#)

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

¹⁷ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-15-public-services>

¹⁸ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-b-environmental-elements/environmental-elements-16-utilities>

¹⁹ <https://ecology.wa.gov/Regulations-Permits/SEPA/Environmental-review/SEPA-guidance/SEPA-checklist-guidance/SEPA-Checklist-Section-C-Signature>

 Recoverable Signature

X Shane O'Neill

Signed by: fbf29b3f-4f80-4177-a46d-39faa088cdc4

Type name of signee: Shane O'Neill

Position and agency/organization: Senior Planner, Clover Planning & Zoning Land Use Consultant.

Date submitted: 6/11/2024

D. Supplemental sheet for nonproject actions

[Find help for the nonproject actions worksheet²⁰](#)

Do not use this section for project actions.

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. **How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?**
 - **Proposed measures to avoid or reduce such increases are:**
2. **How would the proposal be likely to affect plants, animals, fish, or marine life?**
 - **Proposed measures to protect or conserve plants, animals, fish, or marine life are:**
3. **How would the proposal be likely to deplete energy or natural resources?**
 - **Proposed measures to protect or conserve energy and natural resources are:**

²⁰ <https://ecology.wa.gov/regulations-permits/sepa/environmental-review/sepa-guidance/sepa-checklist-guidance/sepa-checklist-section-d-non-project-actions>

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection, such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?
 - Proposed measures to protect such resources or to avoid or reduce impacts are:
5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?
 - Proposed measures to avoid or reduce shoreline and land use impacts are:
6. How would the proposal be likely to increase demands on transportation or public services and utilities?
 - Proposed measures to reduce or respond to such demand(s) are:
7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.

[illegible]

CONTACT
TREK ARCHITECTURE
122 S MONROIE, STE #202
SPokane, WA 99201
509.315.4830
HELLO@TREKARCH.COM

OWNER INFORMATION
ADDRESS

10-12-2011

10-12-2011, 10:54 AM

NEW PROJECT TYPE: GOLF FOR
WUC Gage Blvd
ADDRESS
990 GAGE BOULEVARD, RICHMOND,

WA, 99352	
USE	
24.07	
DESIGNED BY	
AUTHOR	
CHECKED BY	
CHECKER	
DATE	
08.27.23	
PROJECT STATUS	
PRE-DESIGN - NOT FOR CONSTRUCTION	
REVISIONS	

#	DESCRIPTION	DATE
---	-------------	------

PRELIMINARY SITE PLAN

5

ZONING PROVISIONS



CONTACT / PROJECT SUMMARY

PRIMARY CONTACT: EVAN VERDIN
TRISK ARCHITECTURE
1225 MONROE, SUITE 202
SPOKANE, WA 99201
509.335.4300
EVAN@TRISKARCH.COM

PROPERTY OWNER:

ESTIMATED PROJECT VALUATION: \$50,000
ESTIMATED START DATE: SUMMER 2024

ZONING CODE SUMMARY

PROJECT ADDRESS:
500 CRAIG BLVD
RICHLAND, WA. 99302

AS SEEN ON PARCEL NUMBER:

12581-40/00012000
LOCAL DISCUSSION

THE SOUTH 1/4 OF SECTION 28, TOWNSHIP 4 N, R. 10 E, RANGE 24 WITHIN
THE FOLLOWING DESCRIBED PARCEL, PART PORTION OF THE SOUTHWEST QUARTER OF THE
SOUTHEAST QUARTER OF SECTION 28, DEFINED AS FOLLOWS, COMMENCING AT THE SOUTHEAST
CORNER

ZONE: C-1

LOT: 3225, 15,000 SF (36 acres)

HEIGHT:

ALLOWED: 30'
PROPOSED: 50'

MINIMUM SETBACK FROM LOT LINE:

SIDE (PROPOSED) 8'	SIDE (ALLOWED) 8'
FRONT (PROPOSED) 48'	SIDE (PROPOSED) 8'
FRONT (PROPOSED) 48'	BACK (ALLOWED) 50'
SIDE (THREE) ALLOWED 20'	BACK (PROPOSED) 50'
SIDE (THREE) PROPOSED 48'	

PARKING REQUIRED: 5 SPACES

OCCUPANCY GROUPS

IBC CHAPTER 3 OCCUPANCY CLASSIFICATION
DO NOT USE VACANT

PROPOSED BUSINESS USE B

ALLOWABLE HEIGHT AND AREA

B	TYPE (CONST.)	HEIGHT (FEET)	HEIGHT (STORIES)
	V-B	40	2

ACTUAL AREA PER FLOOR:
439 S.F. $\frac{1}{4}$ "

CONSTRUCTION TYPES

LEVELS	OCCUPANT GROUPS	CONSTRUCTION TYPE
B	TYP. V-8	
ICC TABLE #91062	REQUIREMENTS - TYPE V-8 CONSTRUCTION:	
FIRE RESISTANCE	0 HR	
EXTERIOR FRAME	0 HR	
EXTERIOR BEARING WALLS	0 HR	
EXTERIOR NON-BEARING WALLS	SEE TABLE 602	
INTERIOR BEARING WALLS	0 HR	
INTERIOR NON-BEARING WALLS	0 HR	
JOINT SEPARATIONS PER SECTION 402.2		
FLOOR CONSTRUCTION	0 HR	
FLOOR FORTIFICATION	0 HR	
ROOF FORTIFICATION ASSEMBLIES AT DOWLING UP DISAPPEAR PER SECTION 4203.3		

PREFACE

MEANS OF EGRESS

IBC SECTION 1001.2.1:
CODE BOOK 23.5.2.1.1

— ALL OF THE PERSONS

COMMON PAPER

1 EXIT REQUIRED
(1 EXIT PROVIDED)

200' MAX. ALLOWED.
ACTUAL TRAVEL
DISTANCE IS 19'.

IBC SECTION 1017:
EXIT ACCESS TRAVEL DISTANCE:

ACCESSIBILITY

REG CHAPTER 11
ACCESSIBLE COMMERCIAL SPACES REQUIRED PER 2018 IBC CHAPTER 11 AND
AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES

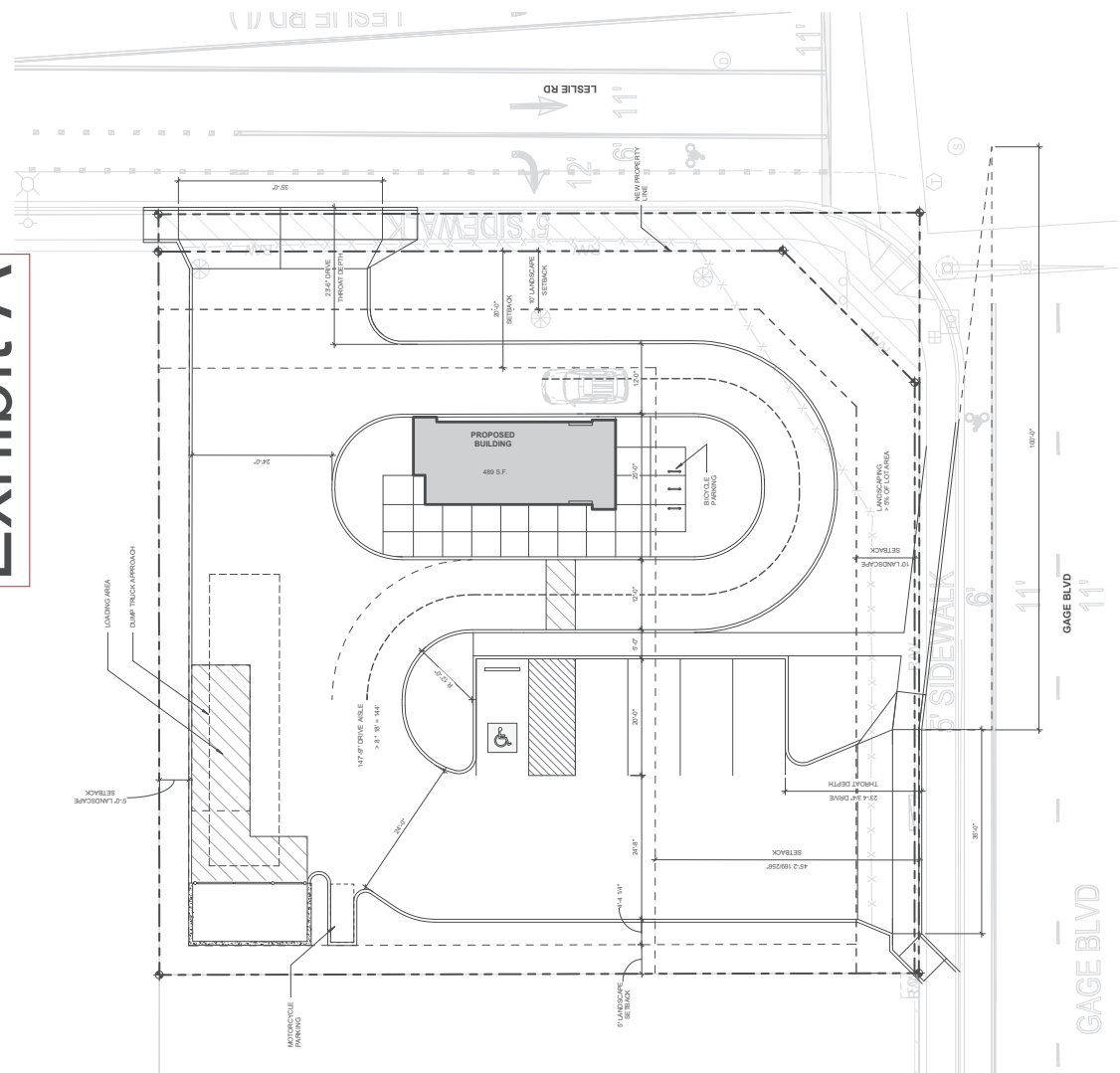
AUTOMATIC SPRINKLER SYSTEMS

AUTOMATIC SPRINKLER SYSTEMS:

IBC SECTION 906: STANDPIPE 3 YRS MS: NOT REQ'D

SECTION 8.07 :
FIRE EXTINGUISHERS: TO BE LOCATED WITHIN 75 TRAVEL DISTANCE

NOT REC'D	NOT REC'D
FIRE ALARM SYSTEM WITH NOTIFICATION SYSTEM:	
SMOKE ALARMS:	
NOT REC'D	NOT REC'D

 $z \in$

Pre-Demolition Hazardous Materials Survey Report

Former Circle K
590 Gage Boulevard
Richland, Washington 99352

Prepared for:
Lance Bacon
Kiemle Hagood
7025 W Grandridge Boulevard Suite B2
Kennewick, Washington 99336

September 2023
PBS Project 63275.001



400 BRADLEY BOULEVARD, SUITE 106
RICHLAND, WA 99352
509.942.1600 MAIN
866.727.0140 FAX
PBSUSA.COM

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APPENDICES

APPENDIX A: PLM Bulk Sampling Information

PLM Bulk Sample Inventory

PLM Bulk Sample Laboratory Data Sheets and Chain of Custody Documentation

APPENDIX B: AA Lead Paint Chip Sampling Information

AA Lead Paint Chip Sample Inventory

AA Lead Paint Chip Laboratory Data Sheets and Chain of Custody Documentation

APPENDIX C: Certifications

1 INTRODUCTION

1.1 Project Background

On September 11, 2023, PBS performed a pre-demolition hazardous materials survey of the facility located at 590 Gage Boulevard in Richland, Washington. The survey was requested by Kiemle Hagood in anticipation of demolition.

The purpose of the survey was to locate, identify, and quantify accessible friable and non-friable asbestos-containing building materials and lead-based paint materials for removal prior to demolition.

The survey is also intended to satisfy Washington State Department of Labor and Industries (L&I) requirements in Washington Administrative Code (WAC) 296-62-07721 and Benton Clean Air Agency (BCAA) requirements in Article 8 to perform an asbestos survey prior to demolition or renovation.

1.2 Building Descriptions

The facility is a single-story structure. The building includes a restroom, office space, janitorial closet, and central open area. Interior floor finishes include vinyl floor tile, and ceramic tile. The walls are gypsum, with select areas that are finished. The ceilings include lay-in ceiling tile and select areas of gypsum.

The windows throughout the building are predominantly aluminum-framed windows. The exterior is finished with stone masonry and wood siding. The roofing is a built-up asphalt roofing system.

1.3 Survey Process

Accessible areas included in the project scope were inspected by AHERA Certified Building Inspectors Justin Ware (Cert. No. IMR-23-5145B Exp. 02/13/2024) and Cienna Landon (Cert. No. IMR-23-0507C EXP. 06/20/2023) on September 11, 2023. PBS endeavored to inspect all accessible areas of the scope of work. Inaccessible areas consist of those requiring selective demolition, fall protection, or confined space entry protocols to gain access.

When observed, suspect materials were sampled. All samples were assigned a unique identification number and transmitted to the appropriate laboratory for analysis. See section 2 for findings.

2 ASBESTOS SUMMARY

2.1 Asbestos-Containing Materials (ACMs)

The building was inspected by PBS Asbestos Hazard Emergency Response Act (AHERA) accredited inspectors to determine the presence, location, and approximate quantity of asbestos-containing materials (ACMs). Forty (40) bulk samples of building materials, suspected of containing asbestos, were collected and submitted under chain of custody to SGS Forensic Laboratories of Hayward, California (NVLAP Lab Code: 101459-0), for polarized light microscopy (PLM) analysis. Suspect ACMs may exist in inaccessible areas. PBS endeavored to determine the presence and estimate the condition of suspect materials in all inaccessible areas included in the scope of work. While PBS has endeavored to identify ACMs that may be found in concealed locations, additional unidentified ACMs may exist. A regulated asbestos-containing material is defined as containing greater than 1% asbestos content. No samples were found to contain regulated amounts of asbestos.

The following materials were determined **not to contain asbestos**:

- Gypsum Wallboard/Joint Compound Wall and Ceiling Systems – Throughout Building
- Ceramic Tile and Grout – Throughout Building
- Vinyl Floor Tile and Mastic – Throughout Building
- Covebase and Mastic – Throughout Building
- Lay-In Ceiling Tile – Throughout Building
- Caulking – Throughout Building
- FRP Mastic – Throughout Restroom
- CMU Block and Mortar – North Exterior Wall
- Leveling Compound – Exterior Sidewalk
- Built-Up Roofing – Throughout Roof
- Sealant – Throughout Roof
- Roof Flashing – Throughout Roof

For a complete listing of representative bulk sampling and associated laboratory analysis, refer to the attachments, Appendix A.

2.2 Asbestos Regulations

WAC 296-62-077 requires proper removal and handling of ACM by licensed and trained asbestos abatement contractors prior to building renovation or demolition.

Regulations define ACM as any material containing more than 1% asbestos. Although materials with <1% asbestos are not considered by regulatory agencies to be an ACM, they still have some asbestos content, and WAC has specific requirements for situations in which workers may encounter, disturb, or remove materials containing any concentration of asbestos. For the sake of hazard communication, these materials are included in the asbestos-containing materials section of this report.

L&I does require training for workers who impact materials with any amount of asbestos if that impact could result in airborne fiber concentrations over the permissible exposure limit (PEL) of 0.1 fibers per cubic centimeter (f/cc) of air.

The EPA defines ACM as “any material containing more than one percent asbestos.” PBS recommends that all ACM to be impacted by the planned demolition be removed and disposed of by a Washington State certified asbestos abatement contractor in accordance with all local, state, and federal regulations. Impact of ACM should be performed according to Washington Industrial Safety and Health Act (WISHA) requirements, including WACs 296-62 and 296-65. Proper worker training, personal protective equipment, engineering controls, and housekeeping procedures must be utilized as required.

OSHA provides federal regulations governing asbestos (29 CFR Part 1926, 1101). These regulations detail work procedures and how ACM is removed. OSHA believes that the single biggest problem is to workers who unknowingly or improperly disturb ACM. Hazard communication, training, personal protection, work practices, exposure monitoring, and recordkeeping are all major components of the regulation. Work impacting asbestos is subject to the requirements of various regulations, including, but not limited to 40 CFR Part 61, National Emission Standards for Hazardous Air Pollutants (NESHAPS); 40 CFR Part 763, AHERA; WAC 296-62 and 296-65; and local clean air agency regulations.

BCAA and L&I regulations require proper removal and handling of ACM by licensed and trained asbestos abatement contractors prior to building renovations or demolition.

The BCAA and L&I both define ACM as any material containing more than 1% asbestos. Although materials equal to or less than one percent are not considered by regulatory agencies to be an ACM, they still have some asbestos content, and L&I has requirements for situations in which workers may encounter, disturb, or remove materials containing any level of asbestos.

WAC 296-62-07721 describes work procedures and how asbestos materials are managed. The single biggest risk of asbestos exposure is to workers who unknowingly or improperly disturb ACM. Hazard communication, training, personal protection, work practices, exposure monitoring, and recordkeeping are all major components of the regulation.

BCAA and L&I also cover asbestos abatement requirements, removal notifications, licensing, and certifications for contractors.

For more information regarding the removal of asbestos-containing materials, please refer to the following:

1. L&I, WAC 296-62-077
2. BCAA, Article 8

3 LEAD SUMMARY

3.1 Lead-Containing Components

Paint was sampled for lead content for the sake of hazard communication. The table below summarizes lead findings in paint sampled on site.

Paint Color	Substrate	Location	Result % by Weight	BRL, LCP or LBP
Black and Gray Layered Paint	Cement/Concrete	East Exterior Sidewalk	<0.006	BRL
Brown Paint	Wood	South Exterior Siding	<0.006	BRL
White Paint	Wood	South Exterior Siding	<0.006	BRL
Red Paint	Wood	South Exterior Siding	<0.006	BRL
Yellow Paint	Gypsum Wallboard	North Interior Wall	<0.007	BRL
Blue paint	Gypsum Wallboard	East Interior Wall	<0.007	BRL
Light Brown Paint	Gypsum Wallboard	North Interior Wall	<0.006	BRL

BRL = Below Reportable Limits

LCP = Lead-containing-paint 0.006 % – 0.499 % (less than 5,000 ppm)

LBP = Lead-based-paint 0.5 % by weight or more (5,000 ppm or more)

Seven (7) paint chip samples were collected from representative building components from the building interior and exterior and submitted under chain of custody to SGS Forensic Laboratories, Hayward California (AIHA-LAP Lab ID #101762), for analysis of lead content via flame atomic absorption (FLAA). The concentration of lead in the samples were all below regulated action levels.

See the lead sample inventory section for representative building components and corresponding results.

Paint testing for this survey was limited in scope. The report information and testing results are not to be construed as an exhaustive investigation of lead-containing paint on all building surfaces. All paint on painted surfaces not identified in this report should be presumed to contain lead.

3.2 Lead-Containing Paint Regulations

The Consumer Product Safety Commission limit for lead in consumer paint products is 0.009% or 90 ppm or greater. The Department of Housing and Urban Development (HUD) and the EPA define lead-based paint as that which contains 0.5% or 5,000 ppm. Under L&I, any lead concentration in paint that may become airborne during construction operations triggers requirements in the Lead in Construction Standard WAC 296-155-176 to protect employees impacting the paint.

4 LIMITATIONS

This study was limited to the tests, locations and depths as indicated to determine the absence or presence of certain contaminants. The site as a whole may have other contamination that was not characterized by this study. The findings and conclusions of this report are not scientific certainties, but rather probabilities based on professional judgment concerning the significance of the data gathered during this investigation.

Please do not hesitate to contact us if you have any questions regarding this report or require additional information.

Report prepared by:
Cienna Landon
Industrial Hygiene Inspector
Cert. # IMR-23-0507C, exp. 6/20/2024

Report reviewed by:
Justin Ware
Project Manager
Cert. #IMR-22-8648B, exp. 2/13/2024

Signature

Date

Signature

Date

APPENDIX A

PLM Bulk Sampling Information

PLM Bulk Sample Inventory

PLM Bulk Sample Laboratory Data Sheets

PLM Bulk Sample Chain of Custody Documentation



400 BRADLEY BOULEVARD, SUITE 106, RICHLAND, WA 99352
509.942.1600 MAIN ■ 866.727.0140 FAX ■ WWW.PBSUSA.COM

Sample No.	Material Type	Sample Location	Layer	Lab Description	Lab Result	Lab
0001	Ceramic Tile and Grout	Center of Building	1	Grey Ceramic Tile	ND	SGS
			2	Grey Grout	ND	SGS
			3	Grey Mortar	ND	SGS
0002	Ceramic Tile and Grout	Center of Building	1	Grey Ceramic Tile	ND	SGS
			2	Grey Grout	ND	SGS
			3	Grey Mortar	ND	SGS
0003	Ceramic Tile and Grout	Center of Building	1	Grey Ceramic Tile	ND	SGS
			2	Grey Grout	ND	SGS
			3	Grey Mortar	ND	SGS
0004	Vinyl floor Tile and Mastic	Center of Building	1	Off-White Tile	ND	SGS
			2	Yellow Mastic	ND	SGS
			3	White Non-Fibrous Material	ND	SGS
0005	Vinyl floor Tile and Mastic	Center of Building	1	Off-White Tile	ND	SGS
			2	Yellow Mastic	ND	SGS
			3	White Non-Fibrous Material	ND	SGS
0006	Vinyl floor Tile and Mastic	Center of Building	1	Off-White Tile	ND	SGS
			2	Yellow Mastic	ND	SGS
			3	White Non-Fibrous Material	ND	SGS
0007	Covebase and Mastic	North Wall	1	Black Non-Fibrous Material	ND	SGS
			2	Brown Mastic	ND	SGS
0008	Covebase and Mastic	North Wall	1	Black Non-Fibrous Material	ND	SGS
			2	Brown Mastic	ND	SGS
0009	Covebase and Mastic	North Wall	1	Black Non-Fibrous Material	ND	SGS
			2	Brown Mastic	ND	SGS
0010	Lay-In Ceiling Tile	Center of Building	1	Grey Fibrous Material	ND	SGS
			2	Paint	ND	SGS
0011	Lay-In Ceiling Tile	Center of Building	1	Grey Fibrous Material	ND	SGS
			2	Paint	ND	SGS



400 BRADLEY BOULEVARD, SUITE 106, RICHLAND, WA 99352
509.942.1600 MAIN ■ 866.727.0140 FAX ■ WWW.PBSUSA.COM

Sample No.	Material Type	Sample Location	Layer	Lab Description	Lab Result	Lab
0012	Lay-In Ceiling Tile	Center of Building	1	Grey Fibrous Material	ND	SGS
			2	Paint	ND	SGS
0013	Gypsum Board/Joint Compound	Ceiling - North Area of Building	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0014	Gypsum Board/Joint Compound	Ceiling - Restroom	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0015	Gypsum Board/Joint Compound	Ceiling - Restroom	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0016	Gypsum Board/Joint Compound	Wall - West Corner of Building	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0017	Gypsum Board/Joint Compound	Wall - West Corner of Building	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0018	Gypsum Board/Joint Compound	Wall - West Corner of Building	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0019	Gypsum Board/Joint Compound	Wall - North side of Building	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0020	Gypsum Board/Joint Compound	Wall - North side of Building	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0021	Gypsum Board/Joint Compound	Wall - South	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS



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Sample No.	Material Type	Sample Location	Layer	Lab Description	Lab Result	Lab
			3	Paint	ND	SGS
0022	Gypsum Board/Joint Compound	Wall - Outside Office	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0023	Gypsum Board/Joint Compound	Wall - Outside Restroom	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0024	Gypsum Board/Joint Compound	Wall - Outside Janitorial Closet	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0025	Gypsum Board/Joint Compound	Wall - Office	1	White Drywall	ND	SGS
			2	White Joint Compound	ND	SGS
			3	Paint	ND	SGS
0026	Caulk	Concrete Floor - West	1	Grey Non-Fibrous Material	ND	SGS
0027	Caulk	Concrete Floor - West	1	Grey Non-Fibrous Material	ND	SGS
0028	Caulk	Concrete Floor - West	1	Grey Non-Fibrous Material	ND	SGS
0029	Caulk	Sink Backsplash	1	Clear Non-Fibrous Material	ND	SGS
0030	Caulk	Sink Backsplash	1	Clear Non-Fibrous Material	ND	SGS
0031	Caulk	Sink Backsplash	1	Clear Non-Fibrous Material	ND	SGS
0032	FRP Mastic	Restroom Wall	1	Yellow Mastic	ND	SGS
			2	Paint	ND	SGS
			3	White Texture	ND	SGS
0033	FRP Mastic	Restroom Wall	1	Yellow Mastic	ND	SGS
			2	Paint	ND	SGS
			3	White Texture	ND	SGS
0034	FRP Mastic	Restroom Wall	1	Yellow Mastic	ND	SGS
			2	Paint	ND	SGS
			3	White Texture	ND	SGS



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Sample No.	Material Type	Sample Location	Layer	Lab Description	Lab Result	Lab
0035	CMU Block and Mortar	North Exterior Wall	1	Grey Cementitious Material	ND	SGS
			2	Grey Mortar	ND	SGS
0036	Leveling Compound	East Exterior Sidewalk	1	White Non-Fibrous Material	ND	SGS
			2	Paint	ND	SGS
0037	Roof Flashing	Center of Roof	1	Stones	ND	SGS
			2	Black Tar	ND	SGS
			3	Black Felt	ND	SGS
			4	Silver Foil	ND	SGS
0038	Flashing Sealant	Center of Roof	1	Black Non-Fibrous Material	ND	SGS
			2	Off-White Coating	ND	SGS
0039	Sealant	Northwest Corner of Roof	1	Black Non-Fibrous Material	ND	SGS
0040	Built Up Roofing	Northwest Corner of Roof	1	Black Felt	ND	SGS
			2	Black Tar	ND	SGS
			3	Black Felt	ND	SGS
			4	Black Tar	ND	SGS
			5	Black Felt	ND	SGS
			6	Black Tar	ND	SGS



Bulk Asbestos Analysis

(EPA Method 40CFR, Part 763, Appendix E to Subpart E and EPA 600/R-93-116, Visual Area Estimation)

NVLAP Lab Code: 101459-0

PBS Engineering & Environmental Inc.
Kanani Young
400 Bradley Blvd.
Suite 106
Richland, WA 99352

Client ID: L2129
Report Number: B351757
Date Received: 09/12/23
Date Analyzed: 09/12/23
Date Printed: 09/12/23
First Reported: 09/12/23

Job ID/Site: 63275.001 - Pre-Demolition Hazardous Materials Survey 590 Gage Blvd Richland WA

SGSFL Job ID: L2129
Total Samples Submitted: 40
Total Samples Analyzed: 40

Date(s) Collected:

Sample ID	Lab Number	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer
0001	12692837						
Layer: Grey Ceramic Tile			ND				
Layer: Grey Grout			ND				
Layer: Grey Mortar			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0002	12692838						
Layer: Grey Ceramic Tile			ND				
Layer: Grey Grout			ND				
Layer: Grey Mortar			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0003	12692839						
Layer: Grey Ceramic Tile			ND				
Layer: Grey Grout			ND				
Layer: Grey Mortar			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0004	12692840						
Layer: Off-White Tile			ND				
Layer: Yellow Mastic			ND				
Layer: White Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0005	12692841						
Layer: Off-White Tile			ND				
Layer: Yellow Mastic			ND				
Layer: White Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							

Client Name: PBS Engineering & Environmental Inc.

Report Number: B351757

Date Printed: 09/12/23

Sample ID	Lab Number	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer
0006	12692842						
Layer: Off-White Tile			ND				
Layer: Yellow Mastic			ND				
Layer: White Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0007	12692843						
Layer: Black Non-Fibrous Material			ND				
Layer: Brown Mastic			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0008	12692844						
Layer: Black Non-Fibrous Material			ND				
Layer: Brown Mastic			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0009	12692845						
Layer: Black Non-Fibrous Material			ND				
Layer: Brown Mastic			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0010	12692846						
Layer: Grey Fibrous Material			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (35 %) Fibrous Glass (45 %)							
0011	12692847						
Layer: Grey Fibrous Material			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (35 %) Fibrous Glass (45 %)							
0012	12692848						
Layer: Grey Fibrous Material			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (35 %) Fibrous Glass (45 %)							
0013	12692849						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %) Fibrous Glass (10 %)							

Client Name: PBS Engineering & Environmental Inc.

Report Number: B351757

Date Printed: 09/12/23

Sample ID	Lab Number	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer
0014	12692850						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0015	12692851						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0016	12692852						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0017	12692853						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0018	12692854						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0019	12692855						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0020	12692856						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						

Client Name: PBS Engineering & Environmental Inc.

Report Number: B351757

Date Printed: 09/12/23

Sample ID	Lab Number	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer
0021	12692857						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0022	12692858						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0023	12692859						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0024	12692860						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0025	12692861						
Layer: White Drywall			ND				
Layer: White Joint Compound			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (20 %)	Fibrous Glass (10 %)						
0026	12692862						
Layer: Grey Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0027	12692863						
Layer: Grey Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0028	12692864						
Layer: Grey Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							

Client Name: PBS Engineering & Environmental Inc.

Report Number: B351757

Date Printed: 09/12/23

Sample ID	Lab Number	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer
0029	12692865						
Layer: Clear Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0030	12692866						
Layer: Clear Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0031	12692867						
Layer: Clear Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0032	12692868						
Layer: Yellow Mastic			ND				
Layer: Paint			ND				
Layer: White Texture			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0033	12692869						
Layer: Yellow Mastic			ND				
Layer: Paint			ND				
Layer: White Texture			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0034	12692870						
Layer: Yellow Mastic			ND				
Layer: Paint			ND				
Layer: White Texture			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0035	12692871						
Layer: Grey Cementitious Material			ND				
Layer: Grey Mortar			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0036	12692872						
Layer: White Non-Fibrous Material			ND				
Layer: Paint			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							

Client Name: PBS Engineering & Environmental Inc.

Report Number: B351757

Date Printed: 09/12/23

Sample ID	Lab Number	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer	Asbestos Type	Percent in Layer
0037	12692873						
Layer: Stones			ND				
Layer: Black Tar			ND				
Layer: Black Felt			ND				
Layer: Silver Foil			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (40 %) Fibrous Glass (35 %)							
0038	12692874						
Layer: Black Non-Fibrous Material			ND				
Layer: Off-White Coating			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (Trace)							
0039	12692875						
Layer: Black Non-Fibrous Material			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (10 %)							
0040	12692876						
Layer: Black Felt			ND				
Layer: Black Tar			ND				
Layer: Black Felt			ND				
Layer: Black Tar			ND				
Layer: Black Felt			ND				
Layer: Black Tar			ND				
Total Composite Values of Fibrous Components:		Asbestos (ND)					
Cellulose (55 %) Fibrous Glass (10 %)							
Comment: Bulk complex sample.							



Maria Casper, Laboratory Supervisor, Hayward Laboratory

Note: Limit of Quantification ('LOQ') = 1%. 'Trace' denotes the presence of asbestos below the LOQ. 'ND' = 'None Detected'.

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Project Name/Scope: Pre-Demolition Hazardous Materials Survey PBS Project No. 63275.001
Project Address: 590 Gage Blvd, Richland, WA Proj. Date: 9/11/23 Temp: 70°
Client Name/POC: Kiemle Proj. Manager: Justin Ware Sampled By: Justin Ware
Hagood

Send Samples to:

☐ Lab Cor Inc. Seattle
7619 6th Ave. NW
Seattle WA 98117

☐ RJ Lee Group (TCLP-RCRA8)
350 Hochberg Rd.
Monroeville PA 15146

☐ SGS / Galson - Vegas (PLM only*)
6765 Southeastern Ave. #3
Las Vegas Nevada 89119

☐ Lab Cor Inc. Portland
4321 S. Corbett Ave.
Portland OR 97239

☐ Seattle Asbestos Test
4500 9th Ave NE.
Ste. #300, Seattle, WA 98105

☐ SGS / Galson - Carson CA
20535 Belshaw Ave
Carson, CA 90746

☐ NVL Labs Inc.
4708 Aurora Ave. North
Seattle WA 98103

☐ EMC Labs Inc. (Asb/Pb/Mold)
9830 S. 51st Street
Phoenix AZ 85044

Other: SGS/Hayward
3777 Depot RD
Suite 409
Hayward, CA 94545

ASBESTOS:

☒ PLM Bulk
☐ Asbestos Dust
☐ Other: _____

LEAD:

☐ Dust/wipe
☐ Pb TCLP
☐ Pb Paint Chip

MOLD (Fungi):

☐ Tape (Direct) ☐ Swab (Direct)
☐ Spore Trap (Air) ☐ Bulk (Spore Ct)

ANALYTICAL PROTOCOL:

☐ BFL 400x-1000x (MOLD)
☐ Flame AAS 7082 (Pb Paint)
☒ EPA 600/R-93/116 (Asbestos PLM)
☐ Cincinnati Method (Asbestos Vermiculite)

EMAIL RESULTS TO:

☒ Justin.Ware@pbsusa.com
☐ Carson.Linklater@pbsusa.com
☒ Kanani.Young@pbsusa.com
☐ DeAngelo.Nelson@pbsusa.com
☐ Kaitlyn.Gamble@pbsusa.com
☒ Cienna.Landon@pbsusa.com
☐ _____@pbsusa.com

TURN AROUND TIME:

☒ Rush ☐ 4-Hour ☐ 6-Hour
☐ 24-Hour ☐ 48-Hour ☐ 72-Hour
☐ Standard ☐ 5-day ☐ 7-day
☐ Other _____

OTHER ANALYTE:

☐ _____ Method: _____

Codes / ARCHIVE	Sample ID	Lab ID No.	Dimensions / Quantities SF/LF	Building / Floor / Location / Description / Color / on Substrate
CERGR	0001			4x4 Gray Ceramic floor tile with gray grout/bedding - center
↓	0002			"
↓	0003			"
VFT/M	0004			white/pink - 12x12 vinyl floor tile - yellow mastic - center
↓	0005			"
↓	0006			"
COVBAS	0007			4" black w. wall Covebase with brown mastic
↓	0008			" - East wall
↓	0009			" - East wall
LCT	0010			2x4- Pinfissure ceiling tile - lay-in - center of building
↓	0011			"
↓	0012			"

SPECIAL INSTRUCTIONS

Notes: _____

- ☐ Stop at first positive layer
☐ Stop at first positive sample

Relinquished by: <u>Cienna</u>	Date: <u>9/11/23</u>	Received by: _____	Date: _____
Analyzed by: _____	Date: _____	Sample Condition Upon Receipt: ☐ Acceptable ☐ Other (explain): _____	
Method of Shipment: _____	Date: _____		

CODES:

ARC: Archive --- API: Asbestos Pipe Insulation --- BLOCK: Mag Block TSI --- BOIL: Boiler Insulation --- BUR: Built-up Roofing --- BLOWN: Blown in insulation --- CAB: Cement asb board --- CMU: concrete masonry unit grout --- CAULK: caulking/sealant --- CARPMAS: Carpet mastic --- CERGR: Ceramic tile/grout --- CG/CT: Concealed grid Ceiling Tile --- GCT: Glued Ceiling Tile --- COVBAS: Covebase/Mastic --- DEBRIS: misc. debris --- DUST: misc. settled dust --- FAB: coarse fiber woven fabric --- FELT: Felt TSI heavier than paper --- FIREDR: Fire Door --- FRP: Fiberglass Reinforced Plastic Panels (mastics) --- GASKET: rope textile or vinyl material seal --- GLZ: window glazing compound --- GYPJC: Gypsum Joint Compound --- SPRAY: spray on ceiling textured popcorn --- T-TEX: troweled textured material --- TRANS: Transite AC Pipe GYPSTR: Gypsum and Plaster --- TANK: tank insulation fluffy white magnesium hardtable --- HFC: Hard Fittings on Pipe TSI --- TSI: Thermal System Insulation --- LABTOP: Laboratory counter top --- LCT: Lay in ceiling tile --- LVLCP: Leveling comp. --- MASTIC: adhesive/mastic --- MISC: Miscellaneous Materials (describe in detail) --- SHINGL: Roof shingle --- SEAL: Sealant --- RPS: Roof penetration (vent sealant) --- SFP: sprayed fibrous fire proofing --- SOIL: earth, gravel, soil --- TAR: Asphaltic black tar --- TARP: Asphaltic tar paper, vapor barrier --- PAPER: Paper felt/underlayment --- WOVEN: fibrous woven material --- WIRE: wire insulation



Project Name/Scope: Pre-Demolition Hazardous materials Survey PBS Project No. 63275.001
Project Address: 590 Gage Blvd. Richland, WA Proj. Date: 9/11/23 Temp: 70°
Client Name/POC: Kiemle Proj. Manager: Justin Ware Sampled By: Justin Ware
Hagood

Send Samples to:

- ☐ Lab Cor Inc. Seattle
7619 6th Ave. NW
Seattle WA 98117
- ☐ RJ Lee Group (TCLP-RCRA8)
350 Hochberg Rd.
Monroeville PA 15146
- ☐ SGS / Galson - Vegas (PLM only*)
6765 Southeastern Ave. #3
Las Vegas Nevada 89119
- ☐ Lab Cor Inc. Portland
4321 S. Corbett Ave.
Portland OR 97239
- ☐ Seattle Asbestos Test
4500 9th Ave NE.
Ste. #300, Seattle, WA 98105
- ☐ SGS / Galson - Carson CA
20535 Belshaw Ave
Carson, CA 90746
- ☐ NVL Labs Inc.
4708 Aurora Ave. North
Seattle WA 98103
- ☐ EMC Labs Inc. (Asb/Pb/Mold)
9830 S. 51st Street
Phoenix AZ 85044
- ☒ Other: SGS/Hayward
3777 Depot Rd
Suite 2409
Hayward, CA 94545
- ASBESTOS:**
☒ PLM Bulk
☐ Asbestos Dust
☐ Other: _____
- LEAD:**
☐ Dust/wipe
☐ Pb TCLP
☐ Pb Paint Chip
- MOLD (Fungi):**
☐ Tape (Direct) ☐ Swab (Direct)
☐ Spore Trap (Air) ☐ Bulk (Spore Ct)
- ANALYTICAL PROTOCOL:**
☐ BFL 400x-1000x (MOLD)
☐ Flame AAS 7082 (Pb Paint)
☒ EPA 600/R-93/116 (Asbestos PLM)
☐ Cincinnati Method (Asbestos Vermiculite)

EMAIL RESULTS TO:

- ☒ Justin.Ware@pbsusa.com
☐ Carson.Linklater@pbsusa.com
☒ Kanani.Young@pbsusa.com
☐ DeAngelo.Nelson@pbsusa.com
☐ Kaitlyn.Gamble@pbsusa.com
☒ Cienna.Landon@pbsusa.com
☐ _____@pbsusa.com

TURN AROUND TIME:

- ☒ Rush ☐ 4-Hour ☐ 6-Hour
☐ 24-Hour ☐ 48-Hour ☐ 72-Hour
☐ Standard ☐ 5-day ☐ 7-day
☐ Other: _____

OTHER ANALYTE:

☐ _____ Method: _____

Codes / ARCHIVE	Sample ID	Lab ID No.	Dimensions / Quantities SF/LF	Building / Floor / Location / Description / Color / on Substrate
GYP/SC	0013			C.L. Board Gypsum Ceiling system with joint compound
	0014			Orange peel texture - North end of building
	0015			" " - restroom "
	0016			" " - restroom "
	0017			Gypsum wall system with joint compound - unfinished
	0018			" " - west corner of building
	0019			" " "
	0020			Gypsum wall board system with joint compound
	0021			Orange peel texture - N. Wall
	0022			Gypsum wall board system with joint compound -
	0023			Orange peel texture - N. Wall
	0024			" S. Wall
				" Wall outside office
				" Wall outside restroom
				" Wall outside Janitorial Closet

SPECIAL INSTRUCTIONS

Notes: _____

☐ Stop at first positive layer
☐ Stop at first positive sample

Relinquished by: <u>Justin Ware</u>	Date: <u>9/11/23</u>	Received by: _____	Date: _____
Analyzed by: _____	Date: _____	Sample Condition Upon Receipt: ☐ Acceptable ☐ Other (explain): _____	
Method of Shipment: _____	Date: _____		

CODES:

ARC: Archive --- API: Asbestos Pipe Insulation --- BLOCK: Mag Block TSI --- BOIL: Boiler Insulation --- BUR: Built-up Roofing --- BLOWN: Blown in insulation --- CAB: Cement asb board --- CMU: concrete masonry unit grout ---
CAULK: caulking/sealant --- CARPMAS: Carpet mastic --- CERGRIT: Ceramic tile/grout --- CG/CT: Concealed grid Ceiling Tile --- GCT: Glued Ceiling Tile --- COVBAS: Covebase/Mastic --- DEBRIS: misc. debris --- DUST: misc. settled dust ---
FAB: coarse fiber woven fabric --- FELT: Felt TSI heavier than paper --- FIREDR: Fire Door --- FRP: Fiberglass Reinforced Plastic Panels (mastics) --- GASKET: rope textile or vinyl material seal --- GLZ: window glazing compound ---
GYPC: Gypsum Joint Compound --- SPRAY: spray on ceiling textured popcorn --- T-TEX: troweled textured material --- TRANS: Transite AC Pipe GYPSTR: Gypsum and Plaster --- TANK: tank insulation fluffy white magnesium hardriable
HF: Hard Fittings on Pipe TSI --- TSI: Thermal System Insulation --- LABTOP: Laboratory counter top --- LCT: Lay in ceiling tile --- LVLCMP: Leveling comp. --- MASTIC: adhesive/mastic --- MISC: Miscellaneous Materials (describe in detail)
MIC: Mechanical Isolation Cloth woven fabric prevents vibration --- PAINT: older thick flaking primers contained asbestos --- PLSTER: troweled on plaster --- RFFELT: Roofing Felt --- SHT: sheet vinyl flooring --- VAT/VFT: vinyl floor tile ---
SHINGL: Roof shingle --- SEAL: Sealant --- RPS: Roof penetration (vent sealant) --- SFPF: sprayed fibrous fire proofing --- SOIL: earth, gravel, soil --- TAR: Asphaltic black tar --- TARP: Asphaltic tar paper, vapor barrier ---
PAPER: Paper felt/underlayment --- WOVEN: fibrous woven material --- WIRE: wire insulation



Project Name/Scope: Pre-Demolition Hazardous Materials survey PBS Project No. 63275.001
Project Address: 590 Gage Blvd., Richland, WA Proj. Date: 9/11/23 Temp: 70°
Client Name/POC: Kiemle Haggood Proj. Manager: Justin Ware Sampled By: Justin Ware

Send Samples to:

☐ Lab Cor Inc. Seattle
7619 6th Ave. NW
Seattle WA 98117

☐ RJ Lee Group (TCLP-RCRAB)
350 Hochberg Rd.
Monroeville PA 15146

☐ SGS / Galson - Vegas (PLM only*)
6765 Southeastern Ave. #3
Las Vegas Nevada 89119

☐ Lab Cor Inc. Portland
4321 S. Corbett Ave.
Portland OR 97239

☐ Seattle Asbestos Test
4500 9th Ave NE.
Ste. #300, Seattle, WA 98105

☐ SGS / Galson - Carson CA
20535 Belshaw Ave
Carson, CA 90746

☐ NVL Labs Inc.
4708 Aurora Ave. North
Seattle WA 98103

☐ EMC Labs Inc. (Asb/Pb/Mold)
9830 S. 51st Street
Phoenix AZ 85044

☐ Other: SGS/Hayward
3777 Depot RD
Suite 409
Hayward, CA 94545

ASBESTOS:

- ☒ PLM Bulk
☐ Asbestos Dust
☐ Other: _____

LEAD:

- ☐ Dust/wipe
☐ Pb TCLP
☐ Pb Paint Chip

MOLD (Fungi):

- ☐ Tape (Direct) ☐ Swab (Direct)
☐ Spore Trap (Air) ☐ Bulk (Spore Ct)

ANALYTICAL PROTOCOL:

- ☐ BFL 400x-1000x (MOLD)
☐ Flame AAS 7082 (Pb Paint)
☒ EPA 600/R-93/116 (Asbestos PLM)
☐ Cincinnati Method (Asbestos Vermiculite)

EMAIL RESULTS TO:

- ☒ Justin.Ware@pbsusa.com
☐ Carson.Linklater@pbsusa.com
☒ Kanani.Young@pbsusa.com
☐ DeAngelo.Nelson@pbsusa.com
☐ Kaitlyn.Gamble@pbsusa.com
☒ Cienna.Landon@pbsusa.com

☐ _____@pbsusa.com

TURN AROUND TIME:

- ☒ Rush ☐ 4-Hour ☐ 6-Hour
☐ 24-Hour ☐ 48-Hour ☐ 72-Hour
☐ Standard ☐ 5-day ☐ 7-day
☐ Other: _____

OTHER ANALYTE:

☐ _____ Method: _____

Codes / ARCHIVE	Sample ID	Lab ID No.	Dimensions / Quantities SF/LF	Building / Floor / Location / Description / Color / on Substrate
GYP/SC	0025			Gypsum wallboard wall system - <u>C.L.</u>
CAULK	0026			Gray sealant - on concrete floor
	0027			" " " "
	0028			" " " "
	0029			White sealant - sink backsplash
	0030			
	0031			
MISC	0032			FRP mastic - yellow - restroom wall
	0033			" " " "
	0034			" " " "
CMU	0035			CMU block - fill and mortar - N. exterior wall
MISC	0036			sidewalk - white leveling compound - E. exterior

SPECIAL INSTRUCTIONS

Notes: _____

- ☐ Stop at first positive layer
☐ Stop at first positive sample

Relinquished by: <u>Cienna Landon</u>	Date: <u>9/11/23</u>	Received by: _____	Date: _____
Analyzed by: _____	Date: _____	Sample Condition Upon Receipt: ☐ Acceptable ☐ Other (explain): _____	
Method of Shipment: _____	Date: _____		

CODES:

ARC: Archive --- API: Asbestos Pipe Insulation --- BLOCK: Mag Block TSI --- BOIL: Boiler Insulation --- BUR: Built-up Roofing --- BLOWN: Blown in insulation --- CAB: Cement ash board --- CMU: concrete masonry unit grout ---
CAULK: caulking/sealant --- CARPMAS: Carpet mastic --- CERGR: Ceramic tile/grout --- CG/CT: Concealed grid Ceiling Tile --- GCT: Glued Ceiling Tile --- COVBAS: Covebase/Mastic --- DEBRIS: misc. debris --- DUST: misc. settled dust ---
FAB: coarse fiber woven fabric --- FELT: Felt TSI heavier than paper --- FIREDR: Fire Door --- FRP: Fiberglass Reinforced Plastic Panels (mastic) --- GASKET: rope textile or vinyl material seal --- GLZ: window glazing compound ---
GYPCJ: Gypsum Joint Compound --- SPRAY: spray on ceiling textured popcorn --- T-TEX: troweled textured material --- TRANS: Transite AC Pipe GYPSTR: Gypsum and Plaster --- TANK: tank insulation fluffy white magnesium hardtable
HF: Hard Fittings on Pipe TSI --- TSI: Thermal System Insulation --- LABTOP: Laboratory counter top --- LCT: Lay in ceiling tile --- LVLCMP: Leveling comp. --- MASTIC: adhesive/mastic --- MISC: Miscellaneous Materials (describe in detail)
MIC: Mechanical Isolation Cloth woven fabric prevents vibration --- PAINT: older thick flaking primers contained asbestos --- PLSTER: troweled on plaster --- RFFELT: Roofing Felt --- SHT: sheet vinyl flooring --- VAT/VFT: vinyl floor tile ---
SHINGL: Roof shingle --- SEAL: Sealant --- RPS: Roof penetration (vent sealant) --- SFFP: sprayed fibrous fire proofing --- SOIL: earth, gravel, soil --- TAR: Asphaltic black tar --- TARP: Asphaltic tar paper, vapor barrier ---
PAPER: Paper felt/underlayment --- WOVEN: fibrous woven material --- WIRE: wire insulation

Project Name/Scope: Pre-Demolition Hazardous Materials survey PBS Project No. 63275.001
Project Address: 590 Gage Blvd., Richmond, VT Proj. Date: 9/11/23 Temp: 70°
Client Name/POC: Kiemle Proj. Manager: Justin Ware Sampled By: Justin Ware
Send Samples to: Hagood

Send Samples to:

- ☐ Lab Cor Inc. Seattle
 7619 6th Ave. NW
 Seattle WA 98117

☐ RJ Lee Group (TCLP-RCRAR)
 350 Hochberg Rd.
 Monroeville PA 15146

☐ Lab Cor Inc. Portland
 4321 S. Corbett Ave.
 Portland OR 97239

☐ Seattle Asbestos Test
 4500 9th Ave NE.
 Ste. #300, Seattle, WA 98105

☐ NVL Labs Inc.
 4708 Aurora Ave. North
 Seattle WA 98103

☐ EMC Labs Inc. (Asb/Pb/Mold)
 9830 S. 51st Street
 Phoenix AZ 85044

☐ SGS / Galson – Vegas (PLM only*)
 6765 Southeastern Ave. #3
 Las Vegas Nevada 89119

☐ SGS / Galson – Carson CA
 20535 Belshaw Ave
 Carson, CA 90746

X Other: SGS/Hayward
3777 DEPUT RD
SUITE 409
HAYWARD, CA 94545

PLM Bulk
☐ Asbestos Dust
☐ Other: _____

MOLD (Fungi):
☐ Tape (Direct) ☐ Swab (Direct)
☐ Spore Trap (Air) ☐ Bulk (Spore Ct)

ANALYTICAL PROTOCOL:
☐ BFL 400x-1000x (MOLD)
☐ Flame AAS 7082 (Pb Paint)
☒ EPA 600/R-93/116 (Asbestos PLM)
☐ Cincinnati Method (Asbestos Vermiculite)

EMAIL RESULTS TO:

- ☒ Justin.Ware@pbsusa.com
- ☐ Carlson.Linklater@pbsusa.com
- ☒ Kanani.Young@pbsusa.com
- ☐ DeAngelo.Nelson@pbsusa.com
- ☐ Kaitlyn.Gamble@pbsusa.com
- ☒ Cienna.Landon@pbsusa.com
- ☐ _____@pbsusa.com

TURN AROUND TIME:

- ☒ Rush ☐ 4-Hour ☐ 6-Hour
☐ 24-Hour ☐ 48-Hour ☐ 72-Hour
☐ *Standard* ☐ 5-day ☐ 7-day
☐ Other

OTHER ANALYTE:

- _____ Method:

[illegible]

SPECIAL INSTRUCTIONS

Notes: _____

Relinquished by: <i>C. H.</i>	Date: <i>9/11/23</i>	Received by:	Date:
Analyzed by:	Date:	Sample Condition Upon Receipt: ☐ Acceptable ☐ Other (explain):	
Method of Shipment:	Date:		

CODES:

ARC: caulking/sealant --- API: Asbestos Pipe Insulation --- BLOCK: Mag Block TSI --- BOIL: Boiler Insulation --- BUR: Built-up Roofing --- BLOWN: Blown in insulation --- CAB: Cement ash board --- CMU: concrete masonry unit grout --- CAULK: caulking/sealant --- CARPMS: Carpet mastic --- CERGRIT: Ceramic tilegrout --- CG/CT: Concealed Grid Ceiling Tile --- GCT: Glued Ceiling Tile --- COVBAS: Covebase ash board --- DERRIS: mastic debris --- DUST: mastic, settled dust --- FAB: coarse fiber woven fabric --- FEL: Felt TSI heavier than TSI --- FREDR: Fire Door --- FRP: Fiberglass Reinforced Plastic Panels (celling) --- GASKET: rope (textile or vinyl material) --- GYPSR: Gypsum Joint Compound --- SPRAY: spray on cellular insulation --- T-TEXT: textured material --- TRANS: Transite AC Pipe GYPSR: Gypsum and Plaster --- TANK: tank insulation (fluffy white mastic/gum hardifiable) --- HF: Hard Findings on Pipe TSI --- TSI: Thermal System Insulation --- LAB: lead flaking primer --- LCT: Lay in ceiling tile --- LVL/CMC: Leveling compound --- MASTIC: adhesive/mastic --- MISS: Miscellaneous Materials (describe a detail) --- SHINGL: Roof shingle --- SEAL: Sealant --- RPS: Roof penetration (vent sealant) --- SPLSTR: sprayed fibrous fire proofing --- RFFELT: Roofing Felt --- SHT: sheet vinyl flooring --- VA/VNFT: vinyl floor tile --- PAPER: paper felt/underlayment --- WOVEN: fibrous woven material --- WIRE: wire insulation.

APPENDIX B

AA Lead Paint Chip Sampling Information

AA Lead Paint Chip Sample Inventory

AA Lead Paint Chip Laboratory Data Sheets

AA Lead Paint Chip Chain of Custody Documentation



400 BRADLEY BOULEVARD, SUITE 106, RICHLAND, WA 99352
509.942.1600 MAIN ■ 866.727.0140 FAX ■ WWW.PBSUSA.COM

Sample No.	Paint Color / Component or Substrate	Sample Location	Result (ppm)	Lab
1001	Black and Gray Layered Paint on Cement	East Exterior Sidewalk	<0.006	SGS
1002	Brown Paint on Wood	South Exterior Siding	<0.006	SGS
1003	White Paint on Wood	South Exterior Siding	<0.006	SGS
1004	Red Paint on Wood	South Exterior Siding	<0.006	SGS
1005	Yellow Paint on Gypsum Wall	Interior North Wall	<0.007	SGS
1006	Blue Paint on Gypsum Wall	Interior East Wall	<0.007	SGS
1007	Light Brown Paint on Gypsum Wall	Interior North Wall	<0.007	SGS

Metals Analysis of Paints

(AIHA-LAP, LLC Accreditation, Lab ID #101762)

PBS Engineering & Environmental Inc.
Kanani Young
400 Bradley Blvd.
Suite 106
Richland, WA 99352

Client ID: L2129
Report Number: M253919
Date Received: 09/12/23
Date Analyzed: 09/12/23
Date Printed: 09/12/23
First Reported: 09/12/23

Job ID / Site: 63275.001 - Pre-Demolition Hazardous Materials Survey 590 Gage Blvd
Richland WA

SGSFL Job ID: L2129

Date(s) Collected:

Total Samples Submitted: 7

Total Samples Analyzed: 7

Sample Number	Lab Number	Analyte	Result	Result Units	Reporting Limit*	Method Reference
1001	30927384	Pb	< 0.006	wt%	0.006	EPA 3050B/7000B
1002	30927385	Pb	< 0.006	wt%	0.006	EPA 3050B/7000B
1003	30927386	Pb	< 0.006	wt%	0.006	EPA 3050B/7000B
1004	30927387	Pb	< 0.006	wt%	0.006	EPA 3050B/7000B
1005	30927388	Pb	< 0.007	wt%	0.007	EPA 3050B/7000B
1006	30927389	Pb	< 0.007	wt%	0.007	EPA 3050B/7000B
1007	30927390	Pb	< 0.006	wt%	0.006	EPA 3050B/7000B

* The Reporting Limit represents the lowest amount of analyte that the laboratory can confidently detect in the sample, and is not a regulatory level. The Units for the Reporting Limit are the same as the Units for the Final Results.



Kevin Poon, Laboratory Supervisor, Hayward Laboratory

Analytical results and reports are generated by SGS Forensic Laboratories at the request of and for the exclusive use of the person or entity (client) named on such report. Results, reports or copies of same will not be released by SGS Forensic Laboratories to any third party without prior written request from client. This report applies only to the sample(s) tested. Supporting laboratory documentation is available upon request. This report must not be reproduced except in full, unless approved by SGS Forensic Laboratories. The client is solely responsible for the use and interpretation of test results and reports requested from SGS Forensic Laboratories. SGS Forensic Laboratories is not able to assess the degree of hazard resulting from materials analyzed. SGS Forensic Laboratories reserves the right to dispose of all samples after a period of thirty (30) days, according to all state and federal guidelines, unless otherwise specified. Any modifications that have been made to referenced test methods are documented in SGS Forensic Laboratories' Standard Operating Procedures Manual. Sample results have not been blank corrected. Quality control and sample receipt condition were acceptable unless otherwise noted.

Note* Sampling data used in this report was provided by the client as noted on the associated chain of custody form.



Send Samples to:

- EMAIL RESULTS TO:**

- TURN AROUND TIME:

- ☒ Rush ☐ 4-Hour ☐ 6-Hour
☐ 24-Hour ☐ 48-Hour ☐ 72-Hour
☐ *Standard* ☐ 5-day ☐ 7-day

OTHER ANALYTE:

- ☐ _____ Method:

SPECIAL INSTRUCTIONS

Notes:

- ☐ Stop at first positive layer
- ☐ Stop at first positive sample

CODES:

ARC: archive — API: Asbestos Pipe Insulation — BLOCK: Mag Block TSI — SOIL: Boiler insulation — BUR: Built-up Roofing — BLOWN: Blown in insulation — C&G: Cement grout — CMU: concrete masonry unit grout — CAULK: caulking/sealant — CARBIDE: Carpel material — CERROG: Ceramic floorprod — CGCT: Concealed grid Ceiling Tile — GCT: Grid Ceiling Tile — COV: Cover — CS: Cast Stone — DUST: misc. settled dust — FAB: coarse fiber woven fabric — FELT: felt heavier than paper — FIREDR: Fire Door — FRP: Fiberglass Reinforced Plastic Panels (mastics) — GASKE: Gas-tight sealant — GLASS: glass — GRIP: grip compound — GYPSUM: Gypsum Joint Compound — SPRAY: sprayed surface prep — L-TIEK: locked textured material — TRANS: Transite AC Pipe GYPSTR: Gypsum and Plaster — TANK: tank insulation fluff — MC: Hard Fittings on Pipe TSI — TSI: Thermal System Insulation — T-FLEX: flexible counter top — LCT: Lay in ceiling tile — LVLMGC: Leveling comp. — MASTIC: adhesive/mastic — MSC: Miscellaneous Metals (describe metal)

NF: Mechanical Isolation Cloth woven fabric prevents vibration — PAINT: wider brick coating — PLSTER: troweled on plaster — RFFELT: Roofing Fel — SHI: sheet vinyl flooring — VAT/VFT: vinyl floor tile

PAPER: Paper fender/clayder material — WOVEN: fibrous woven pattern — WIRE: wire insulation

APPENDIX C

Certifications

THIS IS TO CERTIFY THAT

JUSTIN WARE

HAS SUCCESSFULLY COMPLETED THE TRAINING COURSE

for

ASBESTOS INSPECTOR / MANAGEMENT

PLANNER REFRESHER

In accordance with TSCA Title II, Part 763, Subpart E, Appendix C of 40 CFR

Course Date: 02/13/2023

Course Location: Online

Certificate: IMR-23-5145B



CCB #SRA0615 4-Hr Training

AHERA is the Asbestos Hazard Emergency Response Act enacting Title II of Toxic Substance Control Act (TSCA)

Expiration Date: 02/13/2024

For verification of the authenticity of this certificate contact:
PBS Engineering and Environmental Inc.
4412 S Corbett Avenue
Portland, OR 97239
503.248.1939

A handwritten signature in black ink that reads "Andy Fridley".

Andy Fridley, Instructor

THIS IS TO CERTIFY THAT

CIENNA LANDON

HAS SUCCESSFULLY COMPLETED THE TRAINING COURSE

for

ASBESTOS INSPECTOR / MANAGEMENT

PLANNER REFRESHER

In accordance with TSCA Title II, Part 763, Subpart E, Appendix C of 40 CFR

Course Date: 06/20/2023

Course Location: Online Training,

Certificate: IMR-23-0507C



CCB #SRA0615 4-Hr Training

AHERA is the Asbestos Hazard Emergency Response Act enacting Title II of Toxic Substance Control Act (TSCA)

Expiration Date: 06/20/2024

For verification of the authenticity of this certificate contact:
PBS Engineering and Environmental Inc.
4412 S Corbett Avenue
Portland, OR 97239
503.248.1939

A handwritten signature in black ink, reading "Andy Fridley", is written over a horizontal line.

Andy Fridley, Instructor

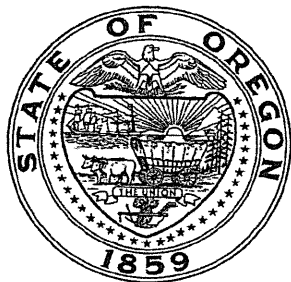
State of Oregon
Oregon Health Authority

Justin F. Ware

is certified by the Oregon Health Authority to conduct Lead-Based Paint Activities

Risk Assessor

Certification Number:	2811--Indv--R
Issuance Date:	4/11/2023
Expiration Date:	4/11/2026



Oregon
Health
Authority

State of Oregon
Oregon Health Authority

Cienna M. Landon

is certified by the Oregon Health Authority to conduct Lead-Based Paint Activities

Inspector

Certification Number:	2809--Indv--I
Issuance Date:	4/4/2023
Expiration Date:	4/4/2026



Oregon
Health
Authority



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

Central Region Office
1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

July 14, 2023

Hal Hatfield
Circle K Stores Inc.
1120 W. Warner Road
Tempe, AZ 85284

Re: No Further Action Opinion for the Following Contaminated Site:

- **Site Name:** Circle K 6032
- **Site Address:** 590 Gage Boulevard, Richland
- **Facility/Site ID:** 95512514
- **Cleanup Site ID:** 14973
- **VCP Project No.:** CE0538

Dear Hal Hatfield:

The Washington State Department of Ecology (Ecology) received your request on July 26, 2022 for an opinion regarding the sufficiency of your independent cleanup of the Circle K 6032 facility (Site) under the Voluntary Cleanup Program (VCP).¹ To provide an opinion, we requested additional information from you in writing on February 9, 2023. We received the additional information on May 17, 2023. This letter provides our opinion and analysis. We are providing this opinion under the authority of the Model Toxics Control Act (MTCA), Chapter 70A.305 RCW.²

Opinion

Ecology has determined that no further remedial action is necessary to clean up contamination at the Site.

Ecology bases this opinion on an analysis of whether the remedial action meets the substantive requirements of MTCA and its implementing regulations, which are specified in Chapter 70A.305 RCW and Chapter 173-340 WAC³ (collectively called "MTCA").

¹ <https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Voluntary-Cleanup-Program>

² <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305>

³ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340>

Site Description

This opinion applies only to the Site described below. The Site is defined by the nature and extent of contamination associated with the following release(s):

- Lead in groundwater
- Arsenic in groundwater

The no further action provided by The Pollution Liability Insurance Agency (PLIA) on December 29, 2021 only applies to the petroleum contamination at the Site. PLIA's letter specified that further remedial action is necessary regarding residual metals in groundwater. This letter does not refute the previous opinion and is only meant to provide a determination regarding the residual metals.

The enclosure includes a Site description and diagram.

Please note that releases from multiple sites can affect a parcel of real property. At this time, data indicates this parcel may be affected by contamination from another unknown site.

Basis for the Opinion

Ecology bases this opinion on the information contained in the following documents:

- Blaes Environmental, Groundwater Monitoring Report, June 13, 2022
- Pollution Liability Insurance Agency, Noe Further Action Letter, December 29, 2021

You can request these documents by filing a records request.⁴ For help making a request, contact the Public Records Officer at RecordsOfficer@ecy.wa.gov or call (360) 407-6040. Before making a request, check if the documents are available on the Circle K 6032 cleanup site page.⁵

This opinion is void if information in any of the listed documents is materially false or misleading.

Analysis of the Cleanup

Ecology has concluded that no further remedial action is necessary to clean up contamination at the Site. Ecology bases its conclusion on the following analysis:

⁴ <https://ecology.wa.gov/About-us/Accountability-transparency/Public-records-requests>

⁵ <https://apps.ecology.wa.gov/cleanupsearch/site/14973#site-documents>

Characterizing the Site

Ecology has determined your completed Site characterization is sufficient for setting cleanup standards and selecting a cleanup action. The enclosure describes the Site.

Filtered groundwater data indicates the existence of an offsite source for the residual metal contamination within groundwater. Ecology has determined that the site is not a source for the metal contamination found within the groundwater. Groundwater concentrations are highest upgradient of the tank nest and the contamination decreases in the downgradient direction across the site.

Setting cleanup standards

Due to Ecology's determination cleanup levels and points of compliance are not necessary for metals at the Site.

Selecting the cleanup action

Due to Ecology's determination a cleanup action is not required to address the metals at the Site.

You must decommission resource protection wells⁶ installed as part of the remedial action that are not needed for any other purpose at the Site. Wells must be decommissioned in accordance with WAC 173-160-460.⁷

Listing of the Site

Based on this opinion, Ecology will update the Site status on the Confirmed and Suspected Contaminated Sites List and the Leaking Underground Storage Tanks List.

Limitations of the Opinion

Opinion does not settle liability with the state

Liable persons are strictly liable, jointly, and severally, for all remedial action costs and for all natural resource damages resulting from the release or releases of hazardous substances at the Site. This opinion does not:

- Resolve or alter a person's liability to the state.
- Protect liable persons from contribution claims by third parties.

⁶ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-410>

⁷ <https://app.leg.wa.gov/WAC/default.aspx?cite=173-160-460>

Hal Hatfield
Circle K Stores Inc.
July 14, 2023
Page 4

To settle liability with the state and obtain protection from contribution claims, a person must enter into a consent decree with Ecology under RCW 70A.305.040(4).⁸

Opinion does not constitute a determination of substantial equivalence

To recover remedial action costs from other liable persons under MTCA, one must demonstrate that the action is the substantial equivalent of an Ecology-conducted or Ecology-supervised action. This opinion does not determine if the action you performed is substantially equivalent. Courts make that determination. See RCW 70A.305.080⁹ and WAC 173-340-545.¹⁰

State is immune from liability

The state, Ecology, and its officers and employees are immune from all liability, and no cause of action of any nature may arise from any act or omission in providing this opinion. See RCW 70A.305.170(6).¹¹

Termination of Agreement

Thank you for cleaning up the Site under the VCP. This opinion terminates the VCP Agreement governing VCP Project No. CE0538.

Questions

If you have any questions about this opinion or the termination of the Agreement, please contact me by phone at (509) 406-6959 or email at Kyle.Parker@ecy.wa.gov.

Sincerely,



Kyle Parker
Toxics Cleanup Program
Central Regional Office

Enclosure: Site Description and Diagram

cc: Dan Blaes, Blaes Environmental Inc.
Fiscal, VCP Fiscal Analyst
TCP, Operating Budget Analyst

⁸ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.040>

⁹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.080>

¹⁰ <https://apps.leg.wa.gov/WAC/default.aspx?cite=173-340-545>

¹¹ <https://app.leg.wa.gov/RCW/default.aspx?cite=70A.305.170>

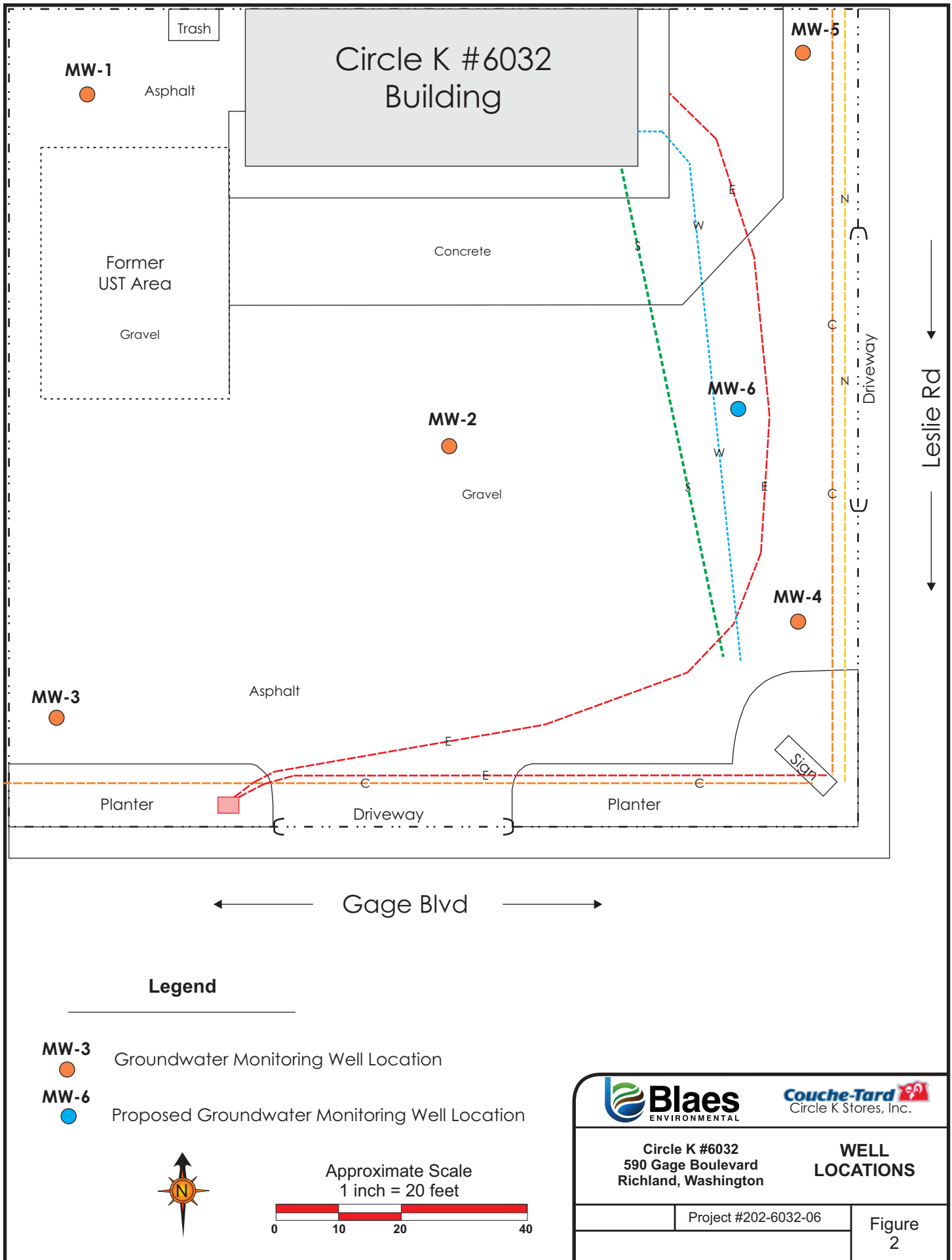
Enclosure

Site Description and Diagram

Site Description

The Site is located on the northwest corner of the intersection of West Gage Boulevard and Leslie Road in Richland, Washington. The area surrounding the site consists of a combination of commercial businesses and residential developments. The site formerly housed four underground storage tanks and six fuel dispensers. Gasoline, diesel, and heavy oil contamination was identified in soil, groundwater, and vapor during the removal and decommissioning of the underground storage tanks. Lead and Arsenic were noted in groundwater but not in soils. Additional investigation indicates an offsite source and that the site is not a source for the Lead and Arsenic found within the groundwater.

Site Diagram





CITY OF RICHLAND
Determination of Non-Significance
File No. PLN-T1-2024-00027

Description of Proposal: Development of a 0.36-acre site in the C-1 zone with a 500 square foot drive-through café..

Proponent: Clover Planning & Zoning LLC
Attn: Shane O'Neill
6904 Rogue Dr
Pasco, WA 99301

Location of Proposal: 590 Gage Blvd is located at the northwest corner of Gage Blvd. and Leslie Drive, Richland, Washington.

Lead Agency: City of Richland

The lead agency for this proposal has determined that it does not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

() There is no comment for the DNS.

(**X**) This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for fourteen days from the date of issuance.

() This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

Responsible Official: Mike Stevens

Position/Title: Planning Manager

Address: 625 Swift Blvd., MS #35, Richland, WA 99352

Date: July 3, 2024

Comments Due: July 19, 2024

Signature _____



CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING (PLN-T2-2024-00003)

Notice is hereby given that Shane O' Neill, Clover Planning and Zoning, on behalf of Wake Up Call coffee, has filed a special use permit application to construct a 498 square foot drive through coffee stand located at 590 Gage Boulevard. The subject site is designated as the Neighborhood Retail Business (C-1) zone, which requires a special use permit for the drive through restaurant use in accordance with RMC 23.22.030 commercial land use table.

Project Site: The project site is located at 590 Gage Boulevard (APN 1-26984000012000).

Public Hearing: The Richland Hearings Examiner will conduct a public hearing and review of the application at 6:00 p.m., Monday, August 12th, 2024 at City Hall, 625 Swift Boulevard. All interested parties are invited to participate in the public hearing.

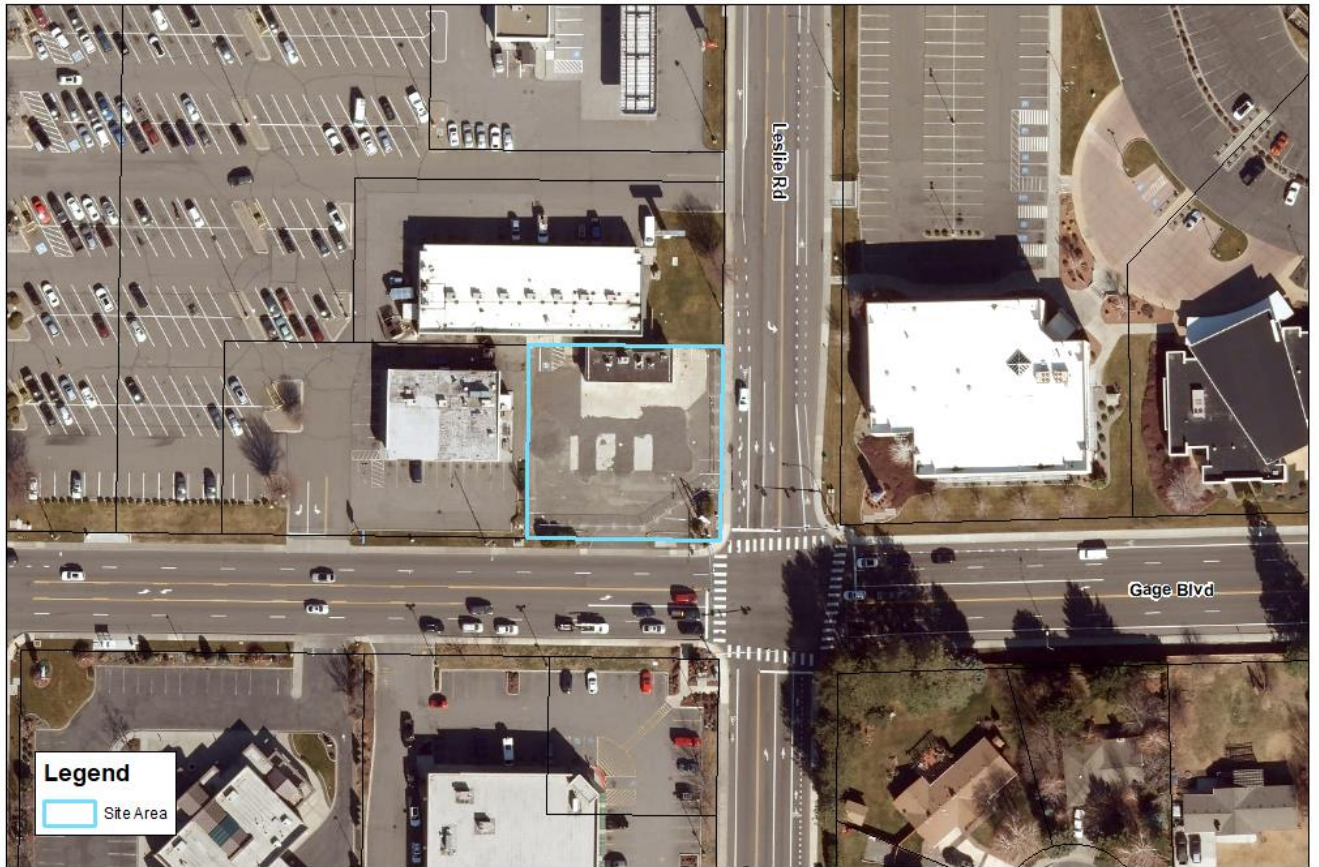
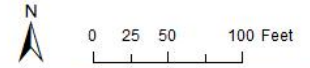
Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and issued a determination of non-significance on 7/3/2024.

Public Comment: Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Kyle Hendricks, Planning, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may be emailed to planning@ci.richland.wa.us. The deadline for written comments is 6:00 p.m., Sunday, August 11th. However, written comments must be received no later than 5:00 p.m. on Thursday, August 1st, 2024 to be incorporated into the staff report. Comments received after that time will be entered into the record during the hearing.

Appeal: The application will be reviewed in accordance with the regulations in RMC Title 23 Zoning and Title 19 Development Regulations Administration. 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.

Vicinity Map

Item: 590 Gage Blvd Special Use Permit
Applicant: Shane O' Neill
File #: PLN-T2-2024-00003



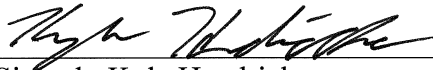
AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

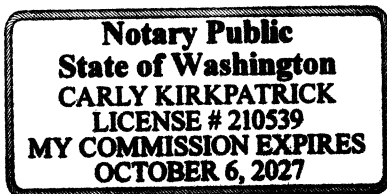
COMES NOW, **Kyle Hendricks**, who, being first duly sworn upon oath deposes and says:

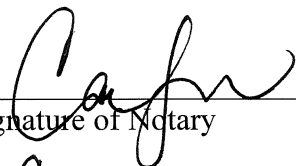
1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.
2. On the 18th day of July 2024, I posted the attached NOTICE OF PUBLIC HEARING, File Number PLN-T2-2024-00003 (590 Gage Boulevard Special Use Permit) in the following locations:

Along Gage Boulevard and approximately 10 feet west from the crosswalk of the northwest corner of the Leslie Road and Gage Boulevard intersection.


Signed: Kyle Hendricks

SIGNED AND SWORN to before me this 18th day of July, 2024, by Kyle Hendricks.




Signature of Notary

Carly Kirkpatrick
Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

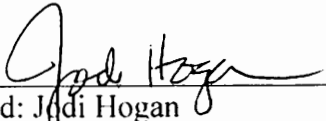
My appointment expires: Oct. 6, 2027

AFFIDAVIT OF MAILING

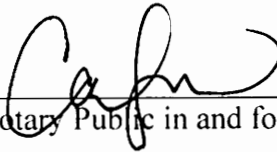
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

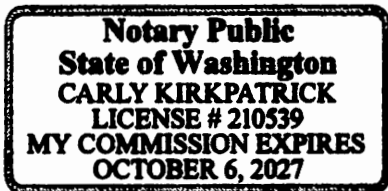
COMES NOW, Jodi Hogan, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 19th day of July 2024, I mailed a copy of the attached Notice of Public Hearing for PLN-T2-2024-00003 to the attached list of individuals via regular USPS or email on the date indicated above.


Signed: Jodi Hogan

SIGNED AND SWORN to before me this 18th day of July 2024 by


Notary Public in and for the State of Washington,



Carly Kirkpatrick
Print Name
Residing at Benton County
My appointment expires: Oct. 6, 2027

Notary Public
State of Washington
CARLY KIRKPATRICK
LICENSE # 210239
MY COMMISSION EXPIRES
OCTOBER 6, 2023

MORENO GABRIEL & FELICITAS
1941 SHERIDAN PLACE
RICHLAND, WA 99352

LILLY JAMES TILLMAN & PATTIE
1948 SHERIDAN PL
RICHLAND, WA 99352-7634

KADLEC MEDICAL CENTER
ATTN: CBRE FINANCE
RENTON, WA 98057

CRAWFORD TRUSTEES JONATHAN & CHERI
72602 E 266 PR NE
RICHLAND , WA 99352

TIBI LLC
C/O CROWN PROPERTY MANAGEMENT
KENNEWICK, WA 99336

RICE FAMILY JL ASSOCIATES LLC
ALBERTSONS COMPANIES
DALLAS, TX 75380-0729

FUHRMAN PATRICIA R
1954 SHERIDAN PL
RICHLAND, WA 99352

HAPO COMMUNITY CREDIT UNION
601 WILLIAMS BLVD
RICHLAND, WA 99352

CP THUNDER FS LLC
C/O WALGREEN CO STORE #9596
DEERFIELD, IL 60015

CP THUNDER FS LLC
C/O WALGREEN CO STORE #9596
DEERFIELD, IL 60015

590 GAGE BLVD RICHLAND LLC
1721 W 35TH AVE
KENNEWICK, WA 99337

KADLEC MEDICAL CENTER
ATTN: CBRE FINANCE
RENTON, WA 98057

RICE FAMILY JL ASSOCIATES LLC
ALBERTSONS COMPANIES
DALLAS, TX 75380-0729

WESTERN REFINING RETAIL LLC
3200 HACKBERRY RD
IRVING, TX 75063



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	575737	Print Legal Ad-IPL01849940 - IPL0184994	HE PHN PLN-T2-2024-00	\$164.86	1	55 L

Attention: (company)

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

janderson@ci.richland.wa.us

**CITY OF RICHLAND
NOTICE OF APPLICATION,
PUBLIC HEARING
(PLN-T2-2024-00003)**

Notice: Shane O' Neill, Clover Planning and Zoning, on behalf of Wake Up Call Coffee, has filed a special use permit application to construct a 498 square foot drive-through coffee stand located at 590 Gage Boulevard. The subject site is designated as the Neighborhood Retail Business (C-1) zone, which requires a special use permit for the drive-through restaurant use in accordance with RMC 23.22.030 commercial land use table.

Project Site: The project site is located at 590 Gage Boulevard (APN 1-26984000012000).

Public Hearing: The Richland Hearing Examiner will conduct a public hearing and review of the application on **Monday, August 12, 2024 at 6:00 p.m.** in the Richland City Hall Council Chambers, 625 Swift Boulevard. All interested parties are invited to participate in the public hearing.

Environmental Review: The proposal is subject to environmental review. The City of Richland is lead agency for the proposal under the State Environmental Policy Act (SEPA) and issued a determination of non-significance on July 3, 2024.

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 planning@ci.richland.wa.us. The deadline for written comments is 6:00 p.m. on Sunday, August 11, 2024. However, written comments must be received no later than 5:00 p.m. on Thursday, August 1, 2024, to be incorporated into the staff report. Comments received after that time will be entered into the record during the public hearing.

Date Published: Sunday, July 28, 2024

IPL0184994
Jul 28 2024

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Mary Castro, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time (s) commencing on 07/28/2024, and ending on 07/28/2024 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:

07/28/24

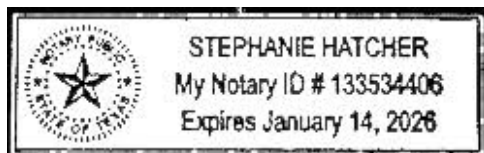
Mary Castro

(Signature of Legals Clerk)

Sworn to and subscribed before me this 29th day of July in the year of 2024

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!

MEMORANDUM

***PUBLIC WORKS
CIVIL AND UTILITY ENGINEERING***

TO: CITY OF RICHLAND PLANNING DEPARTMENT

FROM: JOHN WHITTIER – CIVIL ENGINEER 1

DATE: July 31st, 2024

SUBJECT: SPECIAL USE PERMIT APPLICATION PLN-T2-2024-00003– 590 GAGE BLVD

To whom it may concern,

Public Works has reviewed the submitted SEPA DNS application received on July 3rd, 2024, and have the comments noted below.

1. As previously mentioned in the SEPA application (PLN-T1-2024-00027), dedication of a portion of the Right-of-Way to accommodate the future right turn lane and sidewalk on Gage Blvd. will be required.
2. As previously mentioned in the SEPA application (PLN-T1-2024-00027), that any easements along the property frontage will need to be modified with the Right-of-Way dedication as well.
3. *Advisory Comment Only:* As previously mentioned on the SEPA application (PLN-T1-2024-00027), the full site plan buildout will need to accommodate the Gage Blvd. right turn lane design and drive thru offsets agreed upon between the Developer and the City Traffic Engineer.

If you have any questions, please let me know.

Thank you,
John T. Whittier, P.E.
509-942-7649



Gonzalez, Homero <Homero.Gonzalez@ziply.com>

To ○ Planning

↩ Reply

↩ Reply All

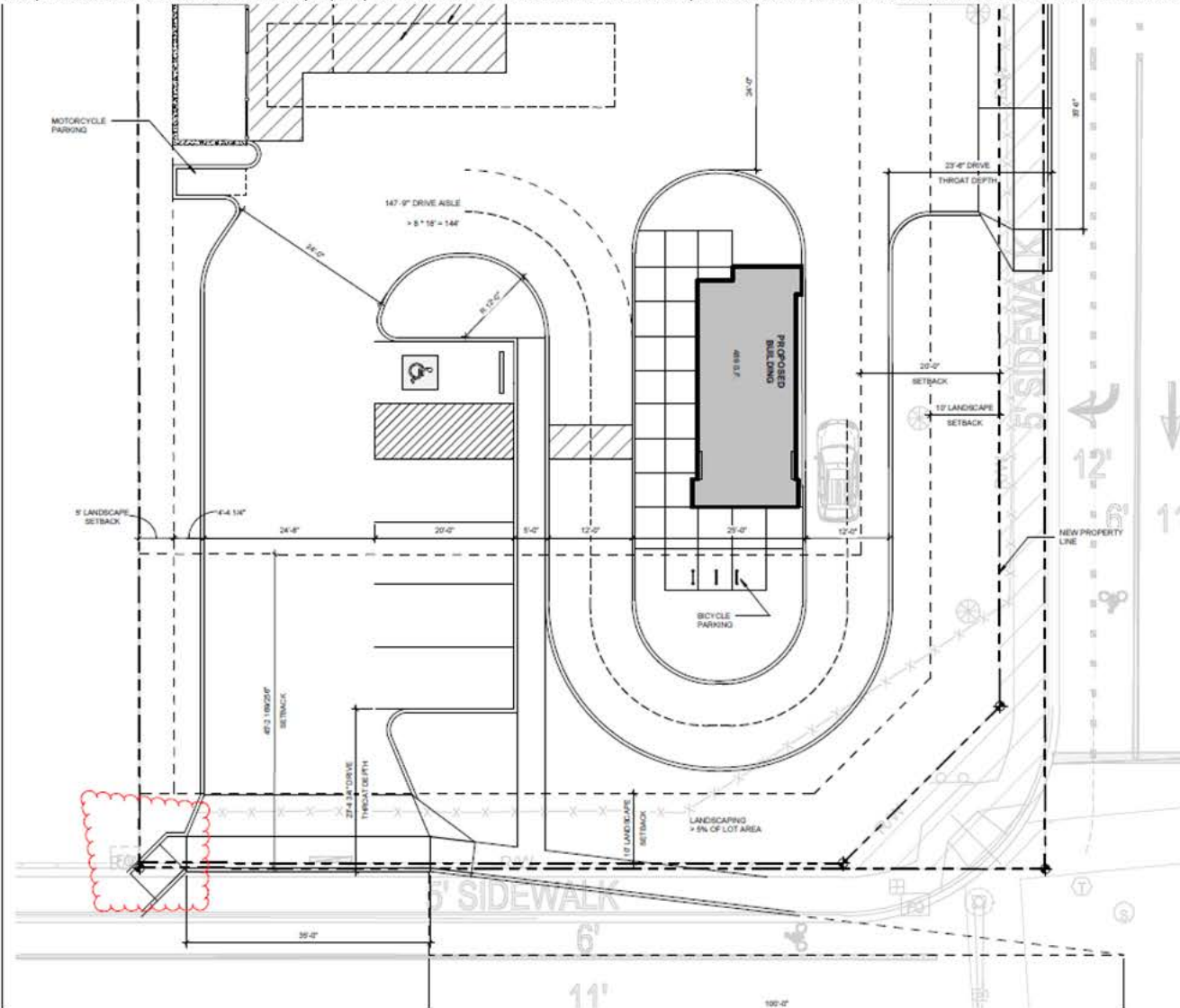
➡ Forward



Fri 7/19/2024 1:01 PM

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

Zipty has a pedestal near the SW corner of the property not sure if there would be an issue as the plans do not show it. Also, this would be the location for the customer to bring out a 2in conduit for future services.



Thank you,

Homero Gonzalez, OSP Engineer

509.736.3734 (o)

Homero.gonzalez@zipty.comziptyfiber.com



2015 South Ely Street
Kennewick, WA 99337
Customer Service 509-586-9111
Business 509-586-6012
FAX 509-586-7663
www.kid.org

July 31, 2024

Jodi Hogan/Permit Technician I
City of Richland – Development Services Department
625 Swift Blvd, MS #35
Richland, WA 99352

Subject: Review Comments for PLN-T2-2024-00003 Special Use Permit – 590 Gage Blvd

To whom it may concern:

The Kennewick Irrigation District has received a Special Use Permit Application submitted by Clover Planning & Zoning LLC, Shane O'Neil, to develop a 0.36-acre site in C-1 Zone with a drive thru coffee shop.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries and is considered irrigable lands; therefore, the Kennewick Irrigation District assesses them.
 - a. A KID service connection is available. Contact KID for more information.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

Chris D. Sittman
CAD Specialist/Engineering

cc: LB\correspondence\File 26-9-28
Applicant via mail – Clover Planning & Zoning LLC, Attn: Shane O'Neil, 6904 Rogue Dr, Pasco, WA 99301

From: [Castle,Angela C \(CONTR\) - TERR-PASCO](#)
To: [Planning](#)
Subject: RE: [EXTERNAL] PLN-T2-2024-00003 Special Use Permit 590 Gage Blvd
Date: Monday, July 22, 2024 1:31:09 PM
Attachments: [image001.png](#)

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

Hello Jodi,

Thank you for the opportunity to comment. BPA has no facilities in the vicinity of this project, and therefore has no comments or concerns.

Thank You

Angela Castle

(Contractor) Actalent

Realty Technician II

BPA, TERR

ACCastle@BPA.gov

O: 509-544-4747 C: 564-236-5124

2211 N Commercial Ave

Pasco WA 99301

From: Planning <planning@ci.richland.wa.us>

Sent: Friday, July 19, 2024 11:35 AM

To: ian_gray@yakama.com <ian_gray@yakama.com>; Castle,Angela C (CONTR) - TERR-PASCO <ACCastle@bpa.gov>; Acevedo, Mizaël <macevedo@ci.richland.wa.us>; Badger Mountain Irrigation District <bmadmin@badgermountainirrigation.com>; Buechler, Ken <KBuechler@ci.richland.wa.us>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; Rodgers,Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrodgers@bpa.gov>; DAlessandro, Carlo <cdalessandro@ci.richland.wa.us>; Davis, Deanna <d.davis@bces.wa.gov>; Deskins, John <jdeskins@ci.richland.wa.us>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; gis@co.benton.wa.us; Hill, Kelly <khill@ci.richland.wa.us>; Homero.Gonzalez@ziply.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <jmcshane@kid.org>; Kinch,James L (BPA) - TERR-BELL-1 <JLKinch@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <Katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@ci.richland.wa.us>; Michael Tovey <michael.tovey@ziply.com>; Cummings,Nicole M (BPA) - TERR-TRI CITIES RMHQ <NMCummings@bpa.gov>; Orr, Bruce <borr@ci.richland.wa.us>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Planning.Department@co.benton.wa.us; PublicWorks@co.benton.wa.us; Reathaford, Jason <JReathaford@ci.richland.wa.us>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Schiessl, Joe <JSchiessl@ci.richland.wa.us>; Seth DeFoe <SDefoe@kid.org>; South Central Region

Planning <scplanning@wsdot.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>;
Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>
Subject: [EXTERNAL] PLN-T2-2024-00003 Special Use Permit 590 Gage Blvd

Hello Everybody,

Shane O' Neill, Clover Planning and Zoning, on behalf of Wake-Up Call coffee, has filed a special use permit application to construct a 498 square foot drive through coffee stand located at 590 Gage Boulevard. Please review the attached materials relative to your agency's regulations and submit any comments no later than 5:00 PM on Thursday, August 1, 2024. Comments may be submitted via e-mail to planning@ci.richland.wa.us or mailed to: Richland Development Services Department, 625 Swift Boulevard, MS #35, Richland, WA 99352.

Your timely review is very much appreciated.

Thank you,



Jodi Hogan
Permit Technician I
625 Swift Blvd., MS-35| Richland, WA 99352
(509) 942-7771

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.



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 8/12/2024

Agenda Category: New Business - Public Hearing

Prepared By: Kyle Hendricks, Planner

Subject:

PLN-T3A-2024-00001 Rezone of Approximately 1.7 Acres From Neighborhood Retail (C-1) to Retail Business (C-2)
Located at 9025 Center Parkway

Department:

Development Services

Recommended Motion:

Staff has found sufficient compliance with the comprehensive code, if approved as conditioned.

Summary:

An application has been filed to rezone approximately 1.7 acres from Neighborhood Retail (C-1) to Retail Business (C-2). The site area is designated as Commercial by the Richland Comprehensive Plan. The applicant has proposed a property use and development agreement to limit specific commercial uses and to allow building height to be similar to that of the C-1 zone. The specific commercial uses that are proposed to be prohibited are numerous and listed separately in the application materials. The applicant proposes the building heights to be limited to 30 feet.

Attachments:

1. 9025 Center Pkwy zone change Full Staff Report PLN-T3A-2024-00001



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

GENERAL INFORMATION:

PROPOSAL NAME: 9025 Center Parkway Rezone

LOCATION: 9025 Center Parkway

APPLICANT: Rick Simon applicant on behalf of Bush Family Giving, LLC

PROPERTY OWNER: Tim Bush, Bush Family Giving LLC

FILE NO.: PLN-T3A-2024-00001

DESCRIPTION: Request to rezone Parcels 1-01881BP5258001, 1-01881BP5258002, 1-01881BP5258003, and 1-01881BP5258004 from Neighborhood Retail Business (C-1) to Retail Business (C-2).

PROJECT TYPE: Type IIIA Site-Specific Rezone

HEARING DATE: August 12, 2024

REPORT BY: Kyle Hendricks, Planner

RECOMMENDED ACTION: Approval subject to proposed conditions

**Vicinity
Map**

Item: 9025 Center Pkwy zone change

Applicant: Rick Simon

File #: PLN-T3A-2024-00001

**Figure 1 – Vicinity Map****DESCRIPTION OF PROPOSAL**

Rick Simon of RPS Planning Consulting LLC, on Behalf of the property owner Tim Bush, applied to change the zoning of the approximate 1.7 acres of properties shown in Figure 1 from the Neighborhood Retail Business (C-1) zone to the Retail Business (C-2) zone. This proposal is to ultimately use the more forgiving front setbacks of the C-2 zoning district. The C-1 zone requires a front yard setback of 45 feet (from Steptoe Street), while the C-2 Zone has no front yard setback requirement, if the adjacent right of way is at least 80 feet in width, which Steptoe Street appears to exceed. This reduced setback will allow more development potential of the lots, since they are already limited in size and shape.

As described in their application materials, the applicant is aware of their proximity to a low-density residential neighborhood that is within the City of Kennewick. The applicant has indicated that they are willing to create a Property Use and Development Agreement (PUDA) to limit the height and land uses to be similar to the C-1 zone, the specifics of which can be found in Exhibit 1. If the PUDA is adopted, then these lots will effectively still be the C-1 zone without a front yard setback requirement from Steptoe Street.

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.

23.70.210(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 Agricultural Neighborhood Retail (C-1) 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 site can be generally described as an elongated arrow shape, pointing towards the south. The northern portion, base of the arrow, is generally flat and is developed with a drive through coffee shop, a result of special use permit file number SUP2019-100. A special use permit is required for a drive through coffee shop in the C-1 zone. The southern half of the lot is more sloped, and most of the Steptoe Street frontage is so sloped it is inaccessible for a driveway. An access easement was established along the eastern boundary of the lots with the aforementioned special use permit, for all lots to have access to Center Parkway.

This site was a part of a 1970 annexation of approximately 1,300 acres, Ordinance 640, and later amended by Ordinance 7-75 to clarify some ambiguities created by ORD 640. In 2014 the City of Richland comprehensive plan amendment changed the subject sites general land use category from Low Density Residential to Commercial.

CURRENT LAND USE DESIGNATION AND USES :

North: Kennewick (Low Density Residential), Single family dwellings
East: Kennewick (Low Density Residential), Single family dwellings
South: Commercial (Vacant land) Grading permits issued for future development, Pending comprehensive plan change to Medium Density Residential and R-2 Zoning.
West: Commercial (Vacant land) Grading permits issued for future development, Pending comprehensive plan change to Medium Density Residential and R-2 Zoning.

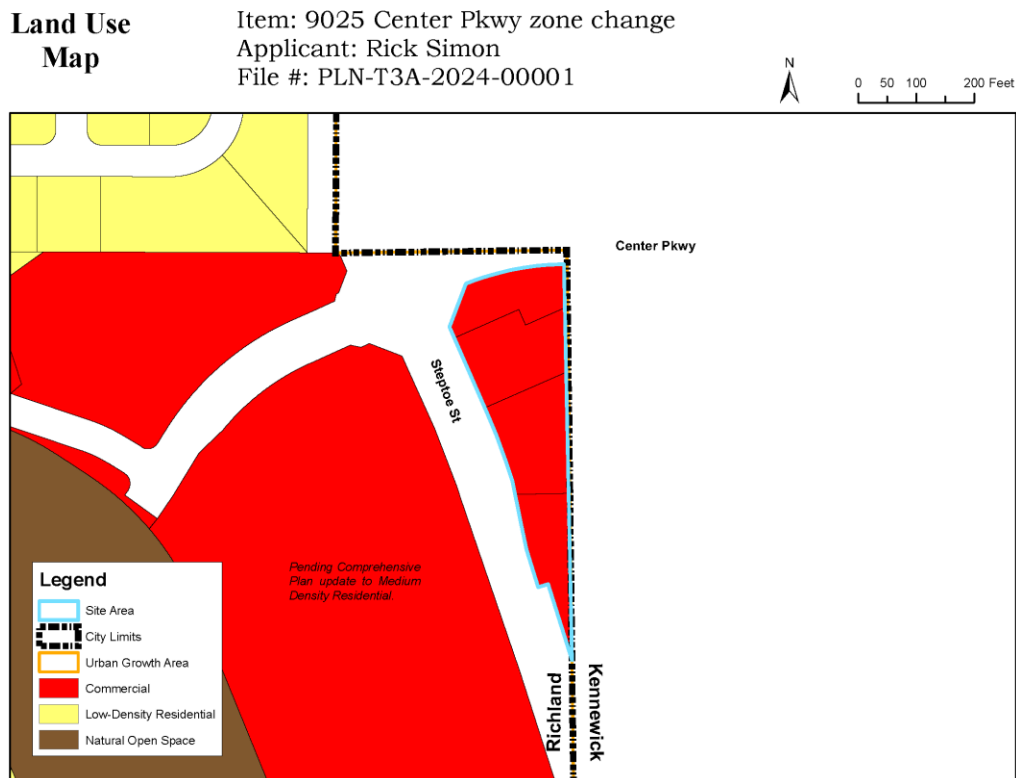


Figure 2 – Land Use Map

COMPREHENSIVE PLAN

As illustrated in Figure 2 (above), the Comprehensive Plan Land Use designation largely designates the site for commercial development.

APPLICABLE GOALS & POLICIES

Provided below is a set of Comprehensive Plan goals & policies which are particularly applicable to the commercial zone change.

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 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 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 3: Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.

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 zoned C-1, Neighborhood Retail Business use district. Surrounding parcels are zoned as follows:

North: RL, Kennewick, Low Density Residential

East: RL, Kennewick, Low Density Residential

South: C-1, Neighborhood retail business, pending change to R-2

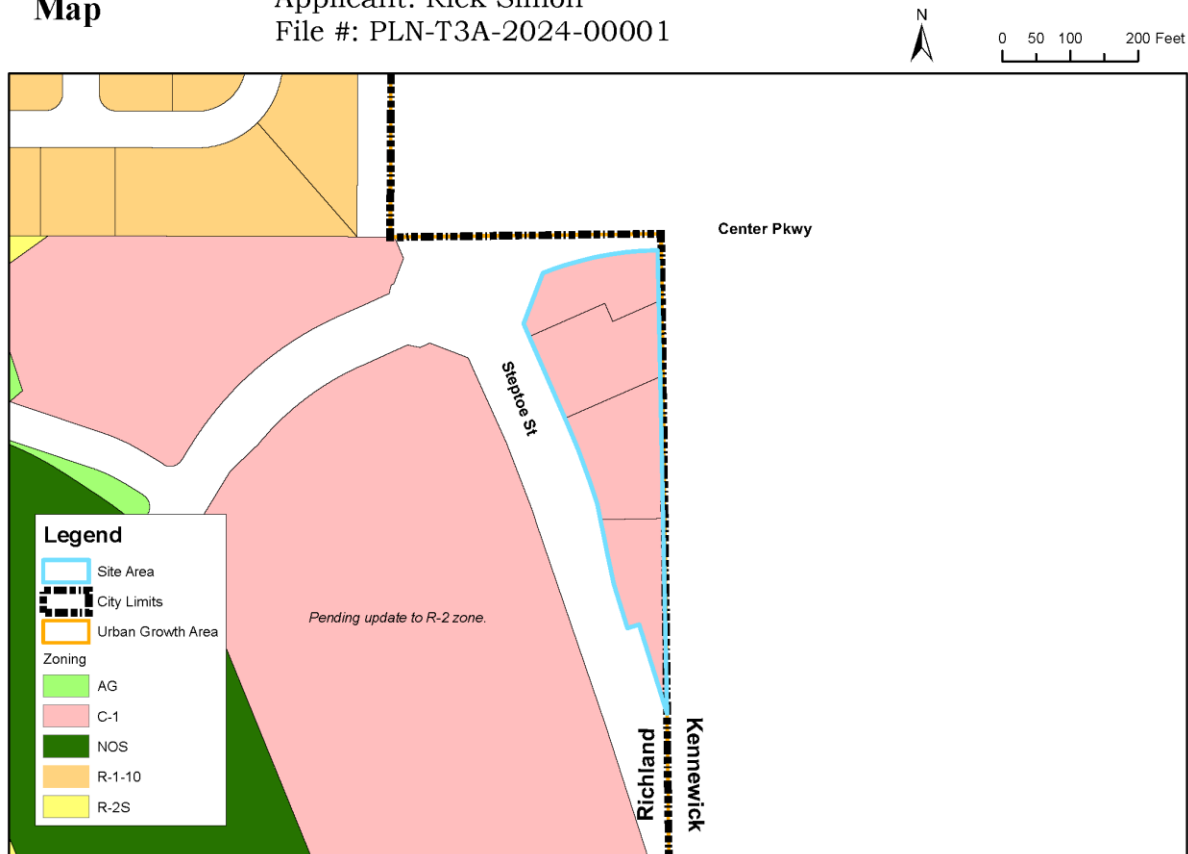
West: C-1, Neighborhood retail business, pending change to R-2

**Zoning
Map**

Item: 9025 Center Pkwy zone change

Applicant: Rick Simon

File #: PLN-T3A-2024-00001

**Figure 3 – Zoning Map**

The Neighborhood Retail Business use district (C-1) is a primary zone classification within the jurisdiction of Richland, all adjacent Kennewick lands are zoned RL, meaning Low Density Residential. The C-1 zoning classification primarily permits small office or residentially focused retail businesses. The RL zoning classification for Kennewick reads as follows:

The purpose of the RL district is to establish areas for low density, single-family, residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting.

This description appears to be similar to the intent of the Richland R-1-10 Low Density Residential zone, included below:

“a residential zone classification requiring a low density of population, providing protection against hazards, objectionable influences, building congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and institutions are permitted in this district. This zoning classification is intended to be applied to some portions

of the city that are designated low-density residential (zero to five dwellings per acre) under the city of Richland comprehensive plan.”

C-1 PERFORMANCE STANDARDS RMC 23.22.020 (B)

Neighborhood Retail Business. All uses permitted in a C-1 district must comply with the following performance standards:

1. All business, service, repair, processing, or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking, the sale of gasoline, and self-service car washes. Limited outdoor display of merchandise is permitted; provided, that such display shall include only those quantities sold in a day's operation.
2. Outdoor storage areas incidental to a permitted use shall be enclosed with not less than a six-foot-high fence and shall be visually screened from adjoining properties. All storage areas shall comply with building setbacks.
3. Not more than three persons shall be engaged at any one time in fabricating, repairing, cleaning, or other processing of goods other than food preparation in any establishment. All goods produced shall be primarily sold at retail on the premises where produced.
4. Lighting, including permitted illuminated signs, shall be shielded or arranged so as not to reflect or cause glare to extend into any residential districts, or to interfere with the safe operation of motor vehicles.
5. Noise levels resulting from the operation of equipment used in the conduct of business in the C-1 district shall conform to the requirements of Chapter [173-60](#) WAC, Maximum Environmental Noise Levels.
6. No single retail business, except for a food store, shall operate within a building space that exceeds 15,000 square feet in area, unless approved by the planning commission through the issuance of a special use permit upon the finding that the proposed retail business primarily serves and is appropriately located within the surrounding residential neighborhoods.
7. In addition to standards (1) through (6) listed above, any commercial use that is immediately adjacent to a residentially zoned property (including R-1-12, single-family residential, R-1-10, single-family residential, R-2, medium density residential, R-2S, medium density residential small lot, or planned unit development that is comprised of single-family homes) shall comply with the following standards. For the purposes of this section, the term “adjacent” includes abutting properties, and any property that is located within 75 feet of the nearest residential property. The term “adjacent” does not include properties that are separated by a public right-of-way.

- a. Setback from Residential Property Boundary. Thirty feet.
- b. Building Design Standard. No rooftop mechanical equipment shall be permitted unless screened from view with parapet wall or similar screening.
- c. Parking. Vehicle parking areas and any access driveways (pavement) must be set back a minimum of 10 feet from residential property boundary. A solid fence or masonry wall between six and eight feet tall is required between any paved parking or access drive and the residential property boundary.
- d. Outdoor Lighting. All outdoor lighting must comply with the Pattern Outdoor Lighting Code (USA) standard version 2.0, July 2010. For the purposes of this section, properties subject to this standard shall be considered to be within lighting zone 1.
- e. Signs. All commercial signs placed on-site shall comply with Section 5 of the Pattern Outdoor Lighting Code (USA) standard version 2.0, July 2010; except that multicolored changeable copy LED signs shall not be permitted.
- f. Mechanical Equipment. Any mechanical equipment placed outdoors between the building and the residential property boundary shall be screened to reduce equipment noise levels. Alternatively, the building owner can provide documentation to the city indicating that the specific equipment to be used will not generate noise levels beyond permissible state noise standards.
- g. Refuse Areas. Any dumpsters or area for collection of recycled materials shall be set back a minimum of 20 feet from the nearest residential property boundary and shall be screened from view by a solid screen sufficient to block its view from all adjacent residential properties.
- h. Landscaping. The portions of a commercial site that lie within 30 feet of a residential property boundary that are not covered with buildings, parking areas, access drives, loading areas or outdoor storage shall be landscaped and/or xeriscaped.

REQUESTED ZONING

Following the applicant's request, City staff is presenting this staff report and associated application materials for a site-specific rezone of 1.7 acres.

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. (RMC 23.22.010(C)).

UTILITY AVAILABILITY

There are existing sewer (to Kennewick), water, irrigation, storm drainage and electrical power line connections in place, available near the site with adequate capacity to supply the proposed project.

Utility Map

Item: 9025 Center Pkwy zone change

Applicant: Rick Simon

File #: PLN-T3A-2024-00001

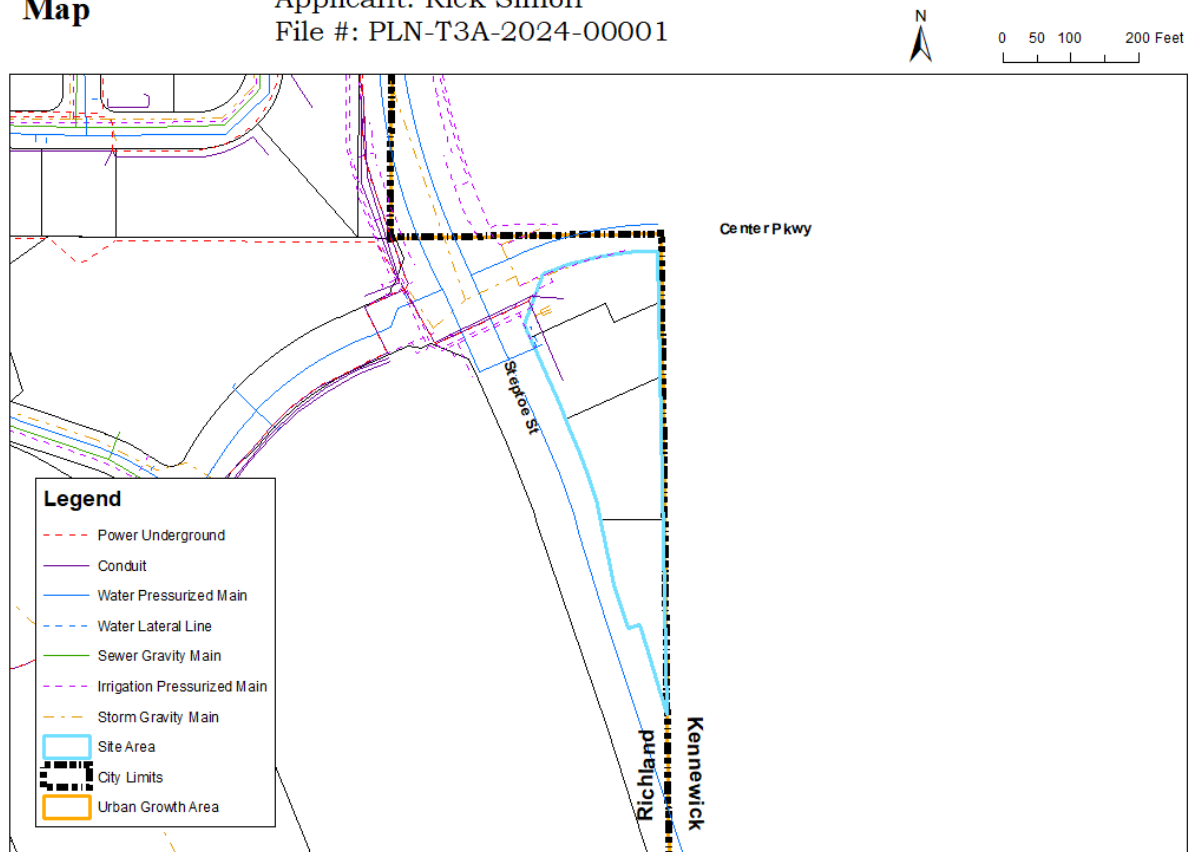


Figure 4 – Utilities Map

Sewer

There is a sewer connection to the existing coffee shop, this connection goes into Kennewick through an agreement. Future development would likely have to tap into this connection.

Water

There is an eight-inch distribution main within each of the Steptoe Street and Center Parkway rights-of-way.

Power

The existing coffee shop has an existing underground power, there does not appear to be primary power lines along Steptoe Street.

Stormwater

The city does have an existing 12-inch stormwater gravity main in the Steptoe Street right-of-way, near the northwest corner of the subject site. It does not appear that this line extends south along Steptoe Street.

Irrigation

There is existing irrigation infrastructure within the Steptoe Street and Center Parkway intersection.

TRANSPORTATION & ACCESS

Primary vehicle access into the site must come from Center Parkway, as discussed in SUP2019-100, driveways will not be allowed on Steptoe Street by the Richland Public Works Department. This is in part due to the street designation level of Principle Arterial. There are currently no Benton Franklin Bus routes along the adjacent roads, but there are painted bike lanes on the sides of both Steptoe Street and Center Parkway. There is also a multi-use path that is separate from the road within Kennewick, along the eastern side of Steptoe Street, running north from Center Parkway. Intersection lane striping was repainted in accordance with the conditions of SUP2019-100.

**Transportation
Map**

Item: 9025 Center Pkwy zone change

Applicant: Rick Simon

File #: PLN-T3A-2024-00001

**Figure 5 – Transportation Map****EASEMENTS**

There are 15' wide utility and sidewalk easements along each right of way frontage. The final approximate 140' near the southern "arrow tip" of the subject site does not have the previously stated easement, it appears this is because the property jumps across the sidewalk. As shown in the application materials, there is also a 24' wide access and utility easement, record survey 5258, that runs through each property in a generally north south orientation, with various curvatures.

FIRE SAFETY

The City of Richland Fire Department will provide fire protection services to the subject property and resulting development. Currently, there is one hydrant approximately 57' west of the existing coffee shop.

SCHOOLS

This project appears to fall within the boundaries of the Kennewick School District. The nearest school is Amon Creek Elementary School, approximately 2,300 feet to the west of the subject site by way of street travel.

SEPA

The 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 existing, recognized Critical Area. Critical Area requirements are not applicable with this proposal.

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. Received agency comments were not in opposition to the zone change application.

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 public comments regarding this proposed zoning action from a resident and the Grandridge Meadows Home Owners Association. These comments are included in the attached exhibits, and are generally in opposition, or heavily speculative of the zone change and request that past comments (SUP2019-100) made by the HOA are taken into consideration.

PUBLIC NOTICE

Notice of Hearing Mailed:	July 19, 2024
Notice of Hearing Posted:	July 18, 2024
Notice of Hearing Published:	July 28, 2024
Public Hearing:	August 12, 2024

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 the exhibits.

ANALYSIS

At a glance the subject site of approximately 1.7 acres provides unusually shaped lots that are further limited with the C-1 setbacks, primarily from the Steptoe Street frontage of 45'. As shown by the applicant in their application materials (Figure 5A and 5B), this required setback, combined with the recorded access and utility easements further complicate the development of the site. When including the proposed PUDA by the applicant, the subject site will essentially remain the C-1 zone with the exception of the front yard setback (from Steptoe Street) will be not required as opposed to the 45 feet normally required of the C-1 zone. In

short, the applicant proposed the height of buildings be limited to 30' in height and a number of more intensive C-2 uses are prohibited, this expansive list is included in the application materials. Staff is in favor of the proposed PUDA and believes it should be a condition of approval.

The proximity to low density residential is a concern, but with the conditions of the PUDA most of these concerns are addressed and can be further discussed when drafting the PUDA. The adjacent Grandridge Meadows HOA submitted comments generally objecting to the proposed zone change due to potential impacts to their properties and the traffic of the at the Steptoe Street and Center Parkway intersection. The proposed establishment of a PUDA is an important mitigation so that the adjacent neighborhoods are minimally impacted. As there are no C-2 performance standards within Richland Municipal Code, staff believes including the performance standard of the C-1 zone (RMC 23.22.020[B]) are also incorporated into the PUDA agreement since the RL zone of the abutting Kennewick neighborhoods are very similar in nature to the R-1-10 Richland residential zone, therefore it should be treated in a similar manner and require similar performance standards to create a harmonious and appealing district.

This requested rezone does not approve any development activity on the site. As with all development proposals, City development regulations will apply to any specific projects that may eventually be proposed on the site. Following public notices and reviews conducted in accord with City practices for all other private or public rezone applications, there is no evidence in this record that would provide a basis in fact or law to deny the pending rezone request.

Staff also want 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 has been designated for Commercial [COM] uses by the City's Comprehensive Plan amendment in 2014 which changed this sites land use category from Low Density Residential to Commercial. The surrounding area to subject site is primarily low density residential, the subject site may soon serve as a small commercial node to these residences, contributing to a more walkable community by providing nearby services. Since the 2014 comprehensive plan amendment was adopted, many new residences have been constructed in the area within Richlands boundaries, this can be seen on satellite imagery. The proposed zone change can lead to smaller scale commercial services in closer proximity to these residences, potentially reducing the need for local vehicle trips that could be achieved through walking or cycling.

2. Does the rezone bear a substantial relationship to the public health, safety, morals, or general welfare?

It appears that the proposed rezone with the proposed PUDA is consistent with this criterion because the rezone and the PUDA is consistent with the City's Comprehensive Plan, and any future, project-specific proposal will have to essentially meet city development regulations of the current C-1 zoning, including SEPA, possible subdivision codes, traffic impact reviews, public infrastructure concurrency reviews, and payment of any impact fees in effect at the time of an application. As previously mentioned, the subject site may serve as a small commercial node for the nearby residences contributing to more walkable community which may help with the overall public health of the nearby community. With the previous special use permit (SUP2019-100) traffic concerns were addressed in length and if conditions are continued, then safety concerns appear to be met. The city will continue to monitor the access driveway and determine if a median is required along Center Parkway to aid in general vehicle safety.

The Planning Department requests the Hearing Examiner recommend the proposed zoning map amendment to the Richland City Council.

SUGGESTED FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (PLN-T3A-2024-00001) and recommends approval of the request based on the following:

1. Rick Simon, applying on behalf of the property owner Bush Family Giving LLC.
2. Request to rezone Parcels 1-01881BP5258001, 1-01881BP5258002, 1-01881BP5258003, and 1-01881BP5258004.
3. The lots are currently zoned Neighborhood Retail Business use district (C-1).
4. The requested zone change is to change the parcels identified above to Retail Business Use (C-2).
5. The subject site was previously changed in a 2014 Comprehensive Plan amendment from Low density Residential to Commercial uses.
6. The site is generally slightly sloped.
7. The eastern boundary of the site shares a city boundary with the City of Kennewick.
8. The eastern and northern boundaries of the subject site are with the Low Density Residential (RL) zone of the City of Kennewick.
9. To the west and south of the subject site are with the City of Richland and are zoned C-1 and are not a part of this proposal.
10. Per RMC 23.22.010, the C-1 and C-2 zoning is intended to be applied to land that is designated Commercial under the City's Comprehensive Plan.
11. No portion of this proposed rezone is in the Shoreline Management Program's jurisdiction.
12. No portion of this proposed rezone is in a Critical Aquifer Recharge Area (CARA). No other critical areas have been identified.
13. The project site has recorded access and utility easement, so all sites have access to Center Parkway.
14. A masonry wall exists between the subject property the abutting residences.

15. Trees are currently planted to provide a landscape buffer between the existing coffee stand and the abutting residences. Trees are not located further down the property line, and would need to be placed in accordance with SUP2019-100.
16. The proposal meets applicable goals of the Richland Comprehensive Plan.
17. The application is exempt from the provisions of the State Environmental Policy Act (SEPA), as identified in WAC 197-11-800(6)(c).
18. Notice requirements of RMC 19.30.040 have been met:
 - a. Notice of Hearing Mailed: July 19, 2024
 - b. Notice of Hearing Posted: July 18, 2024
 - c. Notice of Hearing Published: July 28, 2024
19. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland and Kennewick.

RECOMENDED CONDITIONS OF APPROVAL

1. Record a property use and development agreement with the City of Richland as described in the application materials, in addition to the performance standards of the Neighborhood Retail Business (C-1) district found in RMC 23.22.020[B].

EXHIBIT LIST

1. Application Materials
2. Zone Map
3. Public Notices & Affidavits
4. Agency Comments
5. Public Comments

Zone Change Application

For Tim Bush

June 2024

Project Team

Owner

Bush Trustees Timothy T & Kathryn L.
3019 Duportail Street, Suite #226
Richland, WA 99352
509.947.7902
Tim@bushdevelopments.com

Owner

Bush Family Giving LLC
3019 Duportail Street, Suite #226
Richland, WA 99352
509.947.7902
Tim@bushdevelopments.com

Engineer

Paul Knutzen
Knutzen Engineering
509.222.0959
Paul@Knutzenengineering.com

Land Use Planner

Rick Simon
RPS Planning Consultant, LLC
98402 N. Harrington Rd.
West Richland, WA 99353
509.531.0142
rsimon60@gmail.com

Overall Project Description

Introduction

The application consists of the rezone of 1.7 acres from its current C-1 Neighborhood Retail zone to a C-2 Retail Business zone. The site is located east of and adjacent to Steptoe Boulevard and south of and adjacent to Center Parkway, along the eastern municipal boundary of the City of Richland, just west of and adjacent to the City of Kennewick municipal boundary. The property consists of a long and narrow triangular shaped property that has been previously divided into 4 commercial lots (See attached Amended Binding Site Plan.) The majority of the site is undeveloped except for a “Wake Up Call”, drive-thru coffee shop located along the northern boundary of the site, adjacent to Center Parkway.



Figure 1: Vicinity Map

The northern portions of the site are situated on a fairly level bench, which begins to slope to the west along the southerly portion of the site. The southernmost portion of the site rises 10 to 15 feet above the elevation of the adjacent Steptoe Boulevard, as the road corridor drops in elevation, while the site elevation remains fairly level. A retaining wall along the Steptoe right-of-way was constructed when Steptoe Boulevard was improved several years ago.

Adjacent properties to the north and east have been developed with detached single-family residential homes. Land to the west across Steptoe Boulevard is undeveloped.

Comprehensive Plan

The City's comprehensive plan designates the site as suitable for commercial development. Property to the west and southwest across Steptoe Boulevard is also designated as commercial. Other adjacent properties fall within the City of Kennewick and are designated for low density residential development.

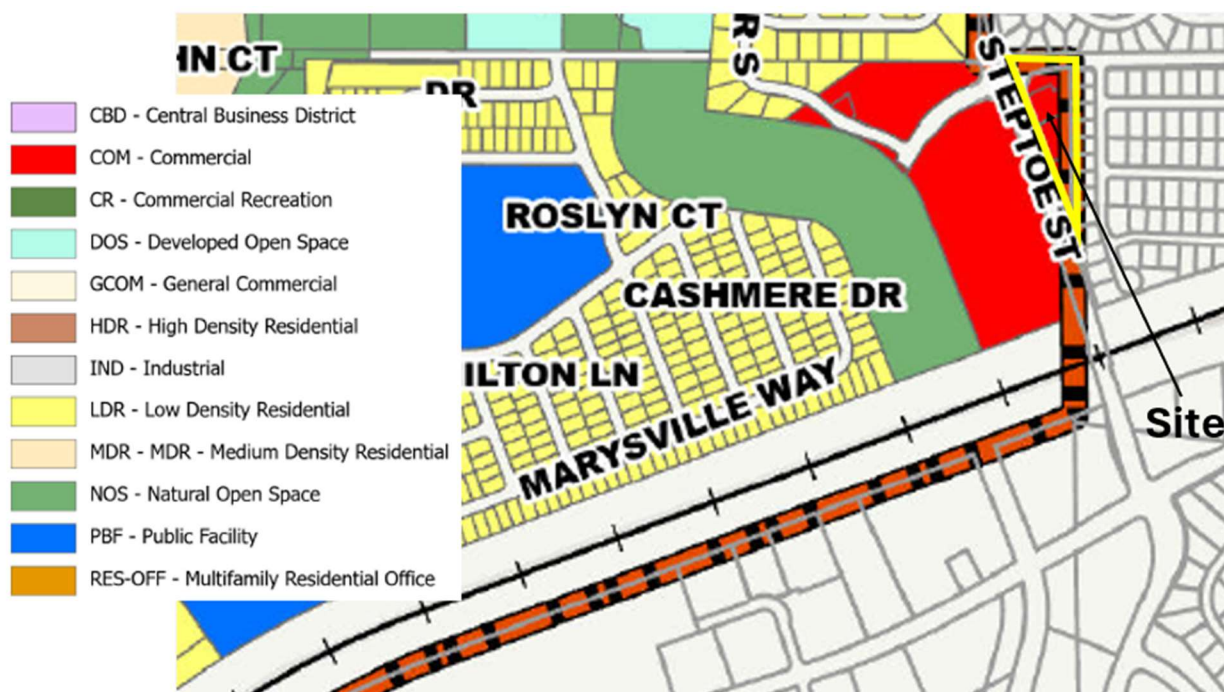


Figure 2: Comprehensive Plan Land Use Map

Transportation

The City's Transportation Plan designates Steptoe Boulevard as a Principal Arterial and Center Parkway as a Major Collector. Both streets in the vicinity of the project site have been fully improved with center turn lanes, curbs, sidewalks and multiple travel lanes in both directions in the case of Steptoe Boulevard. The intersection of Steptoe and Center Parkway has been

signalized. Access to the site is limited to a single point located along the eastern boundary of Center Parkway. No access from the site onto Steptoe Boulevard is allowed by the City of Richland.



Figure 3: Richland Functionally Classified Street Network Plan

Existing Zoning

The existing zoning of the site is C-1 Neighborhood Retail Business. Property to the west across Steptoe Boulevard is also zoned C-1. Adjacent properties to the east are within the City of Kennewick and are zoned RL – Residential, Low Density.

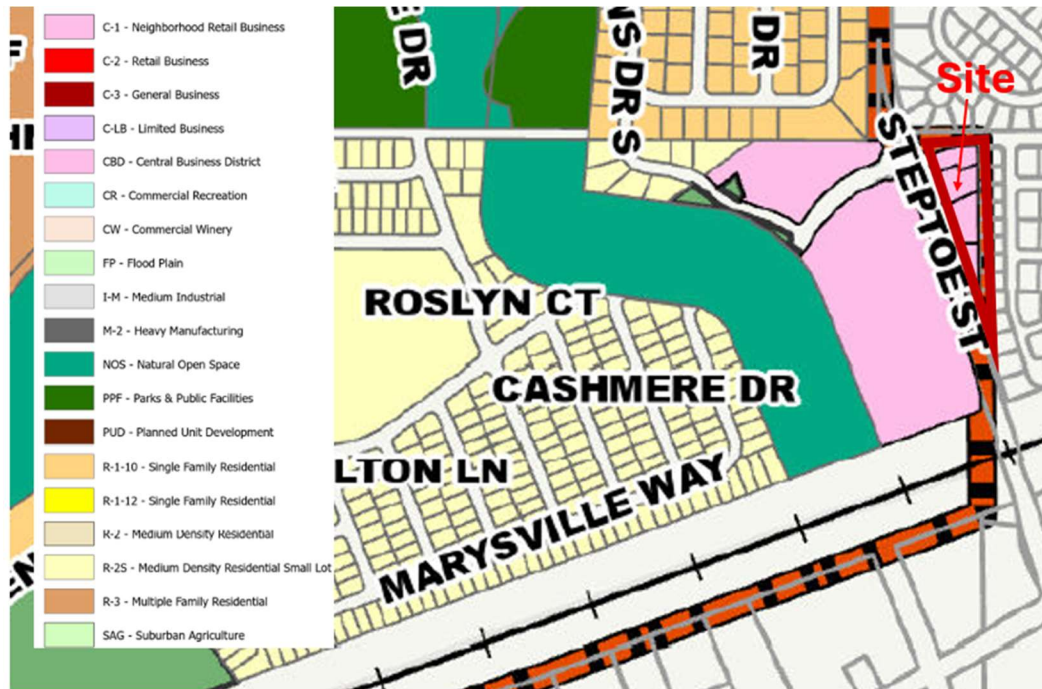


Figure 4: Existing Zoning Map

Proposed Zoning

Proposed zoning for the site is C-2 Retail Business. The intent of the proposed rezone is to increase the usability of the vacant parcels, which are long and narrow. The C-1 zoning standards require a 45 foot setback from adjacent streets. The effect of this requirement is that the buildable areas in the southern portion of the site become too narrow to support commercial development. C-2 zoning standards allow for zero foot setbacks, which will significantly increase the buildable areas on these lots.

Both C-1 and C-2 zoning allow for zero foot rear yard setback requirements, so the proposed change in zoning would not increase the impact of development on the single family residential properties located east of the site. However, it's important to note that the existing access easements that run along the eastern boundary of the site will provide some separation between the existing residences and future onsite commercial development.

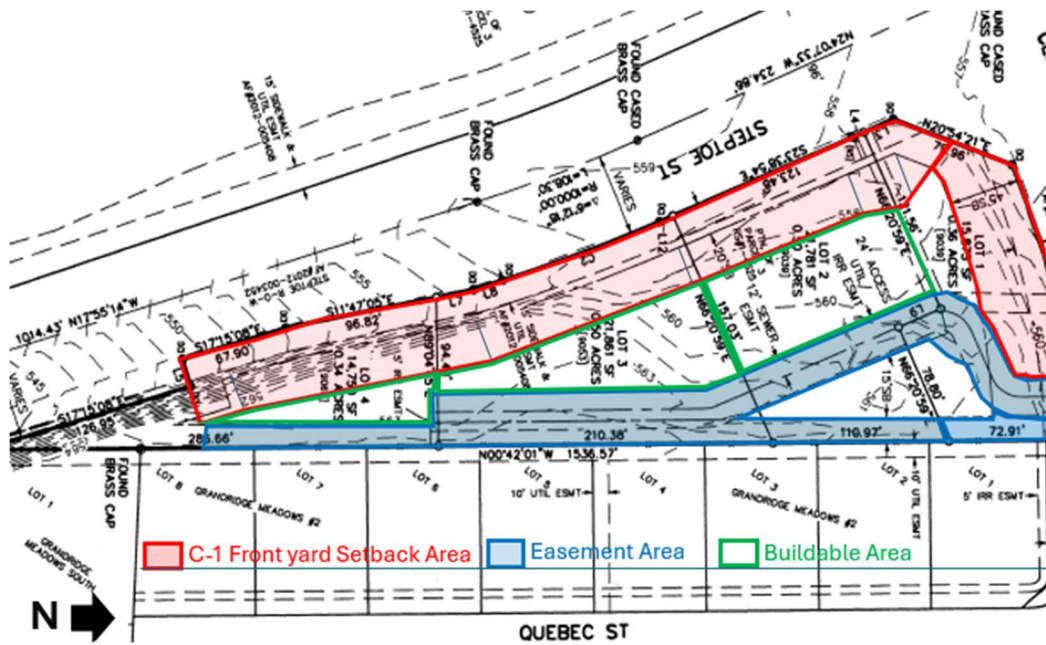


Figure 5A: Buildable Area Under C-1 Setbacks

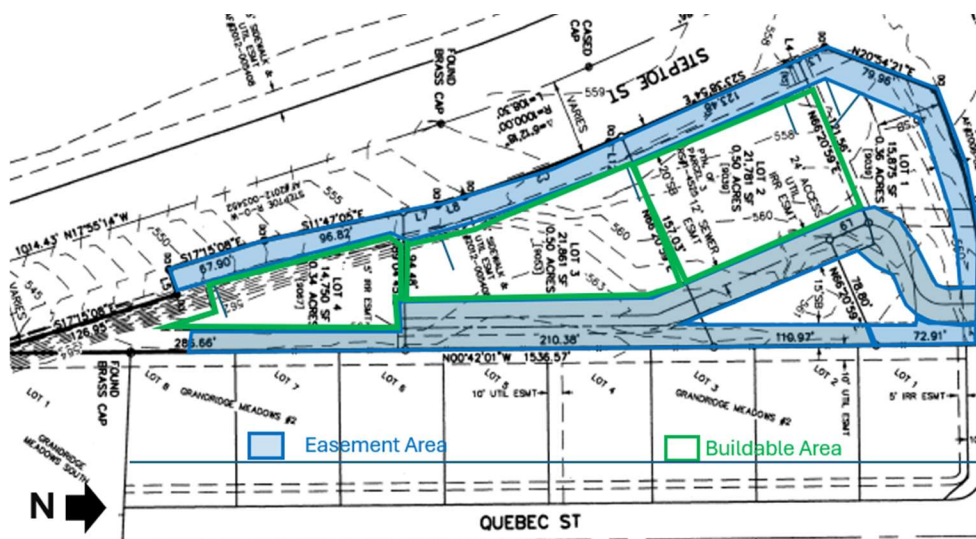


Figure 5B: Buildable Area Under C-2 Zoning Setbacks

Beyond front yard setback requirements, there are two other significant differences between the C-1 and C-2 zoning standards. Building height is limited to 30 feet in the C-1 district and 80 feet in the C-2 district. The second area of difference relates to the type of land use permitted in each zone. C-2 zoning allows for all the land uses allowed within C-1 zoning plus a variety of more intensive commercial uses. Many of the more intensive uses allowed under C-2 zoning are by nature too large to fit on the small parcels located within the site. Nonetheless, in order to provide some assurance to adjacent landowners, the owner is willing to enter into a development agreement with the City that would limit future development on the site to building heights of 30 feet and prohibiting the development of a wide range of C-2 land uses. Specifically, the owner will stipulate that the 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. Equipment Rentals; | s. Art Galleries; |
| b. Truck Rentals; | t. Cinema, Indoor; |
| c. Truck Stop – Diesel Fuel Sales; | u. Cinema, Drive-In; |
| d. Vehicle Leasing/Renting; | v. Commercial Recreation, Outdoor; |
| e. Vehicle Sales; | w. Apartment, Condominiums; |
| f. Funeral Establishments; | x. Assisted Living Facility; |
| g. Health/Fitness Center; | y. Emergency Housing; |
| h. Hospital/Clinic – Small Animal; | z. Emergency Shelters; |
| i. Cafeterias; | aa. Hotels or Motels; |
| j. Micro-Brewery; | bb. Nursing or Rest Home; |
| k. Telemarketing Services; | cc. Permanent Supportive Housing; |
| l. Newspaper Offices and Printing Works; | dd. Traditional Housing; |
| m. Office – Corporate; | ee. Department Store; |
| n. Office – Research and Development; | ff. Landscaping Material Sales; |
| o. Radio and Television Studios; | gg. Secondhand Store; |
| p. Schools, Commercial; | hh. Bus Transfer Station; |
| q. Schools, Trade; | ii. Cemetery; |
| r. Hospitals; | jj. Convention Center; |
| | kk. Monopole; |

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 is designated for commercial use under the City's land use plan. The Commercial land use designation would be implemented through either the C-1 or the C-2 zoning designations.

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 adjacent to developed properties, qualifies as infill development, and so is therefore consistent with policy #2. The proposed rezone would be consistent with the city's land use plan and 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 an area for needed commercial services in a location adjacent to the intersection of an arterial street and a major collector street. The existing residential developments located within the immediate vicinity, would benefit from the development of commercial services within the site. The site is located in an area where

fully completed utilities, streets, and walking paths have been developed and so the proposal is consistent with Policy #2. The proposed rezone would expand the buildable area within the site, through a reduction in setback requirements, making the site more attractive for commercial development. The proposed development restrictions that would prohibit many C-2 uses and restrict building height would ensure that the intent of the city's land use plan is maintained in conformance with Policy #3.

LU 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 3: Locate neighborhood-oriented commercial land uses in Neighborhood Retail Business areas.

Comment: The proposed rezone would make a narrow and constrained commercial property much more viable for neighborhood commercial services in a location that is centrally located to a number of existing residential neighborhoods that are located in close proximity to the site. (Refer to Figure 6 below.) The effect of the rezone would be to better provide for commercial services in a location where the city's land use plan directs them to be, thus demonstrating consistency with Policy #1 and #3.



Figure 6: Potential Service Area for the Commercial Development of the Site

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 proposed rezone area is located at the intersection of two fully developed arterial and collector streets in a location that the city's plan identifies as suitable for commercial development. The location of the site is ideal for convenient access from adjoining neighborhoods for both vehicles and pedestrians in conformance with policy #1 and #2.

Response – Meets Requirements and Intent of the Richland Code:

RMC 23.220.010(B) states the intent of the C-1 zone as follows:

The neighborhood retail business use district (C-1) is a limited retail business zone classification for areas which primarily provide retail products and services for the convenience of nearby neighborhoods with minimal impact to the surrounding residential area. 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.

The proposed rezone, including the development agreement is entirely consistent with the purpose of the C-1 zone. In effect, the change, although reclassifying the property to a C-2 zone, would function as C-1 zoning, with the exception being that the rezone provides for a reduction in the setback along the Steptoe Boulevard frontage. Given the nature of Steptoe Boulevard, which is a primary arterial street and the fact that the land across the street from the site is also zoned for commercial use, the standard C-1 setback requirement would not serve the purpose of minimizing impacts to surrounding residential areas. Future commercial development of the site would comply with C-1 land use and building height requirements. Therefore, the proposed rezone, including the proposed development agreement would be consistent with 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. (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.

The City has identified critical areas that should be protected from development. These include steep slopes that are subject to landslides, flood plains, wetlands, critical wildlife habitat and aquifer recharge areas. None of these development limitations are known to be present on-site, according to the City's critical areas mapping. Additionally, both Center Parkway and Steptoe Boulevard are fully improved streets under the city's transportation plan and so are sufficient to provide for any increased traffic volumes that would result from the development of the site.

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 a commercial node that has the potential to provide a variety of neighborhood commercial goods and services to the immediate neighborhoods within portions of South Richland and West Kennewick in a manner that is consistent with the City's adopted comprehensive plan;
- Provides land for future commercial facilities in a location that is adjacent to major transportation corridors;
- Includes a proposal for a development agreement that will protect the adjacent neighborhood from impacts of more intensive land uses and building heights typically permitted within the C-2 zone;
- Maintains the access prohibitions along Steptoe Boulevard to eliminate the potential for vehicle turning movements onto an arterial street and so promotes public safety;
- Maintains appropriate setbacks 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 fully developed streets that adjoin the site, on both Center Parkway and Steptoe Boulevard, together with the signalized intersection of those two streets represent full street improvements as identified in the City's transportation plan. As the plan was developed to ensure that traffic facilities would operate at level of Service D or above, it is safe to assume that commercial development of the site will maintain this level of service.

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: The proposed conditions suggested in this application – the limitation of building heights and more intensive C-2 zoning land uses would provide the adjacent properties protection from impacts that may result from the approval of this rezone request.

Rezone – Application Form Questions

1. *The unique characteristics, if any, of the property or circumstances of the owner:*

Response: The site's location at the intersection of an arterial street and a major collector street makes it well suited for commercial development. Additionally, there are fully developed residential neighborhoods located in close proximity to the site that would benefit from the development of commercial goods and services. (Refer to Figure 6, above.) Finally, the site is level and free of any significant development constraints and so is capable of supporting commercial development.

2. *Any hardship that may result in the event the rezone is not granted:*

Response: The site's configuration is a long narrow triangular shaped property with the hypotenuse of the triangle formed by Steptoe Boulevard. The C-1 front yard setback requirement of 45 feet along the Steptoe Boulevard frontage creates a hardship for the development of the site. The limitations for development are further complicated by the requirements for moving property access as far away from the Center Parkway/Steptoe intersection as possible and the prohibition of direct access onto Steptoe Boulevard. These requirements resulted in an access easement located along the eastern property boundary. These two circumstances significantly reduce the buildable areas within the site. (Refer to Figure 5A and 5B, above and the Binding Site Plan.) Denial of the requested rezone will likely mean that these otherwise desirable commercial lots will remain vacant or will only be able to support extremely limited commercial development.

In a more typical C-1 zoning situation, a commercial lot frontage is generally across the street from residential land uses. (Examples include the existing C-1 commercial nodes located at the following locations: the southwest corner of Van Giesen and Wright; the southeast corner of Jadwin and McMurray; the northeast corner of McMurray and George Washington Way; the southwest corner of Williams and Thayer; the northwest corner of Swift and Wright and the northwest corner of Duportail and Wright.) A generous front yard setback is a good practice in those circumstances. Here, the requirement for a large setback along Steptoe does not serve the same purpose. The land across Steptoe Boulevard from the site is designated for commercial, not residential use. Also, there is no direct access from Steptoe Boulevard into the site.

Approval of the rezone will significantly enlarge the buildable areas of the site, while still maintaining the same land uses and building heights prescribed in the C-1 zone, provided the City accepts the proposed development agreement.

3. *The manner in which the proposed rezone conforms to patterns in adjacent zones:*

Response: The proposed rezone would change the site from a C-1 zoning designation to a C-2 designation. There would be no discernible change in the development pattern of the area. With the proposed development agreement, future land use would be consistent with C-1 land uses and building heights. The only visible change would be a reduced setback along Steptoe Boulevard, a primary arterial street.

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: 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 above discussion on the project's compliance with comprehensive plan goals.) With the proposed development agreement included in the rezone application, the adjacent residential properties would be protected from any impacts typically associated with C-2 development.

5. *The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:*

Response: Approval of the rezone request will benefit the City through the commercial development of the property, as it provides an opportunity for commercial goods and services to be offered in a portion of South Richland that is already largely developed with residential uses. Residents within both West Kennewick and South Richland neighborhoods would have additional shopping and job opportunities, while the City would receive additional sales and property tax revenues.

Denial of the rezone request would continue to limit the commercial development potential of the site and so would frustrate the City's land use plan, the property owners' desire to develop the property and leave the surrounding residential neighborhoods' demands for commercial good and services unfulfilled.

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 would not change the type of land use envisioned in the comprehensive plan. The proposed change would eliminate the large front yard setback requirement that is mandated under the C-1 zoning standards. Land uses and building heights, under the proposed development agreement, would be the same as under C-1 zoning. Eliminating the front yard setback requirement associated with C-1 zoning increases the available building areas on this narrow commercial site and consequently represents a significant improvement over the existing zoning regulation.

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 for this site and so cannot be considered spot zoning. It is part of a larger commercial area that includes the parcel that is located west of the site across Steptoe Boulevard. The existing zoning of that parcel is C-1, but given its size and configuration, it is not negatively impacted by the C-1 front yard setback requirements. Under the proposed development agreement, land uses and building heights on the site will mimic C-1 zoning and so there will be no discernible difference between the two commercial sites that lie on both sides of Steptoe Boulevard.

8. *Identify impacts on the environment and public safety:*

Response: The site does not contain any critical areas as identified in the City's critical areas ordinance and has been designated as suitable for commercial development under the City's comprehensive plan. The environmental impacts of the plan were evaluated through the preparation of an environmental impact statement and no specific adverse impacts associated with the development of this site were identified. Future commercial development of the site will be subject to environmental review under the provisions of the State Environmental Policy Act.

The site is bounded by two fully developed streets and a signalized intersection which represents full buildout of the city's street system under the transportation plan. So, access and traffic concerns are adequately addressed. Furthermore, the site is located in an area that is largely developed. Consequently, emergency services that are already

present in the area to serve existing development near the site will be adequate to serve future commercial development. Finally, the type of commercial goods and services that may be developed on site would not likely result in negative impacts to the surrounding properties. Therefore, anticipated impacts to the environment and public safety would be insignificant.

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. C-2 Retail Business zoning would implement this comprehensive plan designation;
- Commercial land uses, subject to the specific mitigation included in the proposed development agreement, would ensure that the site would be developed with C-1 land uses and building heights. Therefore, there would be no discernible differences between the existing C-1 zoning and the proposed C-2 zoning, other than building setbacks from Steptoe Boulevard;
- The need for 45 foot building setbacks from Steptoe Boulevard is not necessary, given the City's prohibition on the site directly accessing onto Steptoe as well as the fact that the adjoining property across Steptoe Boulevard from the site is also designated for commercial, not residential use.

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. Both the C-1 and C-2 zoning districts would implement the commercial land use designation. The proposed rezone is consistent with the comprehensive plan and so a showing of changed circumstances is not required. However, improvements made to Steptoe Boulevard, including a widening of the street section and sidewalks that are separated from the vehicular travel lanes have had the effect of limiting the development potential of the site. The proposed rezone would alleviate this circumstance.

3. *The rezone must have a substantial relationship to the public health, safety, morals or general welfare.*

Response: The proposed rezone is consistent with the land use plan, transportation plan and several goals and policy statements contained in the City's comprehensive plan. It is therefore consistent with the public health, safety, morals or general welfare.

RECORD SURVEY NO. 5258

AMENDING BINDING SITE PLAN NO. BSP 2015-100

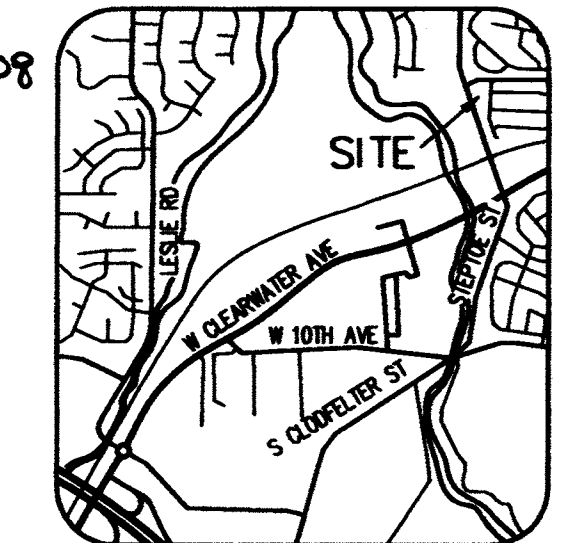
NO. BSP 2019-102

N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,

CITY OF RICHLAND,

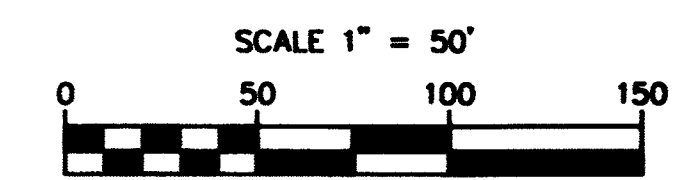
BENTON COUNTY, WASHINGTON

AFN: 206-036308



VICINITY SKETCH
NOT TO SCALE

CURVE TABLE					
CURVE	LENGTH	RADIUS	Δ	CH DIREC.	CHORD
C1	172.68	475.00	20°49'45"	S78°50'15"W	171.73
C2	105.75	1052.00	5°45'34"	N20°46'07"W	105.70
C3	21.90	475.00	2°38'31"	S87°55'52"W	21.90
C4	59.16	475.00	7°08'09"	S83°02'33"W	59.12
C5	23.43	20.00	67°06'52"	N32°47'33"E	22.11
C6	31.42	20.00	90°00'00"	S21°20'59"W	28.28
C7	7.93	20.00	22°43'46"	N12°17'08"W	7.88



BASIS OF BEARING
RS#1-4525

EQUIPMENT USED
A THREE-SECOND TOTAL STATION
TOPCON RTK GPS
SPECTRA PRECISION RTK GPS

LEGEND

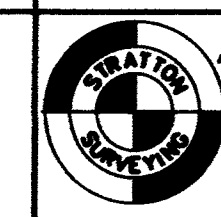
- = SET 5/8" REBAR W/ BLUE PLASTIC CAP MARKED "STRATTON DCI 46886"
- DCI ● = FOUND 5/8" REBAR W/ BLUE PLASTIC CAP MARKED "STRATTON DCI 46886"
- = FOUND AS INDICATED
- B.O.B. = BASIS OF BEARING
- ⊙ = FOUND MONUMENT AS INDICATED
- = SETBACK
- - - = FENCE
- - - = EASEMENT
- = PROPERTY BOUNDARY

INDEX

1/4	SEC	T.	R.
	01	08N	28E

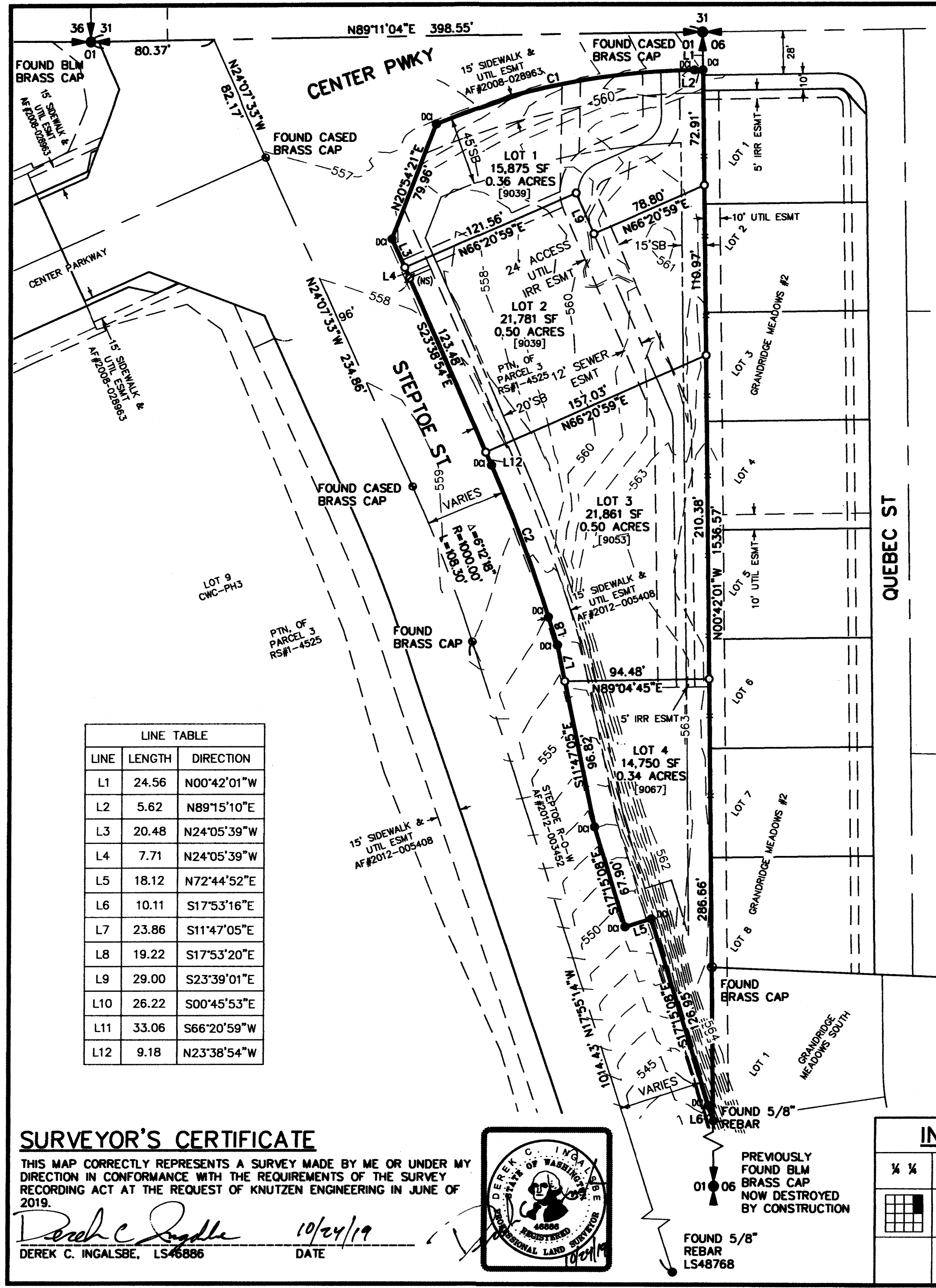
AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 8th DAY OF November, 2019 AT 12 MINUTES PAST 12 P.M. AND RECORDED IN VOLUME 01 OF SURVEYS PAGE 5258, AT THE REQUEST OF DEREK C. INGALSBE, P.L.S.
Brenda Chilton
BENTON COUNTY AUDITOR
Muriel Chilton
DEPUTY
209-035167
FEE NO.



STRATTON SURVEYING & MAPPING, PC
313 NORTH MORAN STREET
KENNEWICK, WA 98336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com

5606SP1A.DWG	© 2019
DATE: 10/24/19	SHT. 1 OF 4
DRAWN BY: DCI	JOB # 5606

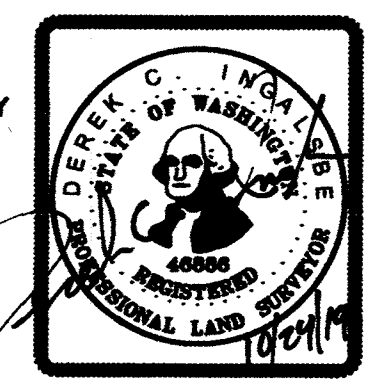


LINE TABLE		
LINE	LENGTH	DIRECTION
L1	24.56	N00°42'01"W
L2	5.62	N89°15'10"E
L3	20.48	N24°05'39"W
L4	7.71	N24°05'39"W
L5	18.12	N72°44'52"E
L6	10.11	S17°53'16"E
L7	23.86	S11°47'05"E
L8	19.22	S17°53'20"E
L9	29.00	S23°39'01"E
L10	26.22	S00°45'53"E
L11	33.06	S66°20'59"W
L12	9.18	N23°38'54"W

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF KNUTZEN ENGINEERING IN JUNE OF 2019.

Derek C. Ingalsbe
DEREK C. INGALSBE, LS46886
DATE 10/24/19



2019-035167, B. 01 P. 5258 SUR
Benton County Auditor's Office
Benton County, Washington
Stratton Surveying & Mapping, PC
AFN: 206-036308

RECORD SURVEY NO. 5258

AMENDING BINDING SITE PLAN NO. BSP 2015-100

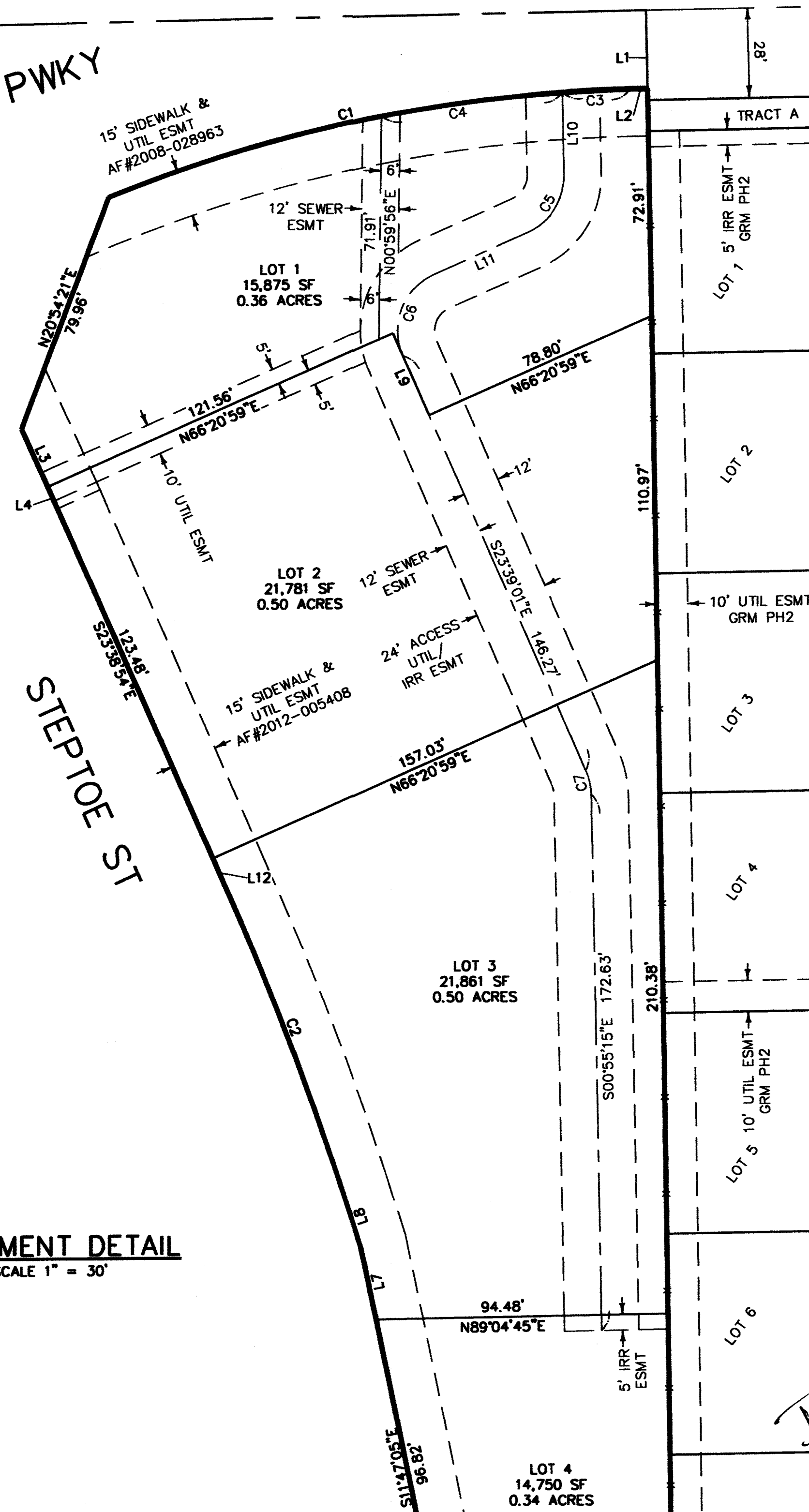
NO. BSP 2019-102

N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,

CITY OF RICHLAND,

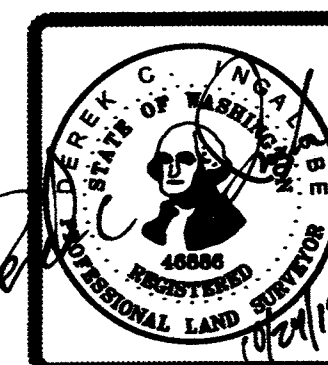
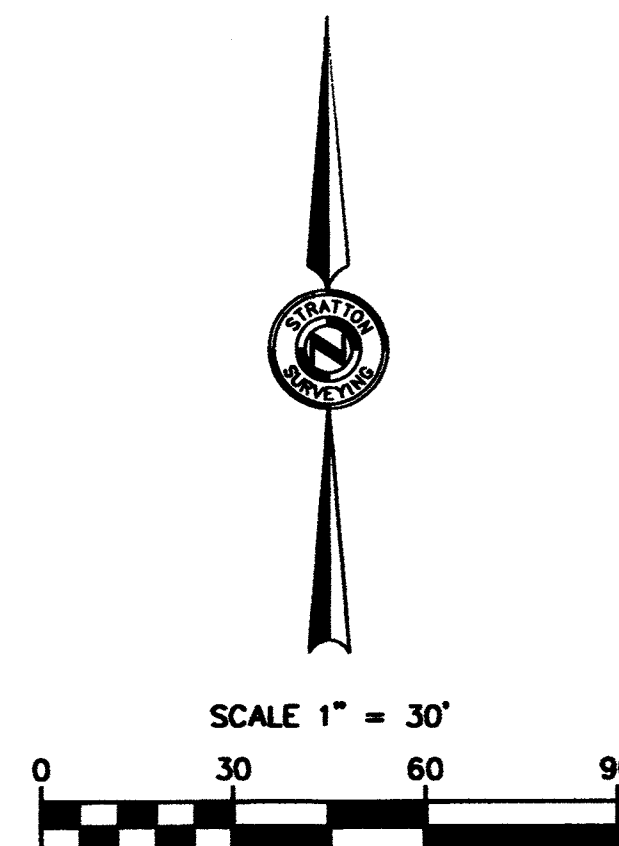
BENTON COUNTY, WASHINGTON

CENTER PWKY



EASEMENT DETAIL

SCALE 1" = 30'



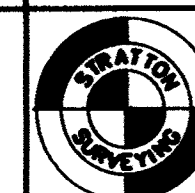
AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 8th DAY OF
November, 2019 AT 1 MINUTES PAST 12
P.M., AND RECORDED IN VOLUME 01 OF
SURVEYS PAGE 5258, AT THE REQUEST OF
DEREK C. INGALSBE, P.L.S.
Brenda Chilton
BENTON COUNTY AUDITOR
DEPUTY

2019-085167
FEE NO.

SURVEY FOR

TIM BUSH



**STRATTON SURVEYING
& MAPPING, PC**

313 NORTH MORAIN STREET
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com

5606SP1A.DWG

© 2019

DATE: 10/24/19

SHT. 2 OF 4

DRAWN BY: DCI

JOB # 5606

DESCRIPTION-PARENT

THAT PORTION OF PARCEL 3 AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525, LYING IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 24.56 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CENTER PARKWAY AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 680.92 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE THE FOLLOWING COURSES ALONG SAID RIGHT-OF-WAY LINE,
NORTH 17°53'16" WEST 10.11 FEET;
NORTH 17°15'08" WEST 126.95 FEET;
SOUTH 72°44'52" WEST 18.12 FEET;
NORTH 17°15'08" WEST 67.90 FEET;
NORTH 11°47'05" WEST 120.68 FEET;
NORTH 17°53'20" WEST 19.22 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS SOUTH 72°06'40" WEST 1052.00 FEET, THENCE NORTHWESTERLY ALONG SAID CURVE 105.75 FEET;
NORTH 23°38'54" WEST 132.66 FEET;
NORTH 24°05'39" WEST 28.19 FEET;
NORTH 20°54'21" EAST 79.96 FEET TO THE END OF SAID COURSES AND THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF CENTER PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH 21°34'37" EAST 475.00 FEET, THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE 172.68 FEET;
THENCE NORTH 89°15'10" EAST ALONG SAID LINE 5.62 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 74,267 SF / 1.70 ACRES

ALSO KNOWN AS LOTS 1, 2, AND 3 OF BINDING SITE PLAN 2015-100.

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.

DESCRIPTIONS-NEW

LOT 1
THAT PORTION OF PARCEL 3 AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525, LYING IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 24.56 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER PARKWAY AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 72.91 FEET;
THENCE SOUTH 66°20'59" WEST 78.80 FEET;
THENCE NORTH 23°39'01" WEST 29.00 FEET;
THENCE SOUTH 66°20'59" WEST 121.56 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE NORTH 24°05'39" WEST ALONG SAID LINE 20.48 FEET;
THENCE NORTH 20°54'21" EAST ALONG SAID LINE 79.96 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID CENTER PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH 21°34'37" EAST 475.00 FEET, THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE 172.68 FEET THROUGH A DELTA ANGLE OF 20°49'45";
THENCE NORTH 89°15'10" EAST ALONG SAID LINE 5.62 FEET TO THE SAID TRUE POINT OF BEGINNING

CONTAINS 15,875 SF / 0.36 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.

LOT 2
THAT PORTION OF PARCEL 3 AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525, LYING IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 97.47 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 110.97 FEET;
THENCE SOUTH 66°20'59" WEST 157.03 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE NORTH 23°38'54" WEST ALONG SAID LINE 123.48 FEET;
THENCE NORTH 24°05'39" WEST ALONG SAID LINE 7.71 FEET;
THENCE NORTH 66°20'59" EAST 121.56 FEET;
THENCE SOUTH 23°39'01" EAST 29.00 FEET;
THENCE NORTH 66°20'59" EAST 78.80 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 21,781 SF / 0.50 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.

RECORD SURVEY NO. 5258

AMENDING BINDING SITE PLAN NO. BSP 2015-100

NO. BSP 2019-102

N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,
CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON

LOT 3
THAT PORTION OF PARCEL 3 AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525, LYING IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 208.44 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 210.38 FEET;
THENCE SOUTH 89°04'45" WEST 94.48 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE NORTH 11°47'05" WEST ALONG SAID LINE 23.86 FEET;
THENCE NORTH 17°53'20" WEST ALONG SAID LINE 19.22 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS SOUTH 72°06'40" WEST 1052.00 FEET, THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE 105.75 FEET THROUGH A CENTRAL ANGLE OF 05°45'34";
THENCE NORTH 23°38'54" WEST ALONG SAID LINE 9.18 FEET;
THENCE NORTH 66°20'59" EAST 157.03 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 21,861 SF / 0.50 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.

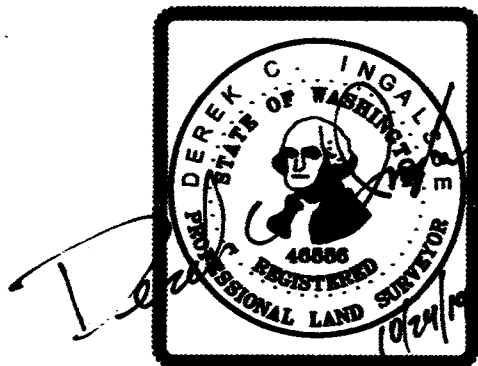
LOT 4
THAT PORTION OF PARCEL 3 AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525, LYING IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 418.82 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 286.66 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE THE FOLLOWING COURSES ALONG SAID RIGHT-OF-WAY LINE,
NORTH 17°53'16" WEST 10.11 FEET;
NORTH 17°15'08" WEST 126.95 FEET;
SOUTH 72°44'52" WEST 18.12 FEET;
NORTH 17°15'08" WEST 67.90 FEET;
NORTH 11°47'05" WEST 96.82 FEET;
THENCE LEAVING SAID COURSES NORTH 89°04'45" EAST 94.48 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 14,750 SF / 0.34 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.



SURVEY FOR

TIM BUSH

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 8th DAY OF November, 2019 AT 1 MINUTES PAST 12 P.M. AND RECORDED IN VOLUME 01 OF SURVEYS PAGE 5258, AT THE REQUEST OF DEREK C. INGALSBE, P.L.S.
Brenda Chilton
BENTON COUNTY AUDITOR
DEPUTY
2019-085167
FEE NO.



STRATTON SURVEYING & MAPPING, PC
313 NORTH MORAIN STREET
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com

5606BSP1A.DWG	© 2019
DATE: 10/24/19	SHT. 3 OF 4
DRAWN BY: DCI	JOB # 5606

DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED HEREON, THAT WE HAVE CAUSED SAID LAND TO BE SURVEYED INTO PARCELS, THAT THE DIVISION OF PROPERTY SHOWN ON THE BINDING SITE PLAN HAS BEEN MADE WITH OUR FREE CONSENT AND DESIRES AND ALSO CERTIFY THAT THE EASEMENTS SHOWN HEREON ARE HEREBY GRANTED TO THE PUBLIC FOR THE USES AND PURPOSES SHOWN.

BUSH LIVING TRUST

Timothy T. Bush Trustee 10/28/19
TIMOTHY T. BUSH TITLE DATE
Kathryn L. Bush Trustee 10/28/19
KATHRYN L. BUSH TITLE DATE

ACKNOWLEDGEMENT

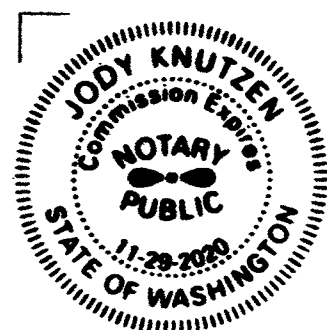
STATE OF WA
COUNTY OF Benton

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Timothy Bush IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE Trustee OF Bush Living Trust, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: 10/28/19

Jody Knutzen
PRINTED NOTARY PUBLIC

Jody Knutzen 11-29-2020
SIGNED NOTARY PUBLIC MY APPOINTMENT EXPIRES



NOTARY STAMP
BLACK INK ONLY

ACKNOWLEDGEMENT

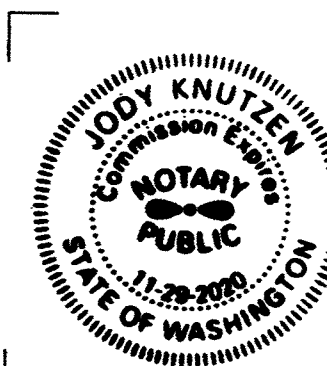
STATE OF WA
COUNTY OF Benton

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Kathryn L. Bush IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE Trustee OF Bush Living Trust, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: 10/28/19

Jody Knutzen
PRINTED NOTARY PUBLIC

Jody Knutzen 11-29-2020
SIGNED NOTARY PUBLIC MY APPOINTMENT EXPIRES



NOTARY STAMP
BLACK INK ONLY

RECORD SURVEY NO. 5258

AMENDING BINDING SITE PLAN NO. BSP 2015-100

NO. BSP 2019-102

N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,
CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON

IRRIGATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT BUT THAT THIS PROPERTY IS NOT CLASSIFIED AS IRRIGABLE LAND AND IS NOT ENTITLED TO IRRIGATION WATER UNDER THE EXISTING OPERATING RULES AND REGULATIONS OF THE DISTRICT. I FURTHER CERTIFY THAT THE IRRIGATION EASEMENTS SHOWN ON THIS BINDING SITE PLAN ARE ADEQUATE TO SERVE ALL LOTS SHOWN HEREON PER THE REQUIREMENTS OF RCW 58.17.310.

Dean Dennis
KENNEWICK IRRIGATION DISTRICT

11/5/2019
DATE

CITY NOTES

1. NO BUILDING PERMITS FOR THE PROPOSED LOTS SHALL BE ISSUED FOR ANY STRUCTURE REQUIRING POTABLE WATER AND SANITARY SEWER SERVICE UNTIL AN APPROVED WATER AND SEWER DISTRIBUTION SYSTEM THAT WILL PROVIDE SERVICES TO THE LOT THE STRUCTURE WILL BE BUILT ON HAS BEEN DESIGNED AND ACCEPTED BY THE CITY OF RICHLAND ENGINEERING DEPT. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR ANY STRUCTURE UNTIL SAID SYSTEM IS CONSTRUCTED AND ACCEPTED BY THE CITY. UTILITY INFORMATION IS AVAILABLE THROUGH THE CITY OF RICHLAND.

2. [####] = ADDRESSES SUBJECT TO CHANGE BY THE CITY OF RICHLAND. ZIP CODE 99352.

3. DIRECT ACCESS ONTO STEPTOE STREET FROM THE SITE WILL BE PROHIBITED.

4. THE CITY RESERVES THE RIGHT TO RESTRICT THE 9025 CENTER PARKWAY DRIVEWAY TO RIGHT-IN/RIGHT-OUT, AT THE CITY'S DISCRETION, IN THE FACE OF SAFETY AND OPERATIONAL CONCERNS.

APPROVALS

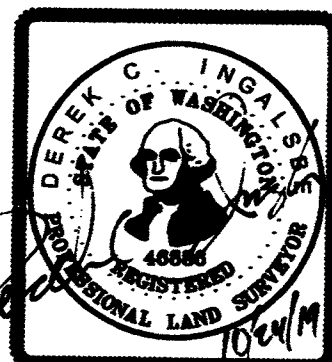
THE BINDING SITE PLAN IS HEREBY APPROVED BY THE CITY OF RICHLAND, WASHINGTON.

Mick St
CITY OF RICHLAND BINDING SITE PLAN ADMINISTRATOR

11/6/19
DATE

I HEREBY CERTIFY THAT THE TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN PAID TO AND INCLUDING THE YEAR 2019 PARCEL NO. 101881BP4808001, 101881BP4808002, 101881BP4808003.

Kenneth Spencer 11/8/19
TREASURER, BENTON COUNTY DATE

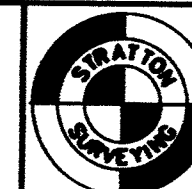


SURVEY FOR

TIM BUSH

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 8th DAY OF November, 2019 AT 1 MINUTES PAST 12 P.M. AND RECORDED IN VOLUME 01 OF SURVEYS PAGE 5258. AT THE REQUEST OF DEREK C. INGALSBIE, P.L.S.
Brenda Chilton
BENTON COUNTY AUDITOR
DEPUTY Brenda Chilton 2019-035167
FEE NO.



STRATTON SURVEYING & MAPPING, PC
313 NORTH MORAIN STREET
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
stratton@strattonsurvey.com

5606BSP1A.DWG	© 2019
DATE: 10/24/19	SHT. 4 OF 4
DRAWN BY: DCI	JOB # 5606

Invoice

Cascade Title Company of Benton-Franklin Counties
8203 W. Quinault Ave. Ste 10
Kennewick, WA. 99336

Date	Invoice #
6/13/2024	18403

Bill To

Knutzen Engineering
Paul Knutzen
Paul@knutzenengineering.com

Reference

Bush Trustees
9025, 9039, 9053 & 9067 Steptoe St

Due Date

Terms

7/13/2024

Net 30

Description	Amount
Limited Liability Report	300.00T
PLEASE REMIT PAYMENT USING OUR REFERENCE NUMBER THANK YOU!	
Sales Tax (8.7%)	
\$26.10	
Total	
\$326.10	



8203 West Quinault Ave, Suite 10, Kennewick, WA 99336
 Phone: 509-783-0660 Fax: 509-783-6612

DISTRIBUTION LIST

Our Order No.: CBF18403
Reference No:
Re: BUSH LIVING TRUST/
Property Address: NA
 RICHLAND, WA 99352

This Preliminary Commitment has been prepared and distributed to the following parties:

	Lender
Selling Agent	Listing Agent
	Knutzen Engineering , Contact: Paul Knutzen Email: paul@knutzenengineering.com
Additional Selling Agent	Additional Listing Agent
Buyer's Attorney	Seller's Attorney
Mortgage Broker	Additional Lender

LIMITED LIABILITY REPORT

SCHEDULE A

Office File Number CBF18403 Ref. No.:	Effective Date June 11, 2024 at 8:00 a.m.	Premium \$300.00
--	--	----------------------------

THE ASSURED REFERRED TO ON THE FACE PAGE ARE: **KNUTZEN ENGINEERING**

THAT ACCORDING TO THE COMPANY'S PROPERTY RECORDS RELATIVE TO THE FOLLOWING DESCRIBED REAL PROPERTY (BUT WITHOUT EXAMINATION OF THOSE COMPANY RECORDS MAINTAINED AND INDEXED BY NAME):

SEE ATTACHED EXHIBIT "A"

- A. THE LAST RECORDED INSTRUMENT PURPORTING TO TRANSFER TITLE TO SAID REAL PROPERTY INDICATES THAT TITLE WAS CONVEYED TO:

TIMOTHY T. BUSH AND KATHRYN L. BUSH TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE BUSH LIVING TRUST, DATED AUGUST 18, 1999, AND ANY AMENDMENTS THERETO AS TO PARCELS 1 AND 4 AND BUSH FAMILY GIVING, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, AS TO PARCELS 2 AND 3

- B. THERE ARE NO MORTGAGES OR DEEDS OF TRUST WHICH PURPORT TO AFFECT SAID PROPERTY, OTHER THAN THOSE SHOWN BELOW UNDER EXCEPTIONS.

NO GUARANTEE IS MADE REGARDING (A) MATTERS AFFECTING THE BENEFICIAL INTEREST OF ANY MORTGAGE OR DEED OF TRUST WHICH MAY BE SHOWN HEREIN AS AN EXCEPTION, OR (B) OTHER MATTERS WHICH MAY AFFECT ANY SUCH MORTGAGE OR DEED OF TRUST.

NO GUARANTEE IS MADE REGARDING ANY LIENS, CLAIMS OF LIEN, DEFECTS OR ENCUMBRANCES OTHER THAN THOSE SPECIFICALLY PROVIDED FOR ABOVE, AND, IF INFORMATION WAS REQUESTED BY REFERENCE TO A STREET ADDRESS, NO GUARANTEE IS MADE THAT SAID REAL PROPERTY IS THE SAME AS SAID ADDRESS.

EXCEPTIONS:

1. **LAST HALF OF GENERAL TAXES FOR 2024 OWING IN THE SUM OF \$115,514.00. TAX ACCOUNT NO. 1-0188-1BP-5258-001 (PARCEL A). (FULL YEAR GENERAL TAXES WERE IN THE AMOUNT OF \$2,310.35) (AREA CODE R1) FIRST HALF TAXES ARE DELINQUENT MAY 1; LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.**
2. **LIABILITY TO FUTURE ASSESSMENT BY KENNEWICK IRRIGATION DISTRICT.**

SAID SUBJECT PROPERTY IS WITHIN THE KENNEWICK IRRIGATION DISTRICT; HOWEVER, WAS NOT ASSESSED THIS YEAR.

CONTINUED

3. T & M PERMIT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: UNITED STATES OF AMERICA, ITS SUCCESSORS AND/OR ASSIGNS
DATED: MARCH 13, 1954
RECORDED: MARCH 23, 1954
RECORDING NO.: [326884](#) (INCLUDES OTHER PROPERTY)

4. RECORDABLE CONTRACT AND THE TERMS AND CONDITIONS THEREOF:
BETWEEN: THE UNITED STATES OF AMERICA
AND: NORTHERN PACIFIC RAILWAY CO.
DATED: APRIL 2, 1956
RECORDED: APRIL 11, 1956
RECORDING NO.: [355503](#) (INCLUDES OTHER PROPERTY)

5. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
RECORDED: AUGUST 5, 1976
RECORDING NO.: [708431](#) (INCLUDES OTHER PROPERTY)
IN FAVOR OF: UNITED STATES OF AMERICA AND ITS ASSIGNS
FOR: ALTERNATING ELECTRIC POWER TRANSMISSION LINES AND
APPURTENANCES THERETO

A PORTION OF SAID EASEMENT HAS BEEN RELEASED PURSUANT TO QUIT CLAIM DEED
RECORDED JUNE 5, 2014 UNDER AUDITOR'S FILE NUMBER [2014-013303](#). PLEASE REFERENCE
SAID QUIT CLAIM DEED FOR FULL DETAILS.

6. RIGHT OF WAY EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF,
FOR ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE, TOGETHER WITH NECESSARY
APPURTENANCES, AS GRANTED BY INSTRUMENT;
RECORDED: APRIL 26, 1978
RECORDING NO.: 757041 (INCLUDES OTHER PROPERTY)
IN FAVOR OF: PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON
COUNTY, WASHINGTON, A MUNICIPAL CORPORATION
FOR: CONSTRUCTION, OPERATION AND MAINTENANCE OF AN ELECTRIC
POWER LINE

7. RIGHT OF WAY OF AMON WASTE WAY AS DISCLOSED BY INSTRUMENT RECORDED SEPTEMBER
27, 1979 UNDER AUDITOR'S FILE NUMBER [803521](#), RECORDS OF BENTON COUNTY, WASHINGTON.

8. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
RECORDED: NOVEMBER 30, 1982
RECORDING NO.: 869563 (INCLUDES OTHER PROPERTY)
IN FAVOR OF: UNITED STATES OF AMERICA AND ITS ASSIGNS
FOR: LOCATE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REBUILD,
UPGRADE, REMOVE AND PATROL ONE LINE OF POLES OR STRUCTURES AND
APPURTENANCES

CONTINUED

9. EXCEPTIONS AND RESERVATIONS CONTAINED IN INSTRUMENTS;

FROM: GLACIER PARK COMPANY
RECORDED: AUGUST 6, 1990, AUGUST 15, 1990 AND OCTOBER 13, 1998
RECORDING NOS.: 90-12903, [90-13533](#), [1998-030435](#) (ALL INCLUDE OTHER PROPERTY)
AS FOLLOWS:

EXCEPTING AND RESERVING, HOWEVER, TO THE GRANTOR, FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, FOREVER, ALL RIGHT, TITLE AND INTEREST, AND TO ALL GEOTHERMAL HEAT AND ALL ORES AND MINERALS OF ANY NATURE WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, OIL, GAS, OTHER HYDROCARBONS, CARBON DIOXIDE, COAL, IRON, GAS OCCURRING IN COAL, FORMATION, INDUSTRIAL MINERALS, METALLIC MINERALS, AGGREGATES, SAND, GRAVEL, CLAY, URANIUM, ROCK, INCLUDING, BUT NOT LIMITED TO, ROCK OF A UNIQUE CHARACTER (HEREINAFTER "MINERALS"), IN AND UNDER OR WHICH MAY BE PRODUCED FROM THE ABOVE-DESCRIBED REAL ESTATE (HEREINAFTER "PREMISES"), TOGETHER WITH ALL THE RIGHT TO ENTER UPON THE PREMISES FOR THE PURPOSES OF PROSPECTING AND EXPLORING FOR MINERALS BY GEOPHYSICAL, GEOCHEMICAL OR OTHER MEANS, AND FOR THE PURPOSES OF DRILLING, EXTRACTING, OPERATING AND WORKING ANY EXTRACTION AND PROCESSING FACILITIES BY ANY PROCEDURES WHATSOEVER, AND TAKING OUT, REMOVING, CARRYING AWAY, THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES. PROVIDED, HOWEVER, THAT THE GRANTEE, HIS SUCCESSORS AND ASSIGNS, SHALL BE PAID JUST AND REASONABLE COMPENSATION FOR ANY ACTUAL PHYSICAL INJURY THEREON CAUSED BY THE EXERCISE OF ANY RIGHTS HEREIN RESERVED. THE EXERCISE OF SUCH RIGHTS BY THE GRANTOR OR ITS SUCCESSORS AND ASSIGNS SHALL NOT BE POSTPONED OR DELAYED PENDING REASONABLE EFFORTS TO AGREE UPON, OR HAVE DETERMINED, SUCH JUST AND REASONABLE COMPENSATION.

PLEASE NOTE THE FOLLOWING INSTRUMENTS:

STATUTORY QUITCLAIM DEED, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: JANUARY 7, 1997
RECORDING NUMBER: 97-262
GRANTOR: GLACIER PARK COMPANY, A DELAWARE CORPORATION
GRANTEE: GARY MAUGHAN AND CAROL MAUGHAN AS HUSBAND AND WIFE AND
JOINT TENANTS

SAID INSTRUMENT IS A RE-RECORD OF INSTRUMENT:

RECORDED: FEBRUARY 7, 1996
RECORDING NUMBER: 96-3049

CONTINUED

QUIT CLAIM DEED, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: JUNE 30, 2000
RECORDING NUMBER: [2000-016563](#)
GRANTOR: GARY MAUGHAN AND CAROL MAUGHAN, HUSBAND AND WIFE AND
JOINT TENANTS
GRANTEE: SADDLE MOUNTAIN MINERALS L.L.C., A WASHINGTON LIMITED LIABILITY
COMPANY

NOTICE OF CLAIM TO SEVERED MINERAL INTEREST, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: JANUARY 13, 2009
RECORDING NUMBER: [2009-000812](#)
CLAIMANT: BURLINGTON RESOURCES OIL & GAS COMPANY L.P., A DELAWARE
PARTNERSHIP (FORMERLY KNOWN AS MERIDIAN OIL INC. AND BURLINGTON RESOURCES OIL & GAS
GAS COMPANY), AND A WHOLLY OWNED SUBSIDIARY OF CONOCOPHILLIPS

QUIT CLAIM DEED, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: DECEMBER 27, 2012
RECORDING NUMBER: [2012-040751](#)
GRANTOR: SADDLE MOUNTAIN MINERALS, L.L.C., A WASHINGTON LIMITED LIABILITY
COMPANY
GRANTEE: FORTERVA NW, A WASHINGTON NON-PROFIT CORPORATION, FORMERLY
CASCADE LAND CONSERVANCY

QUIT CLAIM DEED, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: AUGUST 5, 2015
RECORDING NUMBER: [2015-023048](#)
GRANTOR: FORTERVA NW, A WASHINGTON NON-PROFIT CORPORATION, FORMERLY
CASCADE LAND CONSERVANCY
GRANTEE: RICHLAND 132, LLC

10. REQUIREMENT OF NOTICE AND THE TERMS, CONDITIONS, COVENANTS AND RESTRICTIONS THEREOF:

IN FAVOR OF: FORTERRA NW, A WASHINGTON NON-PROFIT CORPORATION
DATED: APRIL 9, 2014
RECORDED: APRIL 22, 2014
RECORDING NO.: [2014-009167](#)

INCLUDING BUT NOT LIMITED TO THE FOLLOWING: (PLEASE REFERENCE THE ABOVE PARAGRAPH FOR THE MINERAL ESTATE)

CONTINUED

THIS REQUIREMENT OF NOTICE IS INTENDED TO: 1) PROVIDE NOTICE OF FORTERRA NW'S OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN; AND 2) INSURE THAT ALL PARTIES SUBMITTING APPLICATIONS FOR LAND USE PERMITS OR APPROVALS ON OR ACROSS ALL OR A PORTION OF SUCH PROPERTY OBTAIN FORTERRA NW'S CONSENT WHEREVER CONSENT OF ALL OWNERS IS REQUIRED, INCLUDING WITHOUT LIMITATION FOR PLATS AND RIGHT-OF-WAYS.

BY QUIT CLAIM DEED RECORDED ON DECEMBER 27, 2012 AMONG THE LAND RECORDS OF BENTON COUNTY, RECORDING NO. 2012-040751, FORTERRA OBTAINED TITLE TO ALL MINERALS AND MINERAL RIGHTS IN OR UNDER OR WHICH MAY BE PRODUCED FROM THE FOLLOWING DESCRIBED CERTAIN REAL PROPERTY.

11. SIDEWALK, UTILITY AND LANDSCAPE EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;

RECORDED: OCTOBER 3, 2008
RECORDING NO.: [2008-028963](#) AFFECTS LOT 1
IN FAVOR OF: CITY OF KENNEWICK
AFFECTS: SUBJECT PROPERTY AND INCLUDES OTHER PROPERTY

12. SLOPE AND DRAINAGE EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;

RECORDED: OCTOBER 3, 2008
RECORDING NO.: [2008-028964](#)
IN FAVOR OF: CITY OF KENNEWICK
AFFECTS: SUBJECT PROPERTY

13. PERMANENT SIDEWALK AND UTILITY EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;

RECORDED: FEBRUARY 3, 2012
RECORDING NO.: [2012-003446](#)
IN FAVOR OF: CITY OF KENNEWICK, A WASHINGTON MUNICIPAL CORPORATION
AFFECTS: SUBJECT PROPERTY

14. PERMANENT SIDEWALK AND UTILTIY EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;

RECORDED: FEBRUARY 24, 2012
RECORDING NO.: [2012-005408](#)
IN FAVOR OF: CITY OF KENNEWICK, A WASHINGTON MUNICIPAL CORPORATION
FOR: SIDEWALKS AND UTILITIES, OF PERPETUAL DURATION

15. CITY OF RICHLAND ORDINANCE NO. 11-14, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF, ENTERED INTO;

DATED: JUNE 3, 2014
RECORDED: JULY 16, 2014
RECORDING NO.: [2014-017200](#)

CONTINUED

16. NOTES AS CONTAINED ON THE FACE OF SAID PLAT, AS FOLLOWS:

A) NO BUILDING PERMITS FOR THE PROPOSED LOTS SHALL BE ISSUED FOR ANY STRUCTURE REQUIRING POTABLE WATER AND SANITARY SEWER SERVICE UNTIL AN APPROVED WATER AND SEWER DISTRIBUTION SYSTEM THAT WILL PROVIDE SERVICES TO THE LOT THE STRUCTURE WILL BE BUILT ON HAS BEEN DESIGNED AND ACCEPTED BY THE CITY OF RICHLAND ENGINEERING DEPT. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR ANY STRUCTURE UNTIL SAID SYSTEM IS CONSTRUCTED AND ACCEPTED BY THE CITY. UTILITY INFORMATION IS AVAILABLE THROUGH THE CITY OF RICHLAND.

B) C#####] = ADDRESSES SUBJECT TO CHANGE BY THE CITY OR RICHLAND. ZIP CODE 99352.

C) DIRECT ACCESS ONTO STEPTOE STREET FROM THE SITE WILL BE PROHIBITED.

17. EASEMENT DELINEATED ON THE FACE OF THE PLAT OF SAID SUBDIVISION; FOR SIDEWALK, UTILITY, ACCESS, SEWER AND IRRIGATION. (AFFECTS PORTION OF SAID PREMISES)

18. OUTSIDE UTILITY AGREEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

**BETWEEN: CITY OF KENNEWICK, A MUNICIPAL CORPORATION
AND: BUSH TRUSTEES TIMOTHY T. AND KATHRYN L.
DATED: SEPTEMBER 30, 2019
RECORDED: SEPTEMBER 30, 2019
RECORDING NO.: [2019-029900](#)**

19. UNRECORDED LEASEHOLDS, RIGHTS OF VENDORS AND HOLDERS OF SECURITY INTERESTS ON PERSONAL PROPERTY INSTALLED ON THE PREMISES AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES, IF ANY SUCH INTEREST EXISTS.

20. ANY SECURITY INTEREST IN GOODS WHICH ARE OR MAY BECOME FIXTURES LOCATED ON SAID PREMISES CREATED OR EXISTING UNDER THE PROVISIONS OF UNIFORM COMMERCIAL CODE R.C.W. 62-A.

21. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

**GRANTOR: TIMOTHY T. BUSH AND KATHRYN L. BUSH TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE BUSH LIVING TRUST, DATED AUGUST 18, 1999, AND ANY AMENDMENTS THERETO
TRUSTEE: CASCADE TITLE COMPANY
BENEFICIARY: NUMERICA CREDIT UNION
AMOUNT: \$350,000.00
DATED: January 07, 2020
RECORDED: January 24, 2020
AUDITOR'S FILE NO.: [2020-002677](#)**

CONTINUED

22. ASSIGNMENT OF LEASES AND/OR RENTS:

ASSIGNOR: TIMOTHY T. BUSH AND KATHRYN L. BUSH TRUSTEES, OR THEIR
SUCCESSORS IN TRUST, UNDER THE BUSH LIVING TRUST, DATED
AUGUST 18, 1999, AND ANY AMENDMENTS THERETO
ASSIGNEE: NUMERICA CREDIT UNION
RECORDED: January 24, 2020
AUDITOR'S FILE NO.: [2020-002678](#)

23. FINANCING STATEMENT AND THE TERMS AND CONDITIONS THEREOF:

DEBTOR: BUSH LIVING TRUST, DATED AUGUST 18, 1999
SECURED PARTY: NUMERICA CREDIT UNION
COVERS: ALL FURNITURE, FIXTURES, AND EQUIPMENT; WHETHER ANY OF
THE FOREGOING IS OWNED NOW OR ACQUIRED LATER; ALL
ACCESSIONS, ADDITIONS, REPLACEMENTS, AND SUBSTITUTIONS
RELATING TO ANY OF THE FOREGOING; ALL RECORDS OF ANY
KIND RELATING TO ANY OF THE FOREGOING
RECORDED: January 24, 2020
AUDITOR'S FILE NO.: [2020-002679](#)

END OF SCHEDULE A EXCEPTIONS.

NOTES:

- a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

NA
RICHLAND, WA 99352

- b. ACCORDING TO THE RECORDS OF BENTON COUNTY ASSESSOR, THE CURRENT VALUE OF SAID PREMISES IS AS FOLLOWS:

TAX ACCOUNT NO.:1-0188-1BP-5258-001 (PARCEL A)

LAND:	NA
IMPROVEMENTS:	NA
TOTAL:	NA

TAX ACCOUNT NO.:1-0188-1BP-5258-002 (PARCEL B)

LAND:	NA
IMPROVEMENTS:	NA
TOTAL:	NA

TAX ACCOUNT NO.:1-0188-1BP-5258-003 (PARCEL C)

LAND:	NA
IMPROVEMENTS:	NA
TOTAL:	NA

TAX ACCOUNT NO.:1-0188-1BP-5258-004 (PARCEL D)

LAND:	NA
IMPROVEMENTS:	NA
TOTAL:	NA

- c. THE FOLLOWING ABBREVIATED LEGAL DESCRIPTION IS PROVIDED AS A COURTESY TO ENABLE THE DOCUMENT PREPARER TO CONFORM WITH THE REQUIREMENTS OF RCW 65.04.045, PERTAINING TO STANDARDIZATION OF RECORDED DOCUMENTS.

ABBREVIATED LEGAL DESCRIPTION:

LOTS 1-4, BINDING SITE PLAN 5258

- d. GENERAL TAXES FOR 2024 IN THE SUM OF \$1,086.20, ARE PAID IN FULL. TAX ACCOUNT NO. [1-0188-1BP-5258-002](#) (PARCEL B). (AREA CODE R1, FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)

CONTINUED

- e. GENERAL TAXES FOR 2024 IN THE SUM OF \$978.48, ARE PAID IN FULL. TAX ACCOUNT NO. [1-0188-1BP-5258-003](#) (PARCEL C). (AREA CODE R1, FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)
- f. GENERAL TAXES FOR 2024 IN THE SUM OF \$561.04, ARE PAID IN FULL. TAX ACCOUNT NO. [1-0188-1BP-5258-004](#) (PARCEL D). (AREA CODE R1, FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)

EXHIBIT "A"

LOT 1

NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 24.56 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF CENTER PARKWAY AND THE TRUE POINT OF BEGINNING;

**THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 72.91 FEET;
THENCE SOUTH 6°20'59" WEST 78.80 FEET;
THENCE NORTH 23°39'01" WEST 29.00 FEET;
THENCE SOUTH 66°20'59" WEST 121.56 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE NORTH 24°05'39" WEST ALONG SAID LINE 20.48 FEET;
THENCE NORTH 20°54'21" EAST ALONG SAID LINE 79.96 FEET TO THE SOUTHERLY RICHTHOF-WAY LINE OF SAID CENTER PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH 21°34'37" EAST 475.00 FEET,
THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE. 172.68 FEET THROUGH A DELTA ANGLE OF 20°49'45";
THENCE NORTH 89°15'10" EAST ALONG SAID LINE 5.62 FEET TO THE SAID TRUE POINT OF BEGINNING**

LOT 2

THAT PORTION OF PARCEL 3 AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525, LYING IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 97.47 FEET TO THE TRUE POINT OF BEGINNING;

CONTINUED

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 110.97 FEET;
THENCE SOUTH 66°20'59" WEST 157.03 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE NORTH 23°38'54" WEST ALONG SAID LINE 123.48 FEET;
THENCE NORTH 24°05'39" WEST ALONG SAID LINE 7.71 FEET;
THENCE NORTH 66°20'59" EAST 121.56 FEET;
THENCE SOUTH 23°39'01" EAST 29.00 FEET;
THENCE NORTH 66°20'59" EAST 78.80 FEET TO THE SAID TRUE POINT OF BEGINNING.

LOT 3

THAT PORTION OF PARCEL 3 AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525, LYING IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 208.44 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 210.38 FEET;
THENCE SOUTH 89°04'45" WEST 94.48 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE NORTH 11°47'05" WEST ALONG SAID LINE 23.86 FEET;
THENCE NORTH 17°53'20" WEST ALONG SAID LINE 19.22 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS SOUTH 72°06'40" WEST 1,052.00 FEET,
THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE 105.75 FEET THROUGH A CENTRAL ANGLE OF 05°45'34";
THENCE NORTH 23°38'54" WEST ALONG SAID LINE 9.18 FEET;
THENCE NORTH 66°20'59" EAST 157.03 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTINUED

LOT 4

THAT PORTION OF PARCEL 3 AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525, LYING IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 418.82 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 286.66 FEET TO THE
EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE THE FOLLOWING COURSES ALONG SAID RIGHT-OF-WAY LINE,
NORTH 17°53'16" WEST 10.11 FEET;
NORTH 17°15'08" WEST 126.95 FEET;
SOUTH 72°44'52" WEST 18.12 FEET;
NORTH 17°15'08" WEST 67.90 FEET;
NORTH 11°47'05" WEST 96.82 FEET;
THENCE LEAVING SAID COURSES NORTH 89°04'45" EAST 94.48 FEET TO THE SAID TRUE POINT
OF
BEGINNING.

Cascade Title Company of Benton-Franklin Counties

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 **Cascade Title Company of Benton-Franklin Counties**

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.

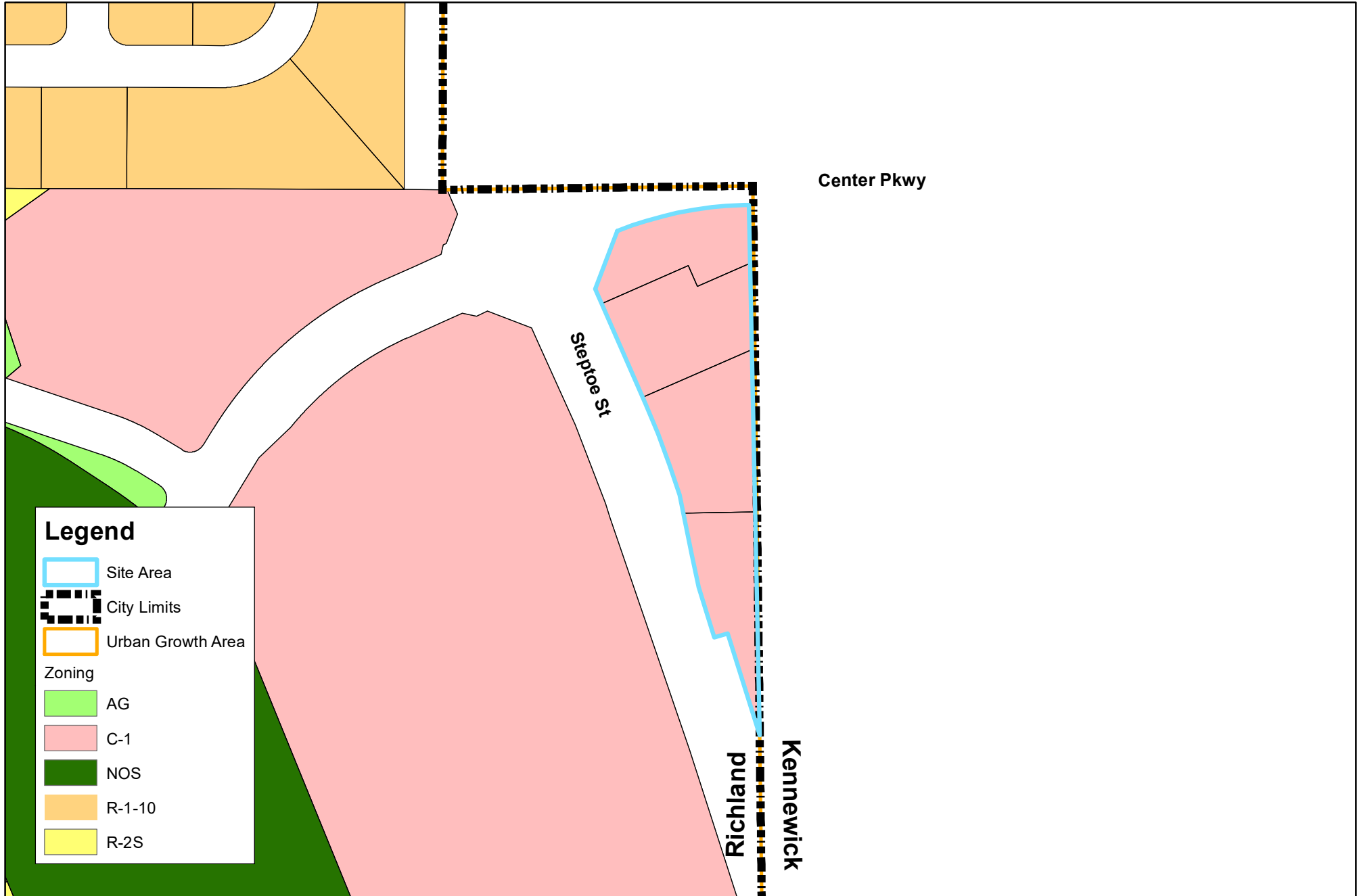
Zoning Map

Item: 9025 Center Pkwy zone change
Applicant: Rick Simon
File #: PLN-T3A-2024-00001

Exhibit 2

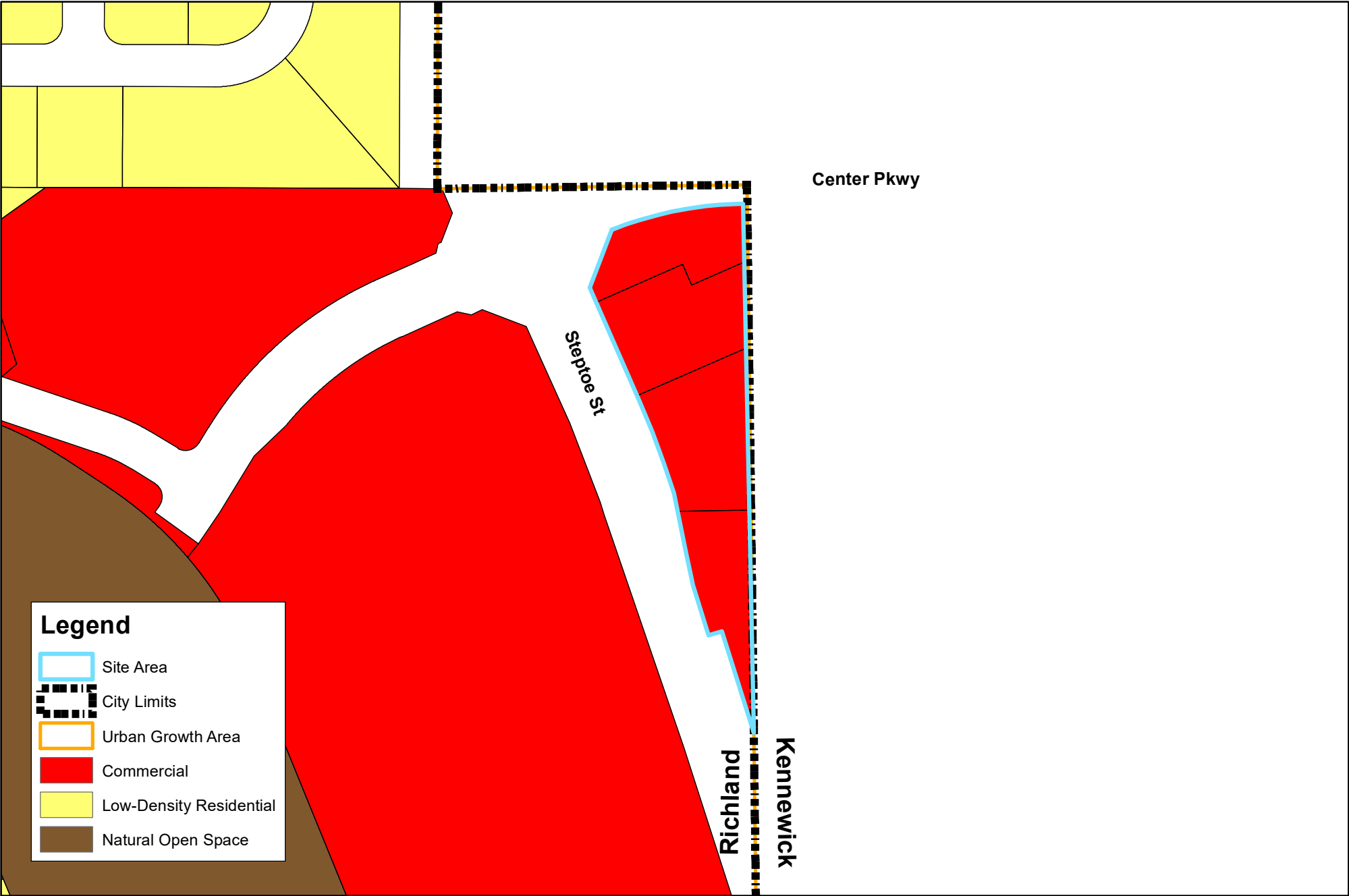
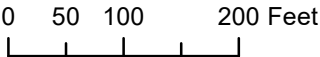


0 50 100 200 Feet



Land Use Map

Item: 9025 Center Pkwy zone change
Applicant: Rick Simon
File #: PLN-T3A-2024-00001



Vicinity Map

Item: 9025 Center Pkwy zone change
Applicant: Rick Simon
File #: PLN-T3A-2024-00001



0 50 100 200 Feet





Richland

Exhibit 3

CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (PLN-T3A-2024-00001)

Notice is hereby given that Rick Simon, RPS Planning Consulting LLC. (applicant) has filed a zone change application on behalf of Tim Bush (owner) to rezone approximately 1.7 acres from Neighborhood Retail (C-1) to Retail Business (C-2). The site area is designated as Commercial by the Richland Comprehensive Plan. The applicant has proposed a property use and development agreement to limit specific commercial uses and building height to be similar to the C-1 zone.

Project Site: The project site is located at 9025 Center Parkway, Richland, WA, and the adjacent properties to the south of this property (APNs 1-01881BP5258001, 1-01881BP5258002, 1-01881BP5258003, and 1-01881BP5258004).

Public Hearing: The Richland Hearings Examiner will conduct a public hearing and review of the application at 6:00 p.m., Monday, August 12th, 2024 at City Hall, 625 Swift Boulevard. All interested parties are invited to participate in the public hearing.

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 emailed to planning@ci.richland.wa.us. The deadline for written comments is 6:00 p.m., Sunday, August 11th. However, written comments must be received no later than 5:00 p.m. on Thursday, August 1, 2024 to be incorporated into the staff report. Comments received after that time will be entered into the record during the hearing.

Appeal: The application will be reviewed in accordance with the regulations in RMC Title 23 Zoning, Title 19 Development Regulations Administration. 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.

Vicinity Map

Item: 9025 Center Pkwy zone change

Applicant: Rick Simon

File #: PLN-T3A-2024-00001



0 50 100 200 Feet



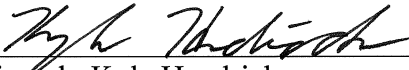
AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

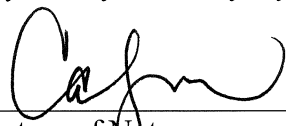
COMES NOW, **Kyle Hendricks**, who, being first duly sworn upon oath deposes and says:

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 July 2024, I posted the attached NOTICE OF PUBLIC HEARING, File Number PLN-T3A-2024-00001 (9025 Center Parkway Zone Change) in the following locations:

Approximately 85 feet south from the crosswalk of the southeast corner of the Center Parkway and Steptoe Street intersection.


Signed: Kyle Hendricks

SIGNED AND SWORN to before me this 18th day of July, 2024, by Kyle Hendricks.

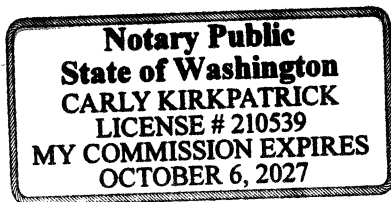

Signature of Notary

Carly Kirkpatrick
Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: Oct. 6, 2027

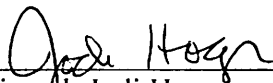


AFFIDAVIT OF MAILING

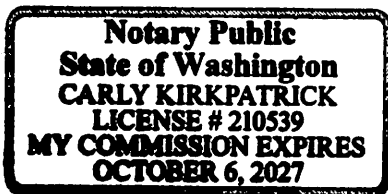
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, Jodi Hogan, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 19th day of July 2024, I mailed a copy of the attached Notice of Public Hearing for PLN-T3A-00001 to the attached list of individuals via regular USPS or email on the date indicated above.


Signed: Jodi Hogan

SIGNED AND SWORN to before me this 18th day of July 2024 by




Notary Public in and for the State of Washington,
Carly Kirkpatrick
Print Name
Residing at Benton County
My appointment expires: Oct. 6, 2027

AFFIDAVIT OF MAILING - 1
Notice of Closed Record Hearing attached.
Address list attached.

OCTOBER 8 1953
MA COMMISSION EXHIBIT
LICENSE # 310238
CYNTHIA KIRKPATRICK
STATE OF MASSACHUSETTS
LAWSON L. HARRIS

CONFIDENTIAL
MASSACHUSETTS
STATE DEPARTMENT OF
REGISTRATION
RECEIVED
OCT 10 1953

WARREN JAMES A & JUDY L
305 N QUEBEC ST
KENNEWICK, WA 99336

PANTELEYEV PAVEL & INNA
215 N QUEBEC ST
KENNEWICK, WA 99336

KORF MARINA Y & ALEKANDR M
207 N QUEBEC ST
KENNEWICK, WA 99336

HOWARD LOWELL E & KYUNG S
105 N QUEBEC STREET
KENNEWICK, WA 99336

RUIZ MANUEL
8907 W BRUNEAU AVE
KENNEWICK, WA 99336

THE BOYCE LIVING TRUST
8902 W BRUNEAU AVE
KENNEWICK, WA 99336

NIPP KATHY M & MARK A
8905 W CLEARWATER PL
KENNEWICK, WA 99336

QUIROGA LETIZIA M
8900 W CLEARWATER PL
KENNEWICK, WA 99336

GRANDRIDGE MEADOWS HOMEOWNER'S ASSOC
1920 N PITTSBURG ST STE A
KENNEWICK, WA 99336

FREITAG TODD
99106 E BRANDON DR
KENNEWICK, WA 99338

CHEN GRACE & WELSH KEITH MILTON
301 N QUEBEC ST
KENNEWICK, WA 99336

ANDRESEN MICHAEL W & KRISTINE M
211 N QUEBEC ST
KENNEWICK, WA 99336

BARTON BAX R
PO BOX 278
SEAHURST, WA 98062

ANEMA RICHARD J & MARYILYN E
101 N QUEBEC ST
KENNEWICK, WA 99336

DONNELLY JACK W & MAYA
8903 W BRUNEAU AVE
KENNEWICK, WA 99336

BISCONER PAM
8906 W BRUNEAU AVE
KENNEWICK, WA 99336

HALL JAMES & IRENE
8901 W CLEARWATER PL
KENNEWICK, WA 99336

QUIGLEY RICHARD N & SHERRIE L
8904 W CLEARWATER PL K
ENNEWICK, WA 99336

GRANDRIDGE MEADOWS HOMEOWNER'S ASSOC
1920 N PITTSBURG ST STE A
KENNEWICK, WA 99336

KEEN JESSE L & KIMBERLEE N
71 N QUEBEC ST
KENNEWICK, WA 99336

RENDERS JOSEPH M & ASHLEY T
57 N QUEBEC ST
KENNEWICK, WA 99338

PACK BRANDON RAY & KIMBERLY N
27 N QUEBEC STREET
KENNEWICK, WA 99336

STEWART CODY M
200 W 50TH AVE
KENNEWICK, WA 99337

SLOVER SHAWN & KIMBERLY
8901 W DESCHUTES DR
KENNEWICK, WA 99336

CHASE KEVIN C
8913 E DESCHUTES DR
KENNEWICK, WA 99336

COMBS MICHAEL S & CORIE A
3927 S MORAIN LOOP
KENNEWICK, WA 99337

ROBLES BIRRUETA LUIS A & ROBLES GINA
9007 W DESCHUTES DRIVE
KENNEWICK, WA 99336

FRIBERG CHRISTOPHER G & CARLA M
9019 W DESCHUTES DR
KENNEWICK, WA 99336-1071

FOSTER CHRISTOPHER L
9031 W DESCHUTES DR
KENNEWICK, WA 99336-1071

COULSON DAVID LEON & KAREN SUE
8912 W DESCHUTES DR
KENNEWICK, WA 99336-1068

REFFALT TOMMY J
43 N QUEBEC ST
KENNEWICK, WA 99336

STEWART JOSHUA STEVEN
8925 W BRUNEAU PL
KENNEWICK, WA 99338

ANDERSON TRUSTEES PAUL ARTHUR & BETSY PALMER
8912 W BRUNEAU PL
KENNEWICK, WA 99336

SWANSON VIVIANNE L
8907 W DESCHUTES
KENNEWICK, WA 99336

PRICE ROGER D & KAREN K
8919 W DESCHUTES DR
KENNEWICK, WA 99336

VANDERVEER EDWARD M
9001 W DESCHUTES DR
KENNEWICK, WA 99336-1071

FLAUCHER REX & SHARON
3602 S VANCOUVER ST
KENNEWICK, WA 99337-3826

HARPER WAYNE A & DEBORAH L
9025 W DESCHUTES DR
KENNEWICK, WA 99336-1071

JACKSON BARIDI & POLITO JULISSA
8908 W DESCHUTES DR
KENNEWICK, WA 99336

MEYER RAYME L
8918 W DESCHUTES DR
KENNEWICK, WA 99336

HOANG THIEC C & NGO THUY B
2612 TIGER LANE
RICHLAND, WA 99352

BUSH FAMILY GIVING LLC
3019 DUPORTAIL ST #226
RICHLAND, WA 99352

BUSH TRUSTEES TIMOTHY T & KATHRYN L
3019 DUPORTAIL ST, STE #226
RICHLAND, WA 99352

RICHLAND 132 LLC
2464 SW GLACIER PLACE STE 110
REDMOND, OR 97756

O'DONNELL JAMES A & COROLYN T
2624 TIGER LN
RICHLAND, WA 99352

BUSH FAMILY GIVING LLC
3019 DUPORTAIL ST #226
RICHLAND, WA 99352

RICHLAND 132 LLC
2464 SW GLACIER PLACE STE 110
REDMOND, OR 97756

BUSH TRUSTEES TIMOTHY T & KATHRYN L
3019 DUPORTAIL ST, STE #226
RICHLAND, WA 99352



The Beaufort Gazette
The Belleville News-Democrat
Bellingham Herald
Centre Daily Times
Sun Herald
Idaho Statesman
Bradenton Herald
The Charlotte Observer
The State
Ledger-Enquirer

Durham | The Herald-Sun
Fort Worth Star-Telegram
The Fresno Bee
The Island Packet
The Kansas City Star
Lexington Herald-Leader
The Telegraph - Macon
Merced Sun-Star
Miami Herald
El Nuevo Herald

The Modesto Bee
The Sun News - Myrtle Beach
Raleigh News & Observer
Rock Hill | The Herald
The Sacramento Bee
San Luis Obispo Tribune
Tacoma | The News Tribune
Tri-City Herald
The Wichita Eagle
The Olympian

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	575738	Print Legal Ad-IPL01849970 - IPL0184997	HE PHN PLN-T3A-2024-0	\$169.93	1	57 L

Attention: (company)

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

janderson@ci.richland.wa.us

**CITY OF RICHLAND
NOTICE OF APPLICATION,
PUBLIC HEARING
(PLN-T3A-2024-00001)**

Notice: Rick Simon, RPS Planning Consulting LLC (applicant), has filed a zone change application on behalf of Tim Bush (owner) to rezone approximately 1.7 acres from Neighborhood Retail (C-1) to Retail Business (C-2). The site area is designated as Commercial by the Richland Comprehensive Plan. The applicant has proposed a property use and development agreement to limit specific commercial uses and building height to be similar to the C-1 zone.

Project Site: The project site is located at 9025 Center Parkway, Richland, WA, and the adjacent properties to the south of this property (APNs 1-01881BP5258001, 1-01881BP5258002, 1-01881BP5258003, and 1-01881BP5258004).

Public Hearing: The Richland Hearing Examiner will conduct a public hearing and review of the application on **Monday, August 12, 2024 at 6:00 p.m.** in the Richland City Hall Council Chambers, 625 Swift Boulevard. All interested parties are invited to participate in the public hearing.

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 planning@ci.richland.wa.us. The deadline for written comments is 6:00 p.m. on Sunday, August 11, 2024. However, written comments must be received no later than 5:00 p.m. on Thursday, August 1, 2024, to be incorporated into the staff report. Comments received after that time will be entered into the record during the public hearing.

Date Published: Sunday, July 28, 2024
IPL0184997
Jul 28 2024

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Mary Castro, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time (s) commencing on 07/28/2024, and ending on 07/28/2024 and that said newspaper was regularly distributed to its subscribers during all of this period.

1 insertion(s) published on:

07/28/24

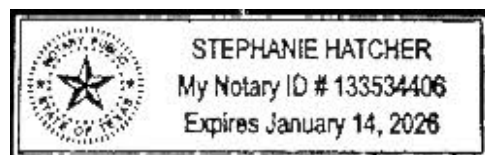
Mary Castro

(Signature of Legals Clerk)

Sworn to and subscribed before me this 29th day of July in the year of 2024

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!

MEMORANDUM

***PUBLIC WORKS
CIVIL AND UTILITY ENGINEERING***

TO: CITY OF RICHLAND PLANNING DEPARTMENT
FROM: JOHN WHITTIER – CIVIL ENGINEER 1
DATE: JULY 30th, 2024
SUBJECT: REZONE APPLICATION #PLN-T3A-2024-00001 – 9025 CENTER PKWY

To whom it may concern,

The Public Works Permitting Department reviewed the submitted Re-Zone application for 9025 Center Pkwy. received on July 19th, 2024, and have the following comments noted below.

1. As mentioned in the report, direct access onto Steptoe St. will be prohibited for this location. The project will be required to maintain the existing access easement off Center Parkway for all lots.
2. *Advisory Comment Only:* Note that water and sewer services will have to be extended to individual properties at the time of future commercial construction.

If you have any questions, please let me know.

Thank you,
John T. Whittier, PE
509-942-7649

From: [Castle,Angela C \(CONTR\) - TERR-PASCO](#)
To: [Planning](#)
Subject: RE: [EXTERNAL] PLN-T3A-2024-00001 Rezone 9025 Center Parkway
Date: Monday, July 22, 2024 1:30:29 PM
Attachments: [image001.png](#)

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

Hello Mike,

Thank you for the opportunity to comment. BPA has no facilities in the vicinity of this project, and therefore has no comments or concerns.

Thank You

Angela Castle

(Contractor) Actalent

Realty Technician II

BPA, TERR

ACCastle@BPA.gov

O: 509-544-4747 C: 564-236-5124

2211 N Commercial Ave

Pasco WA 99301

From: Planning <planning@ci.richland.wa.us>

Sent: Friday, July 19, 2024 11:39 AM

To: _Address Change Notification_All; Castle,Angela C (CONTR) - TERR-PASCO <ACCastle@bpa.gov>; admin@basindisposal.com; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; BC Planning - Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton County Planning <Planning.Department@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; city@basindisposal.com; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; Crosepa@ecy.wa.gov <Crosepa@ecy.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; deanah.watson@commerce.wa.gov; Davis, Deanna <d.davis@bces.wa.gov>; Rodgers,Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrodgers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; Former Orchards <FormerOrchards@ecy.wa.gov>; GIS <gis@co.benton.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Homero.Gonzalez@ziply.com; ian_gray@yakama.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <jmcshane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; Kinch,James L (BPA) - TERR-BELL-1 <JLKinch@bpa.gov>; Jodeer@bfhd.wa.gov; John Lyle

<john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdekllyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Cummings, Nicole M (BPA) - TERR-TRI CITIES RMHQ <NMCummings@bpa.gov>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; PublicWorks@co.benton.wa.us; Quentin Wright <QWright@portofbenton.com>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Ryan Anderson <rand461@ECY.WA.GOV>; Sanchez, Juan <jsanchez@CI.RICHLAND.WA.US>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA BFHD <SEPA@bfhd.wa.gov>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WDFW <R3Planning@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>
Subject: [EXTERNAL] PLN-T3A-2024-00001 Rezone 9025 Center Parkway

Hello Everybody,

Rick Simon, RPS Planning Consulting LLC. (applicant) has filed a zone change application on behalf of Tim Bush (owner) to rezone approximately 1.7 acres from Neighborhood Retail (C-1) to Retail Business (C-2 The project site is located at 9025 Center Parkway, Richland, WA, and the adjacent properties to the south of this property (APNs 1-01881BP5258001, 1-01881BP5258002, 1-01881BP5258003, and 1-01881BP5258004). Please review the attached materials relative to your agency's regulations and submit any comments no later than 5:00 PM on Thursday, August 1, 2024. Comments may be submitted via e-mail to planning@ci.richland.wa.us or mailed to: Richland Development Services Department, 625 Swift Boulevard, MS #35, Richland, WA 99352.

Your timely review is very much appreciated.

Thank you,



Jodi Hogan
Permit Technician I
625 Swift Blvd., MS-35| Richland, WA 99352
(509) 942-7771

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.

From: [Rodgers, Deborah \(CONTR\) - TERR-TRI CITIES RMHQ](#)
To: [Planning](#)
Subject: RE: [EXTERNAL] PLN-T3A-2024-00001 Rezone 9025 Center Parkway
Date: Thursday, August 1, 2024 4:19:03 PM
Attachments: [image002.png](#)
[image003.png](#)

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

Jodi,

Bonneville Power Administration (BPA) has had the opportunity to review PLN-T3A-2024-00001 Rezone 9025 Center Parkway.

In researching our records, we have found that this proposal will not directly impact BPA facilities. 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.



[APPLICATION FOR PROPOSED USE OF BPA RIGHT-OF-WAY](#)

[Landowner Safety - Bonneville Power Administration \(bpa.gov\)](#)

[Vegetation Management - Bonneville Power Administration \(bpa.gov\)](#)

From: Planning <planning@ci.richland.wa.us>

Sent: Friday, July 19, 2024 11:39 AM

To: _Address Change Notification_All; Castle, Angela C (CONTR) - TERR-PASCO <ACCastle@bpa.gov>; admin@basindisposal.com; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; BC Planning - Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton County Planning <Planning.Department@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; city@basindisposal.com; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig

<C.Hamilton@bces.wa.gov>; Crosepa@ecy.wa.gov <Crosepa@ecy.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; deanah.watson@commerce.wa.gov; Davis, Deanna <d.davis@bces.wa.gov>; Rodgers, Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; Former Orchards <FormerOrchards@ecy.wa.gov>; GIS <gis@co.benton.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Homero.Gonzalez@ziply.com; ian_gray@yakama.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <jmcschane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; Kinch, James L (BPA) - TERR-BELL-1 <JLKinch@bpa.gov>; Jodeer@bfhd.wa.gov; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdekyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Cummings, Nicole M (BPA) - TERR-TRI CITIES RMHQ <NMCummings@bpa.gov>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; PublicWorks@co.benton.wa.us; Quentin Wright <QWright@portofbenton.com>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Ryan Anderson <rand461@ECY.WA.GOV>; Sanchez, Juan <jsanchez@CI.RICHLAND.WA.US>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA BFHD <SEPA@bfhd.wa.gov>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WDFW <R3Planning@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>

Subject: [EXTERNAL] PLN-T3A-2024-00001 Rezone 9025 Center Parkway

Hello Everybody,

Rick Simon, RPS Planning Consulting LLC. (applicant) has filed a zone change application on behalf of Tim Bush (owner) to rezone approximately 1.7 acres from Neighborhood Retail (C-1) to Retail Business (C-2). The project site is located at 9025 Center Parkway, Richland, WA, and the adjacent properties to the south of this property (APNs 1-01881BP5258001, 1-01881BP5258002, 1-01881BP5258003, and 1-01881BP5258004). Please review the attached materials relative to your agency's regulations and submit any comments no later than 5:00 PM on Thursday, August 1, 2024. Comments may be submitted via e-mail to planning@ci.richland.wa.us or mailed to: Richland Development Services Department, 625 Swift Boulevard, MS #35, Richland, WA 99352.

Your timely review is very much appreciated.

Thank you,



Jodi Hogan

Permit Technician I

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

(509) 942-7771

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2015 South Ely Street
Kennewick, WA 99337
Customer Service 509-586-9111
Business 509-586-6012
FAX 509-586-7663
www.kid.org

July 31, 2024

Jodi Hogan/ Permit Technician I
City of Richland – Development Services Department
625 Swift Blvd, MS #35
Richland, WA 99352
509-942-7771

Subject: Review Comments for PLN-T3-2024-00001 – 9025 Center Parkway - DRY

To Whom it May Concern:

The Kennewick Irrigation District has received a request for zone change to rezone approximately 1.70 acres from Neighborhood Retail (C-1) to Retail Business (C-2), the project is located at 9025 Center Parkway, Richland, WA.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries, but is not considered irrigable lands; therefore, the Kennewick Irrigation District does not assess them.
 - a. A water allotment is not assigned to this property. Water for a new allotment is unavailable at this location.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

Chris D. Sittman
Engineering Department/CAD Specia

cc: LB\correspondence\File: [01-08-28]
Applicant via mail – Rick Simon, RPS Planning Consultant, LLC, 98402 N. Harrington Rd., W. Richland, WA 99353

From: [Brett Menaker](#)
To: [Hendricks, Kyle](#)
Cc: [Jack Briggs](#); [Jack Donnelly](#); [angeloanthony41@gmail.com](#); [Jim Lampman](#); [Richelle Vandiver](#); [Megan Quinn](#)
Subject: Grandridge Meadows HOA objection to Bush rezone request (PLN-T3A-2024-00001)
Date: Wednesday, July 31, 2024 8:30:17 PM

You don't often get email from brett.menaker@gmail.com. [Learn why this is important](#)

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

Dear Mr. Hendricks:

The objections by the Grandridge Meadows board of directors to this proposed rezone are two-fold:

Rezoning from C1 (neighborhood retail) to C2, even with permissible uses limited to those allowed by the existing C-1 would permit structures with increased detrimental effect on the adjacent homes in our subdivision.

Structures of larger size can be expected to attract more people and vehicles resulting in greater increased traffic on Center Parkway at a location with very limited sight lines and intersection with north Quebec Street.

Insufficient information: We would ask the city to review our HOA's previous concerns about the small triangle of land involved and our past objections to retail developments Mr. Bush has proposed in the past.

We would also ask that, prior to any rezoning, Mr. Bush (or any prospective buyer) designate what is proposed for the land in order that adjacent home owners can evaluate and possibly protest any development that would decrease either their livability or the value of their homes.

Traffic: There are only two points of entry or exit from Grandridge Meadows, - north Montana Street and north Quebec Street. Both of these must be accessed via Center Parkway. Quebec Street is located near the entry to the property at issue and on a curve on Center Parkway. The curvature makes it difficult to safely exit Quebec Street onto Center Parkway as available sight distance is short. The problem has been intensified of late by increased traffic along Steptoe and Center Parkway – a condition that will worsen with proposed large developments off Steptoe and along Bob Olson Parkway

We ask that Richland take our concerns under consideration and keep our HOA in touch with all developments via our management company, EverStar Realty 1920 N Pittsburgh St., Kennewick, WA 99336, 509-735-4042) (Megan Quinn).

Incidentally, Mr. Bush's application page 7 list of C-2 uses that would not be allowed if the

change is approved includes **Traditional** housing. I assume this is a typo as the tabulation of allowable uses for various commercial zoning categories in RMC23.22.030 lists **Transitional** housing.

Hendricks, Kyle

From: toddandsherri@charter.net
Sent: Monday, July 29, 2024 12:09 PM
To: Planning
Subject: project site 9025 center parkway

You don't often get email from toddandsherri@charter.net. [Learn why this is important](#)

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

Kyle Hendricks:

I am the owner of the home at 87 N. Quebec
Todd Freitag.

I am NOT in favor of the zone change, please let me know if attending the meeting has a bigger impact on the decision making process

Thank You

Todd Freitag

Hendricks, Kyle

From: Andresen <andresenx2@aol.com>
Sent: Tuesday, July 23, 2024 3:08 PM
To: Hendricks, Kyle
Subject: RE: Notice of Application and Public Hearing (pln-t3a-2024-00001)

You don't often get email from andresenx2@aol.com. [Learn why this is important](#)

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

Kyle,

Thank you for the excellent customer service, clear explanation, and link to the referral package.

Michael Andresen

[Sent from AOL on Android](#)

Ts&Zj 8z&78 87579fy7 5<UR BjsiwhpxP~qj%
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Hello Michael,

Thank you for reaching out! In their application materials the applicant has indicated that they understand the proximity to a residential neighborhood. Creating a property use and development agreement (PUDA) stays with the property until a change is proposed. Each condition within the PUDA should be followed when reviewing a project proposal on the property. So, if a PUDA says these lots cannot build higher than 30 feet (C-1 zone) then no buildings should exceed that height, despite change of ownership, unless an application to revise the PUDA or zoning change is submitted and adopted.

A portion of the applicant's language:

"Nonetheless, in order to provide some assurance to adjacent landowners, the owner is willing to enter into a development agreement with the City that would limit future development on the site to building heights of 30 feet and prohibiting the development of a wide range of C-2 land uses."

The list of proposed uses to not be permitted is a bit extensive so I recommend reviewing the referral packet. The referral packet with all application materials can be found on the City of Richland website under Departments, Development services, Planning, Land Use or with this [link](#).

I hope this helps and please let me know if you have further questions or comments regarding this matter.



Kyle Hendricks

Planner

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

(509) 942-7683

From: Andresen <andresenx2@aol.com>

Sent: Tuesday, July 23, 2024 1:10 PM

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

Subject: Notice of Application and Public Hearing (pln-t3a-2024-00001)

You don't often get email from andresenx2@aol.com. [Learn why this is important](#)

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

Mr. Hendricks,

We received from your office the subject notice. Thank you.

Our house is right behind the subject property.

Does the sentence "The applicant has proposed a property use and development agreement to limit specific commercial uses and building height to be similar to the C-1 zone." mean nobody can build taller than 30 feet without a further rezoning? Or could the current or future land owner build up to the 80 feet with out city input?

Michael Andresen

211 N Quebec St

Kennewick WA 99336

[Sent from AOL on Android](#)

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