



Agenda
Hearing Examiner Meeting
Monday, March 11, 2019
City Hall Council Chamber | 505 Swift Boulevard

Hearing Examiner: Gary McLean

Liaisons: Staff Liaison Mike Stevens, Planning Manager

Public Hearing – 6:00 p.m.

Public Hearing Explanation:

New Business – Public Hearing:

- I. SUP2019-100 - Drive-Through Coffee Stand
Bush Living Trust
- Shane O'Neill, Senior Planner
2. Z2018-109 - DNR Rezone
Department of Natural Resources

Adjournment

The next Hearing Examiner Meeting is April 8, 2019 pending receipt of applications.

This Meeting is broadcast live on CityView Channel 192 and online at CI.RICHLAND.WA.US/CITYVIEW

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HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 03/11/2019

Agenda Category: New Business – Public Hearing

Prepared By: Shane O'Neill, Senior Planner

Subject:

SUP2019-100 - Drive-Through Coffee Stand
Bush Living Trust

Department:

Development Services

Recommended Motion:

Summary:

Special Use Permit for the construction of a new drive-thru coffee stand.

Attachments:

1. FULL Staff Report (SUP2019-100)

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

GENERAL INFORMATION:

PROPOSAL NAME: Bush Special Use Permit

LOCATION: Southeast Corner of Intersection of Steptoe Street and Center Parkway

APPLICANT: Bush Living Trust c/o Tim Bush

FILE NO.: SUP2019-100

DESCRIPTION: Request to construct a 545 square foot coffee shop with drive-through window service in a C-1 Neighborhood Retail Business Zone.

PROJECT TYPE: Type II Zoning Special Use Permit

HEARING DATE: March 11, 2019

REPORT BY: Shane O'Neill, Senior Planner

RECOMMENDED ACTION: Approval subject to completion of proposed conditions.

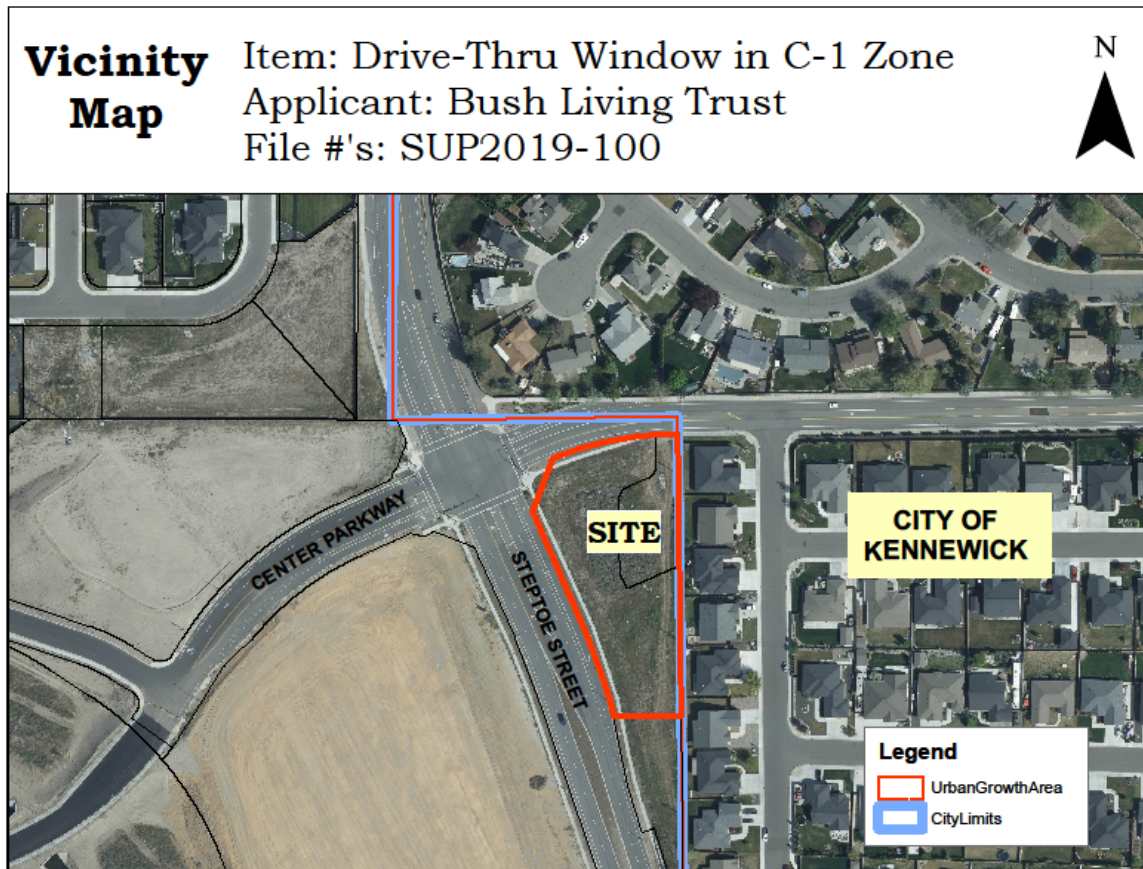


Figure 1 - Vicinity Map (site highlighted in red)

DESCRIPTION OF PROPOSAL

The Bush Living Trust has filed an application for a special use permit to construct and operate a coffee shop on a 1.48 site within the C-1 Neighborhood Retail Business zone. Under the provisions of the C-1 zone, businesses with drive through window service require approval through the special use permit process. The coffee shop would be a single story 545 square foot building located northwest corner of this narrow, triangularly shaped parcel. Access to the site would be provided from the northeastern most corner of the site and cars would be routed past the building to the drive-through lane, which would be located between the building and the north property boundary. Off-street parking would be provided south of the proposed coffee shop.

In addition to the coffee shop, the applicant proposes to construct a 10,682 square foot multi-tenant commercial building immediately south of the coffee shop. Access to the commercial building would be provided using the same driveway connecting to Steptoe Street. Uses of individual commercial tenant spaces have not been specified. Developing unspecified multi-tenant buildings is

permitted within the C-1 zone and as such said building is not the subject of this special use permit review.

HISTORY

In 2014, the City amended its comprehensive plan to change the designation on the subject property from Low Density Residential to Commercial. This plan amendment applied to property located on both the eastern and western side of Steptoe Street. The City reviewed potential environmental impacts of the change of land use through the State Environmental Policy Act process and issued a Determination of Non-Significance. This determination was based in part on a traffic analysis that considered the development of commercial properties on the subject site as well as the commercial land west of Steptoe Street.

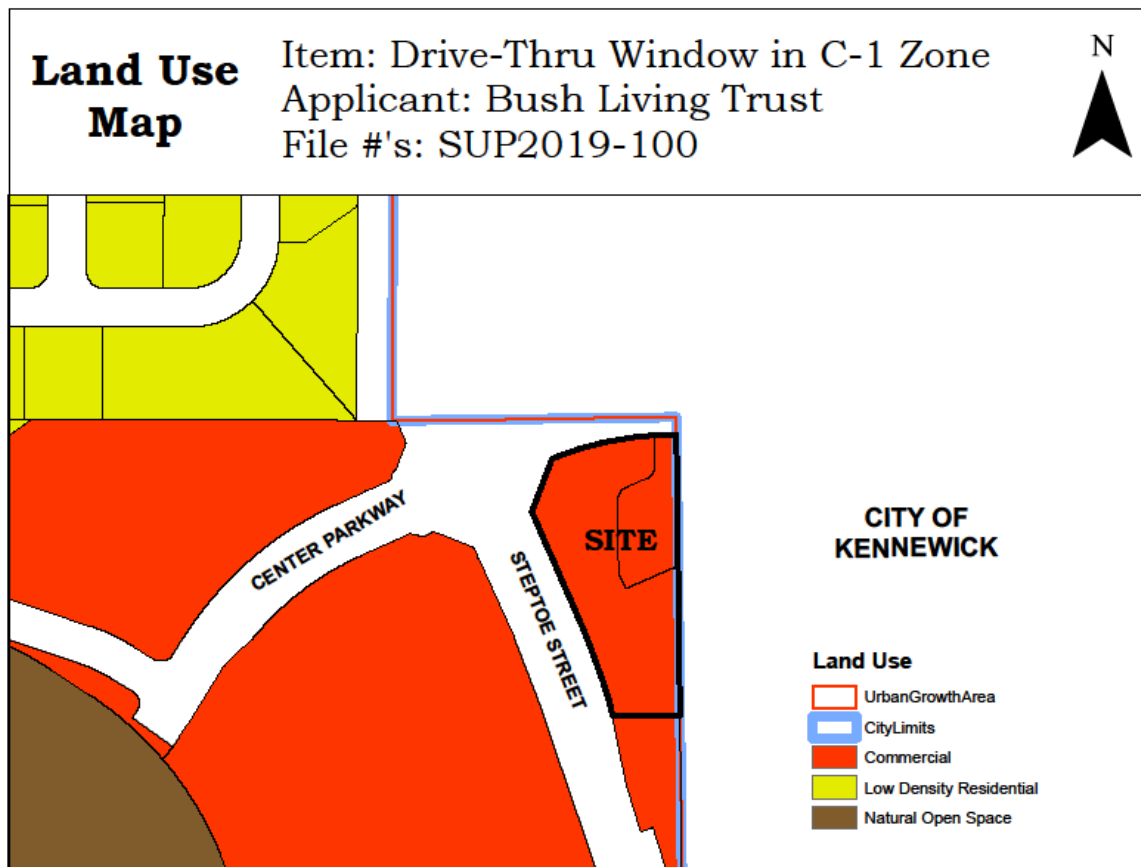


Figure 2 – Comprehensive Plan

SITE DESCRIPTION & ADJACENT LAND USES

The site consists of two (2) parcels totaling 1.36-acres, comprising a narrow triangular shaped property, whose borders are formed by Steptoe Street on the west, Center Parkway on the north and a residential subdivision (lying in

Kennewick) to the east. The site slopes gently from the northeast to the southwest and is covered in sagebrush and native grasses. There are presently no improvements on the site. Adjoining properties to the east and to the north are located within Kennewick City limits and are developed with single family residences on lots that are approximately 7,500 to 8,000 square feet in area. Properties to the west, across Steptoe Street are undeveloped.

EXISTING ZONING

Property adjacent to the site to the west is zoned C-1 Neighborhood Retail. Property to the north and east of the site is in Kennewick and zoned for single family residential uses.

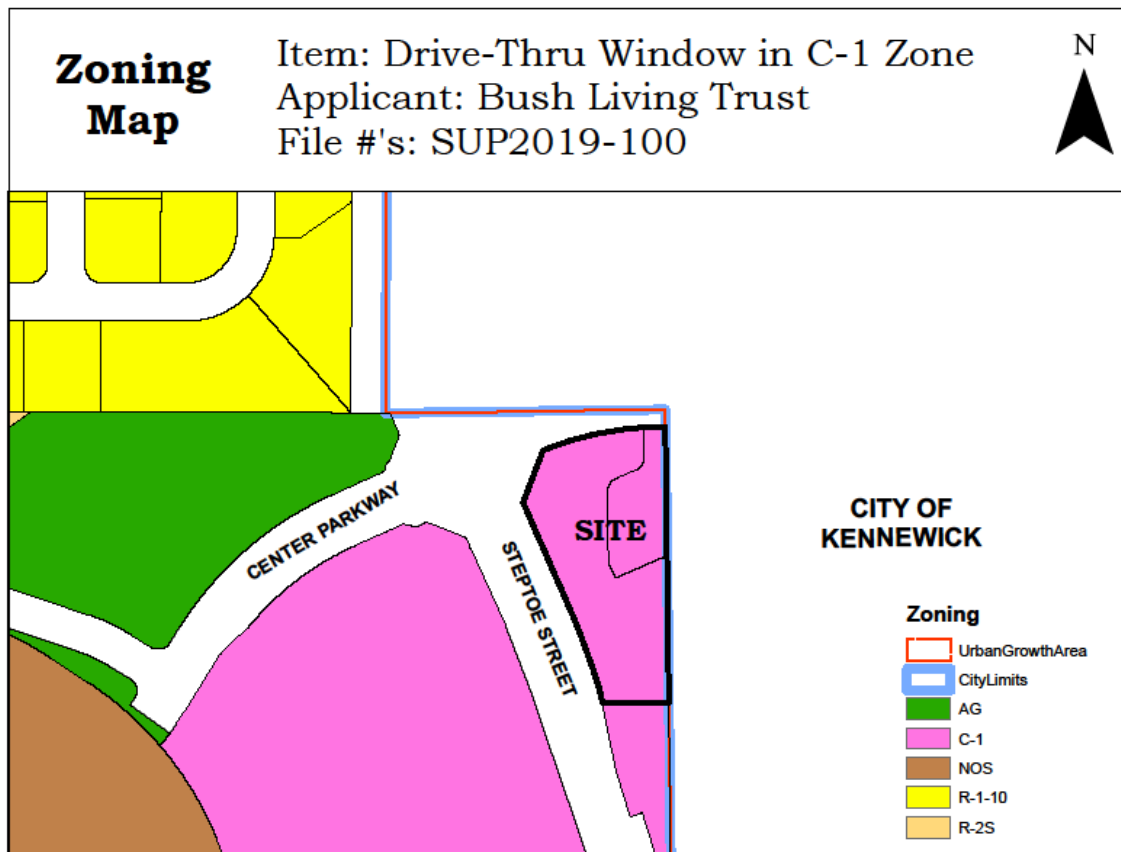


Figure 3 – Zoning Map

According to RMC 23.22.010(B), the C-1 Neighborhood Retail district 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.

C-1 Performance Standards

In order to assist in limiting the impact of commercial uses on adjoining neighborhoods, RMC 23.22.020(B) provides the following performance standards for all C-1 uses:

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.*

In addition to the performance standards listed above, when reviewing commercial site plans **RMC 23.22.040 Site requirements and development standards for commercial use districts**, must be consulted. In the side yard setback row under the C-1 zone there is a foot note (7) which 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 implication of the underlined language on this proposed site plan is that the west property line adjacent to Steptoe Street is subject to a twenty (20) foot setback, while a forty five (45) front setback is applied to the north property line.

C-1 Dimensional & Parking Standards

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

Front yard setback:	45 feet
Side yard setback:	20 feet from adjacent flanking public street
Side yard setback:	15 foot when adjacent to a residential district
Maximum building height:	30 feet
Off Street Parking:	5 spaces per window with a minimum of 8 spaces

Standards for Drive Through Window Service

RMC Section 23.42.047 sets forth the following standards for uses with drive through window services:

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.

Criteria for Evaluation of Special Use Permit Applications

Section RMC 23.46.040 provides criteria for the Hearing Examiner to consider in the evaluation of a special use permit application. It states:

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.*

RMC Section 23.46.025(A)(3) designates the Hearing Examiner as the hearing body responsible for conducting the review of special use permit applications for businesses with drive-through window service in the C-1 Neighborhood Retail district.

PUBLIC NOTICE

Application Date:	January 8, 2019
Combined Notice of Application & Hearing Mailed:	January 21, 2019
Combined Notice of Application & Hearing Posted:	January 18, 2019
Combined Notice of Application & Hearing Published:	January 20, 2019
Public Hearing:	March 11, 2019

A combined notice of application, SEPA determination and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 4.

UTILITY AVAILABILITY

The City has domestic water lines in place to serve the site and have adequate capacity to supply the proposed project. In order to provide 3 phase power to the site, line extensions of 1,450 feet will be required. Sewer services to the site

would be provided by the City of Kennewick, in accordance with an existing agreement between the two cities.

TRANSPORTATION

Steptoe Street is classified as a principal arterial street in Richland's Transportation Plan. As such, access direct access from the site onto Steptoe Street is not permitted. Center Parkway is classified as an arterial collector street. The project is located within the boundaries of the South Richland Traffic Impact Fee Program Area and will be required to pay traffic impact fees at the time that building permits are issued for the development.

SEPA

The project, by virtue of the fact that it requires a special use permit, also requires compliance with the provisions of the State Environmental Policy Act. The applicants filed an environmental checklist (Exhibit 5.) City staff reviewed the checklist, plans and application materials and entered a Determination of Non-Significance into the record on February 1, 2019 (Exhibit 6).

AGENCY COMMENTS

The City of Kennewick Planning Department (Wes Romine) provided the following comment:

"City of Kennewick landscape code would require a 10-foot landscape strip with a minimum 50% ground cover and trees planted at a ratio of one per every 50 feet. (KMC 18.21.060) Also our Off-Street Parking code requires parking lots that abut Residential Districts to be screened by a "masonry wall, tight board fence or screened chain link fence, at least three but not more than six feet high". (KMC 18.36.100(5)) This is to keep headlights out of the residential back yards. I think most of the homes have fences in their back yard, but I would push for a block wall 6-feet tall to also help screen out some of the noise from cars queued up at the drive-through coffee."

The Kennewick Public Works Department provided the following comment, also included herein as Exhibit 9:

1. *Provide a driveway queuing analysis at the proposed driveway on N. Center Parkway.*
 - a. *Identify queue lengths and potential impacts*
 - b. *Provide recommendations for mitigation*
2. *Provide operational analysis of the intersection of N. Steptoe St. and N. Center Parkway*
 - a. *Identify potential operational impacts and increase of delays for the following conditions:*
 - i. *Isolated intersection*

- ii. *Coordinated corridor*
- b. *Provide AM & PM peak queue lengths for the westbound left turn movements*
- c. *Provide recommendations for mitigation*

Specifically responding to the above comments from the City of Kennewick, Richland's Traffic Engineer (John Deskins) provided a written response (Exhibit 10) serving as the City's official position on the matter of traffic the site-specific traffic analysis needs. The City of Richland Utility and Civil Engineering Division provided detailed comments on the overall project, which are included in the Technical Advisory (TAC) Report (Exhibit 7).

PUBLIC COMMENTS

At the time this report was prepared, the City received one comment letter from the Grandridge Home Owners Association, who expressed concerns relating to traffic impacts on the adjacent residential properties. A complete copy of their comments is attached in Exhibit 8.

ANALYSIS

The criteria for drive through window service are reprinted here, with a brief summary of how the application complies with the standard:

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

In this case, there is no access possible from the site onto Steptoe Street. The location of the access drive onto Center Parkway has been shifted as far as possible to the east to maximize the separation between the driveway and the Center Parkway/Steptoe intersection, thereby providing the best possible location for the access drive that is available on this site.

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;

The site plan shows parking available south and east of the coffee stand that provides direct access from the parking spaces to the building without having to cross vehicular stacking lanes. This criterion is minimally applicable for a small drive-through coffee stand not offering indoor sit-down dining or service.

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;

The RMC establishes parking requirements for drive through window service. For the coffee shop, the code requires 5 spaces per window with a minimum of 8

spaces, which equates to a total of 8 stalls required exclusively for the coffee shop. The site plan provides 1 ADA space directly in front (east) of the coffee shop with an additional 50 on-site spaces south and east of the coffee shop. The stacking lane that would serve the drive-through window could accommodate stacking space for 11 vehicles without extending into either the parking lot or driving lanes.

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 design of the site plan provides for vehicle stacking lanes within the interior of the site without extending onto public sidewalks or streets.

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

No communication systems are proposed for the coffee shop.

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

This site is not a part of the parkway district.

The criteria for the evaluation of a special use permit require review of the following factors:

1. The size and dimensions of the site provide adequate area for the proposed use;

The size of the property is adequate to support the proposed uses, as evidenced by the project's conformity to building setbacks, off-street parking requirements and stacking lanes.

2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;

The shape of the site, being long and narrow, presents some site design challenges. The applicant has provided additional information that identifies that the finished grade of the site will be lower than the adjoining residential properties. (See Exhibit 3.) The site will be approximately 4 feet lower than the adjacent properties, which will help in establishing an appropriate buffer between the uses.

3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;

Water utility services are in place and has adequate capacity to serve the project. Sewer service is adjacent to the site and is available from City of Kennewick. Electrical service will need to be extended to the site some distance but also has adequate capacity. The adjoining street system is fully constructed and is

adequate to serve the proposed use, although some re-striping of Center Parkway may be needed.

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;

The application must be found to be consistent with C-1 Neighborhood Retail standards as well as satisfy the criteria for the issuance of a special use permit. The site is not subject to the City's sensitive area regulations, as no wetlands, steep slopes, geologically hazardous areas or floodplains are known to exist on the site. The site is also removed from any water bodies that are regulated under the Shoreline Management Act and so is not subject to shoreline management regulations. The application does not identify any proposed signs.

5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.

Based on the comments received on this application, both from agencies and the public, there are two primary areas of concern. The first relates to traffic safety and the impact the proposal would have on the adjoining street system. Both the Kennewick and Richland Public Works Departments have noted the need to re-strip Center Parkway to provide safe access into and out of the site.

The second area of concern is the adequacy of the buffer between the proposed uses and the adjacent residential uses. The type of buffer treatment, the proximity of the coffee shop to the property line and the amount of noise, light and glare generated by the commercial uses have all been raised as issues.

Some of these issues can be addressed through existing provisions in the code. For example, the performance standards applicable to the C-1 zone require the shielding of outdoor lighting and require that all uses operate within adopted state noise standards. These concerns are also addressed through the proposed buffer treatment. The amended site plan shows that a 4 foot grade separation would be provided along the border of the residential lots. Together with the 6 foot masonry wall, this provides a solid screen totaling 10 feet in height, from the commercial side and 6 feet in height from the residential side, which would provide both an effective visual and noise barrier. Landscape plantings within the 10 foot wide landscape strip along the eastern property boundary would add to the buffer, softening the appearance of the building and helping to shield the parking lot lighting.

The letter received from the Grandridge Homeowners Association (Exhibit 10) suggests that the proposal conflicts with the City code in that identified setback standards from residential districts are not being followed and that a visual screen and landscape strip are not provided. Both of the code citations provided

in the correspondence apply only to properties that are zoned either C-LB, CBD or CW; however, the site is zoned C-1. The C-1 zone contains a unique set of performance standards. The code citations provided in the letter are not applicable in this instance.

The specific concern voiced by the Grandridge HOA for the placement of a concrete barrier to prevent left turns should be cooperatively addressed by the Richland and Kennewick Public Works Departments.

Another concern raised by the Grandridge HOA suggests that the existing overhead power lines located adjacent to the commercial site should be undergrounded. Such a condition of approval extends beyond the City's authority to impose conditions, as this is an existing line that is not related to the proposal.

In summary, staff holds that with the imposition of specific conditions of approval, the application meets the criteria for the issuance of a special use permit.

RECOMMENDED CONDITIONS OF APPROVAL

Should the Hearing Examiner find approval of the Special Use Permit is justified, Planning staff has developed the following set of approval conditions upon which the Special Use Permit should be conditioned. Richland's Public Works Department has developed additional site specific development conditions of approval. The complete and combined set of conditions of approval are provided herein as Exhibit 7.

1. The project shall comply with all conditions identified in the Technical Advisory Committee Report dated February 11, 2019.
2. The project proceed in substantial conformance with the site plan on included herein as Exhibit 2. Specifically, the eastern boundary of the site shall be re-graded to create a vertical separation of approximately 4 feet from the adjacent residential lots. A 6 foot tall masonry fence shall be installed along the entire eastern boundary of the developed portion of the site.
3. Landscaping within the 10 foot landscape strip along the entire eastern property boundary shall include tree plantings for each 30 linear feet along the landscape strip. Trees shall be species having an average mature spread of crown of greater than 15 feet and shall be a minimum of six to eight feet in height and have a diameter at breast height (dbh) caliper of at least one and one-half inches at planting. Diameter at breast height is measured at four and one-half feet from average grade within six feet of the tree trunk so as not to include mounding at the tree base. Trees having an average mature spread of crown less than 15 feet may be

- substituted by grouping the same so as to create the equivalent of a 15-foot crown spread.
4. The applicant shall provide a striping plan for Center Parkway to be prepared by a professional engineer for review and approval by the Richland Public Works Department in consultation with the City of Kennewick Public Works Department.
 5. A single freestanding sign is permitted on the property and shall be placed near the intersection of Steptoe and Center Parkway in a location outside the clear vision triangle.
 6. No electronic communication devices shall be used in the coffee shop drive through window.
 7. The applicant shall comply with all performance standards applicable to the C-1 Neighborhood Retail zone [RMC 23.33.020(B)].
 8. The applicant shall comply with all performance standards applicable to the C-1 Neighborhood Retail Zone.
 9. Final plans for location and utilization of exterior lighting on the project site shall be subject to approval by the Planning Manager, with preference given to "Dark Sky" fixtures and/or design considerations intended to reduce light glare upward into the night sky and 'fugitive light' that could carry over into residential properties.
 10. The coffee shop shall not be permitted to roast coffee beans on-site, to reduce potential smell impacts on neighboring properties.
 11. Respecting the close proximity of the coffee shop to homes, and to minimize potential impacts on the same, the coffee shop shall not be open to customers before 5:00 a.m.
 12. The coffee shop shall be closed to customers by 7:00 p.m. in Winter months, and 8:30 p.m. in all other seasons.
 13. Consistent with RMC 23.46.090, the validity of this special use permit shall be contingent upon exercise of the special use, as granted, and the special use permit shall run with the property regardless of a change in ownership of the property. This decision granting the underlying special use permit shall be recorded with the Benton County auditor's office as a special covenant, which shall run with the property regardless of a change in ownership of the property. Such recording shall be the responsibility of the permit-holder/applicant, and a conformed copy of the recorded instrument reflecting a valid recording number shall be filed with the city prior to the conduct of any drive-through service at the coffee shop on the property. Any change in the special use for which the original permit is issued, which is determined to be substantial by the administrative official, shall void the original permit and necessitate the submission of a new application.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a special use permit (SUP2019-100) and recommends approval of the request subject to conformance to the conditions of approval identified above, based on the following findings:

1. The City of Richland Comprehensive Plan designates the subject site, which is located at the southeast corner of the intersection of Center Parkway and Steptoe Street as suitable for commercial land uses;
2. The subject site is located within the C-1 Neighborhood Retail zone;
3. Businesses operating with a drive-through window service are permitted in the C-1 zone through the issuance of a special use permit as stipulated in RMC 23.22.040;
4. The applicant, The Bush Living Trust has filed a special use permit application to operate a coffee shop with a drive-through window service in the C-1 zone;
5. All uses within the C-1 Neighborhood Retail zone are subject to the performance standards contained in RMC 23.22.020(B);
6. Businesses with drive-through window service are subject to the standards contained in RMC 23.42.047;
7. Applications for special use permit are evaluated under the criteria contained in RMC 23.46.040;
8. The Hearing Examiner is granted the authority to conduct the review of special use permit applications for businesses with drive-through window service in RMC 23.46.025(A)(3);
9. A special use permit is classified as a Type II application under RMC 19.20.030 and specifies that the Hearing Examiner shall make a final decision on an application unless appealed to City Council;
10. Public notice of the application and hearing was provided via mail to surrounding land owners 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;
11. The applicant filed an environmental checklist, which was reviewed by City staff who entered a Determination on Non-Significance into the record on February 1, 2019. A 14 day comment period was provided to agencies

- with jurisdiction, thus satisfying the requirements of the State Environmental Policy Act;
12. The coffee shop is proposed to be setback 45 feet from the Center Parkway right-of-way and 51.57 feet from the Steptoe Street side property line and so is consistent with the setback and building height requirements established for the C-1 Neighborhood Retail zone;
 13. The proposed coffee shop would have 15 off-street parking spaces and so meets the parking standards identified in RMC 23.54.020;
 14. The proposed entry into the project site is the best location given the access restrictions on Steptoe Street and as it maximizes the distance between the driveway location and the Center Parkway/Steptoe Street intersection;
 15. Based on the site plan included as Exhibit 2, the Richland Public Works Department requires a minimum 35-foot driveway throat depth from Center Parkway;
 16. The internal circulation of the site provides for vehicular stacking lanes that meet the requirements of RMC 23.54.020(C)(2) & RMC 23.54.020(D)(2);
 17. The design of the project provides adequate stacking space internally within the site without creating a situation where vehicles would be waiting for service on public sidewalks or streets;
 18. The recommended conditions of approval prohibit the use of electronic communication systems in the drive-through window to reduce potential noise;
 19. The application is consistent with the standards for drive-through window service as set forth in RMC 23.42.047;
 20. The size of the property is adequate to support the proposed uses, as evidenced by the project's conformity to building setbacks, off-street parking requirements and stacking lanes;
 21. The physical conditions of the site are suitable for the proposed development, given the proposed condition to lower the elevation of the site and provide a 4 foot vertical separation between the site and the adjacent residential properties;

22. Public facilities consisting of sewer, water and street access are in place and available to serve the proposed development. Electrical energy would need to be extended to the site. All utility systems have adequate capacity to serve the proposed development;
23. The proposal, as conditioned, is consistent with the City's comprehensive plan and the provisions of the C-1 Neighborhood Retail zoning performance standards;
24. The proposal is exempt from the provisions of the City's sensitive areas ordinance and the shoreline management regulations given the absence of wetlands, water bodies, flood plains, steep slopes or geologically hazardous areas on site or in close proximity to the site;
25. The proposal is subject to the City's sign code regulations and as conditioned, will limit the project to a single freestanding sign;
26. The identified impacts to adjacent properties relating to noise, light and glare are mitigated adequately through the buffer treatment identified in the conditions of approval, consisting of a 4 foot vertical separation, a 6 foot masonry wall and a 10 foot landscape strip planted with trees every 30 lineal feet;
27. As conditioned, the project meets the criteria for the issuance of a special use permit as established in RMC 23.46.040.

EXHIBIT LIST

1. Application
2. Site Plan
3. Site Photos
4. Public Notices & Affidavits
5. Environmental Checklist
6. Determination of Non-Significance
7. Technical Advisory Report
8. Grandridge Meadows HOA Comment
9. Kennewick Public Works Memo
10. City of Richland Traffic Engineer Response Letter



**City of Richland
Development Services**

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

Special Use Permit Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Bush Living Trust

Address: 955 Aaron Drive Richland WA 99352

Phone: 509-947-9702

Email:

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Wave Design Group LLC

UBI# 603-374-614

Contact: Dalton Walker

Address: 418 N Kellogg St. Suite B Kennewick WA 99336

Phone: 509-737-1000

Email: dalton@wavedesigngroupllc.com

PROPERTY INFORMATION

Legal Description: 9025 CENTER PARKWAY, RICHLAND, WA 99352

Parcel # 1-01881BP4808002 & 1-01881BP4808001

Current Zoning: C-1

Current Land Use Designation: Southeast Corner Steptoe Drive and Center parkway

DESCRIPTION OF PROJECT

Construction of a 10,681 sq. ft. single level commercial building . The construction will take place on a lot that is 1.48 acres in size. A coffee stand 545 sq. ft. coffee stand may also be constructed if special use application is approved.

APPLICATION MUST INCLUDE

1. SEPA Checklist
2. Title Report showing ownership, easements, restrictions and accurate legal description of the property involved
3. Site Plan which shall be drawn at a scale of not less than 30- feet to the inch, nor more than 100 – feet to the inch, which shall be clear and precise and shall contain the following information:
 - Boundaries and dimensions of property
 - Location and width of boundary streets
 - Size and location of existing or proposed buildings, structures, or activities on the site
 - Roadways, walkways, off-street parking, loading facilities, and emergency vehicle access
 - Fencing, screening, or buffering with reference to location, type, dimension, and character
 - Open spaces or Natural Areas
 - Easements, right-of-ways, etc.
 - Architect's sketches showing elevations of proposed buildings or structures, complete plans, and any other information needed by the Hearing Examiner as determined by the Administrator

COMPLETE QUESTIONS WITH AS MUCH DETAIL AS POSSIBLE (Use separate paper if needed)

Describe how the size and dimensions of the site provide adequate area for the proposed use:

1.06 Acres 46,305 sq. ft.

Describe how the proposed Special Use is compatible with the physical characteristics of the subject property (including size, shape, topography and drainage):

All storm water to be contained on site. Proposal will improve drainage.

Retaining walls to provide positive drainage/control storm water

Describe the infrastructure which will serve the proposed Special Use, including but not limited to roads, fire protection, water, wastewater disposal and storm water control:

Storm water to be controlled on site and discharged in to the soil through a series of bio swales and drywells.

Describe how all applicable requirements of this zoning regulation (RMC Title 23), the City Comprehensive Plan, the City Critical Area Regulations (RMC Title 20), the City Shoreline Management regulations (RMC Title 26) and the City sign regulations (RMC Title 27) have been met:

Please refer to descriptions provided .

Identify the impacts which may occur to adjacent properties, surrounding areas and public facilities and how those impacts are proposed to be mitigated:

The building aesthetics will enhance the neighborhood. The convenience of the coffee stand will be an added addition

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

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

I hereby certify under penalty of perjury under the laws of the State of Washington that the following is true and correct:

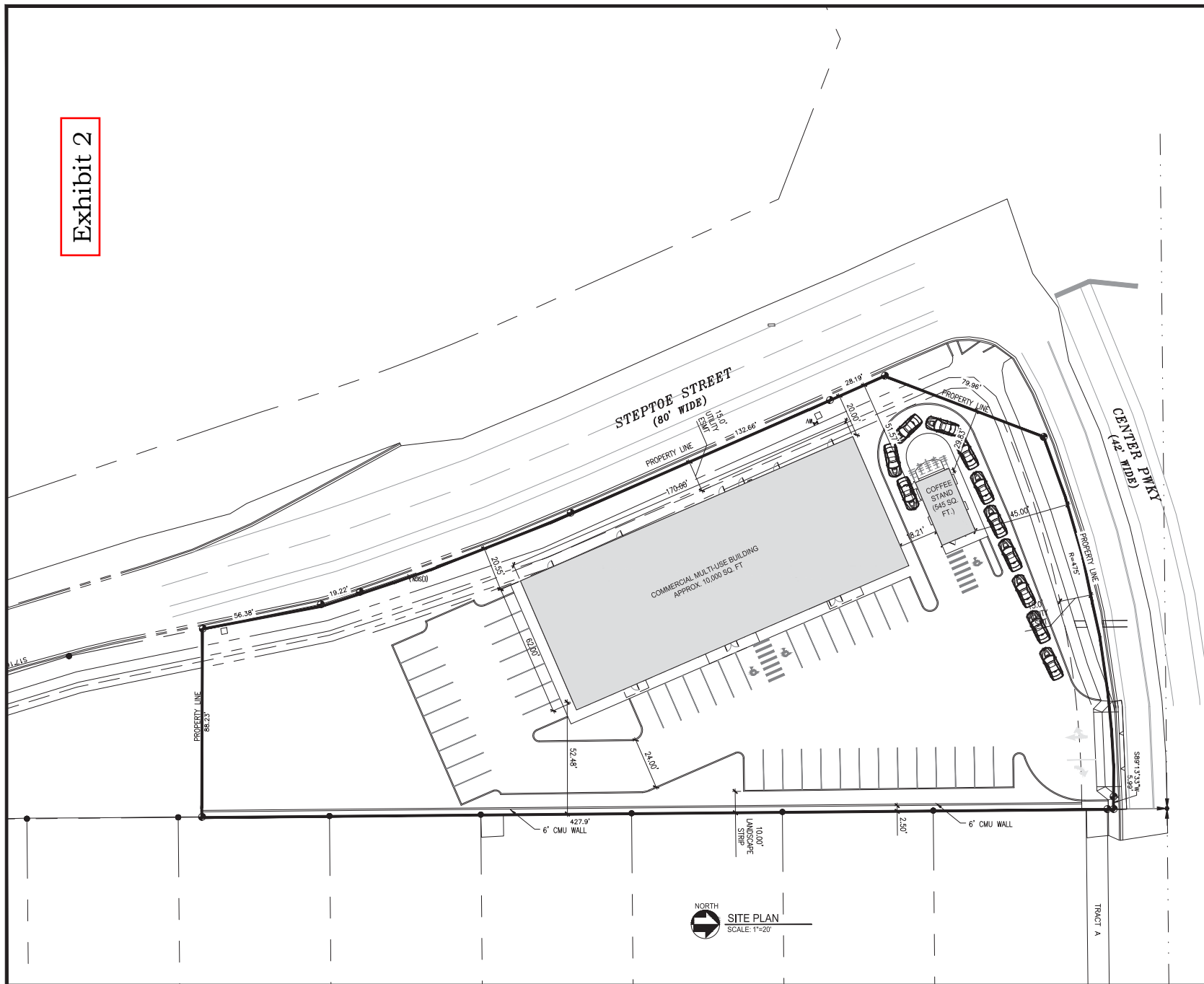
1. I have read and examined this permit application and have documented all applicable requirements on the site plan.
2. The information provided in this application contains no misstatement of fact.
3. I am the owner(s), the authorized agent(s) of the owner(s) of the above referenced property, or I am currently a licensed contractor or specialty contractor under Chapter 18.27 RCW or I am exempt from the requirements of the Chapter 18.27 RCW.
4. I understand this permit is subject to all other local, state, and federal regulations.

Note: This application will not be processed unless the above certification is endorsed by an authorized agent of the owner(s) of the property in question and/or the owner(s) themselves. If the City of Richland has reason to believe that erroneous information has been supplied by an authorized agent of the owner(s) of the property in question and/or by the owner(s) themselves, processing of the application may be suspended.

Applicant Printed Name: Dalton Walker

Applicant Signature: DALTON WALKER | January 7th, 2019

Exhibit 2



NORTH
SITE PLAN
SCALE: 1"=20'

PRELIMINARY
DRAWINGS

Jan 29, 2019

THE DRAWING IS THE PROPERTY OF WAVE DESIGN GROUP LLC. NO PART OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF WAVE DESIGN GROUP LLC.

BUSH
STEPTOE DEVELOPMENT
STEPTOE
KENNEWICK, WA 99336

wave
DESIGN GROUP LLC
KENNEWICK, WA - 509.737.1000
ARCHITECTURE • ENGINEERING • INTERIORS

DATE	12/01/18	REVISION	BY	DATE
BY:	HP			
CHKD:	DW			
DATE:	12/01/18			
LOT#:	15-008			
BLK#:				
SUBD:				
ADD:				

SITE PLAN

SHEET NO.:
A-101

Looking North



Looking East



Looking South



Looking West





CITY OF RICHLAND NOTICE OF APPLICATION, PUBLIC HEARING AND OPTIONAL DNS (SUP2019-100 & EA2019-100)

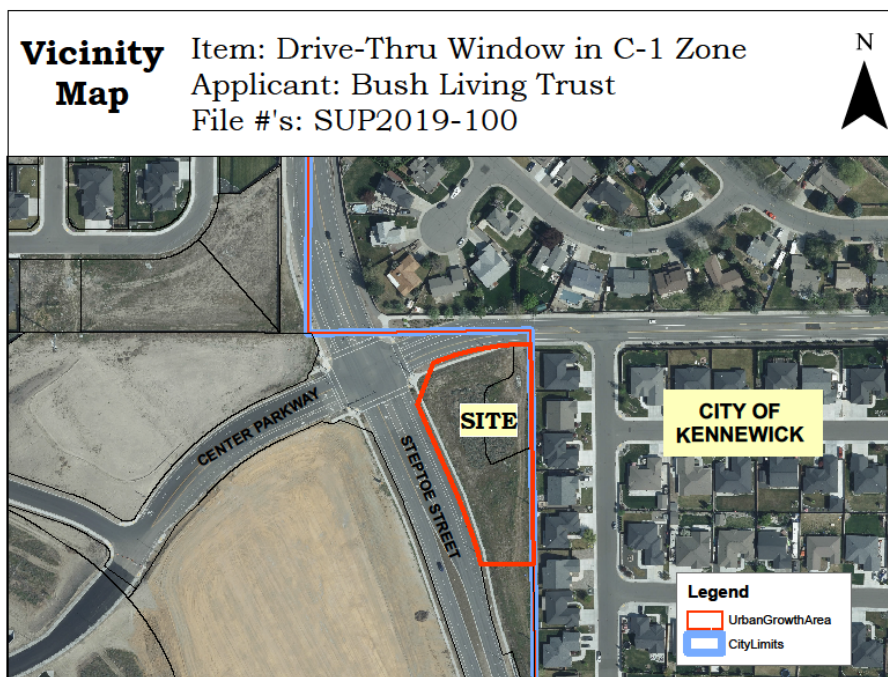
Notice is hereby given that Bush Living Trust has filed an application for special use permit approval to construct a drive-thru coffee shop in the C-1 (Neighborhood Retail) zone. The project site is located southeast corner of Steptoe Street and Center Parkway (APN's 1-01881BP4808001 & 1-01881BP4808002). In 2015 the city issued a SUP to allow the site to be developed with a carwash and coffee shop which has since expired. The current application excludes the carwash. The subject of the current SUP application is whether or not the drive-thru component is appropriate in this location.

The Richland Hearings Examiner will conduct a public hearing and review of the application at 6:00 p.m., Monday, February 11, 2019 in the Richland City Hall Council Chambers, 505 Swift Boulevard. All interested parties are invited to attend and present testimony at 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 has reviewed the proposed project for probable adverse environmental impacts and expects to issue a determination of non-significance (DNS) for this project. The optional DNS process in WAC 197-11-355 is being used. This may be your only opportunity to comment on the environmental impacts of the proposed development. The environmental checklist and related file information are available to the public and can be viewed at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 840 Northgate Drive, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, February 1, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration and Tile 23 Zoning. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Planning Division at the above referenced address with questions related to the available appeal process.



CENTER FWKY
(42' WIDE)

TRACT 2

STREET LIGHTS
(30' SPACING)

STREET LIGHTS
(30' SPACING)

SULLIVAN
SCALE 1"=40'



AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, 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.

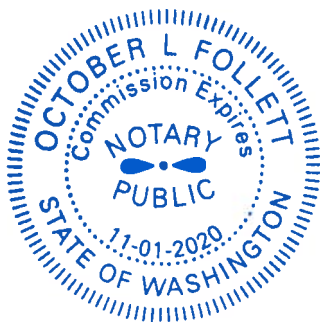
2. On the 18th day of January, 2019, I posted the attached NOTICE OF PUBLIC HEARING, File Number SUP2019-100 on the property generally occupying the southeast corner of Steptoe Street and Center Parkway in Richland WA:

PIN # 1-01881BP4808001



Print Name: Shane O'Neill

SIGNED AND SWORN to before me this 18th day of January, 2019 by SHANE O'NEILL.



Signature of Notary

October L. Follett

Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: 11-1-2020

AFFIDAVIT OF POSTING - 1

SUP2019-100
Bush Coffee Stand

AFFIDAVIT OF MAILING

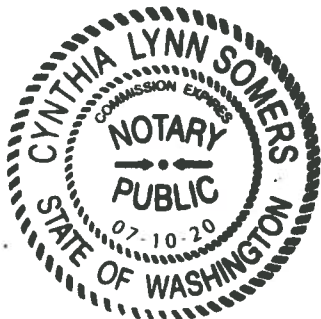
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

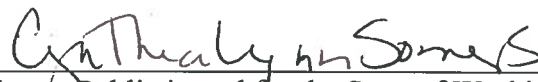
COMES NOW, Tracey L. Peloquin, who, being first duly sworn upon oath deposes and says:

1. I am an employee in the Planning & Development Department for the City of Richland.
2. On the 21st day of January, 2019, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING AND OPTIONAL DNS, to the attached list of individuals via regular USPS on the date indicated above. The Notice of Application and Public Hearing and optional DNS is hereby given that Bush Living Trust has filed an application for a special use permit approval to construct a drive-thru coffee shop in the C-1 zone. The project site is located on the southeast corner of Steptoe Street and Center Parkway.


Signed: Tracey L. Peloquin

SIGNED AND SWORN to before me this 21st day of January, 2019 by Tracey L Peloquin.




Notary Public in and for the State of Washington,


Print Name
Residing at Kennewick WA

My appointment expires: July 10, 2020



www.ci.richland.wa.us

Development Permitting Division

840 Northgate Drive
Richland, WA 99352
Telephone 509-942-7794

SEPA ENVIRONMENTAL CHECKLIST

UPDATED 2014

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.

A. BACKGROUND

1. Name of proposed project, if applicable: Commercial building/ Small coffee stand

2. Name of applicant: Tim Bush or Assigns

3. Applicant contact information:

Address: Tim Bush 955 Aaron Drive, Richland WA 99352

Phone #: (509) 947-7902

email address: tim@bushcarwash.com

4. Date checklist prepared: January 3rd 2019

5. Agency requesting checklist: City of Richland, WA - Development Services

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

April 1st 2019 - 7 months for completion

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

Yes. Possible small coffee stand if special use permit is approved

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

None

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.

None

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

City of Richland building permit and site plan approval. Coffee stand also will require Health Department 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.)

Construction of a 10,681 sq. ft. single level commercial building . The construction will take place on a lot that is 1.48 acres in size. A coffee stand 545 sq. ft. coffee stand may also be constructed if special use application is approved

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.

...location cont'd:

B. ENVIRONMENTAL ELEMENTS

1. Earth

- a. General description of the site
(circle one): Flat, rolling, hilly, steep slopes, mountainous, other General slope from east to west
- b. What is the steepest slope on the site (approximate percent slope)? 5 %
- 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. **Sandy gravel**
- 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.
Site construction will require removal of materials to create flatter site. Any fill for footings (if required) to come from American Rock Products â€“ 2090 Robertson Drive, Richland, WA. 99352
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. **No site is currently bare**
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? **75%**
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
Retaining walls to provide positive drainage/control storm water

2. Air

- 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. **During constructions standard activities. Dust and erosion will be implemented. Once construction has started there will be increased general traffic**
- 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: **None**

3. Water

a. Surface Water:

- 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.
Amon Waste way is approximately 300 yards from the proposed site. The waste way flows in to the Yakima River approximately 3.8 miles away.
- 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 work near the water
- 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 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 Water:

- 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 general description, purpose, and approximate quantities if known. **None**
- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: 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.
Storm water to be controlled on site and discharged in to the soil through a series of bio swales and drywells.
- 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.

Does not impact the surrounding area

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **All storm water to be contained on site. Proposal will improve drainage**

4. Plants

a. Check the types of vegetation found on the site: **None the site is bare**

____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? **Vegetation will be added to site**

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: **Perimeter of proposed construction to be landscaped as well as interior areas around proposed buildings and parking. Will use native plants and grasses.**

e. List all noxious weeds and invasive species known to be on or near the site.
None known

5. Animals

a. List any birds and other animals which have been observed on or near the site or are known to be on or near the site. Examples include: **None**

birds: hawk, heron, eagle, songbirds, other: _____

mammals: deer, bear, elk, beaver, other: _____

fish: bass, salmon, trout, herring, shellfish, other _____

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. **No**

Yes, Richland is 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

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 and Natural Gas**

b. Would your project affect the potential use of solar energy by adjacent properties? If so, generally describe. **No impact**

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:

7. Environmental health

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

1) Describe any known or possible contamination at the site from present or past uses. **None**

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**

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. **No additional services**

5) Proposed measures to reduce or control environmental health hazards, if any: **None**

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. **Additional traffic**

3) Proposed measures to reduce or control noise impacts, if any: **None**

8. Land and shoreline use

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 is currently clear. Area to east is residential. Lots to west are commercial across Steptoe Drive.**

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 as a result 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? **NA**

i) 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**

b. 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 Commercial**

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. **No**

i. Approximately how many people would reside or work in the completed project? **6-10**

j. Approximately how many people would the completed project displace? **None**

k. Proposed measures to avoid or reduce displacement impacts, if any: **None**

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: **Meets the comprehensive plan for area**

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: **None**

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. **None**

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. **None**

c. Proposed measures to reduce or control housing impacts, if any: **None**

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? **18'-0" above grade**

b. What views in the immediate vicinity would be altered or obstructed? **None**

c. Proposed measures to reduce or control aesthetic impacts, if any: **Proposal will enhance aesthetics of surrounding area.**

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Landscaping and barriers will mitigate glare from headlights during the evening hours.**

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: **Landscaping and barriers**

12. Recreation

a. What designated and informal recreational opportunities are in the immediate vicinity? **None**

b. Would the proposed project displace any existing recreational uses? If so, describe. **None**

c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: **None**

13. Historic and cultural preservation

- 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 located on or near the site? If so, specifically describe. **None**
- 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 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 studies . No evidence of previous cultural activities
- 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. **Proposal is not on, or near, any area known to be culturally sensitive**
- 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. **Will not impact resources**

14. Transportation

- 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. **Steptoe Drive- Center Parkway - Richland/Kennewick, WA - Proposed access will be on Center Parkway**
- 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?
BenFranklin Transit. 150 feet from site
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? **20-30 spaces would be required . None would be removed from area.**
- d. 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). **Adjacent street have already been recently improved**
- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. **Site is immediately adjacent to rail system on south**
- f. 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?
250 per day. Mornings would be peak if coffee stand is approved.

g. 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. **None**

h. Proposed measures to reduce or control transportation impacts, if any: **None**

15. Public services

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. **None**

b. Proposed measures to reduce or control direct impacts on public services, if any. **None**

16. Utilities

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.

Cascade Gas, BPUD, Charter, WM. City of Richland.

C. Signature

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.

Signature: DALTON WALKER

Name of signee: Dalton Walker

Position and Agency/Organization: Wave Design Group LLC

Date Submitted: January 7th, 2019

Community & Economic Development Department

This application was reviewed by the Planning Division of the Community & Economic Development Department. Any comments or changes made by the Department are entered in the body of the checklist and contain initials of the reviewer.



Reviewer Signature

1.16.19

Date

D. supplemental sheet for nonproject actions



File No. EA2019-100

CITY OF RICHLAND
Determination of Non-Significance

Description of Proposal: Bush Living Trust has filed an application to construct a drive-thru coffee shop in the C-1 (Neighborhood Retail) zone.

Proponent: Tim Bush c/o Bush Living Trust

Location of Proposal: The project site is located southwest of Keene Road at the terminus of Keene Court and directly north of the terminus of Sequoia Avenue (APN 126983020000018).

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.

() 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.

(X) 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: 505 Swift Blvd., MS #35, Richland, WA 99352

Date: February 1, 2019

Signature 

(SUP2019-100 – Bush Coffee Shop)

**RICHLAND HEARING EXAMINER
TECHNICAL ADVISORY COMMITTEE REPORT
FEBRUARY 11, 2019**

APPLICANT: BUSH LIVING TRUST c/o TIM BUSH

REQUEST: SPECIAL USE PERMIT APPROVAL TO ALLOW FOR COMMERCIAL
DRIVE-THRU WINDOW SERVICE IN THE C-1 (NEIGHBORHOOD
RETAIL) ZONE

LOCATION: THE SOUTHEAST CORNER OF THE INTERSECTION OF CENTER
PARKWAY AND STEPTOE STREET

ENGINEER: WAVE DESIGNGROUP LLC

TECHNICAL ADVISORY COMMITTEE RECOMMENDATIONS

The Technical Advisory Committee conducted a review of the request and recommends that if the special use permit is approved, such approval be subject to the following conditions:

General Conditions:

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

work, per RMC Chapter 12.08. The applicant shall pay a plan review fee based on a cost-per-sheet of engineering infrastructure plans. This public infrastructure plan review fee shall apply each time a project is submitted for review. This fee will be different for commercial projects versus subdivision projects. Please visit the Public Works Private Development page on the City's webpage to find the current per-sheet fee. A permit fee in the amount equal to 3% of the construction costs of the work within the right-of-way or easement will be collected at the time the construction permit is issued. A stamped, itemized Engineers estimate (Opinion of probable cost) and a copy of the material submittals shall be submitted along with the approved plan submittal.

5. When the construction is substantially complete a review set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. After approval by the City of the review copy, a final copy of the record drawings shall be submitted along with a CAD copy. The electronic as-built record drawings shall be submitted in an AutoCAD format compatible with the City's standard CAD software. All final punchlist items shall be completed or financially guaranteed prior to recording of the final plat.
6. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of the final plat. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final occupancy. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for occupancy.
7. A pre-construction conference will be required prior to the start of any work within the public right-of-way or easement. Contact the Public Works Engineering Division at 942-7500 to schedule a pre-construction conference.
8. All plan sheets involving construction of public infrastructure shall have the stamp of a current Washington State licensed professional engineer.

Design Standards:

9. Public improvement design shall follow the following general format:
 - A. Watermains installed outside of the City Right of Way or in very rocky native material, shall be ductile iron and may need restrained joints.
 - B. All watermains outside areas zoned R1 shall be ductile iron.
 - C. Fire hydrant location shall be reviewed and approved by the City Fire Marshal.
 - D. Water valves and manholes installed on private property shall be placed so as to avoid parked cars whenever feasible.
 - E. A detailed grading plan shall be included in the submitted plan set.
 - F. For public utilities not located within public street rights-of-way the applicant shall provide maintenance access acceptable to the City and the applicant shall

- provide an exclusive 10-foot wide public utility easement (minimum) to be conveyed to the City of Richland.
- G. Final design of the public improvements shall be approved at the time of the City's issuance of a Right-of-way Construction Permit for the proposed construction.
 - H. All public improvements shall comply with the State of Washington and City of Richland requirements, standards and codes.
 - I. All driveways for commercial projects shall construct City standard commercial driveways. Radius-style driveways are not allowed.
 - J. Construction plans shall provide or reference all standard drawings or special details that will be necessary to construct all public improvements which will be owned, operated, maintained by the City or used by the general public (Commercial Driveway, Curb, Gutter, Sidewalk, Water, Sewer, Storm, Street and Street lighting etc.).
 - K. The contractor shall be responsible for any and all public infrastructure construction deficiencies for a period of one year from the date of the letter of acceptance by the City of Richland.

Traffic & Streets:

- 10. The location of the proposed driveway onto Center Parkway is acceptable, however the driveway needs at least 35 feet of throat depth off of Center Parkway. This will probably mean the loss of approximately two parking spaces if no other site plan modifications are made. Because of the nature of Steptoe Street no driveways will be allowed onto it from this property. Submit a revised driveway access design for approval by the Traffic Engineer.
- 11. Striping on Center Parkway will need to be modified, given the proposed driveway location. The turn bay storage may need to be shortened slightly so that a proper two-way left-turn lane is created for access to this site. Work with the Traffic Engineer to develop the revised striping plan.
- 12. The final landscaping and signage plan shall provide for adequate sight-distance and not block any of the vision-clearance triangle, as established in City of Richland Municipal Code. The sight-distance triangle will have to be a custom sight triangle due to the horizontal road curvature and the nearby intersection. The City Traffic Engineer should be consulted to help establish a final sight triangle.
- 13. If vehicles waiting in the drive-through queue past the driveway and out into the street on a regular basis, and/or a crash problem develops at the proposed driveway in the future, the city may consider installation of a median curb to limit access and mitigate crashes.
- 14. Sidewalks shall be installed along all public Right of Way frontages at the time of project construction.
- 15. The proposed project lies within the boundary of the South Richland Collector Street Financing Plan (RMC 12.03). This project shall therefore be subject to the fees

administered by the finance plan for any phase submitted for approval. Since this property is included within the Financing Plan, it is exempt from the SEPA-related traffic study requirement (TIA).

16. The project shall be constructed to provide for adequate fire truck & solid waste collection truck access & turnaround movements. This shall be reviewed at the time of construction plan submittal.

Domestic Water:

17. The fire hydrant layout shall be approved by the City Fire Marshal.
18. In accordance with RMC Chapter 18.13 and WAC 246-290 regarding Cross Connections, premise isolation backflow assemblies are required to be installed on the domestic water services of all new commercial/industrial buildings, and also of all buildings undergoing a tenant improvement, remodel, addition, etc., immediately downstream of the City's water meter. This will be a requirement on the construction plans. Please note this on the plans, and indicate where the backflow device is to be installed. Yearly test reports shall be provided to the City's Water Quality Inspector. The backflow device shall be on the state approved list, available through the Washington State Dept. of Health.

Sanitary Sewer:

19. The City of Richland does not have any sanitary sewer mains nearby. The City of Kennewick has an existing sewer main in Center Parkway. An agreement has been reached for this property stating that the city of Kennewick will bill the property owner for sewer service, and Kennewick will also read the City of Richland's water meter to acquire data for their sewer billing information.
20. This project will be required to install a grease interceptor (grease trap) during construction. The size, location and type of interceptor must be noted on the plans for review by the City of Richland Engineering Department prior to issuance of a building permit. If an existing grease trap is not present, or if the existing trap is not adequate, one of sufficient size and design will be required to be installed. In accordance with UPC, bathrooms cannot be plumbed through grease interceptors.

Storm Water:

21. The proposed storm drainage and grading of all areas within the proposed development shall be shown on the plans (most grading and drainage plans must be prepared by a licensed civil engineer). If site contains at least 1,000 sq.ft. of new asphalt, and/or contains 30% or more impervious surfaces, storm drainage calculations from a licensed civil engineer are required. Stormwater shall be kept on-site (on the developing property that generated it). Stormwater shall not be flowed onto adjacent properties, or to the public Right-of-Way, without first obtaining written permission.

22. The private on-site storm drainage system shall be designed following the core elements defined in the latest edition of the Stormwater Management Manual for Eastern Washington. The Hydrologic Analysis and Design shall be completed based on the following criteria: Washington, Region 2, Benton County; SCS Type 1A – 24 Hour storm for storm volume. Calculations shall be stamped by a registered professional Civil Engineer. Prior to discharging any storm drainage waters from paved surfaces into drainage ditches, groundwater or a public system, an oil/water separator must be installed. The applicant's design shall provide runoff protection to downstream property owners.
23. All construction projects that don't meet the exemption requirements outlined in Richland Municipal Code, Section 16.06 shall comply with the requirements of the Washington State Department of Ecology issued Eastern Washington NPDES Phase II Municipal Stormwater Permit. All construction activities subject to this title shall be required to comply with the standards and requirements set forth in the Stormwater Management Manual for Eastern Washington (SWMMEW) and prepare a Stormwater Site Plan. In addition a Stormwater Pollution Prevention Plan (SWPPP) or submission of a completed erosivity waiver certification is required at the time of plan submittal.

Solid Waste:

24. Any solid waste enclosures installed as part of this project shall be constructed to City standard details.
25. The solid waste enclosure must be shown on the site plan and will have to be placed so that it is accessible by City solid waste collection vehicles.

Final Project Acceptance Requirements:

26. When the construction is substantially complete a paper set of "record drawings" shall be prepared by a licensed surveyor and include all changes and deviations. Please reference the Public Works document "RECORD DRAWING REQUIREMENTS & PROCEDURES" for a complete description of the record drawing process. All final punchlist items shall be completed or financially guaranteed prior to final acceptance of the project.
27. Public utility infrastructure located on private property will require recording of a City standard form easement prior to acceptance of the infrastructure and release of a certificate of occupancy. The City requires preparation of the easement legal description by the developer two weeks prior to the scheduled date of final occupancy. Once received, the City will prepare the easement document and provide it to the developer. The developer shall record the easement at the Benton County Assessor and return a recorded original document to the City prior to application for final occupancy.
28. All landscaped areas that a part of this project that are within the public Right of Way shall be the responsibility of the property owners to maintain.

29. Property with an unpaid L.I.D. assessment towards it must be paid in full or segregated per Richland Municipal Code 3.12.095.

PLANNING SPECIAL USE APPROVAL CONDITIONS:

30. The project shall comply with all conditions identified in the Technical Advisory Committee Report dated February 11, 2019.
31. The project proceed in substantial conformance with the site plan on included herein as Exhibit 2. Specifically, the eastern boundary of the site shall be re-graded to create a vertical separation of approximately 4 feet from the adjacent residential lots. A 6 foot tall masonry fence shall be installed along the entire eastern boundary of the developed portion of the site.
32. Landscaping within the 10 foot landscape strip along the entire eastern property boundary shall include tree plantings for each 30 linear feet along the landscape strip. Trees shall be species having an average mature spread of crown of greater than 15 feet and shall be a minimum of six to eight feet in height and have a diameter at breast height (dbh) caliper of at least one and one-half inches at planting. Diameter at breast height is measured at four and one-half feet from average grade within six feet of the tree trunk so as not to include mounding at the tree base. Trees having an average mature spread of crown less than 15 feet may be substituted by grouping the same so as to create the equivalent of a 15-foot crown spread.
33. The applicant shall provide a striping plan for Center Parkway to be prepared by a professional engineer for review and approval by the Richland Public Works Department in consultation with the City of Kennewick Public Works Department.
34. A single freestanding sign is permitted on the property and shall be placed near the intersection of Steptoe and Center Parkway in a location outside the clear vision triangle.
35. No electronic communication devices shall be used in the coffee shop drive through window.
36. The applicant shall comply with all performance standards applicable to the C-1 Neighborhood Retail zone [RMC 23.33.020(B)].
37. The applicant shall comply with all performance standards applicable to the C-1 Neighborhood Retail Zone.
38. Final plans for location and utilization of exterior lighting on the project site shall be subject to approval by the Planning Manager, with preference given to "Dark Sky" fixtures and/or design considerations intended to reduce light glare upward into the night sky and 'fugitive light' that could carry over into residential properties.
39. The coffee shop shall not be permitted to roast coffee beans on-site, to reduce potential smell impacts on neighboring properties.

40. Respecting the close proximity of the coffee shop to homes, and to minimize potential impacts on the same, the coffee shop shall not be open to customers before 5:00 a.m.
41. The coffee shop shall be closed to customers by 7:00 p.m. in Winter months, and 8:30 p.m. in all other seasons.
42. Consistent with RMC 23.46.090, the validity of this special use permit shall be contingent upon exercise of the special use, as granted, and the special use permit shall run with the property regardless of a change in ownership of the property. This decision granting the underlying special use permit shall be recorded with the Benton County auditor's office as a special covenant, which shall run with the property regardless of a change in ownership of the property. Such recording shall be the responsibility of the permit-holder/applicant, and a conformed copy of the recorded instrument reflecting a valid recording number shall be filed with the city prior to the conduct of any drive-through service at the coffee shop on the property. Any change in the special use for which the original permit is issued, which is determined to be substantial by the administrative official, shall void the original permit and necessitate the submission of a new application.

JAN 31 2019

Planning &
Development Services

To: Hearing examiner Gary McLean

From: Grandridge Meadows Home Owners Association

Jan. 30, 2019

Subject: Proposed development of land at Steptoe and Center Parkway

Dear Sir:

I am addressing the concerns listed below as president of the Grandridge Meadows Home Owners Association that comprises 144 homes on land that on the west abuts the area under discussion.

We are concerned about the adverse effects such development, squeezed into a totally inappropriate small triangle of land, will have on the livability and value of our members' homes.

We also feel the traffic pattern will create a dangerous situation for our home owners entering and leaving our subdivision (see comments later in this letter).

Site development:

We are told by Richland's senior planner, Shane O'Neill, that he will recommend that conditions placed on development of the land by the examiner in his earlier decision (File No. SUP 2015-100) be imposed again in the pending case.

If these conditions are imposed, our board has no objections to that part of the development plan.

Those conditions are:

- A masonry wall will run the entire east edge of the property under discussion, between it and the home owners.
- There will be a 4-foot drop in elevation from the home owners property line and the land under discussion.
- On top of that will be the 6-foot masonry wall.
- There will be a 10-foot setback from the wall to where the parking spaces are proposed
- The setback strip will be landscaped with trees every 30 feet.
- There will be no business on the site before 5 a.m. and the coffee shop will close at 7 p.m. in the winter and 8:30 p.m. in the summer
- No coffee roasting will be allowed on-site.
- Only one directional sign will be allowed.
- There will be no "sound generating" devices on the site.
- The tallest part of the 545-square-foot coffee shop will not exceed 18 feet).

- “Dark Sky” lighting intended to reduce light glare upward and into residential property will be installed.

The Home Owners Association would also ask that power lines be underground, as are those in the adjacent residential neighborhood.

Traffic safety concerns:

We have serious objections to the proposed access to the property.

The part of Steptoe that traffic will use to enter and exit the proposed development was conveyed to the city of Kennewick under auditor’s files Nos. 2008-028962 and 2012-003447.

At the time of the earlier discussion on this property (when the land was proposed for a coffee shop and a car wash. The car wash has now being replaced by a commercial building), Kennewick’s traffic engineer, John Deskins, had concerns similar to some of ours, which included his comments that:

1. “Striping on the roadway will need to be modified, shortening the turn bay storage slightly so that a proper two-way left-turn lane is created for access to the site.”
2. “... A (concrete) curb may be warranted in the future if a crash problem at the driveway developed.... Such a high traffic generator does pose some potential problems when the driveway is located just 185 feet from the traffic signal.”
3. “It’s important that the final landscape plan including any signage for the business should provide for site distance looking to the left (upon exiting) and that it properly accounts for the horizontal curvature of the road as well. This will help to mitigate any crash problem potential.”

Deskins’ comments above echo some of our concerns which, in addition, include:

- There will be only one way in and out of the facility.
- Until the turn lanes are shortened (which seems to be removing one problem by creating another) traffic turning left to enter or leave will have to cross a double yellow line, which is illegal. A shortened storage lane will impede traffic heading to, or leaving, what already is a busy intersection.
- This change adversely affects the character of Steptoe that was supposed to be a major arterial and an access-restricted Kennewick-Richland connector.
- Any backup on the roadway will occur within yards of the traffic-lighted intersection.
- The traffic problem will be exacerbated as large housing developments to the south and east and in the Amon Basin (already under way) and this year’s opening of a new elementary school, tie into the Steptoe-Center Parkway intersection.
- The proposed development ‘s access point so close to one of only two roads into our subdivision (Quebec Street) could block home owners’ access

- Traffic turning east from Steptoe onto Center Parkway will be faced with the problem of traffic leaving Center Parkway to enter the proposed development within yards of the intersection, a traffic movement that will be unexpected.

Mitigation:

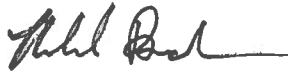
We ask that concrete barriers be placed to prevent any left-hand turns either into or out of the development onto Center Parkway.

Conclusion

Our HOA feels the above reasons are sufficient to conclude this intersection, as presently designed, is not the place for the type of development being proposed.

However, if the hearing examiner disagrees we ask that we be given the time and the opportunity to take our case to the Richland Planning Commission and/or the Richland City Council

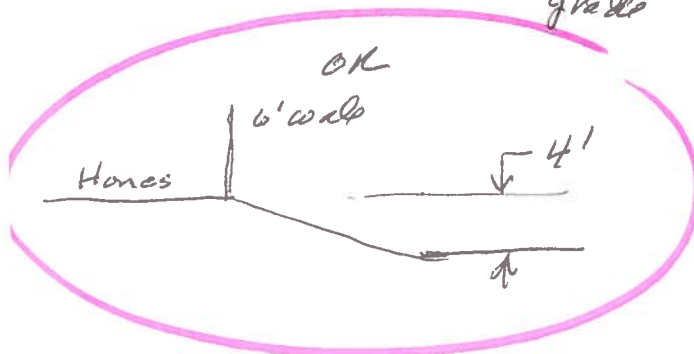
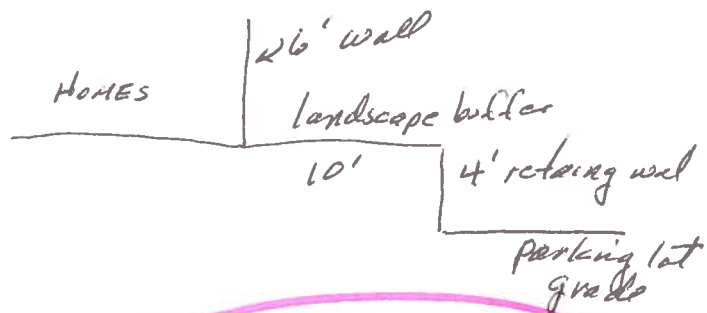
Signed

A handwritten signature in black ink, appearing to read 'Nicole Barker', with a long horizontal flourish extending to the right.

Nicole Barker

President, Grandridge Meadows Home Owners Association

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Leading the Way

January 31, 2019

Shane O'Neill, Senior Planner
City of Richland
840 Northgate Drive
Richland WA 99352

RE: SUP2019-100 & EA2019-100 – Drive-Thru Coffee Shop

Dear Mr. O'Neill:

This comes in response to the City of Richland Notice of Application, Public Hearing and Optional DNS (SUP2019-100 & EA2019-100).

The City of Kennewick (COK) operates and maintains the signal at the intersection of N. Steptoe St. and N. Center Parkway for the City of Richland. Even though this is a City of Richland signal, the effective operations of this signal is crucial for the effective corridor operations and traffic progression within the Steptoe Corridor. All of the signals within the Steptoe Corridor operate on a time-based coordination plan due to a lack of a hard-wire or wireless communications between the signals.

Institute of Traffic Engineer (ITE) Trip Generation Manual (10th Edition) Land Use Code (LUC) 938 is an appropriate land use type for the proposed Drive-Thru Coffee Shop. ITE LUS 938 indicated that the proposed use has the potential of generating 2,000 trips per day/1,000 sq. ft. Gross Floor Area (GFA) and 345 AM Peak trips per day/1,000 sq. ft. GFA.

COK has the following comments regarding the above referenced project:

1. Provide a driveway Queuing Analysis at the proposed driveway on N. Center Parkway.
 - a. Identify queue lengths and potential impacts
 - b. Provide recommendations for mitigation
2. Provide operational analysis of the intersection of N. Steptoe St. and N. Center Parkway
 - a. Identify potential operational impacts and increase of delays for the following conditions:
 - i. Isolated intersection
 - ii. Coordinated corridor

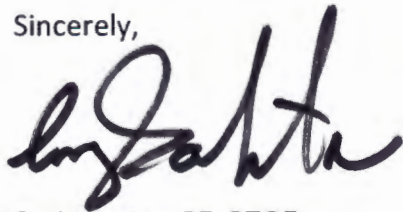
PUBLIC WORKS

- b. Provide AM & PM Peak queue lengths for the westbound left turn movements
- c. Provide recommendations for mitigation

The Applicant's Traffic Engineering consultant may contact COK to obtain Turning Movement Counts and Signal Timing Plans for the Steptoe St. and N. Center Parkway signal.

If you have any questions, please contact Joe Seet, Assistant Traffic Engineer at 585-4527 or joe.seet@ci.kennewick.wa.us

Sincerely,



Sorin Juster, PE, PTOE
Transportation Manager

SJ:al

PW2019-120



MEMORANDUM

Public Works – Traffic Engineer

To: Shane O'Neill, Senior Planner
From: John Deskins, Traffic Engineer
Date: February 1, 2019
Re: SUP 2018-100 & EA2019-100 – Drive-Thru Coffee Shop

I have reviewed the comments from the City of Kennewick regarding traffic queues for the coffee shop and signal operations at the intersection of Steptoe & Center Parkway.

Regarding the queuing space, I have made request for more detailed information and a better driveway/access design. The developer has provided some detail to me (though not seen by Kennewick) that shows a better driveway design and cars queued up such that 12-13 cars can be queued before it impacts the city street. I believe this to be a reasonable number for this location. A similarly branded coffee shop was recently approved in the City of Kennewick on State Route 395 which only allows for 8 vehicles in queue before impacting the State Route.

Regarding the operational analysis, I am very familiar with the current and future operations, having developed the original signal timing as well as evaluation of future traffic signal coordination plans with anticipated growth. However, all analysis was performed for the PM Peak period and even the recent traffic counts provided by City of Kennewick only included PM Peak hour counts. That's because the PM commute in the Tri-Cities is much more dominant than the AM commute. Currently, the AM is not of significant consequence. The current operation is as an isolated intersection only, which means it is fairly responsive to traffic and queues are low. Even when the signal becomes coordinated, it is anticipated that the queues won't back up past the driveway. If they do periodically pass the driveway, the exiting driver simply needs to wait until the signal turns green for westbound Center Parkway which will clear the queue, at which point they will be able to safely make a left-turn from the driveway onto Center Parkway

If the concerns ultimately do become a problem, and particularly if they create crashes, the City of Richland Civil and Utility Engineering Development Comments state clearly that *"If vehicles waiting in the drive-through queue past the driveway and out into the street on a regular basis, and/or a crash problem develops at the proposed driveway in the future, the city may consider installation of a median curb to limit access and mitigate crashes"*.



HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 03/11/2019

Agenda Category: New Business – Public Hearing

Prepared By: Shane O'Neill, Senior Planner

Subject:

Z2018-109 - DNR Rezone

Department of Natural Resources

Department:

Development Services

Recommended Motion:

Planning recommends approval.

Summary:

This is an application to convert the zoning on a 314-acre site from AG to R-1-I0, R-2, R-3, PPF and C-3. The proposed zoning configuration mirrors the Comprehensive Plan land use designations assigned in 2017.

Attachments:

1. FULL Staff Report (Z2018-109) - DNR

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

GENERAL INFORMATION:

PROPOSAL NAME: DNR Rezone

LOCATION: North of Kennedy Road and west of Truman Avenue

APPLICANT: Washington State Department of Natural Resources

FILE NO.: Z2018-109

DESCRIPTION: Request to change zoning of approximately 314 acres from AG (Agriculture) to Low Density Residential (R-1-10), Medium Density Residential (R-2), High Density Residential (R-3), General Business (C-3) and Parks and Public Facilities (PPF)

PROJECT TYPE: Type 3 Site-Specific Rezone

HEARING DATE: March 11, 2019

REPORT BY: Shane O'Neill, Senior Planner

RECOMMENDED ACTION: Approval

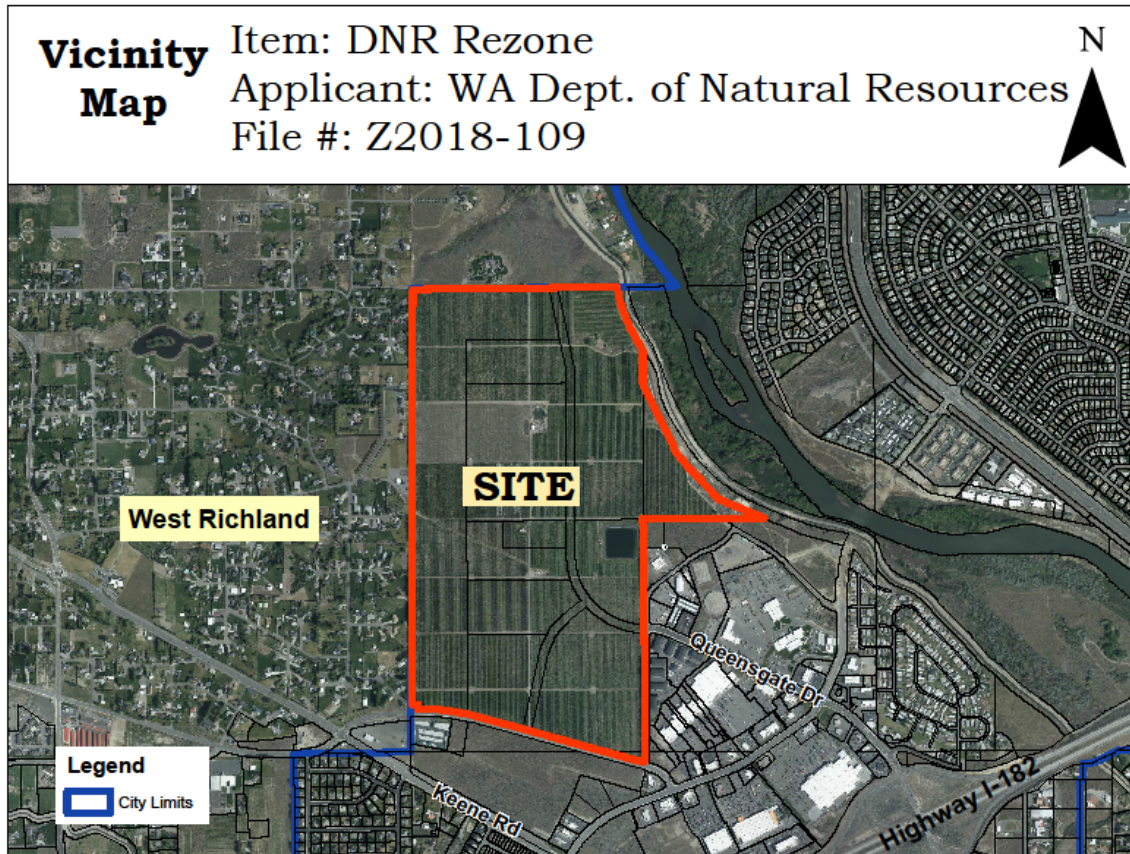


Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

On December 18, 2019, the Washington State Department of Natural Resources (hereinafter referred to "DNR") filed an application (Exhibit 1) with the City petitioning to rezone a 314-acre site from Agriculture (AG) to Low Density Residential (R-1-10), Medium Density Residential (R-2), High Density Residential (R-3), General Business (C-3) and Parks and Public Facilities (PPF). The purpose of this this request is to prepare the site future subdivision and eventual sale/leasing. A proposed zoning schematic accompanied the application to rezone the site (Exhibit 2). The zoning schematic illustrates the request to apply five (5) different zoning district to land areas defined by way of legal description. Note that page 2 of the application indicates a request to assign six (6) different zoning classifications when in fact, after working with the applicant, the request is to assign five (5) different zones to the site. Initially there was some confusion regarding zoning versus Comprehensive Plan land use designations. Supplemental Exhibits 1 & 2 have been correct from the originals to reflect the zoning request but Planning staff did not require the applicant to revise their application form.

The existing Agriculture (AG) zoning is primarily an agricultural zone also allowing for single-family residential land uses at a maximum density of one (1) dwelling unit per five (5) acres of land.

SITE DESCRIPTION & ADJACENT LAND USES

The site is comprised of three parcels totaling approximately 314-acres lying northwesterly of the intersection of Kennedy Road and Truman Avenue; both roads border the site. The property is mostly rectangular on its southern half with a triangular protrusion on the northeasterly edge. The property is generally level and currently is accessed by an unimproved gravel driveway onto Kennedy Road. The north half of the site is bound to the east by the Columbia Irrigation District irrigation canal which divides the site from the Yakima River corridor by a distance exceeding 200-feet. Both the north and west site boundaries are straight linear property lines which align with the Richland City Limits line and the Urban Growth Boundary in these locations. Considering its size, the site is dominated by agricultural orchards, but also contains two irrigation ponds, a 2,000 square-foot farm building, a 1,500 square-foot residential dwelling and a pump station facility. A series of orthogonal dirt roads used to access individual orchard blocks form a grid across the site.

As mentioned above, the south boundary of the site is formed by Kennedy Road and the southeast corner is formed by the intersection of Kennedy Rd and Truman Ave. Truman Ave serves as the easterly boundary of the site until about 260-feet north of the intersection of Queensgate Drive and Truman Ave, where Truman veers east away from the site.

To the West

The vicinity immediately west of the site is dominated by low-density, single-family residential neighborhoods lying within the municipal jurisdiction of West Richland. West Richland assigns their RL-40 zoning, with a 40,000 square foot minimum lot size, to this residential area. Adjacent home sites share their rear yards with the west line of the project site.

To the South

The south line of the site is bound by Kennedy Road. South of Kennedy Road lies 55-acres of partially developed commercial land belonging to a binding site plan named Stoneridge Business and Commerce Park. This commercial site is specifically zoned B-C (Business Commerce). Property lying immediately south of the southwest corner of the site contains a self-storage/mini-warehouse facility.

To the East

Land lying east of the site between Kennedy Road and Queensgate Drive is developed with the 228-unit Regency Park residential apartment complex gaining

direct access from Truman Ave and Queensgate Drive. This apartment complex shares a rear property line with the Vintner's Square which contains big-box commercial retail businesses such as Target, Marshall's, Ulta Beauty and Party City. The above description applies to land east of the south half of the site.

The vicinity east of the north half of the site is characterized by the presence of an irrigation canal managed by the Columbia Irrigation District. The canal is an open-air design perched above the west bank of the Yakima River. A narrow, linear strip of land separates the site from the canal itself. This is where an irrigation water withdrawal pump is located.

To the North

Adjacent to the north boundary of the site lies a single property containing one large single-family dwelling unit lying within the jurisdiction of Benton County. A vast majority of the yard area belonging to this home is in a natural sagebrush condition.

An aerial photo of the site in Figure 1 above and ground level site photos taken by city staff are provided in Exhibit 9.

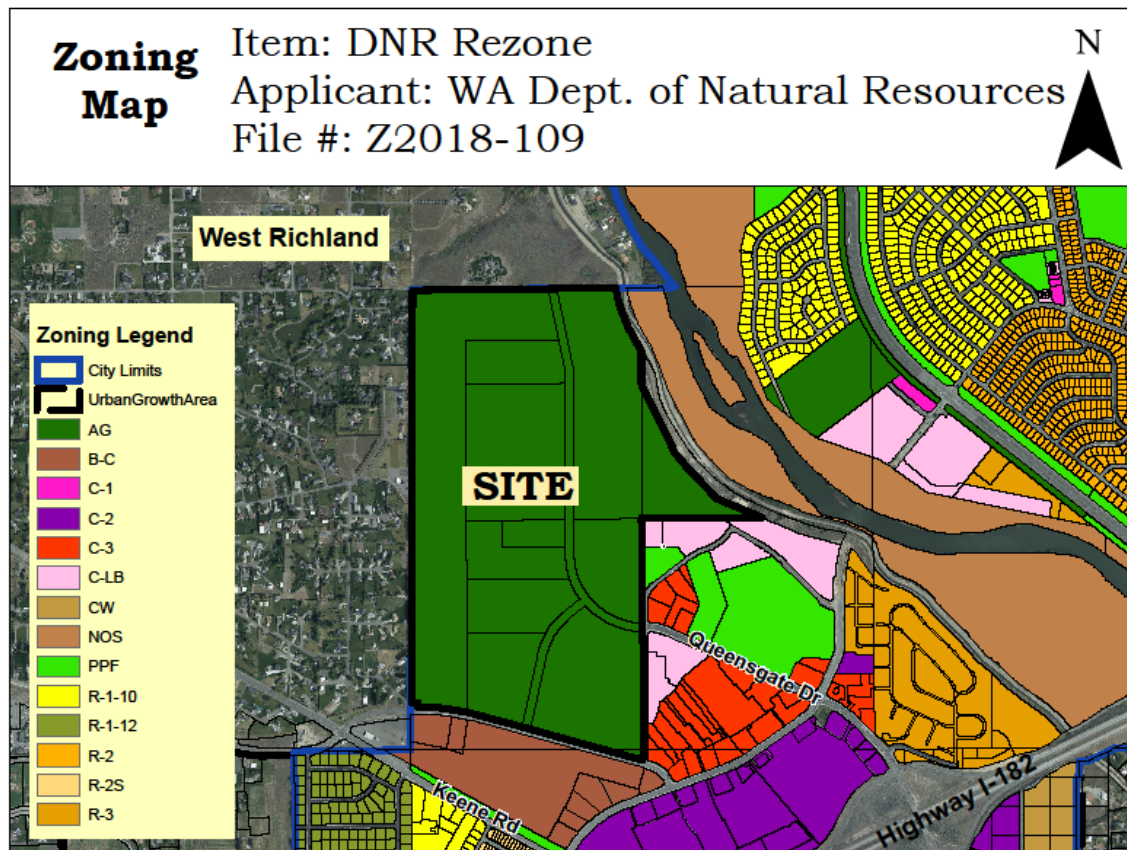


Figure 2 – Zoning Map

ZONING

The zoning maps above illustrates the site's current AG zoning as well as the zoning assigned to adjacent and surrounding properties. Other properties in the vicinity are zoned for a variety of commercial and public land uses.

REQUESTED ZONING

Provided below is a list of zones being requested for assignment together with their associated cumulative acreages:

- 146.36-acres to Low Density Residential (R-1-10)
- 25.27-acres to Medium Density Residential (R-2)
- 36.95-acres to High Density Residential (R-3)
- 58.66-acres to General Business (C-3)
- 47.39-acres to Parks and Public Facilities (PPF)

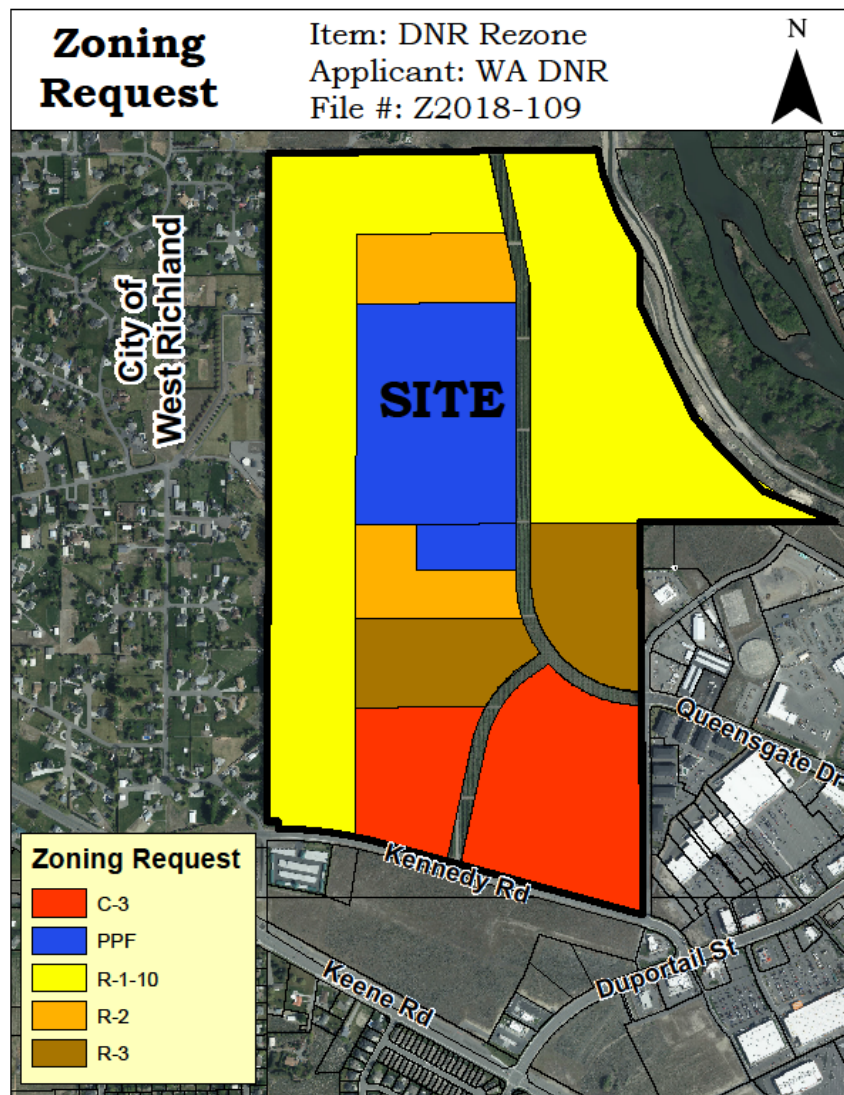


Figure 2.1 – Zoning Request Map

The C-3 (General Business) zone is designed for the location of commercial establishments which require a retail contact with the public together with incidental shop work, storage and warehousing, or light manufacturing and extensive outdoor storage and display, and those retail businesses satisfying the essential permitted use criteria of the C-2 use district. This zone may be applied to portions of the city that are either designated as commercial or designated as industrial and located adjacent to SR-240 under the City of Richland Comprehensive Plan (RMC 23.22.010). Refer to RMC Section 22.22 for the list of land uses allowed in C-3 zone.

The PPF (Parks & Public Facilities) zone is a special use classification intended to provide areas for the retention of public lands necessary for open spaces, parks, playgrounds, trails and structures designed for public recreation and to provide areas for the location of buildings and structures for public education, recreation and other public and semi-public uses. This zoning classification is intended to be applied to those portions of the city that are designated as developed open space and public facility under the city of Richland comprehensive plan. Refer to RMC Section 22.30 for the list of land uses allowed in PPF zone.

The R-1-10 (Single Family Residential) zone is 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. Refer to RMC Section 22.18 for the list of land uses allowed in the R-1-10 zone.

The R-2 (Medium Density Residential) zone is a residential zone classification permitting a higher density of population including the establishment of duplex dwellings and providing for these single-and two-family residences a high degree of protection from 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 medium-density residential (5.1 to 10 dwellings per acre) under the city of Richland comprehensive plan. Refer to RMC Section 22.18 for the list of land uses allowed in the R-2 zone.

The R-3 (Multiple Family Residential) zone is a residential zone classification allowing for the location of multiple-family dwellings, duplexes and attached and detached one-family dwellings and providing a high degree of protection for such uses and adjacent low-density residential development. This classification shall be designed to give protection from hazards, objectionable influences, building

congestion, and lack of light, air, and privacy. Certain essential and compatible public service facilities and installations are permitted in this district. This zoning classification is intended to be applied to some portions of the city that are designated high-density residential (10.1 or more dwellings per acre) under the City of Richland comprehensive plan. Refer to RMC Section 22.18 for the list of land uses allowed in the R-3 zone.

Cumulatively removing the AG zoning assignment from the site will take this 314-acres out of its reserved status; thereby opening the site to a wide variety of development opportunities. Generally, AG zoning provides minimal purpose within a city's urban growth boundary as the zone is designed to restrict urban development which is counter to many of the goals found in the Comprehensive Plan aimed at promoting growth and development. Agricultural zoning is best placed on expansive tracts of land under the jurisdiction of the County.

PUBLIC NOTICE

Application Date:	December 19, 2018
Notice of Hearing Mailed:	February 5, 2019
Notice of Hearing Posted:	February 15, 2019
Notice of Hearing Published:	February 9, 2019
Public Hearing:	March 11, 2019

Notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 3. As of the date of this report, several written public comment letters and two written agency comment letters were received. All comments are included herein as Exhibit 4.

UTILITY AVAILABILITY

Sewer

An 8-inch sewer line terminates at the intersection of Truman Avenue and Queensgate Drive. Another 8-inch sewer line lies approximately 70-feet south of the site at the intersection of Truman Avenue and City View Drive. In either case sewer mains need to be extended into the site to provide adequate service supporting future site developments.

Water

A 12-inch water line lies approximately 70-feet south of the site at the intersection of Truman Avenue and City View Drive. This water line, located in Truman Avenue, extends nearly the full length of the east boundary of the site; stopping approximately 710-feet north of Kennedy Road.

There is another 12-inch water main in Kennedy Road (south property line) extending from the west. This 12-inch water main terminates approximately 1,000-feet west of Truman Avenue. Water lines will need to be extended into the site to provide adequate service supporting future site developments.

Electrical Power

The site is bifurcated by an overhead transmission line crossing the site diagonally in a northwest-southeast orientation, generally extending along the northwesterly projection of Queensgate Drive. These power lines belong to Bonneville Power Administration and are not part of Richland's municipal infrastructure. It is presumed that the transmission line is a static feature of the site, generally not available for re-location or modification.

Underground municipal power currently exists within the full length of both Kennedy Rd and Truman Ave where adjacent to the site. Additionally, municipal overhead primary power service extends into the site in two locations, from the east boundary of the site, westerly to the approximate middle of the site serving farm buildings and the single-family home. It is likely that these two service lines will be removed to accommodate future development due to their location.

TRANSPORTATION

Access to the site comes by way of Kennedy Road to the south and from Truman Ave to the east. Kennedy Road is classified as a major collector roadway in the Transportation section of the City's Comprehensive Plan [Map T-1(Exhibit 5)]. Comprehensive Plan map T-11 (Exhibit 6) shows a plan for future minor arterial roadways forming a "Y" intersection, merging and continuing north eventually crossing the Yakima River and transitioning into Jones Road at Van Giesen Street.

On the west side of the site lies a West Richland municipal well. This well facility sits immediately north of the westerly projection of Queensgate Drive. Some time ago the City of West Richland vacated the easterly terminus of the roadway (E. Latin Road) that would have served to connect Queensgate Drive across the site. Said right-of-way vacation precluded Queensgate from achieving continuity with existing roadways to the west.

SEPA

No environmental review was conducted as part of this rezone application, based on the categorical exemption in WAC 197-11-800(6) (c) which provides for exemptions under the following circumstances:

Where an exempt project requires a rezone, the rezone is exempt only if:
(i) The project is in an urban growth area in a city or county
planning under RCW 36.70A.040;

- (ii) *The proposed rezone is consistent with and does not require an amendment to the Comprehensive Plan; and*
- (iii) *The applicable Comprehensive Plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS adequately addressed the environmental impacts of the rezone.*

In this case, the proposed project is located within the City and within Richland's urban growth area; the proposed action is consistent with the City's Comprehensive Plan; and the City's Comprehensive Plan was analyzed through the preparation of an environmental impact statement at the time of the plan's initial adoption in 1997. The land use designations currently in place were recently established and configured in consideration of this rezone application.

The following Land Use Map illustrates the City's Comprehensive Plan Commercial Land Use Designation of the site. The C-3 zoning classification is intended to be applied to portions of the city that are designated commercial under the City of Richland Comprehensive Plan.

COMPREHENSIVE PLAN

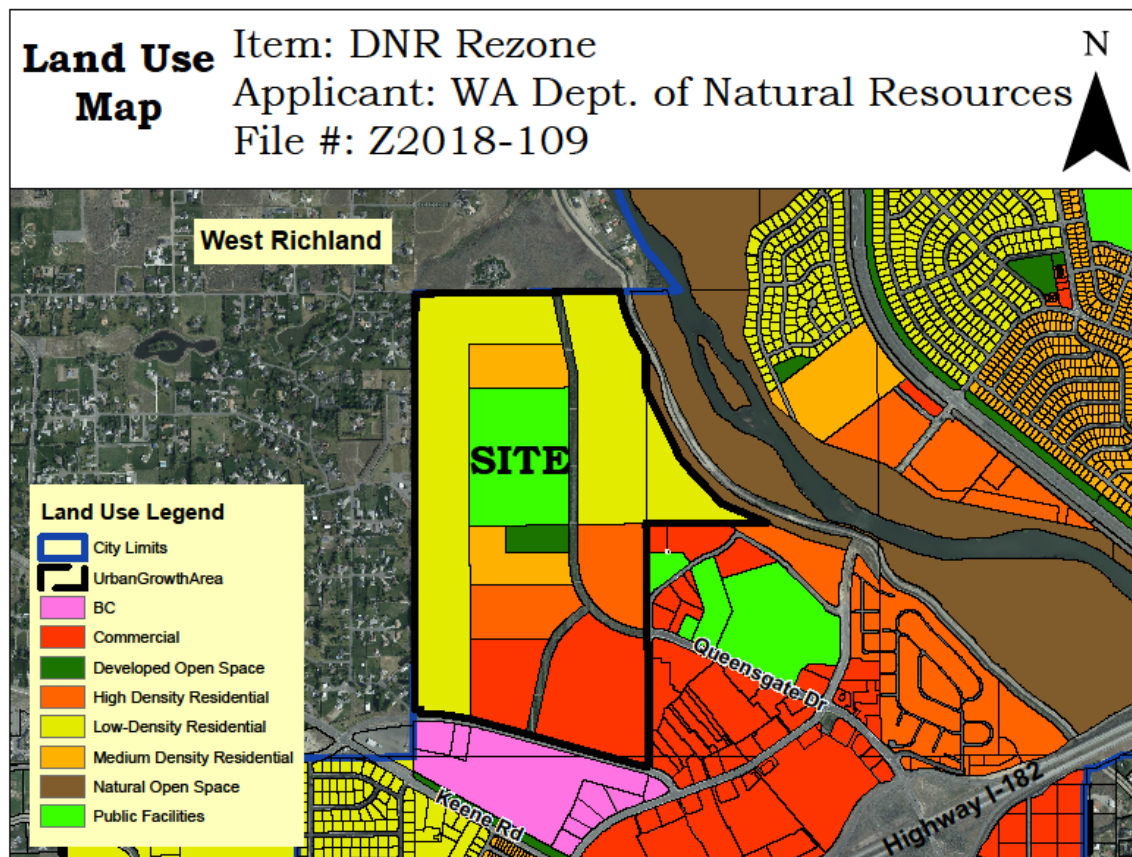


Figure 3 – Comprehensive Plan Map

The Comprehensive Plan contains the following goals and policy statements generally viewed as being in support of the proposed rezone application:

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 [and] commercial... uses that will take advantage of the existing infrastructure network.

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.

BACKGROUND

The subject site was annexed into the City in two parts. The northerly portion was annexed into the City in 1971 (Ord. 653) and the southerly portion was annexed in 1995 (Ord. 21-95). According to DNR Lease No. 12-67116 (Exhibit 7), DNR entered into a farming lease with Chiawana Orchards Partnership, the term of which being from October 22, 1986 to January 1, 2021.

The current Comprehensive Plan land use designation scheme (see Figure 3 above) is the result of coordinated efforts between DNR and the City of Richland Planning Office. Land uses were assigned to the site in 2017 via City Ordinance #42-17. The rezone process at-hand is necessary to effectuate the land use planning efforts and to precisely establish permitted land uses as they apply to each proposed zoning district boundary.

ANALYSIS

The proposed zoning configuration (Figure 2.1) applies low-density residential (R-1-10) zoning to the westerly and northerly portions of the perimeter together with about half of the easterly boundary of the site. Providing low-density residential zoning in these locations will create a compatible interface between

the adjacent residential neighborhood(s) and future site development. Proposed residential zoning will also serve to buffer existing homes from uses allowed in multi-family, public facilities, and commercial zoning which are more centrally and easterly located on the site. Compatibility between the existing and proposed residential zoning has been evaluated based on a comparison between dimensional requirements associated with each zone. A zoning comparison table illustrating some of the primary differences between West Richland's RL-40 zone and Richland's R-1-10 zone is provided below.

ZONING COMPARISON TABLE

Zoning Standard	Richland R-1-10	West Richland RL-40
Minimum Lot Area	8,000 square feet	40,000 square feet
Average Lot Size Requirement	10,000 square feet	NA
Maximum Lot Coverage	40%	30%
Front Yard Setback	20 feet	25 feet
Side Yard Setback	10 feet	20 feet
Rear Yard Setback	25 feet	40 feet
Building Height	30 feet	28 feet

The site is partially surrounded by single-family residences lying within the jurisdiction of West Richland. When compared to West Richland's RL-40 zone, the R-1-10 zone provides: a 10% increase in lot coverage allowance, a five (5) foot front setback reduction, a fifteen (15) foot rear yard setback reduction, a ten (10) foot side yard setback reduction and a two (2) foot building height increase. The most significant difference between the two residential zones is clearly the 32,000 square foot larger lot size required by West Richland's RL-40 zone. The minimum lot size in the RL-40 zone is five times greater than that of the R-1-10 zone. RL-40 zoning is assigned to this area of West Richland due to the lack of municipal sewer service in the area.

The City's Comprehensive Plan designates the site as suitable for commercial and a variety of residential land uses. The subject rezone application is consistent with the City's Comprehensive Plan which is the primary reason for staff's recommendation of approval. Upon review of the resulting interfaces between existing and proposed zoning assignments, Planning staff finds said boundary interfaces to be appropriate in terms of land use compatibility because abrupt jumps in land use intensity are not proposed.

Upon visiting the site, Planning Staff observed no evidence of unique or sensitive biological habitat or species warranting any special protection. Likewise the site is flat, presenting no significantly difficult grading, drainage or other geotechnical challenges.

Over the past several years much of the vicinity to the southeast has experienced a surge of commercial-retail development. The Vintners Square commercial center, to the east, contains a plethora of commercial-retail businesses serving the sales needs of much of south Richland, West Richland and residents of unincorporated areas to the west.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2018-109) and recommends approval of the request based on the following:

1. The site is comprised of three parcels totaling approximately 314-acres in area;
2. The entire site is currently zoned AG (Agriculture);
3. The City of Richland Comprehensive Plan designates the subject site as suitable for low, medium and high-density residential land uses together with commercial and public land uses as illustrated in Figure 3 contained in this report;
4. The site contains agricultural orchards, a residential building, several agricultural farm buildings, and irrigation water pumping equipment;
5. The site lies adjacent to segments of both the Truman Avenue and the Kennedy Road rights-of-way, contributing to potential access points;
6. Establishment of each respective zoning district is consistent with the intent of the Comprehensive Plan;
7. The proposed zoning district configuration is designed to ameliorate potential nuisances by provide a graduated increase in land use intensity as the distance away from existing residential neighborhoods increases;
8. The project is exempt from the provisions of the State Environmental Policy Act, as identified in WAC 197-11-800(6) (c);
9. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland;
10. Comprehensive Plan Map T-11 indicates plans to extend minor arterial roadways into and through the site;
11. Proposed zoning district boundaries have been configured around the anticipated alignment of future rights-of-way.

EXHIBIT LIST

1. Rezone Application
2. Survey & Legal Descriptions
3. Public Notices and Affidavits
4. Public Comments
5. Comp. Plan Map T-1
6. Comp. Plan Map T-11
7. DNR Land Lease
8. West Richland Zoning Map
9. Site Photos



Planning & Development Services Division • Current Planning Section

840 Northgate Drive • Richland, WA 99352

General Information: 509/942-7794 • Fax: 509/942-7764

www.ci.richland.wa.us

Petition for Change of Zoning District Classification

Application is hereby made to the City of Richland for a change of zone, pursuant to Section 23.82.190 of the City of Richland Municipal Code.

The following required information must be typed or printed legibly in the appropriate spaces.

SECTION I – APPLICANT INFORMATION			
Applicant's Name: WA State Department of Natural Resources (DNR)			
Address: 1111 Washington Street SE			
City: Olympia		State: WA	Zip: 98504
Phone: 360-902-1059	Fax: 360-902-1789	Other and/or e-mail address: richard.scrivner@dnr.wa.gov	
Please check under what capacity you are filing:			
☒ Recorded owner of the property as of 1889; the subject property is a Federally Granted Trust Land.		☐ Purchasing under contract as of	
☐ The lessee as of		☒ The authorized agent of any of the foregoing, duly authorized in writing (written authorization must be attached to application).	
SECTION II – PROPERTY LOCATION AND GENERAL DESCRIPTION			
Street address(es) of property for which the zone change is requested, if applicable: NA; currently being used as an orchard			
Relationship to adjacent streets (i.e., west of Main Street between 1 st Avenue and 2 nd Avenue): The subject property is adjacent to Truman Avenue to the east and Kennedy Road to the south. The jurisdictional boundary line between the Cities of Richland and West Richland represents the west boundary of the subject property.			
General description of development status (i.e., vacant, agricultural, buildings, or miscellaneous improvement): The subject property is currently undeveloped with respect to structures. It is currently being managed under an orchard lease (Lease No. 12-67116) which is due to expire 01/01/2021. The lease will not be renewed. The request for the comprehensive rezone is so the subject property can be eventually segregated, then sold and/or leased for a variety of compatible developments in the future, consistent with the City of Richland's land use and zoning regulations.			
Size of petition area: 300 +/- Acres			
SECTION III - CHANGE OF ZONE REQUEST			

A change of zone from <u>Agriculture (AG)</u> To <u>Six (6) different zone classifications.</u>
SECTION IV – JUSTIFICATION
State the reason(s) for the requested change of zone: See Attached Narrative of Rezone Request.

Continued

I DECLARE UNDER PENALTY OF THE PERJURY LAWS THAT THE INFORMATION I HAVE PROVIDED ON THIS FORM/APPLICATION IS TRUE, CORRECT AND COMPLETE.

DATED THIS 12th DAY OF DECEMBER, 2018.



Duane M. Emmons, Acting Division Manager
Product Sales & Leading Division

Applicant's Signature

X

1111 Washington Street SE
Address

Address

Olympia, WA 98504
City, State, Zip

City, State, Zip

360-902-1059
Phone

Phone

FOR OFFICE USE ONLY

Date accepted for filing 12-19-2019

Items enclosed: Filing fee and Title Insurance
Company Ownership Report showing all property
Owners of Record within 300-feet.

City Official's Signature

February 25, 2019

To: City of Richland Planning Department...c/o Mr. Shane O'Neill, Senior Planner

From: WA State Department of Natural Resources (DNR)

Re: Rezone Application

The request for rezone comprises approximately 314 acres, owned/managed by DNR. The subject property is located in the western part of the City, specifically bordered by Truman Avenue to the east, Kennedy Road to the south, the City of West Richland to the west and Benton County to the north.

The subject property is currently zoned Agriculture (AG). This comprehensive rezone request is divided into five (5) different classifications. The specific reasons for the request are as follows:

- 1) To bring the zoning into compliance with the existing Comprehensive Plan's Land Use designations, as approved by the City Council, 10/03/2017, under Ordinance No. 42-17.
- 2) As stated in Section II Property Location and General Description of the Application, "The request for rezone is so the property can be eventually segregated, then sold and/or leased for a variety of compatible developments in the future, consistent with the City of Richland's land use and zoning regulations."
- 3) Most, if not all of DNR's trust lands located within an urban-setting or city jurisdiction, start out as an agriculturally managed property and evolve into a higher and better use development scenarios. The Richland 16 property is no different, as evidenced by its location within the direct path of development...it's adjacency to existing major arterials...the subject property's direct access to existing public infrastructure...plus, the current agricultural use is inconsistent and incompatible with the adjacent urban-type land uses. It is DNR's fiduciary responsibility to pursue diversified trust land management objectives and practices. This collaborative effort with local jurisdictions creates an effective working relationship and provides long-term assurances and protection to the underlying trust beneficiaries.

The specific rezone classifications are to reflect the underlying land use designations for each parcel, as approved by the City Council, and made a part of the City's Comprehensive Plan. Each rezone classification and its preliminary surveyed acreage are as follows:

Low Density Residential...146.36 acres
Medium Density Residential...25.27 acres
High Density Residential...36.95 acres
Commercial...58.66 acres
Public Facility...47.39 acres
Total Estimated Acreage...314.63 acres

The attached exhibits, as prepared by DNR's Senior Land Surveyor, are preliminary and not for recording purposes. However, by utilizing a 100' right-of-way width for the proposed and future location of the interior arterials, indicated as tentative by the City, each parcel is legally described to the center-line of the proposed arterial, except where known otherwise.

Respectfully Submitted,

Richard K. Scrivner
Planning Manager

Department of Natural Resources

I. OVERVIEW

Authority to act on behalf of the Commissioner and the Department is specifically retained or delegated by the Commissioner of Public Lands, the Deputy Commissioner (if appointed), the Department Supervisor, and the Deputy Supervisors, as set forth in this Delegation Order. Delegated authority may be further delegated unless specifically addressed in this order. Inherent in each delegation of authority is the ability to exercise that authority at any level higher in the chain of command. Each level retains the authority delegated to subordinate staff by this order, and may recall any delegated authority. All other authority to act on behalf of the Commissioner and the Department not specifically reserved in the body of this Order is delegated to subordinate staff to ensure the smooth day-to-day operations of the Department.

The delegated and retained authorities of the Commissioner of Public Lands, Deputy Commissioner (if appointed), Department Supervisor, Deputy Supervisors, Directors, Division Managers, and Region Managers, unless more specifically outlined in Section IV (signature authorities), are as follows:

Commissioner The Commissioner may delegate any reserved authority to address specific situations or as circumstances may dictate. Any such delegation must be made in writing, or orally with written authorization to follow.

The Commissioner delegates all authority necessary to operate the Department of Natural Resources to the Deputy Commissioner (if appointed), Department Supervisor, Deputy Supervisors, Directors, Division Managers, and Region Managers except the following, which shall be exercised exclusively by the Commissioner:

- The authority to set the organizational structure of the Department's executive management and regions;
- The authority to hire, appoint, discipline, or terminate any exempt employee;
- The authority to set internal pay and/or pay structures for all Washington Management Service and exempt staff;
- The authority to approve any contract or action that by statute must be approved solely by the Commissioner (such as coal leases, oil and gas leases, vacation of waterways, and any Commissioner Orders);
- The authority to approve all final budget allotments, and make adjustments to budget allotments greater than \$500,000; and,
- The authority to purchase, sell, or exchange any real property subject to approval by the Board of Natural Resources.

Deputy Commissioner The Deputy Commissioner's authority, if a Deputy Commissioner is appointed by the Commissioner, is established by the appointment, pursuant to RCW43.12.021. This includes any authorities reserved to the Commissioner in this delegation order.

Department Supervisor The authority of the Department Supervisor is set forth in RCW 43.30.430. In addition, the Department Supervisor is delegated the authority to act on behalf of the Department on any matter, contract, commitment, or activity not specifically reserved to the Commissioner and to ensure the smooth day-to-day operations of the Department.

Deputy Supervisors and Directors The Commissioner's Executive Management Team includes the Deputy Supervisors and the Directors. The Deputy Supervisors include the Deputy Supervisor for Aquatics, Geology, Human Resources & IT; the Deputy Supervisor for Forest Practices; the Deputy Supervisor for State Uplands; the Deputy Supervisor for Wildfire; and the Deputy Supervisor for Administration. The Directors include the Chief of Staff, the Communications & Outreach Director, the Community Development Director, the Legislative Director, the Director of Tribal Relations, and the Policy Director. The Chief of Law Enforcement and the Safety Program Manager are delegated authority at the Director level for purposes of this Delegation Order.

The Deputy Supervisors and Directors are delegated the authority to act on behalf of the Department on any matter, contract, commitment, or activity within their functional area unless specifically reserved to the Commissioner or Department Supervisor and to ensure the smooth day-to-day operations of the programs or units which they manage.

The Deputy Supervisors and Directors may further delegate the authorities delegated to them through this Order. Any such delegation must be made in writing or orally with written authorization to follow from the Department Supervisor or Chief of Staff.

The Deputy Supervisors and Directors may delegate all authority necessary to operate the Department to their chain-of-command, except for the following authorities and those in Section IV, which shall be exclusively reserved:

- The authority to change the organizational structure within their functional area;
- The authority to approve any reductions in force;
- The authority, within the available allotted biennial budget, to approve the hiring or request the reallocation/reclassification of all new or vacant positions within the Washington Management Services (WMS);
- The authority, within the available allotted biennial budget, to approve the creation of any new positions or request the reallocation/reclassification or elimination of any existing positions;
- The authority to approve any long-term commitment which obligates the Department, encumbers any of its resources, affects deliverable or has broad policy implications, whether by lease, easement, contract, memorandum of understanding, or agreement, and amendments thereto, when the amendment constitutes a material change to the

commitment.

These reserved authorities of Deputy Supervisors and Directors may not be further delegated except during times of extended absences. Any further delegation may be made by the Deputy Supervisor or Director in writing, or orally with written record to follow.

Division Managers The Division Managers, in addition to providing advice, plans, suggestions, and recommendations to their designated Deputy Supervisor, act as line managers to the extent required to maintain their responsibilities for control of functional activities assigned to them. They are delegated responsibility for the successful, cost-effective operation of assigned programs. Division Managers exercise overall program administrative responsibilities for program design, development, planning, and budgeting.

Division Managers are delegated the authority to ensure the smooth day-to-day operations of the programs or units which they manage. They are delegated authority to spend their allotted budgets and to act on behalf of the Department on any matter, contract, commitment, or activity within their functional area unless specifically reserved to the Commissioner, Department Supervisor, Deputy Supervisors, or Directors. They are delegated authority to hire, appoint, discipline, and terminate all employees within their chain-of-command.

Division Managers whose programs are implemented by Region Managers are responsible for providing programmatic direction to Region Managers, either directly or as communicated by their respective Deputy Supervisors, to assure their programs are properly implemented in the field through the Region Managers.

Division Managers may not further delegate the authorities specifically delegated to them through this Order without notifying the Deputy Supervisor to whom they report. Any such delegation must be made by the Division Manager in writing, or orally with written record to follow. Division Managers may never delegate their authority over appointment, discipline, or termination decisions.

Region Managers Region Managers are responsible for managing the affairs of the Department in designated large geographic areas. They have line authority extending down through their assistants to the units in the field. While they report directly to the Department Supervisor, they also receive direction from other Deputy Supervisors and Division Managers. Region Managers are responsible for implementing department programs following the programmatic direction provided to them by Deputy Supervisors and Division Managers. Balancing of functional activities and major personnel decisions within the region is the responsibility of the Region Manager.

Region Managers are delegated the authority to ensure the smooth day-to-day operations of the programs or units which they manage. They are delegated authority to spend their allotted budgets and to act on behalf of the Department on any matter, contract, commitment, or activity within their regional boundaries unless specifically reserved to the Commissioner, Department Supervisor, Deputy Supervisors, Directors, or Division Managers. They are delegated authority to hire, appoint, discipline, and terminate all employees within their chain-of-command.

Region Managers may not further delegate the authorities specifically delegated to them through this Order without notifying the Department Supervisor. Any such delegation must be made by the Region Manager in writing, or orally with written record to follow. Region Managers may never delegate their authority over appointment, discipline, or termination decisions.

II. SPECIAL DELEGATIONS

Presiding Officers of Brief Adjudicative Proceedings Region Managers and Assistant Region Managers are designated to serve as the presiding officers of brief adjudicative proceedings for matters arising within regions.

Emergency Fire Suppression During emergency fire suppression actions, Region Managers, the Wildfire Division Manager, and their designees, shall have the authority to enter into contract, regardless of amount, within normal department purchasing authorities, to authorize expenditures regardless of amount, and to hire and terminate temporary employees (including exempt seasonal hires) utilized in the emergency fire suppression actions. This special delegation supersedes any inconsistent reservation of authorities contained in the delegation order.

Region Managers and the Wildfire Division Manager are responsible for fire suppression efforts and are delegated the corresponding authority to fulfill those responsibilities in consultation with the Deputy Supervisor for Wildfire. As Agency Administrators, Region Managers are designated as liaisons between the Department and Incident Commanders, and may delegate authority to carry out incident response and business functions to the Incident Management Team.

III. SPECIAL DELEGATED APPOINTMENTS

Consistent with the authorities listed below, the Commissioner appoints, designates, or otherwise delegates authority through an individually numbered Commissioner's Order signed by the Commissioner of Public Lands and authenticated by a seal, pursuant to RCW 79.02.220. Such orders shall be filed with the Title and Records Office within the Department of Natural Resources.

State Forester The role of the State Forester is one that arises from federal programs related to fire, landowner assistance, and other resource protection programs. The Commissioner of Public Lands shall designate a State Forester who is authorized to and shall carry out those functions as set forth in state and federal law, and shall represent the Department at the National Association of State Foresters and the Council of Western State Foresters. Among those functions, the State Forester is responsible for implementing the Cooperative Forestry Assistance Act of 1978, and maintaining a Forest Action Plan for Washington State pursuant to the Food, Conservation, and Energy Act of 2008. The State Forester may not delegate any of his/her duties.

Law Enforcement Officers In accordance with RCW 43.12.065, the Commissioner shall individually commission, by order, each law enforcement officer in the Department of Natural Resources with the authority to utilize full police power of custodial arrest, and to carry and use

firearms.

Internal Auditor In accordance with RCW 43.12.031, the Commissioner shall designate the Internal Auditor for the Department. The Internal Auditor shall report directly to the Department Supervisor.

Records Officer In accordance with RCW 40.14.040, the Commissioner shall designate a Records Officer who shall supervise its records program and represent the office in all contacts with the state records committee and the state division of archives and records management.

Public Records Officer In accordance with RCW 42.56.580, the Commissioner shall appoint and publicly identify a Public Records Officer whose responsibility is to serve as a point of contact for members of the public in requesting disclosure of public records, and to oversee the agency's compliance with the public records disclosure requirements.

Oil and Gas Supervisor In accordance with RCW 78.52.037, the Commissioner shall designate a state Oil and Gas Supervisor, and may designate an Oil and Gas Deputy Supervisor.

Aquatic Resources Rental Dispute Appeals Officer (RDAO) The Deputy Supervisor for State Uplands is designated to serve as the Rental Dispute Appeals Officer for aquatic resources rental disputes, under WAC 332-30-128(2).

State Geologist In accordance with RCW 43.92.010, the Commissioner shall appoint a geologist of established reputation as supervisor of the survey of the state, to be known as the State Geologist.

Tribal Liaison In accordance with RCW 43.376.020, the Commissioner shall appoint a tribal liaison. In accordance with RCW 43.376.030, the Tribal Liaison shall serve as a contact person with tribal governments, maintain communication between the Department and affected tribal governments, and coordinate training of state agency employees in government-to-government relations.

IV. APPROVALS AND SIGNATURE AUTHORITIES

In addition to the general delegation authorities described above, action approval and signature authorities are delegated as follows. These authorities are reserved to the designated authority and may not be further delegated except during times of extended absences. Any such delegation must be made by the designated authority in writing, or orally with written record to follow.

Action	Action Sub-Level (If none specified, all)	Delegated Authority
Agreed Order	Agency-wide implications	Deputy Supervisors
	Program-Specific	Program Managers

Consent Decrees		Department Supervisor
Settlement Agreements	Agency-wide implications	Department Supervisor
	Program-Specific	Deputy Supervisors
Contract, Interagency Agreements & Grants, including amendments, that have not been included in a biennial budget allotment and/or spending plan, or represent a significant change from initial plans. ^{1,2}	≥ \$500,000	Commissioner
	\$250,000-\$499,999	Department Supervisor
	\$50,000-\$249,999	Deputy Supervisor for Administration
	< \$50,000	Directors, Division and Region Managers
Budget Allotment Adjustments ³	≥ \$500,000	Commissioner
	\$250,000-\$499,999	Department Supervisor
	< \$250,000	Deputy Supervisor for Administration
Geoduck Contracts		Aquatics Division Manager
	Geoduck Contract Appeals	Deputy Supervisor for State Uplands
Firefighting Cost Recovery for Negligence	≥ \$50,000	Deputy Supervisor for Wildfire
	< \$50,000	Region Managers
Land Use Agreements – Aquatics Lands (Length) ⁴	≥ 12 years	Deputy Supervisor for Aquatics
	< 12 years	Aquatics Division Manager
Land Use Agreements – State Uplands (Length) ⁴	≥ 20 years	Deputy Supervisor for State Uplands
	< 20 years and w/in area of responsibility	Division and Region Managers
Land Use Agreements (Value) ⁴	≥ \$500,000 per year	Department Supervisor
	\$100,000-\$499,999 per year	Deputy Supervisor
	< \$100,000 per year	Division and Region Managers
Overtime (non-fire)	Any overtime requiring additional funds (i.e., increased budget allotment)	Deputy Supervisor for Administration
	Within budget allotments	Division and Region Managers

Timber Sales, Silviculture, Related Road & Work Orders & Amendments		Region Managers
Warden Appointments		Division and Region Managers
Agency Policies		Deputy Supervisors
Agency Rules, not requiring Board of Natural Resources or Forest Practices Board approval		Deputy Supervisors
Agency guidance, including Procedures, Guidelines & Tasks		Division Managers
¹Department officials are empowered to spend their allotted budgets in the manner described within this Delegation Order. Service contracts, agreements, and grant expenditures that are authorized within a biennial budget allotment do not require additional signature authority. This provision applies where a deviation from an initial allotment and/or spending plan is necessary. All contracts, irrespective of delegated level, shall be performed in accordance with applicable statewide and DNR-specific regulations and procedures, and placed on file with the Records Office. For purposes of delegation, the value of an amendment, renewal, or change order is measured separately from the original agreement. ²This provision does not apply to the approval of timber sale contracts or geoduck auction sales, and excludes the duties of the State Forester with respect to federal grant awards. ³Including the creation of new positions that require a budget allotment adjustment. ⁴When determining delegated authority for land use agreements, both 1) length of encumbrance and 2) value of encumbrance and amendments must be considered: if the delegation order is different for these two considerations, authority lies with the higher order official.		

V. GLOSSARY OF TERMS

The terms used in the Delegation Order have the following means, and any questions about the scope of the delegated authority shall be addressed to the Commissioner of Public Lands or Department Supervisor:

Agreed Order shall mean a substantive judicial or administrative order, the terms of which have been agreed upon by the parties, that does not resolve liability or dismiss the issues under controversy. In the hazardous waste context, the agreed order may be approved by an agency with regulatory authority over the subject matter.

Budget Adjustments shall mean any change to the approved Budget Allotment.

Budget Allotment shall mean the allocation of the biennial legislative appropriation among divisions, regions, work groups, units, or programs of the Department, for the purpose of carrying out agency functions.

Change Order shall mean the definition given in any Contract entered by the Department for work conducted on state-owned lands.

Consent Decree shall mean a final court order, the terms of which have been agreed upon by the parties, that resolves liability and dismisses the issues under litigation.

Contract shall mean all documents that represent an agreement on a particular subject of transaction entered on behalf of the Department, pursuant to the Department's statutory authority.

Contract Amendment shall mean any revision to any existing Contract that changes or alters in any way the obligations of the Department or other party or parties to the Contract under the Contract.

Geoduck Contract shall mean any agreement authorizing the planting, harvest or sale of geoduck from state-owned aquatic lands governed by Ch. 79.135 RCW.

Grant shall mean the acceptance or award of funds to or from an external entity for a particular purpose, where it does not meet the definition of a contract.

Land Encumbrance shall mean any commitment that imposes burdens or confers benefits upon state-owned land managed by the Department, or that otherwise results in obligations by the Department with respect to the use or management of state-owned lands managed by the Department, whether by lease, easement, right-of-entry, license, memorandum of understanding, or other legal instrument.

Land Transaction shall mean any commitment that involves the acquisition, conveyance, transfer, or exchange of a fee simple interest in real property managed by the Department.

Length of Encumbrance shall mean the length of time land will be encumbered by the current action, not cumulative length of time that land has been/will be encumbered by the current action and previous actions.

Organizational Structure shall mean the manner in which any division, region, work group, or unit of the Department is established to perform its functions.

Policy shall mean any currently effective policy adopted by the Department as defined in the document entitled Department Policy Manual, Policies of the Department of Natural Resources, March 15, 2002, as amended, and as published by the Department electronically or in hard copy.

Rangers shall mean persons appointed as ex officio rangers pursuant to RCW 76.04.045.

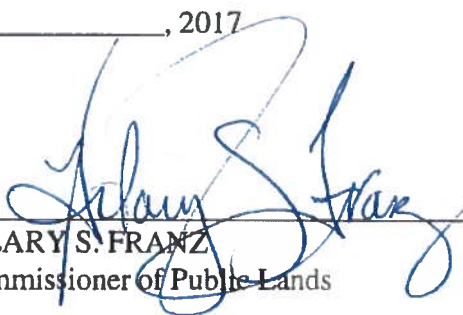
Rulemaking shall mean the process for formulation and adoption of a rule pursuant to statutory authority and as defined in RCW 34.05.010.

Settlement Agreement shall mean any Contract entered by the Department for the purpose of resolving a legal claim or dispute between the Department and any person or entity.

Timber Sales Contract shall mean any agreement authorizing the harvest or sale of timber from state-owned lands governed by Ch. 79.15 RCW.

Wardens shall mean persons appointed as wardens pursuant to RCW 76.04.035.

Dated this 28th day of March, 2017



HILARY S. FRANZ
Commissioner of Public Lands

Richland 16

Section 16, Township 9 North, Range 28 East, W.M.

Commercial Area 1

Portions of the Northeast and Southeast quarters of the Southwest Quarter of Section 16, and portions of the Northeast quarter of the Northeast Quarter of Section 21, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Beginning at the quarter corner common to said sections 16 and 21; thence North $0^{\circ}14'44''$ West along the east line of the southwest quarter of said section 16, 1,396.80 feet; thence along a non-tangent curve concave to the northeast with a radius of 817.89 feet, a chord bearing of North $64^{\circ}52'49''$ West and a chord length of 711.58 feet along an arc length of 736.18 feet; thence South $55^{\circ}27'14''$ West 196.36 feet; thence along a curve to the left with a radius of 813.77 feet along an arc length of 617.40 feet; thence South $11^{\circ}59'03''$ West 864.18 feet, more or less to the north margin of Kennedy Road; thence southeasterly along said north margin to its intersection with the north – south centerline of said section 21; thence northerly along said centerline to the quarter corner common to said sections 16 and 21.

Contains 39.94 acres, more or less



2/22/2019

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Washington Dept. of Natural Resources
Engineering & General Services Division
MS 47030 Olympia WA, 98504-7030
360-902-1206

Richland 16

Section 16, Township 9 North, Range 28 East, W.M.

Commercial Area 2

Portions of the Northeast Northwest, Southwest and Southeast quarters of the Southwest Quarter of Section 16, and portions of the Northeast quarter of the Northeast Quarter of Section 21, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Commencing at the northwest corner of said section 16; thence North $89^{\circ}19'51''$ East along the north line of said section 16, 1,590.09 feet; thence South $11^{\circ}49'33''$ East 591.69 feet; thence South $89^{\circ}19'51''$ West 1096.32 feet; thence South $0^{\circ}07'22''$ West 4,221.50 feet to the north margin of Kennedy Road and the True Point of Beginning; thence North $0^{\circ}07'22''$ East 903.78 feet; thence North $89^{\circ}38'29''$ East 964.39 feet; thence along a non-tangent curve, concave to the southeast, with a radius of 813.77 feet, a chord bearing of South $21^{\circ}22'55''$ West and a chord length of 265.75 feet along an arc length of 266.95 feet; thence South $11^{\circ}59'03''$ West 864.18 feet more or less to the north margin of Kennedy Road; thence westerly along said north margin to the True Point of Beginning

Contains 18.72 acres, more or less



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Richland 16

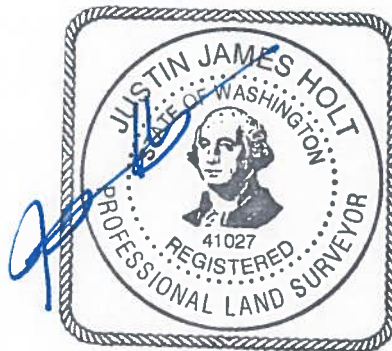
Section 16, Township 9 North, Range 28 East, W.M.

High Density Residential Area 1

Portions of the Northeast quarter of the Southwest Quarter of Section 16, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Commencing at the northwest corner of said section 16; thence North $89^{\circ}19'51''$ East along the north line of said section 16, 1,590.09 feet; thence South $11^{\circ}49'33''$ East 969.54 feet; thence South $0^{\circ}00'12''$ West 1668.99 feet to the east – west centerline of said section 16 and the True Point of Beginning; thence South $0^{\circ}00'12''$ West 404.66 feet; thence along a curve to the left with a radius of 817.89 feet along an arc length of 1,294.29 feet to a point on the north – south centerline of said section 16 from which the quarter corner common to sections 16 and 21 bears South $0^{\circ}14'44''$ East 1,396.80 feet as shown on the Plat of City View Phase 1, as recorded in Volume 15 of Plats at Page 67, records of Benton County, Washington; thence North $0^{\circ}14'44''$ West along said centerline 1227.70 feet to the north line of the southwest quarter of said section 16; thence along said north line South $89^{\circ}38'29''$ West 822.13 feet to the True Point of Beginning.

Contains 19.90 acres, more or less



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Richland 16

Section 16, Township 9 North, Range 28 East, W.M.

High Density Residential Area 2

Portions of the Northeast and Northwest quarters of the Southwest Quarter of Section 16, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Commencing at the northwest corner of said section 16; thence North $89^{\circ}19'51''$ East along the north line of said section 16, 1,590.09 feet; thence South $11^{\circ}49'33''$ East 969.54 feet; thence South $0^{\circ}00'12''$ West 1668.99 feet to the east – west centerline of said section 16; thence along said centerline South $89^{\circ}38'29''$ West 1,177.96 feet; thence South $0^{\circ}07'22''$ West 662.43 feet to the True Point of Beginning; thence North $89^{\circ}38'29''$ East 1220.94 Feet; thence with a non tangent curve concave to the northeast with an arc length of 296.16 feet, with a radius of 817.89 feet, with a chord bearing of South $28^{\circ}43'15''$ East , with a chord length of 294.54 feet; thence South $55^{\circ}27'14''$ West 196.36 feet; thence with a curve turning to the left with an arc length of 350.45 feet, with a radius of 813.77 feet, with a chord bearing of South $43^{\circ}07'00''$ West , with a chord length of 347.74 feet; thence South $89^{\circ}38'29''$ West 964.39 feet; thence North $00^{\circ}07'22''$ East 621.89 feet to the point of beginning,

Contains 17.05 acres, more or less



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Richland 16

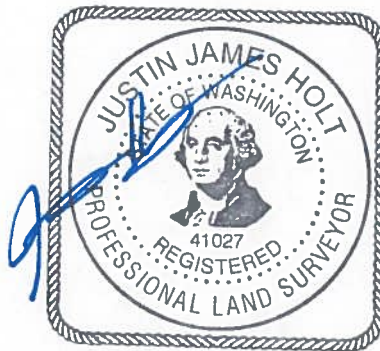
Section 16, Township 9 North, Range 28 East, W.M.

Low Density Residential Area 1

Portions of the SW 1/4 SW 1/4, NW 1/4 SW 1/4, SW 1/4 NW 1/4, NW 1/4 NW 1/4, and NE 1/4 NW 1/4 of Section 16, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Beginning at the intersection of the west line of Section 16 and the north margin of Kennedy Road as it exists after the adoption of City of Richland ordinance No. 06-03 as recorded under Benton County AF No. 2003-011331; thence North 0°07'22" East along the west line of said section 16, 4,675.63 feet more or less to the corner common to Sections 8, 9, 17, and 16; thence North 89°19'51" East along the north line of said section 16, 1,590.09 feet; thence South 11°49'33" East 591.69 feet; thence South 89°19'51" West 1,096.32 feet; thence South 0°07'22" West 4,221.50 feet more or less to the north margin of Kennedy Road as previously described; thence westerly along said north margin of Kennedy Road to the point of beginning.

Contains 81.01 acres, more or less.



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Richland 16

Section 16, Township 9 North, Range 28 East, W.M.

Low Density Residential Area 2

Portions of the Ne 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 NE 1/4, and SW 1/4 NE 1/4 of Section 16, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Commencing at the northwest corner of said section 16; thence North 89°19'51" East along the north line of said section 16, 1,590.09 feet to the True Point of Beginning; thence continuing along said north line 746.27 feet to the westerly line of the Columbia Irrigation District Canal shown as Condemnation Case #722 on Record of Survey Book 1, Page 1318, records of Benton County; thence South 4°20'19" West 123.12 feet; thence South 14°39'41" East 217.49 feet; thence South 34°11'03" East 392.17 feet; to the east line of the NE 1/4 NW 1/4; thence South 0°14'44" East along said subdivision line 439.71 feet; thence South 30°43'42" East 245.22 feet; thence South 21°49'41" East 269.32 feet; thence South 30°09'41" East 343.77 feet; thence South 38°49'41" East 508.86 feet; thence South 56°09'41" East 510.41 feet; thence South 69°29'41" East 220.20 feet more or less to the south line of the NE 1/4 of said section 16; thence South 89°38'29" West 2,163.03 feet along the east-west centerline of said section 16; thence North 0°00'12" East 1668.99 feet; thence North 11°49'33" West 969.54 feet more or less to the True Point of Beginning.

Contains 65.35 acres, more or less.



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Richland 16

Section 16, Township 9 North, Range 28 East, W.M.

Medium Density Residential Area 1

Portions of the NE 1/4 NW 1/4 and NW 1/4 NW 1/4 of Section 16, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Commencing at the northwest corner of said section 16; thence North 89°19'51" East along the north line of said section 16, 1,590.09 feet; thence South 11°49'33" East 591.69 feet to the True Point of Beginning; thence South 11°49'33" East 377.85 feet; thence South 0°00'12" West 116.59 feet; thence South 89°19'51" West 1174.79 feet; thence North 0°07'22" East 487.33 feet; thence North 89°19'51" East 1096.32 feet to the True Point of Beginning.

Contains 12.81 acres, more or less.



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Richland 16

Section 16, Township 9 North, Range 28 East, W.M.

Medium Density Residential Area 2

Portions of the NE 1/4 NW 1/4 and NW 1/4 NW 1/4 of Section 16, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Commencing at the northwest corner of said section 16; thence North $89^{\circ}19'51''$ East along the north line of said section 16, 1,590.09 feet; thence South $11^{\circ}49'33''$ East 591.69 feet; thence South $89^{\circ}19'51''$ West 1096.32 feet; thence South $0^{\circ}07'22''$ West 2,033.39 feet to the east-west centerline of said section 16 and the True Point of Beginning; thence North $89^{\circ}38'29''$ East 428.67 feet along said centerline; thence South $0^{\circ}07'22''$ West 322.41 feet; thence North $89^{\circ}38'29''$ East 749.97 feet; thence South $0^{\circ}00'12''$ West 82.26 feet; thence along a non-tangent curve concave to the northeast with a radius of 817.89 feet, length of 261.95 feet, a chord bearing of South $9^{\circ}10'20''$ East and chord length of 260.83 feet; thence South $89^{\circ}38'29''$ West 1,220.94 feet; thence North $0^{\circ}07'22''$ East 662.43 feet to the True Point of Beginning.

Contains 12.46 acres, more or less.



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Richland 16

Section 16, Township 9 North, Range 28 East, W.M.

Public Facility Area 1

Portions of the Northeast, Northwest, Southeast and Southwest quarters of the Northwest Quarter of Section 16, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Commencing at the northwest corner of said section 16; thence North $89^{\circ}19'51''$ East along the north line of said section 16, 1,590.09 feet; thence South $11^{\circ}49'33''$ East 591.69 feet; thence South $89^{\circ}19'51''$ West 1096.32 feet; thence South $0^{\circ}07'22''$ West 487.33 feet to the True Point of Beginning; thence North $89^{\circ}19'51''$ East 1174.79 feet; thence South $0^{\circ}00'12''$ West 1,552.40 feet to the south line of the Northwest quarter of said section 16; thence along said south line South $89^{\circ}38'29''$ West 1,177.96 feet; thence North $0^{\circ}07'22''$ East 1546.06 feet to the True Point of Beginning.

Contains 41.84 acres, more or less.



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Richland 16

Section 16, Township 9 North, Range 28 East, W.M.

Public Facility Area 2

Portions of the Northeast and Northwest quarters of the Southwest Quarter of Section 16, Township 9 North Range 28 East, W.M., Benton County, Washington more particularly described as follows:

Commencing at the northwest corner of said section 16; thence North $89^{\circ}19'51''$ East along the north line of said section 16, 1,590.09 feet; thence South $11^{\circ}49'33''$ East 969.54 feet; thence South $0^{\circ}00'12''$ West 1668.99 feet to the east – west centerline of said section 16 and the True Point of Beginning; thence along said centerline South $89^{\circ}38'29''$ West 749.29 feet; thence South $0^{\circ}07'22''$ West 322.41 feet; thence North $89^{\circ}38'29''$ East 749.97 feet; thence North $0^{\circ}00'12''$ East 322.41 feet to the True Point of Beginning.

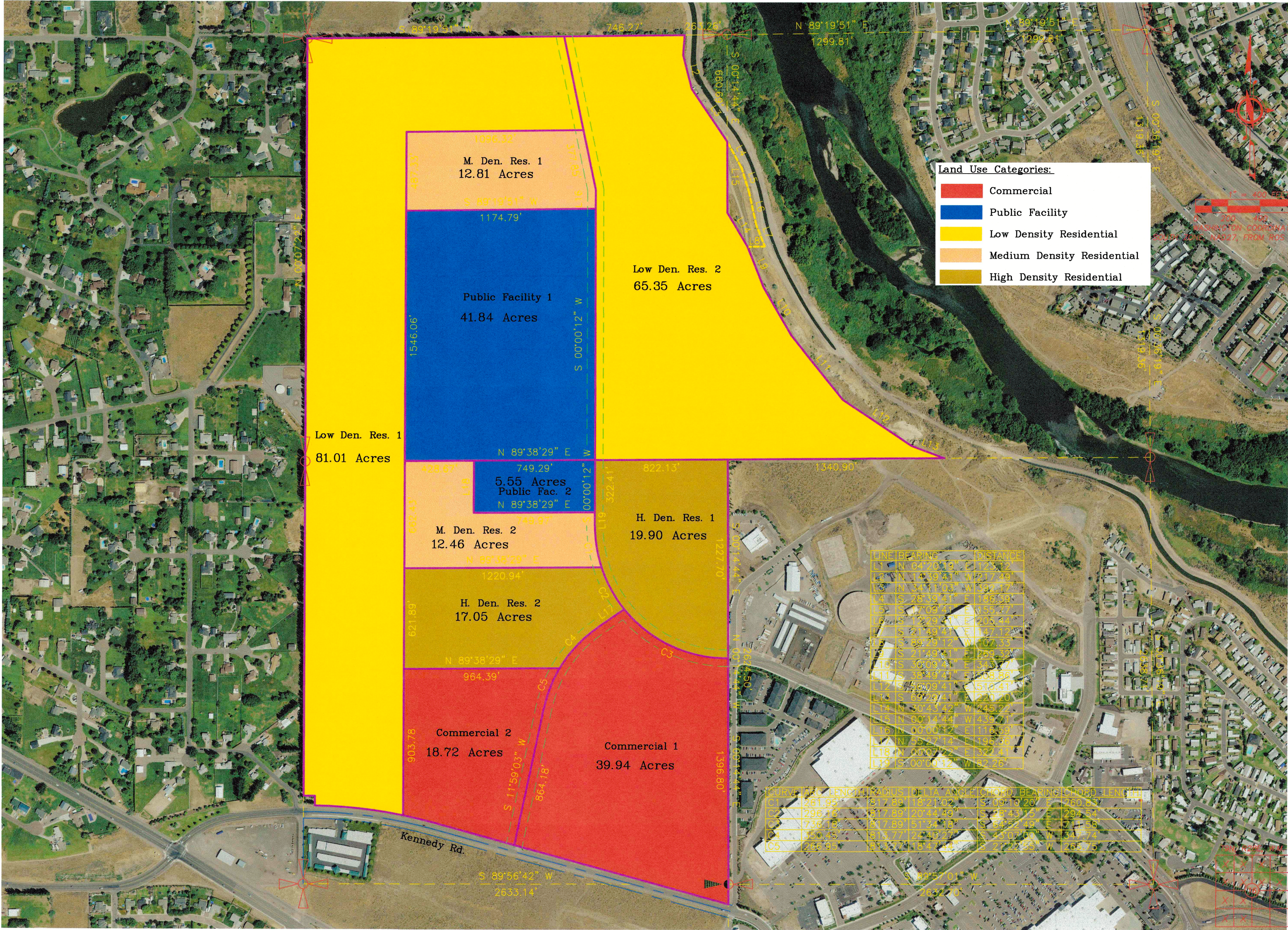
Contains 5.55 acres, more or less.



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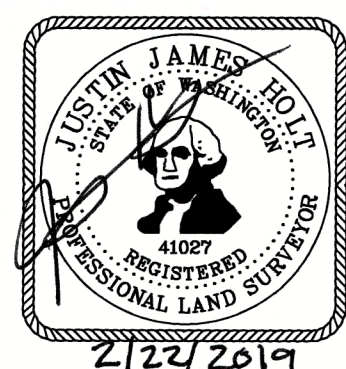
MAP OF PROPOSED LAND USE CATEGORIES IN SECTIONS 16 & 21, T9N, R28E, W.M.



MAP NOTES:
THIS PROPOSED LAND USE AREAS EXHIBIT MAP IS BASED ON RECORD OF SURVEY IN BOOK 1, PAGE 1290, THE PLAT OF CITY VIEW PHASE 1 AS RECORDED IN VOLUME 15 OF PLATS, PAGE 67 WAS UTILIZED TO ALIGN THE LIMITS OF THE PROPOSED LAND USE AREAS WITH EXISTING QUEENSGATE DRIVE. THE PROPOSED LAND USE AREAS DEPICTED HEREON WERE TRANSFERRED FROM A COLOR CODED IMAGE FILE PROVIDED BY THE CITY OF RICHLAND. PORTIONS OF SAID IMAGE SHOW POTENTIAL ROAD RIGHT OF WAYS THAT HAVE APPARENTLY BEEN DEVELOPED WITHOUT ANY ENGINEERING ANALYSIS. THE GEOMETRY SHOWN IN THIS MAP IS SIMPLY A "BEST FIT" FROM THE PROVIDED IMAGE FILE. NO FIELD WORK WAS PERFORMED IN THE GENERATION OF THIS MAP AND IT IS NOT FORMATTED FOR NOR INTENDED TO BE RECORDED AS A RECORD OF SURVEY AS DEFINED BY RCW 58.09 OR WAC 332-130

OTHER UTILITY RIGHTS OF WAYS AND EASEMENTS OF RECORD EXIST ON THESE PARCELS THAT ARE NOT ADDRESSED ON THIS EXHIBIT MAP, A PROPER ALTA SURVEY IS RECOMMENDED PRIOR TO ANY DEVELOPMENT.

ACREAGE CALCULATIONS SHOWN HEREON INCLUDE THE AREAS WITHIN THE DASHED LINES REPRESENTING POTENTIAL NEW RIGHT OF WAYS, BUT EXCLUDE THOSE AREAS WITHIN EXISTING KENNEDY ROAD AND ADJACENT TRUMAN AVENUE.



LAND USE CATEGORY EXHIBIT MAP IN SECTIONS 16 & 21
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

LAND SURVEY SECTION-P.O. BOX 47030
OLYMPIA, WASHINGTON 98504-7030 (360)902-1206

RICHLAND 16

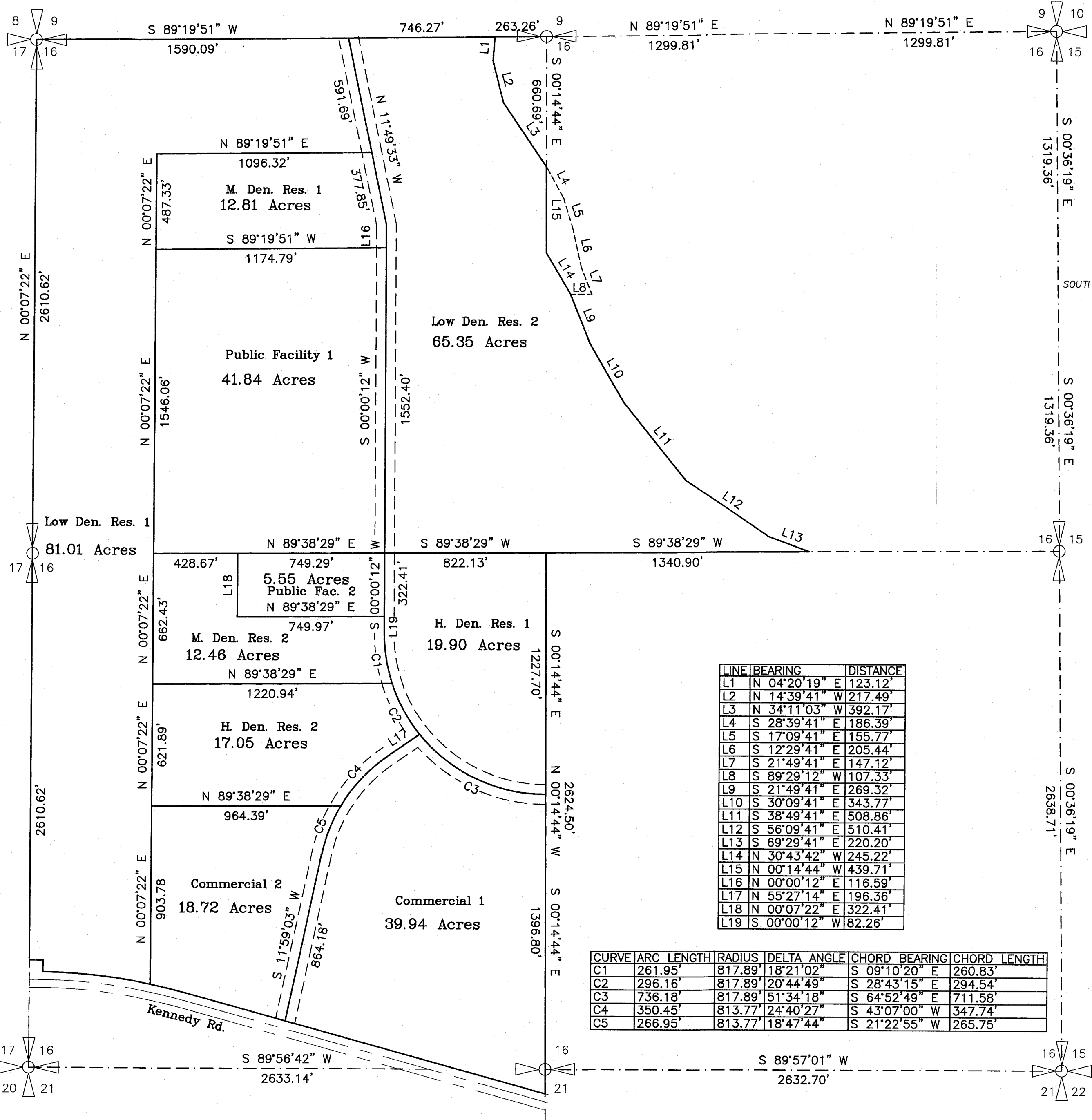
FIELD CREW: No field work

FIELD BOOK: 02/20/2019

F.M.#

SHEET 1 OF 3

MAP OF PROPOSED LAND USE CATEGORIES IN SECTIONS 16 & 21, T9N, R28E, W.M.



LINE	BEARING	DISTANCE
L1	N 04°20'19" E	123.12'
L2	N 14°39'41" W	217.49'
L3	N 34°11'03" W	392.17'
L4	S 28°39'41" E	186.39'
L5	S 17°09'41" E	155.77'
L6	S 12°29'41" E	205.44'
L7	S 21°49'41" E	147.12'
L8	S 89°29'12" W	107.33'
L9	S 21°49'41" E	269.32'
L10	S 30°09'41" E	343.77'
L11	S 38°49'41" E	508.86'
L12	S 56°09'41" E	510.41'
L13	S 69°29'41" E	220.20'
L14	N 30°43'42" W	245.22'
L15	N 00°14'44" W	439.71'
L16	N 00°00'12" E	116.59'
L17	N 55°27'14" E	196.36'
L18	N 00°07'22" E	322.41'
L19	S 00°00'12" W	82.26'

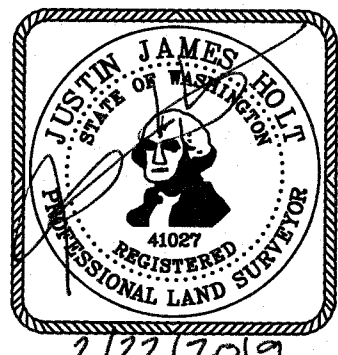
CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	261.95'	817.89'	18°21'02"	S 09°10'20" E	260.83'
C2	296.16'	817.89'	20°44'49"	S 28°43'15" E	294.54'
C3	736.18'	817.89'	51°34'18"	S 64°52'49" E	711.58'
C4	350.45'	813.77'	24°40'27"	S 43°07'00" W	347.74'
C5	266.95'	813.77'	18°47'44"	S 21°22'55" W	265.75'

T9N, R28E, W.M.			
X	X	X	
X	X	X	X
X	X		
X	X		

MAP NOTES:
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ACREAGE CALCULATIONS SHOWN HEREON INCLUDE THE AREAS WITHIN THE DASHED LINES REPRESENTING POTENTIAL NEW RIGHT OF WAYS, BUT EXCLUDE THOSE AREAS WITHIN EXISTING KENNEDY ROAD AND ADJACENT TRUMAN AVENUE.



LAND USE CATEGORY EXHIBIT MAP IN SECTIONS 16 & 21
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

LAND SURVEY SECTION—P.O. BOX 47030
OLYMPIA, WASHINGTON 98504-7030 (360)902-1208

RICHLAND 16

FIELD CREW: No field work

FIELD BOOK: 02/20/2019

F.M.#

SHEET 2 OF 3

MAP OF PROPOSED LAND USE CATEGORIES IN SECTIONS 16 & 21, T9N, R28E, W.M.
INDIVIDUAL AREA DESCRIPTIONS

COMMERCIAL AREA 1

PORTIONS OF THE NORTHEAST AND SOUTHEAST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 16, AND PORTIONS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE QUARTER CORNER COMMON TO SAID SECTIONS 16 AND 21; THENCE NORTH 0°14'44" WEST ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16, 1,396.80 FEET; THENCE ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 817.89 FEET, A CHORD BEARING OF NORTH 64°52'49" WEST AND A CHORD LENGTH OF 711.58 FEET ALONG AN ARC LENGTH OF 736.18 FEET; THENCE SOUTH 55°27'14" WEST 196.36 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 813.77 FEET ALONG AN ARC LENGTH OF 617.40 FEET; THENCE SOUTH 11°59'03" WEST 864.18 FEET, MORE OR LESS TO THE NORTH MARGIN OF KENNEDY ROAD; THENCE SOUTHEASTERLY ALONG SAID NORTH MARGIN TO ITS INTERSECTION WITH THE NORTH - SOUTH CENTERLINE OF SAID SECTION 21; THENCE NORTHERLY ALONG SAID CENTERLINE TO THE QUARTER CORNER COMMON TO SAID SECTIONS 16 AND 21.

CONTAINS 39.94 ACRES, MORE OR LESS

COMMERCIAL AREA 2

PORTIONS OF THE NORTHEAST NORTHWEST, SOUTHWEST AND SOUTHEAST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 16, AND PORTIONS OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 89°19'51" EAST ALONG THE NORTH LINE OF SAID SECTION 16, 1,590.09 FEET; THENCE SOUTH 11°49'33" EAST 591.69 FEET; THENCE SOUTH 89°19'51" WEST 1096.32 FEET; THENCE SOUTH 0°07'22" WEST 4,221.50 FEET TO THE NORTH MARGIN OF KENNEDY ROAD AND THE TRUE POINT OF BEGINNING; THENCE NORTH 0°07'22" EAST 903.78 FEET; THENCE NORTH 89°38'29" EAST 964.39 FEET; THENCE ALONG A NON-TANGENT CURVE, CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 813.77 FEET, A CHORD BEARING OF SOUTH 21°22'55" WEST AND A CHORD LENGTH OF 265.75 FEET ALONG AN ARC LENGTH OF 266.95 FEET; THENCE SOUTH 11°59'03" WEST 864.18 FEET MORE OR LESS TO THE NORTH MARGIN OF KENNEDY ROAD; THENCE WESTERLY ALONG SAID NORTH MARGIN TO THE TRUE POINT OF BEGINNING

CONTAINS 18.72 ACRES, MORE OR LESS

HIGH DENSITY RESIDENTIAL AREA 1

PORTIONS OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 89°19'51" EAST ALONG THE NORTH LINE OF SAID SECTION 16, 1,590.09 FEET; THENCE SOUTH 11°49'33" EAST 969.54 FEET; THENCE SOUTH 0°00'12" WEST 1668.99 FEET TO THE EAST - WEST CENTERLINE OF SAID SECTION 16 AND THE TRUE POINT OF BEGINNING; THENCE SOUTH 0°00'12" WEST 404.66 FEET; THENCE ALONG A CURVE TO THE LEFT WITH A RADIUS OF 817.89 FEET ALONG AN ARC LENGTH OF 1,294.29 FEET TO A POINT ON THE NORTH - SOUTH CENTERLINE OF SAID SECTION 16 FROM WHICH THE QUARTER CORNER COMMON TO SECTIONS 16 AND 21 BEARS SOUTH 0°14'44" EAST 1,396.80 FEET AS SHOWN ON THE PLAT OF CITY VIEW PHASE 1, AS RECORDED IN VOLUME 15 OF PLATS AT PAGE 67, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE NORTH 0°14'44" WEST ALONG SAID CENTERLINE 1227.70 FEET TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 16; THENCE ALONG SAID NORTH LINE SOUTH 89°38'29" WEST 822.13 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 19.90 ACRES, MORE OR LESS

HIGH DENSITY RESIDENTIAL AREA 2

PORTIONS OF THE NORTHEAST AND NORTHWEST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 89°19'51" EAST ALONG THE NORTH LINE OF SAID SECTION 16, 1,590.09 FEET; THENCE SOUTH 11°49'33" EAST 969.54 FEET; THENCE SOUTH 0°00'12" WEST 1668.99 FEET TO THE EAST - WEST CENTERLINE OF SAID SECTION 16; THENCE ALONG SAID CENTERLINE SOUTH 89°38'29" WEST 1,177.96 FEET; THENCE SOUTH 0°07'22" WEST 662.43 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°38'29" EAST 1220.94 FEET; THENCE WITH A NON TANGENT CURVE CONCAVE TO THE NORTHEAST WITH AN ARC LENGTH OF 296.16 FEET, WITH A RADIUS OF 817.89 FEET, WITH A CHORD BEARING OF SOUTH 28°43'15" EAST , WITH A CHORD LENGTH OF 294.54 FEET; THENCE SOUTH 55°27'14" WEST 196.36 FEET; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 350.45 FEET, WITH A RADIUS OF 813.77 FEET, WITH A CHORD BEARING OF SOUTH 43°07'00" WEST , WITH A CHORD LENGTH OF 347.74 FEET; THENCE SOUTH 89°38'29" WEST 964.39 FEET; THENCE NORTH 00°07'22" EAST 621.89 FEET TO THE POINT OF BEGINNING,

CONTAINS 17.05 ACRES, MORE OR LESS

LOW DENSITY RESIDENTIAL AREA 1

PORTIONS OF THE SW 1/4 SW 1/4, NW 1/4 SW 1/4, SW 1/4 NW 1/4, NW 1/4 NW 1/4, AND NE 1/4 NW 1/4 OF SECTION 16, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE WEST LINE OF SECTION 16 AND THE NORTH MARGIN OF KENNEDY ROAD AS IT EXISTS AFTER THE ADOPTION OF CITY OF RICHLAND ORDINANCE NO. 06-03 AS RECORDED UNDER BENTON COUNTY AF NO. 2003-011331; THENCE NORTH 0°07'22" EAST ALONG THE WEST LINE OF SAID SECTION 16, 4,675.63 FEET MORE OR LESS TO THE CORNER COMMON TO SECTIONS 8, 9, 17, AND 16; THENCE NORTH 89°19'51" EAST ALONG THE NORTH LINE OF SAID SECTION 16, 1,590.09 FEET; THENCE SOUTH 11°49'33" EAST 591.69 FEET; THENCE SOUTH 89°19'51" WEST 1,096.32 FEET; THENCE SOUTH 0°07'22" WEST 4,221.50 FEET MORE OR LESS TO THE NORTH MARGIN OF KENNEDY ROAD AS PREVIOUSLY DESCRIBED; THENCE WESTERLY ALONG SAID NORTH MARGIN OF KENNEDY ROAD TO THE POINT OF BEGINNING.

CONTAINS 81.01 ACRES, MORE OR LESS.

LOW DENSITY RESIDENTIAL AREA 2

PORTIONS OF THE NE 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 NE 1/4, AND SW 1/4 NE 1/4 OF SECTION 16, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 89°19'51" EAST ALONG THE NORTH LINE OF SAID SECTION 16, 1,590.09 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG SAID NORTH LINE 746.27 FEET TO THE WESTERLY LINE OF THE COLUMBIA IRRIGATION DISTRICT CANAL SHOWN AS CONDEMNATION CASE #722 ON RECORD OF SURVEY BOOK 1, PAGE 1318, RECORDS OF BENTON COUNTY; THENCE SOUTH 4°20'19" WEST 123.12 FEET; THENCE SOUTH 14°39'41" EAST 217.49 FEET; THENCE SOUTH 34°11'03" EAST 392.17 FEET; TO THE EAST LINE OF THE NE 1/4 NW 1/4; THENCE SOUTH 0°14'44" EAST ALONG SAID SUBDIVISION LINE 439.71 FEET; THENCE SOUTH 30°43'42" EAST 245.22 FEET; THENCE SOUTH 21°49'41" EAST 269.32 FEET; THENCE SOUTH 30°09'41" EAST 343.77 FEET; THENCE SOUTH 38°49'41" EAST 508.88 FEET; THENCE SOUTH 56°09'41" EAST 510.41 FEET; THENCE SOUTH 69°29'41" EAST 220.20 FEET MORE OR LESS TO THE SOUTH LINE OF THE NE 1/4 OF SAID SECTION 16; THENCE SOUTH 89°38'29" WEST 2,163.03 FEET ALONG THE EAST-WEST CENTERLINE OF SAID SECTION 16; THENCE NORTH 0°00'12" EAST 1668.99 FEET; THENCE NORTH 11°49'33" WEST 969.54 FEET MORE OR LESS TO THE TRUE POINT OF BEGINNING.

CONTAINS 65.35 ACRES, MORE OR LESS.

MEDIUM DENSITY RESIDENTIAL AREA 1

PORTIONS OF THE NE 1/4 NW 1/4 AND NW 1/4 NW 1/4 OF SECTION 16, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 89°19'51" EAST ALONG THE NORTH LINE OF SAID SECTION 16, 1,590.09 FEET; THENCE SOUTH 11°49'33" EAST 591.69 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 11°49'33" EAST 377.85 FEET; THENCE SOUTH 0°00'12" WEST 116.59 FEET; THENCE SOUTH 89°19'51" WEST 1174.79 FEET; THENCE NORTH 0°07'22" EAST 487.33 FEET; THENCE NORTH 89°19'51" EAST 1096.32 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 12.81 ACRES, MORE OR LESS.

MEDIUM DENSITY RESIDENTIAL AREA 2

PORTIONS OF THE NE 1/4 NW 1/4 AND NW 1/4 NW 1/4 OF SECTION 16, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 89°19'51" EAST ALONG THE NORTH LINE OF SAID SECTION 16, 1,590.09 FEET; THENCE SOUTH 11°49'33" EAST 591.69 FEET; THENCE SOUTH 89°19'51" WEST 1096.32 FEET; THENCE SOUTH 0°07'22" WEST 2,033.39 FEET TO THE EAST-WEST CENTERLINE OF SAID SECTION 16 AND THE TRUE POINT OF BEGINNING; THENCE NORTH 89°38'29" EAST 428.67 FEET ALONG SAID CENTERLINE; THENCE SOUTH 0°07'22" WEST 322.41 FEET; THENCE NORTH 89°38'29" EAST 749.97 FEET; THENCE SOUTH 0°00'12" WEST 82.26 FEET; THENCE ALONG A NON-TANGENT CURVE CONCAVE TO THE NORTHEAST WITH A RADIUS OF 817.89 FEET, LENGTH OF 261.95 FEET, A CHORD BEARING OF SOUTH 9°10'20" EAST AND CHORD LENGTH OF 260.83 FEET; THENCE SOUTH 89°38'29" WEST 1,220.94 FEET; THENCE NORTH 0°07'22" EAST 662.43 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 12.46 ACRES, MORE OR LESS.

PUBLIC FACILITY AREA 1

PORTIONS OF THE NORTHEAST, NORTHWEST, SOUTHEAST AND SOUTHWEST QUARTERS OF THE NORTHWEST QUARTER OF SECTION 16, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 89°19'51" EAST ALONG THE NORTH LINE OF SAID SECTION 16, 1,590.09 FEET; THENCE SOUTH 11°49'33" EAST 591.69 FEET; THENCE SOUTH 89°19'51" WEST 1096.32 FEET; THENCE SOUTH 0°07'22" WEST 487.33 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°19'51" EAST 1174.79 FEET; THENCE SOUTH 0°00'12" WEST 1,552.40 FEET TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 16; THENCE ALONG SAID SOUTH LINE SOUTH 89°38'29" WEST 1,177.96 FEET; THENCE NORTH 0°07'22" EAST 1546.06 FEET TO THE TRUE POINT OF BEGINNING.

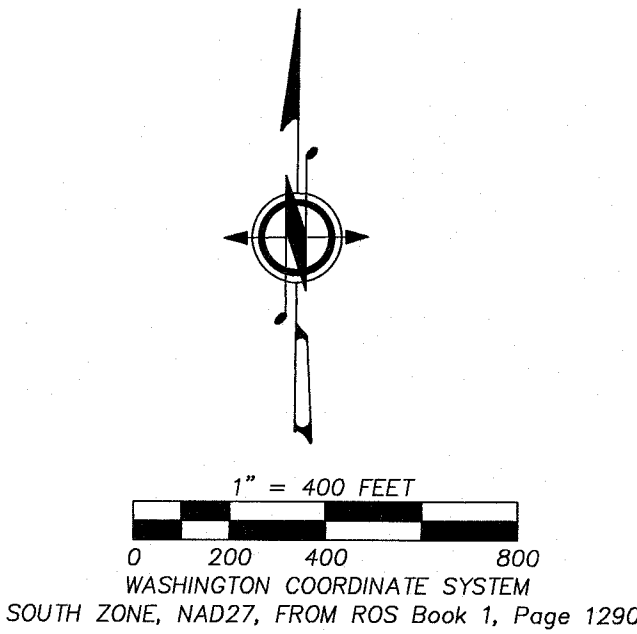
CONTAINS 41.84 ACRES, MORE OR LESS.

PUBLIC FACILITY AREA 2

PORTIONS OF THE NORTHEAST AND NORTHWEST QUARTERS OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 9 NORTH RANGE 28 EAST, W.M., BENTON COUNTY, WASHINGTON MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 16; THENCE NORTH 89°19'51" EAST ALONG THE NORTH LINE OF SAID SECTION 16, 1,590.09 FEET; THENCE SOUTH 11°49'33" EAST 969.54 FEET; THENCE SOUTH 0°00'12" WEST 1668.99 FEET TO THE EAST - WEST CENTERLINE OF SAID SECTION 16 AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID CENTERLINE SOUTH 89°38'29" WEST 749.29 FEET; THENCE SOUTH 0°07'22" WEST 322.41 FEET; THENCE NORTH 89°38'29" EAST 749.97 FEET; THENCE NORTH 0°00'12" EAST 322.41 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINS 5.55 ACRES, MORE OR LESS.

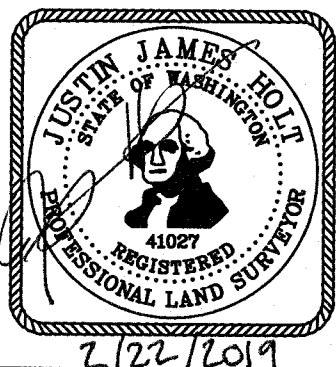


MAP NOTES:

THIS PROPOSED LAND USE AREAS EXHIBIT MAP IS BASED ON RECORD OF SURVEY IN BOOK 1, PAGE 1290, THE PLAT OF CITY VIEW PHASE 1 AS RECORDED IN VOLUME 15 OF PLATS, PAGE 67 WAS UTILIZED TO ALIGN THE LIMITS OF THE PROPOSED LAND USE AREAS WITH EXISTING QUEENSGATE DRIVE. THE PROPOSED LAND USE AREAS DEPICTED HEREON WERE TRANSFERRED FROM A COLOR CODED IMAGE FILE PROVIDED BY THE CITY OF RICHLAND. PORTIONS OF SAID IMAGE SHOW POTENTIAL ROAD RIGHT OF WAYS THAT HAVE APPARENTLY BEEN DEVELOPED WITHOUT ANY ENGINEERING ANALYSIS. THE GEOMETRY SHOWN IN THIS MAP IS SIMPLY A "BEST FIT" FROM THE PROVIDED IMAGE FILE. NO FIELD WORK WAS PERFORMED IN THE GENERATION OF THIS MAP AND IT IS NOT FORMATTED FOR NOR INTENDED TO BE RECORDED AS A RECORD OF SURVEY AS DEFINED BY RCW 58.09 OR WAC 332-130

OTHER UTILITY RIGHTS OF WAYS AND EASEMENTS OF RECORD EXIST ON THESE PARCELS THAT ARE NOT ADDRESSED ON THIS EXHIBIT MAP, A PROPER ALTA SURVEY IS RECOMMENDED PRIOR TO ANY DEVELOPMENT.

ACREAGE CALCULATIONS SHOWN HEREON INCLUDE THE AREAS WITHIN THE DASHED LINES REPRESENTING POTENTIAL NEW RIGHT OF WAYS, BUT EXCLUDE THOSE AREAS WITHIN EXISTING KENNEDY ROAD AND ADJACENT TRUMAN AVENUE.



LAND USE CATEGORY EXHIBIT MAP IN SECTIONS 16 & 21
TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

LAND SURVEY SECTION-P.O. BOX 47030
OLYMPIA, WASHINGTON 98504-7030 (360)902-1206

RICHLAND 16

FIELD CREW: No field work

FIELD BOOK:

02/20/2019

F.M.#

SHEET 3 OF 3

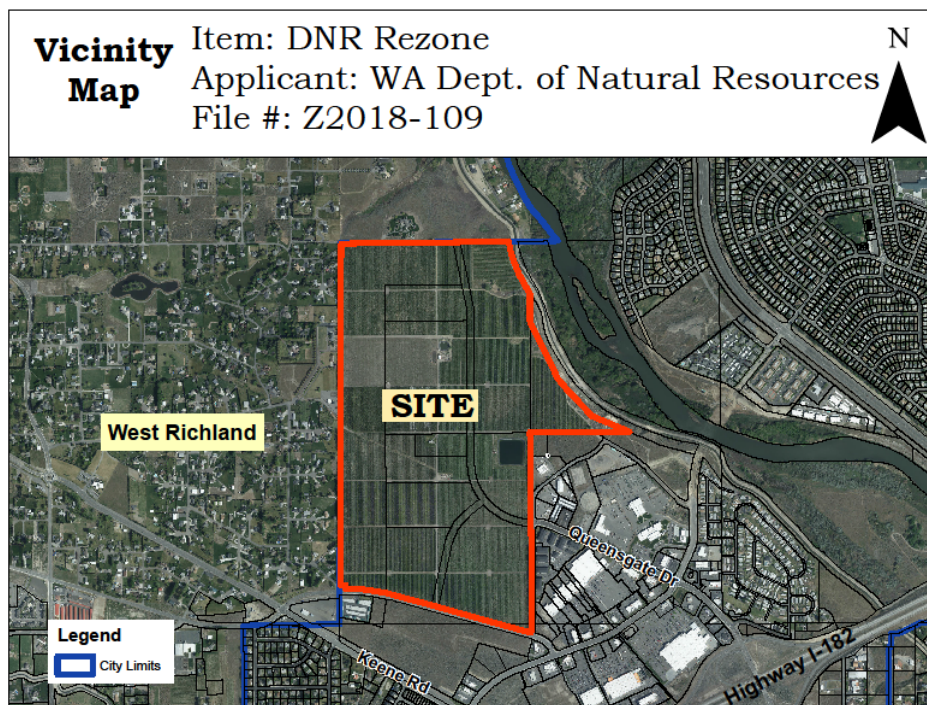


CITY OF RICHLAND NOTICE OF APPLICATION & PUBLIC HEARING (Z2018-109)

Notice is hereby given that the Washington State Department of Natural Resources has applied to rezone approximately 300 acres of land from Agriculture (AG) to Low Density Residential (R-1-10), Medium Density Residential (R-2), High Density Residential (R-3), Commercial (C-3) and Parks and Public Facilities (PPF). The proposed rezone will result in zoning districts which implement the intent of the existing City of Richland Comprehensive Plan Land Use map. The site is located north of Kennedy Road between Truman Avenue and the eastern limits of the City of West Richland. The property is located within Sections 16 and 21, Township 9 North, Range 28 East, W.M., Benton County, WA (APN#116982000001001, 1-21981000002020 & 116981000005001).

A public hearing on the proposed rezone will be held before the Hearing Examiner on Monday, March 11, 2019 at 6:00 pm in the Council Chambers, 505 Swift Blvd., Richland WA 99352. Application materials are available to the public and can be viewed at www.ci.richland.wa.us.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 505 Swift Blvd., MS#35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Wednesday, February 27, 2019 to be incorporated into the staff report. Comments received after that date will be entered into the record during the hearing.



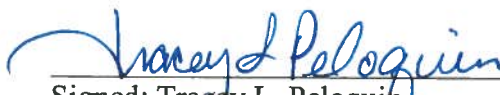
AFFIDAVIT OF MAILING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

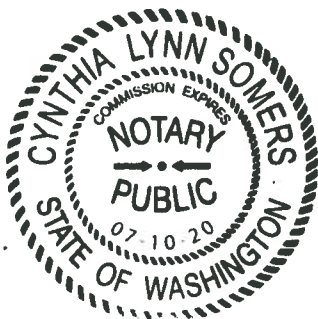
COMES NOW, Tracey L. Peloquin, who, being first duly sworn upon oath deposes and says:

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

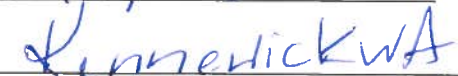
2. On the 5th day of February, 2019, I mailed a copy of the attached NOTICE OF APPLICATION AND PUBLIC HEARING, to the attached list of individuals via regular USPS on the date indicated above. The Notice of Application and Public Hearing is hereby given that Washington State Department of Natural Resources has applied to rezone approximately 300 acres of land. The project site is located north of Kennedy Road between Truman Avenue and the eastern limits of the City of West Richland.

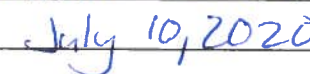

Signed: Tracey L. Peloquin

SIGNED AND SWORN to before me this 5th day of February, 2019 by Tracey L Peloquin.




Notary Public in and for the State of Washington,


Print Name
Residing at 

My appointment expires: 

Owner_name	Owner_address	City State ZIP
HOTH AJAIB S	2990 CLARK CT	WEST RICHLAND, WA 99353-7342
KNOX ROBERT C & JUDY B	3000 N RIVERSDIE DR	WEST RICHLAND, WA 99353
SANCHEZ JILL DOUGLAS	3280 CLARK CT	WEST RICHLAND, WA 99353
WALLA WALLA DISTRICT OF PUBLIC AFFAIRS	CORP OF ENGINEERS 201 NORTH 3RD AVENUE	WALLA WALLA, WA 99362-1876
DEPT OF NATURAL RESOURCES,	PO BOX 47016	OLYMPIA, WA 98504-7016
STATE OF WASHINGTON,	3107 RIVER RD	YAKIMA, WA 98902-1140
TRI-CITIES SELF-STORAGE LLC	PO BOX 808	MANCHESTER, WA 98353
KENNEWICK IRRIGATION DISTRICT,	2015 S ELY ST BLDG A	KENNEWICK, WA 99337
CITY OF RICHLAND	505 SWIFT BLVD	RICHLAND, WA 99352
RABER LLC	215 SE DORION AVE	PENDLETON, OR 97801
FIRST RICHLAND L.P.	6515 W CLEARWATER #214	KENNEWICK, WA 99336
RPQ DELAWARE LLC	600 UNIVERSITY ST STE 1708	SEATTLE, WA 98101
CITY OF RICHLAND	505 SWIFT BLVD	RICHLAND, WA 99352
ENERGY NORTHWEST	PO BOX 968	RICHLAND, WA 99352
BENTON COUNTY EMERGENCY MGMNT,	CITY OF RICHLAND ATTN: ACCOUNTS PAYABLE 505	RICHLAND, WA 99352-3510
STARWEED, LLC	386 COLUMBIA POINT DR FLAT 103	RICHLAND, WA 99352
CITY OF WEST RICHLAND	ATTN: ACCOUNTS PAYABLE 3100 BELMONT BLVD, S	WEST RICHLAND, WA 99353
GRABNER REAGAN J	3023 E LATTIN RD	WEST RICHLAND, WA 99353
MARCH CHARLIE D & LISA ANN	3007 E LATTIN RD	WEST RICHLAND, WA 99353
MIGUEL MELISSA & ROBERT	3010 EAST LATTIN ROAD	WEST RICHLAND, WA 99353
VANDERVERT PAUL J & MECHELLE F	3100 EASTLAKE CT	WEST RICHLAND, WA 99353
HAIGH PAUL G & JANICE L	3050 EASTLAKE CT	WEST RICHLAND, WA 99353-7309
SCHMID BEAT & MONIKA	3390 EASTLAKE CT	WEST RICHLAND, WA 99353-7310
RICHARDSON JOHN J & KAREN A	3396 EASTLAKE CT	WEST RICHLAND, WA 99353
WAGAR WESLEY A & DARLENE E	3414 EASTLAKE CT	WEST RICHLAND, WA 99353-7311
HEATON TRUSTEES JACK A & GAYLE E	3415 EASTLAKE CT	WEST RICHLAND, WA 99353
ROBERTS GARY L & M ANN	3395 EASTLAKE CT	WEST RICHLAND, WA 99353
WILSON RYAN SHAWN & KATHLEEN D	3375 EASTLAKE CT	WEST RICHLAND, WA 99353-7309
DUFFIN ANDREW M & NORA M	3445 EASTLAKE CT	WEST RICHLAND, WA 99353
KINION CARL & KATHLEEN M	1207 BRIDLE DR	RICHLAND, WA 99352-7644
LIEBRECHT TABITHA A	2901 FIRE MOUNTAIN RD	WEST RICHLAND, WA 99353
WILLIS KEVIN P & JOELLEN R	2900 FIRE MOUNTAIN RD	WEST RICHLAND, WA 99353-7309
LOVELAND MICHAEL TIMOTHY	2904 FIRE MOUNTAIN RD	WEST RICHLAND, WA 99353-6742

GOODALL TOD L & DARLENE	2902 FIRE MOUNTAIN RD	WEST RICHLAND, WA 99353-7309
OLSON RICHARD H JR & LAURA A	3005 MT STUART CT	WEST RICHLAND, WA 99353
CHARVAT RAYMOND T & KAREN KRIS	3003 MT STUART CT	WEST RICHLAND, WA 99353
ROBINSON JEREMIAH A & SARAH L	3004 MOUNT STEWART CT	WEST RICHLAND, WA 99353
AYERS MICHAEL E & CHARLENE L	3002 MT STUART CT	WEST RICHLAND, WA 99353
HURST DAVID A & DONNA L	3002 MT GRANITE CT	WEST RICHLAND, WA 99353
GULLEY STEPHEN M & SUSAN E	3000 MT GRANITE CT	WEST RICHLAND, WA 99353
MCCALL JONATHON D & JODI L	3003 MOUNT GRANITE CT	WEST RICHLAND, WA 99353
SOUTHERN DARLA JEAN	3001 MT GRANITE CT	WEST RICHLAND, WA 99353
KORENKO ROBERT S	3002 MT RAINIER CT	WEST RICHLAND, WA 99353
HORNER RANDY & SHELLY	3000 MT RAINIER CT	WEST RICHLAND, WA 99353
HOUGH KRISTIE L	3003 MT RAINIER CT	WEST RICHLAND, WA 99353-6751
PHILLIPS DAVID C & JANELLE M	3001 MT RAINIER CT	WEST RICHLAND, WA 99353-7309
CITY OF RICHLAND	505 SWIFT BLVD	RICHLAND, WA 99352
HAPO COMMUNITY CREDIT UNION	601 WILLIAMS BLVD	RICHLAND, WA 99352
FIRST RICHLAND L.P.	6515 W CLEARWATER #214	KENNEWICK, WA 99336
KENNEWICK IRRIGATION DISTRICT	2015 S ELY ST BLDG A	KENNEWICK, WA 99337

AFFIDAVIT OF POSTING

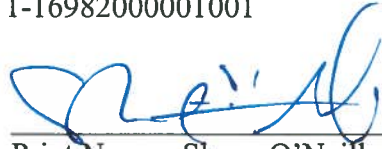
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, 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 15th day of February, 2019, I posted the attached NOTICE OF PUBLIC HEARING, File Number's Z2018-109 at the following location:

On the west side of Truman Avenue; west of the intersection of Truman Ave and Queensgate Drive; adjacent to the east property line of parcel # 1-16982000001001


Print Name: Shane O'Neill

SIGNED AND SWORN to before me this 15th day of February, 2019 by SHANE O'NEILL.

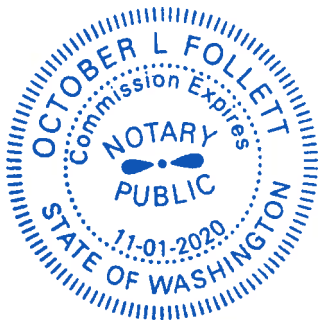

Signature of Notary

October L. Follett
Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: 11-1-2020



RECEIVED

FEB 26 2019

Planning &
Development Services



3107 River Road
Yakima, WA 98902
(509) 457-8001

2/22/19

City of Richland
Shane O'Neill: Senior Planner
505 Swift Blvd
MS# 35
Richland, WA 99352

RE: Notice of Application & Public Hearing (Z2018-109)

Dear Mr. O'Neill,

Chiawana Orchards LLC is the current tenant on the subject property and actively farming apples. Chiawana Orchards LLC does not oppose rezoning the property in the long run, however, feels the rezone is premature.

Chiawana Orchards LLC is concerned and would like formal assurance from the City of Richland that the rezone of the property will not interfere with both farming operations and any rights Chiawana Orchards LLC may have under the current DNR lease.

Thank you for your time.

Sincerely,



Shawn Tweedy

Chiawana Orchards LLC.

ONeill, Shane

From: darla harless <darlahar@gmail.com>
Sent: Wednesday, February 27, 2019 5:00 PM
To: O'Neill, Shane
Subject: Rezoning Comments (Z2018-109)

Mr. O'Neill,

Thank you for inviting me to comment on the rezoning application of the DNR land in the Queensgate area (aka the orchard). I have enjoyed living next to this property since 1997. I recall being told at one point that there was a 20 year lease on the land and that seemed like a very long time. In those years I have witness the city of Richland gradually expanding into the area and am saddened, but not surprised, to learn that the time has come for the orchard to succumb to progress. This letter is not about me trying to stop that progress but taking the opportunity to share my thoughts.

I really appreciate the vision of the City of Richland in providing parks for its citizens and visitors. Howard Amon, Badger Mt., Candy Mt, and Chamna are a few that I personally, and many others, visit frequently. My hope is the city will carve out a generous piece of the DNR land for public use in its Comprehensive Plan Land Use map. Rather than the more challenging hiking trails of some of the near by areas, it would be nice to have a path for bikes, strollers, and walkers. Somewhere I could bring my 90 year old mother for a walk or my grandniece in her stroller. A bonus would be if that land overlooked the Yakima River and Richland. You probably have a lot of statistics on parks and who visits them but I would like to add a personal observation. There is a list of local hiking/walking trails/paths in the area and I have known people to make it a challenge to get to as many as possible. They drive to the parks, walk a few miles, and stop for coffee or lunch nearby. A perfect scenario for this area.

Thank you for allowing me to comment,

Darla Southern
3001 Mt Granite Ct
West Richland, WA 99353
darlahar@gmail.com

ONeill, Shane

From: Stephen & Susan <sgulley3000@gmail.com>
Sent: Tuesday, February 26, 2019 3:17 PM
To: O'Neill, Shane
Subject: rezoning of Kennedy orchard

Dear Mr. O'Neill:

My husband and I would like to go on record as opposing the rezoning of the orchard. If the rezoning does, indeed, go through, we would like to propose a large greenbelt between the houses that abut the orchard and the new construction that will take place. We also feel the property values of the houses abutting the orchard will go down if this rezoning takes place. How will you compensate these homeowners?

Thank you,

Stephen & Susan Gulley
3000 Mount Granite Ct.
West Richland, WA 99353



Virus-free. www.avast.com

ONeill, Shane

From: youallwa@yahoo.com
Sent: Monday, March 4, 2019 11:31 AM
To: O'Neill, Shane
Subject: Re: Proposed Land Use Action near Kennedy Road

Shane,

I am strongly opposed to the proposed land use action north of Kennedy Road. The Queensgate/Dupertail area is already a traffic mess during busy times of the day, and the proposed development along with the new Dupertail bridge will make this area a traffic nightmare. Adding hundreds of additional dwellings and businesses will make the area untenable. More traffic signals, roundabouts, etc. will only make the area harder to navigate, particularly for those who must transit this area to get to the freeway. The city needs to quit chasing the almighty tax dollar and start paying more attention to quality of life.

David Garber
West Richland, WA



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

February 22, 2019

Shane O'Neill
City of Richland
PO Box 190
Richland, WA 99352

Re: Z2018-109

Dear Shane O'Neill:

Thank you for the opportunity to comment on the notice of application for the rezone of approximately 300 acres, proposed by the Department of Natural Resources. We have reviewed the application and have the following comment.

TOXICS CLEAN-UP

Based upon the historical agricultural use of this land, there is a possibility the soil contains residual concentrations of pesticides. Ecology recommends that the soils be sampled and analyzed for lead and arsenic, and for organochlorine pesticides. If these contaminants are found at concentrations above the Model Toxics Control Act cleanup levels Ecology recommends that potential buyers be notified of their occurrence.

If you have any questions or would like to respond to these Toxics Clean-up comments, please contact **Valerie Bound** at (509) 454-7886 or email at valerie.bound@ecy.wa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Gwen Clear".

Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov

201900614





Department of Energy

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

Transmission Services

February 27, 2019

In reply refer to: City of Richland Rezone Z2018-109 - Dept. of Natural Resources

Tract No. G-R-27-A-68
Line: Grandview-Richland Line
(operated as Red Mountain-Richland No. 1)
75' AOL of Structure 5/9
245' BOL of Structure 6/3

Mike Stevens, Planning Manager
City of Richland Development Services Dept.
505 Swift Blvd. MS#35
Richland, WA 99352

Dear Mr. Stevens,

The Bonneville Power Administration (BPA) has reviewed the above-mentioned proposed rezone application. Although the rezone will not impact BPA's 100-foot wide transmission line easement at this time, BPA wants to make everyone aware of the easement for future proposals.

BPA easements are taken with certain restrictions on the underlying land. In order to maintain operation and safety criteria, all activities planned within the BPA easement need to be approved by BPA prior to their occurrence. Activities that block maintenance crews (such as the installation of fences) or safety concerns (such as buildings, driveways, utilities, or small structures) need to be addressed prior to construction in order to avoid later modification, at the landowner's expense.

In order to avoid problems in this location and to notify prospective landowners, BPA requests that the following language be included on the plat map:

The Bonneville Power Administration (BPA) imposes certain conditions on the portions of these lots encumbered by its high voltage transmission line easement. BPA does not allow structures to be built within the easement, nor does it allow access to be blocked to any transmission facilities. Any activity that is to occur within the easement needs to be permitted by BPA prior to installation or construction. Information regarding the permitting process for proposed uses of the easement may be addressed to BPA Real Estate Field Services at (800) 282-3713.

In addition, BPA needs the opportunity to review the location of the proposed road and utilities to ascertain whether or not the clearance here allows for safe passage of vehicles (per National

Electric Safety Code). This process takes up to 90 days to complete and is typically initiated by a land use application that the developer submits to BPA.

Whether or not this property is subdivided and/or this plat approved, the owner will need to submit a land use application, application fee and acquire a Land Use Agreement from BPA, along with the county's building permit for any portion of the owner's development plans that lie within BPA's easement.

If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (503) 230-5510 or you may contact our Realty Office toll-free at (800) 282-3713.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike J. DeKlyen".

Mike J. DeKlyen
BPA Field Realty Specialist

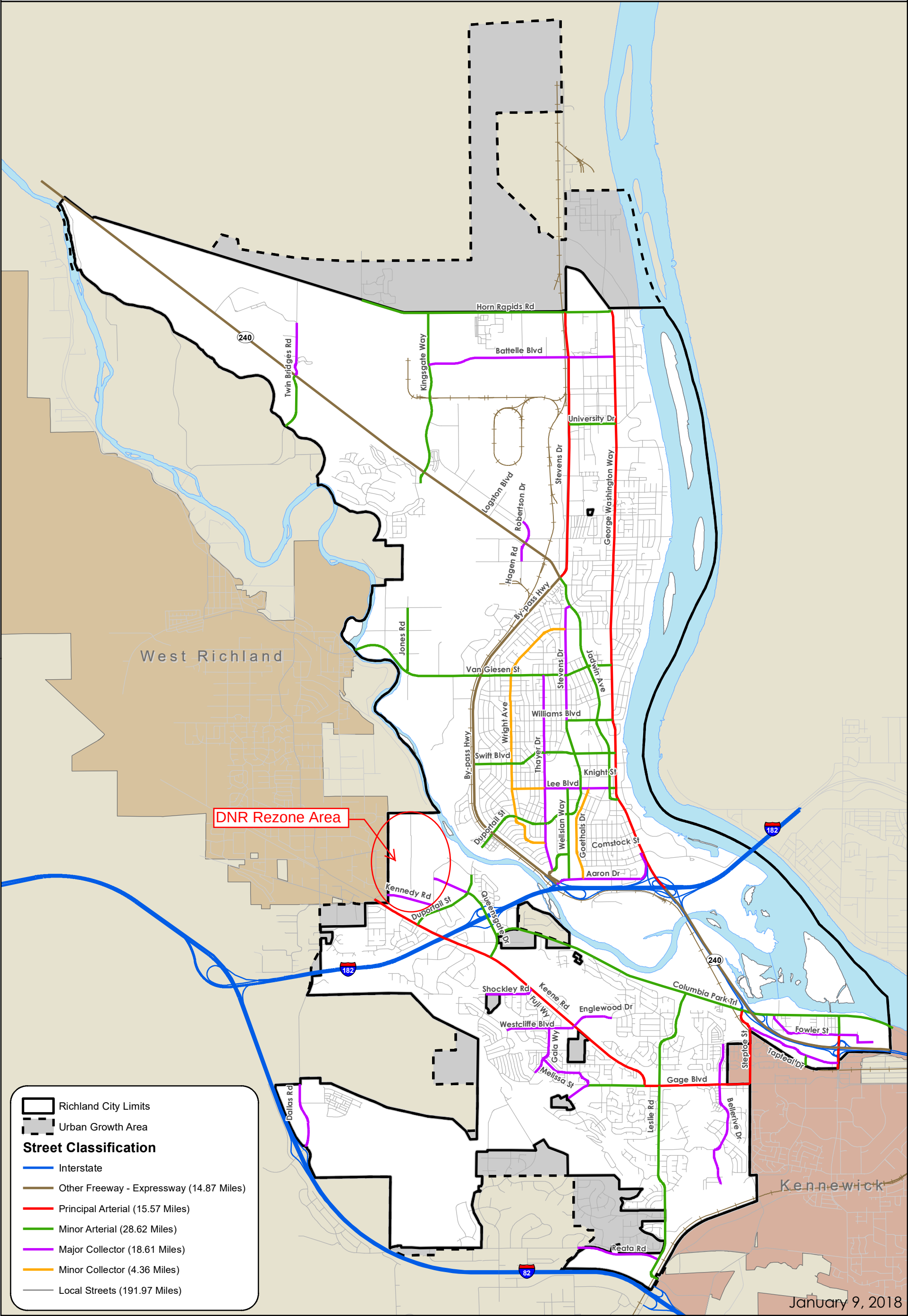


City of Richland

Exhibit 5



T-1 - Street Functional Classification System



SE

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
BRIAN J. BOYLE, Commissioner of Public Lands
Olympia, Washington 98504

Exhibit 7

Lease No. 12-67116

BY THIS LEASE, between the STATE OF WASHINGTON, Department of Natural Resources, hereinafter called the "State," and CHIAWANA ORCHARDS PARTNERSHIP, hereinafter called "Lessee," the State leases to the Lessee the following described land, in Benton County, Washington.

S1/2NW1/4 of Section 16, Township 9 North, Range 28 East, W.M., containing 80 acres, more or less, according to the government survey thereof.

Subject to easement for right of way for transmission line heretofore granted under Application No. 20316, for an indefinite term.

Subject to easement for right of way for county road heretofore granted under Application No. 2104, for an indefinite term.

Subject to the rights of the holder of Department of Natural Resources Water Rights No. W-0030, filed on March 12, 1981.

Subject to the rights of the holder of Oil and Gas Lease No. 64774, expiring on May 1, 1989.

The State reserves 30 feet along the West line of the SW1/4NW1/4 of Section 16, Township 9 North, Range 28 East, W.M., for management purposes and access to the N1/2NW1/4 of said section, provided further, the Lessee of the S1/2NW1/4 of Section 16, Township 9 North, Range 28 East, W.M., shall be allowed access to the State reserved 30 feet for management and access to his lease.

The State will issue an easement across portions of the N1/2 of Section 16, Township 9 North, Range 28 East, W.M., to provide irrigation water to the S1/2NW1/4 of Section 16, Township 9 North, Range 28 East, W.M. The easement will be issued on an "as built" location after installation. The plan for building the irrigation line must be approved by the State before construction is commenced.

SECTION 1 OCCUPANCY

1.01 Term. This lease shall commence October 22, 1986 and continue to the 1st day of January, 2021.

SECTION 2 USE OF PREMISES

2.01 Permitted Use. The Lessee shall develop, irrigate and cultivate the maximum acreage for irrigated orchard or vineyard. The minimum acreage shall be 40 acres by July 1, 1987. The remainder of the premises may be used for irrigated orchard or vineyard, and for other uses as set forth in the approved plan of development on 40 acres except as limited by reserved easements. If the Lessee desires to change the use of the premises or cannot meet the minimum acreage requirement, Lessee must request authorization from the State. Approval, if given, shall be in writing and may include an adjustment of the rent in accordance with the change in acreage or use.

SECTION 3 PAYMENT

3.01 Payment. Payments made hereunder will be applied first to rent and then to Leasehold Tax.

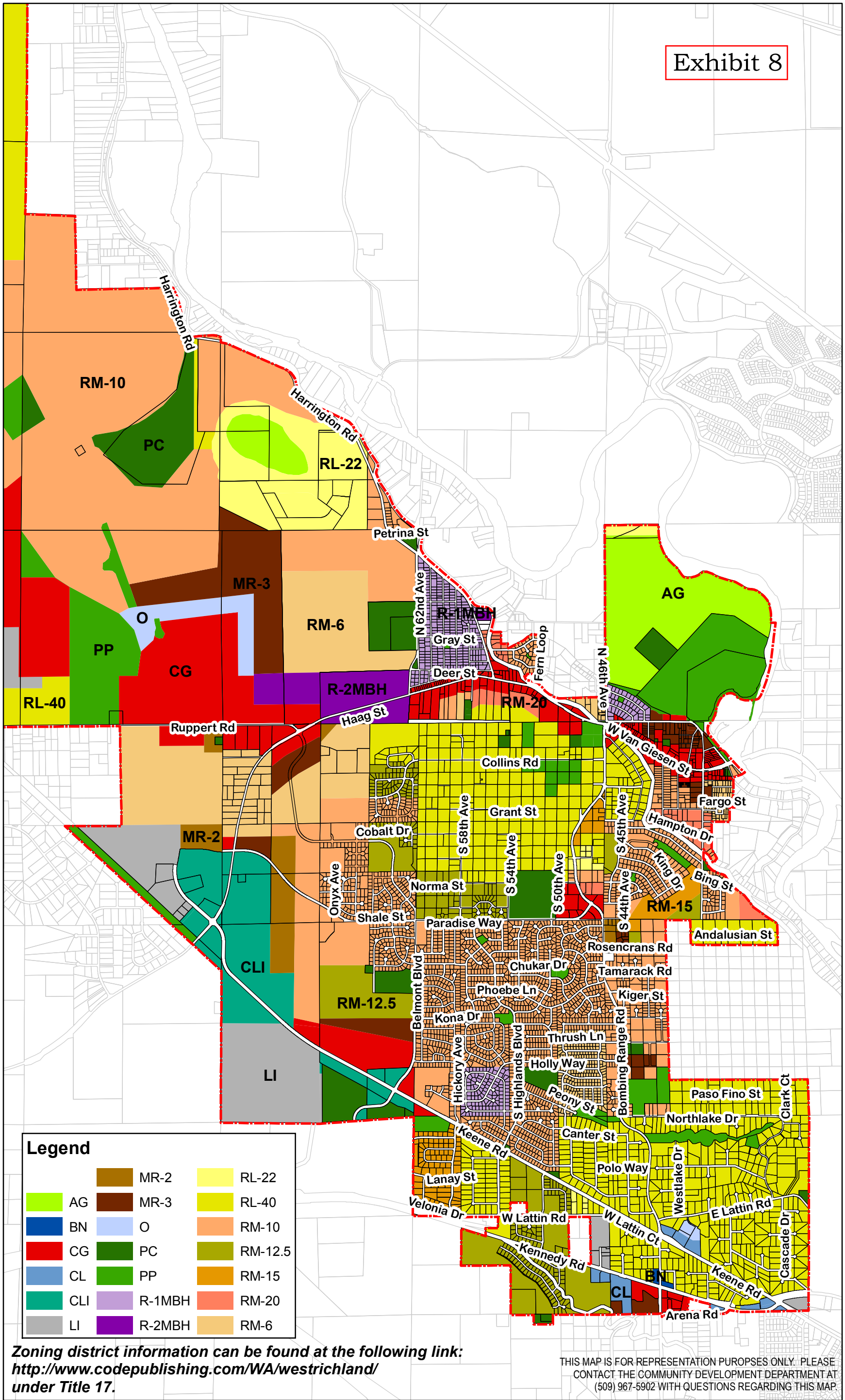
(1) Rent. The Lessee shall pay to the State, at Olympia, Washington 98504, in advance, the required rent of \$95.32 for the period of October 22, 1986 to January 1, 1988, which has been paid, then \$80.00 annually thereafter for the remaining term of this lease.

(2) Leasehold Excise Tax. The Lessee shall pay to the State, at Olympia, Washington 98504, the Leasehold Excise Tax as set forth in Chapter 82.29A RCW.

ADJUSTMENT
ENTERED ON COMPUTER
DATE 12-10-1986
INITIALS ljh
AIMS - DATA COLLECTION

City of West Richland Zoning Map

Exhibit 8



Updated September 2015



0 0.25 0.5 1 Miles



Looking North



Looking East

Queensgate Dr



Truman Ave

Looking South



Looking West

