



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

GENERAL INFORMATION:

PROPOSAL NAME: 9025 Center Parkway Rezone

LOCATION: 9025 Center Parkway

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

PROPERTY OWNER: Tim Bush, Bush Family Giving LLC

FILE NO.: PLN-T3A-2024-00001

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

PROJECT TYPE: Type IIIA Site-Specific Rezone

HEARING DATE: August 12, 2024

REPORT BY: Kyle Hendricks, Planner

RECOMMENDED ACTION: Approval subject to proposed conditions

**Vicinity
Map**

Item: 9025 Center Pkwy zone change
Applicant: Rick Simon
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Figure 1 – Vicinity Map

DESCRIPTION OF PROPOSAL

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

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

REASON FOR REQUEST

Richland Municipal Code (RMC) Chapter 19.20.010(D)(1) 19.20.030, and 19.25.010 requires a site-specific rezone review to take place by the Hearing Examiner. See additional RMC guidance for the Hearing Examiner, below:

19.20.010 Procedures for processing development permits.

For the purpose of project permit processing, all development permit applications shall be classified as one of the following: Type I, Type II, Type III, or Type IIIA.

D. Type IIIA permits include the following types of permit applications:

1. Site-specific rezones;

19.60.060 Burden of proof.

Except for Type IV actions, the burden of proof is on the proponent. The project permit application must be supported by proof that it conforms to the applicable elements of the city's development regulations, comprehensive plan and that any significant adverse environmental impacts have been adequately addressed.

23.70.210(A) Public hearing and recommendation to council.

Reclassification. The hearing examiner shall conduct an open record public hearing as required by RMC Title 19 for a Type IIIA permit application. The recommendation shall include written findings of fact and the reasons for the hearing examiner's action; and shall refer expressly to the maps, description and other matters intended by the hearing examiner to constitute the reclassification.

Additional Considerations.

Washington Courts apply three basic rules when reviewing appeals of rezone applications: (1) there is no presumption favoring the rezone request; (2) the proponent must demonstrate that there has been a change of circumstances since the original zoning provided if a proposed rezone implements the policies of the comprehensive plan, a showing of changed circumstances is usually not required; and (3) the rezone must have a substantial relationship to the public health, safety, morals or general welfare.

For the purposes of this rezone request, the central questions presented are:

1. Whether the requested rezone implements policies of the City's Comprehensive Plan, and /or whether there has been a change of circumstances since the original Agricultural Neighborhood Retail (C-1) zoning was adopted for the site?
2. Does the rezone bear a substantial relationship to the public health, safety, morals, or general welfare?

REVIEW AUTHORITY

Richland Municipal Code (RMC) Chapter 19.20.010(D)(1) 19.20.030, and 19.25.010 requires a site-specific rezone review to take place by the Hearing Examiner.

SITE DESCRIPTION & ADJACENT LAND USES

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

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

CURRENT LAND USE DESIGNATION AND USES :

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

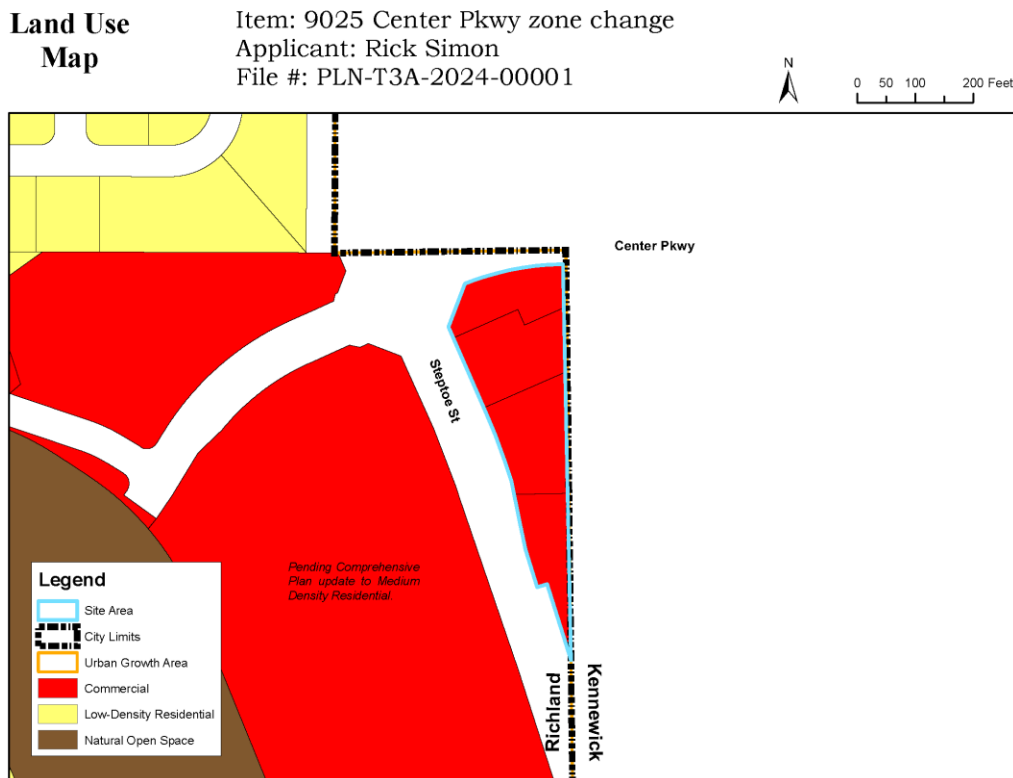


Figure 2 – Land Use Map

COMPREHENSIVE PLAN

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

APPLICABLE GOALS & POLICIES

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

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

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

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

Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.

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

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

Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

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

Land Use Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

CURRENT ZONING

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

North: RL, Kennewick, Low Density Residential

East: RL, Kennewick, Low Density Residential

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

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

**Zoning
Map**

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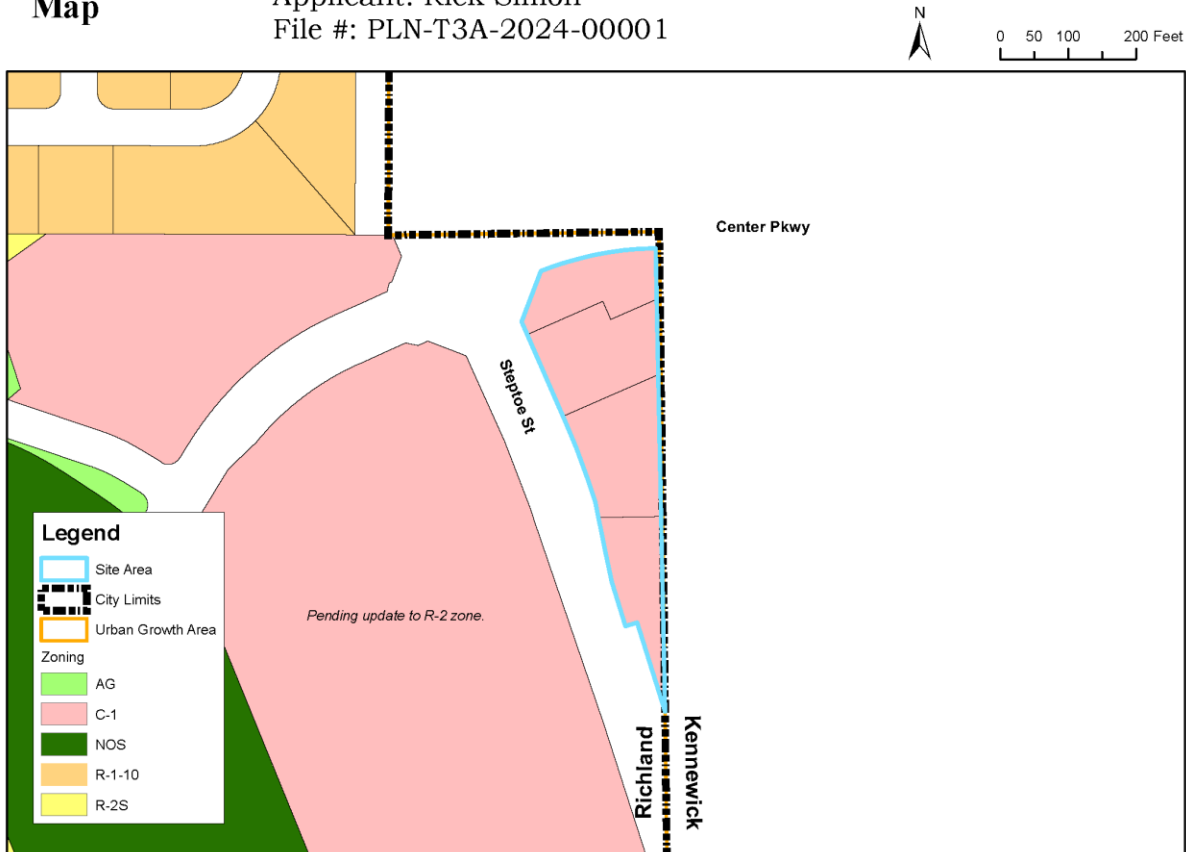


Figure 3 – Zoning Map

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

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

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

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

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

C-1 PERFORMANCE STANDARDS RMC 23.22.020 (B)

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

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

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

REQUESTED ZONING

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

The retail business use district (C-2) is a business zone classification providing for a wide range of retail business uses and services compatible to the core of the city and providing a focal point for the commerce of the city. All activities shall be conducted within an enclosed

building except that off-street loading, parking, and servicing of automobiles may be in the open and except that outdoor storage may be permitted when conducted in conjunction with the principal operation which is in an enclosed adjoining building. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan. (RMC 23.22.010(C)).

UTILITY AVAILABILITY

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

Utility Map

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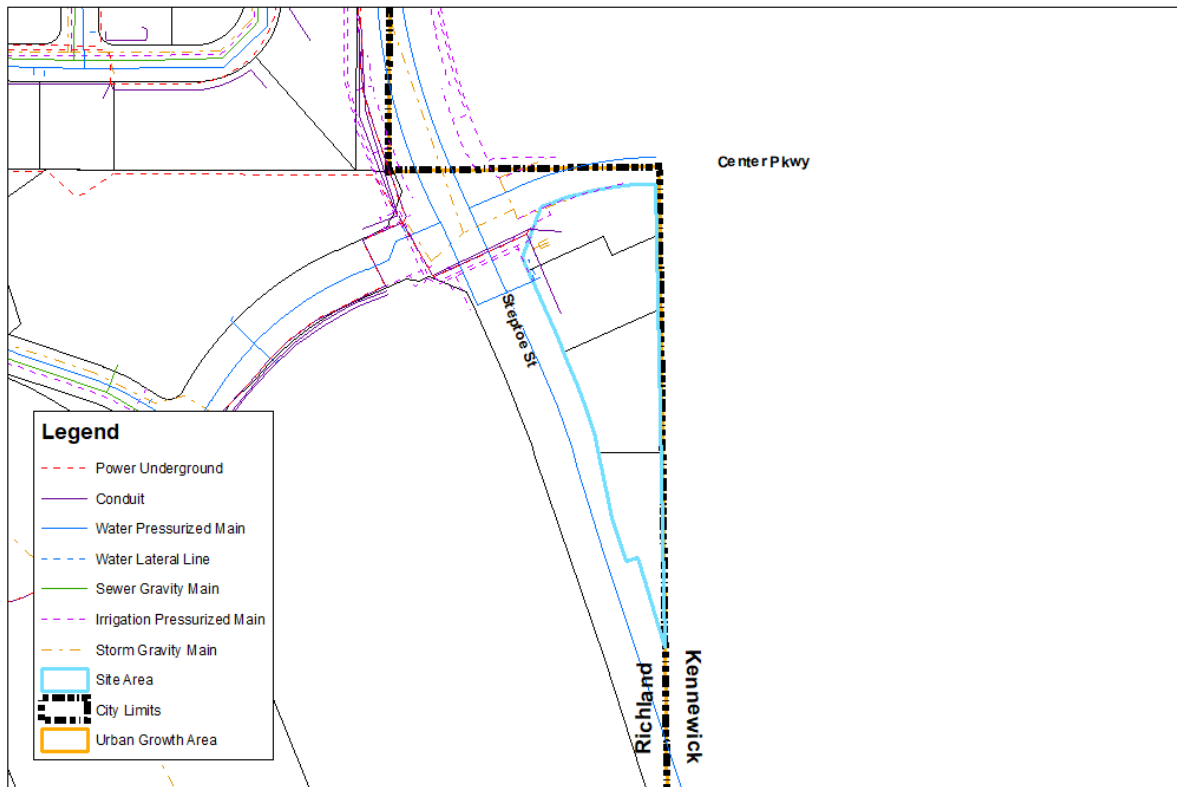
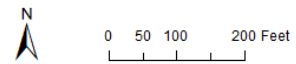


Figure 4 – Utilities Map

Sewer

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

Water

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

Power

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

Stormwater

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

Irrigation

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

TRANSPORTATION & ACCESS

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

**Transportation
Map**

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Figure 5 – Transportation Map

EASEMENTS

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

FIRE SAFETY

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

SCHOOLS

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

SEPA

The proposal is not subject to State environmental review under the State Environmental Policy Act. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

CRITICAL AREAS

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

SHORELINE MASTER PROGRAM

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

AGENCY COMMENTS

A variety of public agencies and City departments were given an opportunity to comment on the proposal. Received agency comments were not in opposition to the zone change application.

PUBLIC COMMENTS

Owners of all properties within 300-feet of the plat site were directly notified of the project by way of USPS mailing. As of the date of this report, city staff have received public comments regarding this proposed zoning action from a resident and the Grandridge Meadows Home Owners Association. These comments are included in the attached exhibits, and are generally in opposition, or heavily speculative of the zone change and request that past comments (SUP2019-100) made by the HOA are taken into consideration.

PUBLIC NOTICE

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

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

ANALYSIS

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

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

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

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

Staff also want to address questions posed to Hearing Examiner under "Reason for Request":

1. Whether the requested rezone implements policies of the City's Comprehensive Plan, and /or whether there has been a change of circumstances since the original zoning was adopted for the site?

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

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

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

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

SUGGESTED FINDINGS AND CONCLUSIONS

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

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

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

RECOMENDED CONDITIONS OF APPROVAL

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

EXHIBIT LIST

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

Zone Change Application

For Tim Bush

June 2024

Project Team

Owner

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

Engineer

Paul Knutzen
Knutzen Engineering
509.222.0959
Paul@Knutzenengineering.com

Owner

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

Land Use Planner

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

Overall Project Description

Introduction

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



Figure 1: Vicinity Map

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

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

Comprehensive Plan

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



Figure 2: Comprehensive Plan Land Use Map

Transportation

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

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

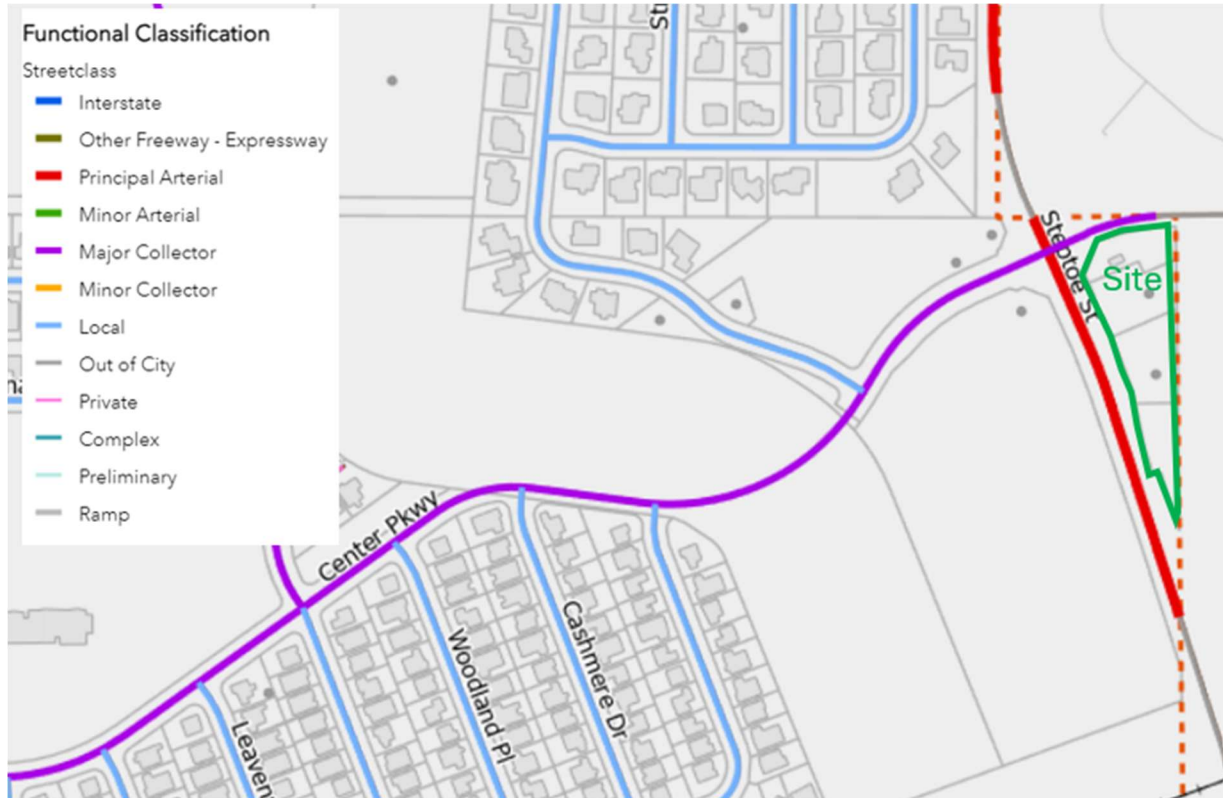


Figure 3: Richland Functionally Classified Street Network Plan

Existing Zoning

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

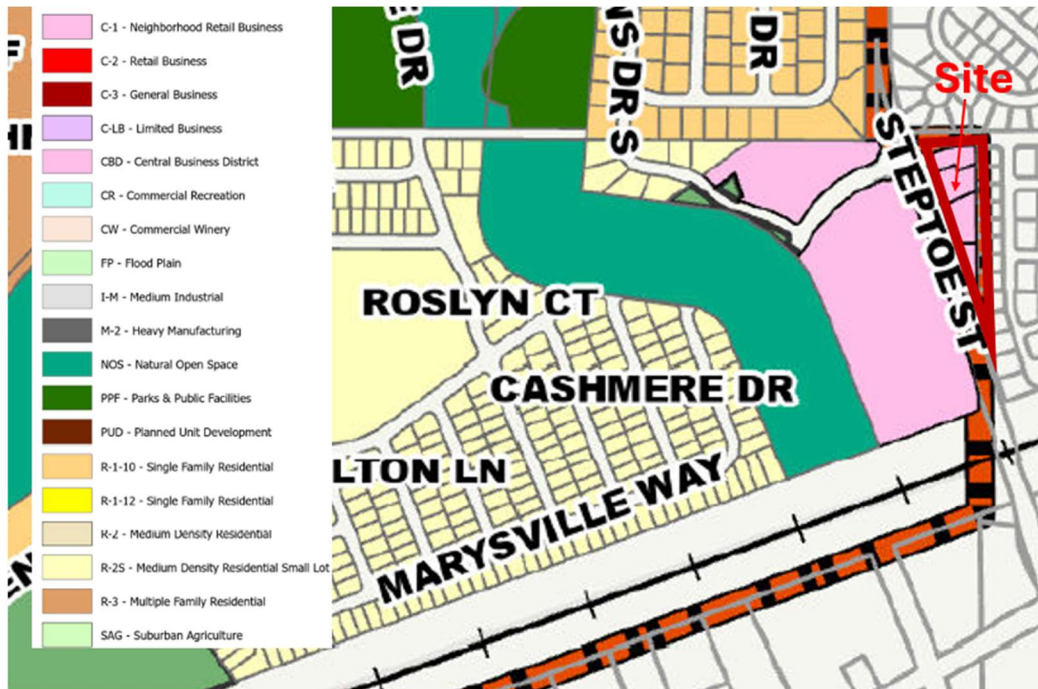


Figure 4: Existing Zoning Map

Proposed Zoning

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

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

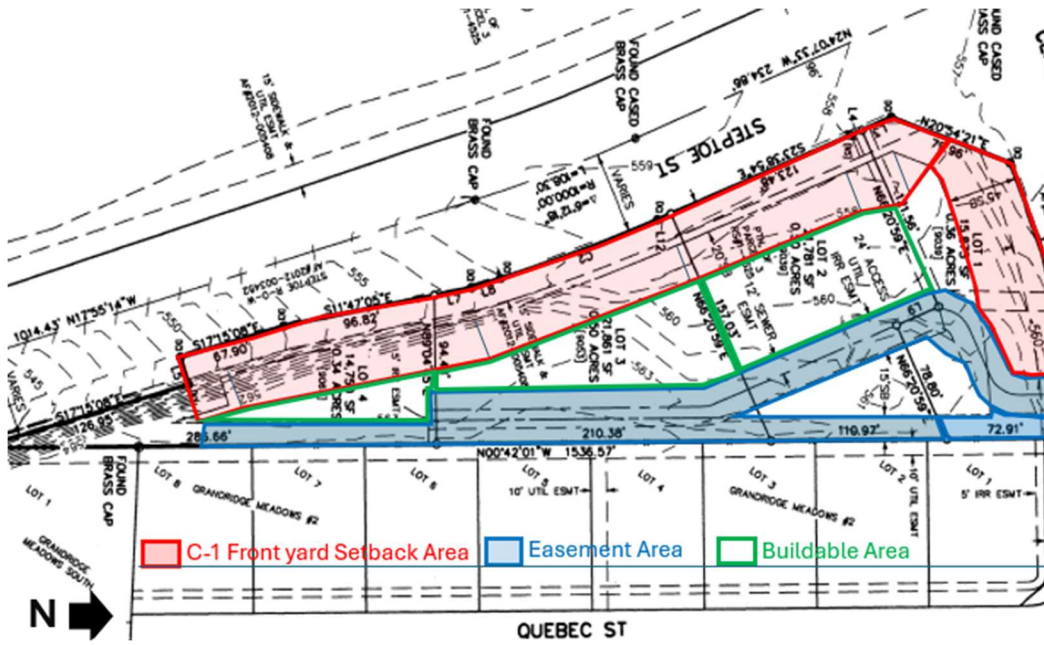


Figure 5A: Buildable Area Under C-1 Setbacks

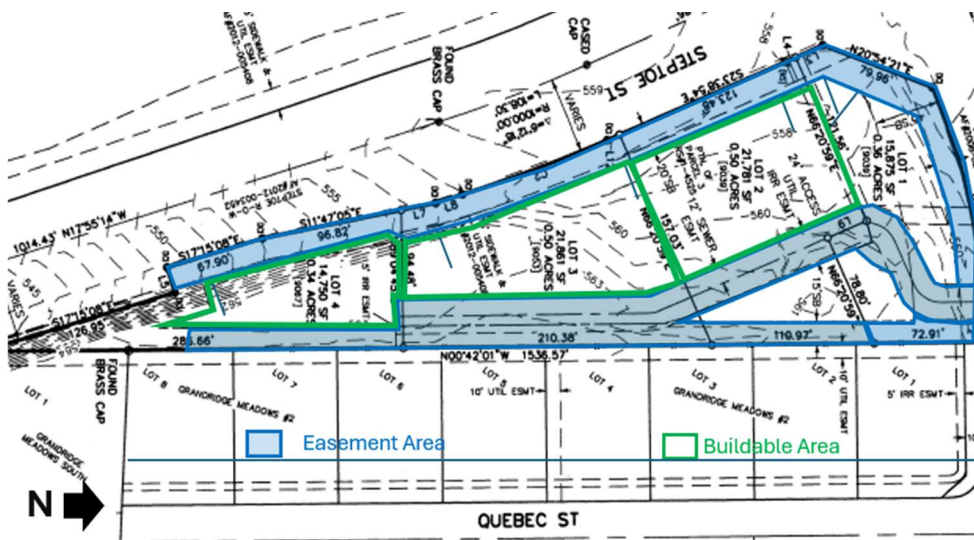


Figure 5B: Buildable Area Under C-2 Zoning Setbacks

Beyond front yard setback requirements, there are two other significant differences between the C-1 and C-2 zoning standards. Building height is limited to 30 feet in the C-1 district and 80 feet in the C-2 district. The second area of difference relates to the type of land use permitted in each zone. C-2 zoning allows for all the land uses allowed within C-1 zoning plus a variety of more intensive commercial uses. Many of the more intensive uses allowed under C-2 zoning are by nature too large to fit on the small parcels located within the site. Nonetheless, in order to provide some assurance to adjacent landowners, the owner is willing to enter into a development agreement with the City that would limit future development on the site to building heights of 30 feet and prohibiting the development of a wide range of C-2 land uses. Specifically, the owner will stipulate that the future use of the subject properties shall be consistent with the land uses as identified in the C-2 Retail Business zone as it exists today or as it may be amended in the future; provided that the following uses shall not be permitted:

- | | |
|--|------------------------------------|
| a. Equipment Rentals; | s. Art Galleries; |
| b. Truck Rentals; | t. Cinema, Indoor; |
| c. Truck Stop – Diesel Fuel Sales; | u. Cinema, Drive-In; |
| d. Vehicle Leasing/Renting; | v. Commercial Recreation, Outdoor; |
| e. Vehicle Sales; | w. Apartment, Condominiums; |
| f. Funeral Establishments; | x. Assisted Living Facility; |
| g. Health/Fitness Center; | y. Emergency Housing; |
| h. Hospital/Clinic – Small Animal; | z. Emergency Shelters; |
| i. Cafeterias; | aa. Hotels or Motels; |
| j. Micro-Brewery; | bb. Nursing or Rest Home; |
| k. Telemarketing Services; | cc. Permanent Supportive Housing; |
| l. Newspaper Offices and Printing Works; | dd. Traditional Housing; |
| m. Office – Corporate; | ee. Department Store; |
| n. Office – Research and Development; | ff. Landscaping Material Sales; |
| o. Radio and Television Studios; | gg. Secondhand Store; |
| p. Schools, Commercial; | hh. Bus Transfer Station; |
| q. Schools, Trade; | ii. Cemetery; |
| r. Hospitals; | jj. Convention Center; |
| | kk. Monopole; |

RMC 19.60.095(D) Required Findings for Type II and Type III Applications

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

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

Additionally, the project will help to implement the following goals and policies contained within the City's comprehensive plan:

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

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

Comment: The site is located inside both City limits and urban growth area boundaries; is adjacent to developed properties, qualifies as infill development, and so is therefore consistent with policy #2. The proposed rezone would be consistent with the city's land use plan and the overall intent of this goal.

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

Policy 1: Maintain a variety of land use designations to accommodate appropriate residential, commercial, industrial, healthcare, educational, recreational, and open space uses that will take advantage of the existing infrastructure network.

Policy 2: Ensure that adequate public services are provided in a reasonable time frame for new developments.

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

Comment: Commercial development of the site will provide an area for needed commercial services in a location adjacent to the intersection of an arterial street and a major collector street. The existing residential developments located within the immediate vicinity, would benefit from the development of commercial services within the site. The site is located in an area where

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

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

Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services..

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

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



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

LU Goal 5: Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1: Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

Policy 2: Promote pedestrian and bicycle circulation throughout the community by connecting with the infrastructure and the City's network of parks and trail system.

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

Response – Meets Requirements and Intent of the Richland Code:

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

The neighborhood retail business use district (C-1) is a limited retail business zone classification for areas which primarily provide retail products and services for the convenience of nearby neighborhoods with minimal impact to the surrounding residential area. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

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

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

Response: The Washington Administrative Code Section 197-11-800(6)(a)(ii)(c) exempts rezone applications for projects that are located within an urban growth area; and that are consistent with the City's comprehensive plan when that plan has been reviewed through the SEPA process. When the City's current plan was adopted in 2017, the plan was evaluated through an Environmental Impact Statement. The plan does identify the site as suitable for commercial development. Therefore, the criteria to meet the exemption from SEPA review are met in this application.

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

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

Response: The proposed rezone application promotes and protects public health, safety and welfare in the following ways:

- Provides for a commercial node that has the potential to provide a variety of neighborhood commercial goods and services to the immediate neighborhoods within portions of South Richland and West Kennewick in a manner that is consistent with the City's adopted comprehensive plan;
- Provides land for future commercial facilities in a location that is adjacent to major transportation corridors;
- Includes a proposal for a development agreement that will protect the adjacent neighborhood from impacts of more intensive land uses and building heights typically permitted within the C-2 zone;
- Maintains the access prohibitions along Steptoe Boulevard to eliminate the potential for vehicle turning movements onto an arterial street and so promotes public safety;
- Maintains appropriate setbacks to ensure adequate light, air and access for adjacent residents and future users of the commercial property.

D. The development does not lower the level of service of transportation facilities below the level of service D, as identified in the comprehensive plan; provided, that if a development application is projected to decrease the level of service lower than level of service D, the development may still be approved if improvements or strategies to raise the level of service above the minimum level of service are made concurrent with development. For the purposes of this section, "concurrent with development" means that required improvements or strategies are in place at the time of occupancy of the project, or a financial commitment is in place to complete the required improvements within six years of approval of the development.

Response: The fully developed streets that adjoin the site, on both Center Parkway and Steptoe Boulevard, together with the signalized intersection of those two streets represent full street improvements as identified in the City's transportation plan. As the plan was developed to ensure that traffic facilities would operate at level of Service D or above, it is safe to assume that commercial development of the site will maintain this level of service.

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

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

Rezone – Application Form Questions

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

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

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

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

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

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

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

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

4. *Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:*

Response: All development proposed within this project is consistent with both the City's future land use map as well as the goals and policies of the City's comprehensive plan. (Refer to the above discussion on the project's compliance with comprehensive plan goals.) With the proposed development agreement included in the rezone application, the adjacent residential properties would be protected from any impacts typically associated with C-2 development.

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

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

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

6. *Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:*

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

7. *Whether the proposed rezone represents spot zoning and whether a larger area should be considered:*

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

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

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

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

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

Rezone – Criteria for Review

Washington Courts have applied the following three basic rules when reviewing appeals of rezone applications:

1. There is no presumption favoring the rezone request;

Response: The proposed C-2 commercial zoning is a rational zoning classification for this property for the following reasons:

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

2. *The proponent must demonstrate that there has been a change of circumstances since the original zoning provided if a proposed rezone implements the policies of the comprehensive plan, a showing of changed circumstances is usually not required; and*

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

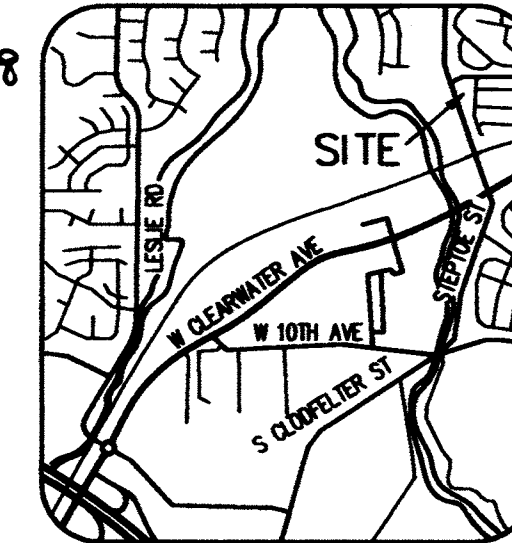
3. *The rezone must have a substantial relationship to the public health, safety, morals or general welfare.*

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

RECORD SURVEY NO. 5258

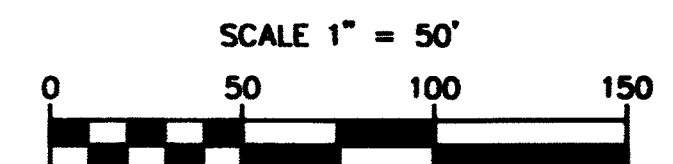
AMENDING BINDING SITE PLAN NO. BSP 2015-100
 NO. BSP 2019-102
 N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,
 CITY OF RICHLAND,
 BENTON COUNTY, WASHINGTON

AFN: 206-036308



VICINITY SKETCH
 NOT TO SCALE

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



SCALE 1" = 50'
 BASIS OF BEARING
 RS#1-4525
 EQUIPMENT USED
 A THREE-SECOND TOTAL STATION
 TOPCON RTK GPS
 SPECTRA PRECISION RTK GPS

LEGEND

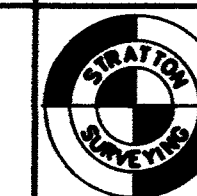
- = SET 5/8" REBAR W/ BLUE PLASTIC CAP MARKED "STRATTON DCI 46886"
- DCI ● = FOUND 5/8" REBAR W/ BLUE PLASTIC CAP MARKED "STRATTON DCI 46886"
- = FOUND AS INDICATED
- B.O.B. = BASIS OF BEARING
- ⊙ = FOUND MONUMENT AS INDICATED
- = SETBACK
- - - = FENCE
- - - = EASEMENT
- — — = PROPERTY BOUNDARY

INDEX

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

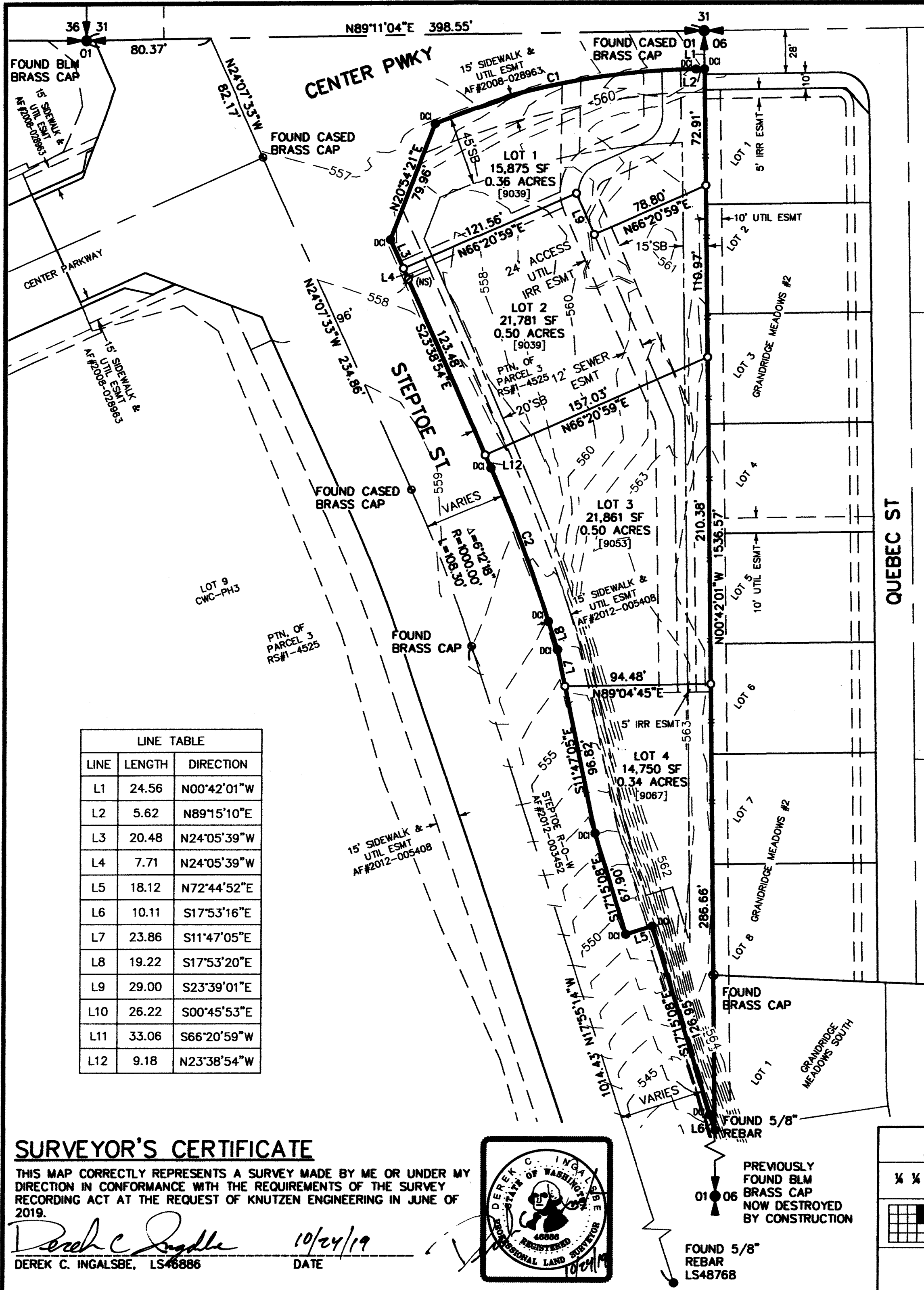
AUDITOR'S CERTIFICATE

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



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

56068SP1A.DWG © 2019
 DATE: 10/24/19 SHT. 1 OF 4
 DRAWN BY: DCI JOB # 5606

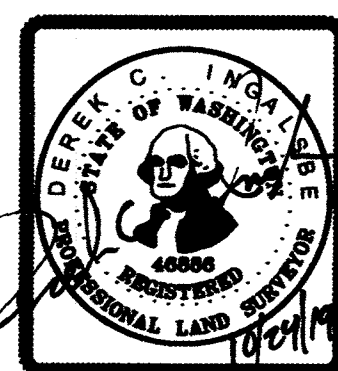


LINE TABLE		
LINE	LENGTH	DIRECTION
L1	24.56	N00°42'01"W
L2	5.62	N89°15'10"E
L3	20.48	N24°05'39"W
L4	7.71	N24°05'39"W
L5	18.12	N72°44'52"E
L6	10.11	S17°53'16"E
L7	23.86	S11°47'05"E
L8	19.22	S17°53'20"E
L9	29.00	S23°39'01"E
L10	26.22	S00°45'53"E
L11	33.06	S66°20'59"W
L12	9.18	N23°38'54"W

SURVEYOR'S CERTIFICATE

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

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



2019-095167, B. 01 P. 5258 SUR
 Stratton Surveying & Mapping, Inc.
 Benton County Auditor's Office

RECORD SURVEY NO. 5258

AMENDING BINDING SITE PLAN NO. BSP 2015-100

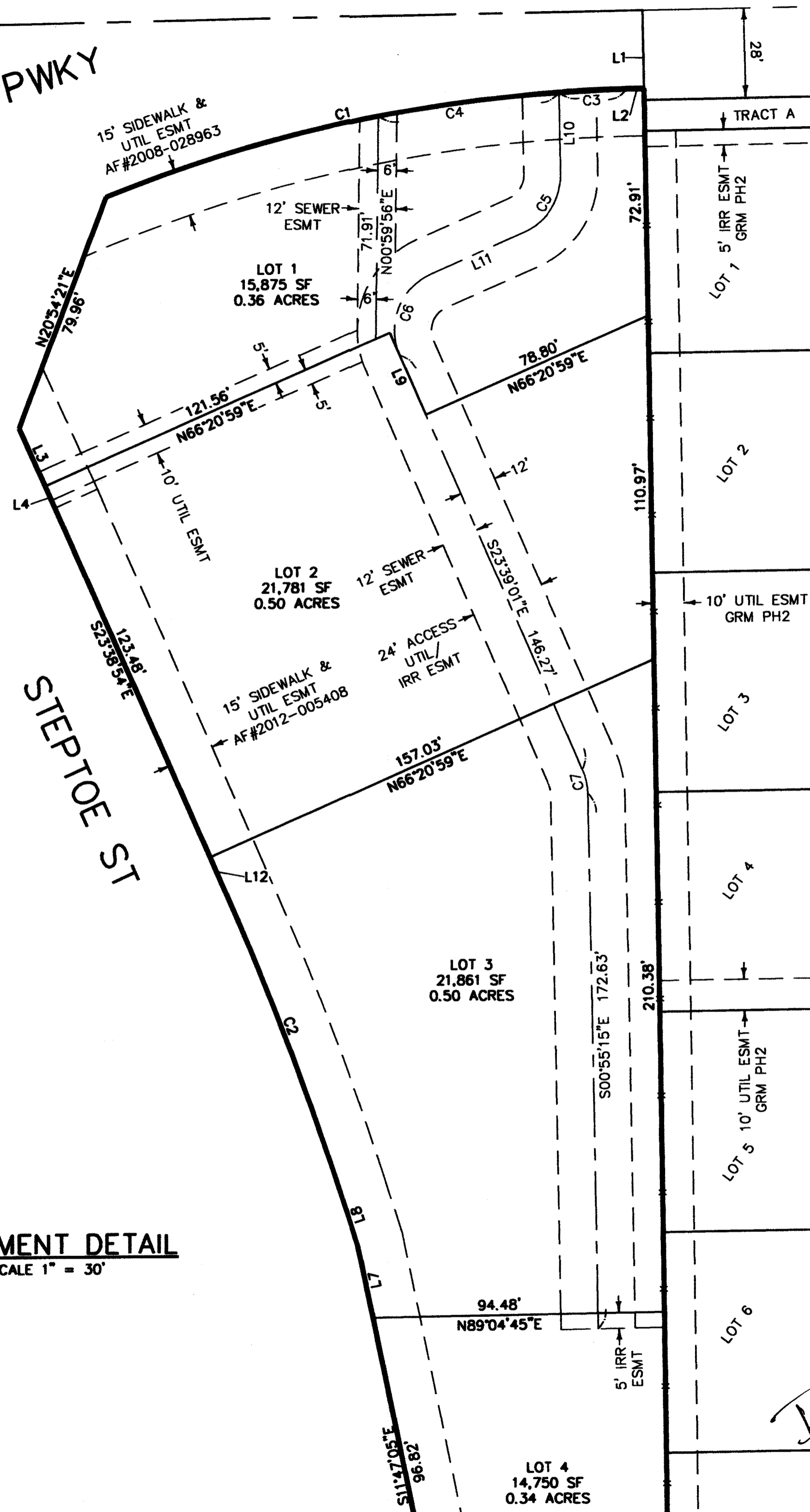
NO. BSP 2019-102

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

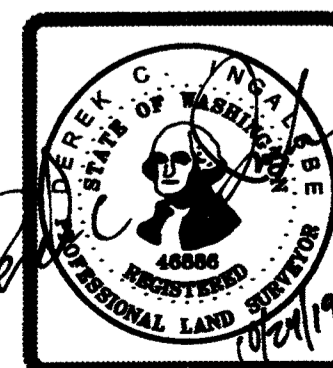
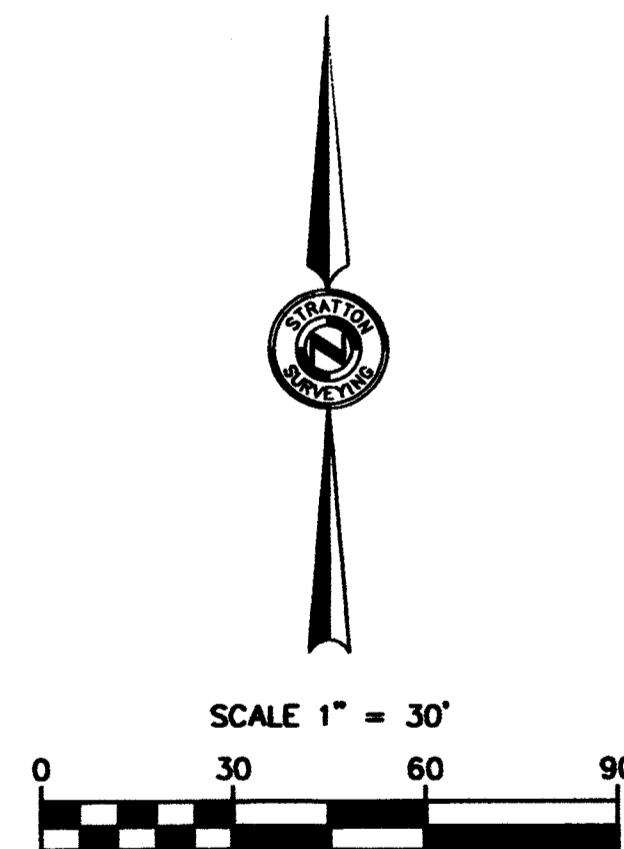
CITY OF RICHLAND,

BENTON COUNTY, WASHINGTON

CENTER PWKY



EASEMENT DETAIL
SCALE 1" = 30'



AUDITOR'S CERTIFICATE

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

2019-085167
FEE NO.

SURVEY FOR	
TIM BUSH	
STRATTON SURVEYING & MAPPING, PC	
<small>313 NORTH MORAIN STREET KENNEWICK, WA 99336 (509) 735-7364 FAX: (509) 735-6560 stratton@strattonsurvey.com</small>	
5606SP1A.DWG	© 2019
DATE: 10/24/19	SHT. 2 OF 4
DRAWN BY: DCI	JOB # 5606

DESCRIPTION-PARENT

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

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

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 680.92 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
 THENCE THE FOLLOWING COURSES ALONG SAID RIGHT-OF-WAY LINE,
 NORTH 17°53'16" WEST 10.11 FEET;
 NORTH 17°15'08" WEST 126.95 FEET;
 SOUTH 72°44'52" WEST 18.12 FEET;
 NORTH 17°15'08" WEST 67.90 FEET;
 NORTH 11°47'05" WEST 120.68 FEET;
 NORTH 17°53'20" WEST 19.22 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS SOUTH 72°06'40" WEST 1052.00 FEET, THENCE NORTHWESTERLY ALONG SAID CURVE 105.75 FEET;
 NORTH 23°38'54" WEST 132.66 FEET;
 NORTH 24°05'39" WEST 28.19 FEET;
 NORTH 20°54'21" EAST 79.96 FEET TO THE END OF SAID COURSES AND THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF CENTER PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH 21°34'37" EAST 475.00 FEET, THENCE NORTHEASTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE 172.68 FEET;
 THENCE NORTH 89°15'10" EAST ALONG SAID LINE 5.62 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 74,267 SF / 1.70 ACRES

ALSO KNOWN AS LOTS 1, 2, AND 3 OF BINDING SITE PLAN 2015-100.

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.

DESCRIPTIONS-NEW

LOT 1

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

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

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 72.91 FEET;
 THENCE SOUTH 66°20'59" WEST 78.80 FEET;
 THENCE NORTH 23°39'01" WEST 29.00 FEET;
 THENCE SOUTH 66°20'59" WEST 121.56 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
 THENCE NORTH 24°05'39" WEST ALONG SAID LINE 20.48 FEET;
 THENCE NORTH 20°54'21" EAST ALONG SAID LINE 79.96 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID CENTER PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH 21°34'37" EAST 475.00 FEET, THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE 172.68 FEET THROUGH A DELTA ANGLE OF 20°49'45";
 THENCE NORTH 89°15'10" EAST ALONG SAID LINE 5.62 FEET TO THE SAID TRUE POINT OF BEGINNING

CONTAINS 15,875 SF / 0.36 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.

LOT 2

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

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 97.47 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 110.97 FEET;
 THENCE SOUTH 66°20'59" WEST 157.03 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
 THENCE NORTH 23°38'54" WEST ALONG SAID LINE 123.48 FEET;
 THENCE NORTH 24°05'39" WEST ALONG SAID LINE 7.71 FEET;
 THENCE NORTH 66°20'59" EAST 121.56 FEET;
 THENCE SOUTH 23°39'01" EAST 29.00 FEET;
 THENCE NORTH 66°20'59" EAST 78.80 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 21,781 SF / 0.50 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.

RECORD SURVEY NO. 5258

AMENDING BINDING SITE PLAN NO. BSP 2015-100

NO. BSP 2019-102

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

CITY OF RICHLAND,

BENTON COUNTY, WASHINGTON

LOT 3

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

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 208.44 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 210.38 FEET;
 THENCE SOUTH 89°04'45" WEST 94.48 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
 THENCE NORTH 11°47'05" WEST ALONG SAID LINE 23.86 FEET;
 THENCE NORTH 17°53'20" WEST ALONG SAID LINE 19.22 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS SOUTH 72°06'40" WEST 1052.00 FEET, THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE 105.75 FEET THROUGH A CENTRAL ANGLE OF 05°45'34";
 THENCE NORTH 23°38'54" WEST ALONG SAID LINE 9.18 FEET;
 THENCE NORTH 66°20'59" EAST 157.03 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 21,861 SF / 0.50 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.

LOT 4

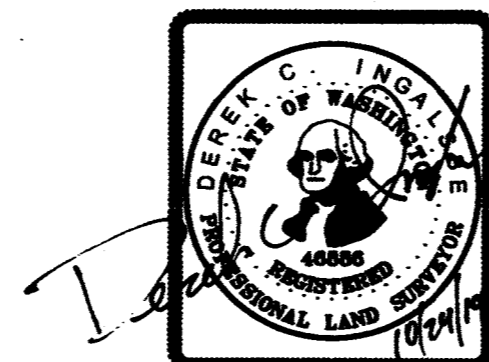
THAT PORTION OF PARCEL 3 AS DEPICTED ON THE RECORD OF SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4525, LYING IN THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 418.82 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 286.66 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
 THENCE THE FOLLOWING COURSES ALONG SAID RIGHT-OF-WAY LINE,
 NORTH 17°53'16" WEST 10.11 FEET;
 NORTH 17°15'08" WEST 126.95 FEET;
 SOUTH 72°44'52" WEST 18.12 FEET;
 NORTH 17°15'08" WEST 67.90 FEET;
 NORTH 11°47'05" WEST 96.82 FEET;
 THENCE LEAVING SAID COURSES NORTH 89°04'45" EAST 94.48 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTAINS 14,750 SF / 0.34 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.



SURVEY FOR

TIM BUSH

AUDITOR'S CERTIFICATE
 FILED FOR RECORD THIS 8th DAY OF
 November, 2019 AT 1 MINUTES PAST 12
 P.M. AND RECORDED IN VOLUME 01 OF
 SURVEYS PAGE 5258, AT THE REQUEST OF
 DEREK C. INGALSBE, P.L.S.
 Brenda Chilton
 BENTON COUNTY AUDITOR
 Muriam Ostrom
 DEPUTY
 2019-085167
 FEE NO.

STRATTON SURVEYING & MAPPING, PC 313 NORTH MORAIN STREET KENNEWICK, WA 99336 (509) 735-7364 FAX: (509) 735-6560 stratton@strattonsurvey.com	
5606BSP1A.DWG	© 2019
DATE: 10/24/19	SHT. 3 OF 4
DRAWN BY: DCI	JOB # 5606

DEDICATION

WE, THE UNDERSIGNED, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED HEREON, THAT WE HAVE CAUSED SAID LAND TO BE SURVEYED INTO PARCELS, THAT THE DIVISION OF PROPERTY SHOWN ON THE BINDING SITE PLAN HAS BEEN MADE WITH OUR FREE CONSENT AND DESIRES AND ALSO CERTIFY THAT THE EASEMENTS SHOWN HEREON ARE HEREBY GRANTED TO THE PUBLIC FOR THE USES AND PURPOSES SHOWN.

BUSH LIVING TRUST

TJB Trustee 10/29/19
TIMOTHY T. BUSH TITLE DATE

KLB by TJB Trustee 10/29/19
KATHRYN L. BUSH TITLE DATE

RECORD SURVEY NO. 5258

AMENDING BINDING SITE PLAN NO. BSP 2015-100
NO. BSP 2019-102

N.E. 1/4 OF SEC. 01, T.8N., R.28E., W.M.,
CITY OF RICHLAND,
BENTON COUNTY, WASHINGTON

ACKNOWLEDGEMENT

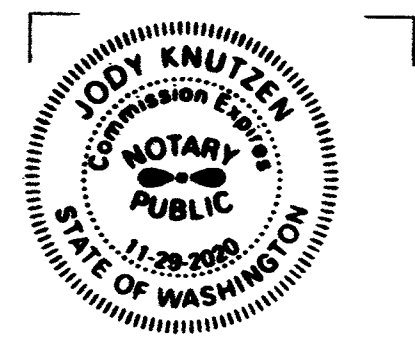
STATE OF WA
COUNTY OF Benton

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Timothy Bush IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE Trustee OF Bush Living Trust, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

DATED: 10/28/19

Jody Knutzen
PRINTED NOTARY PUBLIC

Jody Knutzen 11-29-2020
SIGNED NOTARY PUBLIC MY APPOINTMENT EXPIRES



NOTARY STAMP
BLACK INK ONLY

IRRIGATION

I HEREBY CERTIFY THAT THE PROPERTY DESCRIBED HEREIN IS LOCATED WITHIN THE BOUNDARIES OF THE KENNEWICK IRRIGATION DISTRICT BUT THAT THIS PROPERTY IS NOT CLASSIFIED AS IRRIGABLE LAND AND IS NOT ENTITLED TO IRRIGATION WATER UNDER THE EXISTING OPERATING RULES AND REGULATIONS OF THE DISTRICT. I FURTHER CERTIFY THAT THE IRRIGATION EASEMENTS SHOWN ON THIS BINDING SITE PLAN ARE ADEQUATE TO SERVE ALL LOTS SHOWN HEREON PER THE REQUIREMENTS OF RCW 58.17.310.

Sean Dennis 11/5/2019
KENNEWICK IRRIGATION DISTRICT DATE

CITY NOTES

1. NO BUILDING PERMITS FOR THE PROPOSED LOTS SHALL BE ISSUED FOR ANY STRUCTURE REQUIRING POTABLE WATER AND SANITARY SEWER SERVICE UNTIL AN APPROVED WATER AND SEWER DISTRIBUTION SYSTEM THAT WILL PROVIDE SERVICES TO THE LOT THE STRUCTURE WILL BE BUILT ON HAS BEEN DESIGNED AND ACCEPTED BY THE CITY OF RICHLAND ENGINEERING DEPT. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR ANY STRUCTURE UNTIL SAID SYSTEM IS CONSTRUCTED AND ACCEPTED BY THE CITY. UTILITY INFORMATION IS AVAILABLE THROUGH THE CITY OF RICHLAND.
2. [####] = ADDRESSES SUBJECT TO CHANGE BY THE CITY OF RICHLAND. ZIP CODE 99352.
3. DIRECT ACCESS ONTO STEPTOE STREET FROM THE SITE WILL BE PROHIBITED.
4. THE CITY RESERVES THE RIGHT TO RESTRICT THE 9025 CENTER PARKWAY DRIVEWAY TO RIGHT-IN/RIGHT-OUT, AT THE CITY'S DISCRETION, IN THE FACE OF SAFETY AND OPERATIONAL CONCERNS.

APPROVALS

THE BINDING SITE PLAN IS HEREBY APPROVED BY THE CITY OF RICHLAND, WASHINGTON.

Mick St... 11/6/19
CITY OF RICHLAND BINDING SITE PLAN ADMINISTRATOR DATE

I HEREBY CERTIFY THAT THE TAXES ON THE LAND DESCRIBED HEREON HAVE BEEN PAID TO AND INCLUDING THE YEAR 2019 PARCEL NO. 101881BP4808001, 101881BP4808002, 101881BP4808003.

Kenneth Spencer 11/8/19
TREASURER, BENTON COUNTY DATE

ACKNOWLEDGEMENT

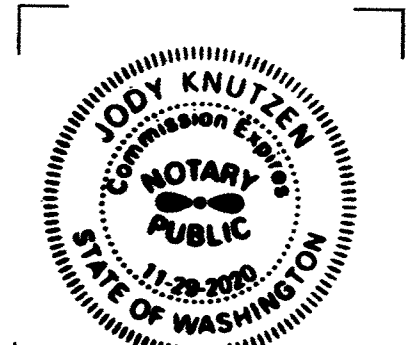
STATE OF WA
COUNTY OF Benton

I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Kathryn L Bush IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT HE SIGNED THIS INSTRUMENT, ON OATH STATED THAT HE WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE Trustee OF Bush Living Trust, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

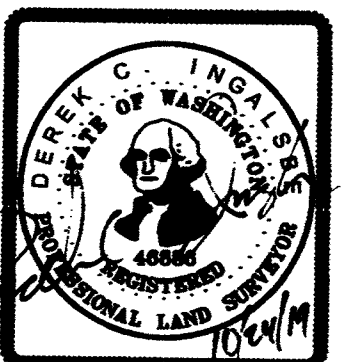
DATED: 10/28/19

Jody Knutzen
PRINTED NOTARY PUBLIC

Jody Knutzen 11-29-2020
SIGNED NOTARY PUBLIC MY APPOINTMENT EXPIRES



NOTARY STAMP
BLACK INK ONLY



SURVEY FOR

TIM BUSH

AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS 8th DAY OF November, 2019 AT 1 MINUTES PAST 12 P.M. AND RECORDED IN VOLUME 01 OF SURVEYS PAGE 5258. AT THE REQUEST OF Derek C. Ingalsbe, P.L.S.
Brenda Chilton
BENTON COUNTY AUDITOR
Miriam Johnson DEPUTY
2019-035167 FEE NO.

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

5606BSP1A.DWG	© 2019
DATE: 10/24/19	SHT. 4 OF 4
DRAWN BY: DCI	JOB # 5606

Invoice

Cascade Title Company of Benton-Franklin Counties
8203 W. Quinault Ave. Ste 10
Kennewick, WA. 99336

Date	Invoice #
6/13/2024	18403

Bill To
Knutzen Engineering Paul Knutzen Paul@knutzenengineering.com

Reference
Bush Trustees 9025, 9039, 9053 & 9067 Steptoe St

Due Date	Terms
7/13/2024	Net 30

Description	Amount
Limited Liability Report	300.00T

PLEASE REMIT PAYMENT USING OUR REFERENCE NUMBER THANK YOU!	Sales Tax (8.7%)	\$26.10
	Total	\$326.10



8203 West Quinault Ave, Suite 10, Kennewick, WA 99336
 Phone: 509-783-0660 Fax: 509-783-6612

DISTRIBUTION LIST

Our Order No.: CBF18403
Reference No:
Re: BUSH LIVING TRUST/
Property Address: NA
 RICHLAND, WA 99352

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

	Lender
Selling Agent	Listing Agent
	Knutzen Engineering , Contact: Paul Knutzen Email: paul@knutzenengineering.com
Additional Selling Agent	Additional Listing Agent
Buyer's Attorney	Seller's Attorney
Mortgage Broker	Additional Lender

LIMITED LIABILITY REPORT

SCHEDULE A

Office File Number CBF18403 Ref. No.:	Effective Date June 11, 2024 at 8:00 a.m.	Premium \$300.00
--	--	----------------------------

THE ASSURED REFERRED TO ON THE FACE PAGE ARE: **KNUTZEN ENGINEERING**

THAT ACCORDING TO THE COMPANY'S PROPERTY RECORDS RELATIVE TO THE FOLLOWING DESCRIBED REAL PROPERTY (BUT WITHOUT EXAMINATION OF THOSE COMPANY RECORDS MAINTAINED AND INDEXED BY NAME):

SEE ATTACHED EXHIBIT "A"

A. THE LAST RECORDED INSTRUMENT PURPORTING TO TRANSFER TITLE TO SAID REAL PROPERTY INDICATES THAT TITLE WAS CONVEYED TO:

TIMOTHY T. BUSH AND KATHRYN L. BUSH TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE BUSH LIVING TRUST, DATED AUGUST 18, 1999, AND ANY AMENDMENTS THERETO AS TO PARCELS 1 AND 4 AND BUSH FAMILY GIVING, LLC, A WASHINGTON LIMITED LIABILITY COMPANY, AS TO PARCELS 2 AND 3

B. THERE ARE NO MORTGAGES OR DEEDS OF TRUST WHICH PURPORT TO AFFECT SAID PROPERTY, OTHER THAN THOSE SHOWN BELOW UNDER EXCEPTIONS.

NO GUARANTEE IS MADE REGARDING (A) MATTERS AFFECTING THE BENEFICIAL INTEREST OF ANY MORTGAGE OR DEED OF TRUST WHICH MAY BE SHOWN HEREIN AS AN EXCEPTION, OR (B) OTHER MATTERS WHICH MAY AFFECT ANY SUCH MORTGAGE OR DEED OF TRUST.

NO GUARANTEE IS MADE REGARDING ANY LIENS, CLAIMS OF LIEN, DEFECTS OR ENCUMBRANCES OTHER THAN THOSE SPECIFICALLY PROVIDED FOR ABOVE, AND, IF INFORMATION WAS REQUESTED BY REFERENCE TO A STREET ADDRESS, NO GUARANTEE IS MADE THAT SAID REAL PROPERTY IS THE SAME AS SAID ADDRESS.

EXCEPTIONS:

- 1. LAST HALF OF GENERAL TAXES FOR 2024 OWING IN THE SUM OF \$115,514.00. TAX ACCOUNT NO. 1-0188-1BP-5258-001 (PARCEL A). (FULL YEAR GENERAL TAXES WERE IN THE AMOUNT OF \$2,310.35) (AREA CODE R1) FIRST HALF TAXES ARE DELINQUENT MAY 1; LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.**
- 2. LIABILITY TO FUTURE ASSESSMENT BY KENNEWICK IRRIGATION DISTRICT.**

SAID SUBJECT PROPERTY IS WITHIN THE KENNEWICK IRRIGATION DISTRICT; HOWEVER, WAS NOT ASSESSED THIS YEAR.

CONTINUED

3. T & M PERMIT AND THE TERMS AND CONDITIONS THEREOF:
GRANTEE: UNITED STATES OF AMERICA, ITS SUCCESSORS AND/OR ASSIGNS
DATED: MARCH 13, 1954
RECORDED: MARCH 23, 1954
RECORDING NO.: [326884](#) (INCLUDES OTHER PROPERTY)

4. RECORDABLE CONTRACT AND THE TERMS AND CONDITIONS THEREOF:
BETWEEN: THE UNITED STATES OF AMERICA
AND: NORTHERN PACIFIC RAILWAY CO.
DATED: APRIL 2, 1956
RECORDED: APRIL 11, 1956
RECORDING NO.: [355503](#) (INCLUDES OTHER PROPERTY)

5. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
RECORDED: AUGUST 5, 1976
RECORDING NO.: [708431](#) (INCLUDES OTHER PROPERTY)
IN FAVOR OF: UNITED STATES OF AMERICA AND ITS ASSIGNS
FOR: ALTERNATING ELECTRIC POWER TRANSMISSION LINES AND
APPURTENANCES THERETO

A PORTION OF SAID EASEMENT HAS BEEN RELEASED PURSUANT TO QUIT CLAIM DEED
RECORDED JUNE 5, 2014 UNDER AUDITOR'S FILE NUMBER [2014-013303](#). PLEASE REFERENCE
SAID QUIT CLAIM DEED FOR FULL DETAILS.

6. RIGHT OF WAY EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF,
FOR ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE, TOGETHER WITH NECESSARY
APPURTENANCES, AS GRANTED BY INSTRUMENT;
RECORDED: APRIL 26, 1978
RECORDING NO.: 757041 (INCLUDES OTHER PROPERTY)
IN FAVOR OF: PUBLIC UTILITY DISTRICT NO. 1 OF BENTON COUNTY, WASHINGTON
COUNTY, WASHINGTON, A MUNICIPAL CORPORATION
FOR: CONSTRUCTION, OPERATION AND MAINTENANCE OF AN ELECTRIC
POWER LINE

7. RIGHT OF WAY OF AMON WASTE WAY AS DISCLOSED BY INSTRUMENT RECORDED SEPTEMBER
27, 1979 UNDER AUDITOR'S FILE NUMBER [803521](#), RECORDS OF BENTON COUNTY, WASHINGTON.

8. EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
RECORDED: NOVEMBER 30, 1982
RECORDING NO.: 869563 (INCLUDES OTHER PROPERTY)
IN FAVOR OF: UNITED STATES OF AMERICA AND ITS ASSIGNS
FOR: LOCATE, CONSTRUCT, OPERATE, MAINTAIN, REPAIR, REBUILD,
UPGRADE, REMOVE AND PATROL ONE LINE OF POLES OR STRUCTURES AND
APPURTENANCES

CONTINUED

9. EXCEPTIONS AND RESERVATIONS CONTAINED IN INSTRUMENTS;

FROM: GLACIER PARK COMPANY
RECORDED: AUGUST 6, 1990, AUGUST 15, 1990 AND OCTOBER 13, 1998
RECORDING NOS.: 90-12903, [90-13533](#), [1998-030435](#) (ALL INCLUDE OTHER PROPERTY)
AS FOLLOWS:

EXCEPTING AND RESERVING, HOWEVER, TO THE GRANTOR, FOR ITSELF, ITS SUCCESSORS AND ASSIGNS, FOREVER, ALL RIGHT, TITLE AND INTEREST, AND TO ALL GEOTHERMAL HEAT AND ALL ORES AND MINERALS OF ANY NATURE WHATSOEVER, INCLUDING, BUT NOT LIMITED TO, OIL, GAS, OTHER HYDROCARBONS, CARBON DIOXIDE, COAL, IRON, GAS OCCURRING IN COAL, FORMATION, INDUSTRIAL MINERALS, METALLIC MINERALS, AGGREGATES, SAND, GRAVEL, CLAY, URANIUM, ROCK, INCLUDING, BUT NOT LIMITED TO, ROCK OF A UNIQUE CHARACTER (HEREINAFTER "MINERALS"), IN AND UNDER OR WHICH MAY BE PRODUCED FROM THE ABOVE-DESCRIBED REAL ESTATE (HEREINAFTER "PREMISES"), TOGETHER WITH ALL THE RIGHT TO ENTER UPON THE PREMISES FOR THE PURPOSES OF PROSPECTING AND EXPLORING FOR MINERALS BY GEOPHYSICAL, GEOCHEMICAL OR OTHER MEANS, AND FOR THE PURPOSES OF DRILLING, EXTRACTING, OPERATING AND WORKING ANY EXTRACTION AND PROCESSING FACILITIES BY ANY PROCEDURES WHATSOEVER, AND TAKING OUT, REMOVING, CARRYING AWAY, THE TENEMENTS, HEREDITAMENTS AND APPURTENANCES. PROVIDED, HOWEVER, THAT THE GRANTEE, HIS SUCCESSORS AND ASSIGNS, SHALL BE PAID JUST AND REASONABLE COMPENSATION FOR ANY ACTUAL PHYSICAL INJURY THEREON CAUSED BY THE EXERCISE OF ANY RIGHTS HEREIN RESERVED. THE EXERCISE OF SUCH RIGHTS BY THE GRANTOR OR ITS SUCCESSORS AND ASSIGNS SHALL NOT BE POSTPONED OR DELAYED PENDING REASONABLE EFFORTS TO AGREE UPON, OR HAVE DETERMINED, SUCH JUST AND REASONABLE COMPENSATION.

PLEASE NOTE THE FOLLOWING INSTRUMENTS:

STATUTORY QUITCLAIM DEED, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: JANUARY 7, 1997
RECORDING NUMBER: 97-262
GRANTOR: GLACIER PARK COMPANY, A DELAWARE CORPORATION
GRANTEE: GARY MAUGHAN AND CAROL MAUGHAN AS HUSBAND AND WIFE AND
JOINT TENANTS

SAID INSTRUMENT IS A RE-RECORD OF INSTRUMENT:

RECORDED: FEBRUARY 7, 1996
RECORDING NUMBER: 96-3049

CONTINUED

QUIT CLAIM DEED, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: JUNE 30, 2000
RECORDING NUMBER: [2000-016563](#)
GRANTOR: GARY MAUGHAN AND CAROL MAUGHAN, HUSBAND AND WIFE AND
JOINT TENANTS
GRANTEE: SADDLE MOUNTAIN MINERALS L.L.C., A WASHINGTON LIMITED LIABILITY
COMPANY

NOTICE OF CLAIM TO SEVERED MINERAL INTEREST, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: JANUARY 13, 2009
RECORDING NUMBER: [2009-000812](#)
CLAIMANT: BURLINGTON RESOURCES OIL & GAS COMPANY L.P., A DELAWARE
PARTNERSHIP (FORMERLY KNOWN AS MERIDIAN OIL INC. AND BURLINGTON RESOURCES OIL &
GAS COMPANY), AND A WHOLLY OWNED SUBSIDIARY OF CONOCOPHILLIPS

QUIT CLAIM DEED, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: DECEMBER 27, 2012
RECORDING NUMBER: [2012-040751](#)
GRANTOR: SADDLE MOUNTAIN MINERALS, L.L.C., A WASHINGTON LIMITED LIABILITY
COMPANY
GRANTEE: FORTERVA NW, A WASHINGTON NON-PROFIT CORPORATION, FORMERLY
CASCADE LAND CONSERVANCY

QUIT CLAIM DEED, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

RECORDED: AUGUST 5, 2015
RECORDING NUMBER: [2015-023048](#)
GRANTOR: FORTERVA NW, A WASHINGTON NON-PROFIT CORPORATION, FORMERLY
CASCADE LAND CONSERVANCY
GRANTEE: RICHLAND 132, LLC

10. REQUIREMENT OF NOTICE AND THE TERMS, CONDITIONS, COVENANTS AND RESTRICTIONS THEREOF:

IN FAVOR OF: FORTERRA NW, A WASHINGTON NON-PROFIT CORPORATION
DATED: APRIL 9, 2014
RECORDED: APRIL 22, 2014
RECORDING NO.: [2014-009167](#)

INCLUDING BUT NOT LIMITED TO THE FOLLOWING: (PLEASE REFERENCE THE ABOVE PARAGRAPH FOR THE MINERAL ESTATE)

CONTINUED

THIS REQUIREMENT OF NOTICE IS INTENDED TO: 1) PROVIDE NOTICE OF FORTERRA NW'S OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN; AND 2) INSURE THAT ALL PARTIES SUBMITTING APPLICATIONS FOR LAND USE PERMITS OR APPROVALS ON OR ACROSS ALL OR A PORTION OF SUCH PROPERTY OBTAIN FORTERRA NW'S CONSENT WHEREVER CONSENT OF ALL OWNERS IS REQUIRED, INCLUDING WITHOUT LIMITATION FOR PLATS AND RIGHT-OF-WAYS.

BY QUIT CLAIM DEED RECORDED ON DECEMBER 27, 2012 AMONG THE LAND RECORDS OF BENTON COUNTY, RECORDING NO. 2012-040751, FORTERRA OBTAINED TITLE TO ALL MINERALS AND MINERAL RIGHTS IN OR UNDER OR WHICH MAY BE PRODUCED FROM THE FOLLOWING DESCRIBED CERTAIN REAL PROPERTY.

11. SIDEWALK, UTILITY AND LANDSCAPE EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
RECORDED: OCTOBER 3, 2008
RECORDING NO.: [2008-028963](#) AFFECTS LOT 1
IN FAVOR OF: CITY OF KENNEWICK
AFFECTS: SUBJECT PROPERTY AND INCLUDES OTHER PROPERTY
12. SLOPE AND DRAINAGE EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
RECORDED: OCTOBER 3, 2008
RECORDING NO.: [2008-028964](#)
IN FAVOR OF: CITY OF KENNEWICK
AFFECTS: SUBJECT PROPERTY
13. PERMANENT SIDEWALK AND UTILITY EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
RECORDED: FEBRUARY 3, 2012
RECORDING NO.: [2012-003446](#)
IN FAVOR OF: CITY OF KENNEWICK, A WASHINGTON MUNICIPAL CORPORATION
AFFECTS: SUBJECT PROPERTY
14. PERMANENT SIDEWALK AND UTILTIY EASEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF;
RECORDED: FEBRUARY 24, 2012
RECORDING NO.: [2012-005408](#)
IN FAVOR OF: CITY OF KENNEWICK, A WASHINGTON MUNICIPAL CORPORATION
FOR: SIDEWALKS AND UTILITIES, OF PERPETUAL DURATION
15. CITY OF RICHLAND ORDINANCE NO. 11-14, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF, ENTERED INTO;
DATED: JUNE 3, 2014
RECORDED: JULY 16, 2014
RECORDING NO.: [2014-017200](#)

CONTINUED

16. NOTES AS CONTAINED ON THE FACE OF SAID PLAT, AS FOLLOWS:

A) NO BUILDING PERMITS FOR THE PROPOSED LOTS SHALL BE ISSUED FOR ANY STRUCTURE REQUIRING POTABLE WATER AND SANITARY SEWER SERVICE UNTIL AN APPROVED WATER AND SEWER DISTRIBUTION SYSTEM THAT WILL PROVIDE SERVICES TO THE LOT THE STRUCTURE WILL BE BUILT ON HAS BEEN DESIGNED AND ACCEPTED BY THE CITY OF RICHLAND ENGINEERING DEPT. NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR ANY STRUCTURE UNTIL SAID SYSTEM IS CONSTRUCTED AND ACCEPTED BY THE CITY. UTILITY INFORMATION IS AVAILABLE THROUGH THE CITY OF RICHLAND.

B) C#####] = ADDRESSES SUBJECT TO CHANGE BY THE CITY OR RICHLAND. ZIP CODE 99352.

C) DIRECT ACCESS ONTO STEPTOE STREET FROM THE SITE WILL BE PROHIBITED.

17. EASEMENT DELINEATED ON THE FACE OF THE PLAT OF SAID SUBDIVISION; FOR SIDEWALK, UTILITY, ACCESS, SEWER AND IRRIGATION. (AFFECTS PORTION OF SAID PREMISES)

18. OUTSIDE UTILITY AGREEMENT, INCLUDING THE TERMS, COVENANTS AND PROVISIONS THEREOF:

BETWEEN: CITY OF KENNEWICK, A MUNICIPAL CORPORATION
AND: BUSH TRUSTEES TIMOTHY T. AND KATHRYN L.
DATED: SEPTEMBER 30, 2019
RECORDED: SEPTEMBER 30, 2019
RECORDING NO.: [2019-029900](#)

19. UNRECORDED LEASEHOLDS, RIGHTS OF VENDORS AND HOLDERS OF SECURITY INTERESTS ON PERSONAL PROPERTY INSTALLED ON THE PREMISES AND RIGHTS OF TENANTS TO REMOVE TRADE FIXTURES, IF ANY SUCH INTEREST EXISTS.

20. ANY SECURITY INTEREST IN GOODS WHICH ARE OR MAY BECOME FIXTURES LOCATED ON SAID PREMISES CREATED OR EXISTING UNDER THE PROVISIONS OF UNIFORM COMMERCIAL CODE R.C.W. 62-A.

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

GRANTOR: TIMOTHY T. BUSH AND KATHRYN L. BUSH TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE BUSH LIVING TRUST, DATED AUGUST 18, 1999, AND ANY AMENDMENTS THERETO
TRUSTEE: CASCADE TITLE COMPANY
BENEFICIARY: NUMERICA CREDIT UNION
AMOUNT: \$350,000.00
DATED: January 07, 2020
RECORDED: January 24, 2020
AUDITOR'S FILE NO.: [2020-002677](#)

CONTINUED

22. ASSIGNMENT OF LEASES AND/OR RENTS:

ASSIGNOR: TIMOTHY T. BUSH AND KATHRYN L. BUSH TRUSTEES, OR THEIR SUCCESSORS IN TRUST, UNDER THE BUSH LIVING TRUST, DATED AUGUST 18, 1999, AND ANY AMENDMENTS THERETO
ASSIGNEE: NUMERICA CREDIT UNION
RECORDED: January 24, 2020
AUDITOR'S FILE NO.: [2020-002678](#)

23. FINANCING STATEMENT AND THE TERMS AND CONDITIONS THEREOF:

DEBTOR: BUSH LIVING TRUST, DATED AUGUST 18, 1999
SECURED PARTY: NUMERICA CREDIT UNION
COVERS: ALL FURNITURE, FIXTURES, AND EQUIPMENT; WHETHER ANY OF THE FOREGOING IS OWNED NOW OR ACQUIRED LATER; ALL ACCESSIONS, ADDITIONS, REPLACEMENTS, AND SUBSTITUTIONS RELATING TO ANY OF THE FOREGOING; ALL RECORDS OF ANY KIND RELATING TO ANY OF THE FOREGOING
RECORDED: January 24, 2020
AUDITOR'S FILE NO.: [2020-002679](#)

END OF SCHEDULE A EXCEPTIONS.

NOTES:

- a. THE ADDRESS OF THE SUBJECT PROPERTY IS:

NA
RICHLAND, WA 99352

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

TAX ACCOUNT NO.:1-0188-1BP-5258-001 (PARCEL A)

LAND:	NA
IMPROVEMENTS:	NA
TOTAL:	NA

TAX ACCOUNT NO.:1-0188-1BP-5258-002 (PARCEL B)

LAND:	NA
IMPROVEMENTS:	NA
TOTAL:	NA

TAX ACCOUNT NO.:1-0188-1BP-5258-003 (PARCEL C)

LAND:	NA
IMPROVEMENTS:	NA
TOTAL:	NA

TAX ACCOUNT NO.:1-0188-1BP-5258-004 (PARCEL D)

LAND:	NA
IMPROVEMENTS:	NA
TOTAL:	NA

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

ABBREVIATED LEGAL DESCRIPTION:

LOTS 1-4, BINDING SITE PLAN 5258

- d. GENERAL TAXES FOR 2024 IN THE SUM OF \$1,086.20, ARE PAID IN FULL. TAX ACCOUNT NO. [1-0188-1BP-5258-002](#) (PARCEL B). (AREA CODE R1, FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)

CONTINUED

- e. GENERAL TAXES FOR 2024 IN THE SUM OF \$978.48, ARE PAID IN FULL. TAX ACCOUNT NO. [1-0188-1BP-5258-003](#) (PARCEL C). (AREA CODE R1, FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)
- f. GENERAL TAXES FOR 2024 IN THE SUM OF \$561.04, ARE PAID IN FULL. TAX ACCOUNT NO. [1-0188-1BP-5258-004](#) (PARCEL D). (AREA CODE R1, FIRST HALF TAXES ARE DELINQUENT MAY 1. LAST HALF TAXES ARE DELINQUENT NOVEMBER 1.)

EXHIBIT "A"

LOT 1

NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 8 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

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

**THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 72.91 FEET;
THENCE SOUTH 6°20'59" WEST 78.80 FEET;
THENCE NORTH 23°39'01" WEST 29.00 FEET;
THENCE SOUTH 66°20'59" WEST 121.56 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE NORTH 24°05'39" WEST ALONG SAID LINE 20.48 FEET;
THENCE NORTH 20°54'21" EAST ALONG SAID LINE 79.96 FEET TO THE SOUTHERLY RICHTHOF-WAY LINE OF SAID CENTER PARKWAY AND THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH 21°34'37" EAST 475.00 FEET,
THENCE NORTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE. 172.68 FEET THROUGH A DELTA ANGLE OF 20°49'45";
THENCE NORTH 89°15'10" EAST ALONG SAID LINE 5.62 FEET TO THE SAID TRUE POINT OF BEGINNING**

LOT 2

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

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 97.47 FEET TO THE TRUE POINT OF BEGINNING;

CONTINUED

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 110.97 FEET;
THENCE SOUTH 66°20'59" WEST 157.03 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE NORTH 23°38'54" WEST ALONG SAID LINE 123.48 FEET;
THENCE NORTH 24°05'39" WEST ALONG SAID LINE 7.71 FEET;
THENCE NORTH 66°20'59" EAST 121.56 FEET;
THENCE SOUTH 23°39'01" EAST 29.00 FEET;
THENCE NORTH 66°20'59" EAST 78.80 FEET TO THE SAID TRUE POINT OF BEGINNING.

LOT 3

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

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 208.44 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 210.38 FEET;
THENCE SOUTH 89°04'45" WEST 94.48 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE NORTH 11°47'05" WEST ALONG SAID LINE 23.86 FEET;
THENCE NORTH 17°53'20" WEST ALONG SAID LINE 19.22 FEET TO THE BEGINNING OF A CURVE TO THE LEFT THE RADIUS POINT OF WHICH BEARS SOUTH 72°06'40" WEST 1,052.00 FEET,
THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID RIGHT-OF-WAY LINE 105.75 FEET THROUGH A CENTRAL ANGLE OF 05°45'34";
THENCE NORTH 23°38'54" WEST ALONG SAID LINE 9.18 FEET;
THENCE NORTH 66°20'59" EAST 157.03 FEET TO THE SAID TRUE POINT OF BEGINNING.

CONTINUED

LOT 4

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

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION THENCE SOUTH 00°42'01" EAST ALONG THE EASTERLY LINE OF SAID SECTION 418.82 FEET TO THE TRUE POINT OF BEGINNING;

THENCE CONTINUING SOUTH 00°42'01" EAST ALONG SAID EASTERLY SECTION LINE 286.66 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF STEPTOE STREET;
THENCE THE FOLLOWING COURSES ALONG SAID RIGHT-OF-WAY LINE,
NORTH 17°53'16 WEST 10.11 FEET;
NORTH 17°15'08" WEST 126.95 FEET;
SOUTH 72°44'52" WEST 18.12 FEET;
NORTH 17°15'08" WEST 67.90 FEET;
NORTH 11°47'05" WEST 96.82 FEET;
THENCE LEAVING SAID COURSES NORTH 89°04'45" EAST 94.48 FEET TO THE SAID TRUE POINT OF BEGINNING.

Cascade Title Company of Benton-Franklin Counties

Privacy Policy Notice

PURPOSE OF THIS NOTICE

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this document, which notifies you of the privacy policies and practices of **Cascade Title Company of Benton-Franklin Counties**

We may collect nonpublic personal information about you from the following sources:

Information we receive from you such as on applications or other forms.

Information about your transactions we secure from our files, or from [our affiliates or] others.

Information we receive from a consumer reporting agency.

Information that we receive from others involved in your transaction, such as the real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates as permitted by law.

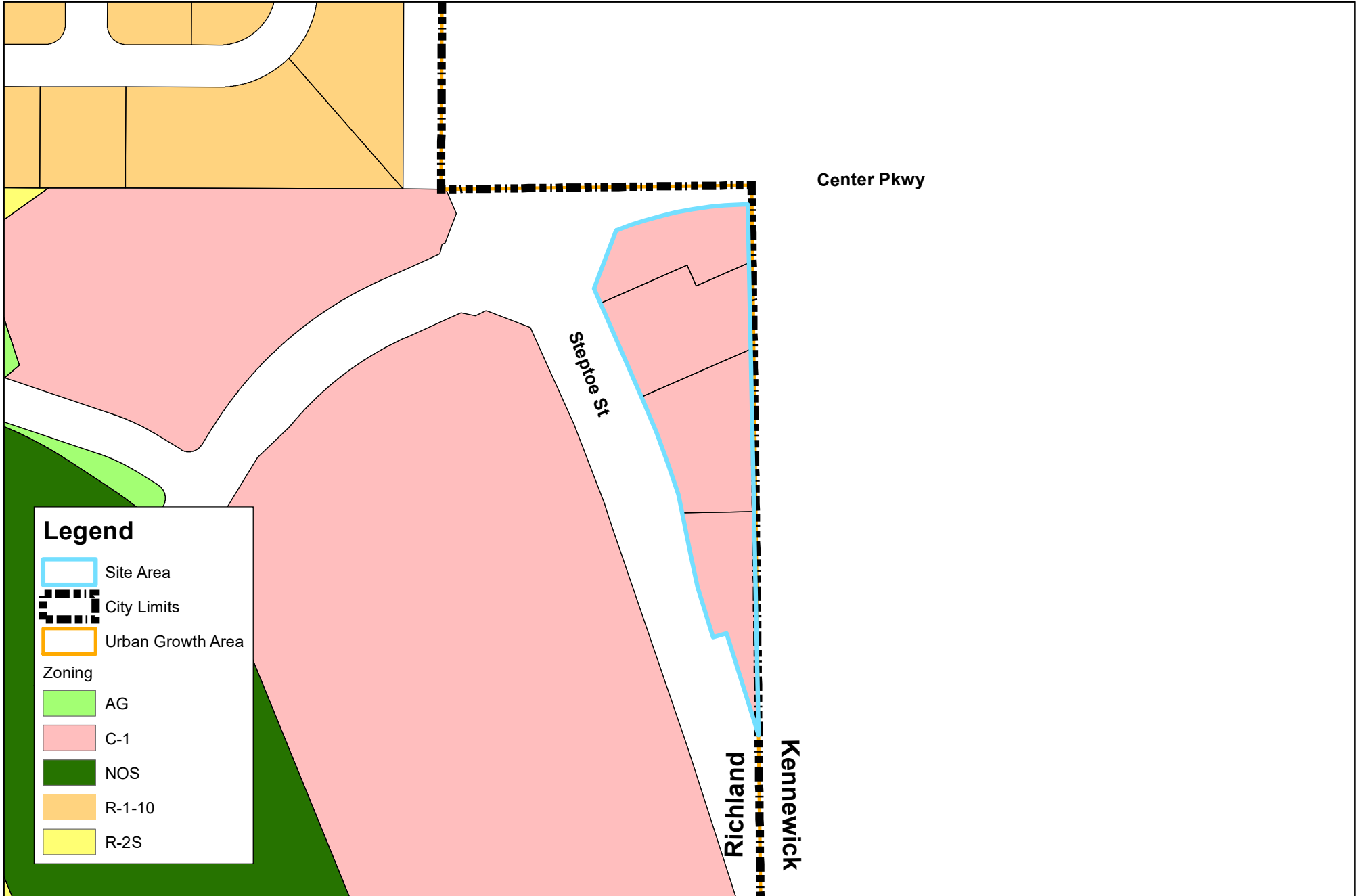
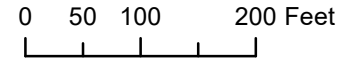
WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU WITH ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information in order to provide products or services to you. We maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.









Zoning Map

Item: 9025 Center Pkwy zone change
Applicant: Rick Simon
File #: PLN-T3A-2024-00001

Exhibit 2

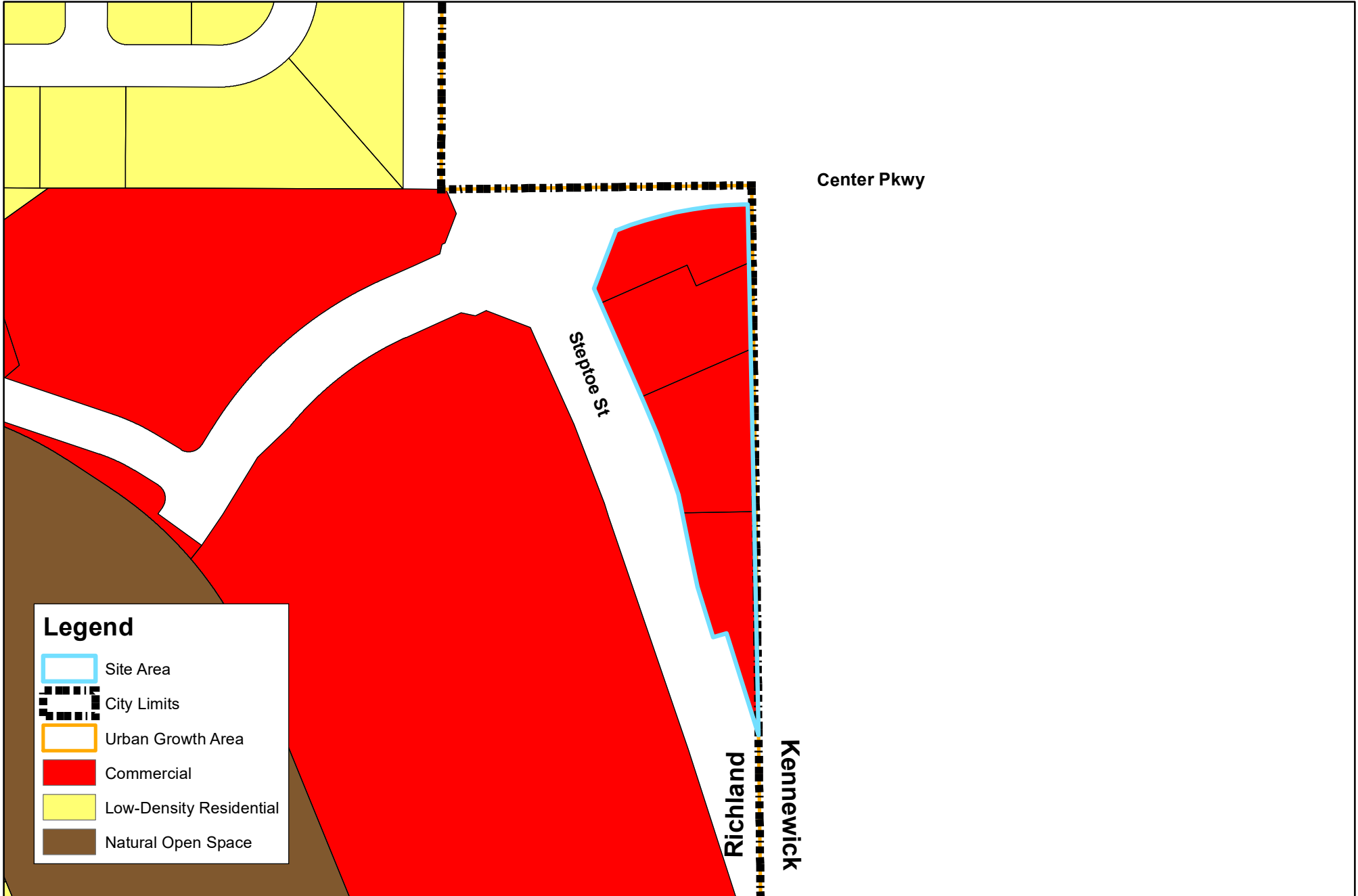
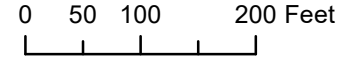


Legend







-  Site Area
-  City Limits
-  Urban Growth Area
- Zoning
 -  AG
 -  C-1
 -  NOS
 -  R-1-10
 -  R-2S

Land Use Map

Item: 9025 Center Pkwy zone change
Applicant: Rick Simon
File #: PLN-T3A-2024-00001



Legend

-  Site Area
-  City Limits
-  Urban Growth Area
-  Commercial
-  Low-Density Residential
-  Natural Open Space

Vicinity Map


Item: 9025 Center Pkwy zone change
Applicant: Rick Simon
File #: PLN-T3A-2024-00001



0 50 100 200 Feet



Legend

-  Site Area
-  City Limits
-  Urban Growth Area



Richland

Exhibit 3

CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (PLN-T3A-2024-00001)

Notice is hereby given that Rick Simon, RPS Planning Consulting LLC. (applicant) has filed a zone change application on behalf of Tim Bush (owner) to rezone approximately 1.7 acres from Neighborhood Retail (C-1) to Retail Business (C-2). The site area is designated as Commercial by the Richland Comprehensive Plan. The applicant has proposed a property use and development agreement to limit specific commercial uses and building height to be similar to the C-1 zone.

Project Site: The project site is located at 9025 Center Parkway, Richland, WA, and the adjacent properties to the south of this property (APNs 1-01881BP5258001, 1-01881BP5258002, 1-01881BP5258003, and 1-01881BP5258004).

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

Environmental Review: The proposal is not subject to environmental review according to WAC 197-11-904

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

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

Vicinity Map

Item: 9025 Center Pkwy zone change
Applicant: Rick Simon
File #: PLN-T3A-2024-00001



0 50 100 200 Feet



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AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

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

- 1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.
- 2. On the 18th day of July 2024, I posted the attached NOTICE OF PUBLIC HEARING, File Number PLN-T3A-2024-00001 (9025 Center Parkway Zone Change) in the following locations:

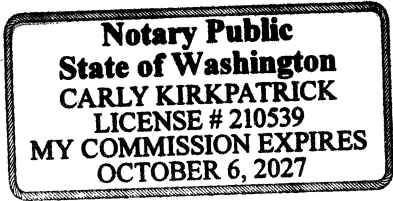
Approximately 85 feet south from the crosswalk of the southeast corner of the Center Parkway and Steptoe Street intersection.

Kyle Hendricks
Signed: Kyle Hendricks

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

Carly
Signature of Notary

Carly Kirkpatrick
Printed Name



Notary Public in and for the State of Washington,
Residing in Benton County
My appointment expires: Oct. 6, 2027

OCTOBER 8 1953
MA COMMISSION EXHIBIT
LICENSE # 310238
CYNTHIA KIRBY KIRK
STATE OF MASSACHUSETTS
LAWSON B. HARRIS

CONFIDENTIAL
MASSACHUSETTS
STATE ARCHIVES
10/8/53

WARREN JAMES A & JUDY L
305 N QUEBEC ST
KENNEWICK, WA 99336

PANTELEYEV PAVEL & INNA
215 N QUEBEC ST
KENNEWICK, WA 99336

KORF MARINA Y & ALEKANDR M
207 N QUEBEC ST
KENNEWICK, WA 99336

HOWARD LOWELL E & KYUNG S
105 N QUEBEC STREET
KENNEWICK, WA 99336

RUIZ MANUEL
8907 W BRUNEAU AVE
KENNEWICK, WA 99336

THE BOYCE LIVING TRUST
8902 W BRUNEAU AVE
KENNEWICK, WA 99336

NIPP KATHY M & MARK A
8905 W CLEARWATER PL
KENNEWICK, WA 99336

QUIROGA LETIZIA M
8900 W CLEARWATER PL
KENNEWICK, WA 99336

GRANDRIDGE MEADOWS HOMEOWNER'S ASSOC
1920 N PITTSBURG ST STE A
KENNEWICK, WA 99336

FREITAG TODD
99106 E BRANDON DR
KENNEWICK, WA 99338

CHEN GRACE & WELSH KEITH MILTON
301 N QUEBEC ST
KENNEWICK, WA 99336

ANDRESEN MICHAEL W & KRISTINE M
211 N QUEBEC ST
KENNEWICK, WA 99336

BARTON BAX R
PO BOX 278
SEAHURST, WA 98062

ANEMA RICHARD J & MARYILYN E
101 N QUEBEC ST
KENNEWICK, WA 99336

DONNELLY JACK W & MAYA
8903 W BRUNEAU AVE
KENNEWICK, WA 99336

BISCONER PAM
8906 W BRUNEAU AVE
KENNEWICK, WA 99336

HALL JAMES & IRENE
8901 W CLEARWATER PL
KENNEWICK, WA 99336

QUIGLEY RICHARD N & SHERRIE L
8904 W CLEARWATER PL K
ENNEWICK, WA 99336

GRANDRIDGE MEADOWS HOMEOWNER'S ASSOC
1920 N PITTSBURG ST STE A
KENNEWICK, WA 99336

KEEN JESSE L & KIMBERLEE N
71 N QUEBEC ST
KENNEWICK, WA 99336

RENDERS JOSEPH M & ASHLEY T
57 N QUEBEC ST
KENNEWICK, WA 99338

PACK BRANDON RAY & KIMBERLY N
27 N QUEBEC STREET
KENNEWICK, WA 99336

STEWART CODY M
200 W 50TH AVE
KENNEWICK, WA 99337

SLOVER SHAWN & KIMBERLY
8901 W DESCHUTES DR
KENNEWICK, WA 99336

CHASE KEVIN C
8913 E DESCHUTES DR
KENNEWICK, WA 99336

COMBS MICHAEL S & CORIE A
3927 S MORAIN LOOP
KENNEWICK, WA 99337

ROBLES BIRRUETA LUIS A & ROBLES GINA
9007 W DESCHUTES DRIVE
KENNEWICK, WA 99336

FRIBERG CHRISTOPHER G & CARLA M
9019 W DESCHUTES DR
KENNEWICK, WA 99336-1071

FOSTER CHRISTOPHER L
9031 W DESCHUTES DR
KENNEWICK, WA 99336-1071

COULSON DAVID LEON & KAREN SUE
8912 W DESCHUTES DR
KENNEWICK, WA 99336-1068

REFFALT TOMMY J
43 N QUEBEC ST
KENNEWICK, WA 99336

STEWART JOSHUA STEVEN
8925 W BRUNEAU PL
KENNEWICK, WA 99338

ANDERSON TRUSTEES PAUL ARTHUR & BETSY PALMER
8912 W BRUNEAU PL
KENNEWICK, WA 99336

SWANSON VIVIANNE L
8907 W DESCHUTES
KENNEWICK, WA 99336

PRICE ROGER D & KAREN K
8919 W DESCHUTES DR
KENNEWICK, WA 99336

VANDERVEER EDWARD M
9001 W DESCHUTES DR
KENNEWICK, WA 99336-1071

FLAUCHER REX & SHARON
3602 S VANCOUVER ST
KENNEWICK, WA 99337-3826

HARPER WAYNE A & DEBORAH L
9025 W DESCHUTES DR
KENNEWICK, WA 99336-1071

JACKSON BARIDI & POLITO JULISSA
8908 W DESCHUTES DR
KENNEWICK, WA 99336

MEYER RAYME L
8918 W DESCHUTES DR
KENNEWICK, WA 99336

HOANG THIEC C & NGO THUY B
2612 TIGER LANE
RICHLAND, WA 99352

BUSH FAMILY GIVING LLC
3019 DUPORTAIL ST #226
RICHLAND, WA 99352

BUSH TRUSTEES TIMOTHY T & KATHRYN L
3019 DUPORTAIL ST, STE #226
RICHLAND, WA 99352

RICHLAND 132 LLC
2464 SW GLACIER PLACE STE 110
REDMOND, OR 97756

O'DONNELL JAMES A & COROLYN T
2624 TIGER LN
RICHLAND, WA 99352

BUSH FAMILY GIVING LLC
3019 DUPORTAIL ST #226
RICHLAND, WA 99352

RICHLAND 132 LLC
2464 SW GLACIER PLACE STE 110
REDMOND, OR 97756

BUSH TRUSTEES TIMOTHY T & KATHRYN L
3019 DUPORTAIL ST, STE #226
RICHLAND, WA 99352



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

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

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

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	575738	Print Legal Ad-IPL01849970 - IPL0184997	HE PHN PLN-T3A-2024-0	\$169.93	1	57 L

Attention: (company)

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

janderson@ci.richland.wa.us

**CITY OF RICHLAND
 NOTICE OF APPLICATION,
 PUBLIC HEARING
 (PLN-T3A-2024-00001)**

Notice: Rick Simon, RPS Planning Consulting LLC (applicant), has filed a zone change application on behalf of Tim Bush (owner) to rezone approximately 1.7 acres from Neighborhood Retail (C-1) to Retail Business (C-2). The site area is designated as Commercial by the Richland Comprehensive Plan. The applicant has proposed a property use and development agreement to limit specific commercial uses and building height to be similar to the C-1 zone.

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

Environmental Review: The proposal is not subject to environmental review according to WAC 197-11-904.

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

Date Published: Sunday, July 28, 2024
 IPL0184997
 Jul 28 2024

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

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

1 insertion(s) published on:

07/28/24

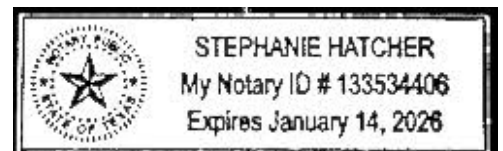
Mary Castro

(Signature of Legals Clerk)

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

Stephanie Hatcher

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



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

MEMORANDUM

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

TO: CITY OF RICHLAND PLANNING DEPARTMENT
FROM: JOHN WHITTIER – CIVIL ENGINEER 1
DATE: JULY 30th, 2024
SUBJECT: REZONE APPLICATION #PLN-T3A-2024-00001 – 9025 CENTER PKWY

To whom it may concern,

The Public Works Permitting Department reviewed the submitted Re-Zone application for 9025 Center Pkwy. received on July 19th, 2024, and have the following comments noted below.

1. As mentioned in the report, direct access onto Steptoe St. will be prohibited for this location. The project will be required to maintain the existing access easement off Center Parkway for all lots.
2. *Advisory Comment Only:* Note that water and sewer services will have to be extended to individual properties at the time of future commercial construction.

If you have any questions, please let me know.

Thank you,
John T. Whittier, PE
509-942-7649

From: [Castle,Angela C \(CONTR\) - TERR-PASCO](#)
To: [Planning](#)
Subject: RE: [EXTERNAL] PLN-T3A-2024-00001 Rezone 9025 Center Parkway
Date: Monday, July 22, 2024 1:30:29 PM
Attachments: [image001.png](#)

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

Hello Mike,

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

Thank You

Angela Castle

(Contractor) Actalent

Realty Technician II

BPA, TERR

ACCastle@BPA.gov

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

2211 N Commercial Ave

Pasco WA 99301

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

Sent: Friday, July 19, 2024 11:39 AM

To: _Address Change Notification_All; Castle,Angela C (CONTR) - TERR-PASCO <ACCastle@bpa.gov>; admin@basindisposal.com; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; BC Planning - Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton County Planning <Planning.Department@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; city@basindisposal.com; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; Crosepa@ecy.wa.gov <Crosepa@ecy.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; deanah.watson@commerce.wa.gov; Davis, Deanna <d.davis@bces.wa.gov>; Rodgers,Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrodgers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; Former Orchards <FormerOrchards@ecy.wa.gov>; GIS <gis@co.benton.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Homero.Gonzalez@ziply.com; ian_gray@yakama.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <jmcsbane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; Kinch,James L (BPA) - TERR-BELL-1 <JLKinch@bpa.gov>; Jodeer@bfhd.wa.gov; John Lyle

<john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdekyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Cummings, Nicole M (BPA) - TERR-TRI CITIES RMHQ <NMCummings@bpa.gov>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; PublicWorks@co.benton.wa.us; Quentin Wright <QWright@portofbenton.com>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Ryan Anderson <rand461@ECY.WA.GOV>; Sanchez, Juan <jsanchez@CI.RICHLAND.WA.US>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA BFHD <SEPA@bfhd.wa.gov>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WDFW <R3Planning@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>

Subject: [EXTERNAL] PLN-T3A-2024-00001 Rezone 9025 Center Parkway

Hello Everybody,

Rick Simon, RPS Planning Consulting LLC. (applicant) has filed a zone change application on behalf of Tim Bush (owner) to rezone approximately 1.7 acres from Neighborhood Retail (C-1) to Retail Business (C-2). The project site is located at 9025 Center Parkway, Richland, WA, and the adjacent properties to the south of this property (APNs 1-01881BP5258001, 1-01881BP5258002, 1-01881BP5258003, and 1-01881BP5258004). Please review the attached materials relative to your agency's regulations and submit any comments no later than 5:00 PM on Thursday, August 1, 2024. Comments may be submitted via e-mail to planning@ci.richland.wa.us or mailed to: Richland Development Services Department, 625 Swift Boulevard, MS #35, Richland, WA 99352.

Your timely review is very much appreciated.

Thank you,



Jodi Hogan

Permit Technician I

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

(509) 942-7771

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From: [Rodgers,Deborah \(CONTR\) - TERR-TRI CITIES RMHQ](#)
To: [Planning](#)
Subject: RE: [EXTERNAL] PLN-T3A-2024-00001 Rezone 9025 Center Parkway
Date: Thursday, August 1, 2024 4:19:03 PM
Attachments: [image002.png](#)
[image003.png](#)

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

Jodi,

Bonneville Power Administration (BPA) has had the opportunity to review PLN-T3A-2024-00001 Rezone 9025 Center Parkway.

In researching our records, we have found that this proposal will not directly impact BPA facilities. BPA does not have any objections to the approval of this request at this time.

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

Thank you for the opportunity to review this application.



Deborah Rodgers

Realty Technician Contractor
2211 North Commercial Avenue, Pasco, WA 99301
Bonneville Power Administration | TERR/Tri-Cities-RMHQ
Real Property Field Services | P 509.544.4749 C (360) 624-0566
dxrogers@bpa.gov

[APPLICATION FOR PROPOSED USE OF BPA RIGHT-OF-WAY](#)

[Landowner Safety - Bonneville Power Administration \(bpa.gov\)](#)

[Vegetation Management - Bonneville Power Administration \(bpa.gov\)](#)

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

Sent: Friday, July 19, 2024 11:39 AM

To: _Address Change Notification_All; Castle,Angela C (CONTR) - TERR-PASCO <ACCastle@bpa.gov>; admin@basindisposal.com; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; BC Planning - Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton County Planning <Planning.Department@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; city@basindisposal.com; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig

<C.Hamilton@bces.wa.gov>; Crosepa@ecy.wa.gov <Crosepa@ecy.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; deanah.watson@commerce.wa.gov; Davis, Deanna <d.davis@bces.wa.gov>; Rodgers, Deborah (CONTR) - TERR-TRI CITIES RMHQ <dxrodgers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; Erin Hockaday <erin.hockaday@bfhd.wa.gov>; Former Orchards <FormerOrchards@ecy.wa.gov>; GIS <gis@co.benton.wa.us>; Greg Wendt <greg.wendt@co.benton.wa.us>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Hogan, Jodi <jhogan@CI.RICHLAND.WA.US>; Homero.Gonzalez@ziply.com; ian_gray@yakama.com; Jack Howard <jack.howard@bfhd.wa.gov>; Jason McShane <jmcsane@kid.org>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; Kinch, James L (BPA) - TERR-BELL-1 <JLKinch@bpa.gov>; Jodeer@bfhd.wa.gov; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdekyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Acevedo, Mizael <macevedo@CI.RICHLAND.WA.US>; Cummings, Nicole M (BPA) - TERR-TRI CITIES RMHQ <NMCummings@bpa.gov>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Orr, Bruce <borr@CI.RICHLAND.WA.US>; Paul Gonseth <gonsetp@wsdot.wa.gov>; PublicWorks@co.benton.wa.us; Quentin Wright <QWright@portofbenton.com>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; rgoede@noanet.net; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Ryan Anderson <rand461@ECY.WA.GOV>; Sanchez, Juan <jsanchez@CI.RICHLAND.WA.US>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA BFHD <SEPA@bfhd.wa.gov>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; WDFW <R3Planning@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; Whittier, John <jwhittier@CI.RICHLAND.WA.US>; WSDOT Aviation <AviationLandUse@wsdot.wa.gov>

Subject: [EXTERNAL] PLN-T3A-2024-00001 Rezone 9025 Center Parkway

Hello Everybody,

Rick Simon, RPS Planning Consulting LLC. (applicant) has filed a zone change application on behalf of Tim Bush (owner) to rezone approximately 1.7 acres from Neighborhood Retail (C-1) to Retail Business (C-2). The project site is located at 9025 Center Parkway, Richland, WA, and the adjacent properties to the south of this property (APNs 1-01881BP5258001, 1-01881BP5258002, 1-01881BP5258003, and 1-01881BP5258004). Please review the attached materials relative to your agency's regulations and submit any comments no later than 5:00 PM on Thursday, August 1, 2024. Comments may be submitted via e-mail to planning@ci.richland.wa.us or mailed to: Richland Development Services Department, 625 Swift Boulevard, MS #35, Richland, WA 99352.

Your timely review is very much appreciated.

Thank you,



Jodi Hogan

Permit Technician I

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

(509) 942-7771

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

July 31, 2024

Jodi Hogan/ Permit Technician I
City of Richland – Development Services Department
625 Swift Blvd, MS #35
Richland, WA 99352
509-942-7771

Subject: Review Comments for PLN-T3-2024-00001 – 9025 Center Parkway - DRY

To Whom it May Concern:

The Kennewick Irrigation District has received a request for zone change to rezone approximately 1.70 acres from Neighborhood Retail (C-1) to Retail Business (C-2), the project is located at 9025 Center Parkway, Richland, WA.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries, but is not considered irrigable lands; therefore, the Kennewick Irrigation District does not assess them.
 - a. A water allotment is not assigned to this property. Water for a new allotment is unavailable at this location.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.

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

Sincerely,

Chris D. Sittman
Engineering Department/CAD Specia

cc: LB\correspondence\File: [01-08-28]
Applicant via mail – Rick Simon, RPS Planning Consultant, LLC, 98402 N. Harrington Rd., W. Richland, WA 99353

From: [Brett Menaker](#)
To: [Hendricks, Kyle](#)
Cc: [Jack Briggs](#); [Jack Donnelly](#); angeloanthony41@gmail.com; [Jim Lampman](#); [Richelle Vandiver](#); [Megan Quinn](#)
Subject: Grandridge Meadows HOA objection to Bush rezone request (PLN-T3A-2024-00001)
Date: Wednesday, July 31, 2024 8:30:17 PM

You don't often get email from brett.menaker@gmail.com. [Learn why this is important](#)

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

Dear Mr. Hendricks:

The objections by the Grandridge Meadows board of directors to this proposed rezone are two-fold:

Rezoning from C1 (neighborhood retail) to C2, even with permissible uses limited to those allowed by the existing C-1 would permit structures with increased detrimental effect on the adjacent homes in our subdivision.

Structures of larger size can be expected to attract more people and vehicles resulting in greater increased traffic on Center Parkway at a location with very limited sight lines and intersection with north Quebec Street.

Insufficient information: We would ask the city to review our HOA's previous concerns about the small triangle of land involved and our past objections to retail developments Mr. Bush has proposed in the past.

We would also ask that, prior to any rezoning, Mr. Bush (or any prospective buyer) designate what is proposed for the land in order that adjacent home owners can evaluate and possibly protest any development that would decrease either their livability or the value of their homes.

Traffic: There are only two points of entry or exit from Grandridge Meadows, - north Montana Street and north Quebec Street. Both of these must be accessed via Center Parkway. Quebec Street is located near the entry to the property at issue and on a curve on Center Parkway. The curvature makes it difficult to safely exit Quebec Street onto Center Parkway as available sight distance is short. The problem has been intensified of late by increased traffic along Steptoe and Center Parkway – a condition that will worsen with proposed large developments off Steptoe and along Bob Olson Parkway

We ask that Richland take our concerns under consideration and keep our HOA in touch with all developments via our management company, EverStar Realty 1920 N Pittsburgh St., Kennewick, WA 99336, 509-735-4042) (Megan Quinn).

Incidentally, Mr. Bush's application page 7 list of C-2 uses that would not be allowed if the

change is approved includes **Traditional** housing. I assume this is a typo as the tabulation of allowable uses for various commercial zoning categories in RMC23.22.030 lists **Transitional** housing.

Hendricks, Kyle

From: Andresen <andresenx2@aol.com>
Sent: Tuesday, July 23, 2024 3:08 PM
To: Hendricks, Kyle
Subject: RE: Notice of Application and Public Hearing (pln-t3a-2024-00001)

You don't often get email from andresenx2@aol.com. [Learn why this is important](#)

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

Kyle,

Thank you for the excellent customer service, clear explanation, and link to the referral package.

Michael Andresen

[Sent from AOL on Android](#)

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Hello Michael,

Thank you for reaching out! In their application materials the applicant has indicated that they understand the proximity to a residential neighborhood. Creating a property use and development agreement (PUDA) stays with the property until a change is proposed. Each condition within the PUDA should be followed when reviewing a project proposal on the property. So, if a PUDA says these lots cannot build higher than 30 feet (C-1 zone) then no buildings should exceed that height, despite change of ownership, unless an application to revise the PUDA or zoning change is submitted and adopted.

A portion of the applicant's language:

"Nonetheless, in order to provide some assurance to adjacent landowners, the owner is willing to enter into a development agreement with the City that would limit future development on the site to building heights of 30 feet and prohibiting the development of a wide range of C-2 land uses."

The list of proposed uses to not be permitted is a bit extensive so I recommend reviewing the referral packet. The referral packet with all application materials can be found on the City of Richland website under Departments, Development services, Planning, Land Use or with this [link](#).

I hope this helps and please let me know if you have further questions or comments regarding this matter.



Kyle Hendricks

Planner

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

(509) 942-7683

From: Andresen <andresenx2@aol.com>
Sent: Tuesday, July 23, 2024 1:10 PM
To: Hendricks, Kyle <khendricks@ci.richland.wa.us>
Subject: Notice of Application and Public Hearing (pln-t3a-2024-00001)

You don't often get email from andresenx2@aol.com. [Learn why this is important](#)

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

Mr. Hendricks,

We received from your office the subject notice. Thank you.

Our house is right behind the subject property.

Does the sentence "The applicant has proposed a property use and development agreement to limit specific commercial uses and building height to be similar to the C-1 zone." mean nobody can build taller than 30 feet without a further rezoning? Or could the current or future land owner build up to the 80 feet with out city input?

Michael Andresen

211 N Quebec St

Kennewick WA 99336

[Sent from AOL on Android](#)

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Hendricks, Kyle

From: Planning
Sent: Tuesday, July 30, 2024 4:35 PM
To: toddandsherri@charter.net
Subject: RE: project site 9025 center parkway

Hello Mr. Freitag,

Thank you for your comment, it will be included in the staff report/public record and taken into consideration by the Hearing Examiner. Providing specific reasons as to why you are in opposition will be most helpful in the Hearing Examiners review of the application. If you would like to include specific reasons, you may attend the meeting and verbally present these reasons to be entered into the record, or you may provide written comment until 5:00PM August 1st to be included in the staff report, or until 5:00PM August 12th to be entered into the record, which will still be reviewed by the Hearing Examiner when issuing their decision after the meeting.

Hope this helps,



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

From: toddandsherri@charter.net <toddandsherri@charter.net>
Sent: Monday, July 29, 2024 12:09 PM
To: Planning <planning@ci.richland.wa.us>
Subject: project site 9025 center parkway

You don't often get email from toddandsherri@charter.net. [Learn why this is important](#)

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

Kyle Hendricks:

I am the owner of the home at 87 N. Quebec
Todd Freitag.

I am NOT in favor of the zone change, please let me know if attending the meeting has a bigger impact on the decision making process

Thank You

Todd Freitag

August 6, 2024

Dear Mr. Kyle Hendricks (City of Richland):

Re: STRONG OBJECTION TO REZONING in Notice of Application PLN-T3A-2024-00001

Thanks for the public notice of the application by Mr. Tim Bush to rezone this small 1.4-acre parcel located immediately adjacent to a residential neighborhood, as well as two other residential neighborhoods.

I am a homeowner in the Grandridge Meadows neighborhood, which is located directly east of this subject property and is most likely the most affected by this proposed rezoning. To be blunt and direct on this matter, I strongly object to the rezoning proposed for the following reasons below:

1. The current land zoning for this 1.4 acres is “neighborhood retail (C-1) for a reason. That reason is this 1.4-acre plot is IMMEDIATELY ADJACENT AND ABUTTs the **Grandridge Meadows neighborhood, emphasis added**, and there are two other neighborhoods directly next door as well, which is across Center Parkway, and the soon to be built neighborhood across Steptoe that is owned by Hayden Homes. This 1.4-acre plot has neighborhoods on three sides and the last side is a major railroad line. I can only imagine; the City of Richland approved the current C-1 zoning because of this substantial point with neighborhoods in close proximity, not to mention the **extreme** proximity to 8 residential homes within feet or inches (due east) of this 1.4-acre plot. The request to change the zoning is being made by the current owner and not the City of Richland, and NO REASON or REASONS are given to why the change by the current landowner. Thus, the landowner and the City of Richland have not provided a reasonable basis as to why the zoning is proposed for a change, which is unfathomable. The simple fact is this land was already zoned C-1 due to solid reasoning by the City of Richland because of the neighborhoods and to protect residents in these neighborhoods. While the application makes mention that if the rezoning to C-2 is approved, the new zoning would be “similar” to C-1 zoning, says absolutely nothing and has zero explanation about what that means, and more importantly, the word “similar” DOES NOT

MEAN "SAME." Any reasonable homeowner knows the rules and restrictions are less restrictive for C-2 zoning, and thus would have more negative impacts and undue duress to residential neighborhoods immediately adjacent. There is no regulatory or sound basis for the City of Richland to approve the zoning change for this land-locked 1.4-acre plot that has no room to support full commercial retail zoning of C-2. This point should be sufficient for the City of Richland to deny the rezoning request to ensure that these neighborhoods are protected pursuant to the already approved zoning requirements of C-1. While not a threat, should the city approve this rezoning without a thorough and adequate basis and explanation to the immediate neighborhoods in your recent notice of a public hearing, you are likely subject to future lawsuits for improper and inadequate information provided to the public, as well as contradicting your past approval of this land as C-1, which remains the proper zoning.

2. C-1 setbacks are larger distances because of the adjacent neighborhoods and to protect residents, which further justifies the current zoning remain C-1. These setbacks are there for a reason, which is to protect the nearby homeowners. The setbacks for the C-2 zoning are much shorter, which really means the proposed buildings could be even closer to the homes if approved. Without a proper assessment of the impacts of the shorter setbacks due to the adjacent neighborhoods, the rezoning to C-2 is not possible and would not be supported based on light pollution, noise pollution, blockage of views, and most likely other codes that may apply.
3. The current assessed values of all homes on N. Quebec Street (eight) in Grandridge Meadows are currently based on the existing C-1 zoning in our neighborhood, as well as maybe other homes in the neighborhood that are also adjacent to this 1.4-acre plot. There has been no assessed value reduction completed for these homes and possibly others because of the proposed zoning change to C-2. The impact to these homeowners will be catastrophic with a zoning change to C-2, and we know the assessed property values will drop significantly based on a rezoning. Should the City of Richland approve this new zoning without a proper impact evaluation to the

home assessed values, you would be negligent and potentially liable for a lawsuit from various homeowner that may choose to seek damages because of approving a zoning change that is not warranted or substantiated.

4. While the City of Richland notice states an environmental review is not required, there are several environmental factors that would need to be assessed or evaluated as a precursor before any zoning change occurred. These factors include there is no location or space to properly manage stormwater runoff from any parking lots, roof drains, and landscape areas associated with a C-2 zoning, as well as dust mitigation requirements to comply with Benton County Clean Air Authority. Additionally, while we are not engineers, the stability of soils in this area is highly suspect with steep drop-offs to the existing Steptoe Street, and possible landslides from this area are high with additional building on this site.
5. Should the City of Richland approve this new zoning, irrespective of the objections above, additional mitigation measures would be required to maybe help offset the negative consequences of retail business zoning to C-2. These measures are likely costly but are necessary to protect the livability of the homeowners whose backyards immediate face this property and other surrounding neighborhoods. Actions may include a taller block wall system to shield noise and light without obstructing the limited view already provided by the existing block wall because of the City of Richland allowing the existing coffee shop to be built; or other engineering controls to limit light pollution or fugitive emissions resulting from increased traffic.
6. This 1.4-acre parcel is zoned C-1 and should remain C-1. It is a mere 1.4 acres buried within residential neighborhoods, and there is NO ROOM TO EXPAND. Leave the land as zoned and protect the neighborhoods immediately impacted. A major point that I assume is correct is that the burden of proof and justification is on the LANDOWNER to provide sufficient basis and reason for the change, and that is NOT APPARENT at any level. The only person that benefits from the rezoning is ONE PERSON – Tim Bush, while

countless homeowners suffer the industrialization of their backyards for this pathetic small 1.4-acre parcel, which serves no real realistic purpose for regular retail. This 1.4-acres plot still has plenty of opportunity for the landowner to use it under the C-1 zoning framework. Maybe the landowner sells the land to the City of Richland and the city can turn it into a small park to benefit the existing neighborhoods, or just let Tim Bush sell the property to willing stakeholders under the EXISTING, APPROVED C-1 zoning that is PERMITTED by the City of Richland.

To be clear, I have no personal issue with Tim Bush but do firmly stand my ground that he has not demonstrated any compelling reason to warrant a zoning change. There are many more options available to utilize the existing C-1 zoning for Mr. Bush to build something on this 1.4-acre plot that DOES NOT impact the residential neighbors.

Thanks for allowing public comments via electronic mail. I do plan to share this letter with one of the Grandridge Meadows officers of the Homeowners Association, who in fact may attend the public meeting.

Sincerely, Jack Donnelly

To: Mike Stevens, Richland city planner

Aug. 12, 2024

From Jack Briggs, Grandridge Meadows HOA board member and Architectural Control Committee member

Re: Objection to Bush rezone and land use request PLN-T3A-2024-00001

My name is Jack Briggs. For 10 years as a board member of the Grandridge Meadows Homeowners Association and a member of its Architectural Control Committee I, and others, have been trying to ensure that development of the tiny sliver of land perched above Steptoe Street that we are talking about tonight does not adversely affect our adjacent homeowners.

The 1.7 acres of Richland land is on the Kennewick side of the Richland-Kennewick division of Steptoe. It was apparently orphaned that way when Steptoe was developed to pass under the railroad tracks. So we are dealing here with a small triangular strip of land whose owner has tried for 10 years to develop, with the only success being a coffee shop.

That's hardly surprising because the land is squeezed between two busy arterial highways, a major rail line and a long-established residential subdivision.

The only entrance and exit possible to this land is a lane leading to the coffee shop and to get there can require navigating five lanes of traffic at a point on Center Parkway where visibility is restricted because the entrance is where the road bends and is within yards of the major Center Parkway-Steptoe intersection which has 24 lanes of traffic coming in and leaving.

It is a busy intersection which will undoubtedly carry even more traffic with Kennewick's large development being built along the new Bob Olson Parkway, as well as the city of Richland's anticipation of some 320 homes – many already built -and a large unbuilt commercial development immediately adjacent to that intersection.

And that does not take into account what we believe is Richland's plan eventually to tie that intersection to a road across Creekstone to Leslie and, I understand, eventually over the hill to Queensgate.

Let's look at the zoning regulations. The city says that apart from the Steptoe setback nothing would change because the land owner has agreed he will develop as though the land were still zoned C-1.

So instead of a 45 foot high wall just 15 feet from homes the wall would be 30 feet high. But that still allows people in the new developments to stare down on home owners' backyard and windows.

The proposed agreement also lists some 30 structures that won't be built on the 1.7 acres. But our HOA concern is not what WON'T BE BUILT, but specifically what WILL BE BUILT.

The present C1 zoning is intended, according to the city code, to provide (quote) "retail products and services for the convenience of nearby neighborhoods with minimal impact to the surrounding residential area". (unquote) The change that is being requested to C-2 would (quote) provide a wide range of retail businesses and services compatible to the core of the city and provide a focal point for the commerce of the city.

The application also argues that a wider scope of use would benefit the city by increasing taxes and give nearby home owners increased shopping choices. First, this is only 1.7 acres. Second, all those home owners are just five minutes away from the shopping variety on Gage Boulevard, plus Safeway, Costco and Columbia Center.

We would also argue with the city's finding that the change was not subject to environmental review. How about the living environment? Presently our affected home owners have a clear view of Rattlesnake and Badger mountains – and wonderful sunsets. All could be replaced by a 30-foot-high building, just feet from their backyards and windows.

In closing, I would respectfully remind the city and the hearing examiner that in 2014 this land was zoned low density residential. In 2014 that was changed to C-1 to accommodate a coffee shop, then a variance to allow a drive-through window. But with that change the hearing examiner imposed setback, landscaping and elevation changes to protect the adjacent homes.

Now we learn those conditions apply only to the coffee shop area and not to the adjacent land now under consideration. We feel that we have been the subject of either lack of surveillance on our part, or bait and switch by someone else.

Signed:

Jack Briggs

8709 W. Bruneau Ave,

Kennewick, WA 99336

509-430-1434

To: Mike Stevens, Richland city planner

Aug. 12, 2024

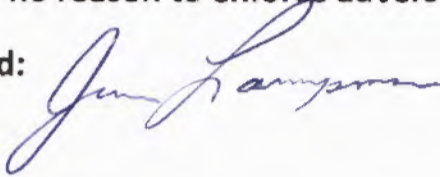
From Jim Lampman, Grandridge Meadows HOA board member and
Architectural Control Committee member

I do not wish to duplicate protests that have already been filed by the Grandridge Meadows HOA chair, or by other members of that board. But allow me, as a, HOA and Architectural committee member who also objects to this proposed change, to condense and consolidate our objections.

1. This is a tiny 1.7-acre triangle of land squeezed by two major arterial roads, a railroad and a developed residential area.
2. The city has zoned it C-1 – neighborhood retail – because allowing setback changes will permit more extensive development causing congestion problems.
3. One such problem is that there is only one way into and out of the property and its location – on a curve off Center Parkway - is already creating dangerous sight problems.
4. Adverse effects to adjacent home owners include that development could lead to 30-foot-high building, close to the homes and dwarfing their 6-foot-high fences.
5. No reason has been given why this rezone would benefit anyone other than the land owner, while it runs the risk of devaluing the adjacent home owners' property by increasing traffic and noise and blocking attractive views.
6. There has been no indication of what will be built on the land if the setback request is granted, so it is impossible to say what protections will be needed, and how such changes would be compatible with the adjacent land. Such details should be provided prior to any zoning change.
7. No zoning change should be made without a comprehensive evaluation of financial damage to the adjacent home owners and/or a remuneration program established. Otherwise the city could perhaps face litigation.

8. We challenge the finding of no environmental review because any development will create noise, dust and traffic. Significant nearby developments already underway or planned would exacerbate those problems.
9. The reason that the zoning change would better serve nearby residents lacks credibility when those home owners have the restaurants, cafes, retail, drug and mega-stores and Columbia Center just 5 minutes away.
10. Who benefits from this proposed change? Obviously, Mr. Bush— but that's no reason to enforce adverse changes on others.

Signed:



Jim Lampman

jimlampman33@gmail.com

W. Bruneau Ave,

Kennewick, WA 99336

1-360-521-7647