



Richland

## MEMORANDUM

**TO:** Hearing Examiner, Gary McLean

**FROM:** Kyle Hendricks, Planner

**RE:** 9025 Center Parkway Zone change request additional applicant materials PLN-T3A-2024-00001

**DATE:** November 7, 2024

Dear Mr. Hearing Examiner,

After the conclusion of the August 12<sup>th</sup>, 2024 public hearing to discuss the zone change request of 9025 Center Parkway, the applicant, Rick Simon, has submitted additional materials for review that address some of the discussions that took place at the aforementioned meeting. These materials, dated October 22, 2024 propose a property use and development agreement that keeps the existing C-1 zone designation throughout the subject site, while proposing setbacks that accomplish the goals of the original application and realize the site requirements standards of Richland Municipal Code Title 23.22.020 [B].

The proposed setbacks are as follows:

- 45' from Center Parkway
- 0' from Steptoe Street (15' sidewalk and utility easement still exists).
- 24' utility and access easement, in addition to a 10' landscape strip, also stating a total 34' setback from residential properties along Lot 2 & 3 of the previous binding site plan.
- 30' from residential properties along lot 4 of the previous binding site plan.

Additionally, the applicant proposes a 10' wide landscaping strip along the entirety of the boundary between the commercial property and the Kennewick residential properties. This landscaping strip is contained within the previously mentioned 30' and 34' setbacks.

The proposed 30' and 34' setbacks to the adjacent residential properties would exceed the currently permitted 15' setback that was established in previous binding site plans. There is also an inconsistency within the Richland Municipal Code, C-1 zoning, that allows for either a 15' or 30' setback from commercial buildings to adjacent residential properties, this proposal would enshrine the more restrictive of these standards.

The 15' wide sidewalk and utility easement would be addressed at the time of development. If it is determined that the easements are no longer needed by the City, then the easements could be adjusted. In general, the city will not permit structures within easements.

The proposal to retain the current zoning designation, while also proposing 30' and 34' setbacks, and implementing a 10' wide landscaping strip appears to address the concerns shared during the comment period and at the public hearing.

In conclusion as this project no longer proposes to change the zoning of the subject site, Planning Staff is supportive of this property use and development agreement proposal and any conditions that the Hearing Examiner believes to be necessary.

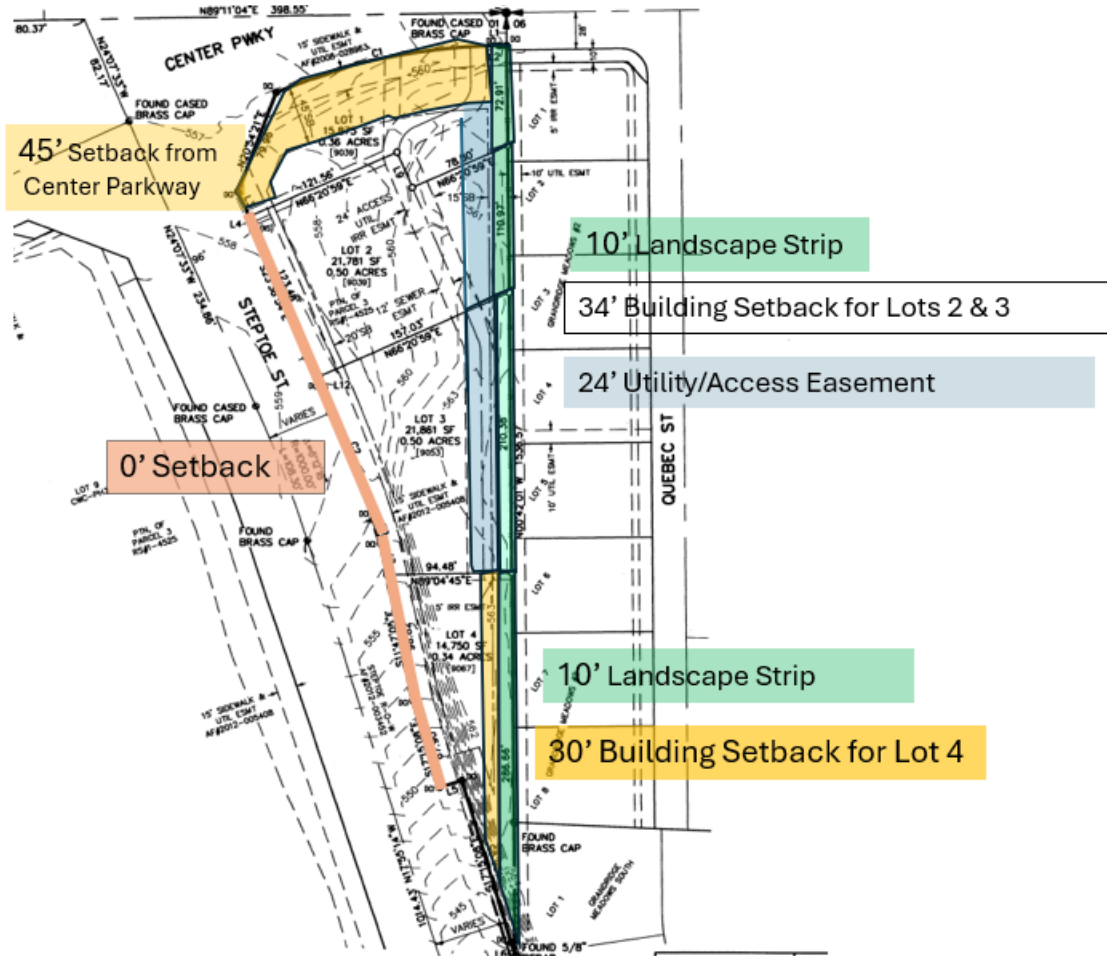
## MEMORANDUM

**TO:** Mike Stevens, Richland Planning Manager  
**FROM:** Rick Simon, RPS Planning Consultant, LLC on behalf of Tim Bush Land Trust  
**SUBJECT:** PLN-T3A-2024-00001 – 9025 Center Parkway Rezone  
**DATE:** October 22, 2024

At the conclusion of the August 12<sup>th</sup> hearing on this application, Hearing Examiner McLean provided the staff and applicant with an opportunity to confer concerning the specific conditions that should apply to the proposed rezone. As stated at the public hearing, our intention of changing the zoning on the site from C-1 to C-2 was to increase the usability of the site through the reduction of setback requirements along Steptoe Boulevard. Your suggestion that a different path forward – through the use of a property use and development agreement that keeps C-1 zoning in place, while allowing for lesser setbacks along Steptoe Boulevard would accomplish our goal. Therefore, we propose that a property use and development agreement be put into effect that would stipulate the following:

C-1 zoning regulations shall continue to apply, including all requirements and standards of C-1 zoning as stipulated in the following code sections: Section 23.22.020 Performance Standards & Special Requirements; Section 23.22.030 Uses; Section 23.22.040 Site Requirements and Section 23.22.050 Parking, with the following exceptions:

1. The setback from Steptoe Boulevard shall be zero (0) feet for all lots within BSP 2019-102;
2. For Lots 2 and 3 of BSP No. 2019-102, the setback requirements along the eastern boundary of the site shall consist of a ten foot (10') wide landscape strip adjacent to the property line and the existing block wall. A twenty-four foot (24') access and utility easement would run parallel to the landscape strip, providing for a minimum building setback of thirty-four feet (34') from the eastern property line;
3. For Lot 4 of BSP 2019-102, the setback requirements along the eastern property boundary of the site shall consist of a ten foot (10') wide landscape strip adjacent to the eastern property boundary and the existing block wall. A minimum building setback of thirty feet (30') would be required from the eastern property boundary.
4. For Lot 1 of BSP 2019-102, any future development or redevelopment of the site shall meet the same setback standards as identified for Lots 2 and 3 as listed above. In addition, a setback of forty-five feet (45') from the Center Parkway right-of-way shall be maintained.



**Exhibit 1: Proposed Setback Standards for BSP 2019-102**

The proposed setback standards do not match the easements identified on the current binding site plan drawing. The easements were put into place to provide for the future development of a car wash facility on the site. This plan has been abandoned, so the looping access easement that encumbers Lot 2 is no longer required. The applicant intends to modify the existing binding site plan to provide for an access and utility easement that runs parallel to the eastern property boundary of the site. The applicant recognizes that modifications to the binding site plan will also be required to allow for a zero foot setback along the Steptoe Boulevard frontage, as there is a fifteen foot sidewalk and utility easement currently in place adjacent to the Steptoe right-of-way.

The need for the easements along Steptoe Boulevard can be determined at the time that specific development plans are brought forward to the City for review. If easements are not needed, they could be reduced in width, allowing future buildings to be pushed to the west as far as possible. This would maximize the visibility of commercial businesses when viewed from this major thoroughfare and would also have the effect of maximizing the setback of a commercial building from the residential properties along the eastern boundary of the site. In any event, future development will comply with the City's C-1 development standards, which mandate a 30 foot setback from a residential property boundary. Future

development on Lot 4 would comply with this standard, while development on Lots 1 – 3 would exceed this standard by four feet. In summary, this modified proposal will ensure that future development of the site will be limited to uses allowed in the C-1 zone; will meet or exceed the standards required when C-1 zoning lies adjacent to residential uses and will increase the commercial development opportunities for the site by allowing building placement closer to Steptoe Boulevard.