



## Agenda

### **RICHLAND PLANNING COMMISSION MEETING NO. 2-2013**

Richland City Hall - 505 Swift Boulevard - Council Chamber

**WEDNESDAY, February 27, 2013**

**7:00 p.m.**

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**COMMISSION MEMBERS:** Marianne Boring, Chair; James Utz, Vice-Chair; Debbie Berkowitz; Clifford Clark; Stanley Jones; Carol Moser; Kent Madsen, Amanda Wallner and James Wise

**LIAISONS:** Rick Simon, Planning and Development Services Manager  
Jeff Rolph, Senior Planner  
Phil Lemley, City Council

**Regular Meeting, 7:00 p.m.**

**Welcome and Roll Call**

**Approval of the Agenda**

**Approval of January 23, 2013 Meeting Minutes**

**Public Comments**

**Public Hearing Explanation**

#### **New Business – Public Hearings**

**1. APPLICANT: RICHLAND SCHOOL DISTRICT (Z2013-102)\***

**Request: APPROVAL OF ZONE CHANGE FROM PLANNED UNIT DEVELOPMENT (PUD) TO SINGLE FAMILY RESIDENTIAL 10,000 (R1-10)**

**Location: AN APPROXIMATELY 12.5 ACRE PARCEL LOCATED EAST OF GALA WAY, WEST OF BRANTINGHAM ROAD AND GENERALLY SOUTH OF WESTCLIFFE BOULEVARD**

**2. APPLICANT: COLUMBIA BASIN RACQUET CLUB (M2013-100)\***

**Request: REQUEST FOR REDUCTION IN PARKING BASED ON JOINT USE PARKING AGREEMENT**

**Location: 1776 TERMINAL DRIVE**

**3. APPLICANT: CITY OF RICHLAND (M2013-101)**

**Request: SURPLUS OF APPROXIMATELY ½ ACRE OF CITY PROPERTY TO MAKE AVAILABLE FOR PRIVATE DEVELOPMENT**

**Location: NORTH OF SWIFT BOULEVARD, WEST OF GEORGE WASHINGTON WAY AND EAST OF JADWIN AVENUE**

**\*Quasi-Judicial Hearing**



Planning Commission Workshop Meeting, Wednesday, March 13, 2013

Planning Commission Regular Meeting – Wednesday, March 27, 2013

THIS MEETING IS BROADCAST LIVE ON CITYVIEW CHANNEL 13 AND ON [WWW.CLRICHLAND.WA.US/CITYVIEW](http://WWW.CLRICHLAND.WA.US/CITYVIEW)

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## **New Business – Other**

### **1. ELECTION OF OFFICERS**

**Communications**

**Commission/Staff/Liaison Comments**

**Adjournment**

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## MINUTES

### **RICHLAND PLANNING COMMISSION MEETING No. 1-2013**

Richland City Hall – 550 Swift Boulevard – Council Chamber

**WEDNESDAY, January 23, 2013**

**7:30 p.m.**

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#### **Call to Order:**

**Chairman Boring** called the meeting to order at 7:30 p.m.

#### **Attendance:**

Present: Chairman Boring, Commission Members Berkowitz, Clark, Madsen, Moser, Utz, Wallner and Wise. Also present were City Council Liaison Phil Lemley, Public Works Director Pete Rogalsky, Planning Manager Rick Simon, Senior Planner Jeff Rolph and Recorder Pam Bykonen.

#### **Approval of Agenda:**

**Chairman Boring** presented the January 23, 2013 meeting agenda for approval.

**The agenda was approved as presented.**

#### **Approval of Minutes**

**Chairman Boring** presented the meeting minutes of the December 19, 2012 regular meeting for approval. **Commissioner Clark** noted a scrivener's error on Page 5.

**A motion was made by Commissioner Clark and seconded by Commissioner Madsen to approve the meeting minutes of the December 19, 2012 regular meeting as amended.**

**The motion carried, 8-0.**

#### **Public Comment**

**Chairman Boring** asked for public comment on any item not on the agenda. Seeing none, she closed this portion of the meeting.

#### **PUBLIC HEARING**

**Public Hearing Explanation:** **Ms. Bykonen** explained the public hearing notice and appeal process and asked Commissioners to identify any conflicts of interest, ex-parte contact or any other appearance of fairness issues; none were identified.

## Unfinished Business

### 1. CITY OF RICHLAND – Reconsideration of appropriate zoning districts for a proposed annexation (Z2012-102(B))

**Mr. Simon** presented the staff report for reconsideration of zoning for a proposed 137-acre annexation located south of Reata Road, west of Leslie Road, north of I-82 and east of the Kennewick Irrigation District canal. This item had been before the Planning Commission at two previous meetings but continued to tonight's meeting in order to obtain additional information. Mr. Simon reminded the commissioners that the proposed zoning is based on the Comprehensive Plan. He reviewed the proposed Property Use & Development Agreement and notice to title, conditions that are designed to protect residential property owners from possible impacts generated by adjacent commercial properties. Staff had contacted the owners of the property that is to be zoned residential and they accepted the proposed conditions on developing residential lots in an area that is primarily commercial.

Staff recommends the west portion of the proposed annexation area be zoned according to the map included in the meeting packet with the provisions outlined in the presentation for buffering and notice to title.

**Chairman Boring** opened the Public Hearing at 7:39 PM and asked if there were any comments from the public on this item. Seeing none, she closed the Public Hearing at 7:40 PM.

#### Discussion:

**Commissioner Wise** stated his concerns about allowing residential uses in an area that is better suited for commercial. **Mr. Simon** reiterated the need to follow the adopted Comprehensive Plan which currently designated the property in question as residential. The zoning could be changed through the Comprehensive Plan amendment process.

**Commissioner Berkowitz** noted that a change to the Comprehensive Plan was not likely because it was City Council who made the decision to change the zoning at the request of the property owner (McDonald). She asked about the feasibility of zoning the property to the west and south of the proposed residential area as C-1 or CLB to further reduce impacts to future residents. **Mr. Simon** agreed that C-1 or CLB zoning would not affect the location of the proposed church, but he was not certain what was planned for the entire 10-acre parcel. Mr. Simon acknowledged that determining the type of commercial zoning was within the purview of the Planning Commission. **Commissioner Berkowitz** stated she preferred that course of action in order to protect 2/3 of the residential boundary. **Mr. Simon** spoke of the McDonald's desire to construct a mini-storage facility on the commercial portion of their property which is only allowed in the C3 zone. Based on prior decisions made by the Planning Commission regarding

locating mini-storage facilities near residential uses, **Commissioner Berkowitz** felt that the McDonald's proposal was not a reasonable alternative.

**Vice-Chair Utz** expressed his opinion regarding the Commission's initial zoning recommendation of C3 and the subsequent attempts to "fix" potential impacts for future residents by down zoning the property.

**Commissioner Moser** commented that this was an issue of private property rights and the desire of the property owner (McDonald) to use the property as they see fit. She did not feel there was a need to fix the zoning and suggested approving the proposed zoning and conditions of development as presented. **Commissioner Madsen** agreed with Commissioner Moser's comments. **Commissioner Berkowitz** did not, citing the private property rights of future owners of the residential lots; **Commissioner Clark** concurred.

**Commissioner Wise** agreed with Commissioner Moser that this item needs to move forward but expressed his concern that a residential zoning designation would not be the best use for the property.

**Vice-Chair Utz** acknowledged that the Planning Commission was not the final decision maker on this item and agreed that it needs to move forward. He commented on the need for future property owners to be informed of the conditions attached to the development.

**Chairman Boring** noted that, although the McDonalds had not attended the Planning Commission meetings to explain their intentions, they had explained their position to City Council which in turn changed the recommended zoning from commercial to residential. Based on Council's decision, Chairman Boring agreed that this item should be approved as presented.

**A motion was made by Commissioner Moser and seconded by Commissioner Madsen that the Planning Commission concur with the findings and conclusions set forth in Staff Report Z2012-102(B) and recommend to the City Council assignment of C-3 General Business, and R1-10 Single Family Residential zoning with a property use and development agreement for the McDonald property.**

**Called for a vote: Commissioner Berkowitz: Yes; Commissioner Clark: Yes; Commissioner Madsen: Yes; Commissioner Moser: Yes; Vice-Chair Utz: Yes; Commissioner Wallner: Yes; Commissioner Wise: No; Chairman Boring: Yes.**

**MOTION CARRIED 7-1.**

- 2. RC OF WASHINGTON, INC. – Preliminary plat approval to subdivide an approximately 77-acre parcel into 220 residential lots (White Bluffs) (S2012-100)**

**Mr. Rolph** reviewed the proposed plat which is located in the southwest portion of Richland near the plat of Brookshire Estates Division 7, east of Dallas Road and north of I-182. The application had been originally approved in 2003 and granted an extension in 2008 as the plat of Indian Hills; that extension expired in 2011. The applicant has completed a significant amount of work toward development of the plat and is requesting a phased development of the parcel. The property is currently zoned R1-10 Single Family Residential with a Comprehensive Plan designation of Low-Density Residential, 0-5 dwelling units per acre. Access to the development would be primarily from Dallas Road to the east with future access to the northeast via two streets that have been stubbed out to an existing orchard that is planned for future development, creating a connection to neighboring developments. Staff recommends conducting a traffic study prior to the initial final plat process.

Based on the findings and conclusions and the conditions outlined in the Technical Advisory Committee report, staff recommends approval of the preliminary plat of White Bluffs.

**Chairman Boring** opened the Public Hearing at 8:04 PM and asked if there were any comments from the public on this item. She noted that two comment letters had been received by the commission prior to the start of the meeting that had not been included in the meeting packet.

**Randy Crosby, RC Washington, Inc, 922 Allen White Drive, Richland:** "I don't have anything more to add at this time, I just wanted to come up and introduce myself."

**Dale VanSchoiack, 2141 S Lyle, Kennewick:** "I'm a consulting engineer and have been assisting Randy with some of the things that staff pointed had been completed to-date. I would like to say, staff report, we've looked at that and reviewed it. We think it's a good report and just make that comment to you. In case there's any questions, I'll be available later on."

**Debra Mapstead, 4851 Rau Lane, Richland:** "I oppose the land use action. I own property that is directly adjacent to it, I have two acres. I think that the development of this high density would potentially devour my property because I would have approximately seven home sites backing up against my property. I moved out there 10 years ago to have acreage and have the country lifestyle. I don't oppose development of it but what I oppose is 220 home sites. I would rather see it developed in home sites that have acreage; I think that would be something that would be desirable for anybody who's looking to relocate out there. It's close to town, it's close to amenities, but you still have a country lifestyle and it's in direct competition with what the City of Richland is trying to accomplish with the Badger development. We're already impacted by an increase in traffic on Dallas Road coming and going from Rau Lane with just the little bit of construction that we've already had to be a part of. I don't support additional traffic on Dallas. I don't support what it's going to do to my property. I have not had any communication with the developer to see if there's any, from what I've seen from the

plan, there's no buffer between the development and my property so that I don't have them right in my back yard. I just, I don't support it. I would rather see it used in another way. Home sites with acreage would be OK."

**Wayne Mapstead, 4851 Rau Lane, Richland:** "The reason I oppose it is similar reasons as my wife stated. We moved out there because of acreage and it's quieter. It's a private lane that goes down to the road – it's a gravel lane where we live. It seems like it's quite a few homes backed up against our property. Our property is about just slightly over two acres. On the map, it looks like about seven homes against it and the way our house is spaced it's probably 25- to 30-feet away from the property line, the way that the developer built our home, so there's not really a lot of land between us and the fence line. The additional traffic on Dallas Road, I think would be a problem, especially with just that single access into that development. It's quite a bit of traffic going to be coming up and down Dallas Road because of new development on the south side of Badger. It is kind of a slope and the visibility on that road when you drive out of Rau Lane, when you look to your left which would be south, you can't see very far. Generally, the speed there is 50 miles an hour and they just recently posted it at the very bottom at 35. People drive down there quickly. There's going to be more people living there so I'm sure it's not going to get any better."

**Mill Lewis, 24806 N Dallas Road, Richland:** "I'm also opposed – I'm not opposed to development but I'm opposed to now being infringed upon because we have rights as property owners, also. We are now approving something that's not compatible with what's there. We said, 'Hey, it's really close to what this development is over on this side,' the whole other side doesn't look like a development. It's large lots, it's people with horses. That's not what we're building. If we built something like that in this space - I'm thinking maybe two and a half acre lots – that would be compatible with what's already there and not impact on the people who moved out there for that style of life. We didn't choose to live in the middle of a development; pretty quick, we're going to be there. The traffic on Dallas Road is going to be atrocious. One access for 240 homes – figure two to three vehicles per home dumping out through one access point. Not a good idea."

**Jacque Lewis, 24806 Dallas Road, Richland:** "When we moved out there, we were one of the responsible homeowners you referenced earlier that did the homework and looked at what the zonings were and, actually, we ended up with 17 acres because we had heard that a new subdivision was going to be going in behind us. We were in a situation where we could go ahead and purchase that land so it could stay the way it is. Otherwise, our concern was that this was going to be on our driveway. Again, we bought out there with the knowledge that the homes out there and the zoning out was what it is now. Again, we do own property. At some point we may decide to do something different with it, so I understand the opportunity to come and change, request a change and platting. That seems to be excessive and, if I could ask a question, what intersection on to Dallas is the entrance and exit to that subdivision? Because, the only thing I can think of that it would be Arena? . . . [Mr. Crosby stated that it would be a

new street.] But no planning has gone into what that intersection would need to look like and what the turn lanes would need to be. I heard that all of those things would be, 'Well, if it's approved we'll look into that.' Well, I think that should be something the City considers before – the Commission considers and takes to the City ahead of time, before approving – that this is what this is going to mean, this is what our responsibility's going to be, what the developer's responsibility's going to be. Again, I think there's some more questions that need to be asked before the decision's made, but if I could, I would like to request that the decision be no."

**Chairman Boring** asked if there were any further comments from the public on this item. Seeing none, she closed the Public Hearing at 8:14 PM.

**Discussion:**

**Chairman Boring** reminded members of the Commission and those in the audience that the current zoning of the parcel is R-1-10 and the decision before the Commission was approval of the preliminary plat and not a change in zoning.

**Commissioner Wise** asked those who provided comments to show on the map where their properties are located in relation to the proposed plat, which they did.

**Commissioner Madsen** asked for more detailed information regarding the KID canal. **Mr. Rolph** explained the work that had been completed and showed on the map where the canal had been redirected.

**Vice-Chair Utz** asked for additional information on emergency access to the development. **Mr. Rolph** explained that the development will have a secondary emergency vehicle access point through a cul-de-sac in the southeast corner of the subdivision and will connect to the neighboring subdivision. The first phase of the development will have emergency access along road "A". **Vice-Chair Utz** asked if it was possible for all phases of the subdivision to be built out without providing additional access. **Mr. Rolph** said it was possible only if the level of service at the single access point did not drop below a "D". **Mr. Rogalsky** added that failure of the intersection at Dallas Road (a county road) is unlikely but if it were to become too congested a deceleration lane and a dedicated turn lane could be implemented; multiple connections are desirable but not required.

**Commissioner Clark** questioned the allowance of long driveways and streets ending in cul-de-sacs. **Mr. Rolph** assured him that what was planned was allowed in the fire code.

**Commissioner Berkowitz** asked Mr. Rogalsky if the intersection at Dallas Road would be wide enough to accommodate turn lanes; he said it was. **Commissioner Berkowitz** then asked how school children in Phase 9 would access the school. **Mr. Rolph** explained that the emergency access would be paved and would allow for pedestrian access as well.



**Commissioner Berkowitz** noted the park impact fees associated with the project and asked what park would serve the subdivision. **Mr. Rolph** said the majority of the subdivision could be served by a recently completed neighborhood park in the Hearthstone subdivision to the northeast.

**Commissioner Madsen** commented that the plat had received approval ten years ago and felt that approval at this time was appropriate.

**Commissioner Moser** questioned if the plat would have been affected if hillside development standards had been in place. **Mr. Simon** said it was possible given the slopes within the development, but could not confirm that the area had been included on the map outlining areas of concern. **Commissioner Moser** reiterated her concern regarding a lack of hillside development standards while development on hillsides continues.

**Commissioner Wise** agreed with Commissioner Moser's comments. He noted that development styles have changed in the ten years since the original approval of this plat and added that it was dissimilar to the larger lot sizes in the areas adjacent to the proposed subdivision. Commissioner Wise expressed concern regarding the lack of a traffic study for the development.

**Vice-Chair Utz** asked the developer for more detail regarding how the home sites were planned for building on slopes. Before responding to Vice-Chair Utz's question, **Mr. Crosby** commented that a traffic study had been completed by Harms Engineering for the initial phase of the development with plans to revisit traffic impacts as development continues. He then described the layout of the development noting that the roads within the development are situated along the highest points with building lots terraced at the lower elevations. Mr. Crosby will not be building the homes and could not speak to the exact design but assumed the homes would be built into the hillside with daylight basements.

**Commissioner Wallner** asked for clarification as to the timeline of the phases and how long it would be before the development is completed. **Mr. Crosby** said it would take several years for a complete build out and it was planned to develop 30 to 40 lots at a time.

**Commissioner Berkowitz** commented that the proposed development is compatible with nearby developments and more compatible than similar-sized developments that are further south.

**Commissioner Moser** added that the current zoning (R-1-10) allows for the number of lots proposed and is consistent with existing development in the area but stressed the need for hillside regulations when developing along slopes.

A motion was made by Commissioner Madsen and seconded by Commissioner Clark that the Planning Commission concur with the findings and conclusions set forth in Staff Report S2012-100 and recommend the City Council approve the preliminary plat of White Bluffs subject to the conditions of approval set forth in the Technical Advisory Committee report dated January 17, 2013.

Called for a vote: Commissioner Berkowitz: Yes; Commissioner Clark: Yes; Commissioner Madsen: Yes; Commissioner Moser: Yes; Vice-Chair Utz: Yes; Commissioner Wallner: Yes; Commissioner Wise: Yes; Chairman Boring: Yes.

**MOTION CARRIED 8-0.**

**3. CITY OF RICHLAND – Change zoning on 29 acres from I-M Medium Industrial to M-2 Heavy Manufacturing (Z2013-101)**

**Mr. Simon** reviewed the proposed zoning change of a 29-acre parcel located west of Logston Boulevard, east of Kingsgate Way and south of the rail line. The property is currently owned by the City of Richland which is in the process of selling the parcel to ConAgra Lamb Weston for a new 80-acre cold storage facility site. ConAgra Lamb Weston desires the 29 acres to be zoned M-2 to be consistent with the zoning of the north portion of the total 80-acre parcel. The proposed zone change is consistent with the Comprehensive Plan designation for that area. The site is currently undeveloped and all adjacent properties are also currently undeveloped. Staff recommends approval of the zone change as proposed.

**Chairman Boring** opened the Public Hearing at 8:50 PM and asked if there were any comments from the public on this item. Seeing none, she closed the Public Hearing at 8:50 PM.

**Discussion:**

**Commissioner Wise** asked if the construction of the cold-storage facility required a zone change. **Mr. Simon** said the use is allowed in either I-M or M-2, but M-2 allows taller buildings with no restrictions such as increased setbacks; the proposed facility is planned to be approximately 130-140 feet tall. **Commissioner Wise** expressed concern regarding the potential for passively encouraging higher impact industrial uses through progressive zone changes. **Mr. Simon** reminded the commissioners that the proposed facility is cold storage and not manufacturing.

**Mr. Rogalsky** gave a brief history of the industrial area that was laid out in the '80s and '90s noting that market demands have changed over time which resulted in the need to change zoning. He noted that the industrial area was planned in a way to provide buffers from lower impact uses.

**Commissioner Madsen** asked staff if the 29-acre parcel was part of the land negotiations with ConAgra Lamb Weston to exchange a smaller parcel in Columbia Point for the larger parcel in Horn Rapids. Staff said it was.

**A motion was made by Commissioner Wise and seconded by Commissioner Berkowitz that the Planning Commission concur with the findings and conclusions set forth in Staff Report Z2013-101 and recommend approval of the request to rezone 29 acres from I-M Medium Industrial to M-2 Heavy Manufacturing.**

**Called for a vote: Commissioner Berkowitz: Yes; Commissioner Clark: Yes; Commissioner Madsen: Yes; Commissioner Moser: Yes; Vice-Chair Utz: Yes; Commissioner Wallner: Yes; Commissioner Wise: Yes; Chairman Boring: Yes.**

**Communications:**

**Mr. Simon**

- Reminded commissioners of the next workshop on February 13, 2013.

**Commissioner Madsen**

- Will not be available to attend the February workshop.

**Commissioner Wallner**

- Reported that she had attended the Planners Forum in Moses Lake earlier in the day where shoreline development was discussed.

**Chairman Boring**

- Would not be available for the February workshop.

**ADJOURNMENT:**

The January 23, 2012, Richland Planning Commission Regular Meeting 1-2013 was adjourned at 9:07 PM. The next regular meeting of the Planning Commission will be held on February 27, 2013.

**PREPARED BY:** Pam Bykonen, Secretary, Planning & Development

**REVIEWED BY:**

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Rick Simon, Secretary  
Richland Planning Commission

## STAFF REPORT

TO: PLANNING COMMISSION  
FILE NO.: Z2013-102

PREPARED BY: JEFF ROLPH  
MEETING DATE: FEBRUARY 27, 2013

### GENERAL INFORMATION:

APPLICANT: RICHLAND SCHOOL DISTRICT (Z2013-102)

REQUEST: APPROVAL OF ZONE CHANGE FROM PLANNED UNIT DEVELOPMENT (PUD) TO SINGLE FAMILY RESIDENTIAL 10,000 (R1-10).

LOCATION: AN APPROXIMATELY 12.5-ACRE PARCEL LOCATED EAST OF GALA WAY, WEST OF BRANTINGHAM ROAD AND GENERALLY SOUTH OF WESTCLIFFE BOULEVARD.

### REASON FOR REQUEST

The request for rezone is based on the desire of the Richland School District to develop the site with a new elementary school which is not a permitted use in the existing PUD zoning district.

### FINDINGS AND CONCLUSIONS

Staff has completed its review of the requested zone change (Z2013-102) and subject to recommended conditions of approval submits that:

1. The City of Richland's adopted Comprehensive Land Use Plan designates the site as Low Density Residential (0-5 Dwellings/Acre).
2. Per Richland Municipal Code (RMC) Section 23.18.010(B), the requested R1-10 zoning classification is a zoning classification that is intended to be applied to areas of the City that are designated Low Density Residential per the Comprehensive Land Use Plan.
3. The Richland School District has identified a need for an additional elementary school in the general vicinity of the subject parcel.
4. RMC Section 23.18.030 identifies schools as permitted uses within the R1-10 zoning classification.
5. The 12.5 acre subject parcel is located adjacent to an approximately 3.5 acre City owned neighborhood park that is located at the southeast corner of the intersection of Westcliffe Boulevard and Gala Way.
6. Rezoning and subsequent development of a school on the subject property would be consistent with the Comprehensive Plan Land Use Goal 5 which states that

"The City will encourage efficient use and location of municipal and public facilities such as transportation centers, utility facilities, schools, parks and other public uses."

7. Rezoning and subsequent development of a school on the subject property would be consistent with the Comprehensive Plan Land Use Goal 5, Policy 4 which states "Wherever possible, the City will locate park and school facilities together."
8. Rezoning of the subject property to R1-10 and development with an elementary school would be consistent with the type of land use envisioned to occur on the property pursuant to the Comprehensive Plan and would provide for a use consistent with the requested R1-10 zoning classification.
9. The Richland School District has met with representatives of the surrounding neighborhoods and has entered into a Memorandum of Agreement setting forth general design parameters for a future elementary school that are intended to help mitigate adverse impacts to the surrounding residential uses.
10. As conditioned, the rezoning of the subject property and subsequent development with an elementary school will provide for a use that is compatible with the surrounding residential uses.
11. As required by State law and City Code, the applicant has submitted a State Environmental Policy Act (SEPA) environmental checklist.
12. The City reviewed the submitted checklist and considered the proposal in light of the submitted information and other environmental information readily available to the City and determined that approval of the zone change request subject to recommended conditions would not have significant adverse environmental impacts.
13. On February 20, 2013 the City issued a Determination of Non-Significance for the proposal.
14. Based on the above findings and conclusions, approval of the request for zone change would be in the best interest of the community of Richland.

### RECOMMENDATION

Staff recommends the Planning Commission concur with the findings and conclusions set forth in Staff Report (Z2013-102) and recommend that the City Council rezone the subject parcel from Planned Unit Development (PUD) to Single Family Residential 10,000 (R1-10) subject to the conditions of approval set forth in the Draft Property Use and Development Agreement (Attachment B).

ATTACHMENTS

- A - Supplemental Information
- B – Draft Property Use and Development Agreement w/ Attachments
- C - Notice of Public Hearing with Vicinity Map
- D - Application for Zone Change
- E - Public Comment Letters/Emails
  - Fritz Wolff, Badger Mountain Apartments (2/6/2013)
  - Chris Van Mason (2/6/2013)
  - Dwayne Nys (2/8/2013)
- E - SEPA Checklist
- F - Determination of Non-Significance
- G - Aerial Photograph

## SUPPLEMENTAL INFORMATION

### DESCRIPTION OF PROPOSAL

The Richland School District is requesting the rezone to allow for development of the approximately 12.5 acre site with a new elementary school. The property is currently zoned Planned Unit Development (PUD) with development of the 12.5 acre parcel limited to development with 15 single family homes based on a legal settlement agreement that was entered into between the underlying property owners, the City of Richland and some adjoining homeowner's associations and other individual neighbors.

The rezone to R1-10 will allow the School District to move forward with the purchase of the property and subsequent design and construction of the proposed elementary school. No specific school design has been decided upon however, the School District has held meetings with some of the surrounding neighbors and has signed a memorandum of agreement that sets forth some basic school design parameters should the rezone be approved by the City of Richland and the school project moves forward.

### GENERAL INFORMATION

#### ZONING AND DEVELOPMENT HISTORY

The property was annexed into the City in 1979 as part of a larger 834 acre annexation. In 2005 the property was rezoned from R1-10 to PUD as part of the Badger Mountain Village PUD which was a 60-acre planned development that included 116 single family detached homes, 32 single family attached townhomes, 41 duplex units (82 dwelling units), a 3-story 90 unit senior apartment complex, a 2-story 45-unit assisted living facility together with related PUD community oriented convenience retail and service uses.

The single family detached dwelling subdivisions on the west side of Gala Way were developed according to the plans set forth in the original PUD however, based on changing market conditions the developer asked for amendments to the balance of the PUD lying on the east side of Gala Way. Based on staff approved revisions to the original PUD a 176 unit apartment complex was ultimately approved and is currently under construction in the northeasterly portion of the original 60-acre PUD area.

Subsequent legal actions regarding the approved revisions to the PUD and in particular the 176 unit apartment complex resulted in a settlement agreement between the underlying property owners, the City of Richland, adjoining homeowner's associations and some other individual adjoining property owners. The settlement agreement among other items resulted in dedication of a 3-acre City owned neighborhood park at the southeast corner of the Gala Way and Westcliffe Boulevard intersection and limited development of the remaining 12.5 acre subject parcel to a maximum of 15 single family residential dwellings.

In addition to the requested rezone to R1-10 to allow for the new elementary school as proposed by the Richland School District, all of the Parties to the original Settlement Agreement had to approve of the proposed change to the restriction on development of the 12.5 acre subject property. All of the Parties have now signed an amendment to the settlement agreement that would allow for development of a school as proposed provided the request for rezone is ultimately approved by the City after the required public review process.

### SITE DATA

**Size:** 12.5-acres.

**Physical Features:** The L-shaped parcel is relatively flat and covered primarily with grasses and weeds. The site has been somewhat disturbed due to the construction of the apartment complex on the adjoining parcel to the north.

**Access:** The parcel has frontage on Gala Way a designated arterial collector street on the west and Brantingham Road a local street on the east.

**Utilities:** Water, sewer and electrical utilities are available at the site boundary.

### SURROUNDING ZONING AND LAND USES

- North -** Property zoned PUD and developed with a 176 unit apartment complex with a 3-acre parcel located at the southeast corner of Gala Way and Westcliffe Boulevard zoned PUD and owned by the City of Richland with plans for development as a neighborhood park.
- South -** Property zoned R1-10 and developed with single family homes in the Brantingham Greens subdivision.
- West -** Across Gala Way is property zoned PUD and developed with single family homes in the Badger Mountain Village Phases 2A and 2B subdivisions.
- East -** Across Brantingham Road is property in unincorporated Benton County developed with single family homes on acreage size lots.

### ANALYSIS

**Conformance with Comprehensive Plan:** The Richland Comprehensive Plan Land Use Plan Map designates the subject site as Low Density Residential. The proposed R1-10 zoning classification is a zoning classification that is intended to implement a Low Density Residential Land Use designation. Schools are considered an outright permitted use in the R1-10 zoning district.



The proposed rezone to allow for development of a new elementary school would also be considered consistent with Comprehensive Land Use Plan Goals and Policies in particular Land Use Goal #5 and Policy #4 which state:

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

*Policy 4 –Wherever possible, the City will locate park and school facilities together.*

**Compatibility with Surrounding Land Uses:** In general, schools and in particular elementary schools, are considered compatible with adjoining residential neighborhoods. Ideally, elementary schools are centrally located to the student population they serve allowing students to walk and ride bicycles as opposed to being bused or requiring other vehicular transportation. The schools and school grounds also serve as neighborhood activity centers and provide a general open space amenity to the surrounding neighborhoods.

Given the legal history and related restrictions on use of the subject property, prior to entering into a purchase and sale agreement, the Richland School District held several meetings with surrounding homeowners associations and other individual adjoining property owners to gauge support and/or opposition to a proposed elementary school on the 12.5 acre site. Concerns expressed by the neighbors included impacts of increased traffic, size, scale and location of proposed school buildings, glare from exterior lighting and buffer treatments including landscaping and fencing.

The District has entered into a Memorandum of Agreement (Included with Attachment B) with some of the adjoining property owners and neighboring homeowner's associations that addresses several of the concerns raised during the neighborhood meetings. Although no specific building or site plans have been developed, the district has committed to some general design parameters intended to ensure that development of the site with an elementary school would be done in a manner that reduces some of the anticipated impacts on the surrounding residential uses. Among those design considerations are a single story building design with allowance for a taller gymnasium and specific minimum building setback requirements from the adjoining residential properties to the south.

In addition to the those design parameters agreed to by the School District, staff has recommended a condition requiring that a traffic study be done prior to final design and construction of the proposed school. The intent would be to determine the most desirable points of ingress and egress to the school and locations of parking and drop-off/pick-up areas for buses, parents and staff. The traffic study would help determine the best design to limit traffic related impacts to the surrounding neighborhoods and to the extent possible channel school related traffic to and through the signalized intersection at Westcliffe Boulevard and Keene Road and away from the local residential streets.

**State Environmental Policy Act (SEPA):** The rezone application was accompanied by a SEPA Checklist as required for any rezone application. Given the land use history where the property had previously been zoned R1-10 prior to the rezone to PUD in 2005 and given the proposed conditions of approval and other environmental information available to staff the City issued a Determination of Non-Significance to satisfy the requirements of the State Environmental Policy Act. A copy of the environmental checklist and SEPA determination are attached.

### **CONCLUSION**

The proposed zone change and subsequent development of the property with an elementary school would be consistent with and implement the adopted Comprehensive Land Use Plan and as conditioned would result in a use of the property compatible with the existing and planned surrounding land uses.

PROPERTY USE AND DEVELOPMENT AGREEMENT

THIS AGREEMENT made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the CITY OF RICHLAND and the Richland School District 400, a public school district in Washington State (Petitioner).

W-I-T-N-E-S-S-E-T-H:

WHEREAS, the City of Richland is currently entertaining an application by the Richland School District No. 400, (hereinafter "Petitioner") for a change of zone covering a 12.5-acre parcel located in Benton County, Washington (hereinafter "Property") and more particularly described in Ordinance No. \_\_\_\_\_.

NOW, THEREFORE, it is agreed that if the subject Property is rezoned from Planned Unit Development (PUD) to Single Family Residential 10,000 (R1-10) pursuant to said application, Petitioner for himself and for and on behalf of his heirs, successors and assigns, covenants and agrees as follows:

1. Development of the subject property shall be limited to either 15 residential units or a school as set forth in the First Amendment to Settlement and Release Agreement between the Parties to that certain Settlement and Release Agreement restricting use of the subject party dated March 26, 2012.
2. If developed with a public school, said school design shall generally conform to the design criteria set forth in the Release of Restrictive Covenants Memorandum of Agreement (copy attached) entered into between the Richland School District No. 400 and the Neighbors as identified in that agreement as that agreement may be hereafter amended by the affected parties.

Nothing in this condition shall preclude the City from requiring traffic control or parking lot location and design restrictions consistent with recommendations set forth in the traffic study required pursuant to Condition No. 3 below.

3. Prior to development of the subject property with a public school a traffic study shall be prepared to identify traffic impacts of the proposed school on the adjoining public street system. Said traffic study shall include recommendations for school

parking lot location and design that would help mitigate school related traffic impacts to the surrounding neighborhoods including but not limited to methods of channeling school related traffic toward the Westcliffe Boulevard/Keene Road signalized intersection and away from the surrounding neighborhood streets while minimizing impacts to the adjoining residential uses.

This agreement shall be placed of record and the terms and conditions thereof shall be a covenant running with the land and included in each deed and real estate contract executed by Petitioners with respect to the subject Property or any part thereof. The City of Richland shall be deemed a beneficiary of this covenant without regard to whether it owns any land or interest therein in the locality of the subject Property and shall have the right to enforce this covenant in any court of competent jurisdiction.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands the day and year first above written.

CITY OF RICHLAND

---

Cindy Johnson  
City Manager

---

Richland School District No. 400  
Petitioner

APPROVED AS TO FORM:

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THOMAS O. LAMPSON  
City Attorney

## **FIRST AMENDMENT TO SETTLEMENT AND RELEASE AGREEMENT**

THIS FIRST AMENDMENT TO SETTLEMENT AND RELEASE AGREEMENT ("First Amendment") is entered into as of \_\_\_\_\_, 2013 ("First Amendment Date"), by and between APPLEWOOD ESTATES HOMEOWNERS ASSOCIATION, BRANTINGHAM GREENS HOMEOWNERS ASSOCIATION, ROSS NEELY and MARY JOANNE NEELY, and MICHAEL LAUDISIO and SHEILA LAUDISIO (collectively, the "Neighbors"), the CITY OF RICHLAND ("City"), and WOLFF ENTERPRISES II, LLC, BADGER MOUNTAIN APARTMENTS I, LLC, BADGER MOUNTAIN APARTMENTS II, LLC, and BADGER MOUNTAIN APARTMENTS III, LLC (collectively, the "Developer"), together all collectively referred to as the "Parties" and each individually referred to as a "Party" in this First Amendment.

The Parties entered into that certain Settlement and Release Agreement, dated March 26, 2012 ("Agreement"). All capitalized terms in this First Amendment that are not defined in this First Amendment will have the definitions ascribed to them in the Agreement.

The Parties desire to amend the Agreement as more particularly set forth in this First Amendment.

NOW, THEREFORE, it is agreed as follows:

1. Phase IV Development Restrictions. The following is hereby added to Section 2(f) of the Agreement.

"Notwithstanding the development restrictions set forth in this Section 2(f), the Parties acknowledge and agree that the Developer or its successors, including, without limitation, the Richland School District No. 400, may apply for permits and other development entitlements required under applicable law to develop and operate a school on the Undeveloped Property, to include, but not be limited to, rezone of the Phase IV land to allow construction of a school; provided that the City does not hereby commit itself to any specific course of action or result in regards to any such applications."

2. No Other Amendments. In all other respects (except as provided in this First Amendment), the Agreement remains unmodified and in full force and effect.

3. Counterparts and Facsimile Signatures. This First Amendment may be executed in counterpart and by facsimile signature.

IN WITNESS WHEREOF, Purchaser and Seller have executed this First Amendment effective as of the First Amendment Date.

**Applewood Estates Homeowners Association**

By [Signature]  
Name: TONY HUBBARD  
Date: 01-22-2013

**Ross Neely and Mary Joanne Neely**

By Ross Neely  
Ross Neely  
Date: 1-24-13  
By Mary Joanne Neely  
Mary Joanne Neely  
Date: 1-24-2013

**Brantingham Greens Homeowners Association**

By [Signature]  
Name: Chris Buckner  
Date: 22 Jan 2013

**Michael Laudisio and Sheila Laudisio**

By Michael Laudisio  
Michael Laudisio  
Date: [Signature]  
By Sheila Laudisio  
Sheila Laudisio  
Date: 1/24/2013

**CITY OF RICHLAND**

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Date: \_\_\_\_\_

**WOLFF ENTERPRISES II, LLC**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Date: \_\_\_\_\_

**BADGER MOUNTAIN APARTMENTS I,  
LLC, a Washington limited liability company**

By: \_\_\_\_\_

Its: Fritz H. Wolff, Manager

**BADGER MOUNTAIN APARTMENTS II,  
LLC, a Washington limited liability company**

By: \_\_\_\_\_

Its: Fritz H. Wolff, Manager

**BADGER MOUNTAIN APARTMENTS III,  
LLC, a Washington limited liability company**

By: \_\_\_\_\_

Its: Fritz H. Wolff, Manager

## **RELEASE OF RESTRICTIVE COVENANTS**

**BETWEEN THE RICHLAND SCHOOL DISTRICT No. 400,  
APPLEWOOD ESTATES HOMEOWNERS ASSOCIATION,  
BRANTINGHAM GREENS HOMEOWNERS ASSOCIATION,  
ROSS NEELY AND MARY JOANNE NEELY, AND  
MICHAEL LAUDISIO AND SHEILA LAUDISIO**

THIS MEMORANDUM OF AGREEMENT ("Agreement") is made and entered into as of January 31, 2013 (the "Effective Date"), by and between the RICHLAND SCHOOL DISTRICT No. 400, a public school district in Washington State (hereinafter referred to as "the District") and Applewood Estates Homeowners Association, Brantingham Greens Homeowners Association, Ross Neely and Mary Joanne Neely, and Michael Laudisio and Sheila Laudisio (collectively, the "Neighbors").

### **RECITALS**

WHEREAS, the Neighbors, the City of Richland, and a Fritz H. Wolff were involved in a property dispute regarding a parcel of property located in Benton County, Washington, legally described in Exhibit A hereto ("the Property"). A lawsuit was filed by the Neighbors regarding this property dispute. On March 26<sup>th</sup>, 2012, the Neighbors entered into a Settlement Agreement with the City of Richland and Fritz H. Wolff. The result of this Settlement Agreement was a number of restrictive covenants that were put into place on May 10<sup>th</sup>, 2012. The restrictive covenants were intended to bind and burden the Property for the benefit of the Neighbors;

WHEREAS, the District and the Neighbors desire that an elementary school be construction on the Property and because the current covenants make it impossible to build an elementary school on the Property, the Parties are entering into the agreement;

WHEREAS, the individuals executing this Release are each authorized and empowered on behalf of each of the respective Parties to make, execute, and deliver, or cause to be made, executed and delivered, this Release and any related documents in the name and on behalf of each of the Parties.

NOW, THEREFORE, the parties incorporate the foregoing recitals into this Agreement and further agree as follows:

#### **A. NEIGHBORS RIGHTS AND OBLIGATIONS**

Neighbors agree to sign a release ("First Amendment to Restrictive Covenant") of the restrictive covenants. Specifically, the Neighbors agree to allow the District to design, plan and construct a school building and associated school grounds on the Property.



## B. DISTRICT RIGHTS AND OBLIGATIONS

In consideration of the Neighbors waiving the restrictive covenants, the District agrees to complete the following:

- the school shall be of a one-story classroom design; however, the gymnasium may be two-stories;
- the one-story portion of the school shall not be less than fifty (50) feet north of the southern boundary of the Property;
- the gymnasium portion of the school shall not be less than seventy-five (75) feet north of the southern boundary of the Property;
- the staff and public school parking lot and school entrance shall be accessed from Gala Way only;
- the staff and public school parking lot shall be located not less than one hundred (100) feet north of the southern boundary of the Property;
- the District shall make its best effort, and if practicable, to locate ingress/egress for the bus loop from Brantingham Road on the northern property boundary. If this effort fails to secure ingress/egress from Brantingham Road, access shall be from Gala Way;
- satellite and detached classrooms shall have similar esthetics as those used on the main school building;
- construct a fence and mow strip on the south side of the Property;
- to the extent possible, install "hoods" on the exterior lights, on the exterior of the school and in the parking lots;
- incorporate trees into the landscape design of the Property; and
- maintain the grounds of the Property.

SIGNATURES ARE ON THE FOLLOWING PAGE

IN WITNESS WHEREOF, the Neighbors and District have caused this instrument to be executed the day and year written below.

Applewood Estates Homeowners Association

By Tony J. Valdez

Printed Name TONY J. VALDEZ

Date 01-07-2013

Richland School District

By Rich Puryear

Printed Name Rich PURYEAR

Date 01-11-13

Brantingham Greens Homeowners Association

By Cliff Gordon

Printed Name Cliff Gordon

Date 11-26-13

Michael Laudisio and Sheila Laudisio

By Michael Laudisio

Date 11/11/13

By Sheila Laudisio

Date 11/11/13

Ross Neely and Mary Joanne Neely

By \_\_\_\_\_

Date \_\_\_\_\_

By \_\_\_\_\_

Date \_\_\_\_\_

**EXHIBIT "A"**  
**UPDATED LEGAL DESCRIPTION**

A PARCEL OF LAND LOCATED IN A PORTION OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:

BEGINNING AT A UNITED STATES BUREAU OF RECLAMATION BRASS CAP MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27;

THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, NORTH 2°11'30" EAST, A DISTANCE OF 606.31 FEET;

THENCE LEAVING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, NORTH 89°20'57" WEST, 30.01 FEET TO A POINT; SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BRANTINGHAM ROAD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WESTCLIFFE BOULEVARD (AUDITOR'S FILE NO. 2005-005967), SAID POINT BEING 30.00 FEET WESTERLY OF THE CENTERLINE OF SAID BRANTINGHAM ROAD AND 30.00 FEET SOUTHERLY OF THE CENTERLINE OF SAID WESTCLIFFE BOULEVARD WHEN MEASURED AT RIGHT ANGLES;

THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BRANTINGHAM ROAD, SOUTH 02°11'30" WEST PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 606.21 FEET;

THENCE CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BRANTINGHAM ROAD, SOUTH 02°11'33" WEST PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 262.74 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE CONTINUING ALONG SAID PARALLEL LINE, SOUTH 02°11'33" WEST 395.51 FEET;

THENCE LEAVING SAID PARALLEL LINE, NORTH 89°07'23" WEST 1085.37 FEET;  
THENCE NORTH 00°09'53" WEST, 93.40 FEET;

THENCE NORTHEASTERLY ALONG THE ARC OF A 600.00-FOOT RADIUS, TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS NORTH 89°50'07" EAST), THROUGH A CENTRAL ANGLE OF 10°41'08" FOR AN ARC DISTANCE OF 111.90 FEET;

THENCE NORTH 10°31'15" EAST, 41.34 FEET;

THENCE NORTHERLY ALONG THE ARC OF A 600.00-FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 79°28'45" WEST), THROUGH A CENTRAL ANGLE OF 08°33'42" FOR AN ARC DISTANCE OF 89.66 FEET;

THENCE SOUTH 78°15'09" EAST 30.42 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF GALA WAY AS SHOWN IN BADGER MOUNTAIN VILLAGE PHASE 2A,  
ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15 OF PLATS, PAGE 347, RECORDS OF BENTON COUNTY WASHINGTON, SAID POINT ALSO BEING 30.00

FEET EASTERLY OF THE CENTER LINE THEREOF, WHEN MEASURED RADially;

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID GALA WAY THE FOLLOWING COURSES:

THENCE NORTHEASTERLY, ALONG THE ARC OF A 16.00-FOOT RADIUS, NON-TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 87°34'14" EAST), THROUGH A CENTRAL ANGLE OF 93°29'31" FOR AN ARC DISTANCE OF 26.10 FEET;

THENCE NORTH 00°41'31" WEST, 50.36 FEET;

THENCE NORTHWESTERLY, ALONG THE ARC OF 16.00-FOOT RADIUS, NON TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS NORTH 06°24'53" EAST) THROUGH A CENTRAL ANGLE OF 85°32'21" FOR AN ARC DISTANCE OF 23.89 FEET;

THENCE NORTH 01°57'14" EAST, 318.87 FEET;

THENCE LEAVING SAID EASTERLY RIGHT OF WAY OF GALA WAY, SOUTH 88°02'46" EAST 244.02 FEET;

THENCE NORTH 02°11'30" EAST 56.30;

THENCE SOUTH 87°48'30" EAST 93.43 FEET;

THENCE SOUTH 02°11'30" WEST 367.97 FEET;

THENCE SOUTH 87°48'30" EAST 705.00 FEET TO THE SAID TRUE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 12.562 ACRES OF LAND, MORE OR LESS;

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED SEPTEMBER 9, 2010, UNDER AUDITOR'S FILE NUMBER 2010-025947.

**CITY OF RICHLAND**  
**NOTICE OF APPLICATION**  
**AND PUBLIC HEARING (Z2013-102)**

Notice is hereby given that the Richland School District, on January 9, 2013 filed application for a zone change from Planned Unit Development (PUD) to Single Family Residential 10,000 (R1-10) for an approximately 12.5-acre parcel located east of Gala Way, west of Brantingham Road and generally south of Westcliffe Boulevard. Pursuant to Richland Municipal Code (RMC) Section 19.30.030 the City of Richland determined the application complete for processing on January 14, 2013.

The Richland Planning Commission, on Wednesday, February 27, 2013, will conduct a public hearing and review of the application at 7:00 p.m. in the Council Chamber Richland City Hall, 505 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing.

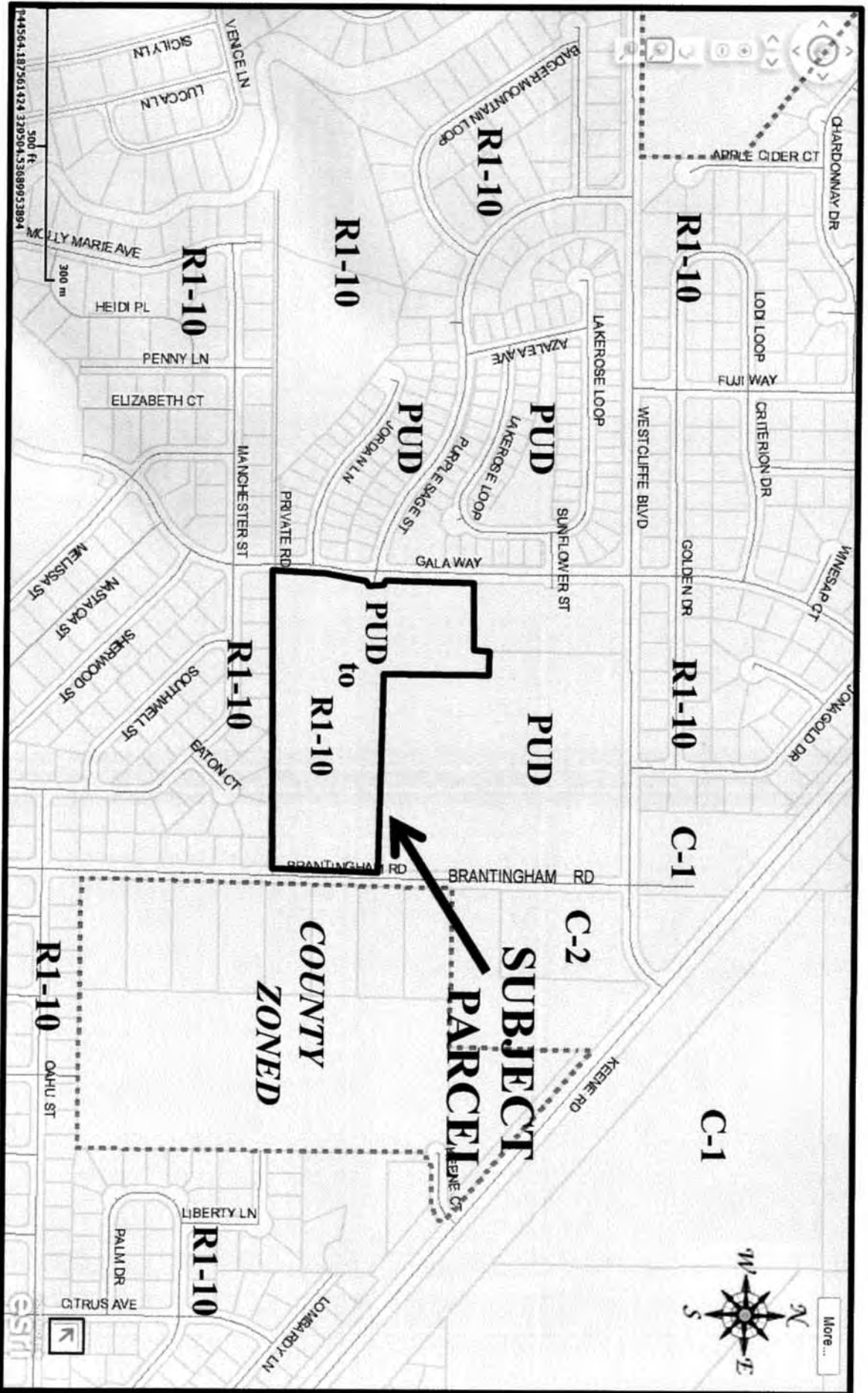
Any person desiring to express his views or to be notified of any decisions pertaining to this application should notify Rick Simon, Development Services Manager, 840 Northgate Drive, P.O. Box 190, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to [rsimon@ci.richland.wa.us](mailto:rsimon@ci.richland.wa.us). Written comments should be received no later than 5:00 p.m. on February 18, 2013 to be included in the material that is distributed to the Planning Commission prior to their meeting.

Notice is further given that the applicant has filed an environmental checklist as required by the State Environmental Policy Act (SEPA). Copies of the checklist and other information related to the application are available for review at the Richland Development Services Division Office, 840 Northgate Drive. Copies of the staff report and recommendation will be available in the Development Services Division Office and the Richland Public Library beginning Friday February 22, 2013.

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

---

Rick Simon, Development Services Manager



# Z2013-102

## VICINITY MAP



Planning & Development Services Division • Current Planning Section  
840 Northgate Drive • Richland, WA 99352  
General Information: 509/942-7794 • Fax: 509/942-7764

P.O. Box 190 Richland, WA 99352  
www.ci.richland.wa.us

### Petition for Change of Zoning District Classification

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

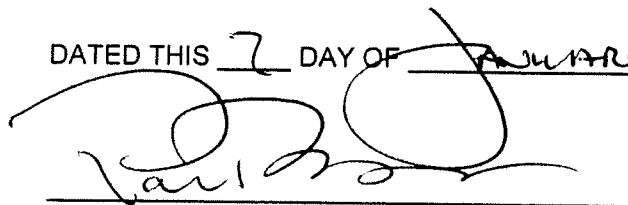
The following required information must be typed or printed legibly in the appropriate spaces.

<b>SECTION I – APPLICANT INFORMATION</b>			
Applicant's Name: <u>RICHLAND School District</u>			
Address: <u>615 SNOW</u>			
City: <u>Richland</u>		State: <u>WA</u>	Zip: <u>99352</u>
Phone: <u>509 967 6000</u>	Fax:	Other and/or e-mail address: <u>MARK.PANTHER@RSD.EDU</u>	
Please check under what capacity you are filing:			
<input type="checkbox"/> Recorded owner of the property as of		<input checked="" type="checkbox"/> Purchasing under contract as of <u>AUGUST 21, 2012</u>	
<input type="checkbox"/> The lessee as of		<input type="checkbox"/> The authorized agent of any of the foregoing, duly authorized in writing (written authorization must be attached to application).	
<b>SECTION II – PROPERTY LOCATION AND GENERAL DESCRIPTION</b>			
Street address(es) of property for which the zone change is requested, if applicable: <u>COUNTY TAX Parcel 1-27898-400-0001-032 ALSO KNOWN AS</u>			
<u>BROOKER MOUNTAIN HOMESTEAD Phase IV</u>			
Relationship to adjacent streets (i.e., west of Main Street between 1 <sup>st</sup> Avenue and 2 <sup>nd</sup> Avenue): <u>EAST GALA WAY - South Westcliffe Blvd - west of</u>			
<u>BRIANTINGHAM</u>			
General description of development status (i.e., vacant, agricultural, buildings, or miscellaneous improvement): <u>12.562 undeveloped acres</u>			
Size of petition area		acres and	square feet
<u>12.562</u>			
<b>SECTION III - CHANGE OF ZONE REQUEST</b>			
A change of zone from <u>Planned Unit Development</u> To <u>R-1-10 SFR</u>			
is requested for the property described in Section II of this application.			
<b>SECTION IV – JUSTIFICATION</b>			
State the reason(s) for the requested change of zone:			
<u>THE School district is purchasing the property for an</u>			
<u>elementary school site which was not included in the</u>			
<u>PUD. Zoning R-1-10 allows School</u>			

[ Continued

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

DATED THIS 2 DAY OF January, 2013



Applicant's Signature

615 Snow Ave

Address

Richland WA

City, State, Zip

509 967-6112

Phone

Applicant's Signature

Address

City, State, Zip

Phone

**FOR OFFICE USE ONLY**

Date accepted for filing \_\_\_\_\_

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

City Official's Signature





WESTCLIFFE BOULEVARD (60' WIDE)

GALA WAY (60' WIDE)

BRANTINGHAM ROAD (60' WIDE)

SCALE:  
1"=200'

N89°20'57"W  
30.01'

C8 N89°20'57"W

S 89°20'57" E 798.72'

PARCEL 2  
B.L.A.  
3.000 AC

TRUE POINT OF  
BEGINNING  
PARCEL III

LINE TABLE	
LINE	BEARING
R1	S00°39'03"W
R2	N01°43'33"W
R3	N01°43'33"W
R4	N06°24'53"E
R5	S87°34'14"E
R6	N79°28'45"W

POINT OF BEGINNING  
FOUND AND HELD US  
BUREAU OF RECLAMATION BRASS  
CAP IN MONUMENT CASE  
EAST 1/4 SEC. 27

PHASE III  
650,855 SQ FT  
14.942 AC

PHASE IV  
547,214 SQ FT  
12.562 AC

TRUE POINT OF  
BEGINNING PHASE IV

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	600.00'	10°41'08"	111.90'
C2	600.00'	8°33'42"	89.66'
C3	16.00'	93°29'31"	26.10'
C4	16.00'	85°32'21"	23.89'
C5	2030.00'	0°43'30"	25.69'
C6	16.00'	87°02'43"	24.31'
C7	16.00'	92°20'28"	25.79'
C8	20.00'	90°02'08"	31.43'

N00°09'53"W  
93.40'

N 89°07'23" W 1085.37'

PLAT TO ACCOMPANY DESCRIPTION  
PHASE III & PHASE IV  
PORTION OF E 1/2 OF SECTION 27  
TOWNSHIP 9, RANGE 28 EAST, W.M.  
CITY OF RICHLAND,  
BENTON COUNTY, WASHINGTON

**DURYEA & ASSOCIATES, P.S.**  
2702 N. Perry Street, Spokane WA 99207  
tel: (509) 465-8007  
www.duryea-associates.com  
Job No. 10-1502

**Exhibit A**

**A PARCEL OF LAND LOCATED IN A PORTION OF SECTION 27, TOWNSHIP 9 NORTH, RANGE 28 EAST, WILLAMETTE MERIDIAN, CITY OF RICHLAND, BENTON COUNTY, WASHINGTON DESCRIBED AS FOLLOWS:**

**BEGINNING AT A UNITED STATES BUREAU OF RECLAMATION BRASS CAP MARKING THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 27;**

**THENCE ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, NORTH 2°11'30" EAST, A DISTANCE OF 606.31 FEET;**

**THENCE LEAVING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27, NORTH 89°20'57" WEST, 30.01 FEET TO A POINT; SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF BRANTINGHAM ROAD AND THE SOUTHERLY RIGHT-OF-WAY LINE OF WESTCLIFFE BOULEVARD (AUDITOR'S FILE NO. 2005-005967), SAID POINT BEING 30.00 FEET WESTERLY OF THE CENTERLINE OF SAID BRANTINGHAM ROAD AND 30.00 FEET SOUTHERLY OF THE CENTERLINE OF SAID WESTCLIFFE BOULEVARD WHEN MEASURED AT RIGHT ANGLES;**

**THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BRANTINGHAM ROAD, SOUTH 02°11'30" WEST PARALLEL TO THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 606.21 FEET;**

**THENCE CONTINUING ALONG THE WESTERLY RIGHT-OF-WAY LINE OF SAID BRANTINGHAM ROAD, SOUTH 02°11'33" WEST PARALLEL TO THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 27 FOR A DISTANCE OF 262.74 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;**

**THENCE CONTINUING ALONG SAID PARALLEL LINE, SOUTH 02°11'33" WEST 395.51 FEET;**

**THENCE LEAVING SAID PARALLEL LINE, NORTH 89°07'23" WEST 1085.37 FEET; THENCE NORTH 00°09'53" WEST 93.40 FEET;**

**THENCE NORTHEASTERLY ALONG THE ARC OF A 600.00-FOOT RADIUS, TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS NORTH 89°50'07" EAST), THROUGH A CENTRAL ANGLE OF 10°41'08" FOR AN ARC DISTANCE OF 111.90 FEET;**

**THENCE NORTH 10°31'15" EAST, 41.34 FEET;**

**THENCE NORTHERLY ALONG THE ARC OF A 600.00-FOOT RADIUS, TANGENT CURVE TO THE LEFT (THE RADIUS OF WHICH BEARS NORTH 79°28'45" WEST), THROUGH A CENTRAL ANGLE OF 08°33'42" FOR AN ARC DISTANCE OF 89.66 FEET;**

**THENCE SOUTH 78°15'09" EAST 30.42 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF GALA WAY AS SHOWN IN BADGER MOUNTAIN VILLAGE PHASE 2A, ACCORDING TO THE PLAT THEREOF, RECORDED IN VOLUME 15 OF PLATS, PAGE 347. RECORDS OF BENTON COUNTY WASHINGTON, SAID POINT ALSO BEING 30.00 FEET EASTERLY OF THE CENTER LINE THEREOF, WHEN MEASURED RADially;**

THENCE ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID GALA WAY THE FOLLOWING COURSES:

THENCE NORTHEASTERLY ALONG THE ARC OF A 16.00-FOOT RADIUS, NON TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS SOUTH 87°34'14" EAST), THROUGH A CENTRAL ANGLE OF 93°29'31" FOR AN ARC DISTANCE OF 26.10 FEET;

THENCE NORTH 00°41'31" WEST, 50.36 FEET;

THENCE NORTHWESTERLY, ALONG THE ARC OF 16.00-FOOT RADIUS, NON TANGENT CURVE TO THE RIGHT (THE RADIUS OF WHICH BEARS NORTH 06°24'53" EAST) THROUGH A CENTRAL ANGLE OF 85°32'21" FOR AN ARC DISTANCE OF 23.89 FEET

THENCE NORTH 01°57'14" EAST, 318.87 FEET;

THENCE LEAVING SAID EASTERLY RIGHT OF WAY OF GALA WAY, SOUTH 88°02'46" EAST 244.02 FEET;

THENCE NORTH 02°11'30" EAST 56.30;

THENCE SOUTH 87°48'30" EAST 93.43 FEET;

THENCE SOUTH 02°11'30" WEST 367.97 FEET;

THENCE SOUTH 87°48'30" EAST 705.00 FEET TO THE SAID TRUE POINT OF BEGINNING OF THIS DESCRIPTION, CONTAINING 12.562 ACRES OF LAND MORE OR LESS;

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND DESCRIBED IN THAT CERTAIN QUIT CLAIM DEED RECORDED SEPTEMBER 9, 2010, UNDER AUDITOR'S FILE NUMBER 2010-025947.



RECEIVED

Nov 14 2012

City of Richland  
Community &  
Development Services

November 7, 2012

**Via First Class Mail Only**

Mr. Rick Simon  
Manager Building and Permitting  
City of Richland  
505 Swift Blvd.  
Richland, WA 993532

RE: "Badger Mountain" apartment development site – Phase IV of PUD – Re-zone  
Permission to City of Richland's School District Number 400

Dear Rick:

As you know from our prior dealings we are the control principals and sponsors of each of Badger Mountain Apartments I, LLC, Badger Mountain Apartments II, LLC, and Badger Mountain Apartments III, LLC, each Washington limited liability companies (collectively the "Developer") that are the co-tenant co-owners of certain real property located in the City of Richland, including, but not limited to, an approximate 12.562 acre site located in Benton County identified as Tax Parcel No. 1-2798-400-0001-032 (the "Real Property").

As you are aware, the Developers entered into a "Real Property Purchase and Sale Agreement and Escrow Instructions" dated August 21, 2012 (the "PSA") for the sale of the Real Property to Richland School District No. 400 (the "District") which is interested in developing a school at the Real Property.

It is almost certainly the case that to build a school at the Real Property will require that a Settlement Agreement purporting to restrict the Real Property as a private matter to certain types of single family residence development will need to be amended. However, we the Developer are also advised by the District that the Real Property must be re-zoned to R-110 under the Richland Municipal Code in order for the District to actually eventually construct a school at the Real Property.

This letter is to advise the City of Richland, formally and in writing, that the Developer consents to the application by the District of a re-zone of the Real Property to R-110 zoning. This permission is granted on the understanding that: (i) it could be formally revoked in the case of the District determining to terminate the PSA prior to the effectiveness of the zoning change, if any, and (ii) could also be formally revoked in the event that the aforementioned Settlement



Agreement is not formally amended in writing prior to the effectiveness of the zoning change, such amendment being required as a private matter for certain neighbors and parties-in-interest adjacent to the Real Property to waive or otherwise relinquish their private rights regarding the Developer's current plan to develop the Real Property, if at all, as single family residences. The Developer obviously has no current plan to develop a school at the Real Property, but is certainly interested to see that the District acquires the Real Property and does not object to an eventual development of a school at the Real Property.

Should you have any further inquiries you or the City of Richland's legal counsel is welcome to call me at (480) 993-0487 as an authorized representative of the Developer.

All best regards,

Jared B. Black, Esq.

*General Counsel*

*The Wolff Company, LLC*

*and for the Developer*

JBB:jbb  
Enclosure

February 6, 2013

Mr. Rick Simon  
Development Services Manager  
City of Richland  
Richland, Washington

Re: Z2013-102

Dear Mr. Simon,

I write in support of the above mentioned action which would result in an elementary school being built in our neighborhood and adjacent to our property, the Badger Mountain Apartments.

In concert with the adjoining homeowners association and the City, we helped provide the community park on our west boundary at Westcliffe and Gala. This school would complete the development of a fine neighborhood including that park, the single family homes, our property, and now, the school.

With this school, children could walk to and from school and no longer need to be bussed to other parts of the city. And the school will be "their" school: a source of pride which is becoming a rarity in present America. This enhances the sense of community among both the children and adults in the neighborhood, a good thing.

Originally we had planned up to 40 homes on this land. Later, the plan agreed to by us and the neighboring homeowners associations included 15 single family homes as a buffer to the neighborhoods to the south and west. Though those large lots would have provided some buffer, they would not have provided any further useful function accruing to the benefit of this area. In fact, there were some concerned that the large lots may be too large and accumulate unsightly junk.

The school will provide an even better buffer and this buffer will also provide function that will benefit the property owners throughout the entire neighborhood.

This is better than what we had envisioned on a number of levels. It is good for the children and their parents, it is good for the neighborhood, and it is an improvement over the land entitlements in place now.

Accordingly, we support the action.

Respectfully,

*Fritz Wolff*

For Badger Mountain Apartments

## Rolph, Jeff

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**From:** Simon, Rick  
**Sent:** Wednesday, February 06, 2013 8:35 AM  
**To:** Rolph, Jeff  
**Subject:** FW: new elementary next to Brantingham Greens

**From:** Chris VanMason [<mailto:chrisvanmason@gmail.com>]  
**Sent:** Tuesday, February 05, 2013 3:22 PM  
**To:** Simon, Rick  
**Subject:** new elementary next to Brantingham Greens

Rick Simon

I would like to express a few concerns in regards to the proposed new elementary school near Brantingham Greens. I live at 1629 Brantingham Road right on the corner that would be directly next to the school property. First of all I'm not against the school. I know it's needed in the neighborhood, I just wish I didn't live right next to it.

I hope that the school district will make things as easy as they can for all of us that live on the south boundary line all along the fence. I would like to see some kind of buffer zone between us and the play field. Maybe some landscaping up along the fence with some trees that would soften our view of the apartments ( since now there won't be homes to shield our view of them) I keep having a visual of passing my Grandson snacks over the back fence at recess. Another idea would be to keep the dirt driveway that is already there and agree to maintain it. Many of us use it to get to the park and walk our dogs. Wolf construction was going to make a walk thru off of Brantingham for the neighborhood to use.

I also am wondering about the set back off of Brantingham road. I hope it will be at least as deep as the rest of the neighborhood. I don't want to look out from my desk and see chain link fencing come up right to my yard.

I am concerned most with the visual aspects of the plan. And the safety of the children. It doesn't have to be expensive to be thoughtful of neighbors next to the school when planning.

Thank you for your time in reading this

Chris VanMason  
[chrisvanmason@gmail.com](mailto:chrisvanmason@gmail.com)  
1629 Brantingham Road

**Rolph, Jeff**

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**From:** Simon, Rick  
**Sent:** Friday, February 08, 2013 2:40 PM  
**To:** Rolph, Jeff  
**Subject:** FW: Zone Change at Westcliffe and Gala, Proposed School

**From:** Dwayne Nys [<mailto:dwaynenys@yahoo.com>]  
**Sent:** Friday, February 08, 2013 2:34 PM  
**To:** Simon, Rick  
**Subject:** Zone Change at Westcliffe and Gala, Proposed School

I am in favor of building the grade school next to Brantingham Greens but am very concerned about traffic patterns. Combining the existing traffic with traffic from Badger Mountain Ranch Apartments and grade school bussing and student pick up and drop off will overload the intersection at Westcliffe and Keene. Personally, I will start going through Applewood to Shockley again. I am sure that the Applewood residents would object to increased traffic on Fuji. It will probably be higher than it was before the Westcliffe-Keene intersection was completed. A possible solution would be to extend Keene Court to Brantingham Road allowing people headed toward Kennewick an easy right turn onto Keene.

Please address traffic issues when determining the outcome of the zoning change.

Thank you,

Dwayne Nys  
Brantingham Greens  
633 Southwell Street  
Richland WA 99352



**WAC 197-11-960 Environmental checklist.**

## ENVIRONMENTAL CHECKLIST

*Purpose of checklist:*

The State Environmental Policy Act (SEPA), chapter 43.21C RCW, requires all governmental agencies to consider the environmental impacts of a proposal before making decisions. An environmental impact statement (EIS) must be prepared for all proposals with probable significant adverse impacts on the quality of the environment. The purpose of this checklist is to provide information to help you and the agency identify impacts from your proposal (and to reduce or avoid impacts from the proposal, if it can be done) and to help the agency decide whether an EIS is required.

*Instructions for applicants:*

This environmental checklist asks you to describe some basic information about your proposal. Governmental agencies use this checklist to determine whether the environmental impacts of your proposal are significant, requiring preparation of an EIS. Answer the questions briefly, with the most precise information known, or give the best description you can.

You must answer each question accurately and carefully, to the best of your knowledge. In most cases, you should be able to answer the questions from your own observations or project plans without the need to hire experts. If you really do not know the answer, or if a question does not apply to your proposal, write "do not know" or "does not apply." Complete answers to the questions now may avoid unnecessary delays later.

Some questions ask about governmental regulations, such as zoning, shoreline, and landmark designations. Answer these questions if you can. If you have problems, the governmental agencies can assist you.

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

*Use of checklist for nonproject proposals:*

Complete this checklist for nonproject proposals, even though questions may be answered "does not apply." IN ADDITION, complete the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D).

For nonproject actions, the references in the checklist to the words "project," "applicant," and "property or site" should be read as "proposal," "proposer," and "affected geographic area," respectively.

**A. BACKGROUND**

1. Name of proposed project, if applicable: **Richland School District Elementary School #8 (NEW unnamed at this time)**
2. Name of applicant: **Richland School District No. 400**
3. Address and phone number of applicant and contact person:  
**Mark L. Panther, Executive Director of Support Services**  
**701 Stevens Drive, Richland Wa. 99352 509-967-6102**
4. Date checklist prepared: **January 3, 2013**
5. Agency requesting checklist: **City of Richland, Planning Department**
6. Proposed timing or schedule (including phasing, if applicable): **March 2013, Purchase of property, January 2014 Construction depending on passage of bond issue.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain.  
**No.**

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

**Phase 1 Environmental was prepared by Wolffe Enterprises on this parcel of property June 25, 2010, by Earth Solution NW, LLC**

**Geotechnical Engineering Study, October 2012, Shannon and Wilson**

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

No

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

**City of Richland Planning Commission, and Richland Codes and Ordinances, including International Building Code, Office of the Superintendent of Public Instruction**

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

Richland School District is proposing to construct a new Elementary school to serve south Richland. The school is preliminarily planned to be approximately 60,000 to 65,000 square feet. **Containing a gymnasium, commons, and approximately 28 classrooms, playground and campus area.**

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

**The proposed school will be constructed on an eleven (12) acre parcel located West of Brantingham Road, East of Gala Way and South of Westcliffe Blvd and North of Brantingham Greens phase one, which is also known as Badger Mountain Apartments Phase IV. Legal description is attached.**

**TO BE COMPLETED BY APPLICANT**

**EVALUATION FOR  
AGENCY USE ONLY**

**B. ENVIRONMENTAL ELEMENTS**

**1. Earth**

- a. General description of the site (circle one): Flat, rolling, hilly, steep slopes, mountainous,  
other . . . . . **Flat**
- b. What is the steepest slope on the site (approximate percent slope)? **2% estimate**

TO BE COMPLETED BY APPLICANT

EVALUATION FOR  
AGENCY USE ONLY

- c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any prime farmland.

**9 inches of organic topsoil, covering medium-dense, sandy silt, overlaying clayey soils at deeper depths.**

**The Geologic Map of the Richland 1:1000,000 Quadrangle (DNR 1994) describes these soils as lacustrine silt and fine sand, and fluvial coarse to fine sand.**

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

**None known**

- e. Describe the purpose, type, and approximate quantities of any filling or grading proposed. Indicate source of fill.

**Foundation, footings and site grading with crushed rock aggregate for foundation stabilization.**

**Utility trenching and backfill will be utilizing accepted standard practices APWA specifications**

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

**Erosion could occur with miss-managed grading and site preparation. However, site supervision will be present.**

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

**25%**

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

**Dust control during construction, landscaping and ground cover**

a. **Air**

- a. What types of emissions to the air would result from the proposal (i.e., dust, automobile, odors, industrial wood smoke) during construction and when the project is completed? If any, generally describe and give approximate quantities if known.

**During Construction, emissions from construction equipment. Emissions from the HVAC system once construction is complete, which will be permitted and inspected by Clean Air Authority.**

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

**None Known**

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

**No Proposed Measures, other than inspection and permitting of heating emissions from the Benton Clean Air Authority.**

**3. Water**

a. Surface:

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

**No.**

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

**No**

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

**None**

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

**No**

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

**The proposed project is not within the 100 year flood plain.**

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

**No**

b. Ground:

- 1) Will ground water be withdrawn, or will water be discharged to ground water? Give general description, purpose, and approximate quantities if known.

**No**

- 2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. **None**

TO BE COMPLETED BY APPLICANT

EVALUATION FOR  
AGENCY USE ONLY

c. Water runoff (including stormwater):

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

**Runoff may occur from roofs and paved areas. This water will be collected and discharged into City storm water system**

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

**No, the design of the project should eliminate any waste materials entering ground or surface waters.**

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

**Plans and procedure will be implemented to minimize the origination of any water impacts on the site during construction. Dust control should be the only concern.**

4. Plants

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

- \_\_\_\_\_ deciduous tree: alder, maple, aspen, other  
\_\_\_\_\_ evergreen tree: fir, cedar, pine, other  
\_\_\_\_\_ Shrubs  
X \_\_\_\_\_ grass  
\_\_\_\_\_ pasture  
\_\_\_\_\_ crop or grain  
\_\_\_\_\_ wet soil plants: cattail, buttercup, bullrush, skunk cabbage, other  
\_\_\_\_\_ water plants: water lily, eelgrass, milfoil, other  
X \_\_\_\_\_ other types of vegetation

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

**Site will be cleared of all vegetation, it currently contains weeds, native grasses, sagebrush and Russian Olive scrub**

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

**None known to be on or near site**

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

Landscaping will include grass turf, shrubbery, trees, as prescribed by COR municipal code

5. Animals

a. Circle any birds and animals which have been observed on or near the site or are known to be on or near the site:

birds: hawk, heron, eagle, songbirds, other:  
mammals: deer, bear, elk, beaver, other:  
fish: bass, salmon, trout, herring, shellfish, other:

- b. List any threatened or endangered species known to be on or near the site. **None known to be on or near site**



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

No

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

None identified

## 6. Energy and natural resources

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

Electric energy and natural gas may be used to heat and cool structures.

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

No

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

The project will undergo a review of energy saving design features by the Office of the Superintendent of Public Instruction, in compliance with RCW 39.35 to incorporate high-performance features into their school design and construction. School districts can use either Leadership in Energy and Environmental Design (LEED) 2009 or Washington Sustainable Schools Protocol (WSSP) 2010. The Washington Sustainable Schools Protocol (WSSP) is modeled after the Collaborative for High Performance Schools (CHPS) green building protocol and adapted to fit Washington schools. WSSP is a self-certifying standard developed to help school districts comply with the goals of the law. It is a planning tool that allows designers to plan a high-performance school while considering the regional, district, and site-specific possibilities and constraints for each project. The categories in the protocol include those related to Site, Water, Materials, Energy, Indoor Environmental Quality, and Planning and Operations.

## 7. Environmental health

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

None anticipated

- 1) Describe special emergency services that might be required.

None

- 2) Proposed measures to reduce or control environmental health hazards, if any:

Traffic control and site access to minimize impact to City streets and residents, fencing to secure area during and after construction.

**b. Noise**

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

**None**

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

**Typical construction noise is expected during normal working hours (7am to 6 pm) on weekdays during construction.  
After construction, noise may result from students on the playground and external bells and monthly fire alarm drills.**

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

**None other than disable external bell system when school is not in session during summer and breaks.**

**8. Land and shoreline use**

a. What is the current use of the site and adjacent properties?

**Residential**

b. Has the site been used for agriculture? If so, describe.

**Yes, indications are that this was at one time orchard property**

c. Describe any structures on the site.

**None**

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

**No**

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

**Planned Unit Development**

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

**Planned Unit Development**

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

**Not applicable**

h. Has any part of the site been classified as an "environmentally sensitive" area? If so, specify.

**No**

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

**40 staff and up to 600 students**

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

**None, vacant land**

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

**None**

— Low Density Residential  
(0-5 Dwellings/Acre)

TO BE COMPLETED BY APPLICANT

EVALUATION FOR  
AGENCY USE ONLY

1. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:

**Proposed project is consistent with existing and projected land use.**

9. **Housing**

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

**None**

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

**None**

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

**None**

10. **Aesthetics**

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

**Forty (40) feet is anticipated however, design will be based on a one story structure which will include a gymnasium with a higher roof height.**

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

**None Identified**

— As currently undeveloped site is developed views in the vicinity will be altered.

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

**One story structure, with trees, downward lighting, swale and green buffer zone between adjacent single family residential area.**

11. **Light and glare**

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur? **Consistent with the COR municipal lighting code.**

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

**Not known, but not anticipated if it meets COR code requirements**

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

**None known**

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

**Compliance with lighting code, hooded lights to direct lighting to avoid light pollution in adjacent neighborhoods.**

**12. Recreation**

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

**School playground with typical amenities for kindergarten through fifth (5<sup>th</sup>) grade students would improve neighborhood access to recreation.**

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

**No**

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

**None**

**13. Historic and cultural preservation**

- a. Are there any places or objects listed on, or proposed for, national, state, or local preservation registers known to be on or next to the site? If so, generally describe.

**No**

- b. Generally describe any landmarks or evidence of historic, archaeological, scientific, or cultural importance known to be on or next to the site.

**None**

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

**None**

**14. Transportation**

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

**Gala Way, Westcliffe Blvd, and Brantingham Road,**

- b. Is site currently served by public transit? If not, what is the approximate distance to the nearest transit stop?

**yes**

- c. How many parking spaces would the completed project have? How many would the project eliminate?

**Project would not eliminate any parking, but would comply with COR code requirements for a school structure**

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

**Curbs and sidewalks along adjacent roadways**

TO BE COMPLETED BY APPLICANT

EVALUATION FOR  
AGENCY USE ONLY

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

No

f. How many vehicular trips per day would be generated by the completed project? If known, indicate when peak volumes would occur.

50 PER ITE 520, 600 STUDENTS GENERATE ~ 774 DAILY TRIPS: 270 AM, 90 PM  
AM PEAK BETWEEN 7 AM : 8:AM ?  
OR  
40 STAFF GENERATE ~ 620 DAILY TRIPS: 215 AM, 72 PM

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

Proposal of a school speed zone, with flashing beacon and crosswalk treatments.

RSD WILL WORK DIRECTLY WITH PUBLIC WORKS ON PICK-UP/DROP OFF  
LOCATIONS TO BEST ACCOMMODATE ADDED LOADS TO RESIDENTIAL STREETS.  
MAINTENANCE FUNDING ; JONAGOLD.

15. Public services

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

Yes, the school will impact fire and police services, fire code compliance and inspection, traffic control and enforcement of proposed speed zone.

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

None

16. Utilities

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

All of the above except septic

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

Water, sewer, storm water, electrical, natural gas, refuse service, communications

C. SIGNATURE

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

Signature: .....

Date Submitted: .....

D. SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS

(do not use this sheet for project actions)

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

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

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise?

Proposed measures to avoid or reduce such increases are:

2. How would the proposal be likely to affect plants, animals, fish, or marine life?

Proposed measures to protect or conserve plants, animals, fish, or marine life are:

3. How would the proposal be likely to deplete energy or natural resources?

Proposed measures to protect or conserve energy and natural resources are:

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands?

Proposed measures to protect such resources or to avoid or reduce impacts are:

**TO BE COMPLETED BY APPLICANT**

**EVALUATION FOR  
AGENCY USE ONLY**

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans?

Proposed measures to avoid or reduce shoreline and land use impacts are:

6. How would the proposal be likely to increase demands on transportation or public services and utilities?

Proposed measures to reduce or respond to such demand(s) are:

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment.



**CITY OF RICHLAND**  
**Determination of Non-Significance**

**Description of Proposal** Rezone an approximately 12.5 acre site from Planned Unit Development (PUD) to Single Family Residential 10,000 (R1-10) to allow for construction of a new elementary school for approximately 600-students and 40-staff with associated parking, utilities, landscaping and playground areas.

**Proponent** Richland School District

**Location of Proposal** East of and adjacent to Gala Way, west of and adjacent to Brantingham Road, north of the Brantingham Greens subdivision and generally south of Westcliffe Boulevard.

**Lead Agency** City of Richland

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

[XX] There is no comment for the DNS.

[ ] This DNS is issued under WAC 197-11-340(2); the lead agency will not act on this proposal for 14 days from the date below. **Comments must be submitted by** \_\_\_\_\_.

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

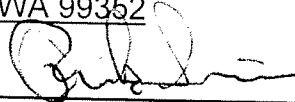
**SEPA Responsible Official** Rick Simon

**Position/Title** Development Services Manager

**Address** P.O. Box 190, Richland, WA 99352

**Date** 2/20/2013

**Signature**



**Comments/Conditions**

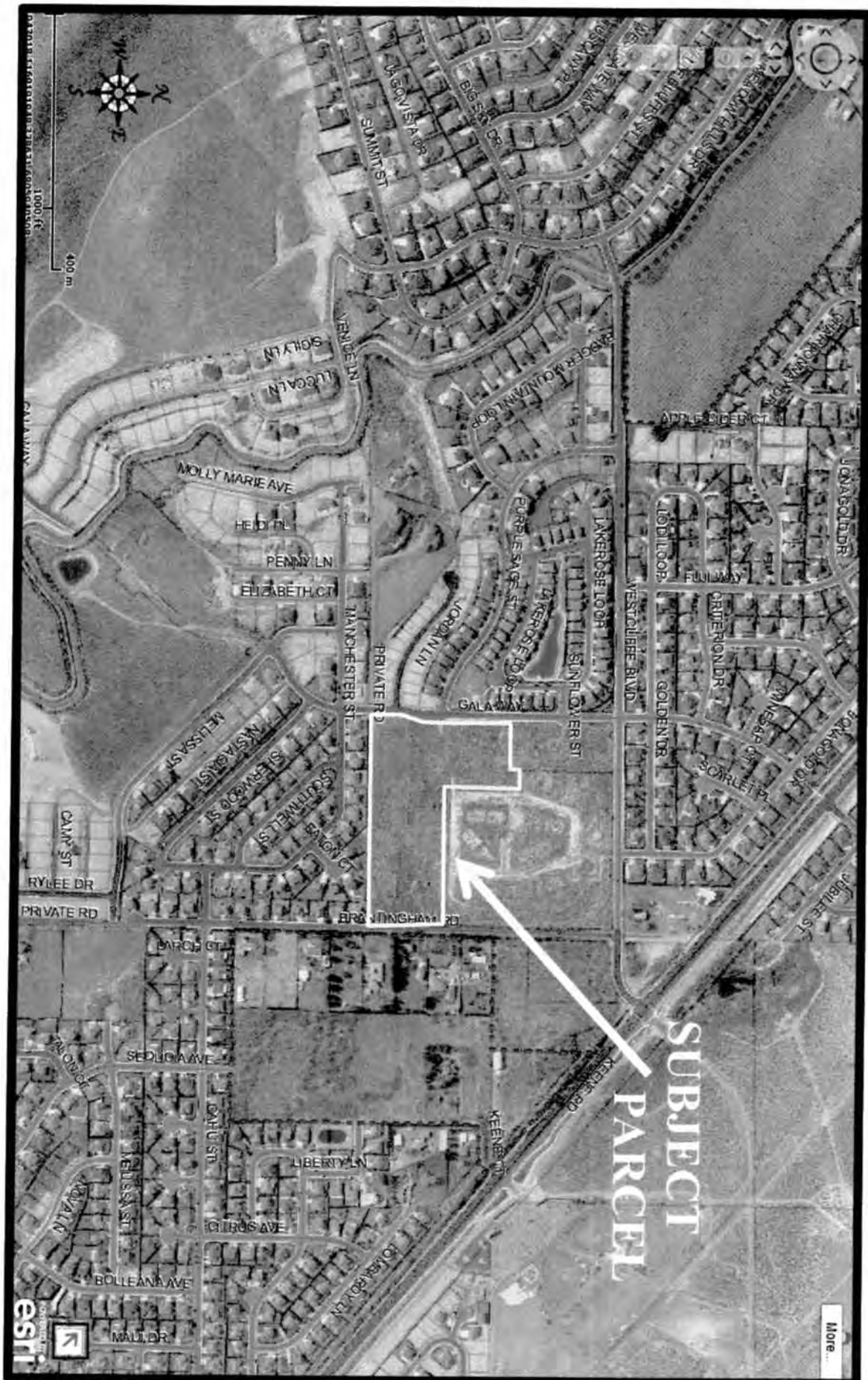
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## STAFF REPORT

TO: PLANNING COMMISSION  
FILE NO.: M2013-100

PREPARED BY: JEFF ROLPH  
MEETING DATE: FEBRUARY 27, 2013

### GENERAL INFORMATION:

APPLICANT: COLUMBIA BASIN RACQUET CLUB (M2013-100)

REQUEST: REQUEST FOR REDUCTION IN REQUIRED  
PARKING BASED ON JOINT USE PARKING  
AGREEMENT

LOCATION: 1776 TERMINAL DRIVE

### REASON FOR REQUEST

Richland Municipal Code (RMC) Section 23.54.080 sets forth provisions for joint use of parking facilities that allows for a reduction in required parking. The applicant is requesting a 16.75% reduction in required parking based on a joint use parking agreement that involves 4 adjoining properties and uses.

### APPLICABLE CODE SECTION

#### ***RMC 23.54.080 Joint use of parking facilities – Spaces required.***

*For joint use of parking facilities, the total number of required spaces may be reduced by 10 percent. The number may be reduced by a total of 25 percent with the approval of the commission. Under the following circumstances, further reduction may be made:*

*A. No more than 50 percent of the parking spaces required for a theater, church, bowling alley, dance hall, bar, restaurant, or other enterprise which is primarily a nighttime or Sunday use may be supplied by the off-street parking spaces allocable to certain other types of uses specified under RMC 23.54.020.*

*B. No more than 50 percent of the parking spaces required for a bank, business office, retail store, personal service shop, household equipment or furniture shop, or other enterprise which is primarily a daytime and non-Sunday use may be supplied by the off-street parking spaces allocable to certain nighttime or Sunday uses.*

*Application to the commission for more than 10 percent reduction shall be by letter, stating the reasons for the request. [Ord. 28-05 § 1.02].*

### BACKGROUND

RMC Section 23.54.080 allows for an automatic 10% reduction of total required parking if two or more properties enter into a joint use parking agreement and allows for reductions of up to 25% in total required parking if approved by the Planning Commission. The code further allows the Planning Commission to grant up to a 50% reduction in total required

parking if the joint use agreement is between uses whose peak parking demand times are different such as a movie theater with peak parking demand primarily in weekday evenings and on weekends and an office building with a peak parking demand primarily during weekday daytime hours.

The CBRC has previously entered into a joint use parking agreement with three other adjoining properties and uses, specifically the adjoining properties and office buildings located at 1622 Terminal Drive, 1777 Terminal Drive and 1779 Terminal Drive (Attachment D). That joint use agreement allowed CBRC to complete an earlier remodel and addition while providing less than their otherwise code required parking on their lot at 1776 Terminal Drive and their auxiliary parking lot across Terminal Drive to the west.

CBRC is now in the process of constructing an outdoor leisure pool addition that will increase their code required parking while at the same time removing some of their existing parking spaces. After the pool expansion, the total non-reduced code required parking for all four of the properties that have entered into the joint use parking agreement will be 424 spaces. There will be a total of 353 parking spaces remaining between the four properties after the pool expansion, and as such they are requesting Planning Commission approval of a 16.75% reduction in overall required parking.

### ANALYSIS

CBRC's busiest time of the year is typically in the first three months of the year on weekdays between the hours of 4:00 p.m. to 6:00 p.m. They have stated that even at that time the parking lots are rarely filled beyond 80% capacity. The peak time of use for the new leisure pool is anticipated to be in the summer between the hours of 1:00 p.m. to 5:00 p.m. That peak time of use will not conflict with the peak time and hours of use of the other club facilities that occur in the January through March time frame.

This past summer in anticipation of the leisure pool expansion CBRC began tracking the number of cars parked in their lots and the adjoining shared lots that were part of the joint use parking agreement. The counts were taken on a daily basis at one hour intervals between 11 a.m. and 8 p.m. Per the CBRC counts only approximately 50-60% of the stalls were filled during the busiest hours which tended to be on weekdays in the late afternoon and early evening (Attachment C).

CBRC is requesting Planning Commission approval for a reduction in overall code required parking of 16.75%. Without the Planning Commission approval, the CBRC would be limited to the 10% outright allowable reduction in required parking (382 total spaces for all four uses) which would require them to provide an additional 29 parking spaces in addition to the 353 spaces that will remain after the leisure pool expansion project.

The owners of the CBRC also own the office building and property at 1622 Terminal Drive. That parcel has ample undeveloped land available to expand the parking lot for

use by CBRC clients should it be deemed necessary based on actual parking demand after the opening of the leisure pool later this year.

The proposed pool expansion and related removal of parking on the lot located immediately in front of the club entrance will undoubtedly increase the use of the auxiliary parking lot on the west side of Terminal Drive. The CBRC leisure pool expansion project includes a new sidewalk connection between Terminal Drive and the Club's main entrance which will provide for safe pedestrian movement for clients parking in the auxiliary lot across Terminal Drive.

### RECOMMENDATION

Staff recommends that the Planning Commission approve a 16.75% reduction in overall code required parking based on a joint use parking agreement between the properties located at 1622, 1776, 1777 and 1779 Terminal Drive.

### ATTACHMENTS

- A - Public Hearing Notice & Vicinity Map
- B - Letter of Request with Attachments
- C - Parking Count Summary Sheets
- D - Aerial Photo

# **CITY OF RICHLAND**

## **NOTICE OF APPLICATION**

### **AND PUBLIC HEARING (M2013-100)**

Notice is hereby given that Columbia Basin Racquet Club, on January 28, 2013 filed a request to allow for an approximately 17 percent reduction in code required parking based on a joint use parking agreement between properties located at 1622, 1757, 1776, 1777 and 1779 Terminal Drive. The request is submitted per the provisions of Richland Municipal Code (RMC) Section 23.54.080.

The Richland Planning Commission, on Wednesday, February 27, 2013, will conduct a public hearing and review of the request at 7:00 p.m. in Council Chamber at Richland City Hall, 505 Swift Boulevard. All interested parties are invited to attend and present testimony at the public hearing.

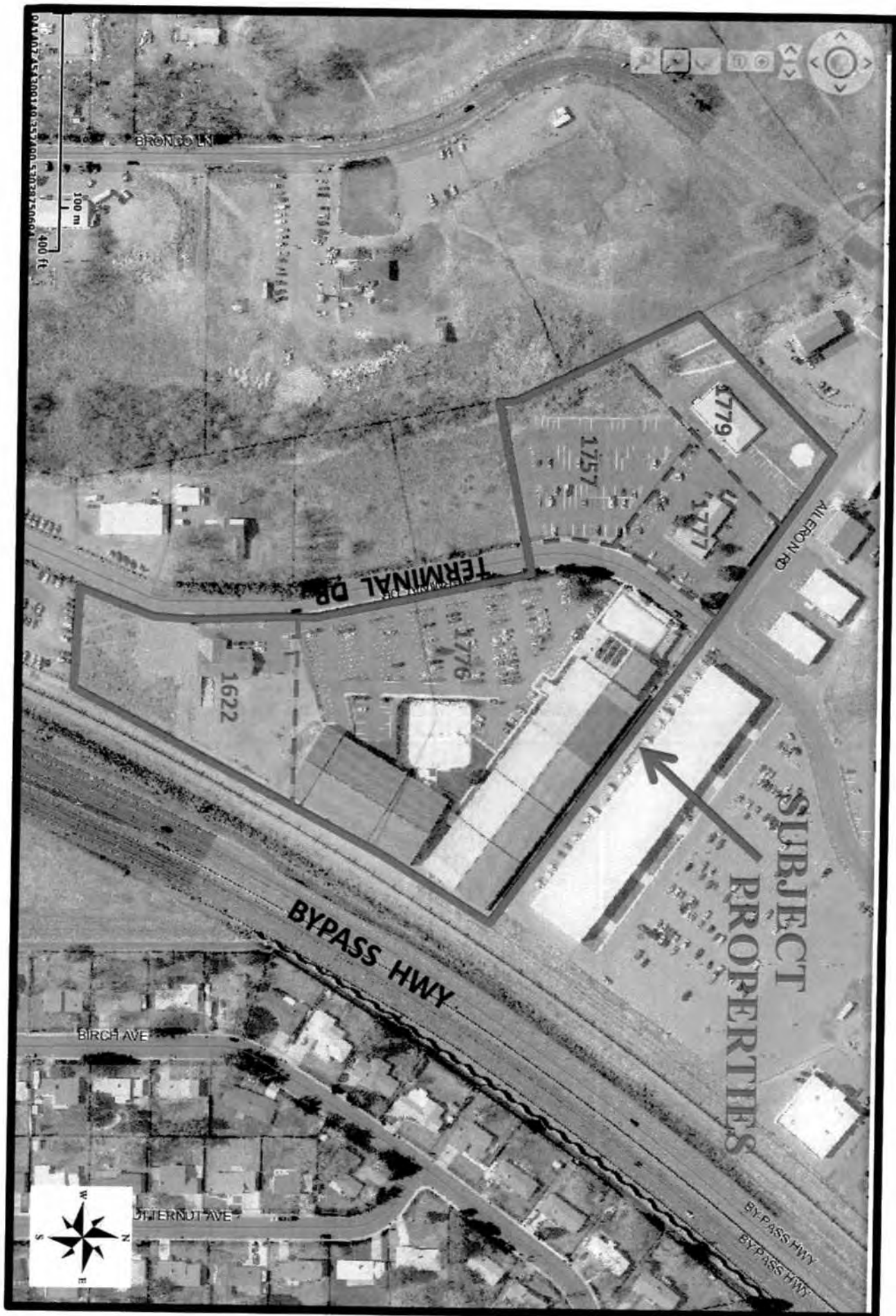
Any person desiring to express his views or to be notified of any decisions pertaining to the request should notify Rick Simon, Development Services Manager, 840 Northgate Drive, P.O. Box 190, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or e-mailed to [rsimon@ci.richland.wa.us](mailto:rsimon@ci.richland.wa.us). Written comments should be received no later than 5:00 p.m. on February 18, 2013 to be included in the material that is distributed to the Planning Commission prior to their meeting.

Copies of the staff report and recommendation will be available in the Development Services Division Office, 840 Northgate Drive and the Richland Public Library beginning Friday February 22, 2013. Information related to the request is available for review at the Richland Development Services Division Office.

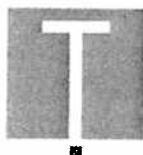
The proposed application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulation Administration and Title 23 Zoning. Appeal procedures of decisions related to the above referenced application are set forth in RMC Chapter 19.70. Contact the Richland Development Services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

---

Rick Simon, Development Services Manager







■ **TERENCE L THORNHILL** ■  
A R C H I T E C T

**TO: JEFF ROLPH**  
**CITY OF RICHLAND**

**CC: FILE**

**FROM: TERENCE THORNHILL, AIA**

**TERENCE L. THORNHILL, ARCHITECT INC. P.S.**

**RE: COLUMBIA BASIN RACQUET CLUB:**  
**REQUEST FOR INCREASE IN PARKING REDUCTION PER**  
**RMC SECTION 23.54.080**

**DATE: 02-21-13**

**PAGES:**

**FAX**

**PROJECT #: 212-033**

ATTACHED/ENCLOSED ARE SHEETS:

☒ FOR YOUR INFORMATION

☐ AS REQUESTED

☐ FOR REVIEW & PROPOSAL

☐ FOR PICKUP

☐ HARD COPY TO FOLLOW

☐ FAXED

Jeff,

City of Richland- Planning commission

The Columbia Basin Racquet Club hereby requests an increase shared parking reduction from the maximum allowed administratively (10%) to 16.75%. Please refer to the tables on sheets 1.0 and 1.1 attached herewith.

The reason for this request is that the parking for this facility is never fully filled to capacity, in fact even on the busiest time of the year (January, February and March) the lot is only filled to 80% capacity.

The remainder of the year the parking lot is typically only filled to 60% of capacity.

The Leisure pool will operate between Memorial Day and Labor Day with hours of opening between 11:00am to 8:00pm. The busiest hours anticipated to be between 1:00pm and 5:00pm.

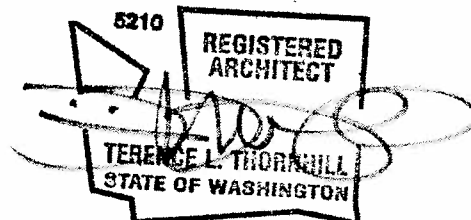
Because of this empirical information, the ownership and management CBRC do not anticipate any parking shortages whatsoever and therefore, respectfully request this increase of 6.75% in parking reduction from 10% allowed to 16.75%.

Please contact me if you have any questions or comments.

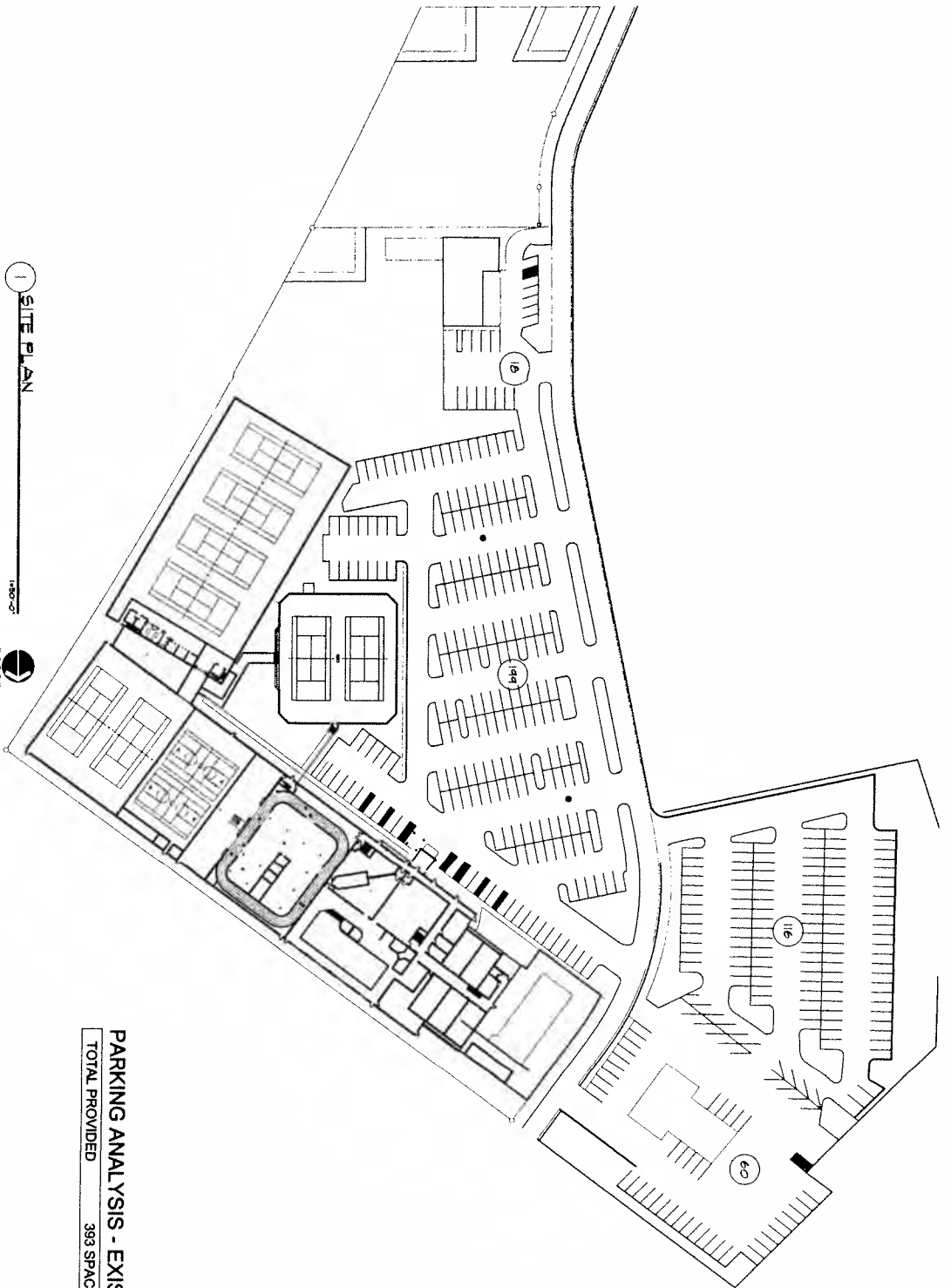
Regards,

Terence L Thornhill, AIA  
President

Terence L. Thornhill, Architect Inc. P.S.







**PARKING ANALYSIS - EXIST:**  
TOTAL PROVIDED 393 SPACES



**TERENCE THORNHILL ARCHITECTS**  
8221 SANDHURST PARKWAY  
SUITE 200  
PASCO, WA 99301  
509.547.8854  
FAX 509.547.8612  
tth@tth.com

A Professional Service Corporation



AMERICAN INSTITUTE OF ARCHITECTS

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CHECKED BY: TTH  
PHASE: CO  
REVISION NO.



CBRC OUTDOOR WATER FEATURE

RICHLAND, WA

**SITE PARKING PLAN EXISTING**

**1.0**

212-026  
FEBRUARY 21, 201  
1226-SitePlan12



TERENCE  
THORNHILL  
ARCHITECTS

5221 SANDPIPER PARKWAY  
PASCO, WA 99301  
509.547.4864  
FAX 509.547.4912  
tth@ttharch.com  
A Professional Service Corp.



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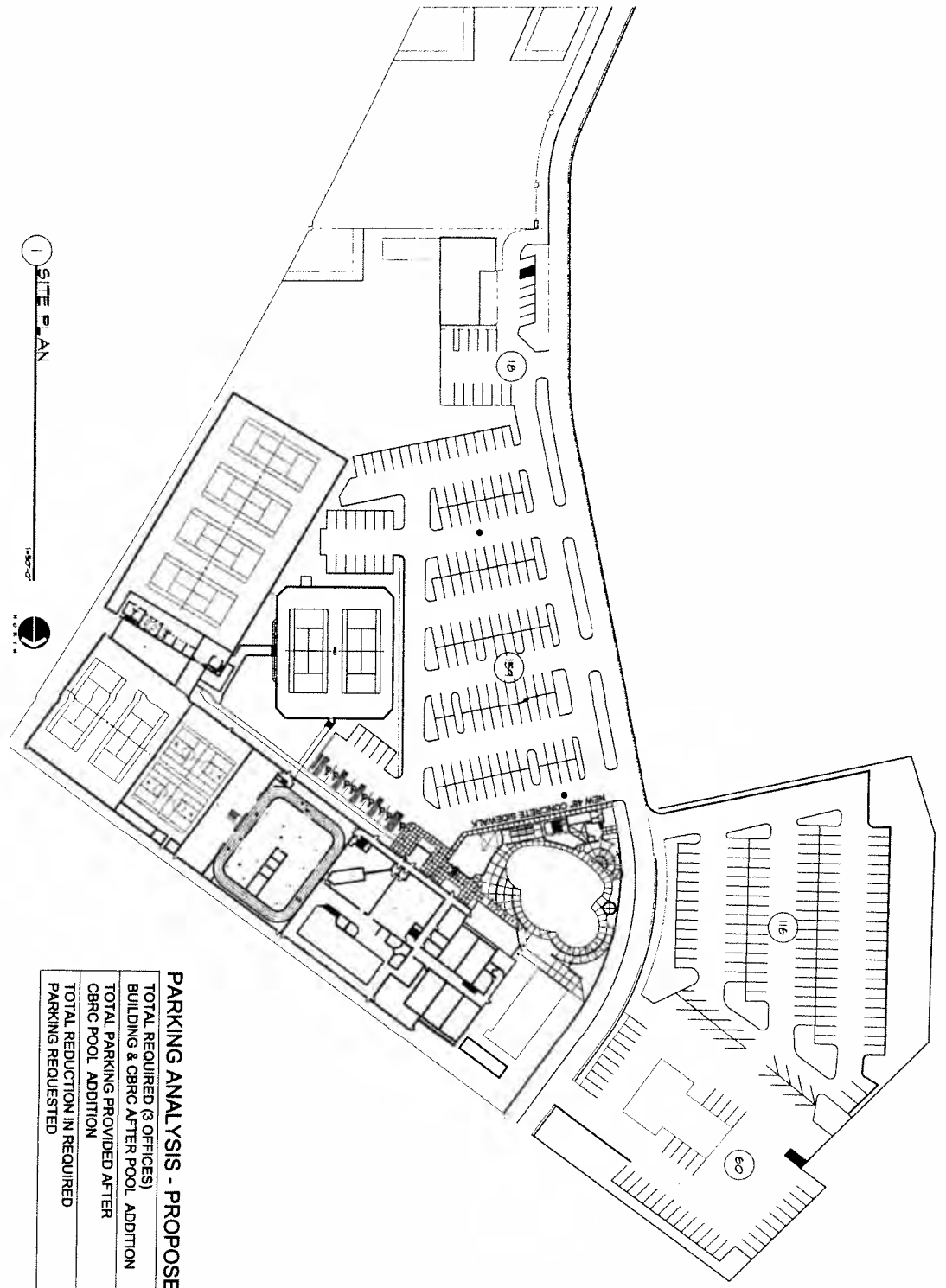


CBRC  
OUTDOOR  
WATER FEATURE

RICHLAND, WA

SITE PARKING  
PLAN  
PROPOSED  
1.1

212-026  
FEBRUARY 21, 201  
t226-SitePlan12



1 SITE PLAN

PARKING ANALYSIS - PROPOSED:	
TOTAL REQUIRED (3 OFFICES)	424 SPACES
BUILDING & CBRC AFTER POOL ADDITION	
TOTAL PARKING PROVIDED AFTER	363 SPACES
CBRC POOL ADDITION	
TOTAL REDUCTION IN REQUIRED	71 SPACES or
PARKING REQUESTED	16.7 %

Date      Day  
8/6/2012 Monday

Time	Main Lot			Over Flow Lot			Shared Lot (after 5p)	
	Spaces	Cars	Available Spaces	Spaces	Cars	Available Spaces	Spaces	Cars
11am	195		195	132		132	52	
12pm	195	86	109	132	32	100	52	
1pm	195	74	121	132	34	98	52	
2pm	195	68	127	132	28	104	52	
3pm	195	54	141	132	23	109	52	
4pm	195	75	120	132	32	100	52	
5pm	195	132	63	132	33	99	52	7
6pm	195	162	33	132	21	111	52	7
7pm	195	99	96	132	19	113	52	6
8pm	195	92	103	132	14	118	52	

\*If space is blank count was missed

cm / weekends)

Available Spaces

45
45
46
52

Date      Day  
8/7/2012 Tuesday

Time	Main Lot			Over Flow Lot			Shared Lot (after 5)	
	Spaces	Cars	Available Spaces	Spaces	Cars	Available Spaces	Spaces	Cars
11am	195	96	99	132	28	104	52	
12pm	195	74	121	132	27	105	52	
1pm	195	63	132	132	26	106	52	
2pm	195	74	121	132	24	108	52	
3pm	195	86	109	132	27	105	52	
4pm	195	98	97	132	31	101	52	
5pm	195	113	82	132	35	97	52	4
6pm	195	151	44	132	36	96	52	4
7pm	195	125	70	132	31	101	52	1
8pm	195		195	132		132	52	

\*If space is blank count was missed

cm / weekends)

Available Spaces

48
48
51
52

Date      Day  
8/8/2012 Wednesday

Time	Main Lot			Over Flow Lot			Shared Lot (after 5)	
	Spaces	Cars	Available Spaces	Spaces	Cars	Available Spaces	Spaces	Cars
11am	195	94	101	132	27	105	52	
12pm	195	82	113	132	24	108	52	
1pm	195	67	128	132	26	106	52	
2pm	195	95	100	132	26	106	52	
3pm	195	63	132	132	24	108	52	
4pm	195	54	141	132	23	109	52	
5pm	195	101	94	132	36	96	52	
6pm	195	107	88	132	31	101	52	
7pm	195	92	103	132	28	104	52	
8pm	195	59	136	132	12	120	52	4

\*If space is blank count was missed

cm / weekends)

Available Spaces

52
52
52
48



Date      Day  
8/9/2012   Thursday

Time	Main Lot			Over Flow Lot			Shared Lot (after 5)	
	Spaces	Cars	Available Spaces	Spaces	Cars	Available Spaces	Spaces	Cars
11am	195	86	109	132	25	107	52	
12pm	195	93	102	132	28	104	52	
1pm	195	64	131	132	22	110	52	
2pm	195		195	132		132	52	
3pm	195	49	146	132	19	113	52	
4pm	195	39	156	132	19	113	52	
5pm	195	110	85	132	20	112	52	5
6pm	195	166	29	132	35	97	52	5
7pm	195		195	132		132	52	
8pm	195		195	132		132	52	

\*If space is blank count was missed

cm / weekends)

Available Spaces

47
47
52
52

Date      Day  
8/10/2012 Friday

Time	Main Lot			Over Flow Lot			Shared Lot (after 5)	
	Spaces	Cars	Available Spaces	Spaces	Cars	Available Spaces	Spaces	Cars
11am	195	84	111	132	25	107	52	
12pm	195	98	97	132	23	109	52	
1pm	195	59	136	132	22	110	52	
2pm	195	40	155	132	22	110	52	
3pm	195	50	145	132	23	109	52	
4pm	195	52	143	132	21	111	52	
5pm	195	69	126	132	19	113	52	
6pm	195	63	132	132	17	115	52	0
7pm	195	43	152	132	12	120	52	0
8pm	195	31	164	132	6	126	52	0

\* If space is blank count was missed

pm / weekends)

Available Spaces

52
52
52
52

Date      Day  
8/11/2012 Saturday

Time	Main Lot			Over Flow Lot			Shared Lot (after 5)	
	Spaces	Cars	Available Spaces	Spaces	Cars	Available Spaces	Spaces	Cars
11am	195	45	150	132	6	126	52	
12pm	195	47	148	132	5	127	52	
1pm	195	45	150	132	2	130	52	
2pm	195	42	153	132	4	128	52	
3pm	195	39	156	132	4	128	52	
4pm	195	22	173	132	4	128	52	
5pm	195	25	170	132	1	131	52	0
6pm	195	23	172	132	1	131	52	0
7pm	195	31	164	132	0	132	52	1
8pm	195	28	167	132	0	132	52	0

\*If space is blank count was missed

om / weekends)

Available Spaces

52
52
51
52

Date      Day  
8/12/2012   Sunday

Time	Main Lot			Over Flow Lot			Shared Lot (after 51)	
	Spaces	Cars	Available Spaces	Spaces	Cars	Available Spaces	Spaces	Cars
11am	195	37	158	132	2	130	52	
12pm	195	37	158	132	1	131	52	
1pm	195	32	163	132	1	131	52	
2pm	195	26	169	132	0	132	52	
3pm	195	28	167	132	1	131	52	
4pm	195	33	162	132	1	131	52	
5pm	195	37	158	132	1	131	52	0
6pm	195	29	166	132	0	132	52	0
7pm	195	26	169	132	0	132	52	1
8pm	195	27	168	132	0	132	52	0

\* If space is blank count was missed

cm / weekends)  
Available Spaces

52
52
51
52



## **STAFF REPORT**

TO: PLANNING COMMISSION  
FILE NO.: M2013-101

PREPARED BY: BILL KING  
MEETING DATE: FEBRUARY 27, 2013

### **GENERAL INFORMATION:**

APPLICANT: CITY OF RICHLAND

REQUEST: SURPLUS OF APPROXIMATELY ½ ACRE OF CITY PROPERTY TO MAKE AVAILABLE FOR PRIVATE DEVELOPMENT

LOCATION: NORTH OF SWIFT BOULEVARD, WEST OF GEORGE WASHINGTON WAY AND EAST OF JADWIN AVENUE.

### **REASON FOR REQUEST**

The City is considering declaring a ½ acre parcel of its property as surplus to its needs, thereby allowing for its sale to the abutting land owner for redevelopment.

### **FINDINGS AND CONCLUSIONS**

Staff has completed their review of the request to recommend this City property surplus and available for sale and subject to the recommended conditions of approval, submits that:

1. This City owned property is currently used as overflow parking, is generally underutilized and is not needed to meet the off-street parking requirements associated with City Hall.
2. The Planning Commission is required to consider and forward a recommendation to City Council on the appropriateness of declaring the property surplus pursuant to RMC Section 3.06.030;
3. The site is located within the Central Business District and is adjacent to the intersection of George Washington Way and Swift Boulevard, which has been identified as an opportunity site for redevelopment in a study prepared by a consulting team hired by the City to study the Swift Corridor.
4. The adjoining property owner, Greg Markel, has expressed interest in the redevelopment of his property. Combining the two properties would enhance the potential for a redevelopment project that would meet the City's goals for redevelopment and urbanization of the Central Business District.

5. Based on the above findings and conclusions, a recommendation to surplus the property would be in the best interest of the community of Richland.

### RECOMMENDATION

Staff recommends that the Planning Commission concur with the findings and conclusions set forth in Staff Report (M2013-101) and forward a recommendation to the City Council to adopt a resolution declaring the .5 acres of city property at the northwest corner of Swift Boulevard and George Washington Way surplus to the City's needs and authorizing staff to negotiate a Purchase and Sales Agreement with the abutting land owner (Gregg Markel) subject to special conditions of development, as allowed by RMC 3.06.030 and 3.06.040(B) and further subject to the following conditions:

1. Site must be developed with a minimum of 12,000 square feet of building fronting on Swift Boulevard.
2. No drive-thru or auto oriented uses are permitted.
3. Development must fully conform to all of the CBD design guidelines.
4. City reserves the right to repurchase the property if vertical construction has not begun within 12 months of the sale.

### ATTACHMENTS

A - Supplemental Information  
B- Site Plan

## SUPPLEMENTAL INFORMATION

### BACKGROUND

The City's Strategic Plan identifies redevelopment and urbanization of Richland's Central Business District (CBD) as a key goal. In 2010, City Council recognized the Swift Corridor as a prime focus area for the City's revitalization activities. The corridor was chosen because much of the frontage is in public ownership, the City has already made major investments in the library, and there is significant private sector investment occurring around Kadlec Medical Center. In 2011, the City hired a consulting team comprised of staff from LMN Architects, Lorax Partners and ALD Architects to study the corridor and make a recommendation on future development. The consultants identified several opportunity sites for beneficial development along the corridor. One such site is the underutilized city-owned parking lot north of Swift Boulevard between Jadwin Avenue and George Washington Way. This is an important site at the east entrance of the corridor, but the consultants noted that it would be difficult to develop the property without partnering with the adjacent owner to the north.

Greg Markel, the owner of that property north of the city parking lot, recently approached the City about redevelopment of his site. He is hoping to demolish the obsolete office building he owns at 1010-1020 Jadwin Avenue and replace it with new buildings to accommodate a mobile phone store and sandwich shop. Staff used this opportunity to discuss the potential of a larger project incorporating recommendations from the Swift Corridor Study. Before the city parcel can be made available for redevelopment it must be declared surplus to city needs. This process requires review by the Economic Development Committee (EDC) and the Planning Commission (PC) as well as a public hearing before Council makes the final decision.

### PROPOSAL

If the City's parking lot is found to be surplus and sold to Mr. Markel for a fair price, the combined site can accommodate three buildings with space for six or more tenants (see attached site plan and renderings). Two of the buildings would be sited along Swift Boulevard helping to achieve the City's vision for this corridor. The third building would accommodate a gourmet sandwich shop with a drive-thru window and on-site dining. The entire project would conform to the City's new downtown design standards and represents a step forward in the implementation of the City's goals for the CBD and the Swift corridor.

### PROCESS

Per RMC 3.06, staff is seeking input from other departments, the Planning Commission and the Economic Development Committee prior to bringing the item before Council. A

survey of city departments indicated that there is no future need for the property, though use of the property will require recording easements, segregating the land, and possibly relocating some utilities.

If the property is determined to be surplus to city needs, Council may provide direction on each of the following:

1. *Whether the parcel should be sold or leased:* In this case, staff recommends that the property be sold since it is of limited value as a free standing parcel.
2. *Whether special consideration should be given to abutting land owners:* Yes, since the greatest value is created by combining this parcel with the abutting property.
3. *Whether special covenants or restrictions should be placed on the real property as a condition of sale or lease:* Yes, it is recommended that conditions be placed on the property that insures it will be developed in conformance with the City's goals for the CBD.
4. *Whether the parcel should be sold or leased by sealed bid:* In this case, it is recommended that the City pursue a negotiated sale with the abutting owner per RMC 3.06.040 (B).
5. *What formality of appraisal is necessary to set the minimum acceptable price to achieve reasonable value:* It is recommended that a third party appraisal be used to establish a fair market price.

#### ANALYSIS:

Richland City Hall has sufficient parking south of Swift Boulevard to satisfy code requirements. Based on observation, the parking lot north of Swift is utilized at about 24% of its capacity. It appears that most of the daily use is by employees of Burger King. Except on very rare occasions, there is a surplus of available public parking in this portion of the CBD. The opportunity to establish an urban street frontage along Swift is much more important to the City's goals than continuing to maintain this underutilized surface parking lot. This property should therefore be classified as surplus to city needs and made available for sale subject to restrictions which will promote the type of urban development the City is seeking at this key location.

#### SUMMARY

The proposed surplus of City property would result in the redevelopment of a key property along the Swift Corridor and would be consistent with the City's Comprehensive Plan goals and strategic keys relating to the revitalization of the Central Business District.

