

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

GENERAL INFORMATION:

PROPOSAL NAME: Panda Express Special Use Permit and Central Business District Deviation Request

LOCATION: 924 George Washington Way

APPLICANT: HC Clover Architect on behalf of Panda Express, Inc.

FILE NOS.: SUP2022-101 and M2022-106

DESCRIPTION: Request to construct and operate a drive-through restaurant greater than 20 feet from the front property line within the Central Business District.

PROJECT TYPE: Type II Zoning Special Use Permit and Type II Design Review – Acceptance of Alternative Design Standards

HEARING DATE: July 21, 2022

REPORT BY: Mike Stevens, Planning Manager

RECOMMENDED ACTION: Approval subject to proposed conditions.



Figure 1 - Vicinity Map

(site highlighted in red)

DESCRIPTION OF PROPOSAL

HC Clover Architect on behalf of Panda Express, Inc. has filed an application for a special use permit (Type II review) to construct and operate a drive-through restaurant within the Central Business District. Under the provisions of the CBD zone, businesses with drive through window service require approval through the special use permit process. In addition, the CBD zone implements a variety of performance standards for new developments within the CBD zone.

As currently proposed, the new restaurant will be approximately 2,600 square feet in size and will be located approximately 35.42 feet from the front property line (along George Washington Way). As noted above, the drive through window service requires approval through the special use permit process. In addition to the special use permit request the applicants are also requesting approval of alternative design standards required for new developments within the CBD zone.

Specifically, the alternative design standards being requested are:

- Increase of the maximum front yard building setback from 20 feet to 35.42 feet.
- Reduction of the 50 to 80 percent glass fenestration of the ground floor of the building façade.
- Increasing from 1 to 2 pedestrian entrances into the building on the south façade.

OPTIONAL CONSOLIDATED PERMIT PROCESSING

Pursuant to RMC 19.20.020 (B), an application that involves two or more procedures may be processed collectively under the highest numbered procedure required for any part of the application or processed individually under each of the procedures identified by this code. Pursuant to RMC 19.20.020 (C), applications processed in accordance with subsection (B) of this section which have the same highest numbered procedure but are assigned different hearing bodies shall be heard collectively by the highest decision-maker(s). The city council is the highest, followed by the hearing examiner, the board of adjustment or planning commission, as applicable, and then the director.

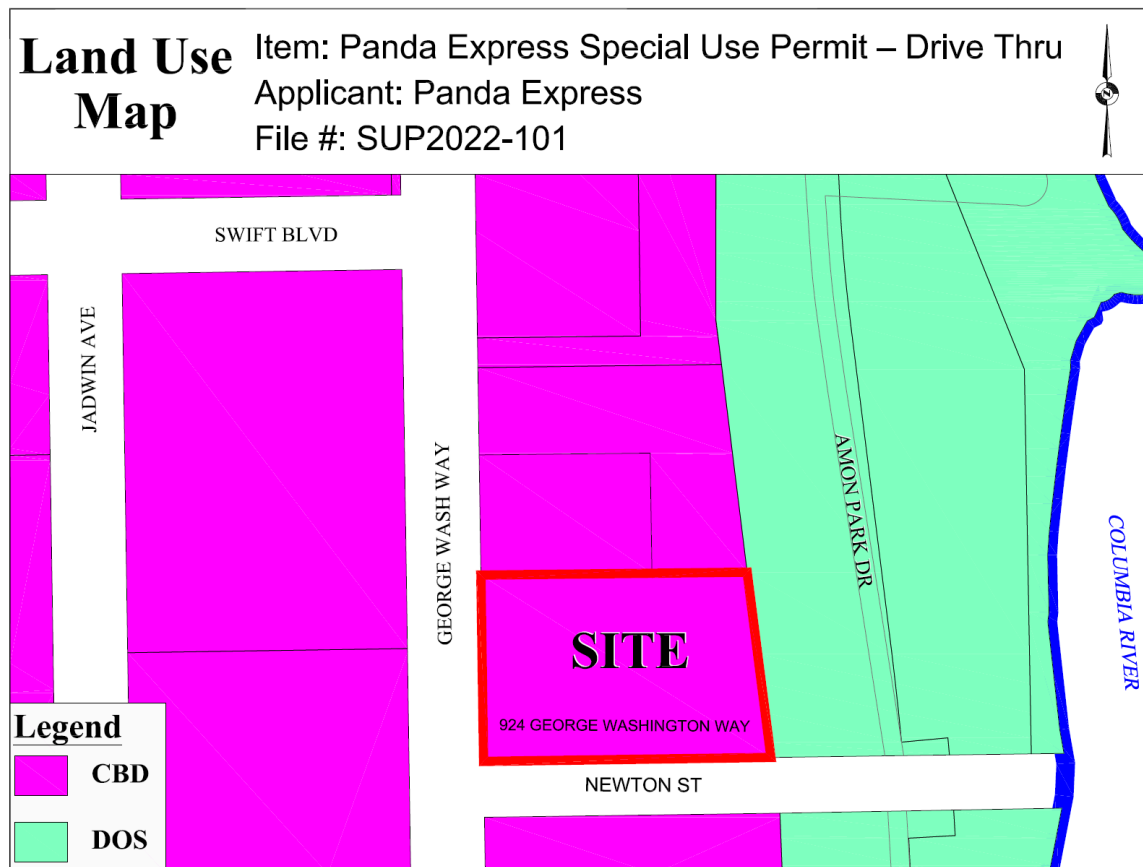


Figure 2 – Comprehensive Plan

SITE DESCRIPTION & ADJACENT LAND USES

The site consists of one (1) parcel totaling 1.37-acres, located at the northeast intersection of George Washington Way and Newton Street. The site is mostly rectangular in shape and currently contains an older vacant restaurant building that has been located on the site for a number of years.

Properties to the north and south of the subject site are developed with restaurants, while the land to the east is part of Howard Amon Park and the land opposite George Washington Way is owned by the City of Richland and contains the existing Police Department Headquarters and an undeveloped lot that was once the site of the old Richland City Hall Building.

EXISTING ZONING

Properties to the north, south and west of the site are all zoned Central Business District (CBD), while the park located to the east is zoned Parks & Public Facilities (PPF).

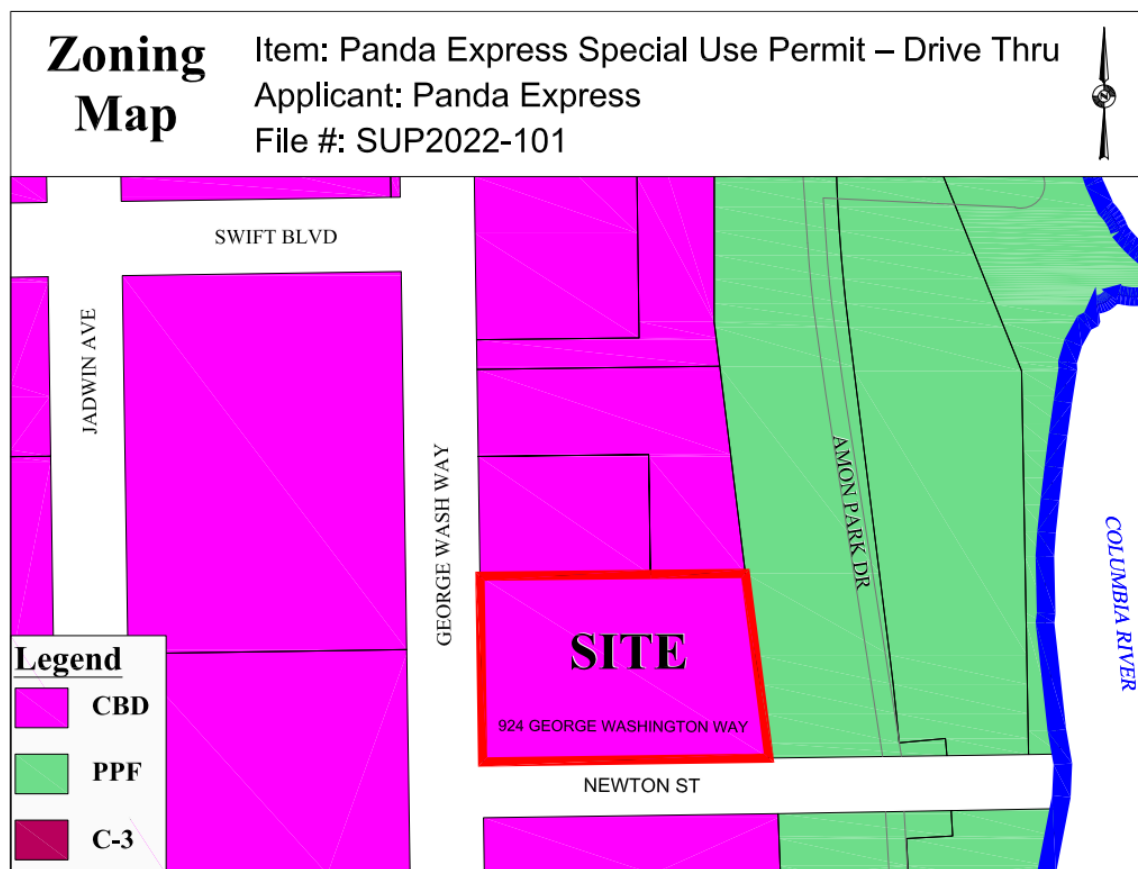


Figure 3 – Zoning Map

According to RMC 23.22.010(F), the CBD is a special mixed-use zoning classification designed to encourage the transformation of the central business district from principally a strip commercial auto-oriented neighborhood to a more compact development pattern. The central business district is envisioned to become a center for housing, employment, shopping, recreation, professional service and culture. The uses and development pattern will be integrated and complementary to create a lively and self-supporting district. Medium rise buildings will be anchored by pedestrian oriented storefronts on the ground floor with other uses including housing on upper floors. Projects will be well designed and include quality building materials. Appropriate private development will be encouraged via public investments in the streetscape and through reduction in off-street parking standards. Uses shall generally be conducted completely within an enclosed building, except that outdoor seating for cafes, restaurants, and similar uses and outdoor product display is encouraged. Buildings shall be oriented to the fronting street or accessway, to promote a sense of enclosure and continuity along the street or accessway. This zoning classification is intended for those portions of the city that are designated as central business district, as well as some properties designated as commercial and waterfront, under the Richland Comprehensive Plan. The central business district zone contains overlay districts titled medical, parkway and uptown. The overlay districts implement varying site development requirements.

CBD Performance Standards

In order to assist in limiting the impact of commercial uses and to create a more vibrant downtown, RMC 23.22.020(E) provides the following performance standards for all new buildings within the CBD:

1. The maximum setback area shall only be improved with pedestrian amenities including but not limited to: landscaping, street furniture, sidewalks, plazas, bicycle racks, and public art.
2. Building facades facing streets shall include:
 - a. Glass fenestration on 50 percent to 80 percent of the ground floor of the building facade. A window display cabinet, work of art, decorative grille or similar treatment may be used to cover an opening for concealment and to meet this standard on those portions of the ground floor facade where the applicant can demonstrate that the intrusion of natural light is detrimental to the ground floor use. Examples of such uses include, but are not limited to, movie theaters, museums, laboratories, and classrooms.
 - b. At least two of the following architectural elements:

- i. Awnings;
 - ii. Wall plane modulation at a minimum of three feet for every wall more than 50 feet in length;
 - iii. Pilasters or columns;
 - iv. Bays;
 - v. Balconies or building overhangs; or
 - vi. Upper story windows (comprising a minimum of 50 percent of the facade).
3. At least one pedestrian, nonservice entrance into the building will be provided on each street frontage or provided at the building corner.
4. Variation of exterior building material between the ground and upper floors of multi-story buildings.
5. All buildings with a flat roof shall use a modulated height parapet wall for wall lengths greater than 50 feet. The modulation of parapet heights is encouraged to identify building entrances.
6. All new buildings that utilize parapet walls shall include a projecting cornice detail to create a prominent edge.
7. Public street and sidewalk improvements are required per Richland Municipal Code to implement approved street cross-sections. Curb cuts are encouraged to be located adjacent to property lines and shared with adjacent properties, via joint access agreement.
8. Service bays, loading areas, refuse dumpsters, kitchen waste receptacles, outdoor storage locations, and rooftop mechanical equipment shall be located away from public rights-of-way via site planning and screened from view with landscaping, solid screening or combination.
9. Alternative Design. In the event that a proposed building and/or site does not meet the literal standards identified in this section, or the maximum setback standards set forth in RMC [23.22.040](#) or the maximum parking standards set forth in RMC [23.22.050](#), a project representative may apply to the Richland planning commission for a deviation from these site design standards. The Richland planning commission shall consider said deviation

and may approve any deviation based on its review and a determination that the application meets the following findings:

- a. That the proposal would result in a development that offers equivalent or superior site design than conformance with the literal standards contained in this section; and
- b. The proposal addresses all applicable design standards of this section in a manner which fulfills their basic purpose and intent; and
- c. The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity.

CBD Dimensional & Parking Standards

The following standards apply in the CBD zone per RMC 23.22.040:

Front yard setback:	0 feet (minimum), 20 feet (maximum)
Side yard setback:	0 feet (unless adjacent to a single-family zone)
Rear yard setback:	0 feet (unless adjacent to a single-family zone)
Maximum building height:	110 feet
Off Street Parking:	1 space per 100 square feet of Gross Floor Area (GFA) plus 5 spaces per window with a minimum of 8 spaces

Standards for Drive Through Window Service

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

A. Vehicular Access and Circulation.

- 1. Design plans shall provide for the safe and efficient movement of vehicles entering, using and exiting the site;
- 2. The internal circulation on the site shall provide for pedestrian access from parking lots to the lobby entrance(s) without traversing the vehicular stacking lane(s) for the drive-through window service;

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

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

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

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

Criteria for Evaluation of Special Use Permit Applications

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

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

- A. Any person may appear at the public hearing in person, or by agent or attorney.
- B. The hearing body shall make a finding that it is empowered under the section of this code described in the application to consider the application for the special use permit.
- C. The hearing body shall approve, approve with conditions or deny an application for a special use permit based on findings of fact with respect to the following criteria:
 - 1. The size and dimensions of the site provide adequate area for the proposed use;
 - 2. The physical conditions of the site, including size, shape, topography, and drainage, are suitable for the proposed development;
 - 3. All required public facilities necessary to serve the project have adequate capacity to serve the proposed project;
 - 4. The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city shoreline management regulations (RMC Title 26) and the city sign regulations (RMC Title 27) have been met; and
 - 5. Identified impacts on adjacent properties, surrounding uses and public facilities have been adequately mitigated.
- D. The hearing body may impose conditions on the approval of a special use permit in addition to or above and beyond those required elsewhere in this title, which are found necessary to ensure the use is compatible with the public interest. These conditions may include, but are not limited to, the following:
 - 1. Limiting the hours, days, place and/or manner of operation;
 - 2. Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and/or dust;

3. Requiring additional setback areas, lot area and/or lot depth or width;
 4. Limiting the building height, size or lot coverage, and/or location on the site;
 5. Designating the size, number, location and/or design or vehicle access points;
 6. Requiring street right-of-way dedication and/or street improvement;
 7. Requiring additional landscaping, berms and/or screening of the proposed use and/or its parking or loading areas and designating the required size, height, type and/or location of fencing and landscaping materials;
 8. Limiting the number, size, location, height and/or lighting of signs.
- E. Violation of any conditions, requirements, and safeguards, when made a part of the terms under which the special use permit is granted, shall be deemed a violation of this code and punishable under RMC 23.70.270.
- F. The hearing body may prescribe a time limit within which the action for which the special use permit is required shall be begun and/or completed. Failure to begin and/or complete such action within the time limit set shall void the special use permit. The time limits may be extended by the hearing body for good cause shown. In the event that no specific time limit to begin or complete a special use permit is identified, then the special use permit shall remain valid for a period of two years from the date that the permit was issued. The hearing body may authorize issuance of a special use permit for a specified probationary period of time, at the termination of which the applicant must resubmit a new application in accordance with the provisions of RMC 23.46.020.

RMC Section 23.46.025(A)(12) designates the Hearing Examiner as the hearing body responsible for conducting the review of special use permit applications for businesses with drive-through window service in the CBD zone.

PUBLIC NOTICE

Completed Application Date:	June 1, 2022
Notice of Application & Hearing Mailed:	June 28, 2022
Notice of Application & Hearing Posted:	July 1, 2022
Notice of Application & Hearing Published:	July 3, 2022
Public Hearing:	July 21, 2022

A notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 3.

SEPA

The City of Richland issued a SEPA Determination of Non-Significance (DNS) for this project on February 3, 2022 (Exhibit ?). No appeal to the SEPA Determination was filed.

UTILITY AVAILABILITY

The City has domestic water, sewer and electrical service lines in place to serve the site and have adequate capacity to supply the proposed project.

TRANSPORTATION

George Washington Way is classified as a principal arterial street in Richland's Transportation Plan, while Newton Street is classified as a local street.

AGENCY COMMENTS

The Benton Clean Air Agency responded with comments pertaining to dust control and requires the applicant to submit a Proof of Contact: Soil Destabilization Notification for the project prior to any excavation/construction taking place as well as submitting a dust control plan.

Richland Fire and the Kennewick Irrigation District both responded that they did not have any formal comments.

The Richland Parks and Public Facilities Department indicated that the applicant would need to coordinate with them at the time of building permit regarding landscaping owned by the City located in the Newton Street right of way.

The Yakama Indian Nation reiterated comments previously submitted to the City during the SEPA review period requesting an Inadvertent Discovery Plan and/or cultural monitoring for ground disturbing activities beyond the existing infrastructure to avoid potential impacts to a nearby archaeological site.

Finally, the Richland Public Works Department responded with comments concerning the driveway providing ingress/egress to George Washington Way and indicated that the George Washington Way driveway needs to be limited to an "exit only" driveway due to the proximity of future parking stalls (Phase 2) and the proposed drive-thru exit lane creating a condition that may prevent inbound vehicles from entering the site, thereby causing traffic on George Washington Way to stop. Public Works has requested that a condition of approval be placed on the permit requiring that signage and/or striping indicating that the George Washington Way driveway is an "exit only" be installed by the developer.

The Public Works Department also requested that a condition of approval be placed on the project requiring the developer to widen the sidewalk along George Washington Way to 8-feet per Richland Municipal Code.

PUBLIC COMMENTS

At the time this report was prepared, the City had received no public comments regarding this proposal.

ANALYSIS

The criteria for alternative design analysis are reprinted here, with a brief summary of how the application complies with the various criteria:

That the proposal would result in a development that offers equivalent or superior site design than conformance with the literal standards contained in this section; and

The proposed deviations to the three (3) design standards would afford the applicant the ability to utilize design standards common to the Panda Express commercial restaurant. It would afford them the ability to have a drive-thru component that is essential to their operation, while also providing safe entry to the facility for patrons having to cross the parking lot.

The proposal addresses all applicable design standards of this section in a manner which fulfills their basic purpose and intent; and

This approval criteria is difficult to analyze as the purpose and intent of the design standards appears to be for the establishment of a more walkable downtown area; however, the code allows for a drive-through window with the issuance of a special use permit. The proposed site design is similar in nature to other Panda Express restaurants in the area and would not appear to be out of character with nearby developments.

The proposal is compatible with and responds to the existing or intended character, appearance, quality of development and physical characteristics of the subject property and immediate vicinity.

As indicated previously, the proposed site design is similar in nature to other Panda Express restaurants in the area and would not appear to be out of character with nearby developments.

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

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

The Public Works Department is concerned with the possibility of cars backing up on George Washington Way should the proposed George Washington Way driveway remain both in/out. As a result, the Public Works Department has requested that a condition of approval be placed on the project to limit the George Washington Way driveway to “exit only”, while the driveway off of Newton Street would be for both ingress and egress. While not demonstrated as such on the site plan(s) provided, the Public Works Department believes that limiting the driveway access from George Washington Way to “exit only” will help prevent vehicular backups on George Washington Way and also help prevent accidents within the driveway itself due to the narrow nature of the driveway access and limited amount of room available for cars to enter the driveway from the proposed drive through aisle.

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

The site plan shows parking available south and east of the proposed restaurant. For the most part, pedestrians will not have to traverse the vehicular stacking lane that are proposed unless vehicles really back up or unless people park in the four (4) stalls located along the eastern property line.

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

The proposed drive-through stacking lanes are sufficient to provide for the amount of business that is proposed and also meets the requirements of RMC 23.54.020.

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

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

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

The subject property is not located adjacent to any residential homes or residentially zoned property.

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

This site is not a part of the parkway district.

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

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

The size of the property is adequate to support the proposed use, as evidenced by the subject property having adequate room for off-street parking requirements, stacking lanes and ability to be divided for the construction of another commercial facility.

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

The property has been utilized for previous commercial development and is suitable for the proposed development.

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

All utilities necessary to serve the project exist at the site and have adequate capacity to serve the proposed project.

4. The applicable requirements of this zoning regulation (RMC Title 23), the city comprehensive plan, the city sensitive area regulations (RMC Title 20), the city shoreline management regulations (RMC Title 26) and the city sign regulations (RMC Title 27) have been met;

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

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

Based on the comments received on this application from the Richland Public Works Department, the primary area of concern relates to traffic safety and the impact the proposal could have on the adjoining street system, primarily George Washington Way. The Public Works Department has requested that a condition of approval be placed on the project limiting the George Washington Way driveway to "exit only" in order to mitigate the potential safety hazards.

RECOMMENDED CONDITIONS OF APPROVAL

Should the Hearing Examiner find approvals of the Alternative Design Request and Special Use Permit are justified, Planning staff has developed the following set of approval conditions upon which the project should be conditioned.

CONDITIONS OF APPROVAL:

1. A professional archaeologist shall be contracted to inspect the site and perform cultural monitoring for ground disturbing activities beyond the existing infrastructure. In addition, an Inadvertent Discovery Plan shall be prepared and submitted to the City, Yakama Nation and DAHP.
2. Separate sign permit(s) shall be obtained from the City prior to installation.
3. Landscaping of the site shall conform with RMC 23.54.140.
4. With exception of the three (3) criteria modified by this approval, the development of the site shall comply with all performance standards applicable to the CBD zone (RMC 23.22.020 (E)).
5. The proposed driveway onto George Washington Way shall be limited to an "exit only" driveway. Signage and/or striping indicating it is an "exit only" driveway shall be installed by the developer.
6. The sidewalk along George Washington Way shall be widened to 8-feet, per Richland Municipal Code.
7. Consistent with RMC 23.46.090, the validity of this special use permit shall be contingent upon exercise of the special use, as granted, and the special use permit shall run with the property regardless of a change in ownership of the property. This decision granting the underlying special use permit shall be recorded with the Benton County auditor's office as a special covenant, which shall run with the property regardless of a change in ownership of the property. Such recording shall be the responsibility of the permit-holder/applicant, and a conformed copy of the recorded instrument reflecting a valid recording number shall be filed with the city prior to the conduct of any drive-through service at the coffee shop on the property. Any change in the special use for which the original permit is issued, which is determined to be substantial by the administrative official, shall void the original permit and necessitate the submission of a new application.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a Special Use Permit and Alternative Design Request (SUP2022-101 and M2022-106) and recommends approval of the requests subject to conformance to the conditions of approval identified above and based on the following findings:

1. The City of Richland Comprehensive Plan designates the subject site, which is located at the northeast corner of the intersection of George Washington Way and Newton Street as suitable for commercial land uses;
2. The subject site is located within the Central Business District (CBD) zone;

3. Businesses operating with a drive-through window service are permitted in the CBD zone through the issuance of a special use permit as stipulated in RMC 23.22.040;
4. RMC Section 23.46.025(A)(12) designates the Hearing Examiner as the hearing body responsible for conducting the review of special use permit applications for businesses with drive-through window service in the CBD zone.
5. The applicant, HC Klover, has filed a Special Use Permit and Alternative Design Review request/application to operate a Panda Express restaurant with a drive-through window service in the CBD zone;
6. All uses within the CBD zone are subject to the performance standards contained in RMC 23.22.020(E);
7. Businesses with drive-through window service are subject to the standards contained in RMC 23.42.047;
8. Applications for Special Use Permit are evaluated under the criteria contained in RMC 23.46.040;
9. Requests for Alternative Design Reviews are evaluated under the criteria contained in RMC 23.22.020 (E)(9).
10. Pursuant to RMC 19.20.020 (B), an application that involves two or more procedures may be processed collectively under the highest numbered procedure.
11. A special use permit is classified as a Type II application under RMC 19.20.030 and specifies that the Hearing Examiner shall make a final decision on an application unless appealed to Superior Court;
12. An Alternative Design Review deviation is classified as a Type II application under RMC 19.20.030.
13. Public notice of the application and hearing was provided via mail to surrounding land owners within 300 feet of the site; through the posting of a sign on-site and through a legal advertisement in the *Tri-City Herald*, all in accordance with the notice provisions contained in RMC 19.40.010;
14. The City issued a Determination on Non-Significance for the project on February 3, 2022, thus satisfying the requirements of the State Environmental Policy Act;

15. The restaurant is proposed to be setback approximately 35 feet from the front property line (George Washington Way right-of-way) and;
16. RMC 23.22.040 requires a maximum front setback of 20 feet for new buildings in the CBD zone;
17. The proposed restaurant would have 40 off-street parking spaces and so meets the parking standards identified in RMC 23.54.020;
18. The internal circulation of the site provides for vehicular stacking lanes that meet the requirements of RMC 23.54.020(C)(2) & RMC 23.54.020(D)(2);
19. The design of the project provides adequate stacking space internally within the site without creating a situation where vehicles would be waiting for service on public sidewalks or streets;
20. The application is consistent with the standards for drive-through window service as set forth in RMC 23.42.047;
21. The size of the property is adequate to support the proposed use, as evidenced by the project's conformity to off-street parking requirements and stacking lanes;
22. The physical conditions of the site are suitable for the proposed development, given the proposed condition to require that the George Washington Way driveway be "exit only";
23. Public facilities consisting of sewer, water and street access are in place and available to serve the proposed development. All utility systems have adequate capacity to serve the proposed development;
24. The proposal, as conditioned, is consistent with the City's comprehensive plan;
25. The proposed site is not impacted by the City's Critical Areas regulations or Shoreline Master Program;
26. The proposal is subject to the City's sign code regulations and as conditioned, will require the applicant to obtain separate sign permit approval;
27. As conditioned, the project meets the criteria for the issuance of a special use permit as established in RMC 23.46.040.

EXHIBIT LIST

1. Application Materials
2. Site Plan(s)
3. Public Notices & Affidavits
4. Environmental Checklist and Determination of Non-Significance
5. Agency Comments

Exhibit 1



**City of Richland
Development Services**

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

Special Use Permit Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Panda Express, INC

Address: 1683 Walnut Grove Ave, Rosemead, CA 91770

Phone: 626.372.8288

Email: Michael.Cadell@Pandarg.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: HC Klover Architect

UBI#:

Contact: Henry Klover

Address: 8813 Penrose Lane Suite 400 Lenexa, KS 66219

Phone: 913.649.8181

Email: HCPpermitting@klover.net

PROPERTY INFORMATION

Legal Description:

Lot 1, block 635, plat of richalnd, according to the plat thereof recored
in volu e 6 and 7 of plats, records of Benton County, Washington

Parcel #:

111981020635001 & 11198102063500A

Current Zoning: CBD

Current Land Use Designation: Restaurant

DESCRIPTION OF PROJECT

The construction of a new 2,600 sqft commercial fast-casual restaurant with a drive-thru.

APPLICATION MUST INCLUDE

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

COMPLETE QUESTIONS WITH AS MUCH DETAIL AS POSSIBLE (Use additional sheet if needed)

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

We feel the circulation within the site provides adequate room for the proposed drive-thrus. We will be submitting a full set of plans to the city, and we will take into consideration any and all comments they have.

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

We feel the proposed drive-thru is compatible with the site due to the large overall size of the site and the flat topography. We will also be installing a new drainage system that will keep all the drainage on our site.

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

The proposed infrastructure will serve the proposed 2,600 sqft fast food restaurant with a drive-thru. The utilities will meet all of the city's standards and we will submit the utilities for review.

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

If the proposed drive-thru is allowed, we will meet the standards laid out in section 23.42.047 "Business with Drive-through window service"

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

We do not feel that our restaurant would impede the normal development of the surrounding area but would in fact help by drawing people to the area.

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

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

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

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

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

Applicant Printed Name: Henry Klover

Applicant Signature:  Date 4.7.22



May 24, 2022

VIA EMAIL

Mike Stevens
Planning Manager
625 Swift SLVD, MS-35,
Richland, WA 99352

PROJECT NARRATIVE

To Whom it may Concern,

H.C. Klover Architect is proud to submit for your Planned Development Review and consideration for the proposed development of a freestanding Panda Express restaurant with drive-thru and separate trash enclosure located at the 1.368-acre parcel (59,601sqft.) at 924 George Washington Way. The site is currently occupied by a vacant restaurant and is appropriately zoned for the proposed use as Central Business District (CBD). The proposed development is bordered to the south by a Sterling's restaurant zoned CBD, to the north a Wendy's zoned CBD, to the West Richland Police department zones CBD and by Parks to the east zoned PPF (Park & Public Facilities). The proposed project would consist of two phases of development. Phase I would consist of an approximately 2,600 sqft. free standing Panda Express restaurant with drive-thru and Phase II will be for the development of a to-be-determined future tenant of approximately 2,500 sqft. The lot would be split into two separate parcels with the northern lot being 0.69 acres (30,274SF) and the southern lot being 0.68 acres (29,327SF). Phase I of the project will provide 40 stalls with an additional 18 stalls being proposed for Phase II for a total of 58 stalls on site. A rough graded, landscaped pad would be proposed for the southern pad which would be undeveloped in the interim between Phase I & II.

Per Chapter 23.22, the City of Richland Municipal Code, we have determined that our project would be subject to the maximum building setback of 20'. However, the strict restrictions of the 20' Max build-to-line does not offer enough room for the drive-thru to exist between the building with the other required 10' landscaping setbacks. Strict adherence to the 20' build-to-line would result in traffic exiting directly onto George Washington Way. If we adhere to the current 20' build-to-line traffic may become an issue when exiting the drive-thru directly onto George Washington Way. This will result in a halt of drive-thru progression because the customer will have to wait for traffic to clear to exit. The operational concern about the drive-thru exiting onto George Washington Way is if an employee forgets something in the customer's order, the customer will have a difficult time turning left to get back into the site. Based on our knowledge George Washington Way will be converted to a one-way as soon as 2023 or 2024, which will add even more difficulty entering and exiting our site. The current Burger King and Wendy's did not design for one-way traffic, so they will likely have site and operational issues in the near future. Our variance is requesting to push the

building back far enough to allow for the drive-thru to wrap back into the site. This will reduce the amount of traffic on George Washington Way and ensure customer satisfaction. We are seeking to push the building back to the minimum usable space so, we can have the drive-thru wrap back into the site. We are asking for an additional 15' from the 20' max build-to-line for a total of 35' from the property line. This will prevent the traffic concerns previously mentioned. A literal interpretation of the provisions of this Zoning code would restrict Panda Express of rights commonly enjoyed by other properties in the CBD zoning district which would give the other business a competitive edge from an operational standpoint. This is evident by the fact that many adjacent and nearby buildings are located beyond the 20' build-to-line and have their drive-thrus within the building setback, that then wrap back into their property such as Arby's (97'), McDonald's (30' & 132'), Taco Bell (36'), Dairy Queen (31') and Black Rock Coffee (50' & 32'). Burger King and Wendy's buildings meet the 20' build-to-line requirement but according to the traffic engineer exiting directly onto George Washington Way is not favorable. As the city is moving toward a more pedestrian and bike friendly network in this area and reducing the number of curb cuts.

Per Chapter 23.22, the City of Richland Municipal Code, we have determined that our project would be subject to the 50 to 80 percent glass fenestration of the ground floor faced that face a street. However, due to our kitchen design we are only able to provide 13.5 percent of glazing on the West façade. Our drive-thru area exits out at the Northwest corner of the building which means the drive-thru prep equipment is in the entire Northwest corner. The equipment extends all the way to the door that is on the West façade, and technically the door is a part of the kitchen area as it is used for operational purposes. We are asking for a reduction of 36.5-66.5 percent. We are providing an additional 19% on the Southern façade to help offset some of the reduction that we are asking for. A literal interpretation of the provisions of this Zoning code would deprive Panda Express of rights commonly enjoyed by other properties in the CBD zoning district. This is evident by the fact that many adjacent and nearby buildings have less than 50-80 percent glazing on facades that face the street such as Sterling's, McDonald's, Taco Bell (facade facing George Washington Way), Dairy Queen and Black Rock Coffee.

Per Chapter 23.22, the City of Richland Municipal Code, we have determined that our project would be subject to the one pedestrian entrance into the building on each street frontage or at the building corner. However, due to the location of the drive-thru we are proposing two pedestrian entrances on the South façade for the safety of our customers. We would like to deter customers from crossing over the drive-thru exit lane for their safety and the safety of the driver. The two pedestrian entrances on the South façade will be directly accessible from the parking lot. A literal

by the fact that many adjacent and nearby buildings do not have a pedestrian entrance on each façade facing the street such as McDonald's, Taco Bell (facade facing George Washington Way) and Black Rock Coffee.

The new Panda Express in the CBD zoning district will follow the other requirements of section E. Those will include variation of exterior building materials, modulated heights in parapets to identify the main entrance, projecting cornices on the parapets, public street, and sidewalk improvements, and refuse area will be screened and located away from the public right of way. The overall deviations offer equal or superior site design. We have provided two entrances along the South façade which would be superior to the required pedestrian entrance at a corner or a door on the main façade. The deviation from the max building to line will also be more superior than what code requires due to an overall better flow of traffic per the city engineer's standards. The proposed development addresses all the applicable design standards as stated above. The overall development is compatible with the surrounding characters, appearance, and quality of development from the properties in the immediate vicinity. The development of a Panda Express will improve the over aesthetics of the site since it is currently a vacant building and will add to the beauty of the city of Richland.

Thank you for your time in this process.

Sincerely,



Henry C. Klover
Proprietor



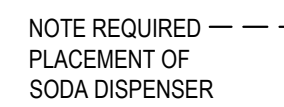
Attachments: Site plan for Phase 1 and 2, Colored Elevations and kitchen plan

CC: Brian Kan and Michael Cadell via email

PX #: S8-23-D8654

Klover #:21044.020

03-04-22



All ideas, designs, arrangement and plans indicated or represented by this drawing are the property of Panda Express Inc. and were created for use on this specific project. None of these ideas, designs, arrangements or plans may be used by or disclosed to any person, firm, or corporation without the written permission of Panda Express Inc.

REVISIONS:

ISSUE DATE:

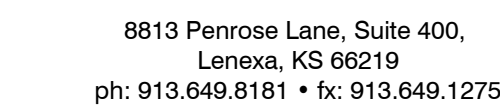
DRAWN BY:

RANDA PROJECT #: S8 22 D8654

PANDA PROJECT #: S8-22-D8654

PANDA STORE #: -

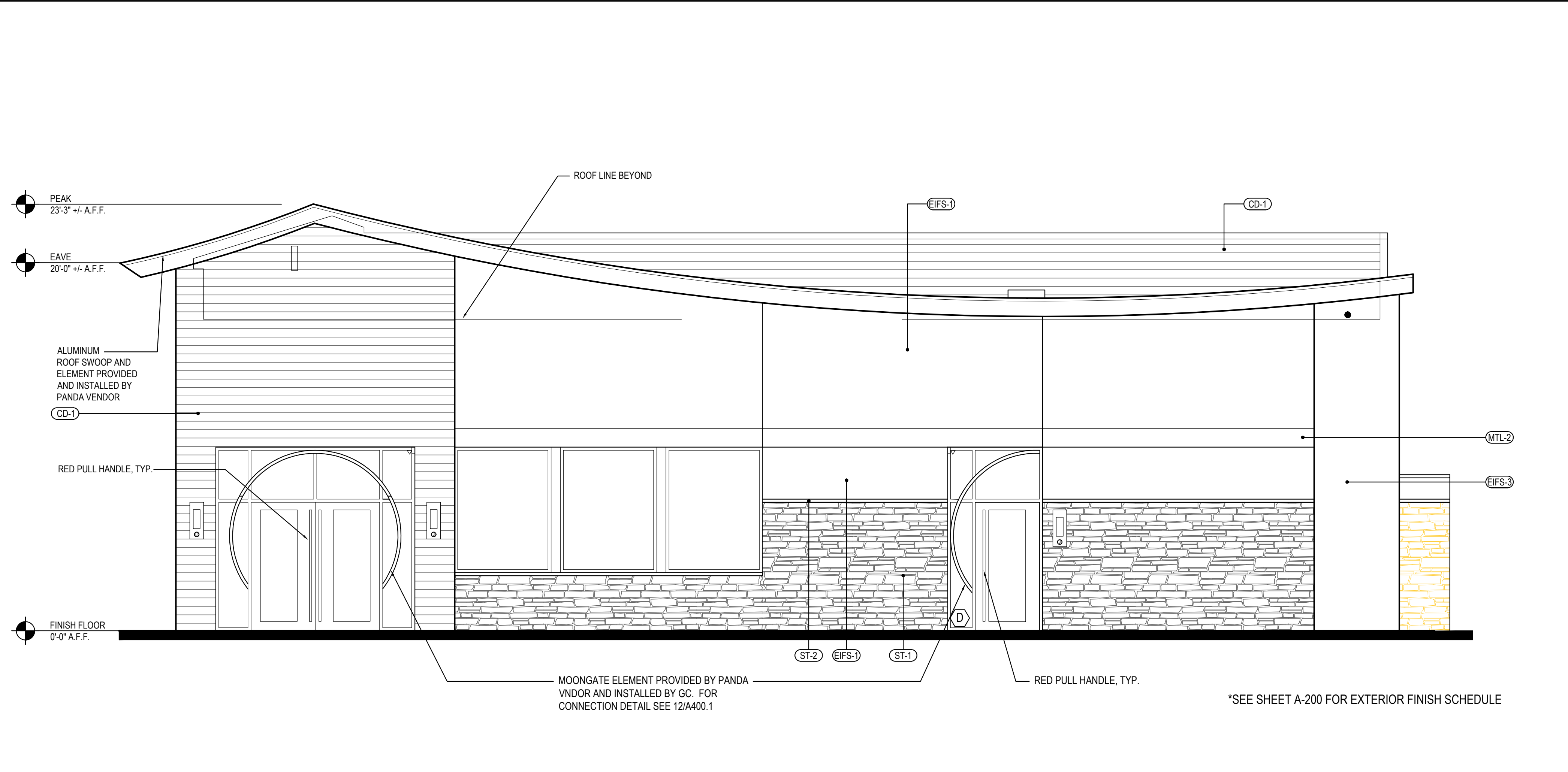
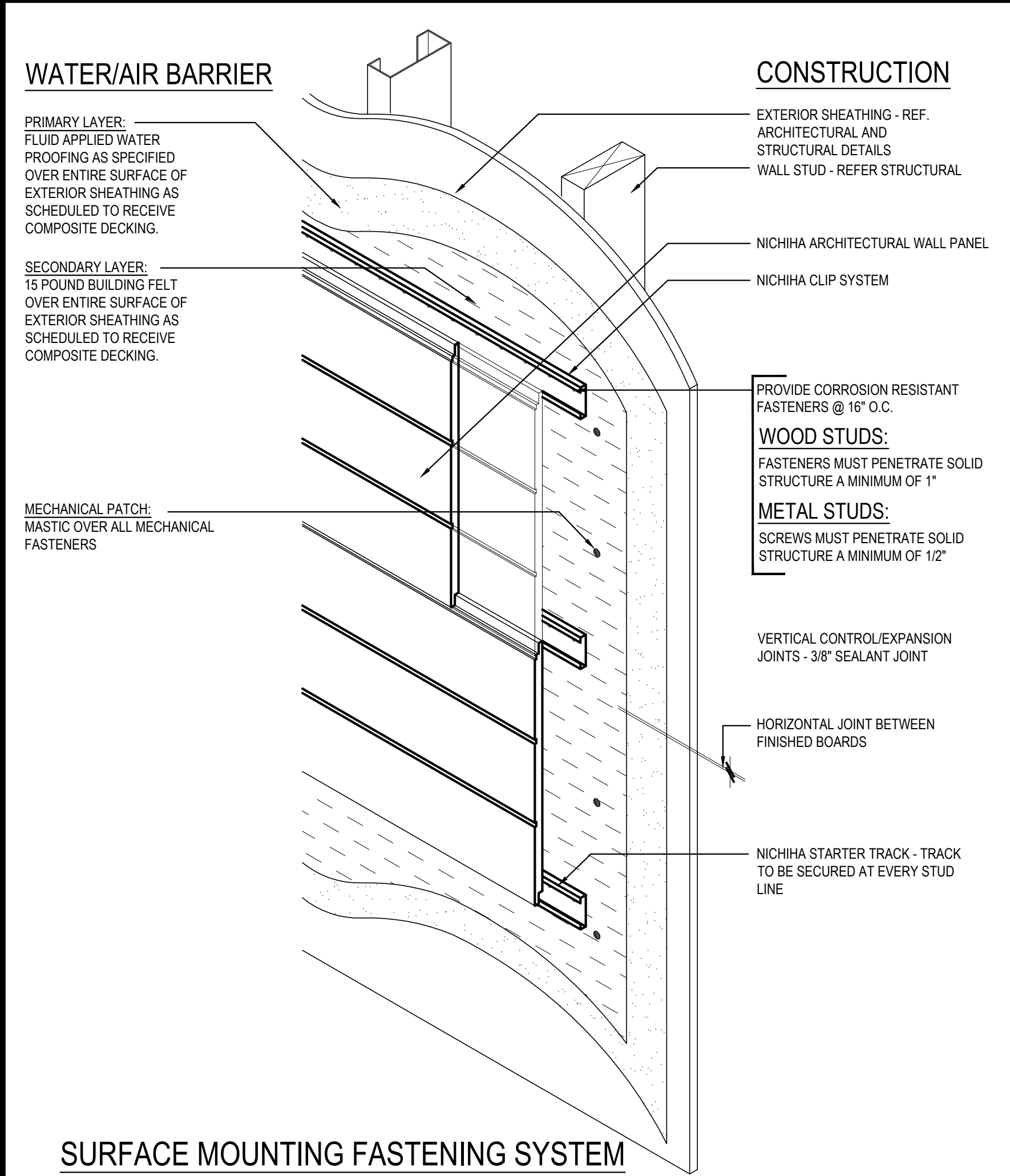
ARCH PROJECT #: 21044.020



TRUE WARM & WELCOME
STREET ADDRESS
CITY, STATE ZIP

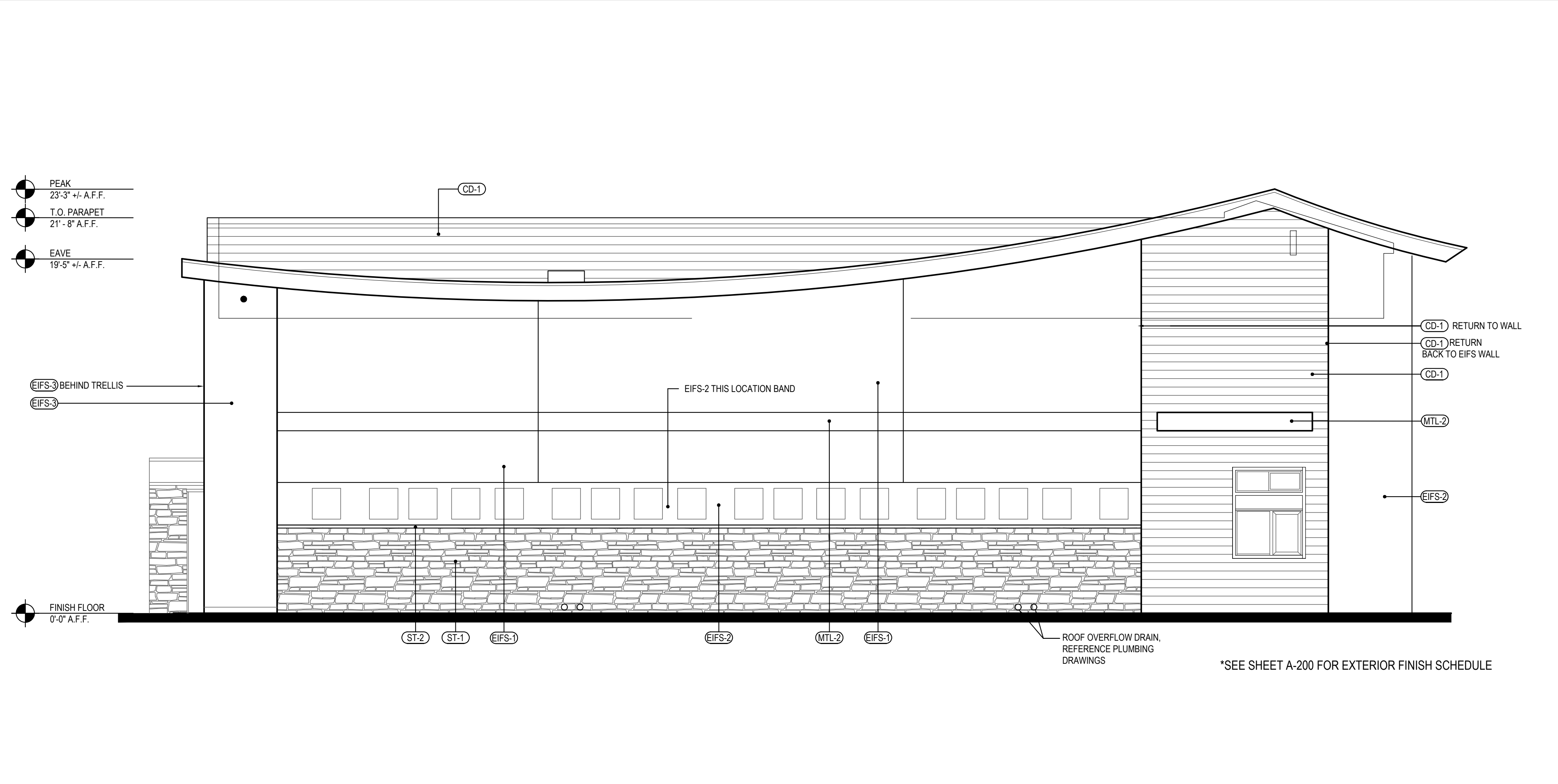
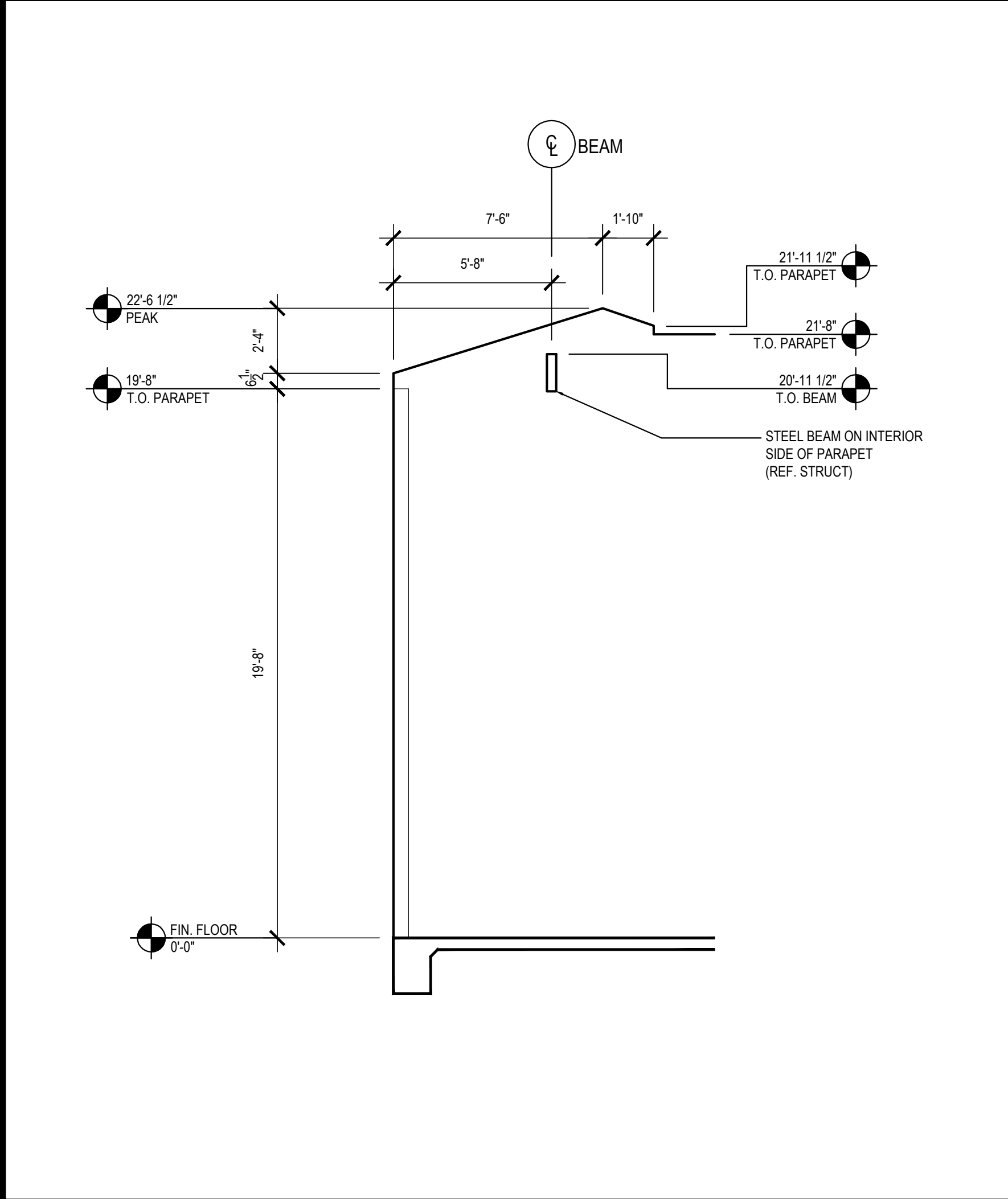
KITCHEN PLAN

TRUE WARM & WELCOME 2300 R5



NICHIHA PANEL FASTENING & WATER PROOFING 3
Scale= 1 1/2" = 1'-0" A-201

EAST ELEVATION 2
Scale= 1/4" = 1'-0" A-201



SLOPED PARAPET FRAMING PROFILE 4
Scale= 1/4" = 1'-0" A-201

WEST ELEVATION 1
Scale= 1/4" = 1'-0" A-201



PANDA EXPRESS, INC.
1683 Walnut Grove Ave.
Rosemead, California
91770
Telephone: 626.799.9898
Facsimile: 626.372.8288

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REVISIONS:

ISSUE DATE:

DRAWN BY:

PANDA PROJECT #: S8-22-D8654
PANDA STORE #: -
ARCH PROJECT #: 21044.020

hckloverarchitect
8813 Penrose Lane, Suite 400,
Lenexa, KS 66219
ph: 913.649.8181 • fx: 913.649.1275

PANDA EXPRESS
TRUE WARM & WELCOME
STREET ADDRESS
CITY, STATE ZIP

A-201

EXTERIOR
ELEVATIONS

TRUE WARM & WELCOME 2300 R5

EXTERIOR FINISH SCHEDULE

INSTALLED AND FURNISHED BY: G.C. UNLESS NOTED OTHERWISE

03-04-22

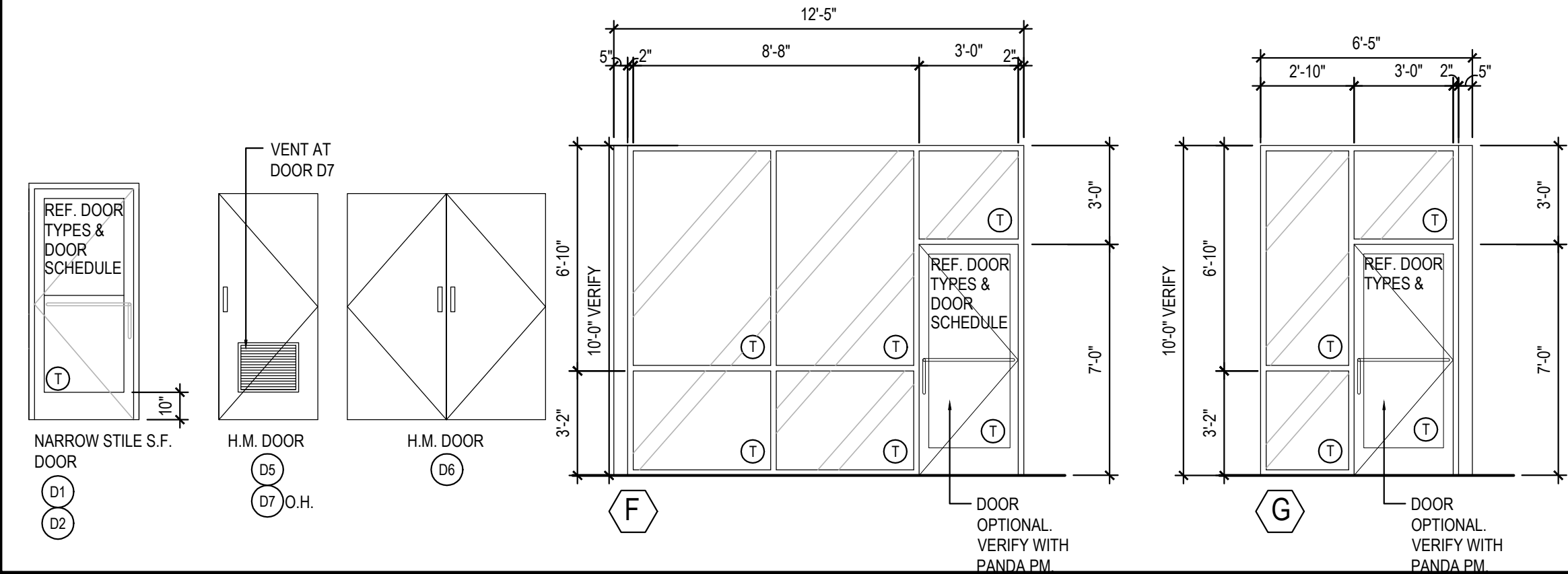
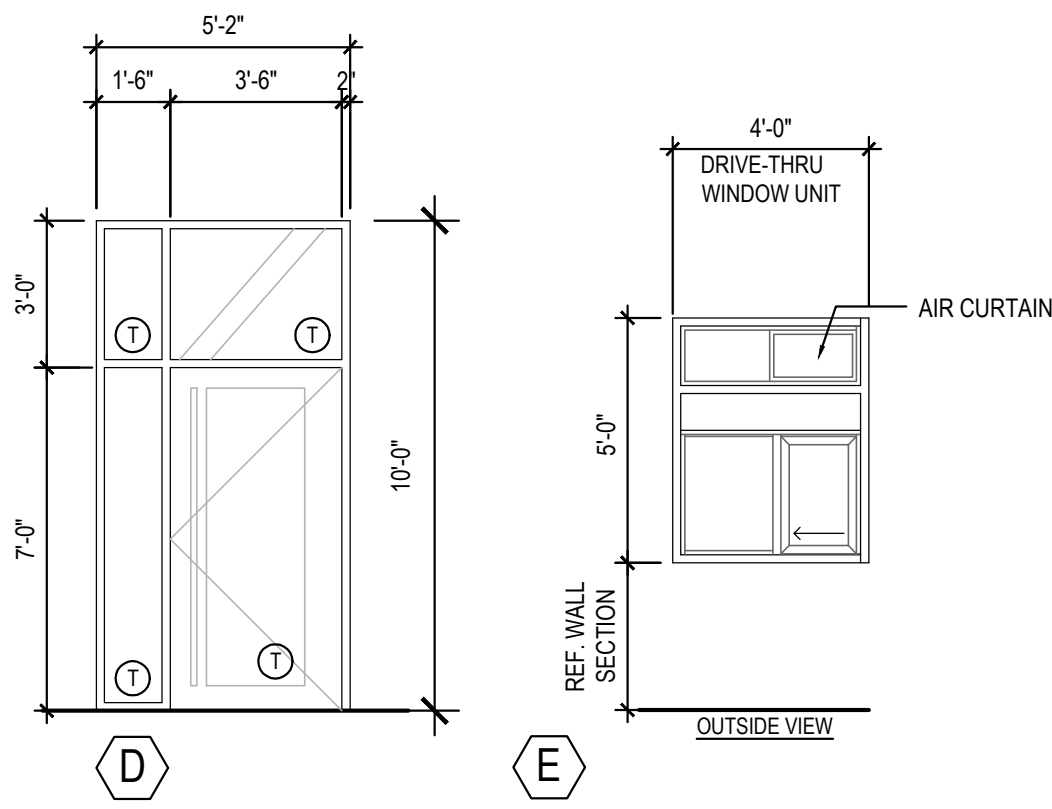
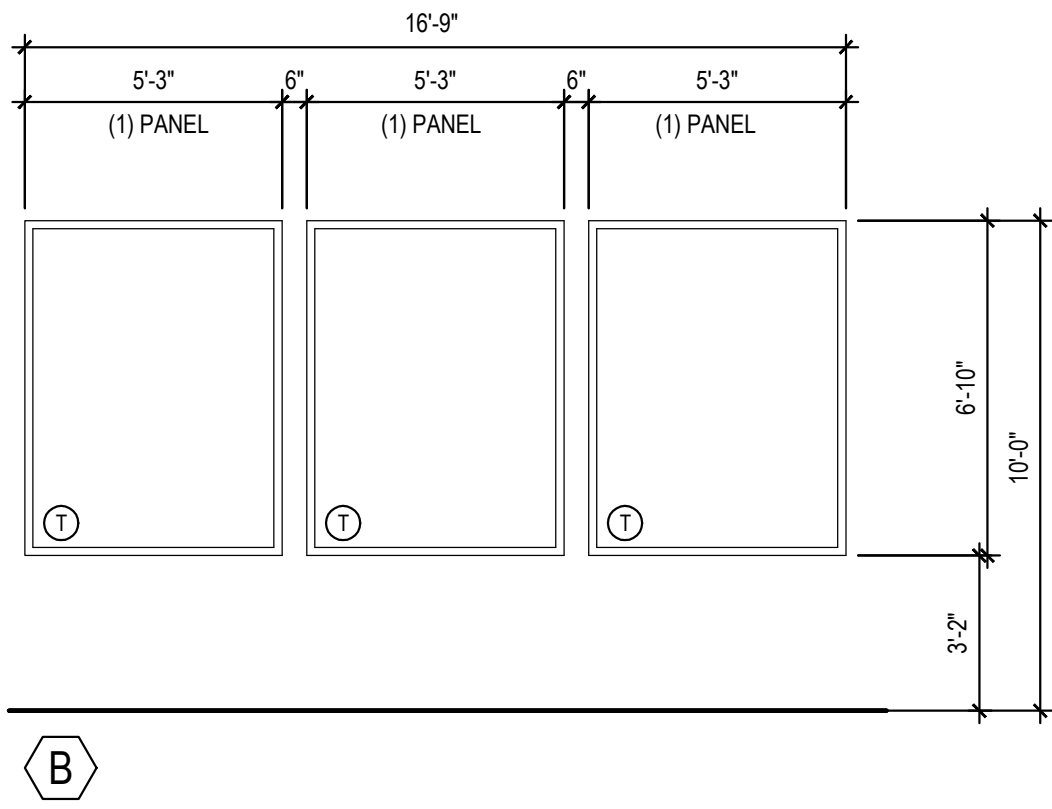
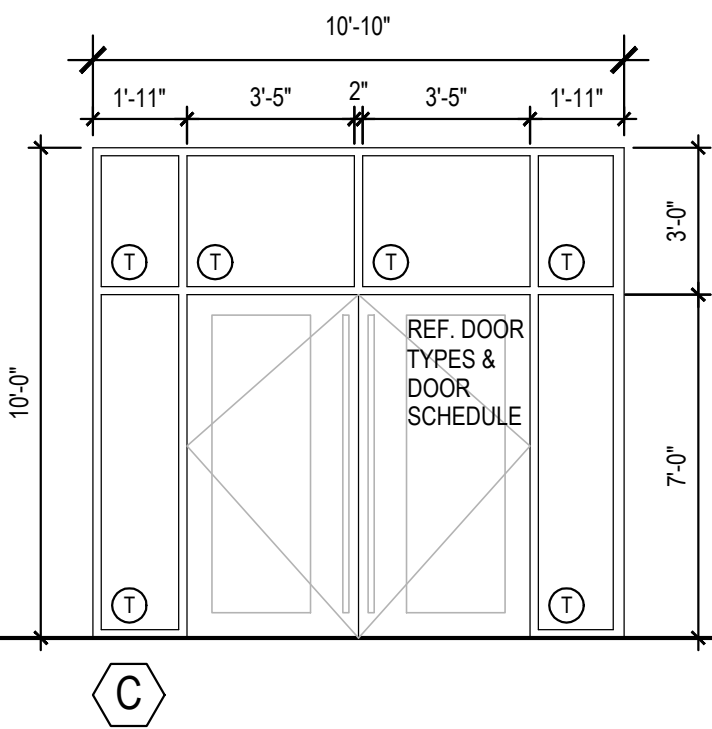
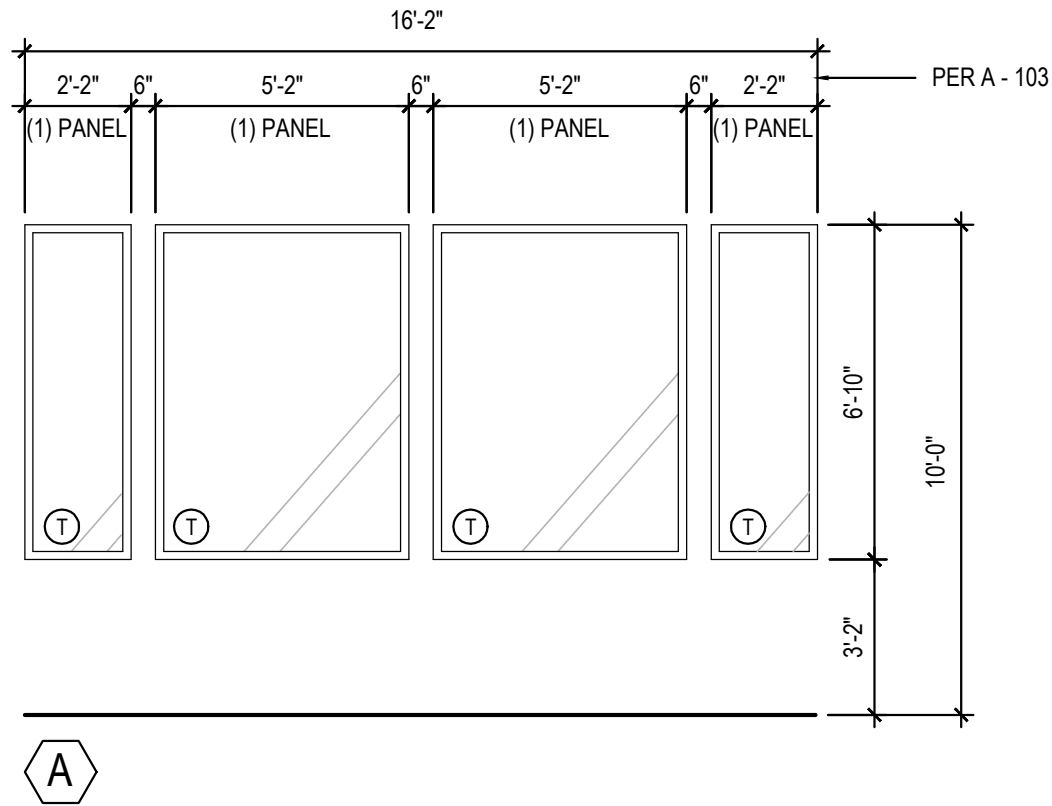
NO	MANUFACTURER	MFG#	COLOR	FINISH	NOTES
(EIFS-1)	STO	STOTHERM ESSENCE SYSTEM	SW 7646 FIRST STAR	FINE	BUILDING BODY
(EIFS-2)	STO	STOTHERM ESSENCE SYSTEM	SW 7069 IRON ORE	FINE	EIFS ACCENT BAND
(EIFS-3)	STO	STOTHERM ESSENCE SYSTEM	PANTONE COLOR 200C - RED	-	EIFS BEHIND TRELIS
(ST-1S)	CORONADO STONE PRODUCTS	CHISELED STONE SILL	CHARCOAL	-	STONE CAP (3/8" VERTICAL JOINT - MORTAR TO MATCH STONE CAP)
(ST-1)	CORONADO STONE PRODUCTS	STRIP STONE	BLACK FOREST	-	WAINSCOT CONTACT: 864-962-1221 PROVIDE 3/8" MORTAR JOINTS. MFG.: ARGOS, COLOR: CHARCOAL
(CD-1)	NICHIHA	VINTAGEWOOD	SPRUCE	-	COMPOSITE DECKING
(MTL-2)	PANDA VENDOR	ALLEN INDUSTRIES	PMS BLACK- 7C	SATIN FINISH	CANOPY W/ LED W/ DOWN LIGHT AROUND BUILDING
(MTL-1)	EXCEPTIONAL METALS	-	"PANDA EXPRESS IRON ORE"		CAP FLASHING

WINDOW SCHEDULE

INSTALLED AND FURNISHED BY: G.C. UNLESS NOTED OTHERWISE

SYM	WIDTH	HEIGHT	GLASS	FRAME	REMARKS
(A)	16'-2" LIN. FEET	6'-10"	1" INSULATED GLASS	BLACK ANOD. ALUMINUM STOREFRONT	1" INSULATED GLAZING, IN 4.5" X 2" IN ANODIZED ALUMINUM FRAME REFER WINDOW TYPES FOR INDIVIDUAL SIZES
(B)	16'-9" LIN. FEET	6'-10"	1" INSULATED GLASS	BLACK ANOD. ALUMINUM STOREFRONT	1" INSULATED GLAZING, IN 4.5" X 2" IN ANODIZED ALUMINUM FRAME REFER WINDOW TYPES FOR INDIVIDUAL SIZES
(C)	10'-10"	10'-0"	1" INSULATED GLASS	BLACK ANOD. ALUMINUM STOREFRONT	KAWNEER CURTAIN WALL 1620 SYSTEM WITH 1" INSULATED GLAZING, IN 6" X 2" IN ANODIZED ALUMINUM FRAME MOON GATE TO CONNECT WITH KAWNEER ATTACHMENT BRACKET 834-745.
(D)	5'-2"	10'-0"	1" INSULATED GLASS	BLACK ALUMINUM STOREFRONT	KAWNEER CURTAIN WALL 1620 SYSTEM WITH 1" INSULATED GLAZING, IN 6" X 2" IN ANODIZED ALUMINUM FRAME MOON GATE TO CONNECT WITH KAWNEER ATTACHMENT BRACKET 834-745.
(E)	4'-0"	59.5"	TEMPERED GLASS	BLACK ANODIZED ALUMINUM	QUIK-SERV (HEATED AIR CURTAIN), ROUGH OPENING 83" X 60" SEE ADDITIONAL NOTE # 5. CONTACT: WADE ARNOLD, 800-388-8307
(F)	7'-3"	10'-0"	SINGLE PANE GLASS	DARK BRONZE ANODIZED ALUMINUM	SINGLE PANE VESTIBULE GLAZING
(G)	7'-10"	10'-0"	SINGLE PANE GLASS	DARK BRONZE ANODIZED ALUMINUM	SINGLE PANE VESTIBULE GLAZING

- NOTES
- INSULATING GLASS SOLARBAN 60 LOW E: WINTER U=0.29 SHGC: 0.25 VIS TRANS: 35%
 - DOORS: FULL GLAZED DOORS W/10" KICK BASE, ANODIZED ALUM FINISH. REFER HARDWARE SCHEDULE.
 - WINDOW DIMENSIONS ARE FOR BIDDING PURPOSES ONLY. G.C. TO VERIFY ACTUAL WINDOW DIMENSIONS PRIOR TO FABRICATION INSTALLATION. GLASS FACADE AND ENTRY DOORS TO BE DESIGNED, DETAILED, FACTORY FABRICATED AND SITE ASSEMBLED AND ERECTED.
 - MANUFACTURER: QUIK-SERV, MODEL SST-4860E WITH THRU-BEAM PHOTO-ELECTRIC BAR. REGIONAL APPLICATION WITH CF-25 NON HEATED AIR CURTAIN OR CF-25 HEATED AIR CURTAIN. TYPE OF AIR CURTAIN LISTED ON WINDOW SCHEDULE.
 - WINDOW SYSTEM SHALL COMPLY WITH APPLICABLE SECTION AND CHAPTER OF BUILDING CODE.
 - TEMPERED GLASS



WINDOW AND DOOR ELEVATIONS

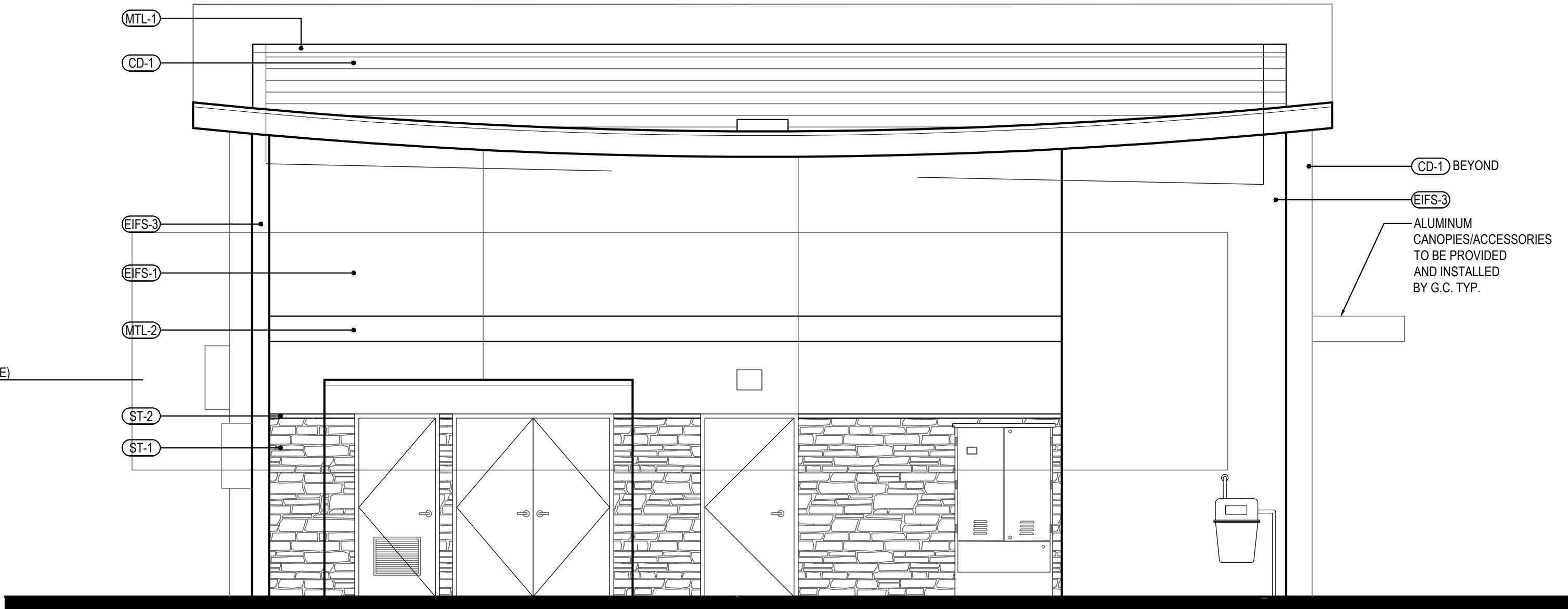
3

Scale= NTS A-200

- PEAK
23'-3" +/- A.F.F.
- T.O. PARAPET
21'-8" A.F.F.
- T.O. EAVE
19'-5" +/- A.F.F.

- B.O. BAND
10'-0" A.F.F.
- T.O. PLATE (STORAGE)
8'-6" A.F.F.
- T.O. WAINSCOT
7'-2" A.F.F.

- FINISH FLOOR
0'-0" A.F.F.



NORTH ELEVATION

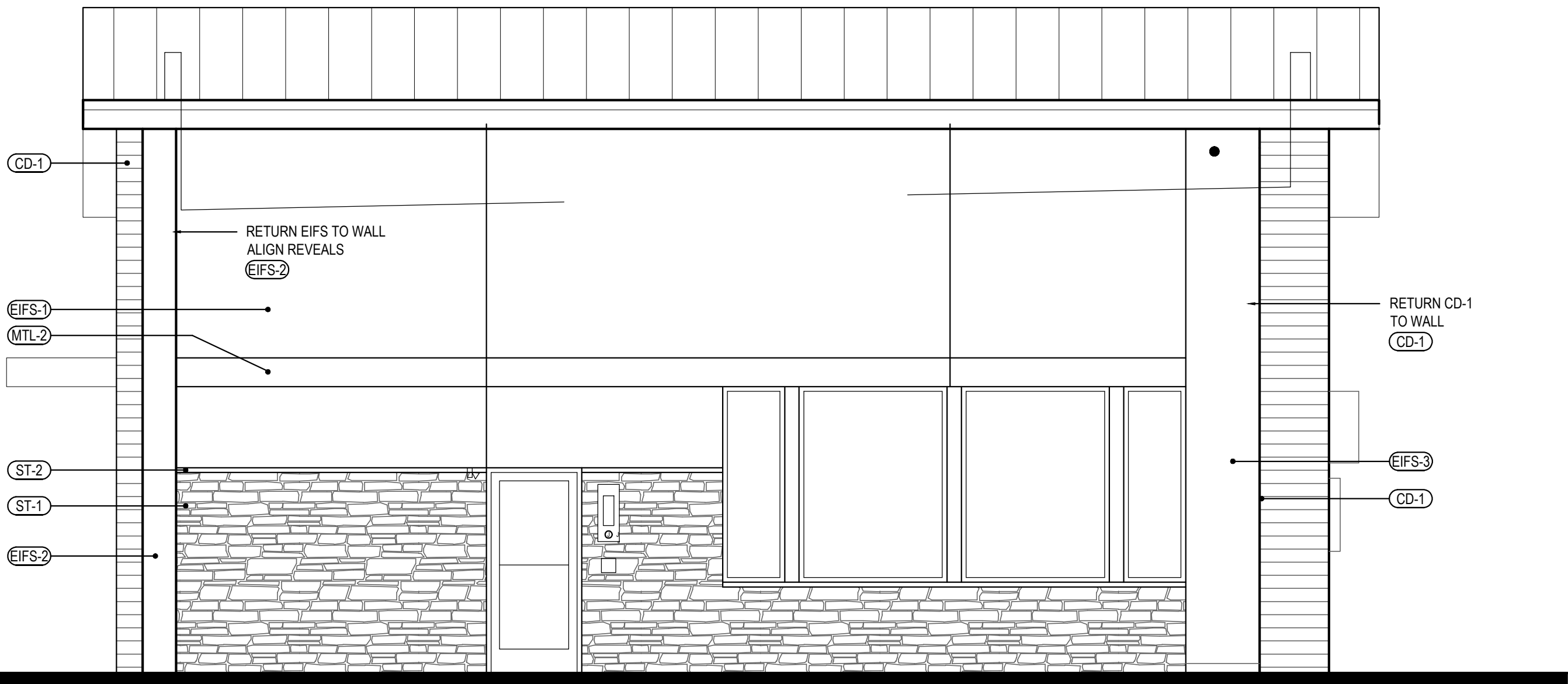
2

Scale= 1/4" = 1'-0"

A-200

- PEAK
23'-3" +/- A.F.F.
- T.O. SIDE PARAPET
21'-8" A.F.F.
- T.O. EAVE
20'-0" +/- A.F.F.
- T.O. PARAPET
19'-8" A.F.F.

- FINISH FLOOR
0'-0" A.F.F.



SOUTH ELEVATION

1

Scale= 1/4" = 1'-0"

A-200



PANDA EXPRESS, INC.
1683 Walnut Grove Ave.
Rosemead, California
91770
Telephone: 626.799.9898
Facsimile: 626.372.8288

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REVISIONS:

ISSUE DATE:

DRAWN BY:

PANDA PROJECT #: S8-22-D8654

PANDA STORE #: -

ARCH PROJECT #: 21044.020



8813 Penrose Lane, Suite 400,
Lenexa, KS 66219
ph: 913.649.8181 • fx: 913.649.1275

PANDA EXPRESS

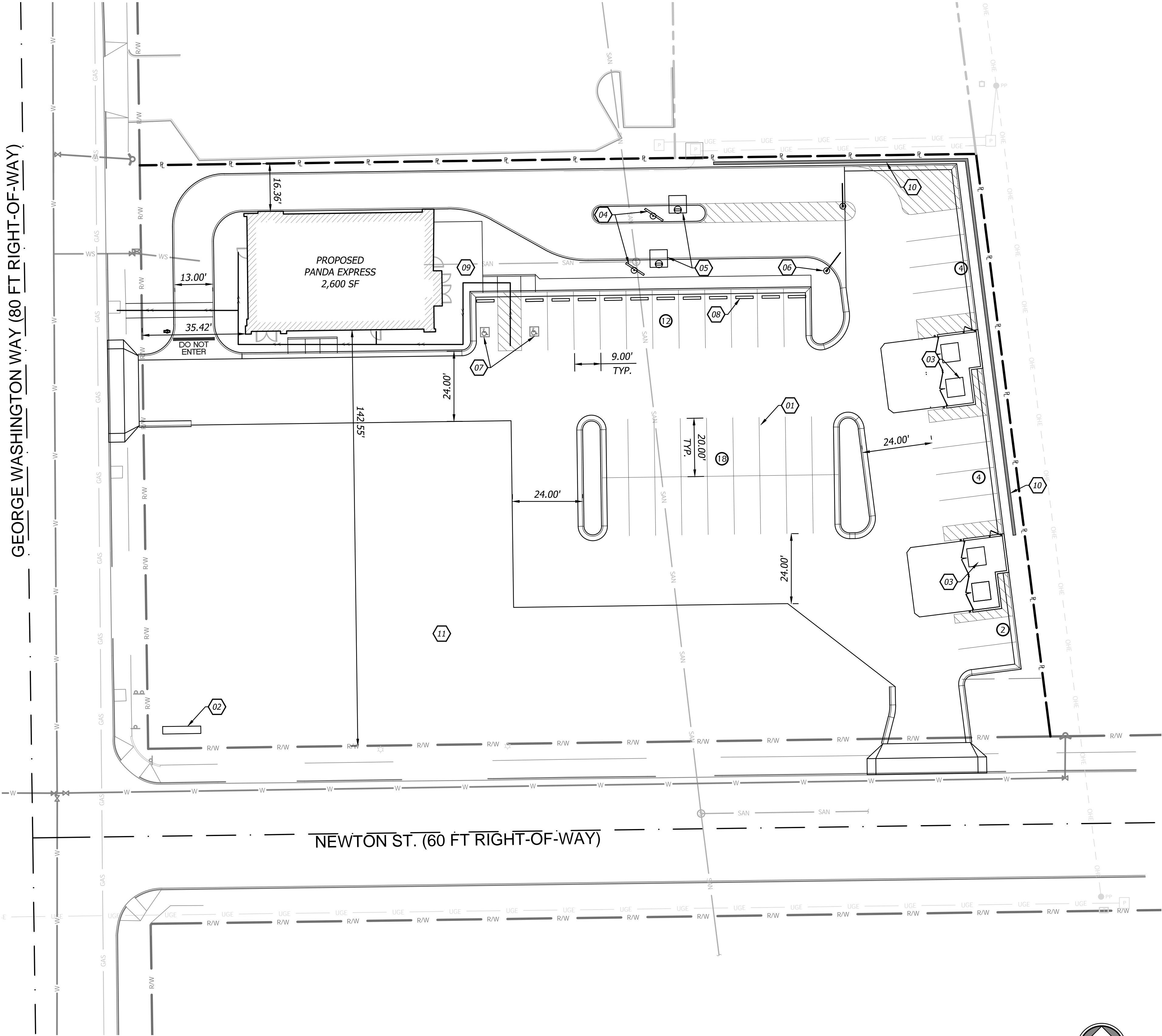
TRUE WARM & WELCOME
STREET ADDRESS
CITY, STATE ZIP

A-200

EXTERIOR
ELEVATIONS

TRUE WARM & WELCOME 2300 R5

Exhibit 2



SITE DATA

<u>SITE</u>	
SITE AREA:	1.37 AC 59,601 SF
<u>BUILDING</u>	
BUILDING AREA:	2,600 SF (4.4%)
<u>PARKING</u>	
PARKING PROVIDED:	38 STANDARD 2 HANDICAP (2 VAN)

ZONING

CBD (CENTRAL BUSINESS DISTRICT)

PROPERTY

924 GEORGE WASHINGTON WAY
RICHLAND, WA 99352

PARCEL ID #111981020635001

DEVELOPER

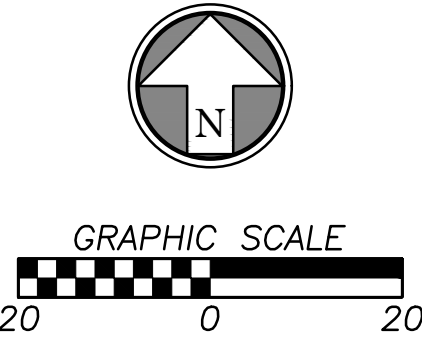
CFT NV DEVELOPMENTS LLC
1683 WALNUT GROVE AVE
ROSEMEAD, CA 91770

CONSTRUCTION NOTES

- 01 LEAD FREE, WATER-BORNE EMULSION BASED TRAFFIC PAINT FOR PARKING LOT STRIPING (WHITE ON ASPHALT & YELLOW ON CONCRETE).
- 02 MONUMENT SIGN
- 03 PROPOSED TRASH ENCLOSURE
- 04 MENU BOARD
- 05 SPEAKER BOX
- 06 DRIVE THRU CLEARANCE BAR
- 07 ADA PARKING AREA. 2% MAXIMUM SLOPE IN ANY DIRECTION
- 08 RUBBER WHEEL STOPS
- 09 CONCRETE SIDEWALK
- 10 SMALL BLOCK RETAINING WALL. MAX 4 FT HIGH.
- 11 AREA IS TO BE DEVELOPED AS A PAD SITE FOR FUTURE DEVELOPMENT.

SITE LEGEND

- PARKING STALL COUNT
- PROPOSED BUILDING
- CURB WITH NO GUTTER
- STANDARD CURB & GUTTER
- RETAINING WALL
- ACCESSIBLE ADA ROUTE
- PROPERTY LINE
- RIGHT-OF-WAY LINE



PANDA EXPRESS, INC.
1683 Walnut Grove Ave.
Rosemead, California
91770
Telephone: 626.799.9898
Facsimile: 626.372.8288

REVISIONS:

ISSUE DATE:

DRAWN BY:

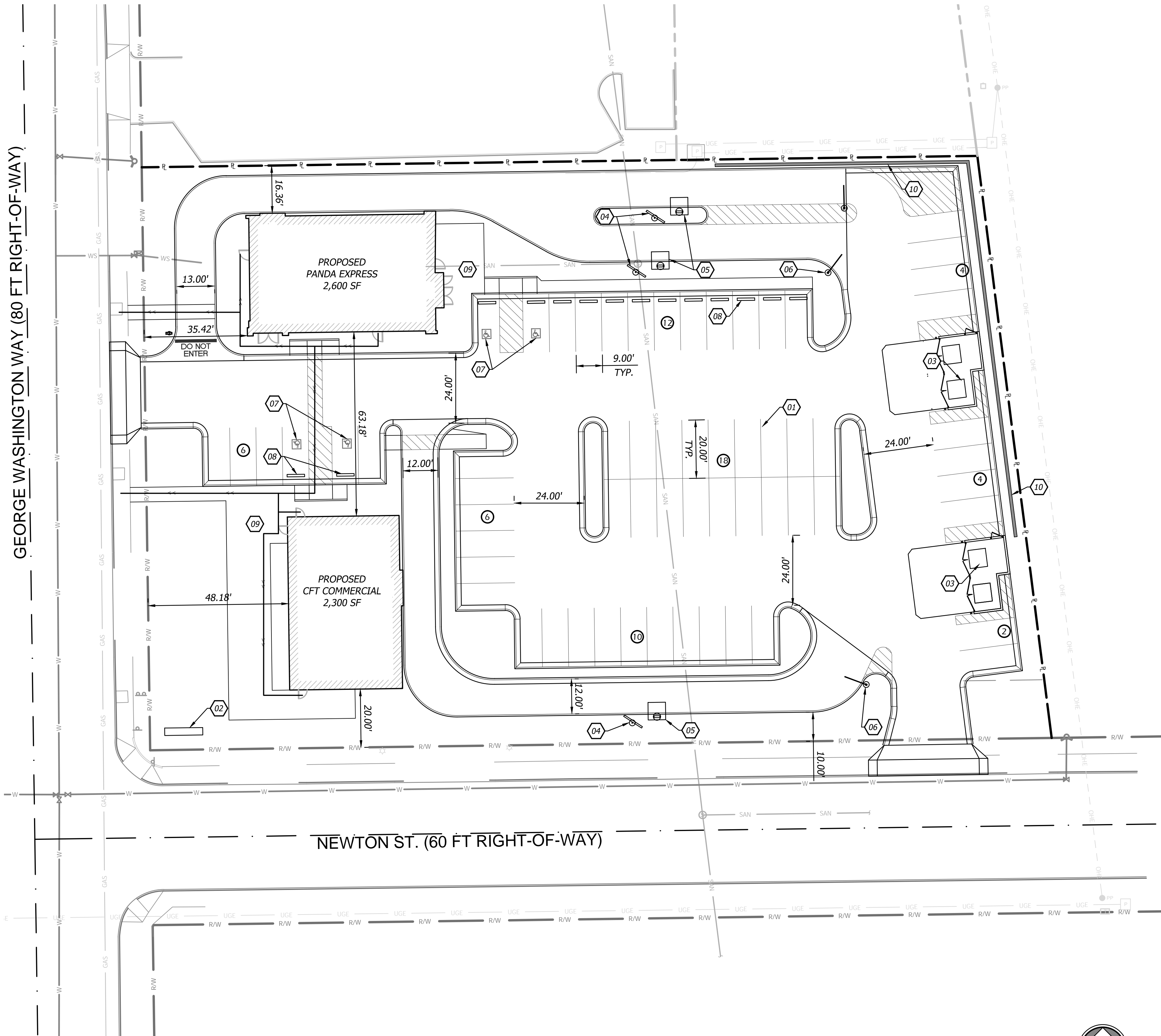
PANDA PROJECT #: S8-22-D8654
PANDA STORE #: -
ARCH PROJECT #: 21044.020

khckloverarchitect
8813 Penrose Lane, Suite 400,
Lenexa, KS 66219
ph: 913.649.8181 • fx: 913.649.1275

PANDA EXPRESS
TRUE WARM & WELCOME
924 GEORGE WASHINGTON WAY
RICHLAND, WA 99352

CONCEPTUAL SITE PLAN
(PHASE I)

C2



SITE DATA

SITE	
SITE AREA:	1.37 AC 59,601 SF
BUILDING	
BUILDING AREA:	2,600 SF (4.4%)
BUILDING AREA:	2,300 SF (3.9%)
PARKING	
PARKING PROVIDED:	54 STANDARD 4 HANDICAP (2 VAN)

ZONING

CBD (CENTRAL BUSINESS DISTRICT)

PROPERTY

924 GEORGE WASHINGTON WAY
RICHLAND, WA 99352

PARCEL ID #111981020635001

DEVELOPER

CFT NV DEVELOPMENTS LLC
1683 WALNUT GROVE AVE
ROSEMEAD, CA 91770

CONSTRUCTION NOTES

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- 08 RUBBER WHEEL STOPS
- 09 CONCRETE SIDEWALK
- 10 SMALL BLOCK RETAINING WALL. MAX 4 FT HIGH.

SITE LEGEND

- ⑩ PARKING STALL COUNT
- PROPOSED BUILDING
- CURB WITH NO GUTTER
- STANDARD CURB & GUTTER
- RETAINING WALL
- ACCESSIBLE ADA ROUTE
- PROPERTY LINE
- R/W RIGHT-OF-WAY LINE



PANDA EXPRESS, INC.
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Rosemead, California
91770
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REVISIONS:

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DRAWN BY:

PANDA PROJECT #: S8-22-D8654
PANDA STORE #: -
ARCH PROJECT #: 21044.020

FOR REFERENCE ONLY

hckloverarchitect
8813 Penrose Lane, Suite 400,
Lenexa, KS 66219
ph: 913.649.8181 • fx: 913.649.1275

PANDA EXPRESS

TRUE WARM & WELCOME
924 GEORGE WASHINGTON WAY
RICHLAND, WA 99352

CONCEPTUAL SITE PLAN

C1

TRUE WARM & WELCOME 2300 R5

Exhibit 3



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (SUP2022-101 & M2022-106)

Notice is hereby given that HC Klover Architect has filed a special use permit application and Central Business District deviation on behalf of Panda Express, Inc. to construct and operate a drive-through restaurant greater than 20 feet from the front property line within the Central Business District. The subject site, addressed as 924 George Washington Way, is indicated in the map below.

Public Hearing: The Richland Hearing Examiner will conduct a public hearing and review of the application at 6:00 p.m., Thursday, July 21, 2022. All interested parties are invited to attend in-person and present testimony at the public hearing or by visiting the City of Richland website (www.ci.richland.wa.us) and joining via Zoom. Copies of the complete application packet can be obtained by visiting the City of Richland website (www.ci.richland.wa.us).

Environmental Review: The City of Richland issued a SEPA Determination of Non-Significance (DNS) for this project on February 3, 2022. There is no opportunity for SEPA appeal.

Public Comment: Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS #35, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, July 8, 2022, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Written comment will not be accepted after 6 p.m. on Wednesday, July 20, 2022; however verbal comments may be presented during the public hearing.

Appeal: The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations 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 Planning Division at the above referenced address with questions related to the available appeal process.

Vicinity Map

Item: Panda Express Special Use Permit – Drive Thru
Applicant: Panda Express
File #: SUP2022-101



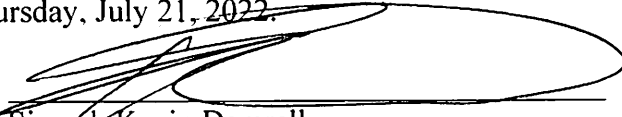
1
2 **AFFIDAVIT OF MAILING**

3
4 STATE OF WASHINGTON)
5) ss.
6 COUNTY OF BENTON)

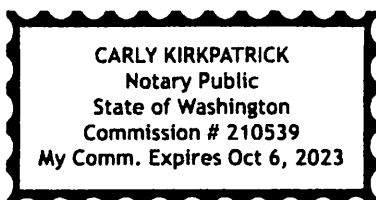
7 COMES NOW, Kevin Damrell, who, being first duly sworn upon oath deposes and says:

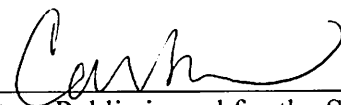
8 1. I am an employee in the Planning Division of the Development Services Department for the
9 City of Richland.

10 2. On the 28th day of June, 2022, I mailed a copy of the attached NOTICE OF APPLICATION
11 AND PUBLIC HEARING (SUP2022-101 & M2022-106) to the attached list of individuals via
12 regular USPS on the date indicated above. The Richland Hearing Examiner will conduct a public
13 hearing and review of the application on Thursday, July 21, 2022.

14 
Signed: Kevin Damrell

15 SIGNED AND SWORN to before me this 28th day of June, 2022 by Kevin Damrell.



23 
Notary Public in and for the State of Washington,

24 Carly Kirkpatrick
Print Name
Residing at Benton Counton
My appointment expires: Oct. 6, 2023

25
AFFIDAVIT OF MAILING - 1
Address list attached.



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (SUP2022-101 & M2022-106)

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Public Hearing: The Richland Hearing Examiner will conduct a public hearing and review of the application at 6:00 p.m., Thursday, July 21, 2022. All interested parties are invited to attend in-person and present testimony at the public hearing or by visiting the City of Richland website (www.ci.richland.wa.us) and joining via Zoom. Copies of the complete application packet can be obtained by visiting the City of Richland website (www.ci.richland.wa.us).

Environmental Review: The City of Richland issued a SEPA Determination of Non-Significance (DNS) for this project on February 3, 2022. There is no opportunity for SEPA appeal.

Public Comment: Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS #35, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, July 8, 2022, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Written comment will not be accepted after 6 p.m. on Wednesday, July 20, 2022; however verbal comments may be presented during the public hearing.

Appeal: The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations 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 Planning Division at the above referenced address with questions related to the available appeal process.

Vicinity Map

Item: Panda Express Special Use Permit – Drive Thru
Applicant: Panda Express
File #: SUP2022-101



HOUSTON DAN
640 JADWIN AVE SUITE G

RICHLAND , WA 99352

CITY OF RICHLAND
625 SWIFT BLVD. MS-09

RICHLAND , WA 99352

HOUSTON DANNY & KRIS
206 BROADMOOR ST

RICHLAND, WA 99352-9606

USA CORP OF ENGINEERS
201 N 3RD AVE
WALLA WALLA, WA 99362

CITY OF RICHLAND
625 SWIFT BLVD. MS-09

RICHLAND , WA 99352

CITY OF RICHLAND
625 SWIFT BLVD. MS-09

RICHLAND , WA 99352

SSI LAND CO
BZB MULTI-STATE LLC
503 E 2ND AVE STE B
SPOKANE, WA 99202-1405

STERLING 41389 INCORPORATED
890 GEO WASHINGTON WAY
RICHLAND, WA 99352-0000

CITY OF RICHLAND
625 SWIFT BLVD. MS-09

RICHLAND , WA 99352

USA CORP OF ENGINEERS
201 N 3RD AVE
WALLA WALLA, WA 99362

CITY OF RICHLAND
625 SWIFT BLVD. MS-09

RICHLAND , WA 99352

GEE-WAY DEVELOPMENT COMPANY LLC
8901 W TUCANNON AVE STE 110

KENNEWICK, WA 99336

HANFORD HOUSE HOSPITALITY LLC
800 GEORGE WASHINGTON WAY

RICHLAND, WA 99352

CITY OF RICHLAND
625 SWIFT BLVD. MS-09

RICHLAND , WA 99352

AFFIDAVIT OF POSTING

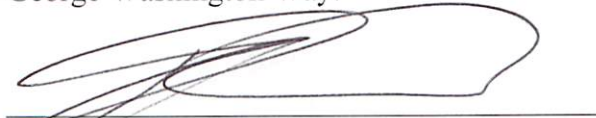
STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Kevin Damrell**, who, being first duly sworn upon oath deposes and says:

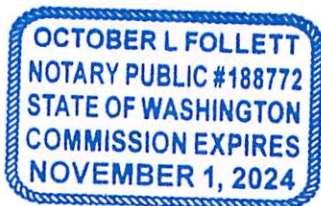
1. I am an employee in the Planning Division of the Development Services Department for the City of Richland.

2. On the 1st day of July, 2022, I posted the attached NOTICE OF PUBLIC HEARING, File Number SUP2022-101 & M2022-106 in the following location:

In front of the vacant building at 924 George Washington Way.


Signed: Kevin Damrell

SIGNED AND SWORN to before me this 15th day of July 2022, by Kevin Damrell.




Signature of Notary

October L. Follett
Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: 11-1-24



Beaufort Gazette
Belleville News-Democrat
Bellingham Herald
Bradenton Herald
Centre Daily Times
Charlotte Observer
Columbus Ledger-Enquirer
Fresno Bee

The Herald - Rock Hill
Herald Sun - Durham
Idaho Statesman
Island Packet
Kansas City Star
Lexington Herald-Leader
Merced Sun-Star
Miami Herald

el Nuevo Herald - Miami
Modesto Bee
Raleigh News & Observer
The Olympian
Sacramento Bee
Fort Worth Star-Telegram
The State - Columbia
Sun Herald - Biloxi

Sun News - Myrtle Beach
The News Tribune Tacoma
The Telegraph - Macon
San Luis Obispo Tribune
Tri-City Herald
Wichita Eagle

AFFIDAVIT OF PUBLICATION

Account #	Order Number	Identification	Order PO	Amount	Cols	Depth
36823	283329	Print Legal Ad - IPL0079285	D2586000 4401	\$130.85	1	53 L

Attention: Jennifer Anderson

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

CITY OF RICHLAND NOTICE OF APPLICATION & PUBLIC HEARING

Notice is hereby given that HC Klover Architect has filed a special use permit application and Central Business District deviation on behalf of Panda Express, Inc. to construct and operate a drive-through restaurant greater than 20 feet from the front property line within the Central Business District. The subject site is addressed as 924 George Washington Way.

Public Hearing: The Richland Hearing Examiner will conduct a public hearing and review of the application on **Thursday, July 21, 2022, at 6:00 p.m.** All interested parties are invited to attend and present testimony at the public hearing or visit the City of Richland's website at www.ci.richland.wa.us and join via Zoom. Copies of the complete application packet can be obtained by visiting the City of Richland's website (www.ci.richland.wa.us).

Environmental Review: The City of Richland issued a SEPA Determination of Non-Significance (DNS) for this project on February 3, 2022. There is no opportunity for SEPA appeal.

Public Comment: Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Mike Stevens, Planning Manager, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be emailed to mstevens@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Friday, July 8, 2022, to be incorporated into the staff report. Comments received after that date will be entered into the record at the hearing. Written comments will not be accepted after 6:00 p.m. on Wednesday, July 20, 2022; however, verbal comments may be presented during the public hearing.

Published: Sunday, July 3, 2022
IPL0079285
Jul 3 2022

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

Stephanie Hatcher, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for more than six months prior to the date of the publications hereinafter referred to, published continually as a daily newspaper in Benton County, Washington. That the attached is a true copy as it was printed in the regular and entire issue of the Tri-City Herald and not in a supplement thereof, ran 1 time(s) commencing on 07/03/2022, and ending on 07/03/2022 and that said newspaper was regularly distributed to its subscribers during all of this period.

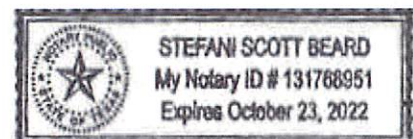
Stephanie Hatcher

(Signature of Legals Clerk)

Sworn to and subscribed before me this 5th day of July in the year of 2022

Stefani Beard

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



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

Exhibit 4



File No. EA2022-102

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

Description of Proposal: Development of two (2) retail buildings with associated off-street parking and utilities.

Proponent: Kurt Yoder, PE/Project Engineer
BHC, Inc.
7101 College Blvd., Suite 400
Overland Park, KS 66210

Location of Proposal: The project will occur at 924 George Washington Way, within the City of Richland, Washington.

Lead Agency: City of Richland

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

() There is no comment for the DNS.

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

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

Responsible Official: Mike Stevens

Position/Title: Planning Manager

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

Date: February 3, 2022

Signature 



March 1, 2022

BHC
Attn: Kurt Yoder, PE
7101 College Blvd., Suite 400
Overland Park, KS 66210

RE: 924 George Washington Way – SEPA

Dear Mr. Yoder:

The City of Richland issued a SEPA Threshold Determination of Non-Significance (DNS) for the above identified project on February 3, 2022. The end of the required comment period was February 18, 2022. No appeals to the City's SEPA Determination of Non-Significance were received as of February 21, 2022.

Based upon comments received from the SEPA DNS referral, the City of Richland Development Services Department (Planning Division) hereby requires that the following be completed prior to issuance of any development permits for the property:

1. Applicant shall be responsible for obtaining a NPDES Construction Stormwater General Permit, if necessary, from the Washington State Department of Ecology. See SEPA comment attached.
2. A professional archaeologist shall be contracted to inspect the site and perform cultural monitoring for ground disturbing activities beyond the existing infrastructure. In addition, an Inadvertent Discovery Plan shall be prepared and submitted to the City, Yakama Nation and DAHP. See SEPA comments attached.
3. Modify the site design to align with the changes expressed by John Deskins, Traffic Engineer. See SEPA comment attached.
4. Submit a good faith survey performed by an AHERA certified inspector to the Benton Clean Air Agency regarding the presence of asbestos as well as a Notification of Demolition or Renovation. See SEPA comment attached.

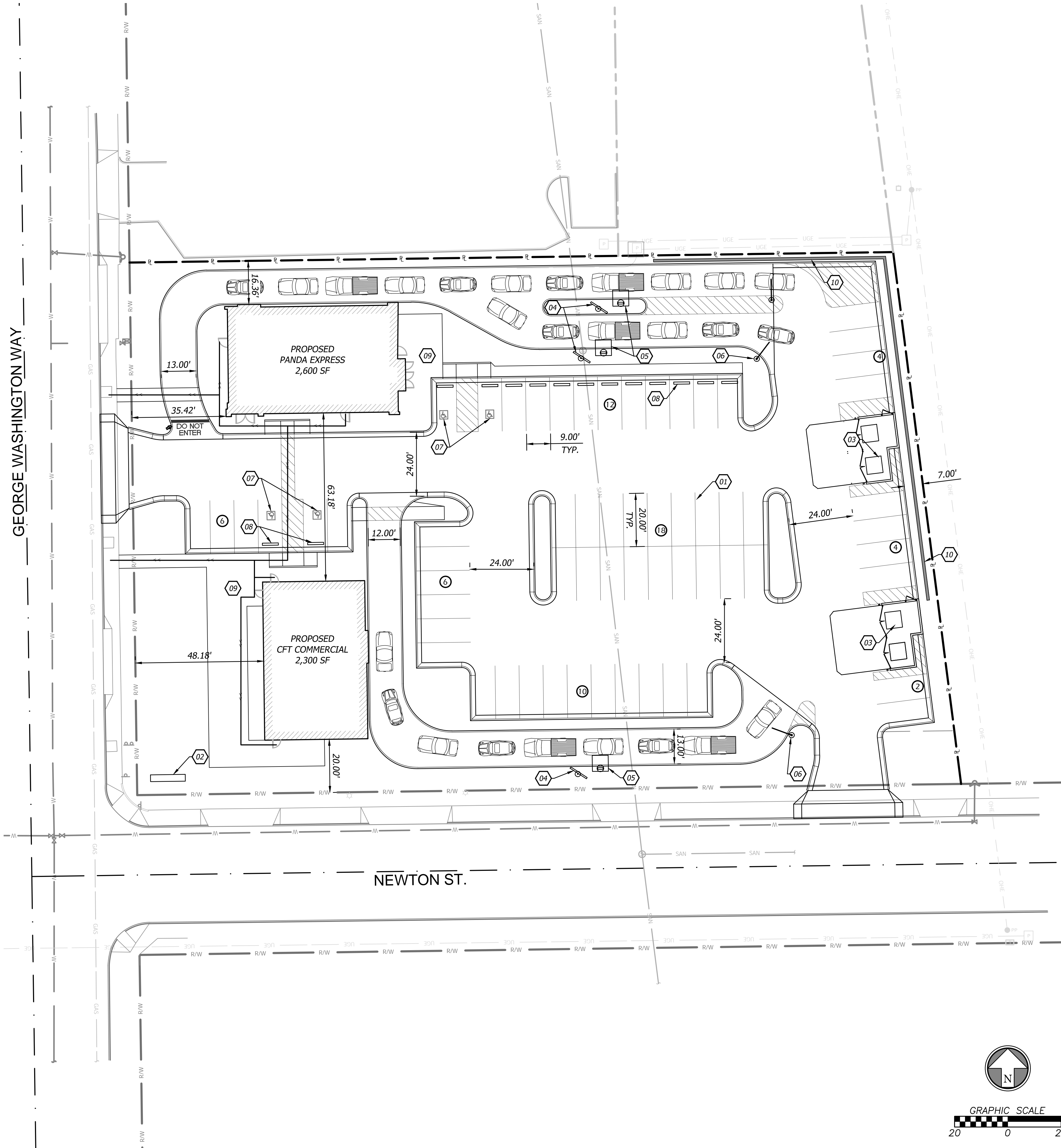
5. Due to the possible presence of contaminants (petroleum distillates and other), a Phase 1 Environmental Analysis shall be performed and the results therein provided to the City of Richland and, if necessary, the Washington State Dept. of Ecology.

If you have any questions regarding this letter, please feel free to contact me at (509) 942-7596 or via email at mstevens@ci.richland.wa.us.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Stevens", with a stylized flourish at the end.

Mike Stevens
Planning Manager
City of Richland
(509)942-7596
mstevens@ci.richland.wa.us



SITE DATA

SITE	
SITE AREA:	1.37 AC 59,601 SF
BUILDING	
BUILDING AREA:	2,600 SF (4.4%)
BUILDING AREA:	2,300 SF (3.9%)
PARKING	
PARKING PROVIDED:	58 STANDARD 4 HANDICAP (2 VAN)

ZONING

CBD (CENTRAL BUSINESS DISTRICT)

PROPERTY

924 GEORGE WASHINGTON WAY
RICHLAND, WA 99352

PARCEL ID #111981020635001

DEVELOPER

CFT NV DEVELOPMENTS LLC
1683 WALNUT GROVE AVE
ROSEMEAD, CA 91770

CONSTRUCTION NOTES

- 01 LEAD FREE, WATER-BORNE EMULSION BASED TRAFFIC PAINT FOR PARKING LOT STRIPING (WHITE ON ASPHALT & YELLOW ON CONCRETE).
- 02 MONUMENT SIGN
- 03 PROPOSED TRASH ENCLOSURE
- 04 MENU BOARD
- 05 SPEAKER BOX
- 06 DRIVE THRU CLEARANCE BAR
- 07 ADA PARKING AREA. 2% MAXIMUM SLOPE IN ANY DIRECTION
- 08 RUBBER WHEEL STOPS
- 09 CONCRETE SIDEWALK
- 10 SMALL BLOCK RETAINING WALL. MAX 4 FT HIGH.

SITE LEGEND

- ⑩ PARKING STALL COUNT
- PROPOSED BUILDING
- CURB WITH NO GUTTER
- STANDARD CURB & GUTTER
- RETAINING WALL
- ACCESSIBLE ADA ROUTE



PANDA EXPRESS, INC.
1683 Walnut Grove Ave.
Rosemead, California
91770

Telephone: 626.799.9898
Facsimile: 626.372.8288

REVISIONS:

ISSUE DATE:

DRAWN BY:

PANDA PROJECT #: S8-22-D8654
PANDA STORE #: -
ARCH PROJECT #: 21044.020

khckloverarchitect
8813 Penrose Lane, Suite 400,
Lenexa, KS 66219
ph: 913.649.8181 • fx: 913.649.1275

PANDA EXPRESS

TRUE WARM & WELCOME
924 GEORGE WASHINGTON WAY
RICHLAND, WA 99352

CONCEPTUAL SITE PLAN

C1

TRUE WARM & WELCOME 2300 R5

January 14, 2022

Public Works
City of Richland
625 Swift Blvd
Richland, WA 99352

Re: Traffic Memo for 924 George Washington Way, Richland, WA

BHC has been asked to review the traffic impact of a proposed redevelopment at 924 George Washington Way in Richland, WA. The development involves replacing a former City Buffet restaurant with a Panda Express drive-thru restaurant and future drive-thru restaurant.

EXISTING CONDITIONS

The existing site is a vacant City Buffet. The land area of the site is 1.37 acres. The site is at the northeast corner of George Washington Way and Newton Street. This intersection is a 3-way intersection with a west-bound stop sign on Newton Street. George Washington Way is a 4-lane principal arterial with a center turning lane. About 150 ft to the east of the site is Amon Park Dr, which goes along the Columbia River.

Approximately 500 ft north of the site, Swift Boulevard intersects George Washington Way at a tee intersection. There is a traffic light at this intersection. Swift Boulevard is a 4-lane minor arterial. Approximately 1000 ft south of the site, Knight Street intersects George Washington Way at a 4-way intersection. There is a traffic light at this intersection. Knight Street is a 4-lane collector. See Figure 1 for the project location.

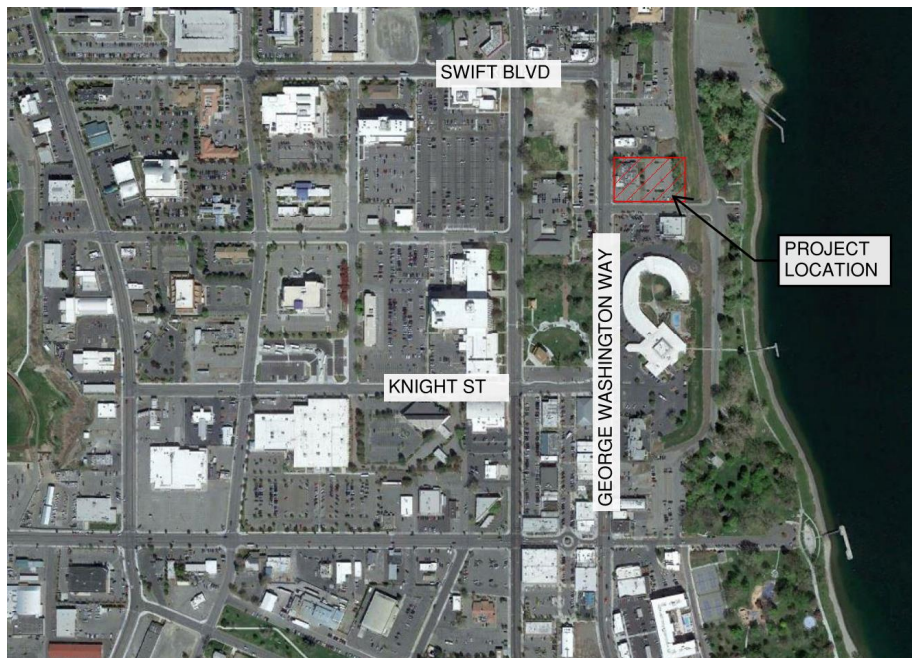


Figure 1: Project Location



913.663.1900



ibhc.com



7101 College Blvd., Ste.
400

The proposed north half of the site is a 2600 sf Panda Express with drive thru and associated parking. The south half of the site is currently projected to consist of a 2300 sf drive thru restaurant with connecting access to Newton Street. Access is also proposed along George Washington Way. The site layout can be seen below in Figure 2.



ITE TRIP GENERATION

A trip generation analysis was performed using the ITE TripGen web-based app. The 10th edition of the ITE Trip Generation Manual was used. The land use code used for the existing City Buffet site was 932 – High Turnover (Sit-Down) Restaurant. The land use code selected for the proposed uses is 934 – Fast-Food Restaurant with Drive-Through Window.

It should be noted that Panda Express does not operate during the AM peak hour. The hours of operation for the other restaurant are not known at this time.

The number of trips generated may be seen in Table 1 for the existing AM peak hour and PM peak hour.

Table 1 – Existing Trip Generation							
					Trip Ends		
ITE Code	ITE Land Use	Variable	Value	Avg. Rate	Total	Enter	Exit
AM Peak Hour (7-9 AM)							
932	High-Turnover (Sit-Down) Restaurant	Per 1000 SF	8000	9.94	80	44	36
			Total Trips		80	44	36
PM Peak Hour (4-6 PM)							
932	High-Turnover (Sit-Down) Restaurant	Per 1000 SF	8000	9.77	78	48	30
			Total Trips		78	48	30

The number of proposed trips for the AM and PM peak can be seen in Table 2.

Table 2 – Proposed Trip Generation							
ITE Code	ITE Land Use	Variable	Value	Avg. Rate	Trip Ends		
					Total	Enter	Exit
AM Peak Hour (7-9 AM) Panda Express does not operate during the AM peak							
934	Fast-Food Restaurant with Drive-Through Window	Per 1000 SF	2600	N/A	0	0	0
934	Fast-Food Restaurant with Drive-Through Window	Per 1000 SF	2300	40.19	92	47	45
			Total Trips		92	47	45
PM Peak Hour (4-6 PM)							
934	Fast-Food Restaurant with Drive-Through Window	Per 1000 SF	2600	32.67	85	44	41
934	Fast-Food Restaurant with Drive-Through Window	Per 1000 SF	2300	32.67	75	39	36
			Total Trips		160	83	77



913.663.1900



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7101 College Blvd., Ste.
400

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Table 3 illustrates the overall trip AM and PM peak hour generation differences between the existing and proposed land uses.

Table 3			
AM Peak Hour (7-9 AM)	Total	Enter	Exit
Existing Trip Generation	80	44	36
Proposed Trip Generation	92	47	45
Difference	+12	+3	+9
PM Peak Hour (4-6 PM)			
Existing Trip Generation	78	48	30
Proposed Trip Generation	160	83	77
Difference	+82	+35	+47

Table 3 indicates there is expected to be an additional 82 vehicle trips in the PM peak hour, +35 entering and +47 exiting the site, these numbers represent additional traffic to the existing street network. For the purpose of keeping this traffic analysis simple, an ITE pass-by rate will not be applied; but could be, further reducing the projected peak hour difference.

TRIP DISTRIBUTION

It is assumed that 60% of the site generated entering/exiting traffic will come from the south on George Washington Way. Therefore, the remaining 40% will come from the north on George Washington Way. Very minimal traffic is expected to come from the east on Newton Street.

CONCLUSION

The proposed site uses are expected to add an additional 12 trips in the AM peak and 82 trips in the PM peak as shown in Table 3. These trips were further defined as entering and exiting with a 60/40 distribution applied on George Washington Way. There is a lot of existing traffic capacity on George Washington Way as it is already a 4-lane arterial with a center turn lane.

This analysis reveals that the largest impact of the proposed site to any of the existing streets would be an additional 82 PM trips to George Washington Way. We do not anticipate that volume increase will have any significant impact to the street network.

If there are any questions regarding this traffic memo, please contact me at your convenience at 913-905-1567 or kurt.yoder@ibhc.com.

Sincerely,



Kurt Yoder, PE
Project Engineer
BHC

SEPA ENVIRONMENTAL CHECKLIST

Purpose of checklist:

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

Instructions for applicants:

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

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

Instructions for Lead Agencies:

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

Use of checklist for nonproject proposals:

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

A. Background [\[HELP\]](#)

1. Name of proposed project, if applicable: CFT Multi-Tenant

2. Name of applicant: Kurt Yoder

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

7101 College Blvd, Suite 400
Overland Park, KS 66210
913-905-1567

4. Date checklist prepared: 1/12/2022

5. Agency requesting checklist: City of Richland, WA

6. Proposed timing or schedule (including phasing, if applicable): 06/2022-03/2023. The southern building will likely not be built for a few years. Timing is unknown for the southern building.

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

- There will be a future retail building to be constructed at a later date

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

- Unknown

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.

State land disturbance permit

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.)

- The proposed site will be a new retail building. The new building will be a Panda Express with all new parking. There will be room for an additional retail building to be built at a later date.

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.

- T9N R28E, Section 11. 924 George Washington Way, Richland, WA 99352. The site is located on the northeast corner of George Washington Way and Newton St.

B. Environmental Elements [\[HELP\]](#)

1. Earth [\[help\]](#)

a. General description of the site:

(circle one): Flat, rolling, hilly, steep slopes, mountainous, other _____

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

40%

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

- Finley fine sandy loam

- d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe.
- No
- e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill.
- No fill shall be needed due to the flat nature of the site. If needed, fill will come from on site.
- f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe.
- No
- g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)?
- 83%
- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any:
- None

2. Air [\[help\]](#)

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known.
- Unknown
- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe.
- None
- c. Proposed measures to reduce or control emissions or other impacts to air, if any:
- None

3. Water [\[help\]](#)

- a. Surface Water: [\[help\]](#)
- 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.
- Not Applicable
- 4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known.
- Not Applicable

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

- No

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

- No

b. Ground Water: [\[help\]](#)

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

- 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

c. Water runoff (including stormwater):

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

- Storm water will be directed on site to the existing (and future proposed) storm water systems.

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

- No

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

- No

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

4. Plants [\[help\]](#)

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

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

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

- *Some shrubs and trees will be removed during construction and replaced with new landscaping.*

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

- *None*

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

- *New landscaping on the south/southwest corner of site. Grass will remain on all sides of the site. See site plan*

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

- *None*

5. Animals [\[help\]](#)

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

Examples include:

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

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

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

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

- *None on site; potentially pygmy rabbit in the extended region near the site*

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

- *Richland falls within the Pacific Flyway*

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

- *None*

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

- *None*

6. Energy and Natural Resources [\[help\]](#)

- 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.

- *All existing utilities will remain in use on site. Electric and natural gas will be used.*

- 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:

- *None*

7. Environmental Health [\[help\]](#)

- 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. - *No*

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

- *None known*

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

- *None known*

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

- *Construction materials expected to be on-site include concrete, paints, asphalts, fertilizers, petroleum based products, and cleaning solvents*

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

- *Potential fire*

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

- *A stormwater pollution prevention plan will be prepared and implemented during construction to address any potential environmental hazards.*

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.

- *Short-term noise will be created due to construction*

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

- *Work will be performed during daylight hours.*

8. Land and Shoreline Use [\[help\]](#)

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe.
- Current site is a vacant retail building with adjacent retail buildings are restaurants. New site will not affect these properties
- b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or nonforest use?
- No
- 1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how:
- No
- c. Describe any structures on the site.
- Existing building and parking lot
- d. Will any structures be demolished? If so, what?
- Existing building and parking lot will both be demolished
- e. What is the current zoning classification of the site?
- Community Business District
- f. What is the current comprehensive plan designation of the site?
- Community Business District
- 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 a critical area by the city or county? If so, specify.
- No
- i. Approximately how many people would reside or work in the completed project?
- 10
- j. Approximately how many people would the completed project displace?
- None
- k. Proposed measures to avoid or reduce displacement impacts, if any:
- Not Applicable

- l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any:
- *The project will fit the commercial zoning district, which it is in.*
- m. Proposed measures to reduce or control impacts to agricultural and forest lands of long-term commercial significance, if any:
- *Not Applicable*

9. Housing [\[help\]](#)

- a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing.
- *Not Applicable*
- b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing.
- *Not Applicable*
- c. Proposed measures to reduce or control housing impacts, if any:
- *Not Applicable*

10. Aesthetics [\[help\]](#)

- a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed?
- *26'; EIFS, stone, and storefront glass*
- b. What views in the immediate vicinity would be altered or obstructed?
- *None*
- b. Proposed measures to reduce or control aesthetic impacts, if any:
- *Not Applicable*

11. Light and Glare [\[help\]](#)

- a. What type of light or glare will the proposal produce? What time of day would it mainly occur?
- *Light would be produced from parking lot lights at night time.*
- b. Could light or glare from the finished project be a safety hazard or interfere with views?
- *No*
- c. What existing off-site sources of light or glare may affect your proposal?
- *None*
- d. Proposed measures to reduce or control light and glare impacts, if any:
- *Lights will have guards, as needed, to prevent light spillover onto adjacent properties.*

12. Recreation [\[help\]](#)

- a. What designated and informal recreational opportunities are in the immediate vicinity?
- Several parks and walking trails
- 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 [\[help\]](#)

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers? If so, specifically describe.
- No
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources.
- None
- c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc.
- None
- d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required.
- Not Applicable

14. Transportation [\[help\]](#)

- a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any.
- Public streets that access the site include George Washington Way and Newton St. Entrances will be provided off of each street. See site plan
- b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop?
- The site is approximately 3 blocks from the nearest transit stop.
- c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate?
- The new site would eliminate approximately 35 parking spaces

- d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If so, generally describe (indicate whether public or private).
- No
- e. Will the project or proposal 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 or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and nonpassenger vehicles). What data or transportation models were used to make these estimates?
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe.
- No
- h. Proposed measures to reduce or control transportation impacts, if any:
- Not Applicable

15. Public Services [\[help\]](#)

- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe.
- No
- b. Proposed measures to reduce or control direct impacts on public services, if any.
- Not Applicable

16. Utilities [\[help\]](#)

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other _____
- c. 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.
- Existing utilities will remain on site, utility providers will connect existing utilities to the building according to the civil plans

C. Signature [\[HELP\]](#)

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: _____

Name of signee Kurt Yoder

Position and Agency/Organization Civil Engineer, BHC

Date Submitted: 01/14/2022

D. Supplemental sheet for nonproject actions [\[HELP\]](#)

(IT IS NOT NECESSARY to 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:

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.

Exhibit 5

CITY OF RICHLAND PUBLIC WORKS ENGINEERING DEVELOPMENT COMMENTS

DATE: 7/6/22

TO: MIKE STEVENS, PLANNING MANAGER

PLAT REVIEW BY: JASON REATHAFORD, ENGINEERING TECH 4
CARLO D'ALESSANDRO, TRANSPORTATION AND DEVELOPMENT MGR.

PROJECT NAME: PANDA EXPRESS SPECIAL USE PERMIT (SUP2022-101)

PROJECT LOCATION: 924 GEORGE WASHINGTON WAY

The Public Works Engineering Division has reviewed the special use permit application received in this office on June 27, 2022 for the above referenced property and has the following conditions.

1. The proposed driveway onto George Washington Way needs to be limited to an "Exit only" driveway. The proximity of parking stalls and the drive-thru exit lane create a condition that may prevent inbound vehicles from entering, thereby causing traffic on George Washington Way to stop. Signage and/or striping indicating it is an "Exit only" driveway shall be installed by the developer. This driveway can be narrowed per municipal code.
2. Sidewalk along George Washington Way will have to be widened to 8-feet, per Richland municipal code.

Stevens, Mike

From: Deskins, John
Sent: Monday, May 9, 2022 10:01 AM
To: Stevens, Mike
Cc: Whittier, John; Reathaford, Jason
Subject: RE: SUP2022-101 Panda Express
Attachments: RE: EA2022-102 - 924 GW Way Panda Express

Mike,

The GW driveway is going to be a problem that narrow, especially considering how close the Panda drive-thru exit is. I'm assuming that is a comment for another time and yet, this is actually worse than the previous version I have. I just expect that an exiting driver will be skewed across the driveway and effectively blocking inbound traffic.

John Deskins, PE
Traffic Engineer
City of Richland
(509) 942-7514

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Monday, May 9, 2022 9:43 AM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Damrell, Kevin <kdamrell@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodders@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; FormerOrchards@ecy.wa.gov; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Jason McShane <jmcshane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathaford, Jason <JReathaford@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; Tyutyunnik, Ruvim

<rtutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>
Subject: SUP2022-101 Panda Express

Attached you will find information for a proposed Special Use Permit for 924 George Washington Way, Richland, WA. The Special Use Permit is for a drive-thru restaurant (Panda Express).

Please review and submit any comments you may have back to me by 5:00 PM, Wednesday, June 8, 2022.

Thank you,



Mike Stevens
Planning Manager
625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7596

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Stevens, Mike

From: Corrine Camuso <Corrine_Camuso@Yakama.com>
Sent: Tuesday, July 5, 2022 4:16 PM
To: Stevens, Mike
Cc: Casey Barney; Jessica Lally; sepa@dahp.wa.gov
Subject: Re: Panda Express Special Use Permit and CBD Deviation

Thank you for contacting us regarding the proposed project. We previously submitted comments on February 7, 2022 requesting an IDP and/or cultural monitoring for ground disturbing activities beyond the existing infrastructure to avoid potential impacts to the nearby archaeological site; these comments were incorporated into requirements of the DNS letter you provided on May 9, 2022. Please incorporate our previous comments into the current SEPA.

Regards,

Corrine Camuso
Yakama Nation
Cultural Resources Program Archaeologist
Office 509-865-5121 ext. 4776

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Monday, June 27, 2022 2:19 PM
To: Anthony Muai; Anthony Von Moos; Ashley Morton; Badger Mountain Irrigation District; Benton County - Segregations; Benton PUD, Broadband; Benton PUD, Electrical; Bill Barlow; Buechler, Ken; Carrie Thompson; Casey Barney; Catherine Dickson; Clark Posey; Corrine Camuso; Hamilton, Craig; DAHP SEPA Reviews; DAlessandro, Carlo; Damrell, Kevin; Darrick Dietrich; Davis, Deanna; Deborah Rodgers; Deskins, John; Eric Mendenhall; FormerOrchards@ecy.wa.gov; Greg Wendt; Gwen Clear; Hill, Kelly; Jason McShane; Jennings, Tyler; Jerrod Macpherson; Jessica Lally; John Lyle; Jordon, Joshua; Joseph Cottrell; Junior Campos; Katherine Cichy; Kelly Cooper; Kevin Knodel; Kevin Sliger; KID Development; KID Webmaster; M. Deklyne; Map BCES; Mattheus, Pamela; Michael Tovey; Noah Lee; Noah Oliver; Paul Gonseth; Reathaford, Jason; Review Team; Richard Krasner; USPS Richland Postmaster; Rick Dawson; Robin Priddy; Sarah Gates; Schiessl, Joe; SEPA Center; SEPA Register; SEPA Unit; Seth DeFoe; South Central Region Planning; T.S. "Max" Platts; Tyutyunnik, Ruvim; WA Dept of Fish & Wildlife; WA Dept of Fish & Wildlife; Westphal, Nichole; William Simpson
Subject: Panda Express Special Use Permit and CBD Deviation

Attached to this email you will find a copy of the Notice of Application and related information for a proposed Special Use Permit and Central Business District setback deviation for a new Panda Express restaurant proposed for 924 George Washington Way. Please review and submit any comments back to me by 5:00 PM, Wednesday, July 6, 2022.

Thank you,



Mike Stevens

Planning Manager

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

(509) 942-7596

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Stevens, Mike

From: Schiessl, Joe
Sent: Monday, May 9, 2022 11:18 AM
To: Stevens, Mike
Subject: RE: SUP2022-101 Panda Express

Thanks, Mike.

Parks and Public Facilities will need to coordinate with the owner at the time of building permit regarding landscaping owned by the City located in the Newton Street right of way.



Joe Schiessl
Parks & Public Facilities Director
625 Swift Blvd., MS-13 | Richland, WA 99352
(509) 942-7578

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Monday, May 9, 2022 9:43 AM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Damrell, Kevin <kdamrell@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodders@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; FormerOrchards@ecy.wa.gov; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Jason McShane <jmcshane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@zipl.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjddeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@zipl.com>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>;

SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; Tyutyunnik, Ruvim <rtutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <lopezla@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>

Subject: SUP2022-101 Panda Express

Attached you will find information for a proposed Special Use Permit for 924 George Washington Way, Richland, WA. The Special Use Permit is for a drive-thru restaurant (Panda Express).

Please review and submit any comments you may have back to me by 5:00 PM, Wednesday, June 8, 2022.

Thank you,



Mike Stevens
Planning Manager
625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7596

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BENTON CLEAN AIR AGENCY

June 27, 2022

Re: SUP2022-101

Planning Manager
Mike Stevens
625 Swift Blvd., MS-35
Richland, WA 99352

Applicant/Proponent: HC Klover Architect
Attn: Henry Klover
8813 Penrose Lane, Suite 400
Lenexa, KS 66219

Dear Mr. Stevens:

It has come to our attention that you are reviewing a proposal for the above named applicant in which a parcel or parcels will be disturbed for development. Because these activities may cause possible fugitive dust emissions, we would like to take this opportunity to provide information to ensure that the applicant takes reasonable steps to control the dust from his/her project.

The Benton Clean Air Agency (BCAA) requires the applicant submit a Proof of Contact: Soil Destabilization Notification for this project prior to any excavation/construction taking place. This will insure that the proponent has the ability and resources to control fugitive dust emissions that may be created as a result of construction activities. This will also inform them of the regulations and requirements of the BCAA. Additionally, a written dust control plan must be developed and maintained for all soil destabilization projects, and must be readily available upon request by the BCAA. Part of this plan is submitting the name of at least one person for the project so that the BCAA has a point of contact should we receive any dust complaints from the project. The Soil Destabilization Notification form can be found and submitted on our website, www.bentoncleanair.org.

Thank you for the opportunity to comment on this proposal. If you have any questions, or would like further information on this subject, please contact us at (509) 783-1304.

Sincerely,

Noah Lee

Noah Lee
Inspector

Stevens, Mike

From: Chris Sittman <CSittman@kid.org>
Sent: Tuesday, July 5, 2022 3:13 PM
To: Stevens, Mike
Subject: RE: Panda Express Special Use Permit and CBD Deviation

KID has no comments

Chris D. Sittman
Engineering Dept./CAD Specialist
Kennewick Irrigation District
2015 S. Ely St.
Kennewick, WA 99337
Desk: 509-460-5435
Cell: 509-873-1123

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Monday, June 27, 2022 2:20 PM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Damrell, Kevin <kdamrell@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrodders@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; FormerOrchards@ecy.wa.gov; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Jason McShane <JMcShane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; Development <development@kid.org>; Matthew Berglund <MBerglund@kid.org>; M. Deklyne <mjdeklyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth Defoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; Tyutyunnik, Ruvim

<rtyutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <lopezlal@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittemwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson <william.simpson@commerce.wa.gov>

Subject: Panda Express Special Use Permit and CBD Deviation

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Attached to this email you will find a copy of the Notice of Application and related information for a proposed Special Use Permit and Central Business District setback deviation for a new Panda Express restaurant proposed for 924 George Washington Way. Please review and submit any comments back to me by 5:00 PM, Wednesday, July 6, 2022.

Thank you,



Mike Stevens

Planning Manager

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

(509) 942-7596

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Stevens, Mike

From: Buechler, Ken
Sent: Tuesday, June 28, 2022 6:41 AM
To: Stevens, Mike
Subject: RE: Panda Express Special Use Permit and CBD Deviation

This looks good as well.



Kenneth L Buechler
Fire Marshal

625 Swift Blvd., MS-16 | Richland, WA 99352
(509) 942-7556
(509) 578-9321

From: Stevens, Mike <mstevens@CI.RICHLAND.WA.US>
Sent: Monday, June 27, 2022 2:20 PM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>; Anthony Von Moos <anthony.vonmoos@co.benton.wa.us>; Ashley Morton <AshleyMorton@ctuir.org>; Badger Mountain Irrigation District <bmidmanager@badgermountainirrigation.com>; Benton County - Segregations <Segregations@co.benton.wa.us>; Benton PUD, Broadband <osp@noanet.net>; Benton PUD, Electrical <engservice@bentonpud.org>; Bill Barlow <bbarlow@bft.org>; Buechler, Ken <KBuechler@CI.RICHLAND.WA.US>; Carrie Thompson <carrie.thompson@bnsf.com>; Casey Barney, Yakama Nation <Casey_Barney@Yakama.com>; Catherine Dickson <catherinedickson@ctuir.org>; Clark Posey <clark.posey@co.benton.wa.us>; Corrine Camuso, Yakama Nation <Corrine_Camuso@Yakama.com>; Hamilton, Craig <C.Hamilton@bces.wa.gov>; DAHP SEPA Reviews <sepa@dahp.wa.gov>; DAlessandro, Carlo <cdalessandro@CI.RICHLAND.WA.US>; Damrell, Kevin <kdamrell@CI.RICHLAND.WA.US>; Darrick Dietrich <darrick@basindisposal.com>; Davis, Deanna <d.davis@bces.wa.gov>; Deborah Rodgers <dxrogers@bpa.gov>; Deskins, John <jdeskins@CI.RICHLAND.WA.US>; Eric Mendenhall <emendenhall@westrichland.org>; FormerOrchards@ecy.wa.gov; Greg Wendt <greg.wendt@co.benton.wa.us>; Gwen Clear <gcle461@ecy.wa.gov>; Hill, Kelly <khill@CI.RICHLAND.WA.US>; Jason McShane <jmcshane@kid.org>; Jennings, Tyler <tjennings@CI.RICHLAND.WA.US>; Jerrod Macpherson <Jerrod.Macpherson@co.benton.wa.us>; Jessica Lally, Yakama Nation <Jessica_Lally@Yakama.com>; John Lyle <john.lyle@bentoncleanair.org>; Jordon, Joshua <jojordon@CI.RICHLAND.WA.US>; Joseph Cottrell <jecottrell@bpa.gov>; Junior Campos <junior.campos@charter.com>; Katherine Cichy <katherine.cichy@ziply.com>; Kelly Cooper <kelly.cooper@doh.wa.gov>; Kevin Knodel <kevin.knodel@rsd.edu>; Kevin Sliger <KSliger@bft.org>; KID Development <development@kid.org>; KID Webmaster <webmaster@kid.org>; M. Deklyne <mjdelyne@bpa.gov>; Map BCES <map@bces.wa.gov>; Mattheus, Pamela <pmattheus@CI.RICHLAND.WA.US>; Michael Tovey <michael.tovey@ziply.com>; Noah Lee <noah.lee@bentoncleanair.org>; Noah Oliver, Yakama Nation <Noah_Oliver@Yakama.com>; Paul Gonseth <gonsetp@wsdot.wa.gov>; Reathafor, Jason <JReathafor@CI.RICHLAND.WA.US>; Review Team <reviewteam@commerce.wa.gov>; Richard Krasner <richard.krasner@rsd.edu>; USPS Richland Postmaster <99352RichlandWA-Postmaster@usps.gov>; Rick Dawson <rickd@bfhd.wa.gov>; Robin Priddy <robin.priddy@bentoncleanair.org>; Sarah Gates <s.gates@bces.wa.gov>; Schiessl, Joe <JSchiessl@CI.RICHLAND.WA.US>; SEPA Center <sepacenter@dnr.wa.gov>; SEPA Register <separegister@ecy.wa.gov>; SEPA Unit <sepaunit@ecy.wa.gov>; Seth DeFoe <SDefoe@kid.org>; South Central Region Planning <scplanning@wsdot.wa.gov>; T.S. "Max" Platts <PlattsT@wsdot.wa.gov>; Tyutyunnik, Ruvim <rtyutyunnik@CI.RICHLAND.WA.US>; WA Dept of Fish & Wildlife <lopezla@dfw.wa.gov>; WA Dept of Fish & Wildlife <rittermwr@dfw.wa.gov>; Westphal, Nichole <nwestphal@ci.richland.wa.us>; William Simpson

<william.simpson@commerce.wa.gov>

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Thank you,



Mike Stevens

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