

**CITY OF WEST RICHLAND  
RESOLUTION NO. 48- 21**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON, AMENDING  
THE FRONTAGE IMPROVEMENT WAIVER FOR FRONTAGE IMPROVEMENTS TO  
VAN GIESEN (SR 224) PER WRMC 12.04.060 FOR SHORT PLAT APPLICATION  
2018-12 AND ASSOCIATED PENDING BUILDING PERMITS AND REPEALING  
RESOLUTION 12-19.**

**(Benton County parcel #1-0197-300-0005-000)**

**WHEREAS**, pursuant to Resolution No. 05-19 passed by the City Council on February 5, 2019, setting forth the City's intention to consider granting a frontage improvement waiver for specific frontage improvements to Van Giesen (SR 224) associated with Short Plat Application 2018-12 and associated pending building permits, a public hearing was held before the City Council of the City of West Richland on March 5, 2019; and

**WHEREAS**, written notice of the City's intention to consider granting a frontage improvement waiver for specific frontage improvements to Van Giesen (SR 224) associated with Short Plat Application 2018-12 and associated pending building permits together with a statement of the time and place affixed for a hearing before the West Richland City Council to determine whether said frontage improvement waiver shall be granted has been posted in three public places in the City, posted on the proposed property the frontage improvement waiver is sought for, WSDOT notified and the owners of the property with 600 feet of said property were notified according to law; and

**WHEREAS**, all other steps and proceedings required by law to grant a frontage improvement waiver have been duly taken and performed;

**NOW THEREFORE THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON**, does ordain as follows:

**Section 1.** Cedar Ridge Development is hereby granted a frontage improvement waiver for the following required frontage improvements to Van Giesen (SR 224) associated with Short Plat Application 2018-12 and pending building permits as follows:

- 1) Curb, gutters, ADA handicap ramps and sidewalks along Lot 1 of Short Plat Application 2018-12 Van Giesen (SR 224) frontage shall not be required with Short Plat Application 2018-12.
- 2) Curb, gutters, ADA handicap ramps and sidewalks along Lot 1 of Short Plat Application 2018-12 Van Giesen (SR 224) frontage shall not be required with pending building permit applications (specifically excludes Lot 2 pending building permit application).
- 3) Widening of Van Giesen (SR 224) from its preexisting edge to the new curb line shall only be required for constructing a four-way intersection at Paradise Way and Van Giesen (SR224) including storm drainage ditches and street lighting per City and WSDOT standards and as shown on the WSDOT approved Paradise Way & SR 224 (Van Giesen) Intersection Plans (WSDOT approval date – 10/29/13).
- 4) Installation of LED Street Lights shall only be required per City and WSDOT standards as shown on the WSDOT approved Paradise Way & SR 224 (Van Giesen) Intersection Plans (WSDOT approval date – 10/29/13).
- 5) Milling and asphalt pavement overlayment of Van Giesen (SR 224) to the centerline shall not be required unless shown on the WSDOT approved Paradise Way & SR 224 (Van Giesen) Intersection Plans (WSDOT approval date – 10/29/13).

**Section 2.** The City Council hereby conditions the granting of said frontage improvement waiver


for frontage improvements to Van Giesen (SR 224) for Short Plat Application 2018-12 and pending building permits on the following:

- 1) Developer shall dedicate to City and or acquire and dedicate all necessary road right of way and temporary construction easements as shown on the WSDOT approved Paradise Way & SR 224 (Van Giesen) Intersection Plans for a four-way intersection (WSDOT approval date – 10/29/2013).
- 2) Developer shall also dedicate to City 20' of road right of way (in addition to the existing 30' of road right of way for Van Giesen (SR 224) along the entire frontage of Lot 1 of Short Plat Application 2018-12.
- 3) Developer shall dedicate to City a 12' utility easement abutting the Van Giesen (SR 224) and Paradise Way road right of way.
- 4) Lot 1 (excluding Lot 2) of Short Plat Application 2018-12 shall have no right or easement of access to Van Giesen (SR 224).
- 5) Lot 1 of Short Plat Application 2018-12 shall be required to construct a 6' no-maintenance block wall (height measured from Van Giesen center-line elevation) along the frontage of Van Giesen (SR 224) prior to certificate of occupancy for either lot. Said block wall shall be constructed outside the road right of way and outside 12' utility easement.
- 6) Owner of Lot 1 shall be responsible for the landscaping and maintenance of the area between the block wall and edge of pavement on Van Giesen (SR 224).

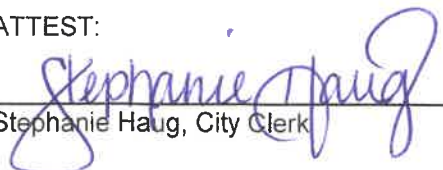
**Section 3.** City Council hereby finds that granting a frontage improvement waiver from the requirements of West Richland Municipal Code Chapter 12.04 with the conditions in Section 2 will in no way be detrimental to the best interests of the city, will not be contrary to its intent or to the public interest, safety, health and welfare and where due to special conditions or exceptional characteristics of the subject property, a literal enforcement of this chapter would result in practical difficulties or unnecessary hardships for Cedar Ridge Development.

**Section 4.** This resolution shall be in effect immediately upon approval.


**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON,**  
this 19<sup>th</sup> day of October, 2021.

  
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Brent Gerry, Mayor

ATTEST:

  
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Stephanie Haug, City Clerk

APPROVED AS TO FORM:

  
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Bronson Brown, City Attorney