



3801 W. Van Giesen Street West Richland, WA 99353 www.westrichland.org
Community Development Department (509) 967-5902

June 16, 2017

Rebecca Smith
Washington State Liquor & Cannabis Board
3000 Pacific Avenue SE
Olympia, WA 98504

RE: The Garden, LLC – 4950 Arena Road, Richland, WA – Proximity to a Preschool

Dear Ms. Smith:

I am writing you to discuss a concern I have with a marijuana license for the above mentioned business, LCB license number 422498 that was transferred to the referenced address, see attached application. The Applicants, “The Garden, LLC” DBA “Nirvana Cannabis Company” are redeveloping a single family home into a retail marijuana store that is located 151-feet from a preschool and early learning center.

By way of background, this license was transferred from the City of Prosser to the Arena Road address in early March of this year. The requested location is in unincorporated Benton County and is a single parcel located within the corporate boundaries of the City of West Richland, see exhibit 1, aerial photo. The property has been improperly addressed by Benton County as being located in the City of Richland with a 99352 zip code, rather than the 99353 City of West Richland zip code.

Benton County approved the transfer without consulting either the City’ of West Richland or the City of Richland. Note from exhibit 2 that the City of Richland’s urban growth boundary is located directly south of the site across Arena Rd. I would have expected that even with the addressing error that the City of Richland would have been contacted for comment by Benton County. The City of West Richland only learned of the business on June 6th when the proprietor requested an additional driveway access to Arena Road to access the proposed parking lot. I understand the LCB relies on the local authority to conduct the analysis of incompatible uses and in this instance that did not occur. The Kid Space Preschool and Early Learning Academy, LLP located in the commercial shopping center found at 4001 Kennedy Rd., West Richland is located 151-feet from the subject property and was in operation prior to the license relocation request.

The City of West Richland has a prohibition on the recreational production, processing and retail sales of marijuana. The City of Richland has a similar prohibition. The Applicant purchased a property under the jurisdiction of Benton County that in effect is located in the city. The intended use is out of scale with the neighboring uses given the anticipated traffic but most importantly, located too close to a preschool. On behalf of the City of West Richland Mayor, City Council and Residents I am respectfully requesting that the LCB revoke the permit for the above referenced Applicant at this location due to its proximity to the Kids Space Preschool and Early Learning Center.

Time is of the essence as the Applicant has a building permit application in review at the Benton County Building Department and is in the process of replacing the siding and grading for the parking lot. I am not certain if remodeling is occurring inside the building but I would expect it would be required as it is currently a 1978 single family home.

I can provide any further detail you may need to consider my request and apply RCW 69.50.331(8), prohibiting a marijuana retail license and operation within 1,000 feet of a childcare center and/or school.

If you have any questions or comments please feel free to contact me at 509-967-5902.

Sincerely,



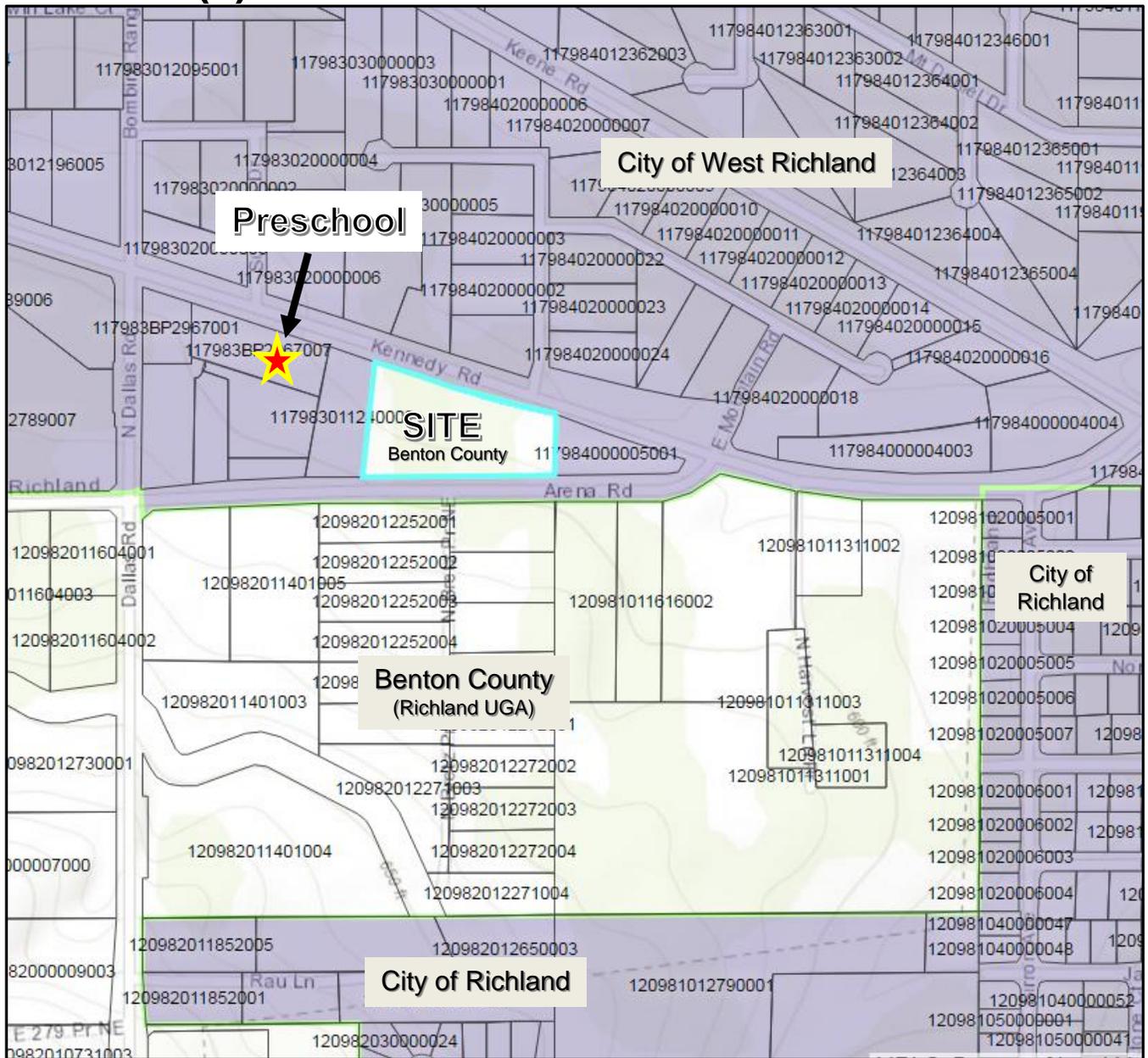
Aaron Lambert
City of West Richland
Community Development Director

Cc: Mayor Brent Gerry

EXHIBIT (1)



EXHIBIT (2)





NOTICE OF MARIJUANA LICENSE APPLICATION

RECEIVED

MAR - 2 2017

Benton County
Planning Department

TO: BENTON COUNTY COMMISSIONERS
RE: CHANGE OF LOCATION APPLICATION
from NIRVANA CANNABIS COMPANY
210 CHARDONNAY AVE STE D
PROSSER, WA 99350-9529

License: 422498 - 4C County: 03
UBI: 603-359-191-001-0007
Tradename: NIRVANA CANNABIS COMPANY

New Loc: 4950 ARENA RD
RICHLAND, WA 99352-7857

Mail: 2728 E 31ST AVE
SPOKANE, WA 99223-4709

Phone No.: 509-808-2391 DIANNA KHAM
Privileges Applied For:
MARIJUANA RETAILER
MEDICAL MARIJUANA

RECEIVED
MAR 02 2017
BENTON COUNTY
PLANNING DEPARTMENT

WASHINGTON STATE LIQUOR AND CANNABIS BOARD
License Division - 3000 Pacific, P.O. Box 43075
Olympia, WA 98504-3075
Customer Service: (360) 664-1600
Fax: (360) 753-2710
Website: http://lcb.wa.gov

RETURN TO: localauthority@sp.lcb.wa.gov

DATE: 3/02/17

APPLICANTS:

THE GARDEN L.L.C.

KHAM, DIANNA P
1970-10-10
SWEENEY, MICHAEL
(Spouse) 1959-04-12
STRICKLAND, RONNI K
1994-09-30
GALLAGHER, SHANE PATRICK
1981-07-16
GALLAGHER, ALYCIA KRISTINE
(Spouse) 1991-04-28

Planning
BCSD
Public Works

City to City Transfer

As required by RCW 69.50.331(7) the Liquor and Cannabis Board is notifying you that the above has applied for a marijuana license. You have 20 days from the date of this notice to give your input on this application. If we do not receive this notice back within 20 days, we will assume you have no objection to the issuance of the license. If you need additional time to respond, you must submit a written request for an extension of up to 20 days, with the reason(s) you need more time. If you need information on SSN, contact our Marijuana CHRI desk at (360) 664-1704.

- | | YES | NO |
|--|--------------------------|--------------------------|
| 1. Do you approve of applicant? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you approve of location? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you wish to request an adjudicative hearing before final action is taken? | <input type="checkbox"/> | <input type="checkbox"/> |
| (See WAC 314-55-160 for information about this process) | | |
| 4. If you disapprove, per RCW 69.50.331(7)(c) you MUST attach a letter to the Board detailing the reason(s) for the objection and a statement of all facts on which your objection(s) are based. | | |

DATE

SIGNATURE OF MAYOR,CITY MANAGER,COUNTY COMMISSIONERS OR DESIGNEE