

**CITY OF WEST RICHLAND  
RESOLUTION NO. 72- 23**

**A RESOLUTION OF THE CITY OF WEST RICHLAND, WASHINGTON,  
GRANTING A FRONTAGE IMPROVEMENT WAIVER FOR FRONTAGE  
IMPROVEMENTS TO VAN GIESEN (SR 224) AND N. 58<sup>th</sup> PLACE PER WRMC  
12.04.060 FOR 5811 VAN GIESEN.**

**(Benton County Parcel #1-3108-303-0107-001)**

**WHEREAS**, pursuant to Resolution No. 58-23 passed by the City Council on September 19, 2023, setting forth the City's intention to consider granting a frontage improvement waiver for specific frontage improvements to Van Giesen (SR 224) and N. 58<sup>th</sup> Place associated with a change in use/occupancy classification of an existing building, 5811 Van Giesen, a public hearing was held before the City Council of the City of West Richland on October 17, 2023; 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) and N. 58<sup>th</sup> Place associated with a change in use/occupancy classification of an existing building, 5811 West Van Giesen, 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 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.** The property owners of 5811 Van Giesen are hereby granted a frontage improvement waiver conditioned per Section 2 for the following required frontage improvements to Van Giesen (SR 224) associated with a change in use/occupancy classification of an existing building as follows:

- 1) Curb, gutter, ADA handicap ramps and sidewalks shall not be required.
- 2) Storm drainage facilities shall not be required.
- 3) Widening of Van Giesen (SR 224) from its preexisting edge to the new curb line shall not be required.
- 4) Milling and asphalt pavement overlay of Van Giesen (SR 224) to its centerline shall not be required.
- 5) LED streetlights shall not be required.
- 6) Roadway striping shall not be required.
- 7) Signage shall not be required.

**Section 2.** City Council's granting of the frontage improvement waiver for the items listed in Section 1 is conditioned on the property owner(s) of 5811 Van Giesen within 30 days of passage of this resolution or prior to occupancy, whichever is sooner, granting a 10.00-foot-wide temporary construction easement for slope construction to the City of West Richland along the north boundary of parcel, Van Giesen (SR 224).

**Section 3.** The property owners of 5811 Van Giesen are hereby granted a frontage improvement waiver conditioned per Section 4 for the following required frontage improvements to N. 58<sup>th</sup> Place associated with a change in use/occupancy classification of an

existing building as follows:

- 1) Curb, gutter, ADA handicap ramps and sidewalks shall not be required.
- 2) LED streetlights shall not be required.
- 3) Design and construction of ~~N.~~ 58<sup>th</sup> Place to meet city local roadway standards.
- 4) Roadway striping.

**Section 4.** City Council's granting of the frontage improvement waiver for the items listed in Section 3 is conditioned on the property owner(s) of 5811 Van Giesen prior to occupancy, designing and constructing ~~S.~~ 58th Place as a public fire apparatus access roadway meeting Appendix D of the International Fire Code. ~~N.~~ 58th Place shall be constructed as a 26' wide asphalt pavement roadway, 2" asphalt pavement over 6" of crushed surface top course, along the eastern boundary of the parcel with fire lane no parking signage and roadside ditches for storm drainage collection and treatment. Design shall be completed by a Washington State licensed professional engineer and reviewed and approved by City Engineer. All applicable plan review and inspection fees shall apply per West Richland's Master Fee Schedule. Property owner may submit a performance bond and execute a security improvement agreement with the city for the design and construction of ~~N.~~ 58th Place with the improvements to be completed within one year of passage of this resolution to allow occupancy prior to the actual completion of the bonded improvements.

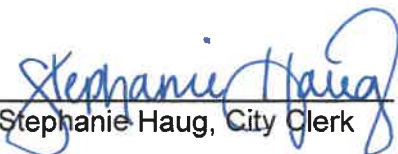
**Section 5.** City Council hereby finds that granting a frontage improvement waiver from the requirements of West Richland Municipal Code Chapter 12.04 with conditions noted in Sections 2 and 4 will in no way be detrimental to the best interests of the city, will not be contrary to its intent or to 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 the property owners of 5811 Van Giesen.

**Section 6.** This resolution shall be in effect immediately upon approval.

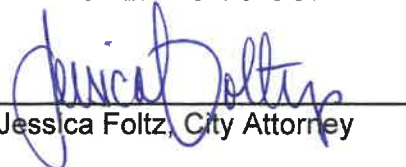
**PASSED BY THE CITY COUNCIL OF THE CITY OF WEST RICHLAND, WASHINGTON, this 17th day of October 2023.**

  
Brent Gerry, Mayor

ATTEST:

  
Stephanie Haug, City Clerk

APPROVED AS TO CONTENT AND FORM:

  
Jessica Foltz, City Attorney