Docusign Envelope ID: 46E10795-4C60-8795-8389-96C4D27598B8

CITY OF GRANDVIEW
207 WEST SECOND STREET
GRANDVIEW, WA 98930
509-882-9200

CONDITIONAL USE PERMIT APPLICATION

Applicant(s): Shane O'Neill of Clover Planning & Zoning LLC

Mailing Address: 6904 Rogue Drive, Pasco, WA 99301

Telephone: (Home) (509) 713-4560 (Business): (509) 713-4560

Owner (If other than applicant): Grandview Residential Care

Mailing Address: 10510 E 20th Avenue, Spokane Valley, WA 99206

Telephone: (Home) (509) 507 4493 (Business): (770) 292 0854

Property Address/General Location: Yakima Tax Parcel # 23092424522

Located on the west side of Vista Grande Way, approximately 345 feet south of Wine Country Road

Legal Description: Lot 2 of East Wine Country Plaza Binding Site Plan, as recorded under Auditor's File Number 7863436, Yakima County, WA

Current Zoning: C-2

Proposed Conditional Use: Community Service Facility -Level 2

G.M.C. Section allowing for the conditional use: 17.44.050(B)

APPLICATION MUST INCLUDE:

Docusign Envelope ID: 46E10795-4C60-8795-8389-96C4D27598B8

1. A completed, signed application form.
2. A completed, signed environmental checklist.
3. A vicinity map showing the location of all property within 300 feet of the site and the zoning.
4. All applicable fees.

If this application does not comply with existing zoning ordinances and codes, there is no right to development, and this application will be void.

The applicant/property owner hereby certifies that all of the above statements and the statements in any exhibits and maps transmitted herewith are true under penalty of perjury by the laws of the State of Washington; and the applicants acknowledge that any conditional use granted based on this application may be revoked if any such statement is false.

The applicant/property owner hereby acknowledges that their presence at any and all public hearings concerning this application is required.

Signature of Applicant: Signed by: 30AB44B86645447 Date 9/14/2026

Signature of Owner: (If other than Applicant): Signed by: D342B724C5C44BD Date 9/14/2026

****

Date Received: _____ By: _____

Receipt No.: _____ Amount of Fee $_____

Additional Applications: _____

Additional Fees: _____ DATE

APPLICATION ACCEPTED AS COMPLETE: _____BY_____

Docusign Envelope ID: 46E10795-4C60-8795-8389-96C4D27598B8

CONDITIONAL USE PERMITS
Grandview Municipal Code (GMC) Chapter 17.72 and Title 14

Before granting any Conditional Use Permit, the Hearing Examiner shall hold a public hearing at which time the applicant and any other interested parties shall be given an opportunity to be heard.

Notice of the public hearings shall be given, following the procedures set forth in GMC Title 14, by posting of the property, by publication and by mail to owners of property within 300 feet of the proposed use, at least 15 days prior to the date of the hearings.

An initial non-refundable fee of five hundred dollars ($500.00) payable to the City, at the time of filing, shall be charged for the Conditional Use Permit. Any additional costs for required engineer review or study shall be payable to the City, at the time of filing, if known, or at the time they are determined necessary.

A non-refundable environmental checklist fee, of five hundred dollars ($500.00), payable to the City, at the time of filing, shall be charged for the Conditional Use Permit. Any additional costs for required engineer review or study shall be payable to the City, at the time of filing if they are known or at the time they are determined necessary. (GMC 18.04.120)

The Hearing Examiner, after the public hearing, may grant or deny the conditional use and may impose any condition(s) or limitation upon the conditional use.

The permit shall expire at the end of the year unless the authorized use has been established, is actively maintained, or unless construction is being actively pursued.

The review and/or revocation of a conditional use permit is the responsibility of the Administrator(s) under Title 14.13, with appeal of that action to the City Council.

PROCESS

After an application is submitted it is reviewed (Technical Review) by various departments of the city to determine whether the application is complete or incomplete.

1. Is complete;
2. Complies with all existing zoning ordinances, building codes and governmental regulations (Fire/Code Enforcement Department);
3. Will require additional engineer review or study (Fire/Code Enforcement Department, Public Works Department, Police Department, Administrative Department); or
4. Will require an Environmental Impact Statement (Administration).

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If the application is complete notices of the development application, SEPA determination, complies with ordinances and codes; the environmental threshold determination or environmental impact statement has been prepared; and any additional engineer review or studies have been received; public hearings will be scheduled. At least fifteen days prior to the date of the hearing the applicant and all property owners of record within 300 feet of the site will be notified, notices will be posted on the property and the hearing will be advertised in the City's legal newspaper.

After the hearing by the Hearing Examiner, the Hearing Examiner will grant the conditional use, grant with stipulated conditions to protect the district or locality in which the use is permitted, or to deny.

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Clover Planning & Zoning, LLC

Land Use Services Consultant

8/26/2026

To: Grandview Hearing Examiner

From: Shane O'Neill, Senior Planner, Clover Planning & Zoning LLC

Subject: Special Use Permit to Allow a Community Service Facility- Level 2, in the C-2 Zone

Site: TBD Vista Grande Way, Grandview WA (Yakima County Tax Parcel #23092424522)

The owner of Yakima County Tax Parcel #23092424522 (GRANDVIEW RESIDENTIAL CARE LLC) seeks land use approval to allow development and operation of a Community Service Facility- Level 2 on a 0.5-acre parcel located on the west side of Vista Grande Way. The mental health assisted living facility will have a footprint of approximately 9,200 square feet and will offer ten (10) on-site parking stalls. The 0.5-acre parcel is zoned C-2 (General Business).

The language below provides applicable Zoning Code regulations and responses to codified review criteria. City Planning Department staff and the Hearing Examiner are invited to borrow any of the statements below for use as findings of fact, conclusions of law, and/or conditions of approval. *Ver Batum* citations of Grandview Municipal Code (GMC) language are *italicized*. Applicant responses to GMC review criteria are provided in red.

Proposed Use

On behalf of a prospective buyer, the owner of the subject site requests Special Use Permit approval to allow site development and operation of a mental health assisted living facility or mental health assisted living facility. The 9,200 square-foot mental health assisted living facility building will offer approximately sixteen (16) beds for residents who will be supported by on-site staff. The front yard area will offer ten parking stalls. A draft proposed site plan is included as Exhibit 1.

Site & Vicinity

The half-acre site is vacant land. Adjacent parcels to the north, south and to the east are vacant. The site to the west contains an elementary school, having the outdoor recreational field nearest to the subject

site. The nearest school building is approximately 150 feet from the subject site. Vista Grande Way is a short, loop road connecting directly to Wine Country Road. There are no outstanding code violations attached to the subject site. The site does not contain any critical areas. Having been previously cleared, the site is devoid of any significant or native vegetation. Public infrastructure was previously installed along the Vista Grande Way parcel frontage. The site is not adjacent to any residentially zoned properties. A vicinity map is provided as Exhibit 2. Site images are provided as Exhibit 3.

Grandview Comprehensive Plan

The Land Use Map in Grandview's Comprehensive Plan designates the site for Commercial uses. The site's C-2 zoning conforms to the site's Commercial land use designation in the Comprehensive Plan.

Grandview Municipal Code

GMC 17.44.010 C-2 General Business District Purpose

The C-2 general business district is established to promote the centralization of business and reinforce a positive public image and confidence in commercial revitalization, within a compact commercial area having primarily common-wall building construction. Such construction offers the unique opportunity within the Grandview urban area to cluster together types of retail business and retail services which functionally interact well together, and will economically fare better, as a result of close proximity by cumulatively attracting more persons than as individual destination points. It is intended that the commercial clustering concept be fostered by emphasizing pedestrian access and circulation within the district, in a manner which is healthy, safe, uninhibited and convenient for employees and visitors of all ages. Public and private off-street parking shall be located to encourage the transition from automobile to pedestrian movement. On-street parking should be shared by vicinity businesses and be oriented to short duration convenience parking for customers in the vicinity. In order to preserve the public health, safety and welfare in central business district redevelopment, protect public and private investment in property and infrastructure improvements and stabilize declining property values, certain uses of the land may be restricted or prohibited.

C-2 Land Uses

Grandview Municipal Code 17.44.020 lists level one community service facilities, as defined in GMC 17.12.155, as a permitted use, not requiring special use permit approval. The definition of level one community service facilities is provided here:

17.12.155 Community service facilities level one – Definition

"Community service facilities" of the level one category include, but are not limited to, day care centers, nursery schools, hospitals, mental health assisted living facilities, nonprofit community health clinics, governmental and quasi-governmental activities, and related uses, which provide similar services for citizens; except any such use which limits the activity solely to organizational

or administrative office functions, whereby the actual community service is provided elsewhere, shall be excluded from this definition.

GMC 17.44.050 (Conditional uses) lists community service facilities level two as a use permitted subject to the approval of a special permit.

GMC 17.12.156 defines community service facilities level two as follows:

"Community service facilities" of the level two category include, but are not limited to, drug abuse and alcoholic treatment centers, halfway houses, charitable organizations, nonprofit service groups, juvenile care and treatment centers, crisis residential centers, correctional work release facilities, correctional institutions, juvenile delinquency homes and facilities, any and all facilities for incarceration or detainment, temporary shelters, emergency housing facilities, community service housing, missions, community kitchens, food banks, and other similar uses which provide social, health and welfare service for citizens; except any such use which limits the activity solely to organizational or administrative office functions, whereby the actual community service is provided elsewhere, shall be excluded from this definition.

Despite the apparent consistency between the proposed use and the definition of a Level 1 Community Service Facility, the City and their counsel have interpreted that the proposal qualifies as a Level 2 Community Service Facility. The proposed mental health assisted living facility lacks a criminal element. Residents are not placed in the facility via court order, nor will it serve as emergency/crisis housing. A background of the zoning interpretation, in the form of email correspondence with the City's contract Planner, is provided herewith as Exhibit 4.

C-2 Zone Development Standards

GMC 17.44.060 provides site requirements and development standards for the C-2 zone. The table below provides the minimum requirements and the proposed dimensions:

Dimension	C-2 Requirements	Proposed Dimension
Side Yard Setback	0 feet	10 feet
Front Yard Setback	0 feet	76.3 feet
Rear Setback	0 feet	10 feet
Building Height	50 feet	TBD, less than 30 feet

17.86.060 Special Use Permit Application requirements

In addition to all applicable application requirements contained in GMC Title 14, applications for special permit or conditional use permit shall include the following:

A. Present use of the land and structures, if any;

The site is vacant.

B. Detailed description of the proposed use;

The 9,200 square-foot mental health assisted living facility building will offer approximately sixteen (16) beds for residents who will be supported by on-site staff. The development will offer ten (10) parking stalls located in the front yard area.

C. Description of any existing zoning ordinance violation;

There are no active zoning code violations attached to this parcel.

D. A site map or plan drawn neatly and to scale, showing the following:

1. Exterior property lines and any adjacent public street or alley rights-of-way.

2. Existing and proposed buildings and other structures.

3. Existing and proposed points of ingress and egress, drives and driveways and circulation pattern.

4. The location of existing and proposed parking areas with each parking space shown.

5. Existing and proposed open spaces and landscape areas;

A draft site plan containing the elements listed above is provided as Exhibit 1.

E. Certificate of ownership and a list of owners, with addresses, of all property within 300 feet of the applicant's property, as provided and certified by a licensed title company; and

A subdivision guarantee together with a mailing address list of property owners within 300 feet of the site is included with this application.

F. Any other pertinent information that may be necessary to determine if the use meets the requirements of this title.

This application narrative discusses other pertinent information relevant to the proposed special use permit.

17.86.080 Findings of fact by the hearing examiner.

Upon conclusion of the open record predecision hearing, the hearing examiner shall make and enter findings from the record and conclusions thereof as to whether or not:

A. The proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the comprehensive plan;

The Land Use Map in Grandview's Comprehensive Plan designates the site for Commercial uses. The site's C-2 zoning conforms to the site's Commercial land use designation in the Comprehensive Plan.

B. The proposal will adversely affect public infrastructure;

In no way will the proposed community service facility place undue demand on public services or infrastructure. The sewer and water demands of the proposal will be similar to a small multi-family residential apartment building. The adjacent roadway was recently developed to City standards. Utility

extensions are not necessary for site development. The proposal carries a very low vehicle trip generation volume as the tenants will not own and operate their own private vehicles.

C. The proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity;

The vicinity is largely vacant except for the elementary school to the west. The school is zoned PF (Public Facility) which is intended for major public and quasi-public and other compatible institutional uses. The PF zone allows for the location of jails, correctional facilities and courts. By way of comparison, the proposed community service facility is similar to such institutional uses permitted outright in the PF zone. There is a direct overlap in the uses listed in the definition of level two community service facility, and the uses permitted in the PF zone. For this reason, the proposed level two community service facility is highly compatible with the adjacent PF zoned site.

There is a nearby mini-warehouse facility to the southeast, and a McDonalds fast food restaurant to the northeast. The applicant identifies no reasonable conflicts between the proposal and the existing land uses in the immediate vicinity.

D. The location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof;

As illustrated in Exhibit 2, the development exceeds the minimum setback requirements of the C-2 zone. Though the building has not been designed at this time, it is safe to say the building will be much lower than the fifty (50) foot maximum building height offered by the C-2 zone. The building will be less than thirty feet tall, and quite possibly less than twenty feet in height. Regardless of building height, there are no scenic views enjoyed by nearby properties warranting heightened consideration. In no way will the proposal interfere with or otherwise impair development of vacant land in the vicinity.

E. The operations in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district; and

The proposal will operate as a residential use. Residential uses do not generate nuisances or impacts at levels above those permitted in the C-2 zone. There will be no flashing lights, dust, noise, fumes or vibrations emanating from the community service facility. Minimal traffic volumes will be generated by the proposal.

F. The proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district.

The proposal is predominantly residential in nature. The residential use introduces no potential nuisances or hazardous impacts to other land permitted land uses in the C-2 zone. The proposal carries a very low traffic generation.

This proposal has been developed with close consideration of the controlling C-2 zoning district dimensional standards and with the Special Use Permit review criteria. We encourage Planning Staff and the Hearing Examiner to find the same.

Please reach out to Clover Planning & Zoning LLC if your review would benefit from any additional information.

Sincerely,

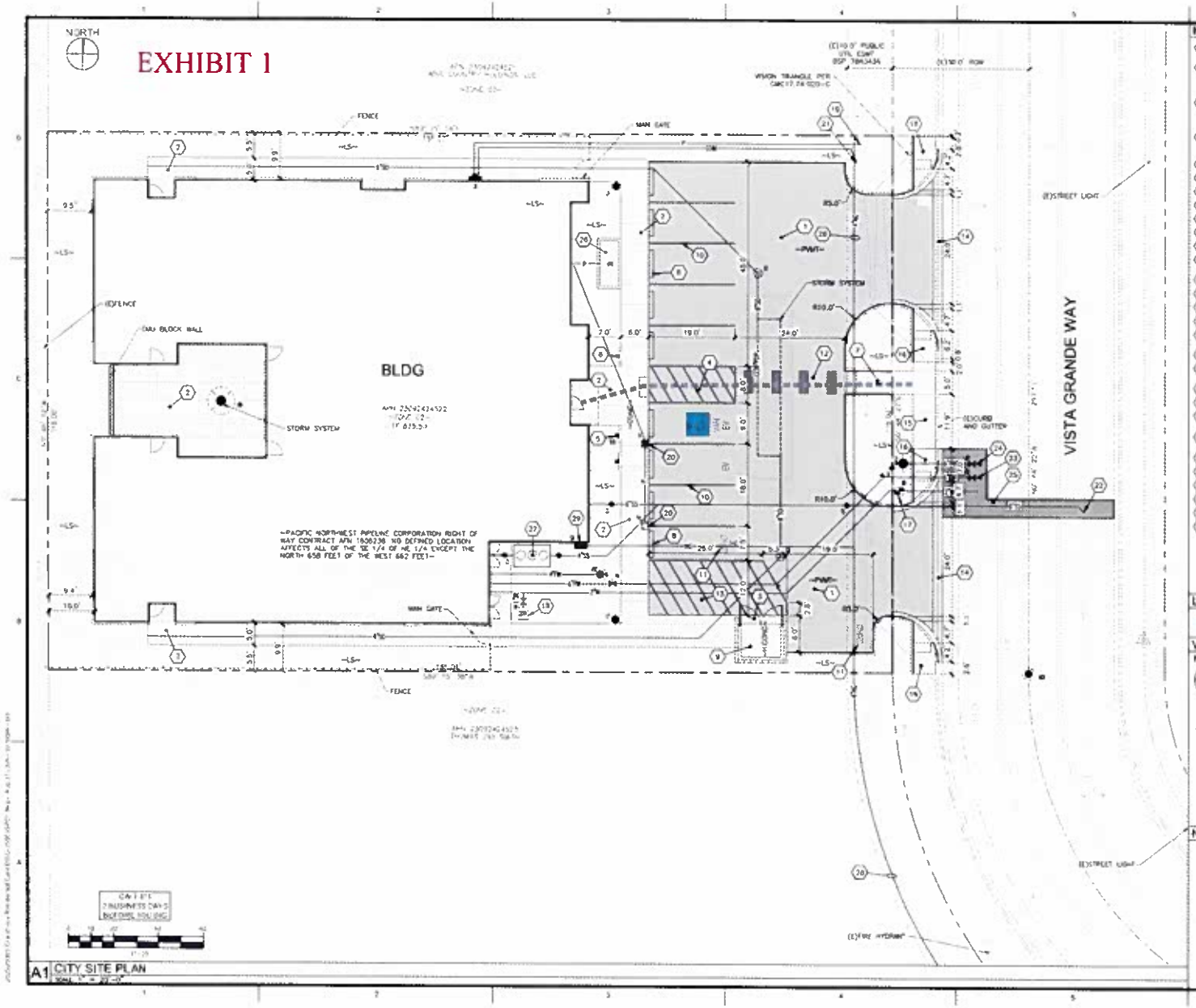
Shane O'Neill

Shane O'Neill
Clover Planning & Zoning LLC
www.planclover.com
(509)713-4560
planclover@outlook.com

Exhibit List

1) *Site Plan*
2) *Vicinity map*
3) *Vicinity Images*
4) *Prior CUP Approval Decision Report*
5) *Notice of CUP Expiration*
6) *Architectural Elevations*

EXHIBIT 1



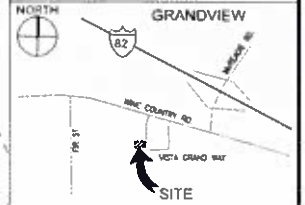
KEY NOTES

1. STANDARD ASPHALT SECTION – 2-1/2" THICK ASPHALT OVER 6" TOP COURSE PER WSDOT 5-03 (4)(J)
2. STANDARD CONCRETE SECTION – 4" THICK CONCRETE SIDEWALK OVER 4" TOP COURSE PER WSDOT 8-03 (3)(J) TROWEL CONTROL JOINTS AT 5' O.C. AND INSTALL EXPANSION JOINTS AT 30' O.C.
3. HEAVY CONCRETE SECTION – 6" THICK CONCRETE SIDEWALK OVER 4" TOP COURSE PER WSDOT 8-03 (4)(J) TROWEL CONTROL JOINTS AT 10' O.C. AND INSTALL EXPANSION JOINTS AT 30' O.C.
4. PAINT WHITE 6" WIDE PARKING STRIPING, LETTERING, AND ACCESSIBLE PARKING SYMBOLS PER ADA REQUIREMENTS AS SHOWN ON PLAN
5. ACCESSIBLE PARKING SIGN
6. ACCESSIBLE AISLE SIGN
7. ACCESSIBLE RAMP
8. WHEEL STOP
9. TRASH ENCLOSURE
10. PAINT 4" WHITE PARKING STRIPE, TYP
11. PAINT 18" TALL WHITE COMPACT STALL
12. PAINT 24" WIDE WHITE CROSS WALK STRIPE, WITH 48" SPACE, TYPICAL
13. PAINT 4" WIDE WITH 36" SPACE "NO PARKING" STRIPING
14. DRIVEWAY, PER CITY STD ST-10
15. SIDEWALK, PER CITY STD ST-9
16. ACCESSIBLE RAMP, PER WSDOT STD
17. 1" WATER METER WITH BACKFLOW PROTECTION INSIDE BUILDING, PER CITY STD W-8 AND W-10
18. IRRIGATION POINT OF CONNECTION, PER CITY STD W-11
19. POWER TIED INTO EXISTING TRANSFORMER, COORDINATE WITH POWER COMPANY
20. EV STALL INFRASTRUCTURE
21. TELEPHONE/FIBER POINT OF CONNECTION
22. 8" SEWER SERVICE INTO EXISTING SEWER, PER CITY STD SS-7
23. FIRE WATER POINT OF CONNECTION WITH BACKFLOW INSIDE BUILDING
24. FIRE HYDRANT ASSEMBLY, PER CITY STD W-2
25. ASPHALT PATCH, PER CITY STD ST-11
26. GENERATOR, REFER TO MECHANICAL
27. GREASE INTERCEPTOR
28. GAS EXTENSION ALONG ROW, BY OTHERS
29. GAS METER AND SERVICE TO MAIN

LEGEND

ADA COMPLIANT PATH TO SIDEWALK

VICINITY MAP



NOTES

1. PARKING
   6 STANDARD STALLS, 1 ACCESSIBLE VAN/EV STALL, 1 EV STALL, 1 EVC/COMPACT STALL, 1 COMPACT STALL, TOTAL 10 STALLS
   REQUIRED 10 STALLS (1 STALL PER 3 BED WITH 16 BEDS = 6 STALLS AND 1 STALL PER 2 STAFF WITH 8 STAFF = 4 STALLS).
2. AREA
   17,821 SF IMPERVIOUS AREA, 4,814 SF PERVIOUS AREA (22%), 21,835 SF TOTAL PROPERTY AREA

KNUTZEN ENGINEERING
2401 MCGILLIS DR
SUITE 100
VANCOUVER, WA 98660
(360) 772-0919

NOT FOR CONSTRUCTION
CITY SITE PLAN
GRANDVIEW RESIDENTIAL CARE, LLC
GRANDVIEW RESIDENTIAL CARE
VISTA GRANDE WAY GRANDVIEW, WA

DESIGN	SJT	08/31/26
CHECKED	PTK	08/31/26
APPROVED	PTK	08/31/26

SCALE: AS NOTED
DWG FILE: 250035P01
JOB No. 25003
DWG No. SP01

EXHIBIT 2

Wangai CUP Vicinity Map

2/24/2025, 11:20:53 AM

Taxlots

City Limits

N

1:2,257

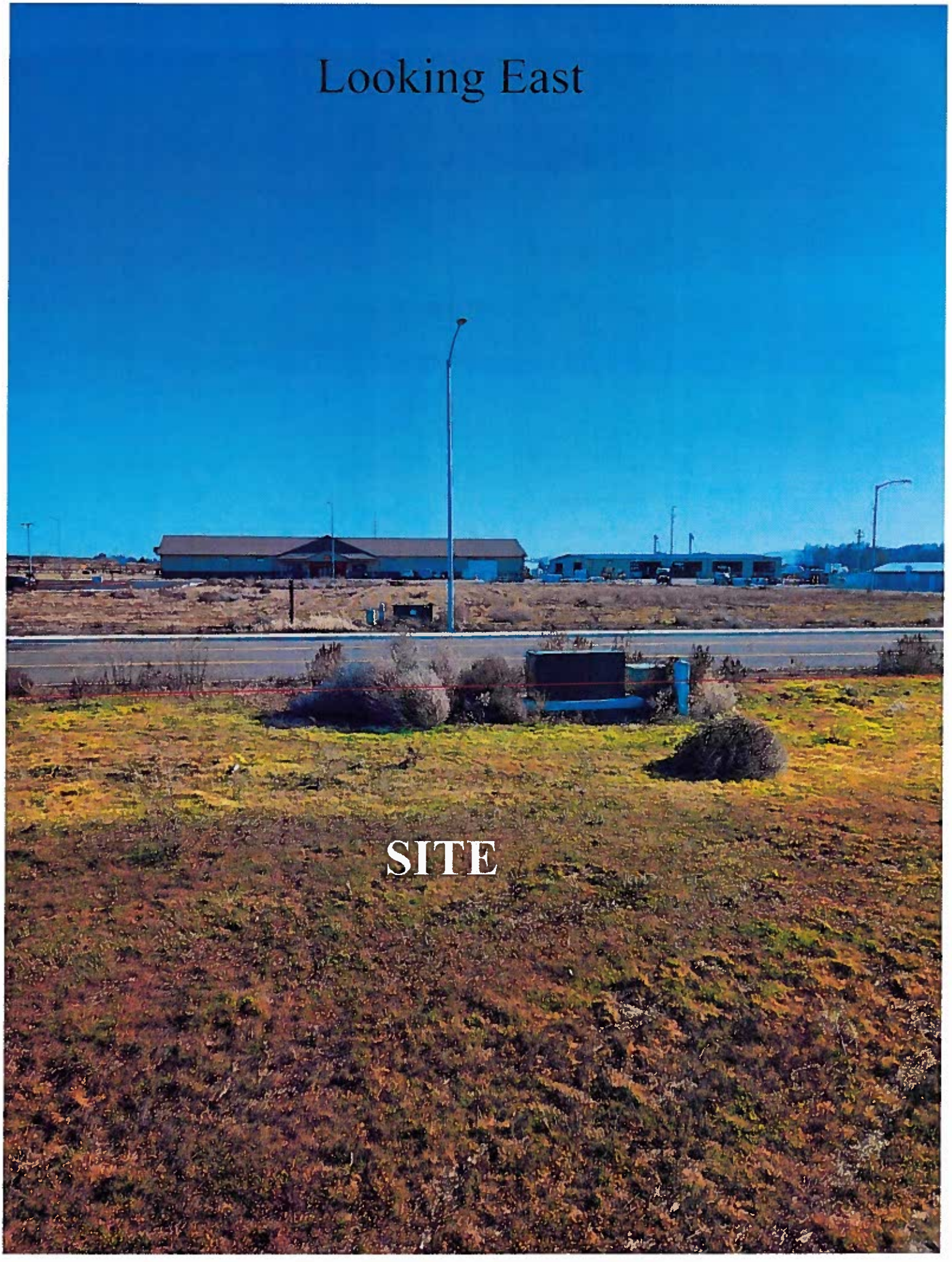
0 0.01 0.03 0.05 mi

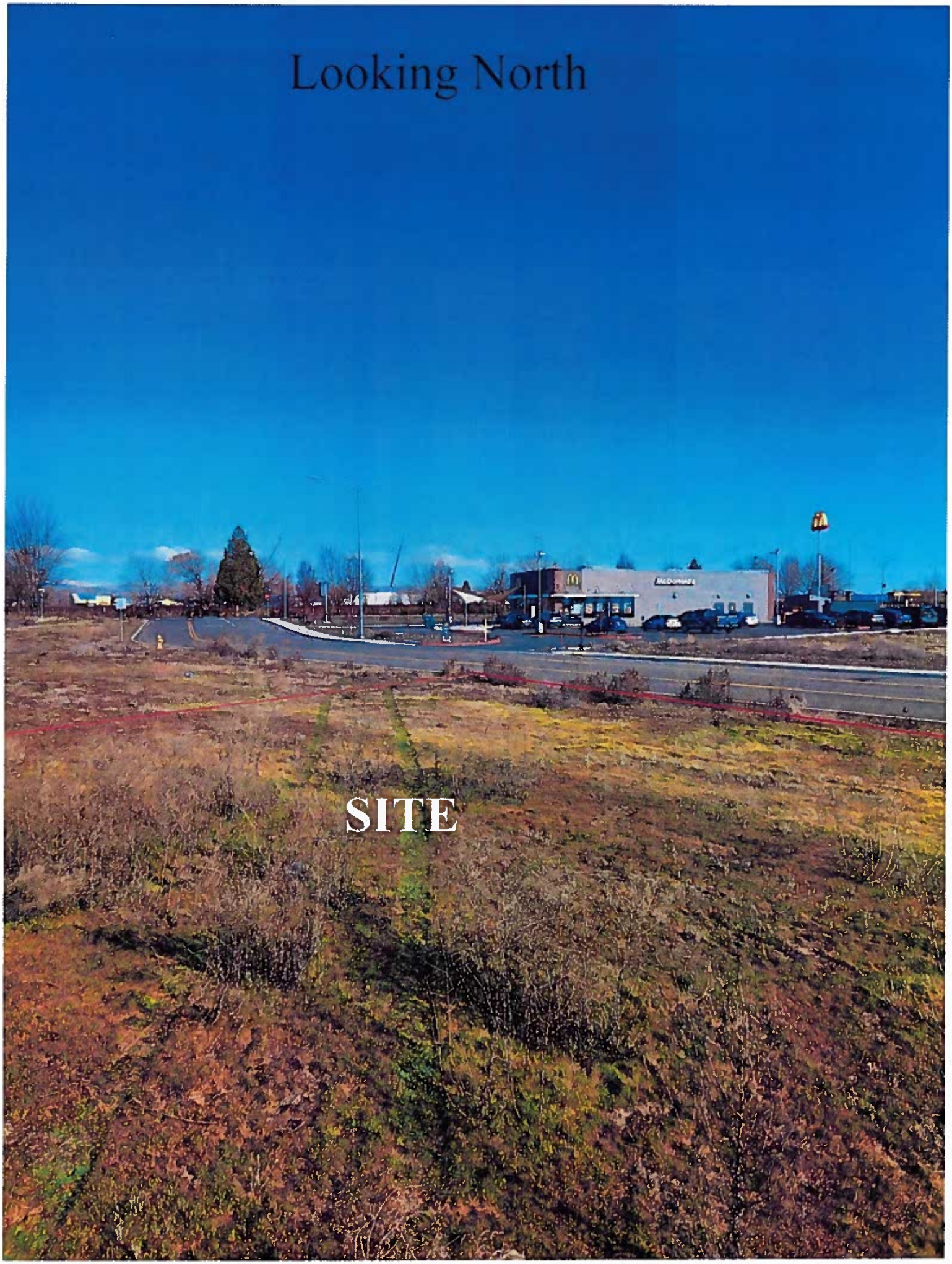
0 0.02 0.04 0.08 km

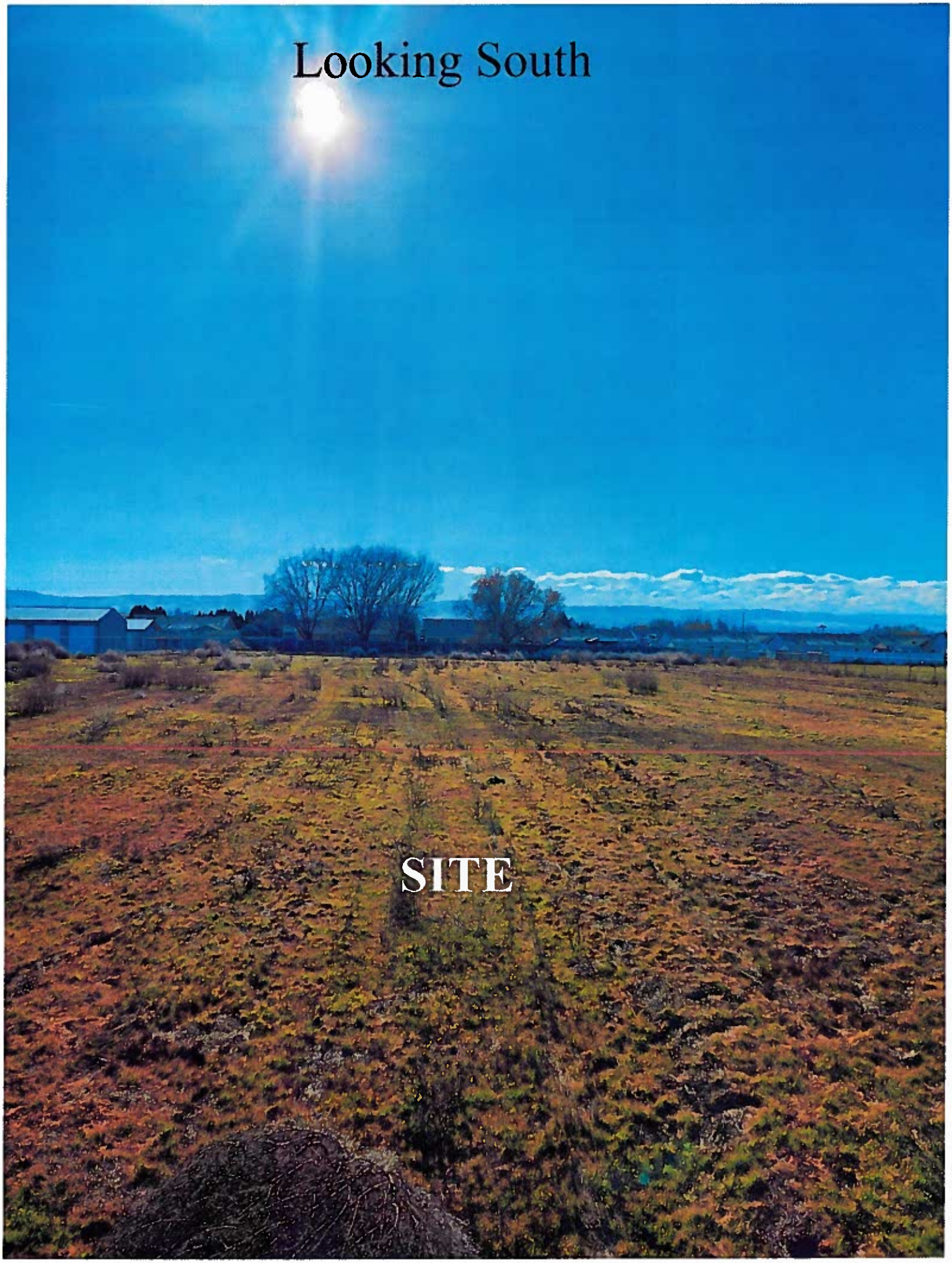
Yakima County, Maxar, Microsoft

Yakima County

Yakima county boundary is from the Washington State Department of Ecology, but the City limits is from Yakima County Records. | Yakima County, Maxar, Microsoft |


Looking East
SITE


Looking North
SITE


Looking South
SITE

Looking West
SITE

Exhibit 4

City of Grandview, Washington
Hearing Examiner's Decision

May 7, 2025

In the Matter of Application	)	
For a Conditional Use Permit	)	
Submitted for:	)	
	)	**CUP#2025-01**
Cliff Lewis d/b/a Scantlings, LLC	)	
By Their Agent Shane O'Neill	)	
	)	
To Develop & Operate a Mental	)	
Health & Behavioral Health	)	
Assisted Living Facility on the	)	
West Side of Vista Grande Way	)	
Located about 400 Feet South	)	
Of East Wine Country Road	)	

A. **Introductory Findings.** The introductory findings relative to the hearing process for this Conditional Use Permit application may be summarized as follows:

(1) The Hearing Examiner conducted an open record public hearing for this application on April 23, 2025.

(2) On that date Yakima Valley Conference of Governments Regional Land Use Planner Byron Gumz, who serves as the Planner for the City of Grandview, presented his staff report which recommended approval of this application subject to conditions.

(3) Shane O'Neill d/b/a Clover Planning & Zoning LLC represented the applicant and land owner at the hearing by answering questions and otherwise testifying in favor of approval of the application.

(4) City Clerk Anita Palacios submitted written comments for the record from the Sunnyside Valley Irrigation District indicating that there are no SVID facilities within the project parcel, from the Washington State Department of Ecology indicating that an NPDES Construction Stormwater General Permit may be required and from Government Affairs Director Matt Heur indicating that the proposal should be subject only to administrative review and that the ordinance provisions should be clarified as to the difference between a Level 1 and a Level 2 Community Service Facility.

(5) No other testimony was presented at the hearing and no other written comments were submitted prior to or during the hearing. This Conditional Use Permit decision has been issued within 10 business days of the public hearing as is required by Subsection 2.50.130(A) of the Grandview Municipal Code.

B. Basis for Decision. Based upon a view of the site and the surrounding area without anyone else present on April 23, 2025; the information contained in the staff report, exhibits and testimony presented at the open record public hearing on April 23, 2025; and consideration of the Grandview Comprehensive Plan and the Grandview Zoning Ordinance, Title 17 of the Grandview Municipal Code (GMC); the Hearing Examiner makes the following:

FINDINGS

I. Applicant/Property Owner/Representative. The applicant and property owner is Cliff Lewis d/b/a Scantlings, LLC, P.O. Box 605, Grandview, WA 98930. The representative of the applicant and property owner for this application

is Shane O'Neill d/b/a Clover Planning & Zoning LLC, 6904 Rogue Drive, Pasco, WA 99301.

II. Location. The subject parcel no. 230924-24522 has no assigned address at this time. It is located on the west side of Vista Grande Way along the westerly loop of that street approximately 400 feet south of its intersection with East Wine Country Road.

III. Proposal. The proposal is to construct a 10,000-square-foot building with 10 parking spaces on a one-half acre lot in order to operate a 16-bed mental health and behavioral health assisted living facility which would have caregivers and professional staff necessary to provide such a service for its residents.

IV. Jurisdiction and Process. The proposed mental health and behavioral health assisted living facility was determined to be a similar use to Community Service Housing defined by GMC §17.12.457. The main difference is that Community Service Housing is provided at a cost, if any, that is subsidized by charitable or government agencies which may or may not be the case here. Community Service Housing is included in the definition of a Level 2 Community Service Facility set forth in GMC §17.12.156. GMC §17.44.050(B) provides that a Level 2 Community Service Facility is a Conditional Use in the C-2 General Business District. GMC Table 14.09.080 requires an open record public hearing for the consideration of a Conditional Use Permit application. The hearing is required by GMC §2.50.080(A) to be conducted by the Hearing Examiner.

V. The Comprehensive Plan. The Comprehensive Plan designation for the property and for adjacent property to the north, south and east is "Commercial." This proposal is a commercial business use consisting of urban infill development that will be consistent with the following Comprehensive Plan Goals and Policies:

Land Use Element Goal 1: Create a balanced community by controlling and directing growth in a manner that enhances, rather than detracts from, community quality and values.

Policy 1.3: Encourage urban infill where possible to avoid sprawl and the inefficient leapfrog pattern of development.

Land Use Element Goal 3: To actively manage land use change and protect the City's character by developing City facilities and services in a way that directs and controls land use patterns and intensities.

Policy 3.2: New urban development shall be encouraged to locate first within the City limits, and second within the urban growth area where municipal services and public facilities are already present.

VI. Zoning and Land Uses. The subject property is within the C-2 General Business District. GMC §17.44.010 provides in part that this zoning district is intended to promote the centralization of business and reinforce a positive public image. Although the subject property and the properties to the north, south and east are currently vacant, the subject property will be improved with a new 10,000-square-foot building that has 10 parking spaces within an area where a fast food restaurant, mini-storage facility and lumber yard are already located. An elementary school is located to the east of the subject parcel.

VII. Environmental Review. After consideration of a SEPA Environmental Checklist dated February 25, 2025, and consideration of the comments submitted,

the City issued a final Determination of Non-Significance on April 4, 2025, which was not appealed.

VIII. Concurrency. The concurrency test and requirements of Chapter 14.10 of the Grandview Municipal Code entitled Transportation Concurrency Management were applied to the proposed Conditional Use Permit application. Consideration of the applicant's Transportation Checklist dated February 25, 2025, resulted in a finding that traffic volumes would not be expected to cause any streets to fall below the City's adopted Level of Service (LOS).

IX. Public Notice for the Hearing. This application was submitted on February 27, 2025, and was determined to be complete for processing on March 13, 2025. In accordance with the applicable City ordinance requirements for notice of open record public hearings conducted by the Hearing Examiner, the City's Notice of Development Application, Environmental Determination & Notice of Public Hearing for the April 23, 2025 open record public hearing (i) was posted at City Hall, the Library, the Police Department and the City's website and was also mailed to owners of property within 300 feet of the property under consideration, to interested parties and to governmental agencies on March 13, 2025; (ii) was posted conspicuously at a total of three places on the property on March 14, 2025; and (iii) was published in the City's official newspaper (Grandview Herald) on March 19, 2025.

X. Selected C-2 General Business District Development Requirements.

Since some of the criteria for review and approval of Conditional Use Permits require compliance with the Grandview Municipal Code (GMC) requirements and since there is a desire to inform the developer of this proposal about some of the C-2 General Business District development standards that are required by this Decision, the following provisions are set forth for that purpose without any attempt to provide an exhaustive review of all of the applicable requirements:

(1) The provisions of GMC §17.44.060(B), (C) and (D) applicable to this proposal do not limit the amount of lot coverage or require minimum yard setbacks, but do limit the maximum building height to 50 feet.

(2) The provisions of GMC §17.75.050(A) and (B)(6) applicable to this "major project", which is defined by GMC §17.75.030(H) to include any new nonresidential building with a gross floor area of 6,000 square feet or more, require the area between property lines and the back edge of street curbs, exclusive of city right-of-way and exclusive of sidewalks and driveways for ingress/egress, to be 100 percent treated with landscape materials, including live vegetation and/or decorative rock. A developer or property owner may receive credit toward the required landscape area for pedestrian walks or ways when such walks or ways are decorative and/or textured in character and are designed as a complementary part of the landscape area. No more than 25 percent of the landscaped area can be treated with decorative pedestrian ways and be included in the overall calculations for landscaped area.

(3) The applicable provisions of GMC §17.75.050(B) require the following features for refuse collection and outdoor storage:

(a) Refuse, including garbage and rubbish, may only be stored for disposal or collection in authorized garbage cans, dumpsters, self-contained, liquid-tight compacting solid waste containers and/or detachable containers. Plastic bags may not be used except as liners for garbage cans.

(b) In no case shall such enclosure and trash collection receptacles be permitted within the required front yard setback areas.

(c) Outdoor storage and trash collection areas located in a commercial or industrial zone shall be sight screened from any adjacent residential zones, from residential zones across a public street or alley and from any abutting street.

(d) Outdoor storage and trash collection areas shall be sight screened on three sides by one or a combination of the following:

(i) A building or hillside;

(ii) Dense evergreen shrubs and/or trees planted to provide a year-round sight-obscuring sight screen to achieve a minimum height of six feet within three years of planting; and/or

(iii) A solid or otherwise sight-obscuring fence or wall at least six feet in height.

(e) Sight screening shall not be required for dumpsters or containers located on a temporary one-time basis for special circumstances such as construction projects and large-scale cleanup efforts.

(f) Sight screening shall not be required for designated recycling bins or facilities maintained by the City of Grandview for public use.

(4) Applicable provisions of GMC §17.75.050(C)(1) require the following design standards for fences, walls and hedges:

(a) The height of fences, walls and hedges located between a structure and a street or alley shall be measured from the street curb or alley grade except in those cases where topographical irregularities occur. The height of fences, walls and hedges between a structure and a common lot line shall be measured from the grade along the common lot line or top of any structural retaining wall occurring at the common lot line.

(b) The height of fences, walls and hedges shall be limited to four feet within the front yard area of residentially zoned lots, retail business and office zoned lots; provided, when two contiguous corner lots, or two corner lots separated only by an alley right-of-way, form the entire frontage between parallel or nearly parallel streets, the height of fences, walls and hedges shall be limited to six feet within the front yard adjacent to the side street; except where the front door of a house faces the side street all fences greater than four feet in height must be set back to the building line of the house facing the side street.

(c) The height of fences, walls and hedges within the side and rear yards of residentially zoned lots, retail business and office zoned lots shall be limited to six feet. A gate or opening with a minimum three-foot width leading into at least one side yard shall be provided.

(d) Fences shall not be constructed out of tires, pallets, bed springs, multicolored materials, tarps, plastic sheets, wheel rims and similar or like materials not traditionally manufactured or used for fencing purposes. Corrugated sheet metal for fences shall be allowed only in industrial districts. Hog wire, chicken wire, horseman wire mesh, v-mesh, field fence, woven field fence, welded utility fence, or any similar or like wire fencing material is not permitted in residential or commercial zones.

(e) In the C-2 general business district only one strand of barbed wire is permitted along the top rail or within two inches of the top rail and provided it is located outside of the designated central business district (GMC Chapter 17.45).

(f) In all front yards, whether on properties with single, double, or triple frontage, rails, posts and other structural fence supports shall not be visible from a public street; except that posts and rails that are an integral part of the fence design and aesthetics and not used solely for structural support may be visible from a public street.

(g) All fencing in commercial and industrial districts shall be placed on the inward side of any required perimeter landscaping, with landscape treatments occurring along the street frontage.

(h) Fences constructed in any zoning district may be permitted at the back of sidewalks in public right-of-way upon approval of the public works department, except where there is landscaping along the street frontage.

(i) No fence or wall shall be erected without first obtaining a building permit from the public works department.

(5) Applicable provisions of GMC §17.75.050(C)(2) require that where a fire hydrant is located within a landscape area it shall be complemented by a minimum clearance radius of three feet and that no tree, as measured from its center, shall be located within ten feet of a street light standard, or within five feet of a driveway or a fire hydrant.

(6) Applicable provisions of GMC §17.75.050(C)(3) require the following design standards for landscape buffers in commercial and industrial districts:

(a) Landscape buffers shall be 100 percent landscaped with live vegetation or a combination of live vegetation and ornamental rock.

(b) Live vegetation within the landscape buffer shall be planted with a mix of evergreen and deciduous trees and shrubs interspersed throughout the landscape buffer. At maturity, the live vegetation shall cover a minimum of 25 percent of the landscape buffer.

(7) Applicable provisions of GMC §17.75.050(D)(1) and (D)(2) require that a new parking lot between a building and a local access street such as Vista Grande Way having 11 or fewer new parking spaces not previously in use prior to construction qualify as a "minor project" defined by GMC §17.75.030 which shall have a minimum landscape buffer of five feet between the parking lot and the property line.

(8) The applicable provisions of GMC §17.75.060 require the following standards for all landscape areas:

(a) All new plants, except those planted on single-family residential properties, shall conform to American Nursery and Landscape Association (ANLA) grades and standards as published in the "American Standard for Nursery Stock" manual (ANSI Z60.1 or latest edition).

(b) Single-stemmed trees required pursuant to Chapter 17.75 shall at the time of planting conform to the following standards:

(i) Deciduous trees shall have a minimum caliper of one and three-quarters inches and a height of eight feet; and

(ii) Coniferous evergreen trees shall be at least five feet in height.

(c) Multistemmed trees shall be permitted as an option to single-stemmed trees, provided that such multistemmed trees are:

(i) At least six feet in height; and

(ii) Not allowed in street rights-of-way.

(d) When the width of any landscape strip, buffer, or setback is 15 feet or greater, the required trees shall be staggered in two or more rows.

(e) Shrubs shall be:

(i) At least an ANLA container class No. 2 (two-gallon) size at time of planting; and

(ii) At least 18 inches in height at the time of planting.

(f) Shrubs within required parking lot landscape areas shall be maintained at a height not exceeding 42 inches.

(g) Live vegetation used as groundcovers shall be planted and spaced to result in total coverage of the required landscape area in three years.

(h) Lawns shall be planted with grass species normally grown as permanent lawn in Yakima County. Lawn areas may be sodded, sprigged, or seeded, except that solid sod shall be used in commercial zones for swales or other areas subject to erosion.

(i) Plant selection shall consider adaptability to climatic, hydrologic, geologic, and topographical conditions of the site.

(j) Plants having similar water use characteristics shall be grouped together in distinct hydrozones.

(k) Lava rock shall not be permitted in any commercial landscaped areas.

(l) When approving an area as a xeriscaped area, the city shall apply all or some of the following criteria:

(i) Analysis of the site considering such factors as slopes, drainage, winds, and existing and proposed site improvements;

(ii) Use of appropriate techniques for soil improvements to support plant growth;

(iii) Use of low water-demand or drought-resistant turf grasses and plant materials;

(iv) Use of mulches and other ground covers in planting areas that cover soil, save moisture, and protect from soil erosion; and/or

(v) Use of appropriate type of irrigation for each area of the xeriscaped landscape.

(9) The applicable provisions of GMC §17.75.080(A) require that two copies of a site development plan be submitted to the public works department for review for consistency with the provisions of GMC Chapter 17.75 prior to the issuance of building permits which must be drawn to scale and include the following:

(a) All relevant data regarding the existing site that will include a vicinity map, location and name of existing adjacent streets, driveway locations, walkways, property lines, and/or easements.

(b) Boundaries, dimensions, and size in acres of the site.

(c) Indication of adjoining uses and zones.

(d) Layout of all use areas within the site, including parking areas and interior circulation areas, including truck circulation for loading/ unloading.

(e) Landscape Plan with:

(i) Identification of any existing trees or plantings that are to remain on the site. Existing trees should be identified according to caliper and their common name. Existing trees and shrubs may be counted towards landscape requirement standards, provided they are depicted on the plan, retained in their location, and meet minimum standards for plant health; and

(ii) Location of all proposed landscape areas including the location of all landscape elements and the size, common name, scientific name, spacing, and quantity of all live vegetation to be planted.

(f) Area in square feet and dimensions of individual and collective landscape areas.

(g) Location and description of all existing and proposed structures such as buildings, loading areas, berms, walls, fences, screens, storage areas, street furniture including refuse containers, and lighting.

(h) Location of all existing and proposed utilities, vaults, and boxes.

(i) Schematic building elevations showing exterior building walls.

(10) The applicable provisions of GMC §17.75.080(B) also require that the required landscaping shall be installed to coincide with the completion of the building. However, the time limit for compliance may be extended to allow installation of such required landscaping during the next appropriate planting season.

(11) The parking lot improvement provisions of GMC §17.78.090 provide that all parking lots and spaces required pursuant to GMC Chapter 17.78 and those properties consisting solely of parking development shall be designed and approved to meet the following standards:

(a) New parking lots resulting in 11 or fewer new parking spaces not previously in use prior to construction (qualify as minor project defined by GMC 17.75.030):

(i) Surfacing. All parking must be surfaced with gravel on a stable substrate;

(ii) Lighting. Any parking lot lighting shall be so arranged as to not constitute a nuisance or hazard to passing traffic, or encroach on adjoining residential properties; and

(iii) Maintenance. All parking lots shall be regularly maintained and kept free of weeds and litter. Maintenance shall include the repair of traffic control devices, signs, light standards, fences, surfacing materials, curbs, landscaping, and drainage facilities.

(b) New parking lots resulting in 12 or more new parking spaces not previously in use prior to construction (qualify as major project as defined by GMC 17.75.030) – as to property located in the C-1 or C-2 zones and multiple dwellings:

(i) Surfacing – Parking lots designated for customer/client parking, all spaces required pursuant to GMC §17.78.170 and all parking areas located between the right-of-way line and the face of buildings shall be surfaced with asphalt, Portland cement concrete or grasscrete. Those areas out of direct public view utilized for employee parking, and service vehicle parking and storage, that are located behind the front yard setback or front of the building, are exempt from the hard surfacing requirements, but must be surfaced with gravel on a stable substrate. No parking lot or driveway consisting of gravel shall abut a public street right-of-way. All driveways shall be surfaced with asphalt, Portland cement concrete or grasscrete for a distance of five feet on each side of driveway openings to a point 10 feet from the right-of-way line;

(ii) Grading and Drainage – All parking lot drainage shall be contained on site. Drainage facilities shall be designed according to accepted engineering standards;

(iii) Border Barricades – All parking areas designed for customer/client parking and all parking areas located between a right-of-way line and a building face shall have curbing installed around perimeter areas and around all landscape elements;

(iv) Markings – Parking stalls shall be delineated by paint or other markings as approved by the public works department;

(v) Landscaping – All parking lots shall conform to the landscape provisions of Chapter 17.75 GMC;

(vi) Lighting – Parking lot lighting shall be so arranged as to not constitute a nuisance or hazard to passing traffic, or encroach on adjoining residential properties; and

(vii) Maintenance – All parking lots shall be regularly maintained and kept free of weeds and litter. Maintenance shall include the repair of traffic control devices, signs, light standards, fences, surfacing materials, curbs, landscaping, and drainage facilities.

(12) The applicable provisions of Table 78-1 in GMC §17.78.120 specify the dimensions required for the parking spaces for the proposal depending upon the type of parking spaces provided.

(13) The applicable provisions of GMC §17.78.170 specify the number of off-street parking spaces required for convalescent homes, nursing homes and congregate care facilities similar to the proposed use to be one space for each three beds plus one space for each two employees. Since this facility will have 16 beds and 6 employees, 9 parking spaces are required and 10 parking spaces are proposed.

XI. <u>Development Review Criteria for Conditional Use Permits.</u> GMC §14.03.035 provides that a Hearing Examiner may make land use decisions as determined by the City Council at the request of the Planning Commission or City Administrator. GMC §14.07.030(B) requires at least 10 days advance notice of public hearings by publication, mailing and posting. GMC §14.03.040(B)(2) and GMC §14.09.030(A)(2) & (B)(1) provide that the Hearing Examiner is to make the decisions approving or denying Conditional Use Permits. GMC §14.01.040(H) defines a development as any land use permit or action regulated by GMC Titles 14 through 18 including, among other permits or actions, conditional use permits. GMC §14.09.030(A)(3)(c) provides that the Hearing Examiner is not to approve a

proposed development without first making the following findings and conclusions:

(1) The development is consistent with the Comprehensive Plan and meets the requirements and intent of the Grandview Municipal Code. The proposed development would be consistent with the Comprehensive Plan because it would add an urban infill business in the City that would be located on a parcel that has the "Commercial" Comprehensive Plan designation and because it would be consistent with the following Comprehensive Plan Goals and Policies:

Land Use Element Goal 1: Create a balanced community by controlling and directing growth in a manner that enhances, rather than detracts from, community quality and values.

Policy 1.3: Encourage urban infill where possible to avoid sprawl and the inefficient leapfrog pattern of development.

Land Use Element Goal 3: To actively manage land use change and protect the City's character by developing City facilities and services in a way that directs and controls land use patterns and intensities.

Policy 3.2: New urban development shall be encouraged to locate first within the City limits, and second within the urban growth area where municipal services and public facilities are already present.

The proposal would also be required to meet the development requirements of the Grandview Municipal Code, including without limitation those detailed in Section X above, and its location within a subdivision among other businesses in the area would meet the intent of the C-2 General Business District zone which is in part to promote the centralization of business in the City and the reinforcement of a positive public image for the City.

(2) The development makes adequate provisions for drainage, streets and other public ways, irrigation water, domestic water supply and sanitary wastes. The proposal will be located within an existing subdivision which makes adequate provisions for a paved public street that will be used as access and which makes adequate provisions for a domestic water supply and sanitary wastes by utilizing City public water and sewer services for the facility.

(3) The development adequately mitigates impacts identified under other GMC chapters and in particular GMC Title 18. The City determined that the proposal would not result in any probable significant adverse environmental

impacts under GMC Title 18 by issuing a final SEPA Determination of Non-Significance on April 4, 2025, which was not appealed.

(4) The development is beneficial to the public health, safety and welfare and is in the public interest. The proposal would be beneficial to the public health, safety and welfare and would be in the public interest because it would provide needed mental health and behavioral health services for the residents of the City and of the community.

(5) The development does not lower the level of service of transportation below the minimum standards as shown within the Comprehensive Plan. If the development results in a level of service lower than those shown in the Comprehensive Plan, the development may be approved if improvements or strategies to raise the level of service are made concurrent with the development. For the purpose of this section, "concurrent with the development" is defined as the required improvements or strategies in place at the time of occupancy, or a financial commitment is in place to complete the improvements or strategies within six years of approval of the development. Consideration of the applicant's Transportation Checklist dated February 25, 2025, resulted in a finding that traffic volumes would not be expected to cause any streets to fall below the City's adopted Level of Service (LOS).

(6) The area, location and features of any land proposed for dedication are a direct result of the development proposal, are reasonably needed to mitigate the effects of the development, and are proportional to the impacts created by the development. No dedication of land for additional right-of-way or other purposes is required for this proposal.

XII. Additional Specific Review Criteria for Conditional Use Permits.

Upon conclusion of the open record public hearing required for consideration of a Conditional Use Permit by GMC §17.86.070, the Hearing Examiner is required by GMC §17.86.080 to make and enter findings and conclusions from the record as to the following:

(1) Whether or not the proposal is in accordance with the goals, policies, objectives, maps and/or narrative text of the Comprehensive Plan. The proposal would be in accordance with the maps and narrative text of the Comprehensive Plan because it would add an urban infill business use within a subdivision on a parcel that has the "Commercial" Comprehensive Plan designation. The proposal would also be in accordance with the following Comprehensive Plan Goals and Policies:

Land Use Element Goal 1: Create a balanced community by controlling and directing growth in a manner that enhances, rather than detracts from, community quality and values.

Policy 1.3: Encourage urban infill where possible to avoid sprawl and the inefficient leapfrog pattern of development.

Land Use Element Goal 3: To actively manage land use change and protect the City's character by developing City facilities and services in a way that directs and controls land use patterns and intensities.

Policy 3.2: New urban development shall be encouraged to locate first within the City limits, and second within the urban growth area where municipal services and public facilities are already present.

(2) Whether or not the proposal will adversely affect public infrastructure. The proposal will not adversely affect public infrastructure because it will not reduce the Level of Service (LOS) of any City streets that will provide access for the facility and because it will utilize a relatively modest amount of the City of Grandview water and sewer services that are available within the City.

(3) Whether or not the proposal will be constructed, maintained and operated to be in harmony with the existing or intended character of the general vicinity. The proposal is designed and conditioned to be in harmony with the existing and intended character of the general vicinity due in part to the development standards that are applicable to the proposed use and also due to the fact that the use will be primarily conducted within confines of a building.

(4) Whether or not the location and height of proposed structures and the site design will discourage the development of permitted uses on property in the general vicinity or impair the value thereof. Neither the location of the proposed facility in an area that is zoned for business uses where other businesses already exist nor the height of the proposed single-story facility will discourage

the development of permitted uses on property in the general vicinity or impair the value thereof.

(5) Whether or not the operations in connection with the proposal will be more objectionable to nearby properties by reason of noise, fumes, vibrations, dust, traffic, or flashing lights than would be the operation of any permitted uses within the district. The proposed use is expected to satisfy this criterion because it will be a business use that will be primarily conducted within the confines of a building like other residential uses and therefore will not cause any objectionable noise, fumes, vibrations, dust, traffic or flashing lights for nearby properties.

(6) Whether or not the proposal will endanger the public health or safety if located and developed where proposed, or in any way will become a nuisance to uses permitted in the district. The proposed use is not expected to endanger the public health or safety if located and developed in its proposed location within a subdivision among other existing and future businesses or to become a nuisance to other uses permitted in the district due to the fact that it will be an assisted living type of use for only 16 residents that will be primarily conducted within the confines of the building constructed for that purpose.

CONCLUSIONS

Based upon the foregoing Findings, the Hearing Examiner reaches the following conclusions:

(1) The Hearing Examiner has jurisdiction and authority to approve a Conditional Use Permit subject to conditions.

(2) The public notice requirements of the Grandview Municipal Code for the open record public hearing conducted for this application have been satisfied.

(3) SEPA environmental review for the requested Conditional Use Permit was completed pursuant to RCW 43.21C and GMC Title 18 which resulted in the issuance of a final Determination of Non-Significance on April 4, 2025 that became final without an appeal.

(4) The City of Grandview has sufficient public services and sufficient water, sewer and street capacity for the proposed use.

(5) No testimony and no written comments were submitted in opposition to any aspect of this proposed mental health and behavioral health assisted living facility.

(6) This application satisfies the requisite criteria for approval of the requested Conditional Use Permit subject to conditions.

(7) In accordance with GMC §14.11.030, any person with standing may appeal this Decision to the Yakima County Superior Court. Such an appeal must be filed with the Court in writing and served on the City Clerk or Mayor within 21 days from the date of this Decision in accordance with the statutory requirements of the Land Use Petition Act (LUPA) set forth in Chapter 36.70C of the Revised Code of Washington.

DECISION

The Hearing Examiner approves a Conditional Use Permit to establish and operate the proposed mental health and behavioral health assisted living facility on the west side of Vista Grande Way about 400 feet south of its intersection with East Wine Country Road on parcel number 230924-24522 as described in the application materials and this Decision, subject to the following conditions:

(1) Development of the site shall substantially conform to the site plan submitted with the application for the conditional use.

(2) An NPDES Construction Stormwater General Permit shall be obtained unless the Washington State Department of Ecology waives the requirement.

(3) The proposed facility shall not exceed 50 feet in height.

(4) All landscaping and landscaping buffer requirements outlined in GMC Chapter 17.75 shall be met.

(5) A Landscaping Plan meeting the standards of GMC Chapter 17.75 shall be submitted and approved prior to issuance of building permits.

(6) All applicable sitescreening requirements of GMC Chapter 17.75 shall be met.

(7) All future fencing, hedges or walls shall meet the standards of GMC Chapter 17.75.

(8) Ten (10) parking spaces meeting the standards of GMC Chapter 17.78 shall be completed prior to issuance of a Certificate of Occupancy for the building.

DATED this 7th day of May, 2025.

Gary M. Cuillier

Gary M. Cuillier, Hearing Examiner

CITY OF GRANDVIEW EST 1909 WASHINGTON

Exhibit 5

207 W. 2nd Street · Grandview, Washington 98930 · Tel: (509) 882-9200 · Fax: (509) 882-3099 · www.grandview.wa.us

August 25, 2026

Scantlings LLC
Attn: Cliff Lewis
PO Box 605
Grandview, WA 98930

RE: Notice of Expiration – Vista Grande Community Service Housing

Project/File No.: CUP2025-01
Property Address: KNA Vista Grande Way. Grandview, WA 98930.
Parcel No.: 230924-24522

Dear Mr. Lewis:

The purpose of this letter is to provide formal notice that the City of Grandview has determined that the approval for the above-referenced project has expired.

On May 7, 2025, the City of Grandview Hearings Examiner approved Vista Grande Community Service Housing as a Level 2 Community Service Facility through the Conditional Use Permit process. The approval was subject to the requirements and conditions contained in the Hearings Examiner Decision, including applicable provisions of the Grandview Municipal Code.

Pursuant to Grandview Municipal Code (GMC) Title 17.86.120, unless otherwise specified within the Conditional Use Permit, the applicant shall commence the special use authorized or obtain a building permit for construction of authorized facilities within six months after the effective date of conditional use permit, or the special permit or conditional use permit shall expire. The effective date is defined as the date after the decision by the Hearings Examiner, which would have been May 8, 2025. Accordingly, building permits were required to be obtained no later than November 8, 2025.

Based on the City's records, no building permits were obtained within the required time period. Therefore, the approval for Vista Grande Community Service Housing (CUP2025-01) expired on November 9, 2025, and is no longer valid.

Any future proposal to develop the property in the manner authorized by the expired approval will require submission of a new application and review under the City codes, regulations, fees, and development standards applicable at the time of the new application.

Any permits, approvals, or determinations that were dependent upon the validity of the expired approval should not be construed as independently authorizing the development proposed under the expired approval.

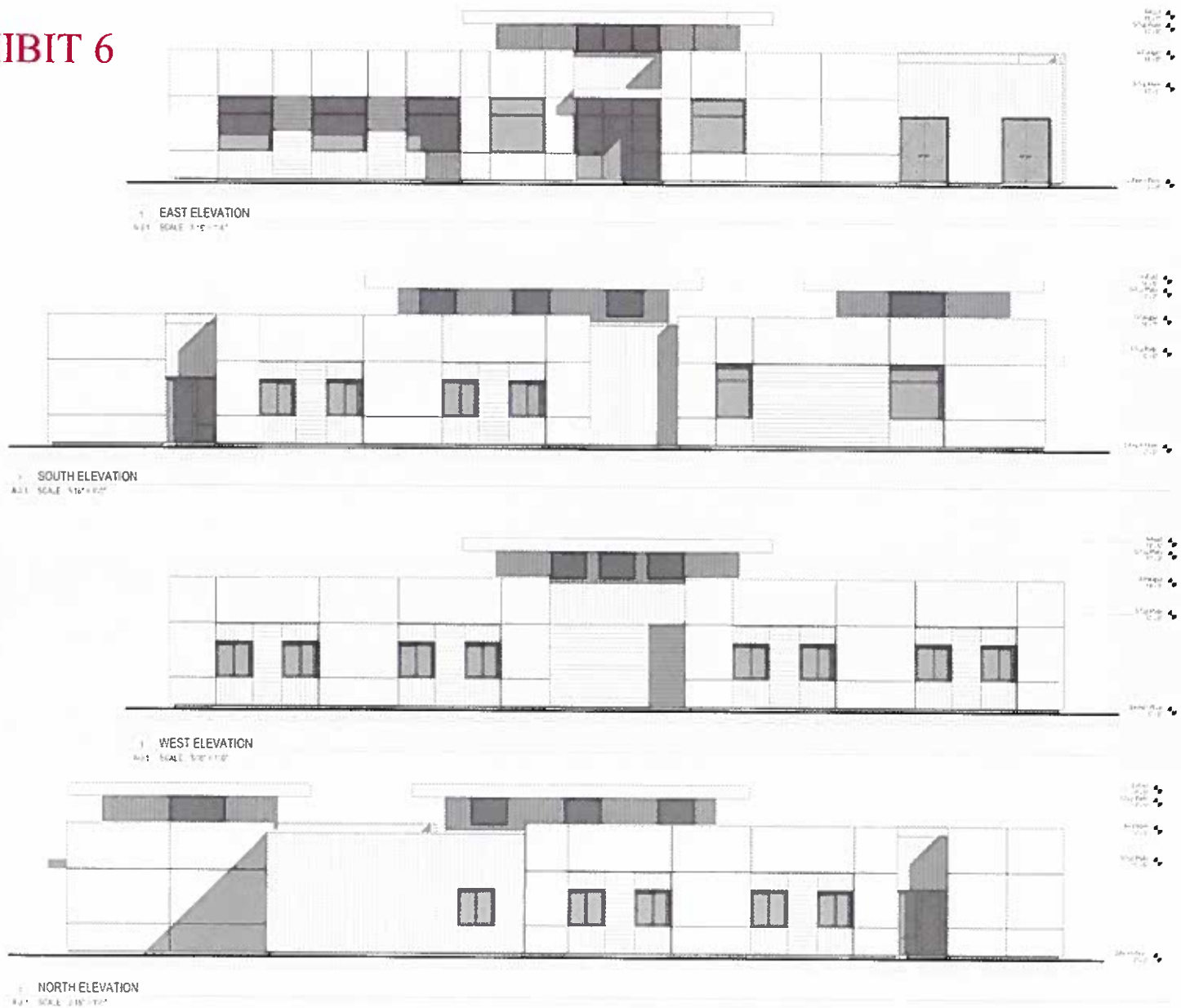
If you believe the City's records do not reflect an action taken prior to the expiration date that maintained the validity of the approval, please provide documentation of that action to the City for review.

If you have questions regarding this notice or the requirements for submitting a new application, please contact Anita Palacios, City Clerk, at (509)882-9200 or anitap@grandview.wa.us.

Sincerely,

Shane Fisher, City Administrator
City of Grandview

EXHIBIT 6



PRELIMINARY NOT FOR CONSTRUCTION

CHRIS BAUGH ARCHITECT

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WWW.BAUGHARCHITECT.COM
6001 NEVADA ST. KLEINEWICK, WA 99336
509 591 5968

GRANDVIEW RESIDENTIAL CARE FACILITY

ELEVATIONS

A-3.1