

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

GENERAL INFORMATION:

PROPOSAL NAME: Knights of Columbus Rezone

LOCATION: The project site occupies the southwest corner of the Van Giesen Street/By-Pass Highway intersection (APN's: 1-04984000005000 & 1-03983000001000).

APPLICANT: Knutzen Engineering (Paul Knutzen) on behalf of Jerry Rhodes (Knights of Columbus)

FILE NO.: Z2021-107

DESCRIPTION: Request to change zoning of approximately 9.4 acres from AG (Agriculture) to General Business (C-3).

PROJECT TYPE: Type 3 Site-Specific Rezone

HEARING DATE: February 14, 2021

REPORT BY: Shane O'Neill, Senior Planner

RECOMMENDED ACTION: Approval



Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

On December 3, 2021, Knutzen Engineering filed an application (Exhibit 1) with the City, petitioning to rezone a 9.4-acre site from Agriculture (AG) to General Business (C-3). The purpose of this request is to zone the site in a manner consistent with the city's Comprehensive Plan while allowing for development styles typical of busy arterial roadway intersections.

SITE DESCRIPTION & ADJACENT LAND USES

The site is comprised of two un-platted parcels totaling approximately 9.4-acres lying at the intersection of Van Giesen Street and the By-Pass Highway (see Fig. 1 above). Combined, the parcels form a linear trapezoid, measuring approximately 1,311 feet in its longest dimension, and 607 feet at its widest dimension. The property is legally described as Tract A of record survey No. 2834 (Exhibit 2). Tract A borders Van Giesen Street to the north and Chester Road to the south. The site is separated from the By-Pass Highway by a narrow, 70-foot-wide, parcel containing an active local railway line.

Most of the property is flat, except for the land along the west property line where it falls sharply (approximately 20 vertical feet). In this way the site appears as a plateau above land to the west. The southern portion of the site is developed with a

7,530 square foot commercial building, a few accessory structures, tennis courts, landscaping and a recently improved parking lot containing 84 parking stalls including ADA compliant stalls. The site has been developed for and is used by the Knights of Columbus, a global Catholic fraternal service order.

The site gains vehicle access from Chester Road along the south property line. Chester Road is a minimally improved roadway having a 24-foot-wide asphalt surface but without curbs, gutters, or sidewalks. The overhead power pole on Chester Road in front of the site contains a street light fixture, providing nighttime visibility near the driveway entrance.

North: The Van Giesen Street right-of-way borders the site to the north. Van Giesen Street is classified as a principal arterial roadway. A parking lot occupies the site immediately on the north side of Van Giesen Street. The parking lot is currently zoned AG.

South: Chester Road borders the south side of the property. The six-acre parcel on the south side of Chester Road is zoned AG and contains a single-family home.

East: The site to the east is zoned AG and contains an active railroad line.

West: The site to the west is zoned C-3 (as of 2021) and contains a plant nursery.

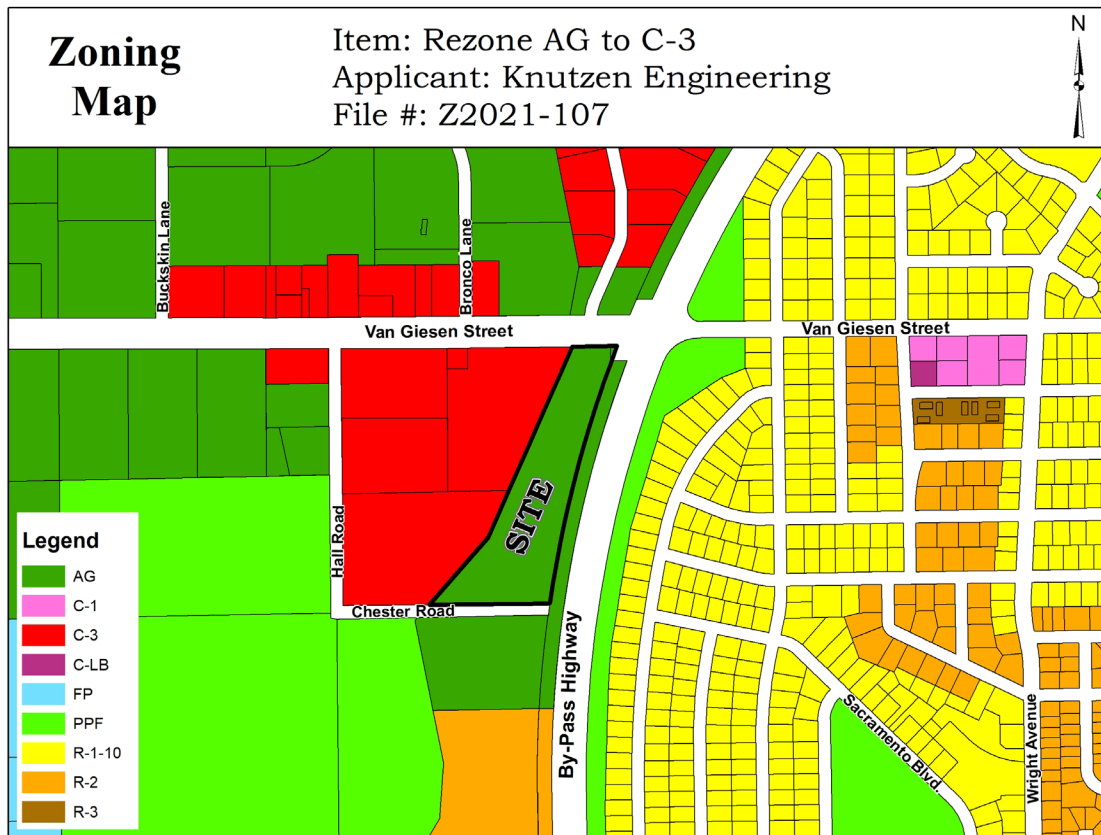


Figure 2 – Zoning Map

CURRENT ZONING

The zoning map above illustrates the site's current Agriculture (AG) zoning together with the zoning assigned to adjacent and surrounding properties.

The Agriculture (AG) use district is an agricultural zone classification providing for agricultural and single-family residential uses compatible with open lands in the northwest portion of Richland; most of which lies in the Yakima River floodplain.

The Agricultural (AG) zone is a zoning classification permitting essentially open land uses such as grazing lands or pasture, agriculture, and development of part-time small tract farming and other compatible uses of an open nature such as a cemetery, park, and recreational or similar uses on land which has favorable combinations of slope, climate, availability of water, or soil conditions. This zoning classification is intended to be applied to some portions of the city that are designated as agriculture or as urban reserve under the city of Richland comprehensive plan (RMC 23.14.010).

REQUESTED ZONING

The General Business (C-3) zone is designed to provide a use district for commercial establishments which require a retail contact with the public together with incidental shop work, storage and warehousing, or light manufacturing and extensive outdoor storage and display, and those retail businesses satisfying the essential permitted use criteria of the C-2 use district. This zoning classification is intended to be applied to some portions of the city that are either designated as commercial or designated as industrial and located adjacent to SR 240 under the City of Richland comprehensive plan [RMC 23.22.010.D].

PUBLIC NOTICE

Application Date:	December 3, 2021
Notice of Hearing Mailed:	December 29, 2021
Notice of Hearing Posted:	December 29, 2021
Notice of Hearing Published:	January 23, 2022
Public Hearing:	February 14, 2022

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, publication in the *Tri-City Herald* newspaper and posting on the City's website. Copies of the notices and affidavits are included in Exhibit 5. As of the date of this report, city staff received no comments from the public at large. The Washington State Dept. of Transportation (WSDOT) submitted a written comment (see Exhibit 3). All notices were properly distributed.

UTILITY AVAILABILITY

City utility mapping records indicate the site contains a municipal water line, municipal power, and a private septic system. Details of each utility are provided below.

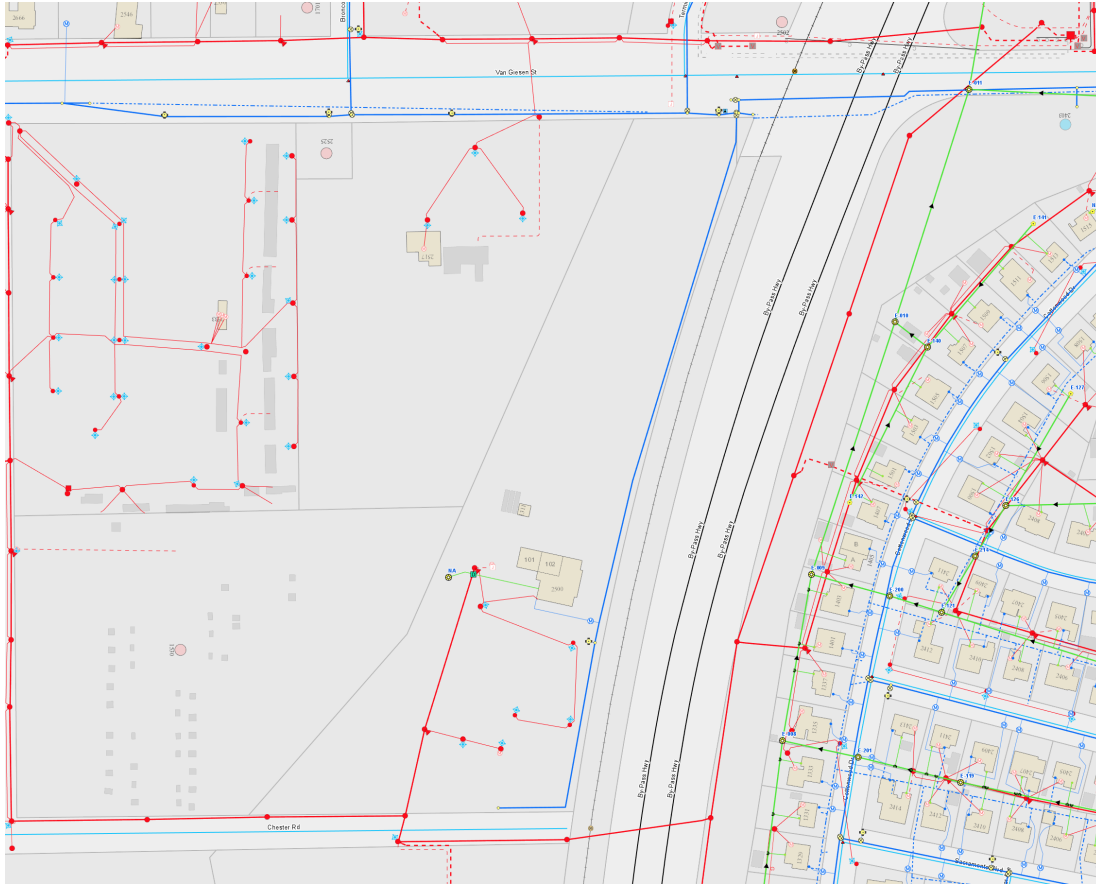


Figure 3 - Utilities Map

(Blue = water, Green = sewer, Red = electrical power)

SEWER

The existing building treats effluent by discharging it to a 500-gallon septic tank west of the building. The municipal sewer line nearest to the site is in Van Giesen Street, approximately 420-feet east of the site's northeast corner. However, that sewer line is not available for gravity flow due to elevation differences. Future site development may need to rely on a privately-owned pressurized grinder pump and wet well pumping effluent to the manhole over 600-feet to the north. Any work in the adjacent segment of Van Giesen Street may require WSDOT approval as the road segment is considered state highway.

WATER

An eight (8) inch water main located in Van Giesen Street is stubbed into the site at the site's northeast corner. The 4-inch stub feeds the existing building and extends to the property's Chester Road frontage at the south end.

ELECTRICAL POWER

Richland Energy Services (RES), a municipal public utility district, will service development on the site. Three-phase RES overhead power lines run over Chester Road with a couple of connecting spans running north on-site before reaching the building. Three-phase overhead power lines extend along the north side of Van Giesen Street.

TRANSPORTATION

Access into the site is available from Chester Road along the south property line and potentially from the site's Van Giesen Street frontage near the intersection with SR-240. The Chester Road access point lies approximately 1,770-feet from Van Giesen Street by way of vehicle travel. The Washington State Dept. of Transportation provided a comment letter with some insight into Van Giesen access availability for future development (see Exhibit 3).

SEPA

No environmental review was conducted as part of this rezone application, based on the categorical exemption in WAC 197-11-800(6)(c) which provides for exemptions under the following circumstances:

Where an exempt project requires a rezone, the rezone is exempt only if:

- (i) The project is in an urban growth area in a city or county planning under RCW 36.70A.040;*
- (ii) The proposed rezone is consistent with and does not require an amendment to the comprehensive plan; and*
- (iii) The applicable comprehensive plan was previously subjected to environmental review and analysis through an EIS under the requirements of this chapter prior to adoption; and the EIS adequately addressed the environmental impacts of the rezone.*

In this case, the proposed project is located with the City and within Richland's urban growth area; the proposed action is consistent with the City's comprehensive plan; and the City's comprehensive plan was analyzed through the preparation of an environmental impact statement.

COMPREHENSIVE PLAN

Richland's Comprehensive Plan designates the subject site for Commercial land uses. The General Business (C-3) zone is included in the Commercial Zoning Districts chapter of the Zoning code (RMC 23.22). In this way the proposal is consistent with the Comprehensive Plan.

The following land use map illustrates the city's Comprehensive Plan land use designations for the site and surrounding vicinity as depicted by the city's GIS mapping database. The C-3 zoning classification is intended to be applied to

portions of the city designated as Commercial under the City of Richland Comprehensive Plan.

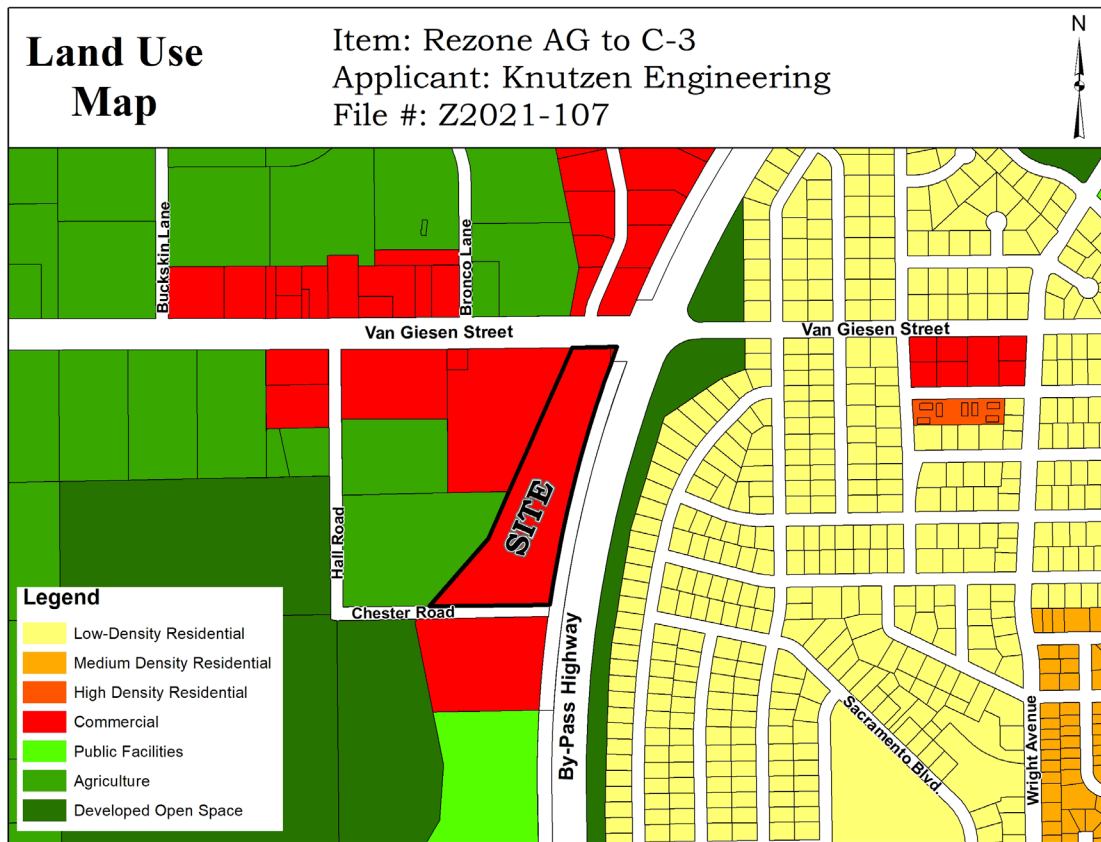


Figure 4 – Comprehensive Plan Map

The Comprehensive Plan contains the following goals and policy statements generally viewed as being in support of the proposed rezone application:

Land Use Goal 1:

Plan for growth within the urban growth area and promote compatible land use.

Policy 1 - Revitalize areas that are already within the City, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View areas.

Policy 2 - Facilitate planned growth and infill developments within the City.

Land Use Goal 2:

Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1 - Maintain a variety of land use designations to accommodate appropriate residential [and] commercial [...] uses that will take advantage of the existing infrastructure network.

LU Goal 4:

Promote commercial and industrial growth that supports the City's economic development goals.

Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

Land Use Goal 5:

Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1 – Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

BACKGROUND

The subject site was annexed into the City in 1956. In 1965 the Richland Board of Adjustment approved a conditional use permit request to allow a fraternal club in the AG zone. Construction of the existing building was completed in 1968. Accessory structures seen in areal imagery were originally permitted in 1982 and additions thereto in 2017.

ANALYSIS

Washington Courts apply three basic rules when reviewing appeals of rezone applications: (1) there is no presumption favoring the rezone request; (2) the proponent must demonstrate that there has been a change of circumstances since the original zoning provided if a proposed rezone implements the policies of the comprehensive plan, a showing of changed circumstances is usually not required; and (3) the rezone must have a substantial relationship to the public health, safety, morals or general welfare.

Purposes of this rezone request, the central questions presented are:

1. Whether the requested rezone implements policies of the City's Comprehensive Plan, and /or whether there has been a change of circumstances since the original Agriculture (AG) zoning was adopted for the site?

The site is already designated for commercial uses by the City's Comprehensive Plan. The rezone request would change the zoning from Agriculture (AG) to a conforming commercial zoning district (C-3). The bulk of the subject property remains undeveloped due to the limited number of land uses permitted in the AG zone. As a result, the site has been left unattended and while it is not overgrown with weeds and noxious vegetation; leaving it in a distressed/undeveloped condition is not in the public interest. The requested rezone is meant to facilitate the applicant's plans to develop

the site in a manner fully authorized by the C-3 zoning regulations and commercial land use designation.

2. Does the rezone bear a substantial relationship to the public health, safety, morals, or general welfare?

It appears that the proposed rezone is consistent with this criterion because the rezone is consistent with the City's Comprehensive Plan, and any future, project-specific proposal will have to meet city development regulations, including SEPA, possible subdivision codes, traffic impact reviews, public infrastructure concurrency reviews, and payment of any impact fees in effect at the time of an application.

In Planning staff's professional opinion, the site's location is appropriate for a C-3 zoning assignment. Agriculture zoning, generally, is of little utility within an urban growth boundary due to the zone's highly restrictive land use limitations. Very low residential allowances and commercial land use restrictions detract from the City's ability to meet goals of the Growth Management Act aimed at reducing urban sprawl and encouraging development in urban areas [RCW 36.70A.020], by reducing the City's ability to meet density requirements necessary to expand urban growth area boundaries. Since the site does not lie within a 100-year flood zone, Agriculture zoning does not serve a useful purpose in this location.

Richland's Comprehensive Plan designates the site as suitable for commercial land uses. In this way the proposed rezone is supported by the City's Comprehensive Plan. Comprehensive Plan conformance is the primary review criteria when considering rezone requests. The application satisfies this criterion.

The site's proximity to the Van Giesen Street/By-Pass Highway poses a potential challenge for future access. The intersection is controlled by the State, which typically imposes conservative direct access allowances onto roads under their jurisdiction. If direct access on to Van Giesen Street is precluded, future site development may need to rely on indirect access from Van Giesen Street to Hall Road to Chester Road to an easement leading north through the site; effectively forming a spiral or loop. It may be reasonable to expect future development to be tasked with improving the access route, depending on the specific land use proposed for development and its associated vehicle trip volume generation. Said access route currently supports very low traffic volumes; therefore, relatively moderate traffic volume increases would be considered significant from a traffic engineering perspective. The discussion above is for general discussion purposes, this report is not intended to convey specific development requirements.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2021-107) and recommends approval of the request based on the following:

1. The site is comprised of two parcels totaling approximately 9.4-acres in area.

2. The entire site is currently zoned Agriculture (AG).
3. The applicant filed a request to rezone the site to General Business (C-3).
4. The City of Richland Comprehensive Plan designates the subject site as suitable for commercial land uses.
5. The C-3 purpose statement (RMC 23.22.010.D) states C-3 zoning is intended to be applied to commercially designated lands per the Comprehensive Plan.
6. The site contains a Knights of Columbus event center.
7. The site lies adjacent to Chester Road and Van Giesen Street.
8. Establishment of the General Business (C-3) zoning district is consistent with the intent of the Comprehensive Plan.
9. The subject site is adjacent to the busy intersection of the By-Pass Highway and Van Giesen Street.
10. The subject site is immediately west of and adjacent to an active railroad track.
11. The rezone request is exempt from the provisions of the State Environmental Policy Act [WAC 197-11-800(6)(c)].
12. Much of the utility infrastructure available to serve this site lies within the adjacent rights-of-way.
13. The site presents engineering challenges for gaining municipal sewer service.
14. The site's proximity to an active railroad line makes it less attractive to more noise-sensitive land uses; and
15. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland.

EXHIBIT LIST

1. Rezone Application Materials
2. Record Survey 2834
3. Comments
4. Site Photos
5. Public Notices & Affidavits



Exhibit 1

City of Richland
Development Services

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

Z2021-107
Zoning Map Amendment Application

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

PROPERTY OWNER INFORMATION

☐ Contact Person

Owner: Jerry Rhodes

Address: P.O. Box 1754, Richland, WA 99352

Phone: (509) 212-0900

Email: kchelp@aol.com

APPLICANT/CONTRACTOR INFORMATION (if different)

☒ Contact Person

Company: Knutzen Engineering

UBI#: 603-538-277

Contact: Paul Knutzen

Address: 5401 Ridgeline Drive Suite 160, Kennewick, WA 99338

Phone: (509) 222-0959

Email: paul@knutzenengineering.com

DESCRIPTION OF WORK

Changing the current zone from Agriculture (AG) to General Commercial (C-3).

PROPERTY INFORMATION

Parcel #: 1-0498-400-0005-000, 1-0398-300-0001-000

Legal Description: See attached survey legal descriptions.

Current Zoning: AG

Current Comp Plan: Commercial

Requested Zoning: C-3

Current Use: Commercial

Proposed Use: Commercial

Area of Property: 12.3 acres

APPLICATION MUST INCLUDE

1. Completed application and filing fee
2. Title Report showing ownership, easements, restrictions, and accurate legal description of the property involved
3. Other information as determined by the Administrator

ANSWER THE FOLLOWING AS COMPLETELY AS POSSIBLE

The unique characteristics, if any, of the property or circumstances of the owner:
The subject properties are zoned Agriculture (AG) and is surrounded by both AG and General Commercial (C-3).
The existing primary use of one of the lots is a catholic non-profit organization which is a non conforming use.
The parcel has been difficult to develop due to the remaining developable land located away from the main street frontage .

Any hardship that may result in the event the rezone is not granted:

Site will remain undeveloped and underutilized in a growing and commercially driven portion of Richland.

The manner in which the proposed rezone conforms to patterns in adjacent zones:

The proposed rezoning will allow the underutilized land to be developed as a commercial lot.

Any beneficial or adverse effects the granting or denial of the rezone would have on adjacent or surrounding zones:

Benefits to adjacent surrounding zones include development of an area of unimproved property that will finally become a valuable asset to the City of Richland.

Any beneficial or adverse effects the granting or denial of the rezone would have in relation to the overall purpose and intent of the comprehensive plan and this title:

Requested zone change will bring existing commercial into conformance with Richland's zoning code, thereby solidifying its purpose within the comprehensive plan. No adverse effects are known.

The benefits or detriments accruing to the City which would result from the granting or denial of this special permit:

Rezone will result in developing an area of unimproved property, generating property, permit and sales tax revenue to the city. Development of the site will also benefit the city by reducing current issues with loitering and illegal dumping occurring on the undeveloped land. No detriments are known.

Whether the proposed rezone represents a better use of the land from the standpoint of the comprehensive plan than the original zone:

The proposed rezone remains commercial in nature, keeping in guiding principles set forth in the comprehensive plan, and brings an existing non-conforming use into compliance.

Whether the proposed rezone represents spot zoning and whether a larger area should be considered:

The rezone is not considered a spot zone as it remains commercial in nature within the comprehensive plan.

Identify impacts on the environment and public safety:

The rezoning will have no adverse impacts to the environment nor public safety. Proposed commercial rezone meets the intent of existing comprehensive plan for the site.

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: Paul Knutzen

Applicant Signature:  Date 12/2/21



CONSENT TO EXCEED REVIEW PERIOD

PROJECT INFORMATION

Project Name: KC Help Rezone

Planning File No. (if known):

Project Location (address or parcel no.): 2500 Chester rd, Richland, WA 99354

APPLICANT INFORMATION

Name: Paul Knutzen (Knutzen Engineering)

Address: 5401 Ridgeline Drive Suite 160

City: Kennewick

State: WA

Zip: 99338

Phone: (509) 222-0959

Email: paul@knutzenengineering.com

TYPE OF REVIEW PERIOD:

☐ 30-Day for Short Plat (RCW 58.17.140)

☐ 90-Day for Preliminary Plat (RCW 58.17.140)

☐ 30-Day for Final Plat (RCW 58.17.140)

☒ 120-Day for All other Land Use Permit Applications (RCW 36.70B)

SIGNATURE:

Washington State Law requires the city approve, approve with conditions, return to the applicant for modifications, or deny the application within a specified time frame of receipt of a complete application.

However, I understand that it will not be possible for the City of Richland to process the above identified project within the timeframe required by RCW 58.17.140 and/or 36.70B.
I, consent to an extension of the time-frame selected above.

Signature: Paul Knutzen

Date: 12-08-21

RECORD DESCRIPTIONS

TRACT A

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., EXCEPT THAT PORTION INCLUDED IN PLAT OF RICHLAND, AND EXCEPT THAT PORTION LYING NORTH AND WEST OF THE FOLLOWING DESCRIBED LINE: BEGINNING ON NORTH BOUNDARY OF SAID SUBDIVISION 143.28 FEET FROM EAST QUARTER CORNER OF SAID SECTION 4; THENCE SOUTH 24° 04' 55" WEST 78.9 FEET TO SOUTH LINE OF VAN GIESEN ROAD; THENCE CONTINUING SOUTH 24° 04' 55" WEST 1005.71 FEET; THENCE SOUTH 41° 30' 02" WEST 478.66 FEET TO SOUTH BOUNDARY OF SAID SUBDIVISION AND TERMINUS OF SAID LINE.

TOGETHER WITH THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 3, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., LYING WEST OF THE BOUNDARY OF THE PLAT OF RICHLAND, BENTON COUNTY, WASHINGTON;

TRACT B

THAT PORTION OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 9 NORTH, RANGE 28 EAST, W.M., RECORDS OF BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

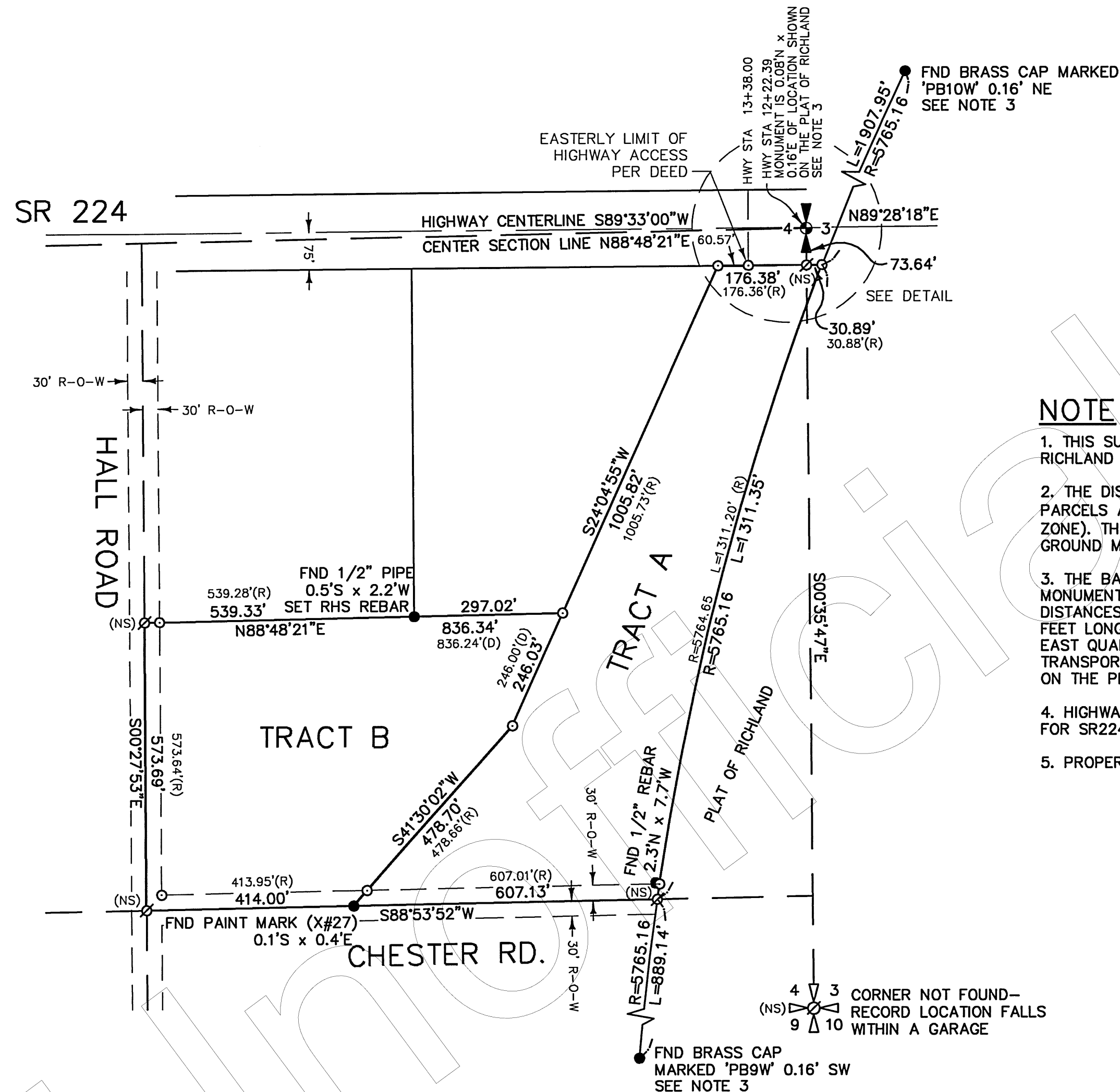
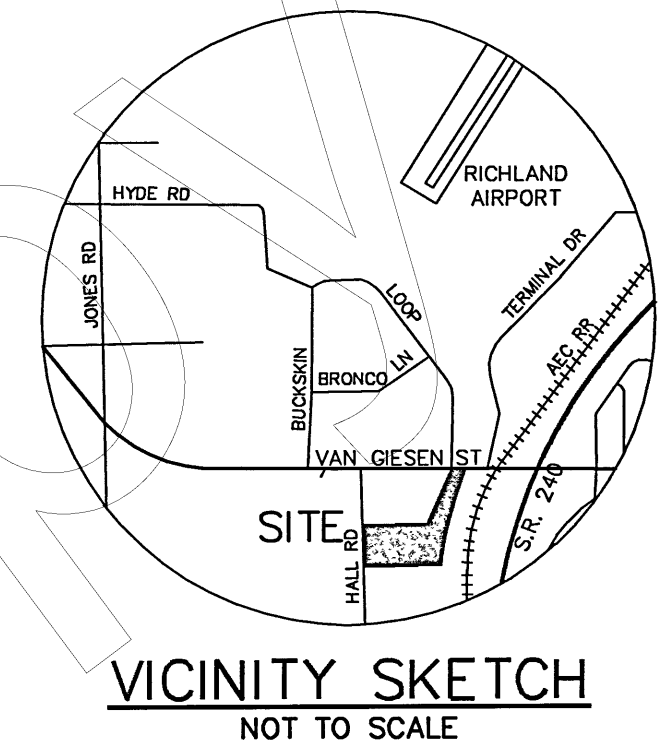
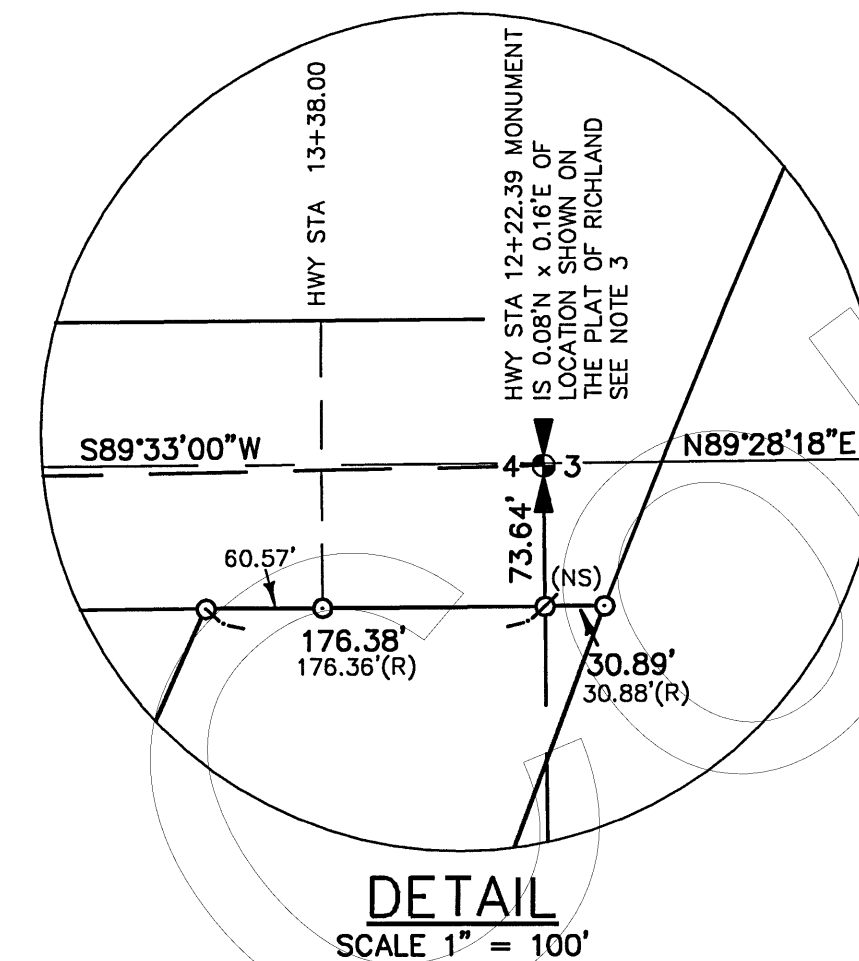
BEGINNING AT A POINT IN THE NORTH BOUNDARY OF SAID NORTHEAST QUARTER OF THE SOUTHEAST QUARTER WHICH IS DISTANT 143.28 FEET FROM THE EAST QUARTER CORNER OF SAID SECTION; THENCE SOUTH 24° 04' 55" WEST 838.61 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING SOUTH 24° 04' 55" WEST 246.00 FEET; THENCE SOUTH 41° 30' 02" WEST 478.66 FEET TO A POINT ON THE SOUTH LINE OF SAID SUBDIVISION; THENCE SOUTH 88° 53' 51" WEST ALONG SAID SOUTH LINE 413.95 FEET TO THE SOUTHWEST CORNER OF SAID SUBDIVISION; THENCE NORTH 0° 27' 52" WEST ALONG THE WEST LINE OF SAID SUBDIVISION 573.64 FEET; THENCE NORTH 88° 48' 21" EAST 836.24 FEET TO THE TRUE POINT OF BEGINNING; EXCEPT THE SOUTH 30 FEET AND THE WEST 30 FEET FOR ROAD.

Exhibit 2

RECORD SURVEY NO. 2834

N.E.¼ OF THE S.E.¼, SEC. 4, T. 9N., R. 28E., W.M.

CITY OF RICHLAND
BENTON COUNTY, WASHINGTON



NOTE

1. THIS SURVEY IS BASED ON THE SUPPLEMENTAL MAP TO THE PLAT OF RICHLAND FOR SEC. 4, T. 9N., R. 28E., W.M.
2. THE DISTANCES ON THE PLAT OF RICHLAND AND THE DEEDS FOR THESE PARCELS ARE BASED ON WASHINGTON STATE GRID SYSTEM (NAD 27, SOUTH ZONE). THESE DISTANCES WERE SCALED BY A FACTOR OF 1.0000892 TO FIT GROUND MEASUREMENTS.
3. THE BASIS OF BEARING WAS DERIVED FROM THE PLAT OF RICHLAND MONUMENTS PB9W AND PB10W. AFTER CORRECTING FOR STATE PLANE DISTANCES, THE DISTANCE BETWEEN THESE MONUMENTS MEASURED 0.33 FEET LONG. THIS ERROR WAS SPLIT BETWEEN THE TWO MONUMENTS. THE EAST QUARTER CORNER FOR SECTION 4 HAS BEEN RESET BY THE DEPT. OF TRANSPORTATION AND WAS NOT HELD IN RE-ESTABLISHING CORNERS SHOWN ON THE PLAT.
4. HIGHWAY STATIONING WAS TAKEN FROM PAGE A13 OF THE WSDOT PLANS FOR SR224 DATED 12 APRIL 1991.
5. PROPERTY BOUNDARIES RUN ALONG CENTER OF ROADWAY EASEMENTS.

LEGEND

- = SET 5/8" REBAR W/ YELLOW PLASTIC CAP MARKED "STRATTON 14120"
- = FOUND AS INDICATED
- (NS) = NOT FOUND OR SET
- ⊙ = FOUND WASHINGTON D.O.T. CASSED MONUMENT
- D = DEED
- R = RECORD (PLAT OF RICHLAND MAP OF SEC. 4)
- ↗ = CROWS FOOT (LIMITS OF DIMENSIONS)

SCALE 1" = 200'



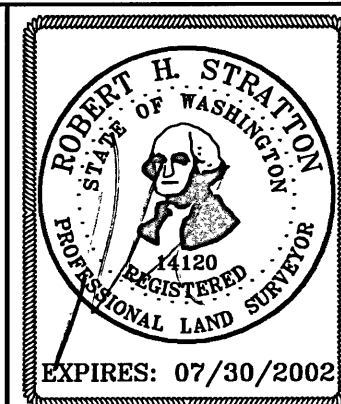
BASIS OF BEARING
PLAT OF RICHLAND
EQUIPMENT USED

A FIVE-SECOND TOTAL STATION
TRIMBLE RTK GPS

SURVEYOR'S CERTIFICATE

I, ROBERT H. STRATTON, A LICENSED LAND SURVEYOR IN THE STATE OF WASHINGTON, HEREBY CERTIFY THAT THIS MAP CORRECTLY REPRESENTS AN ACTUAL FIELD SURVEY CONDUCTED BY ME, IN CONFORMANCE WITH THE SURVEY RECORDING ACT AND THAT THE CORNERS HAVE BEEN STAKED ON THE GROUND AS SHOWN HEREON AT THE REQUEST OF THE KNIGHTS OF COLUMBUS AND TABER HERSUM, AND ALL BEARINGS AND DISTANCES ARE CORRECT.

1-10-2001
DATE



SURVEY FOR

KNIGHTS OF
COLUMBUS

(TRACT A)

AND TABER HERSUM
(TRACT B)

INDEX

¼ ¼	SEC	T.	R.
	4	9 N	28 E

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS 11th DAY OF JANUARY, 2001 AT 9:00 MINUTES PAST 9:00 A.M. AND RECORDED IN VOLUME 1 OF SURVEYS PAGE 2834 AT THE REQUEST OF ROBERT H. STRATTON, P.L.S.
Bobbie Gagne by [Signature] 11/09/28/11401
BENTON COUNTY AUDITOR INDEX NO. 2001-000829 FEE NO.



STRATTON SURVEYING
& MAPPING

7525 W. DESCHUTES PL. UNIT 1C
KENNEWICK, WA 99336
(509) 735-7364
FAX: (509) 735-6560
survey@strattonsurvey.com

2868RS4.DWG	
DATE: 1/10/01	SHT. 1 OF 1
DRAWN BY: RLS	JOB # 2868



Department of Energy

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

Exhibit 3

TRANSMISSION SERVICES

January 3, 2022

In reply refer to: Knights of Columbus Rezone (Z2021-107)
Located within a Portion of Section 4, Township 9 North, Range 28 East,
W.M., Benton County, Washington

Shane O'Neill
Senior Planner
City of Richland
625 Swift Boulevard, MS-35
Richland, WA 99352

Dear Shane:

Bonneville Power Administration (BPA) has had the opportunity to review Knights of Columbus Rezone (Z2021-107). The application is to rezone a 9.4-acre site at the southwest corner of Van Giesen Street and the By-Pass Highway located in Richland, WA.

In researching our records, we have found that this proposal will not directly impact BPA facilities approximately .75 miles east of the subject property. BPA does not have any objections to the approval of this request at this time.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (509) 544-4747 or by email at jecottrell@bpa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Joseph E. Cottrell II".

Joseph E. Cottrell II
BPA Field Realty Specialist



January 6, 2022

City of Richland
625 Swift Blvd., MS-35
Richland, WA 99352

Attention: Shane O'Neill, Senior Planner

Subject: Z2021-107 – Rezone - Rhodes/Knutzen Engineering
SR 240, MP 32.0-32.3

We have reviewed the proposed rezone of approximately 9.4 acres located at the southwest corner of SR 224 (Van Giesen St.) and SR 240 from Agriculture to General Business (C-3) designation and have the following comments. The subject property abuts Van Giesen St. on the north property line but is separated from SR 240 by an existing railroad right-of-way.

SR 240 is a Limited Access highway and WSDOT has acquired access rights to the highway from the subject property, including along Van Giesen St. westerly to station V 13+38. Direct access to the property is prohibited within our access control boundaries. Westerly of V 13+38, Van Giesen St. is classified as a Managed Access Class 3 highway within the corporate limits of the City of Richland. As such, access control for this section of SR 224 is the authority of the City of Richland in accordance with RCW 47.24. It is important to note, per RCW 47.50.030, the city's standards shall meet or exceed department standards. Should the city or property owner have any questions regarding these access restrictions, they may contact Jacob Prilucik at (509) 577-1635 for additional information.

Preliminary discussions on developing this property determined that a right in/right out access onto Van Giesen St. may be feasible within the city limits. All costs for access rights, design, review, approval, and construction will be borne by the City or the developer. Please note that the subject property also has access to Van Giesen St. via Chester and Hall Roads.

SR 240 has traffic congestion primarily due to Hanford traffic during the morning and afternoon peak commute times. The estimated number of trips on SR 240 near the subject property is 32,000 daily trips and 16,000 daily trips on Van Giesen St.

As developments are proposed, they will be subject to review for their impacts to the WSDOT system. Impacts that are determined to be significant will require mitigation, and it is anticipated that all costs will be borne by the development. Of particular concern to the department are the effects developments have on the multimodal capacity, retention and treatment of stormwater, outdoor lighting, noise sensitivity, and signage. This information is normally obtained through a Traffic Impact Analysis (TIA) performed by the developer. The City and developer should consider Transportation

Demand Management (TDM) measures to reduce traffic impacts. It is to the benefit of the City, the State, and the developers to preserve the functionality of Van Giesen St and SR 240.

Thank you again for the opportunity to participate and provide comments. If you have any questions regarding these comments, please contact Debi Freudenthal at (509) 577-1633.

Sincerely,

A handwritten signature in cursive script that reads "Paul Gonseth".

Paul Gonseth, P.E.
Planning Engineer

PG:df

cc: Celeste Gilman, WSDOT Multimodal Planning
Will Simpson, WA Dept. of Commerce

ONeill, Shane

From: Toby Mears <tmears@noanet.net>
Sent: Monday, December 27, 2021 3:58 PM
To: O'Neill, Shane; Anthony Muai; Anthony Von Moos; Ashley Morton; Badger Mountain Irrigation District; Benton County - Segregations; osp; Benton PUD, Electrical; Bill Barlow; Boring, Michael; Boshart, Thomas; Buechler, Ken; Carrie Thompson; Casey Barney, Yakama Nation; Catherine Dickson; Clark Posey; Corrine Camuso, Yakama Nation; Hamilton, Craig; DAHP SEPA Reviews; DAlessandro, Carlo; Darrick Dietrich; Davis, Deanna; Deborah Rodgers; Deskins, John; Eric Mendenhall; FormerOrchards@ecy.wa.gov; Ghbein, Briana; Greg Wendt; Gwen Clear; Hill, Kelly; USPS Ina N. Beutler; Jason McShane; Jennings, Tyler; Jerrod Macpherson; Jessica Lally, Yakama Nation; Jordon, Joshua; Joseph Cichy, Ziply; Joseph Cottrell; Junior Campos; Kelly Cooper; Kevin Knodel; Kevin Sliger; KID Development; KID Webmaster; Lopez, Brandin; M. Deklyne; Map BCES; Mattheus, Pamela; Noah Oliver, Yakama Nation; Pasco99301; Paul Gonseth; Reathaford, Jason; Review Team; Richard Krasner; USPS Richland Postmaster; Rick Dawson; Rob Rodger; 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
Cc: Paul Knutzen
Subject: RE: Knights of Columbus Rezone (Z2021-107)

Shane,

BPUD has aerial fiber on the East side of HWY 240 and the North side of Van Giesan St. Nothing directly through that plat.

Toby Mears

Outside Plant Engineer, NoaNet

Direct: (509) 947-0089 | NOC: (866) 662-6380 | NoaNet



From: [Reathford, Jason](#)
To: [O'Neill, Shane](#)
Cc: [Matthaus, Pamela](#)
Subject: RE: Rezone
Date: Monday, December 27, 2021 9:55:10 AM
Attachments: [image002.png](#)

There is no gravity flow option. The closest gravity sewer is over 600+ feet away and elevations won't allow for this property to gravity to it anyway. They would either have to install an on-site septic system or install a privately-owned pressurized grinder pump and wet well that pumps it to our manhole to the north (that is 600+ feet away). Pete would have to approve this configuration as we normally don't allow privately owned pressurized sewer lines in city streets. PLUS, it may require approval from the DOT too, as this portion of Van Giesen is also a state highway.

From: O'Neill, Shane <sonell@CI.RICHLAND.WA.US>
Sent: Monday, December 27, 2021 8:27 AM
To: Reathford, Jason <Reathford@CI.RICHLAND.WA.US>
Subject: Rezone

From where will sewer service be extended to serve this property in the future?



Shane O'Neill
Senior Planner
625 Swift Blvd., MS-35 | Richland, WA 99352
(509) 942-7587

Disclaimer: Emails and attachments sent to or from the City of Richland are public records subject to release under the Washington Public Records Act, Chapter 42.56 RCW. Sender and Recipient have no expectation of privacy in emails transmitted to or from the City of Richland.



Aviation Division
7702 Terminal St SW
Tumwater, WA 98501
360-709-8015 / FAX: 360-709-8009
Toll Free: 1-800-552-0666
TTY: 1-800-833-6388
www.wsdot.wa.gov

January 31, 2022

City of Richland Development Services
625 Swift Blvd, MS-35
Richland, WA 99352

RE: Knights of Columbus Rezone (Z2021-107)

Dear Mr. O'Neill:

Thank you for allowing the Washington State Department of Transportation (WSDOT) Aviation Division to provide input on the Knights of Columbus Rezone (Z2021-107).

The subject property of the ADL Holdings Rezone is in the airport influence area of the Richland Municipal Airport and is within Zones 3 of the WSDOT Land-Use Compatibility zones. Commercial developments are allowed in these zones. However, development plans in this zone should be reviewed for compatibility with the Richland Airport to ensure that they will not create a height hazard obstruction, smoke, glare, electronic, wildlife attractants or other airspace hazards.

We appreciate the opportunity to offer written comments. Our office is available for any questions or further discussions. Please don't hesitate to contact me at 360-890-5258 or plattst@wsdot.wa.gov.

Sincerely,

Thomas S. "Max" Platts
Aviation Planner
360-890-5258
plattst@wsdot.wa.gov

Looking South

SITE



Looking North

SITE



Looking North



Looking East



Looking West



Looking West



Looking South



Looking West

Chester Road



SITE



CITY OF RICHLAND NOTICE OF APPLICATION AND PUBLIC HEARING (Z2021-107)

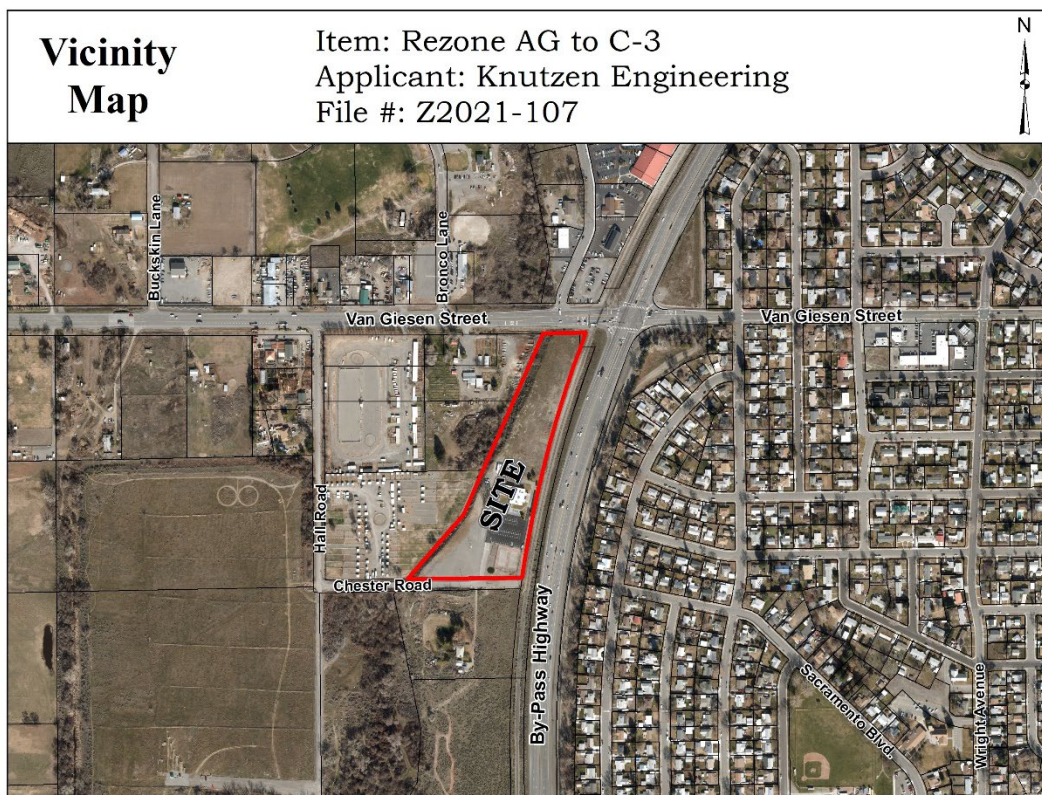
Notice is hereby given that Knutzen Engineering has filed a request to rezone two parcels totaling 9.4-acres from AG (Agriculture) to C-3 (General Business). The project site is located at the southwest corner of the intersection of Van Giesen Street and the By-Pass Highway (APN's 1-04984000005000 & 1-03983000001000). Application materials can be viewed online at www.ci.richland.wa.us.

The Richland Hearing Examiner will conduct a virtual public hearing and review of the application at 6:00 p.m., Monday, February 14, 2022. All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland website (www.ci.richland.wa.us).

Environmental Review: The proposal is not subject to environmental review. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to (509) 942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, January 31, 2022 to be incorporated into the staff report. Written comments received after Jan. 31 will be provided to the Hearing Examiner on the day of the public hearing. Written comment will not be accepted after 6 p.m. on February 13; however verbal comments may be presented during the public hearing.

The application will be reviewed in accordance with the regulations in RMC Title 19 Development Regulations Administration. 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.



1
2 **AFFIDAVIT OF MAILING**

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



7 COMES NOW, Briana Ghbein, who, being first duly sworn upon oath deposes and says:

- 8 1. I am an employee in the Planning & Development Department for the City of Richland.
9 2. On the 29th day of December, 2021, I mailed a copy of the attached NOTICE OF
10 APPLICATION AND PUBLIC HEARING (Z2021-107) to the attached list of individuals via regular
11 USPS on the date indicated above. The Richland Hearing Examiner will conduct a public hearing at
12 6:00 PM on Monday, February 14, 2022.

13
14 
15 Signed: Briana Ghbein

16 SIGNED AND SWORN to before me this 29th day of December, 2021 by Briana Ghbein.



23 
24 Notary Public in and for the State of Washington,
25 
Print Name
Residing at A25 Swift Blvd
My appointment expires: 4-25-23

AFFIDAVIT OF POSTING

STATE OF WASHINGTON)
) ss.
COUNTY OF BENTON)

COMES NOW, **Shane O'Neill**, 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 29th day of December, 2021, I posted the attached NOTICE OF PUBLIC HEARING, File Number Z2021-107 (Knights of Columbus Rezone) in the following location:

On the south side of Van Giesen Street at the southwest corner of the intersection of Van Giesen Street and the By-Pass Highway (parcel # 1-04984000005000), Richland WA


Signed: Shane O'Neill

SIGNED AND SWORN to before me this 29th day of December, 2021, by Shane O'Neill.




Signature of Notary

Briana C. Ghbein
Printed Name

Notary Public in and for the State of Washington,

Residing in Benton County

My appointment expires: 4-25-23



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	199468	Print Legal Ad - IPL0055739	HE PHN Z2021-107	\$148.10	1	60 L

Attention: Jana Duncan
CITY OF RICHLAND/LEGALS
625 SWIFT BLVD. MS-11
RICHLAND, WA 99352

CITY OF RICHLAND NOTICE OF PUBLIC HEARING (Z2021-107)

Notice is hereby given that Knutzen Engineering has filed a request to rezone two parcels totaling 9.4 acres from AG (Agriculture) to C-3 (General Business). The project site is located at the southwest corner of the intersection of Van Giesen Street and the By-Pass Highway (APN's 1-04984000005000 & 1-03983000001000). Application materials may be viewed on the City of Richland's website at www.ci.richland.wa.us/landuse.

The Richland Hearing Examiner will conduct a virtual public hearing and review of the application on **Monday, February 14, 2022 at 6:00 p.m.** All interested parties are invited to participate in the virtual public hearing by visiting the City of Richland's website at www.ci.richland.wa.us.

Environmental Review: The proposal is not subject to environmental review. Pursuant to WAC 197-11-800(6)(c), the rezone application qualifies as a categorically exempt action. Any person desiring to express their views or to be notified of any decisions pertaining to this application should notify Shane O'Neill, Senior Planner, 625 Swift Boulevard, MS-35, Richland, WA 99352. Comments may also be faxed to 509-942-7764 or emailed to soneill@ci.richland.wa.us. Written comments should be received no later than 5:00 p.m. on Monday, January 31, 2022 to be incorporated into the staff report. Written comments received after January 31 will be provided to the Hearing Examiner on the day of the public hearing. Written comments will not be accepted after 6:00 p.m. on February 13; however, verbal comments may be presented during the public hearing.

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Published: Sunday, January 23, 2022
IPL0055739
Jan 23 2022

COUNTY OF BENTON)

SS

STATE OF WASHINGTON)

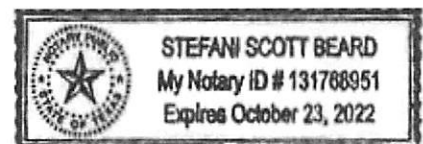
Keriann Leenerts, being duly sworn, deposes and says, I am the Legals Clerk of The Tri-City Herald, a daily newspaper. That said newspaper is a local newspaper and has been approved as a legal newspaper by order of the superior court in the county in which it is published and it is now and has been for 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 01/23/2022, and ending on 01/23/2022 and that said newspaper was regularly distributed to its subscribers during all of this period.

(Signature of Legals Clerk)

Sworn to and subscribed before me this 24th day of January 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!