

1. **CALL TO ORDER:**

- a. Roll Call/Pledge of Allegiance

2. **CONSENT AGENDA:** All matters listed within the Consent Agenda have been distributed to each member of the Kennewick Planning Commission for reading and study. They are considered routine and will be enacted by the one motion of the Commission with no separate discussion. If separate discussion is desired, that item may be removed from the Consent Agenda and placed on the regular agenda by request.

- a. Approval of the Minutes dated December 7, 2015
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. **PUBLIC HEARING:**

- a. Change of Zone (COZ) #15-12 proposing to change approximately 5.65 acres generally located at 5501, 5515, & 5405 W. Metaline Ave. from Residential, Low (RL) and Commercial, Community (CC) to Public Facility (PF).

4. **VISITORS NOT ON AGENDA:**

5. **OLD BUSINESS:**

6. **NEW BUSINESS:**

7. **REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:**

8. **ADJOURNMENT:**

**KENNEWICK PLANNING COMMISSION
DECEMBER 7, 2015
MEETING MINUTES**

CALL TO ORDER

Chairman Ruff called the meeting to order at 6:30 p.m.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Victor Morris, Raymond Hui, Vice Chair Ed Pacheco and Chairman Beau Ruff.

Excused: Commissioners Fraser Hawley and Anthony Moore.

Unexcused: None

Vice Chair Pacheco led the Pledge of Allegiance.

Staff: Wes Romine, Planner, Anthony Muai, AICP Planner, Steve Donovan, Planner and Melinda Didier, Recorder.

CONSENT AGENDA

- a. Approval of Minutes dated November 16, 2015
- b. Approval of Amended Agenda
- c. Motion to enter Staff Reports into the Record

Vice Chair Pacheco moved to accept the consent agenda. Commissioner Morris seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS

Chairman Ruff opened the public hearing at 6:33 p.m. for Change of Zone (COZ) #15-07, which proposes to change approximately .445 acres from Residential, Suburban (RS) to Residential, Low (RL). The proposal is generally located at 2905 S. Jean St.

Mr. Donovan gave a brief overview of the staff report and presented a Power Point of the staff report. Mr. Donovan stated that staff has reviewed the application and finds that it does meet the criteria for approving a rezone as contained in KMC 18.51.070. Staff recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 15-07 and recommend to City Council approval of the request.

Questions for staff:

None

Chair Ruff opened public testimony for COZ 15-07 at 6:36 pm.

Testimony of Applicant or Applicant's Representative:

Justin Baerlocher JUB Engineers representing Matt Smith
2810 W Clearwater Ave #201
Kennewick

Contacted owner reached agreement, intention is to plat on the site, similar to Morbeck Addition; utilities are available to this project.

Commissioner Morris asked where Morbeck Addition is; it was already rezoned. Mr. Baerlocher pointed out the location on the overhead map; he said there is no internal access to new plat from Morbeck Addition.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for COZ 15-07 closed at 6:39 p.m.

Chairman Ruff asked for a motion.

Vice Chair Pacheco moved to concur with the findings and conclusions in staff report COZ 15-07 and forward a recommendation of APPROVAL to City Council. Commissioner Hui seconded the motion.

Discussion:

None

The motion passed on a unanimous vote.

Chairman Ruff opened the public hearing at 6:40 p.m. for Change of Zone (COZ) #15-09, which proposes to change approximately 7.89 acres from Residential, High (RH) to Industrial, Light (IL) & Residential, Medium (RM). The proposal is generally located at 7200 Brinkley Road.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. Mr. Muai stated that staff has reviewed the application and finds that it does meet the criteria for approving a rezone as contained in KMC 18.51.070. Staff recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 15-09 and recommend to City Council approval of the request.

Questions for staff:

None

Chair Ruff opened public testimony for COZ 15-09 at 6:42 pm.

Testimony of Applicant or Applicant's Representative:

None

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for COZ 15-09 closed at 6:43 p.m.

Chairman Ruff asked for a motion.

Commissioner Morris moved to concur with the findings and conclusions in staff report COZ 15-09 and forward a recommendation of APPROVAL to City Council. Vice Chair Pacheco seconded the motion.

Discussion:

Commissioner Morris stated that he thought this is a good follow-up with zoning change for the area to the east.

The motion passed on a unanimous vote.

Chairman Ruff opened the public hearing at 6:43 p.m. for Change of Zone (COZ) #15-10, which proposes to change approximately .92 acres from Industrial, Light (IL) to Commercial, Community (CC). The proposal is generally located at 400 S. Clodfelter Rd.

Mr. Donovan gave a brief overview of the staff report and presented a Power Point of the staff report. Mr. Donovan stated that staff has reviewed the application and finds that it does meet the criteria for approving a rezone as contained in KMC 18.51.070. Staff recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 15-10 and recommend to City Council approval of the request.

Questions for staff:

Commissioner Morris asked if Exhibit A-3 is the current land use designation. Mr. Donovan said yes that is the current land use map; Exhibit A-2 has the same land use designation. Commissioner Morris asked if this zone change is to meet the land use designation.

Mr. Donovan said the map hasn't been changed yet and doesn't reflect it; the property land use designation is commercial, so the change of zone is for commercial to make them the same.

Chair Ruff opened public testimony for COZ 15-10 at 6:45 pm.

Testimony of Applicant or Applicant's Representative:

None

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for COZ 15-10 closed at 6:47 p.m.

Chairman Ruff asked for a motion.

Vice Chair Pacheco moved to concur with the findings and conclusions in staff report COZ 15-10 and forward a recommendation of APPROVAL to City Council. Commissioner Hui seconded the motion.

Discussion:

None

The motion passed on a unanimous vote.

Chairman Ruff opened the public hearing at 6:49 p.m. for Change of Zone (COZ) #15-13, which proposes to change approximately 1.63 acres from Residential, Low (RL) to Residential, High (RH). The proposal is generally located at 318 N. Arthur St.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. Mr. Muai stated that staff has reviewed the application and finds that it does meet the criteria for approving a rezone as contained in KMC 18.51.070. Staff recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 15-13 and recommend to City Council approval of the request.

Questions for staff:

Commissioner Morris said he doesn't remember if there is a zone change adjacent to this property. Mr. Muai said this is a follow-up; if the zone change doesn't compliment an implementing zone, to rezone to RH, they have to amend comp plan, then come back and change the zoning. Commissioner Morris said so what we did before was the land use

designation change; asked if it is the CPA first then the COZ. Commissioner Morris asked if there were concerns from surrounding residents. Mr. Muai said no, no comments were received back; there was one phone call from property owner to north just curious what was going on.

Chair Ruff opened public testimony for COZ 15-13 at 6:56 pm.

Testimony of Applicant or Applicant's Representative

None

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for COZ 15-13 closed at 6:58 p.m.

Chairman Ruff asked for a motion.

Commissioner Hui asked Chairman Ruff if he has a conflict, is there still a quorum on this decision. After more discussion, the conflict of interest would have been with a different developer than the applicant/developer of COZ 15-13; Commissioner Hui had business contacts with Mr. Chavallo but nothing to do with this property and it is with Jose Chavallo not Manuel (brothers). The Chairman again asked for a motion.

Vice Chair Pacheco moved to concur with the findings and conclusions in staff report COZ 15-13 and forward a recommendation of APPROVAL to City Council. Commissioner Morris seconded the motion.

Discussion:

The motion passed on a unanimous vote.

VISITORS NOT ON AGENDA:

Kevin Sliger, Transit Planner with Ben Franklin Transit, 701 Symons, Richland. Mr. Sliger introduced himself to the Planning Commissioners and staff.

OLD BUSINESS:

None

NEW BUSINESS:

Vice Chairman Pacheco said if the Commissioners are interested, the Hanford Advisory Board would like to come to a Planning Commission workshop and give a presentation; he will work with Recorder Melinda Didier and the advisory board to work out a date for the presentation.

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Mr. Romine said these are the first few COZ's relating to the comp plan amendments; over the next few meetings there will be seven more coming in future meetings.

ADJOURNMENT:

The meeting was adjourned at 7:02 p.m.

STAFF REPORT

COZ 15-12

Community Planning City of Kennewick

Steve Donovan
Planner

To: Planning Commission

Date: December 21, 2015

PROPOSAL: Rezone 5.65 acres currently zoned Residential, Low (RL) and Commercial, Community (CC) to Public Facility (PF)
OWNER(S): Kennewick School District, c/o Doug Carl, 1000 W 4th Avenue, Kennewick, WA 99336
APPLICANT: Same as Above

Site Information

- **Size:** 5.65 acres
- **Location:** 5501, 5515 and 5405 W Metaline Avenue
- **Topography:** Relatively flat – 2%
- **Existing Comprehensive Plan Designation:** Public Facility
- **Existing Land Use:** Existing Kennewick School District Shop

Exhibits

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Zoning Map
- **Exhibit A-3:** Comprehensive Plan Map
- **Exhibit A-4:** Application
- **Exhibit A-5:** Determination of Non-Significance



Not to scale

Application Process

- Application Submitted November 3, 2015
- Application routed for comments November 10, 2015
- Property posting notification sign was posted on site on December 3, 2015
- Determination of Non-Significance issued on August 4, 2015
- Notice of Hearing mailed December 4, 2015
- Notice of Hearing published December 6, 2015

Surrounding Comprehensive Plan, Zoning and Land Uses

North	Comprehensive Plan – Low Density Residential and Commercial Zoning – Residential, Low and Commercial, Office (CO) Existing Land Uses – Single Family Residential
South	Comprehensive Plan – Industrial Zoning – Industrial, Light (IL) Existing Land Uses – Railroad Right-of-Way
East	Comprehensive Plan – Commercial Zoning – Commercial, Community (CC) and Commercial, Office (CO) Existing Land Uses – Commercial Business
West	Comprehensive Plan – Low Density Residential Zoning – Residential Trailer Park (RTP) Existing Land Uses – Trailer Park

Regulatory Controls

- City of Kennewick Comprehensive Plan
- Kennewick Municipal Code Title 4
- Kennewick Municipal Code Title 18

Description of Request

Change of Zone 15-12 is a request to rezone approximately 5.65 acres from Residential, Low (RL) and Commercial, Community (CC) to Public Facility (PF).

Background

This properties were annexed into the City in 1978 (Ord. 2165) and 1981(Ord. 2604) and zoned Agriculture. The properties land use designation was changed to Public Facility in October of this year under Comprehensive Plan Amendment, CPA 15-01. In November of this year the single-family residence was removed from the site, the only remaining structure is the Kennewick School District's building.

Analysis

The proposed change from RL and CC to PF is consistent with the Comprehensive Plan and will implement the Public Facility land use designation on the property due to the fact that the land use designation for the property was changed to Public Facility in October of this year.

The following goal and policy of the Capital Facilities Plan Section of the Comprehensive Plan are applicable to the proposed Change of Zone:

Goal 3: Provide adequate services to achieve concurrency as developments occur.

Policy 1: Forecast future needs based on population growth as indicated in the land use plan. Locate facilities only within the Urban Growth Area (UGA) in a way that is consistent with the land use plan.

It is staff's opinion that the proposed Change of Zone will allow for permitted uses that will implement the above goal and policy.

The following Kennewick Municipal Code (KMC) Section establishes the purpose of the Public Facility zoning district:

KMC 18.03.040(20)

The purpose of the PF district is to provide areas for public and quasi-public facilities, publicly-owned or controlled parks and recreation facilities, and governmental building and facilities.

The PF zoning district allows for various uses that include day care centers, parks, public facilities and recreational facilities. It is staff's opinion that the allowed uses in the PF zoning district will be conducive with the adjacent zoning districts.

KMC 18.51.070(2): Findings:

Findings Required. In order to amend the zoning map, the City Council must find that:

1. *The proposed amendment conforms with the comprehensive plan; and*
Staff Response: The proposed Change of Zone conforms to the comprehensive plan because the Public Facility zoning district is an implementing zoning district of the Public Facility land use designation.
2. *Promotes the public necessity, convenience and general welfare; and*
Staff Response: The proposed Change of Zone promotes public necessity, convenience and welfare by establishing a zoning district that allows uses which provide services and benefits to the general public.
3. *The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and*
Staff Response: Staff is unaware of possible burdens on public facilities. Various public facilities are permitted uses in the Public Facility zoning district that serve as a benefit to the general public.
4. *The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and*
Staff Response: The proposed amendment will establish a zoning district that is in compliance with Comprehensive Plan, specifically the Capital Facilities Plan Section Goal 3 and Policy 1.
5. *Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.*

Staff Response: Not applicable to proposed Change of Zone.

Findings

1. The property owner and applicant is the Kennewick School District, 1000 W 4th Avenue, Kennewick, WA 99336.

2. The request is to change 5.65 acres from Residential, Low (RL) and Commercial Community (CC) to Public Facility (PF).
3. The application was submitted on November 3, 2015 and was routed for review to various City Departments and other local, state and federal agencies for comment on November 10, 2015.
4. A Determination of Non-Significance issued on August 4, 2015, for CPA 15-01.
5. The public hearing notice was posted on-site December 3, 2015, stating that the public hearing will be held on December 21, 2015 at 6:30 p.m. in the Council Chambers at Kennewick City Hall.
6. Notice of the public hearing for this application was mailed to property owners within 300 feet of the site on December 4, 2015. Notices were also published in the Tri-City Herald on December 6, 2015.
7. Water utilities are located adjacent to the property in W Metaline Avenue.
8. Access to the site is provided by W Metaline Avenue.
9. The proposed Change of Zone site is adjacent to Residential, Trailer Park (RTP), Commercial, Community (CC) and Industrial, Light (IL) zoning districts.
10. The site's land use designation was changed from Low Density Residential and Commercial to Public Facility by the City Council on October 20, 2015 via CPA 15-01.

Conclusions

1. Approval will implement the Comprehensive Plan Land Use Designation of Public Facility.
2. Approval will not result in an increase of adverse environmental impacts.
3. The proposed Change of Zone will not be in conflict with the purpose statement of the PF zone in KMC 18.03.040(20).
4. The proposed Change of Zone is in compliance with KMC 18.51.070.

Recommendation

Staff has reviewed the application and finds that it meets the criteria for approving a rezone as contained in KMC 18.51.070 and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 15-12 and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 15-12 and recommend to City Council approval of the request.

Exhibit A-1



200 ft  1 : 2894 1in : 241.17ft

This plan is suitable for informational use only.
City of Kennewick accepts no liability for any
error whatsoever.

Produced by CITY\SDonovan 16:14 12/8/2015

Exhibit A-2

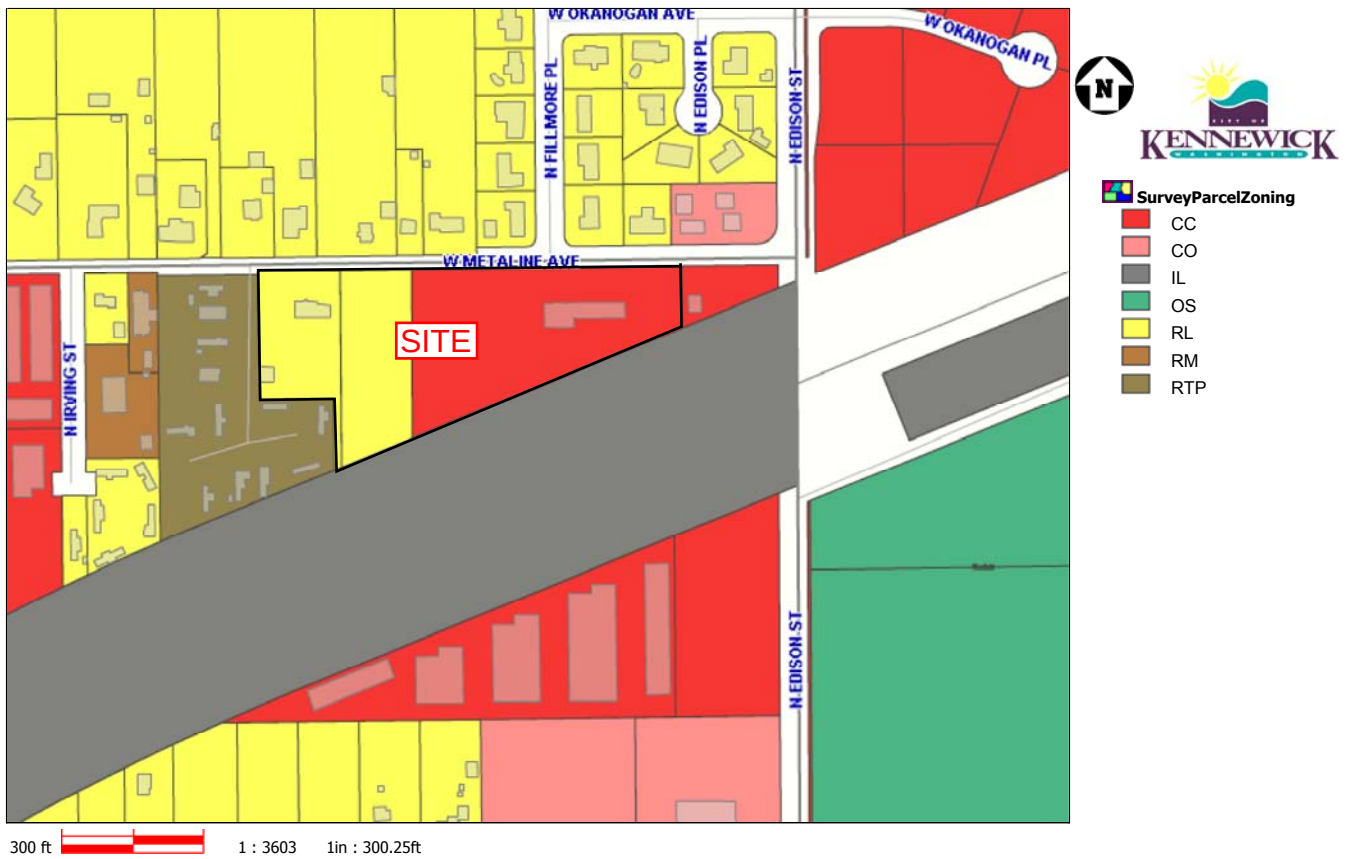
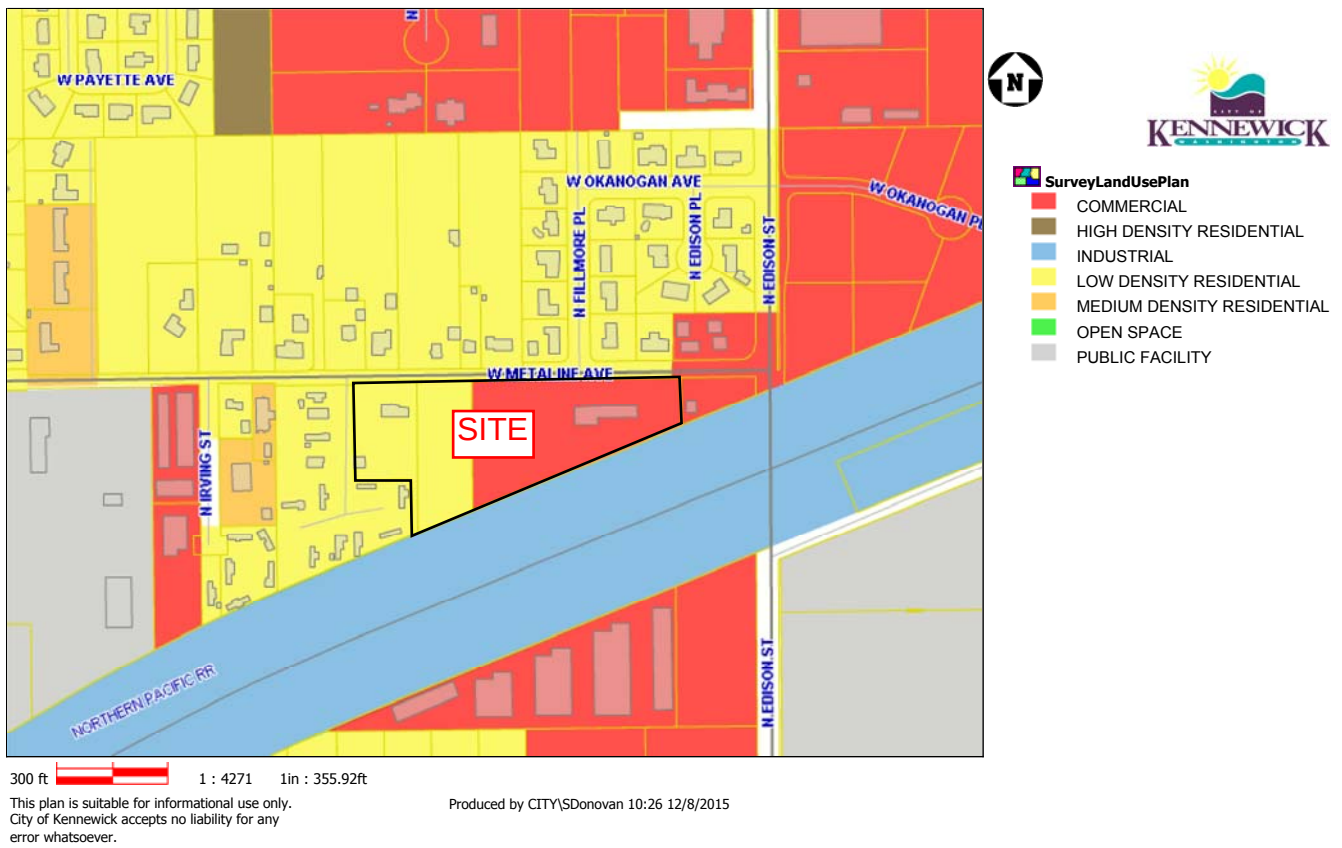


Exhibit A-3



CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES
APPLICATION (general form)

Exhibit A-4

PROJECT # COZ 15-12 PLN- 2015-03647 FEE \$ 1,000.00

Please complete and return to Community Planning & Development Services, PO Box 6108, Kennewick, WA 99336, along with the application fee (see fee schedule). Attach a copy of the checklist for the land use application you are submitting. The application submittal must contain all of the information requested on the checklist in order to be processed. **Incomplete applications will not be accepted.**

Check one of the following for the type of application you are submitting:

Site Plan Tier I ___ Tier II ___ Tier III ___ Binding Site Plan ___ Short Plat ___ Conditional Use ___ Add Animals ___
Other Change of Zone

Name: Kennewick School District, Doug Carl

Address: 1000 W 4th Avenue, Kennewick WA

Telephone: 509-222-7667 Cell Phone: 509-430-8295 Fax: 509-222-5057 E-mail: doug.carl@ksd.org

Property Owner (if other than applicant): _____

Address: _____

Telephone: _____ Cell Phone: _____ Fax: _____ E-mail: _____

SITE INFORMATION

Parent Parcel No. 133993020035002, 133993020035003, 133993BP3920002 Zoning: RL, RL, CC

Area of Parcel 1.32, 1.15, 3.18 Acres _____ Parcel No. (if assigned) _____

Address of property: 5501, 5515 and 5405 W Metaline Ave, Kennewick WA 99336

Legal description of property: A portion of NE 1/4, SW 1/4 of Section 33, T9N, R29E, W.M.

No. of Parking Spaces 6 Present use of property: Undeveloped, Residential, Existing KSD Maintenance Building

Does the proposal meet the conditions of the present zoning? ☐ yes ☒ no

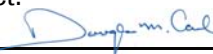
Size of existing structure: 0, 1274, 6290 sq. ft. Size of proposed addition: TBD (Approx 20,000) sq. ft.

Height of building: N/A at this time Cubic feet of excavation: N/A

Current assessed value: \$51,000, \$98,420, \$564,710 Cost of new construction: N/A at this time

Proposal requested: All three parcels to undergo a change of zone to allow owner to perform a lot consolidation and build a new 20,000 sf facility on the consolidated lot.

I, the undersigned, do hereby certify that, to the best of my knowledge, the information provided above is true and correct.


Applicant's Signature


Signature of owner or owner's authorized representative

Date: November 2, 2015

Change-of-Zone Supplemental Information

The following questions will be reviewed by both the Planning Commission and City Council as a means of assisting in their consideration of change-of-zone requests. Use additional pages if necessary.

1. Does the public necessity, convenience, and general welfare require the adoption of the proposed amendment? Please explain: Yes it does. The School District owns three parcels at this location and intends to build a new facility here partially across the parcels. The zone change from RL and CC to PF allows KSD to subsequently consolidate all parcels and build the new facility.
2. Are there sites presently available on the market which are correctly zoned for the proposed use? Are these sites within a 1/2 mile of the proposed site? Within 1 mile of the proposed site? If yes, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized: No, the Public Facility zone is special within the City and while all local school properties have this zoning, this facility was purchased recently and needs to be modified to be consistent with their property holdings within the City.
3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain. There was a comprehensive plan amendment on the property which was approved on October 20th, 2015 which is City Ordinance #5613.
4. Are the existing uses, in the area, in conformance with the area's zoning classification? If no, please explain the differences: The school has already been using the converted HVAC shop as their Maintenance Facility for approximately 5 years, with the recent purchase of the adjacent residential ground, it will be a new use for these lots, but it will all be one consistent use.
5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain. It does create an isolated district so to speak, but there are several PF zoning districts nearby, to the west there is Tri-Tech, to the east is Kamiakin HS. In general, a PF zoning district is grown out of necessity to provide public services.
6. Does the existing zoning prohibit reasonable use of the property? Please explain. With the zoning being currently different, it does not allow the user to combine lots or perform a boundary line adjustment in order to allow for the proper construction of a new facility.
7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain: No, the public facility designation will not adversely affect the neighborhood. The District is a good neighbor and generally only functions during weekdays during normal business hours when everyone else would typically be working as well.
8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain: Unknown, not expected to have a change of property value.

9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain: No, this will not set any precedent for other proposals.
As noted in a previous response, public facility zoning district is borne out of necessity for public services which is what will be provided here, a maintenance facility for the school district.
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain: Potentially, the existing neighborhood
is older homes and a mobile home park. With this project and future Metaline Ave Improvements,
the entire neighborhood will likely be reinvigorated.
11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain: No this is not expected.
12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain: No, considering Metaline Avenue is being
improved by the City in the near future, it will make the area generally more appealing for traffic.
No safety concerns are anticipated either as a result of this proposed action

Summary of City forms required:

Application – General Form
Change of Zone Supplemental Information
Environmental and Salmonids Checklist (SEPA)



DETERMINATION OF NON-SIGNIFICANCE

FILE/PROJECT NUMBER: CPA 15-01/PLN-2014-04420

DESCRIPTION OF PROPOSAL: Change 2.48 acres zoned Residential, Low (RL) and 3.18 acres zoned Commercial, Community (CC) to Public Facility (PF)

PROPONENT: Kennewick School District

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 5405, 5501 and 5515 W. Metaline Ave.

LEAD AGENCY: City of Kennewick

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

- ☒ There is no comment period for this DNS.
- ☐ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.
- ☐ This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by ___. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Gregory McCormick, AICP

POSITION/TITLE: Community Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4463

- ☒ Changes, modifications and /or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the attached conditions:

- ☒ No conditions.
- ☐ See attached condition(s).

Date: August 4, 2015 Signature: _____

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were emailed to:

- Benton Clean Air Authority
- Confederated Tribes of Umatilla Indian Reservation
- Department of Ecology SEPA Register
- Department of Fish & Wildlife
- Department of Natural Resources
- Washington State Department of Transportation