

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 October 5, 2015
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. **PUBLIC HEARING:**

- a. Change of Zone (COZ) #15-06 proposing to change approximately 2.41 acres generally located at 6481 W. Skagit Ave. from Commercial, Regional (CR) to Commercial, General (CG).

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
OCTOBER 5, 2015
MEETING MINUTES**

CALL TO ORDER

Chairman Ruff called the meeting to order at 7:00 p.m.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Fraser Hawley, Victor Morris, Anthony Moore, Vice Chairman Ed Pacheco, and Chairman Beau Ruff.

Excused: None

Unexcused: Commissioner Raymond Hui

Commissioner Hawley led the Pledge of Allegiance.

Staff: Gregory McCormick, Community Planning Director, Anthony Muai, AICP Planner, and Melinda Didier, Recorder.

CONSENT AGENDA

- a. Approval of Minutes dated September 21, 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 Moore seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS

Chairman Ruff opened the public hearing at 7:04 p.m. for Comprehensive Plan Amendment (CPA) #15-01, which proposes to change approximately 3.8 acres from Commercial to Public Facility, and 2.47 acres from Low Density Residential (LDR) to Public Facility. The proposal location is generally located at 5405, 5501 & 5515 W. Metaline Avenue.

Mr. Muai first gave an overview of the comprehensive plan amendment process. 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 recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-01 and recommend to City Council approval of the request.

Questions for staff:

None

Chair Ruff opened public testimony for CPA 15-01 at 7:07 pm.

Testimony of Applicant or Applicant's Representative:

Paul Knutzen
Meier Engineering
3602 W. 36th Ave
Kennewick, WA

Mr. Knutzen said he is the engineer commissioned by school district for this project; KSD purchased the land to the east 5 years ago; and bought two parcels to the west 2 years ago - wants them all the same land use designation; missed previous deadline for amendments; wants to build new maintenance bldg. on two western parcels.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for CPA 15-01 closed at 7:10 p.m.

Chairman Ruff asked for a motion.

Vice Chair Pacheco moved to approve CPA 15-01 and forward a recommendation of APPROVAL to City Council. Commissioner Morris seconded the motion.

Discussion:

None

A roll call vote was taken; the motion passed unanimously.

Chairman Ruff opened the public hearing at 7:11 p.m. for Comprehensive Plan Amendment (CPA) #15-02, which proposes to change approximately 10.04 acres from Public Facility to Low Density Residential (LDR). The proposal location is generally located at 4891 W. 27th Avenue.

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 recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-02 and recommend to City Council approval of the request. Mr. Muai entered Exhibit A-5a, public comment letters, into record, and handed them out for the Commissioners to review.

Questions for staff:

Vice Chair Pacheco asked if the public has a chance to comment when traffic impacts are figured. Mr. Muai said yes, during the platting process public hearing with the Hearings Examiner.

Chairman Ruff said a concern is the impact the density may have on the location; asked if public facility designation could have significant impact on it. Mr. Muai said likelihood of anyone locating there is low; yes some significant uses could locate there having more intense impact, likelihood slim. The school district doesn't own anymore.

Commissioner Moore asked if Kennewick School District is current owner of property. Mr. Muai said at time of application Kennewick School District was the owner; during process the school district sold to Hayden Homes.

Commissioner Morris said one of the neighbors opposed to this mentioned he prefer RS zone; I don't see that consistent with neighborhood properties asked isn't it RL. Mr. Muai said properties to north in panoramic heights are RS; remaining RL. Mr. McCormick said we're not talking about zoning, talking about land use designation here tonight.

Commissioner Moore said on page three talks about effects on habitat or natural features; asked if any impact on that. Mr. Muai said the environmental impact statement is done; fish and wildlife says not connected to habitat so not critical; urban growth area expected there.

Chair Ruff opened public testimony for CPA 15-02 at 7:16 pm.

Testimony of Applicant or Applicant's Representative:

Jason Mattox, HDJ representative for Hayden Homes
6115 W Burden Blvd
Pasco

Mr. Mattox said he will be back before you in month with the re-zone, then pre-plat, etc.; will have more opportunity to discuss in detail.

Testimony in favor:

Paul Knutzen – Meier Engineering
3602 W.36th Ave
Kennewick

Being aware of ground and working with Kennewick School District they had 40 acres to start; 30 acres target size for middle school. As Jason said in month or two will fine tune zoning; good use of land; Southridge sports nearby; fits.

Testimony neutral or against:

Cynthia Landis
2801 S Dawes
Kennewick

First to break ground; concerned quality of Hayden Homes; concerned with trading of land between Hayden and KSD; that area supposed to be high end, sold to Viking, inferior; Hayden capable of high end or inferior; critters coming into home; would like to see better homes.

Viviana Gallegos
5109 W. 33rd Ave
Kennewick

In path of bird migration; wants to keep open space doesn't think that was addressed; would like to keep open space instead of homes; has questions about ownership. Chair Ruff will have staff address EIS.

Staff final comments:

Mr. Muai stated that Ms. Gallegos is right; it's on the migratory bird route; all of Tri-Cities area is on the migratory bird route.

Public testimony for CPA 15-02 closed at 7:33 p.m.

Chairman Ruff asked for a motion.

Vice Chair Pacheco moved to approve CPA 15-02 and forward a recommendation of APPROVAL to City Council. Commissioner Hawley seconded the motion.

A roll call vote was taken; the motion passed 4-1, with Commissioner Moore opposed.

Chairman Ruff opened the public hearing at 7:35 p.m. for Comprehensive Plan Amendment (CPA) #15-03, which proposes to change approximately 1.63 acres from Low Density Residential (LDR) to High Density Residential (HDR). 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; he stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-03 and recommend to City Council approval of the request.

Questions for staff:

None

Chair Ruff opened public testimony for CPA 15-03 at 7:38 pm.

Testimony of Applicant or Applicant's Representative:

Manuel Chavallo
8842 W 1st Ave
Kennewick

Looking at building duplexes or storage units; 2 acres with house; trying to purchase north parcel now; area run down; putting in mini storages or duplexes.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for CPA 15-03 closed at 7:39 p.m.

Chairman Ruff asked for a motion.

Vice Chair Pacheco moved to approve CPA 15-03 and forward a recommendation of APPROVAL to City Council. Commissioner Morris seconded the motion.

A roll call vote was taken; the motion passed unanimously.

Chairman Ruff opened the public hearing at 7:40 p.m. for Comprehensive Plan Amendment (CPA) #15-04, which proposes to change approximately .092 acres from Industrial to Commercial. The proposal location is generally located at 400 S. Clodfelter Rd.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. He stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-04 and recommend to City Council approval of the request.

Questions for staff:

None

Chair Ruff opened public testimony for CPA 15-04 at 7:44 pm.

Testimony of Applicant or Applicant's Representative:

Kevin Barney HDJ
1420 S Quillan Court
Kennewick
HDJ Engineer

Parcel to the west owned by same owner and landlocked; change would facilitate a future building and access to the back lot.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for CPA 15-04 closed at 7:45 p.m.

Chairman Ruff asked for a motion.

Commissioner Morris moved to approve CPA 15-04 and forward a recommendation of APPROVAL to City Council. Commissioner Moore seconded the motion.

A roll call vote was taken; the motion passed unanimously.

Chairman Ruff opened the public hearing at 7:46 p.m. for Comprehensive Plan Amendment (CPA) #15-05, which proposes to change approximately 0.7 acres from Low Density Residential (LDR) to Commercial. The proposal location is generally located at 2622 & 2624 W. 10th Avenue.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. He stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-05 and recommend to City Council approval of the request.

Questions for staff:

None

Chair Ruff opened public testimony for CPA 15-05 at 7:48 pm.

Testimony of Applicant or Applicant's Representative:

Justin Baerlocher – JUB Engineering
Represent Travel Land RV

Applicant has outgrown current facility and need new space for loading RV's and storage; take down houses; four access points to home reduced down to one for better traffic flow; minimal impact; not impacting existing homes.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for CPA 15-05 closed at 7:50 p.m.

Chairman Ruff asked for a motion.

Vice Chair Pacheco moved to approve CPA 15-05 and forward a recommendation of APPROVAL to City Council. Commissioner Morris seconded the motion.

A roll call vote was taken; the motion passed 4-1, with Chair Ruff abstaining.

Chairman Ruff opened the public hearing at 7:52 p.m. for Comprehensive Plan Amendment (CPA) #15-06, which proposes to change approximately 32.75 acres from Public Facility to Low Density Residential (LDR). The proposal location is generally located at 8523 W. 10th Avenue.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. He stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-06 and recommend to City Council approval of the request.

Questions for staff:

Commissioner Morris asked prior to Public Facility, was it Residential Low. Mr. Muai said no when it was annexed it was part of Hansen Park Master Plan; the pre-zone was RL; left as RL once annexed; Comp Plan was Public Facility. Commissioner Morris asked if it was annexed at same time as PF. Mr. Muai said yes it came in PF, but zoned RL. Commissioner Morris asked if the Kennewick School District built school there, have to change to PF. Mr. Muai said no, schools can be in RL zone with Conditional Use Permit.

Chair Ruff opened public testimony for CPA 15-06 at 7:56 pm.

Testimony of Applicant or Applicant's Representative:

Justin Baelocher – JUB Engineering
2810 W Clearwater Ave Ste.201
Kennewick

Was owned by Kennewick School District; the school district likes 30 acres for school sites; topography difficult; transferred land; school district is developing middle school now in Hansen Park; part of the swap the school district also bought center for elementary school for future; access issues on western portion; roundabout locations unknown; eastern portion has two accesses; developed in future residential.; this amendment request is for housekeeping purposes.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for CPA 15-06 closed at 7:59 p.m.

Chairman Ruff asked for a motion.

Vice Chair Pacheco moved to approve CPA 15-06 and forward a recommendation of APPROVAL to City Council. Commissioner Morris seconded the motion.

A roll call vote was taken; the motion passed unanimously.

At this point in the meeting, Chair Ruff skipped forward to CPA 15-10, due to the large number of citizens in the audience wishing to comment.

Chairman Ruff opened the public hearing at 8:01 p.m. for Comprehensive Plan Amendment (CPA) #15-10, which proposes to change approximately 18.17 acres from Commercial to High Density Residential (HDR). The proposal location is generally located at 5603 Ridgeline Dr.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. He entered into record Exhibit #A-5g, public comment letters, and accepted Exhibit A-7, Petition from neighborhood, from property owner Joe McClure. He stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-10 and recommend to City Council approval of the request.

Questions for staff:

Chair Ruff asked how notice was given and the statute. Mr. Muai said as per Title 4.12 of the KMC, notices mailed to properties with-in 300' plus a sign was posted (explained sign posting process). Commissioner Moore asked, it's currently zoned commercial; what would height restrict be for commercial. Mr. Muai said none. Commissioner Moore asked what the height restriction is for HDR. Mr. Muai said 45 feet. Chair Ruff asked what commercial uses could be there. Mr. Muai said offices, retail, and general commercial but can't have auto repair; more intense commercial uses not allowed.

Chair Ruff opened public testimony for CPA 15-10 at 8:13 pm.

Testimony of Applicant or Applicant's Representative:

Travis Johnson PLS Engineering

2008 C Street
Vancouver WA

Reading through comments; if comp plan approved it goes through zone change in a few months; regards from commercial to residential there are 30 plus commercial lots in Southridge area; lots of stagnant commercial properties in Southridge; slope a challenge; will have to chop it up into 1 acre parcels; to get densities had to get land; with the feasibility, it makes sense for HDR in that area; there is a real need.

Testimony in favor:

None

Testimony neutral or against:

Dean Maldonado
515 W. 215th St
Vancouver WA

Started 8 years ago developing in Southridge; feels sold down the road with Anthony, Greg, and Wes; put in hospital, roads, infrastructure; roundabout at Ridgeline; tiered lots and sold to doctors; there are traffic problems already can't turn left on 395; high density doesn't make sense; I sold 3.5 million dollar's worth of lots to the residents that are here, now you bring in 45-foot high apartments and block the view; some folks paid \$75,000-80,000 per lot; we spent 5.5 million in roads and other infrastructure; there is plenty of high density on Hildebrand; slopes here too great for developing; comp plan was originally changed for commercial now to change to high density is ridiculous.

Joe McClure
5718 W 37th Pl
Kennewick

Notified of Comp Plan change after closing date for comments; only 4 of us notified within 300 feet; went around area and started a petition against CPA; have 65 property owners against, one in favor, 7 not at home. Lived in country for 35 years looked around picked Kennewick; don't want apartments in backyard.

Jeremy Holbrook
3971 S Kellogg St
Kennewick

Little effort was made to inform us; property posting sign was at less visible spot, seemed underhanded; vicinity map 1.5 years old; against this change.

Chair Ruff asked if he would prefer hearing continued to later date for more to citizens to attend meeting. Mr. Holbrook said no.

Josh Gately
3880 Lincoln St
Kennewick

Lived in apartment for three years and couldn't have kids in apartment; bought single-family home and wouldn't have bought here if I knew apartments would come; opposed.

Ellen Caristo
5745 W 37th Pl
Kennewick

Wrote to say sign was in bad place; lateness of notice and only 6 people received; traffic questionable; no time to find out police crime rates; meeting should be put on hold so things can be investigated; apartments will eventually be trashed.

Maria Guisasola
5705 W 37th Pl.
Kennewick

Current house overlooks proposed high density ground; property already on high slope; property so high skyline will be all apartments; unacceptable; additional traffic with new school overwhelming.

Jeremy Holbrook
3971 S Kellogg St
Kennewick

All houses in development now filled; in the five months I've lived here, ten houses built, most sold; why does it have to be HDR when LDR is selling quickly as well.

Kyle Sponholtz
5769 W 37th Pl
Kennewick

I was house number 4 or 5 to move into ridgeline estates; good view, paid a lot for good view; saved money for dream home; you're seeing dreams being dashed, HDR is not good; all homes in single-family zone filled.

Denise Weiss
5790 W 37th Pl
Kennewick

Looked for house for many years; looked across street; drove through when houses; low income all have an effect, about community; apartment dwellers are transient; know all neighbors; can't afford to lose equity.

Arvid Wikstrand
5864 W 38th Ct
Kennewick, WA

Bought home in February 2015; nice view, enjoy area; great spot, high density – apartments will reduce property area; spent money developing; will increase traffic; hope commission votes no.

Todd Stringfeld
2526 W 33rd Pl

Neighbor asked him to come and comment; buyer when he purchased this property knew it was originally commercial, wants to keep it commercial; HDR will cause phenomenal traffic impacts; zoned cc, huge housing boom in Southridge need services there; need daytime population for businesses to survive; disservice to community to approve; traffic impacts would be huge; need a big box retailer.

Chair Ruff asked the Planning Commissioners if they were interested in continuing the hearing for CPA 15-10 to a later date in order to allow for additional public notification and comment; none of the Commissioners expressed interest in continuing CPA 15-10 to a later date.

Staff final comments:

Mr. Muai said regarding the density question, max density is 27 units per acre not 60. Chair Ruff asked Mr. Muai to also discuss Mr. Maldonado's comment about high density housing opening up; how that relates to your findings. Mr. Muai said he believes Mr. Maldonado stated 80 acres of high density residential; not sure where that is; there is a large 30-40 acre range parcel located in Southridge area designated high density residential; been some speculation about mixed use in residential area; maybe Mr. Maldonado can clarify this.

Mr. Maldonado said as extending road doing some boundary line adjustments and short plats; working with City on zoned comprehensive plan; currently working with Mr. Brinkley who has 36 acres and Milo Bauder has 39 acres, that puts us at seventy-something, eighty acres on those two parcels.

Mr. Muai said Milo has no high density residential land; all of his is low density and commercial.

Mr. Maldonado said he is going to propose it; has seen the plans, working with developer to buy 216 acres of Brinkley property and another 60 acres from Milo Bauder; for a large planned development and part of it is having 36 of Brinkley's and 39 of Milo Bauder for future plan; will include 80 acres LDR and 30 acres commercial with new road.

Additional Staff final comments:

None

Public testimony for CPA 15-10 closed at 8:45 p.m.

Chairman Ruff asked for a motion.

Commissioner Moore moved the Planning Commission NOT CONCUR with the Findings and Conditions contained in the staff report for CPA 15-10 and forward a recommendation of DENIAL to City Council. Commissioner Morris seconded the motion.

Discussion:

Chair Ruff said he will be voting against the motion; believes the evidence supports the change.

A roll call vote was taken; the motion passed 3-2, with Commissioners Hawley, Morris, and Moore in favor, and Vice Chair Pacheco and Chair Ruff opposed.

Motion passed 3-2.

Chairman Ruff opened the public hearing at 8:48 p.m. for Comprehensive Plan Amendment (CPA) #15-07, which proposes to change approximately 10.75 acres from Industrial to Commercial. The proposal location is generally located at Clodfelter/Steptoe & W. 10th Avenue.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. He said there was an error in staff report for surrounding zoning; corrected on page 2 of the staff report. Mr. Muai handed out a copy of corrected page 2 of the staff report, entered into record as Exhibit A-5. Mr. Muai stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-07 and recommend to City Council approval of the request.

Questions for staff:

Commissioner Morris asked which parcel owned by City of Kennewick. Mr. Muai showed on the overhead map; said City had to purchase when Steptoe developed; non-developable land; had to purchase as part of Right-of-Way.

Chair Ruff opened public testimony for CPA 15-07 at 8:50 pm.

Testimony of Applicant or Applicant's Representative:

Justin Baerlocher – JUB Engineering
2810 W Clearwater Ave
Kennewick

Past several years trend along Clearwater to go from industrial to commercial; working with hospital for clinic; previous applicant did a land swap years ago, remnant with south agreement with Benton County Clean Air for access.

Testimony in favor:

None

Testimony neutral or against:

Marisa Sorenson
8905 W. 3rd Ave
Kennewick

Neutral excited for medical office; as things are built planning commission needs to look at angle and speed, bump, bad intersection.

Mr. Baerlocher said traffic agreement made between Hansen to have joint access to provide access to help with traffic issues.

Staff final comments:

Mr. Muai said where the roads intersect, Steptoe and Clearwater, noticeable difference in grade, traffic engineer is aware of issues and concerned; trying to figure out way to make it better.

Public testimony for CPA 15-07 closed at 8:59 p.m.

Chairman Ruff asked for a motion.

Vice Chair Pacheco moved to approve CPA 15-07 and forward a recommendation of APPROVAL to City Council. Commissioner Hawley seconded the motion.

A roll call vote was taken; the motion passed unanimously.

Chairman Ruff opened the public hearing at 9:00 p.m. for Comprehensive Plan Amendment (CPA) #15-08, which proposes to change approximately 0.23 acres from Medium Density Residential (MDR) to Commercial. The proposal location is generally located at 1127 N. Cleveland Street.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. He entered into record Exhibit A-5, a correction to page 4 of the staff report. He stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-08 and recommend to City Council approval of the request.

Questions for staff:

None

Chair Ruff opened public testimony for CPA 15-08 at 9:03 pm.

Testimony of Applicant or Applicant's Representative:

Justin Baerlocher - JUB Engineering
2810 W. Clearwater Ave
Kennewick

Applicant try to build 4-plex to meet need; not likely to develop as res there due to economics; corridor that portion canal drive City of Kennewick wants 30 feet right-of-way; benefit they own property to west and share property; have site plan application in for 5-6000 sf office building and mini-storage units; future 4000 square foot office bldg.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for CPA 15-08 closed at 9:07 p.m.

Chairman Ruff asked for a motion.

Commissioner Moore moved to approve CPA 15-08 and forward a recommendation of APPROVAL to City Council. Hawley seconded the motion.

A roll call vote was taken; the motion passed unanimously.

Chairman Ruff opened the public hearing at 9:08 p.m. for Comprehensive Plan Amendment (CPA) #15-09, which proposes to change approximately 0.561 acres from Industrial to Commercial. The proposal location is generally located north of W. 10th Avenue & east of S. Yolo Street.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. He stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-09 and recommend to City Council approval of the request.

Questions for staff:

None

Chair Ruff opened public testimony for CPA 15-09 at 9:09 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 CPA 15-09 closed at 9:10 p.m.

Chairman Ruff asked for a motion.

Commissioner Morris moved to approve CPA 15-09 and forward a recommendation of APPROVAL to City Council. Moore seconded the motion.

A roll call vote was taken; the motion passed unanimously.

Chairman Ruff opened the public hearing at 9:11 p.m. for Comprehensive Plan Amendment (CPA) #15-11, which proposes to change approximately 7.89 acres from

High Density Residential (HDR) to Industrial and Medium Density Residential (MDR). The proposal location is generally located north of W. 10th Avenue & east of S. Yolo Street.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. He stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-11 and recommend to City Council approval of the request.

Questions for staff:

Chair Ruff asked if the BPA easement has been there a long time; is there a plan in place, what has changed. Mr. Muai said all was originally zoned open space, was on private property (taking), looked at adjacent properties zoning; two years ago agreement with property owner changed to HDR; confusion with his consultant; big mess, trying to fix.

Chair Ruff opened public testimony for CPA 15-11 at 9:15 pm.

Testimony of Applicant or Applicant's Representative:

Kevin Barney - HDJ
1421 S Quillan Ct
Kennewick

The parcel to west is same tax parcel with land that's zoned MDR; will be eventual boundary line adjustment with property to east.

Testimony in favor:

Stacy Brinkley
6120 W Brinkley Rd
Kennewick

Reason doing canal separates; east industrial, don't want traffic going into my property, trying to fix.

Testimony neutral or against:

None

Staff final comments:

None

Public testimony for CPA 15-11 closed at 9:17 p.m.

Chairman Ruff asked for a motion.

Commissioner Moore moved to approve CPA 15-11 and forward a recommendation of APPROVAL to City Council. Commissioner Hawley seconded the motion.

A roll call vote was taken; the motion passed unanimously.

Chairman Ruff opened the public hearing at 9:18 p.m. for Comprehensive Plan Amendment (CPA) #15-12, which proposes to update the Capital Facilities Plan.

Mr. Muai gave a brief overview of the staff report and presented a Power Point of the staff report. He stated that staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report CPA15-12 and recommend to City Council approval of the request.

Questions for staff:

None

Chair Ruff opened public testimony for CPA 15-12 at 9:19 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 CPA 15-12 closed at 9:20 p.m.

Chairman Ruff asked for a motion.

Vice Chair Pacheco moved to approve CPA 15-12 and forward a recommendation of APPROVAL to City Council. Commissioner Morris seconded the motion.

A roll call vote was taken; the motion passed unanimously.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

The interview process for new commissioner; Mr. McCormick said the city council will hear code amendment tomorrow night; former Commissioner Rettig said he is interested in re-joining the Commission, application was sent to him.

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

New start time for Planning Commission meetings is 6:30 pm; time will commence with the October 19, 2015 meeting.

ADJOURNMENT:

The meeting was adjourned at 9:22 p.m.

STAFF REPORT

COZ 15-06

Community Planning City of Kennewick

Steve Donovan
Planner

To: Planning Commission

Date: October 19, 2015

PROPOSAL: Rezone 2.41 acres of Commercial, Regional (CR) to Commercial, General (CG)
OWNER(S): Treasure Valley Coffee Company, 4906 Indian Ridge Drive, Pasco, WA 99301
APPLICANT: Treasure Valley Coffee Company, 4906 Indian Ridge Drive, Pasco, WA 99301

Site Information

- **Size:** 2.41 acres
- **Location:** 6481 W. Skagit Avenue
- **Topography:** Relatively flat
- **Existing Comprehensive Plan Designation:** Commercial
- **Existing Land Use:** Vacant

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 August 31, 2015
- Application routed for comments September 3, 2015
- Property posting notification sign was posted on site on September 23, 2015
- Determination of Non-Significance (ED 15-45) issued on September 23, 2015
- Notice of Hearing mailed September 29, 2015
- Notice of Hearing published October 4, 2015

Surrounding Comprehensive Plan, Zoning and Land Uses

North	Comprehensive Plan – Commercial Zoning – Commercial, Regional (CR) Existing Land Uses – Restaurants and Vacant Land
South	Comprehensive Plan – Commercial Zoning – Commercial, Regional (CR) Existing Land Uses – Vacant Land
East	Comprehensive Plan – Commercial Zoning – Commercial Regional (CR) Existing Land Uses – Vacant Land and Auto Dealership
West	Comprehensive Plan – Commercial Zoning – Commercial Regional (CR) Existing Land Uses – Retail Businesses

Regulatory Controls

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

Description of Request

Change of Zone 15-06 is a request to rezone approximately 2.41 acres from Commercial, Regional (CR) to Commercial, General (CG).

Background

This property was annexed into the City and zoned Public, Facility (PF) in 1967. In 1995 the property's zoning was changed from Public, Facility (PF) to Commercial, Regional (CR). The property has been vacant since it was annexed into the City.

Analysis

The proposed change from CR to CG is consistent with the Comprehensive Plan and will implement the Commercial land use designation on the property. The site will be surrounded by existing CR zoning.

KMC 18.03.040(11)

The purpose of the CR district is to provide areas for a wide range of commercial uses to serve the entire region.

KMC 18.03.040(12)

The purpose of the CG district is to provide areas for heavy commercial use, wholesaling and warehousing, services supporting the primary activities of the commercial and industrial districts, and uses which are not compatible with retail commercial zoning districts.

The CG zoning is less restrictive and would allow heavy commercial uses that would then have the potential to be in conflict with the surrounding retail uses. The applicant's future development plans are proposed to consist of warehousing, wholesale and retail sales.

It is important to note, that regardless of what the applicant is proposing to do at the site, all permitted uses in the CG zoning district would be permitted at the site.

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 amendment conforms to the land use designation of the comprehensive plan.
2. *Promotes the public necessity, convenience and general welfare; and*
Staff Response: Staff is unaware of the proposal promoting a public necessity, convenience or general welfare. It has been determined in KMC 18.03.040(12) that the CG district allows for uses that are not compatible with retail commercial zoning districts.
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 possible burdens on public facilities.
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: KMC 18.03.040(12) states the following: the purpose of the CG district is to provide areas for heavy commercial use, wholesaling and warehousing, services supporting the primary activities of the commercial and industrial districts, and uses which are not compatible with retail commercial zoning districts.

The CG district will not be compatible with the retail uses taking place on the surrounding CR zoned properties. Therefore, the proposed rezone is not consistent with the Kennewick Municipal Code.
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 the proposed rezone.

Findings

1. The property owner and applicant is Treasure Valley Coffee Company, 4906 Indian Ridge Drive, Pasco, WA 99301.
2. The request is to change 2.41 acres from Commercial, Regional (CRS) to Commercial, General (CG).
3. The application was submitted on August 31, 2015 and was routed for review to various City Departments and other local, state and federal agencies for comment on September 3, 2015.

4. A Determination of Non-Significance (ED 15-45) issued on September 23, 2015.
5. A property posting notification sign was posted on-site on September 23, 2015 notifying the public of the SEPA Determination that was made. The public hearing notice was posted on-site September 23, 2015, stating that the public hearing will be held on October 19, 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 September 29, 2015. Notices were also published in the Tri-City Herald on October 4, 2015.
7. Water and sewer are located in Skagit Avenue directly in front of the property.
8. Access to the site is provided by W. Skagit Avenue or W. Canal Drive.
9. The proposed amendment is adjacent to Commercial, Regional (CR).
10. No Commercial, General zoned property is directly adjacent to the proposed rezone site.

Conclusions

1. Approval of the proposed rezone will be in conflict with KMC 18.03.040(12).
2. Permitted uses in the CG zoning district have been determined to not be compatible with retail commercial zoning districts.

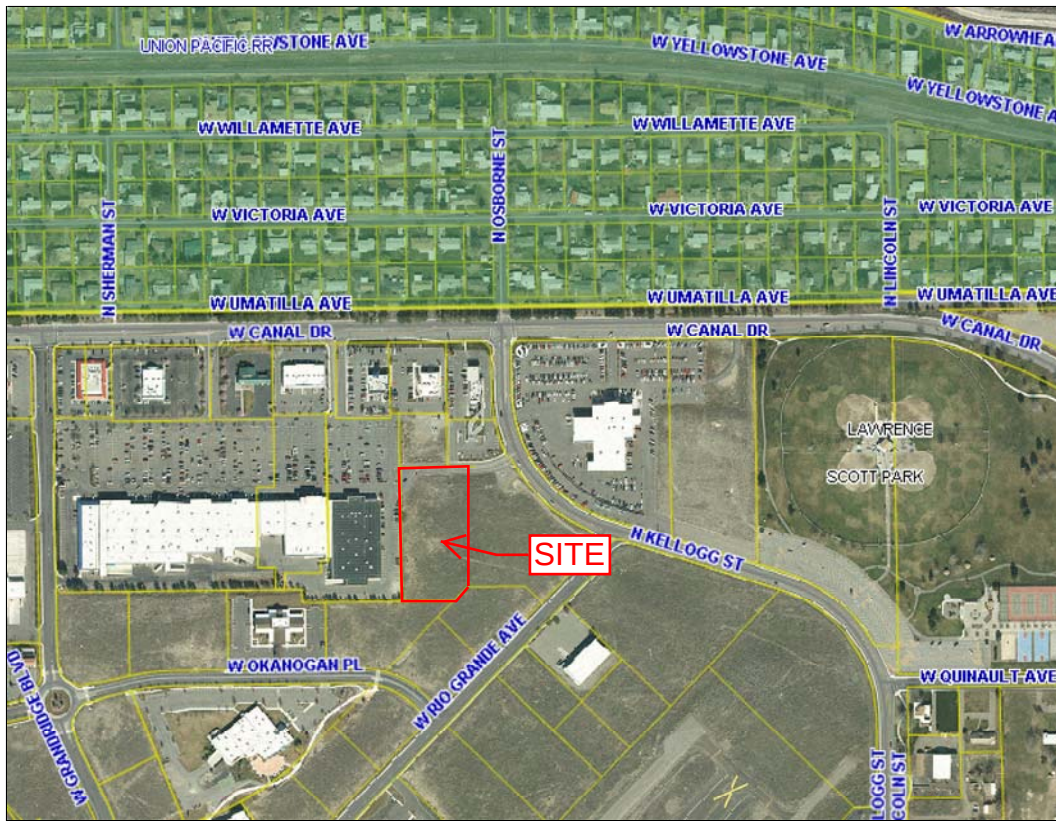
Recommendation

Staff has reviewed the application and finds that it does not meet 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 15-06 and recommend denial to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 15-06 and recommend to City Council denial of the request.

Exhibit A-1



500 ft 1 : 5904 1in : 492ft

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

Produced by CITY\SDonovan 16:00 10/9/2015



Exhibit A-2


SurveyParcelZoning

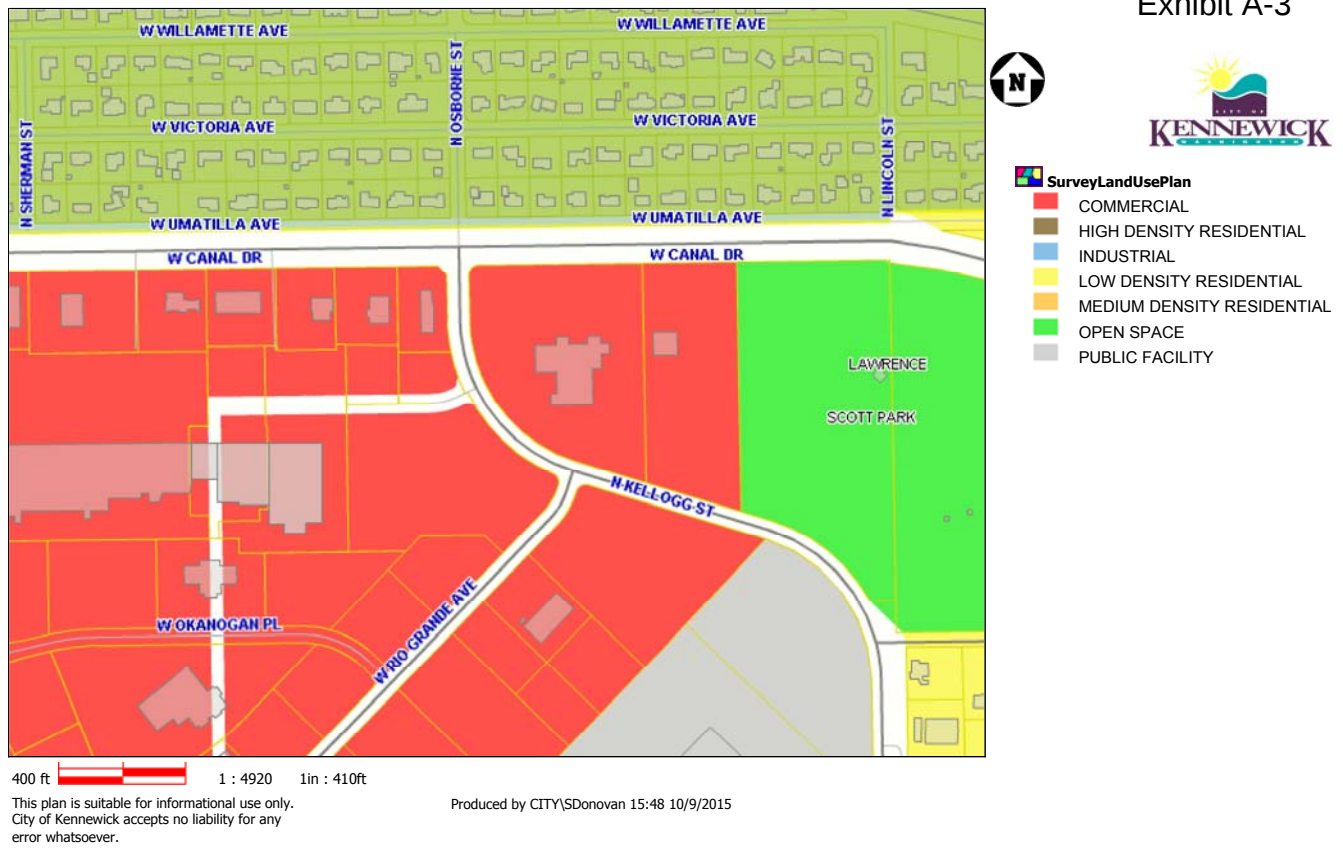
- CC
- CC-L
- CG
- CG-L
- CO
- CO-L
- COUNTY
- CR
- CR-L
- IL
- OS
- OS-L
- RL
- SurveyParcel

400 ft 1 : 4920 1in : 410ft

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

Produced by CITY\SDonovan 15:53 10/9/2015

Exhibit A-3



PAID

AUG 31 2015

CITY OF KENNEWICK

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

PROJECT # 00715-06 PLN- 2015-03013 FEE \$ 1250.00

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 Add DISTRIBUTION ZONE To EXISTING ZONE

Name: TREASURE Valley Coffee Co - John M Roskelley

Address: 4906 Indian Ridge Dr Pasco WA 99301

Telephone: 509-520-8236 Cell Phone: 509-448-4569 Fax: 509-582-5983 E-mail: simr12@comcast.net

Property Owner (if other than applicant): Paul Roskelley proskelley@charter.net

Address: _____

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

SITE INFORMATION

Parent Parcel No. 132 991 B13018002 Zoning: CR

Area of Parcel #1 See ATTACH Acres 2.25 Parcel No. (if assigned) _____

Address of property: 6705 W CANAL DRIVE PROX.

Legal description of property: BINDING SITE PLAN ATTACHED

No. of Parking Spaces _____ Present use of property: BARE GROUND

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

Size of existing structure: _____ sq. ft. Size of proposed addition: _____ sq. ft.

Height of building: NEW 24' Cubic feet of excavation: _____

Current assessed value: _____ Cost of new construction: 2 M.

Proposal requested: Adding DISTRIBUTION ZONE to EXISTING ZONE
we would like to change to COMMERCIAL general
Commercial General

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

John M Roskelley
Applicant's Signature

Clark Finn
Signature of owner or owner's authorized representative

Date: 6-15-15

RECEIVED

Date: AUG 31 2015
DEVELOPMENT SERVICES

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: NO
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: YES
NOWS HAVE THE EXPOSURE NECESSARY FOR A SUCCESSFUL RETAIL / DISTRIBUTION OPERATION.
3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain: GENERALLY SPEAKING YES. THEIR ARE OPERATIONS WITH BOTH RETAIL / DIST. BUT NOT WITH THIS KIND OF EXPOSURE
4. Are the existing uses, in the area, in conformance with the area's zoning classification? If no, please explain the differences: THE DISTRIBUTION PART OF ZONING IS NOT APPLICABLE FOR THIS PARTICULAR PARCEL ALTHOUGH PARCELS WITHIN 100 YDS. DO.
5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain: NO. I SEE NO REASON WHY IT WOULD
6. Does the existing zoning prohibit reasonable use of the property? Please explain: NO. I NEED DISTRIBUTION ZONING ADDED TO MAKE THE PROJECT FEASIBLE
7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain: NO
8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain: NO, NOT AT ALL. IF ANYTHING ARE PROPOSED RETAIL CENTER WILL HELP INCREASE PROPERTY VALUES.

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: IT COULD SET A PRECEDENT.
IT WILL NOT DETER USE, IMPROV. OR DEVEL. OF ADJACENT
PROPERTIES
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain: I CAN'T ANSWER
THIS QUESTION, WHO KNOWS??
11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain: IT ALLOWS OUR RETAIL CENTER TO
OFFER BETTER, MORE DETAILED CHOICES IN THE
MARKET.
12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain: NO, NONE AT ALL.
ROADS ARE CLEARLY DEFINED, IF IT ADDS
TRAFFIC, THEN IT IS GOOD FOR EVERYONE.

Summary of City forms required: NO, IF THE CITY WOULD APPROVE.

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