

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 November 6, 2017
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. PUBLIC HEARING:

- a. Zoning Ordinance Amendment (ZOA) # 17-07; proposing amendments to 18.09, 18.12, and 18.42 of the Kennewick Municipal Code to add regulations governing Temporary Homeless Encampments.
- b. Development Agreement between the City of Kennewick and Tom Solbrack and John Michel to develop the infrastructure for 85 acres of commercial-zoned property located along W. Clearwater Avenue.
- c. Change of Zone (COZ) #17-06 proposing to change approximately 5.04 acres of land from Residential, Suburban (RS) to Residential, Low Density (RL), located at 4001 S. Vancouver Street.
- d. Change of Zone (COZ) # 17-07 proposing to change 8.25 acres of land from Residential, Low Density (RL) to Residential, Manufactured Homes (RMH). The site is located at 5927 & 6009 W. Quinault Ave. and 1026 & 1048 N. Lincoln St.

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
NOVEMBER 6, 2017
MEETING MINUTES**

CALL TO ORDER

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

Commissioner Stolle led the Pledge of Allegiance.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Anthony Moore, Clark Stolle, Charles Torelli, Vice Chairman Victor Morris, and Chairman Ed Pacheco.

Excused: Commissioners Fraser Hawley and Robert Rettig

Unexcused: None

Staff Present: Greg McCormick, AICP Planning Director, Anthony Muai, AICP Senior Planner, Lisa Beaton, City Attorney, Cary Roe, Public Works Director, Melinda Didier, Community Planning Administrative Assistant/Recorder

CONSENT AGENDA

- a. Approval of Minutes dated October 16, 2017
- b. Approval of Agenda
- c. Motion to enter Staff Reports into the Record

Commissioner Morris moved to accept the consent agenda. Commissioner Moore seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS

Chairman Pacheco opened the public hearing at 6:33 p.m. for the Vista Field Redevelopment Master Plan 2017.

Mr. Muai entered into record Exhibit 9 – Kathryn Lang, Arts Center Task Force Communications Committee letter in support; Exhibit 10 – Thomas Galiato, questions and comments; Exhibit 11 – additional comment Mr. Galiato; Exhibit 12 – Gretchen Kaehler, Assistant State Archaeologist, comment letter.

Mr. McCormick gave a brief overview of the staff report and presented a Power Point of the staff report. Staff recommends that the Planning Commission concur with the findings and conclusions contained in staff report Vista Field Redevelopment Master Plan and recommend to City Council approval of the request.

Questions from Planning Commissioners of staff included: Is the archaeological review a “speed bump” for proceeding.

Mr. Muai gave an overview of the adopting of the Vista Field Redevelopment Master Plan, amending the comp plan land use map from commercial to mixed use, approval of the area wide rezone from commercial, regional to urban mixed use.

Ms. Beaton gave an overview of the major components for the approval of the development agreement between the Port of Kennewick and the City of Kennewick. Mr. Roe went over the technical aspects for infrastructure of the development agreement, including transportation, utilities, and design.

Commissioner questions: Is the development agreement eligible to be edited or amended; is there a way to determine TIF fee today or already decided; is park impact fee determination similar to TIF.

Mr. McCormick stated staff recommends approval of Vista Field Master Plan; workshop with city council 11/14/17, 12/5/17 for potential adoption.

Questions: Does the City Council receive the same information the Planning Commission received at their workshop and meeting.

Testimony of Applicant/Applicant's Representative:

Larry Peterson
Port of Kennewick
350 Clover Island Drive
Kennewick

Present today to ask for support for entire package for the amendment of the Comprehensive Plan and recommendation of approval.

Testimony in favor:

Ed Frost
609 W. Albany Avenue
Kennewick

Steven Wiley
3172 Willow Point Dr
Richland

Boyce Burdick
Board President, Mid-Columbia Symphony
414 Snyder ST
Richland

Derek Stricker
3709 W. 48th Ave
Kennewick

Jose Chavallo
5927 W Quinault Ave
Kennewick

Skip Novakovich
Port of Kennewick
110 N Cascade St.
Kennewick

Bill Barlow
Planning Manager Ben Franklin Transit

Tom Galiato
608 N. Oklahoma
Kennewick

David Robison
3601 W 20th Avenue
Pasco

Don Barnes, Port of Kennewick
2616 S Kellogg St.
Kennewick

Testimony neutral or against:

None

Staff final comments:

None

Public Testimony for the Vista Field Redevelopment Master Plan closed at 7:43 p.m.

Chairman Ed Pacheco asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in staff report Vista Field Redevelopment Master Plan to #1) Adopt the Vista Field Redevelopment Master Plan; #2) Amend the Comprehensive Plan Land Use map from Commercial to Mixed Use; #3) Approve the area-wide re-zone from Commercial, Regional to Urban Mixed Use; #4) Approve the Development Agreement between the Port of Kennewick and the City of Kennewick, and forward a recommendation to City Council of APPROVAL of the request.

Vice-Chairman Morris seconded the motion.

Planning Commission discussion: Vice Chairman Morris said that he was initially against the closing of Vista Field, but after decision was made and he attended several meetings he became excited about what was being presented.

The motion passed unanimously on a roll call vote.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

None

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Vice Chairman Morris attended the Historic Downtown Partnership meeting and City Council Workshop on Urban Mixed Use zone.

ADJOURNMENT:

The meeting was adjourned at 7:47 p.m.



STAFF REPORT

Date: November 20, 2017

To: City of Kennewick Planning Commission

From: Jessica Foltz, Assistant City Attorney

PROPOSAL

Revised Code of Washington (RCW) section 35.21.915 allows religious organizations to host temporary encampments for the homeless on property owned or controlled by them – whether within buildings or elsewhere on the property outside of buildings. Per the statute, cities are prohibited from enacting any ordinance regarding these temporary encampments that imposes unnecessary and/or burdensome conditions, requires a religious organization to obtain insurance or indemnify the city from liability, or imposes permit fees in excess of actual costs. Currently, Kennewick has no permitting process in place that would govern temporary homeless encampments.

On October 10, 2017, amendments to title 18 of the Kennewick Municipal Code (KMC) addressing a permitting process for temporary homeless encampments were proposed to the City Council at a workshop meeting. Specifically, staff proposed amendments to the following sections:

- **KMC 18.42:** Addition of a “Temporary Homeless Encampment Permit”. New section 18.42.105.
 - Notification and comment procedures, decision timeline, and conditions clause for this permit is identical to that of KMC 18.42.100 regarding conditional use permits.
 - Fee is \$500.00 to ensure compliance with RCW 35.21.915.
 - Appeal must be filed in Benton County Superior Court within 21 days of the permit decision pursuant to RCW 36.70C.040.
- **KMC 18.12.010 A.1 Residential Use Table:** Addition of temporary homeless encampments as a permitted use in all zoning districts subject to approval of a temporary homeless encampment permit.
- **KMC 18.12:** Proposed section 18.12.255 details requirements for temporary homeless encampments and specifies that permits will be approved in accordance with KMC 18.42.105.
 - Must include a religious organization as a sponsor or managing agency.
 - Proposed encampment site must be on property owned or controlled by a religious organization.
 - Applicant must agree to allow City to abate use if it continues after expiration of the permit, and to reimburse costs.
 - Must meet setback requirements for zoning classification and be a minimum of 20 feet from the property line of abutting residential properties.
 - Sight-obscuring fencing may be required.
 - Exterior lighting must comply with KMC 18.39.030.

- Maximum number of residents will be determined by the Director but may not exceed 100.
 - Parking requirements will be determined by the Director.
 - Must be located within ½ mile of transit and applicants shall submit a transportation plan that includes a provision for transit services.
 - No children are allowed to stay at the encampment and if one attempts to do so, the managing agency must immediately contact Child Protective Services.
 - No animals except service animals.
 - Applicant shall submit and enforce code of conduct which includes quiet hours and excludes (at minimum): drugs and alcohol, weapons, violence, open flames, and loitering in the surrounding neighborhood.
 - Managing agency must obtain ID from potential residents and obtain warrant and sex offender checks from KPD.
 - Managing agency must notify KPD immediately if someone is rejected or ejected from the encampment due to a match on a sex offender check or an active warrant or if they believe the person is a potential threat to the community.
 - Managing agency must ensure compliance with State and City codes regarding health and safety and must permit daily inspections to check compliance.
 - Encampments may be approved for a period not to exceed six months.
 - A three-month separation is required between encampments at the same location.
 - Simultaneous encampments may not be located within 1,000 feet of each other.
- **KMC 18.09:** Proposed sections 18.09.1255, 18.09.1735, 18.09.2025, and 18.09.2065 define the terms “managing agency”, “religious organization”, “sponsor”, and “temporary homeless encampment”.

The following comments were received from the Department of Transportation after the amendments were sent for review:

- “Criteria for Temporary Homeless Encampments should include requirements that preclude the use of adjacent highway right of way for parking, occupancy, storage, or other uses that result in public nuisance or obstruction of right of way (18.12.255).”
 - No changes were made to the proposed amendments as a result of this comment due to the fact that temporary homeless encampments may only be located on property owned or controlled by a religious organization. Additionally, other provisions of the KMC prohibit parking, occupancy, and storage of vehicles, persons, or property in public right of way.
- “WSDOT requests notification of site specific applications for Temporary Homeless Encampments that are adjacent to state right of way and the opportunity to comment.”
 - No changes were made to the proposed amendments as a result of this comment. WSDOT is currently and will continue to be notified of all permit applications and given an opportunity to comment.

Many other cities in Washington have adopted some type of temporary use permit with similar requirements to those proposed to try to mitigate this type of use.

Staff has prepared the draft ordinances which are attached to this staff report.

CONCLUSION

These amendments will serve to ensure the City is compliant with RCW 35.21.915 while allowing regulation of church sponsored temporary homeless encampments to the extent necessary to protect public health and safety.

RECOMMENDATION

Staff recommends that the Planning Commission concur with the proposed changes and recommend approval to City Council.

MOTION

I move that the Planning Commission recommend approval of these amendments to the City Council.

EXHIBITS

Draft Ordinances.

CITY OF KENNEWICK
ORDINANCE NO. 5728

AN ORDINANCE RELATING TO DEFINITIONS AND ADDING NEW
SECTIONS 18.09.1255, 18.09.1735, 18.09.2025, AND 18.09.2065 TO THE
KENNEWICK MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. There is hereby added a new section 18.09.1255 to the Kennewick Municipal Code, to read as follows:

18.09.1255: Managing Agency: “Managing Agency” means an organization that has the capacity to organize and manage a temporary homeless encampment. A “managing agency” may be the same entity as the sponsor. (Ord 5728 Sec. 1, 2017)

Section 2. There is hereby added a new section 18.09.1735 to the Kennewick Municipal Code, to read as follows:

18.09.1735: Religious Organization: “Religious Organization” means the federally protected practice of a recognized religious assembly, school, or institution that owns or controls real property. (Ord 5728 Sec. 2, 2017)

Section 3. There is hereby added a new section 18.09.2025 to the Kennewick Municipal Code, to read as follows:

18.09.2025: Sponsor: “Sponsor” means an entity that has an agreement with the managing agency to provide basic services and support for the residents of a temporary homeless encampment and liaison with the surrounding community and joins with the managing agency in an application for a temporary homeless encampment permit. A “sponsor” may be the same entity as the managing agency. (Ord 5728 Sec. 3, 2017)

Section 4. There is hereby added a new section 18.09.2065 to the Kennewick Municipal Code, to read as follows:

18.09.2065: Temporary Homeless Encampments: “Temporary Homeless Encampment” means a group of homeless persons temporarily residing either indoors or out of doors on a site with services provided by a sponsor and supervised by a managing agency. (Ord 5728 Sec. 4, 2017)

Section 5. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this _____ day of _____, 2017, and signed in authentication of its passage this _____ day of _____, 2017.

CITY OF KENNEWICK
ORDINANCE NO. 5729

AN ORDINANCE RELATING TO ZONING AND AMENDING SECTIONS
18.12.010 A.1 AND ADDING SECTION 18.12.255 TO THE KENNEWICK
MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN
AS FOLLOWS:

Section 1. Section 18.12.010 A.1 of the Kennewick Municipal Code, be, and the same hereby
is, amended to read as follows:

CITY OF KENNEWICK
ORDINANCE NO. 5730

AN ORDINANCE RELATING TO LAND USE PERMITS AND ADDING
NEW SECTION 18.42.105 TO THE KENNEWICK MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS
FOLLOWS:

Section 1. There is hereby added a new section 18.42.105 to the Kennewick Municipal Code, to
read as follows:

18.42.105: Temporary Homeless Encampment Permit: Temporary homeless encampment
permits are approved in accord with this section as follows:

- (1) Notification will be given to property owners within 300 feet who will have 15
days to express comments.
- (2) The Planning Director will normally take action within 20 working days after the
comment period.
- (3) Depending on public comment, a temporary homeless encampment permit may
be approved if it meets the requirements of KMC 18.12.255.
- (4) Conditions. The permit may be conditioned in any way necessary to protect the
health, safety, and general welfare of the public and nearby property.
- (5) Appeal. There is no administrative appeal of the Planning Director's decision for
a temporary homeless encampment permit. The action of the City in granting or denying an
application under this chapter may be reviewed pursuant to the standards set forth in RCW
36.70C.130 in the Benton County Superior Court. The land use petition must be filed within 21
calendar days of the issuance of the final land use decision of the City. For more information on
the judicial process for land use decisions see Chapter 36.70C RCW. (Ord 5730 Sec 1, 2017)

Section 2. This ordinance shall be in full force and effect five days from and after its passage,
approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this
_____ day of _____, 2017, and signed in authentication of its passage this _____ day
of _____, 2017.

Attest:

STEVE C. YOUNG, Mayor

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 5730 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this _____ day of
_____, 2017.

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

18.12.010: Use and Standards Tables:

18.12.010 A.1: Residential Use Table: The following table lists uses allowed by zone and the applicable City review process as follows: Review Process I = Staff review, Review Process II = Conditional Use Permit, Review Process III = Temporary Homeless Encampment Permit. If a use is listed with a blank, it shall be prohibited in that zone. For certain categories of uses, additional requirements are also noted:

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Accessory Dwelling Units (See Title 18.12.020)	I	I	I	I	I		I			I						I							
Accessory uses and structures	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Animal Keeping (See Title 18.12.040)	I	I	I	I	I	I										I							
Bed and breakfast inns (5 guest rooms or less)	I	I	I	I	I		I			II						I							
Churches or religious places of worship	II	II	II	II	II	II	II		I		I	I		I	I	II							
Day Care Centers (See Section 18.12.060)				II	I		I	I	I		I	I		I		I	I	I	I	I		I	I
Family Day Care Home (see Section 18.12.070 and footnotes)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)		(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)
Farm Animals (see footnote 9)		I																					
Group Living I (See footnote 5)																							
Group Living II (See footnote 6)				I	I				I		I	I		I									
Home occupation	I	I	I	I	I	I	I	I	I	I	I	I		I	I	I							
Mini-Day Care Center (Located in Family Abode – Section 18.12.060)	II	II	II	I	I	II	I	I	I	I	I	I		I	I	I	I	I	I	I	I	I	I
Mini-Day Care Center (Not located in Family Abode – See 18.12.060)				I	I		I	I	I		I	I		I	I	I	I					I	I
Mini Storage (See 18.12.130)					I						I	I		I					I	I			
Motels (See Title 18.12.140)					II					I	I	I		I	I								
Nursing homes and congregate care facilities (over 10 residents)				II	II				I		I	I		I									
Nursing homes and congregate care facilities (up to 10 residents)	II	II	II	II	II		I		I		I	I		I		I							
Recreational vehicle park, transient (up to 30-day stay) (See Title 18.12.170, 180) (see also, footnote 7)																						I	I
Residences, multi-family				I	I		I	I (8)	I (8)		I (8)	I (8)		I (8)	I (8)	I (8)							

Residential Use Table	RMH	RS	RL	RM	RH	RTP	UMU	CN	CO	CBD	CC	CR	CAR	CG	CM	HMU	BP	IP	IL	IH	JF	PF	OS
Residences, single-	I	I	I	I	I	I	I	I (8)	I (8)		I (8)	I (8)		I (8)	I (8)	I (8)							
Rooming Houses and Boardinghouses (See Title 18.12.190)				II	II		I																
Swimming Pools (See Title 18.12.240) (see footnote 10)							I															I	I
Temporary Homeless Encampments (See Title 18.12.255)	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III	III
Trailers, Boats, Camper Tops, Travel Trailers, Recreational Vehicles (See Title 18.12.260)	I	I	I	I	I																		

FOOTNOTES for Table 18.12.010 A-1 Residential Use Table:

(1) No permit required for a family day care home (up to six charges). Per 18.12.070, if alterations are made a building permit will be required. A state license and city business license is required.

(2) Not used.

(3) Not used.

(4) Not used.

(5) Residential Care Homes, state or federally approved, with six (6) or fewer residents and any required on-site residential staff permitted by right; all larger group living uses prohibited.

(6) Residential Care Centers are permitted outright, subject to all of the applicable provisions of this title.

(7) Recreational vehicle storage in R districts shall refer to Title 18.12.180 and shall be subject to special provisions applicable to Master Planned subdivisions.

(8) Subject to KMC 18.42 and KMC 18.78.

(9) In “RS” zones, agriculture and animal husbandry are permitted including keeping of farm animals such as horses, cows, and sheep, but maintained only on lots of at least 30,000 square feet. The keeping of farm animals must not exceed one animal per half acre.

(10) Swimming pools considered an accessory use.

(Ord. 5712 Sec. 1, 2017: Ord. 5558 Sec. 2, 2014: Ord. 5528 Sec. 2, 2013: Ord. 5462 Sec. 3, 2012: Ord. 5434 Sec. 4, 2012: Ord. 5309 Sec. 8, 2010: Ord. 5262 Sec. 2, 2009: Ord. 5204 Sec. 5, 2007: Ord. 5180 Sec. 1, 2007: [Ord 5729 Sec. 1, 2017](#))

Section 2. There is hereby added a new section 18.12.255 to the Kennewick Municipal Code, to read as follows:

18.12.255: Temporary Homeless Encampments:

(1) An application for a temporary homeless encampment permit will be reviewed and decided upon by the Planning Director (hereafter “Director”) in accordance with Kennewick Municipal Code Section 18.42.105. The temporary homeless encampment applied for must meet the following standards:

- (a) An application for a temporary homeless encampment permit must include a religious organization as a sponsor or managing agency.
- (b) The proposed site of the temporary homeless encampment must be on property owned or controlled by the religious organization.
- (c) The applicant shall submit an irrevocable, signed, and notarized statement granting the City permission to summarily abate the temporary use and all physical evidence of that use if it is not removed by the applicant within the period specified as part of the permit, and agreeing to reimburse the City for any expenses incurred by the City in abating the temporary use.
- (d) The encampment shall meet all setbacks for the zoning districts described in Section 18.12.010 of the Kennewick Municipal Code. The encampment shall be located a minimum of 20 feet from the property line of abutting properties containing residential uses.
- (e) The Director may require a sight-obscuring fence around the perimeter of the encampment unless it is determined that there is sufficient vegetation, topographic variation, or other site conditions such that fencing would not be needed.
- (f) Exterior lighting for the homeless encampment must meet the requirements of Kennewick Municipal Code Section 18.39.030.
- (g) The maximum number of residents at a temporary homeless encampment site shall be determined by the Director taking into consideration site conditions, but in no case shall the number be greater than 100 people.
- (h) Parking requirements shall be determined by the Director taking into consideration site conditions and information about the proposed encampment contained in the application.
- (i) The applicants shall submit a transportation plan which shall include provision of transit services. The homeless encampment shall be located within one-half (1/2) mile of transit.
- (j) No children under the age of eighteen (18) are allowed in the homeless encampment. If a child under the age of eighteen (18) attempts to stay at the homeless encampment, the managing agency shall immediately contact Child Protective Services.
- (k) No animals shall be permitted in the encampments except for service animals.
- (l) The applicant shall submit a code of conduct for the encampment and describe how it is to be enforced by the managing agency. The code shall contain the following at a minimum:
 - (i) No drugs or alcohol;
 - (ii) No weapons;
 - (iii) No violence;
 - (iv) No open flames;
 - (v) No loitering in the surrounding neighborhood; and

- (vi) Quiet hours.
- (m) The managing agency shall ensure compliance with Washington State and City codes concerning, but not limited to, drinking water connections, human waste, solid waste disposal, electrical systems, and fire-resistant materials. The City shall coordinate review of the temporary homeless encampment permit with the Benton County Health District and Kennewick Fire Department to check compliance with the standards for homeless encampments.
- (n) The managing agency shall take all reasonable and legal steps to obtain verifiable identification from prospective encampment residents and use the identification to obtain sex offender and warrant checks from the appropriate agency. All requirements by the City of Kennewick Police Department related to identified sex offenders or prospective residents with warrants shall be met.
- (o) The sponsor and the managing agency shall immediately contact the Kennewick police department if someone is rejected or ejected from the encampment when the reason for rejection or ejection is an active warrant or a match on a sex offender check, or if, in the opinion of the sponsor or managing agency the rejected/ejected person is a potential threat to the community.
- (p) The managing agency shall permit daily inspections by the City and/or Health Department to check compliance with the standards for homeless encampments.
- (q) Homeless encampments may be approved for a time period not to exceed six months.
- (r) A three-month separation will be required between temporary homeless encampments at the same location.
- (s) Simultaneous temporary homeless encampments may not be located within 1,000 feet of each other. (Ord 5729 Sec. 2, 2017)

Section 3. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON,
this ____ day of _____, 2017, and signed in authentication of its passage
this ____ day of _____, 2017.

STEVE C. YOUNG, Mayor

Attest:

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 5729 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this ____ day of
_____, 2017.

Approved as to Form:

LISA BEATON, City Attorney
DATE OF PUBLICATION _____

Attest:

STEVE C. YOUNG, Mayor

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 5728 filed and recorded
in the office of the City Clerk of the City of
Kennewick, Washington this ____ day of
_____, 2017.

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION_____



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE No: BSP 15-11/PLN-2015-03989 DEVELOPMENT
AGREEMENT

Public Hearing Date: November 20, 2017

Proposal: A Development Agreement for Binding Site Plan BSP 15-11/PLN-2015-03989

Agreement Parties: City of Kennewick, Tom Solbrack and John Michel

Staff Contact: Steve Donovan, Planner

Background:

The development agreement was requested by the City of Kennewick because of the Traffic Mitigation that was needed within the City's street right-of-way as a result of developing Binding Site Plan BSP 15-11/PLN-2015-03989.

Discussion and Analysis:

The Development Agreement is entered into by and between the City of Kennewick and Tom Solbrack and John Michel, property owners of the land described in BSP 15-11/PLN-2015-03989.

The reason for the Development Agreement is to develop the infrastructure pursuant to the agreement and vest to applicable laws in affect at the time of adoption of the agreement. The term of the Agreement shall be 10 years from the effective date.

Modifications can be made to the agreement if the City believes there is a threat to public health, safety, environmental impacts or requirements of state or federal regulations.

The following is a list of improvements that will need to be made as result of the Development Agreement:

- Installation of a traffic light between Lots 9 and 10
- Realignment of 10th Avenue
- Installation of traffic light on 10th Avenue

Any of the Parties can apply for amendments to the Agreement.

Regulatory Controls and Policies

- Kennewick Municipal Code Chapter 18.48 – Development Agreements

Findings of Fact:

1. The development agreement is between the City of Kennewick and Tom Solbrack and John Michel.
2. The development agreement shall be valid for 10 years.

3. The development agreement is needed in order to ensure that the needed infrastructure is developed
4. Any of the Parties may apply for amendments to the Agreement

Conclusions of Law:

1. The City of Kennewick can enter into a development agreement pursuant to KMC Section 18.48.020.
2. The Planning Commission has the authority to make a recommendation to the City Council pursuant to KMC Section 18.48.050.

Staff Recommendation:

Based on the above analysis of this request, staff recommends the Planning Commission forward a recommendation of APPROVAL to City Council for the following motion.

Motion:

I move that the Planning Commission concur with the findings and conclusions in the staff report and recommend to City Council approval of the request to enter into the Development Agreement for BSP 15-11/PLN-2015-03989.

Exhibits:

1. Staff Report
2. Binding Site Plan Drawing, BSP 15-11/PLN
3. Proposed Development Agreement
4. Notice of Mailing

A RECORD OF SURVEY AND BINDING SITE PLAN OF LANDS LOCATED IN THE
SOUTHEAST 1/4 AND THE SOUTHWEST QUARTER OF SECTION 1 OF TOWNSHIP 8
NORTH IN RANGE 28 EAST, W.M., CITY OF KENNEWICK, WA

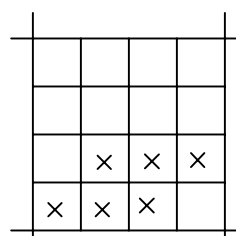
FOR: MICHEL AND SOLBRACK,
COK FILE BSP 15-11/ PLN-2015-03989

2 1/2" BRASS CAP IN CASE BY LS
38024 AT NW CORNER OF SW 1/4 OF
SECTION 1

LEGEND

- SECTION OR SECTION SUBDIVISION LINE
- RIGHT OF WAY LINE
- CENTERLINE
- EASEMENT BOUNDARY
- EXISTING PARCEL BOUNDARY
- PLAT BOUNDARY OR NEW PARCEL LINE
- CENTER OF EXISTING RAILROAD TRACKS
- CENTER OF BPA TRANSMISSION LINE
- FOUND REBAR AND PLASTIC CAP BY
STRATTON SURVEYING
- FOUND BRASS CAP STREET MONUMENT OR
PLSS MONUMENT AS DESCRIBED
- SET 5/8"X 30" REBAR WITH PLASTIC YELLOW
CAP STAMPED "HDJ-LS25893"
- CALCULATED POINT NOT FOUND OR SET
- FOUND 1/2" REBAR WITH PLASTIC CAP
SET BY CHRISTENSEN, HELD FOR
EXISTING PARCEL LINES.

SECTION DIAGRAM



SECTION 1
TWP 8N RGE 28E, WM

BASIS OF BEARINGS
THIS SURVEY CONFORMS TO THE WASHINGTON
STATE PLANE COORDINATE SYSTEM, NAD-83, AS
SHOWN ON THE SURVEY FOR A GIS MAPPING
PROJECT FOR THE CITY OF KENNEWICK, BENTON
COUNTY SURVEY NO. 1540. TO REESTABLISH
THE BEARINGS SHOWN HEREIN, ONE WOULD USE
THE WEST LINE OF THE SOUTHWEST 1/4 OF
SECTION 1 WITH A BEARING N 00°23'22" W.
DISTANCES SHOWN HEREIN ARE TRUE GROUND
LENGTH.

N 00°23'22" W 2493.53

N 00°23'22" W 2493.53

N 00°23'22" W 2493.53

N 00°23'22" W 2493.53

N 00°23'22" W 2493.53

N 00°23'22" W 2493.53

N 00°23'22" W 2493.53

N 00°23'22" W 2493.53

N 00°23'22" W 2493.53

N 00°23'22" W 2493.53

AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS _____ DAY OF _____
2015, AT _____ MINUTES PAST _____ AND
RECORDED IN VOLUME _____ OF SURVEYS, PAGE _____, AT
THE REQUEST OF HDJ DESIGN GROUP.

BENTON COUNTY AUDITOR

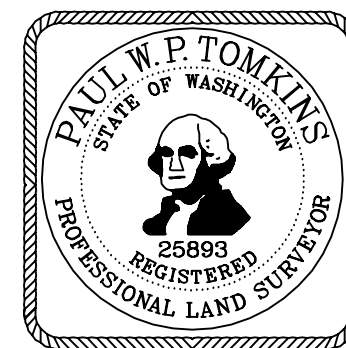
FEE NUMBER

RECORD SURVEY NUMBER

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY
MADE BY ME OR UNDER MY DIRECTION IN
CONFORMANCE WITH THE SURVEY RECORDING
ACT AND AT THE REQUEST OF TOM SOLBRACK
AND JOHN MICHEL.

PAUL W.P. TOMKINS, P.L.S. 25893



6115 Burden Blvd, Suite E
Pasco, WA 99301-8930
509/547-5119
306/695-3488
509/547-5129 fax

Internet: www.hdjdesigngroup.com

CLIENT: TOM SOLBRACK

SURVEYOR: PWP TOMKINS

CALC BY: PWPT

SECTION: 1

CITY: KENNEWICK

REVISED 05/25/2016

PROJECT NO.: 3988-00

DATE: 05/25/16

DRAWN BY: PWPT

TOWNSHIP: 8N

COUNTY: BENTON

SCALE: 1"= 200'

RANGE: 28E

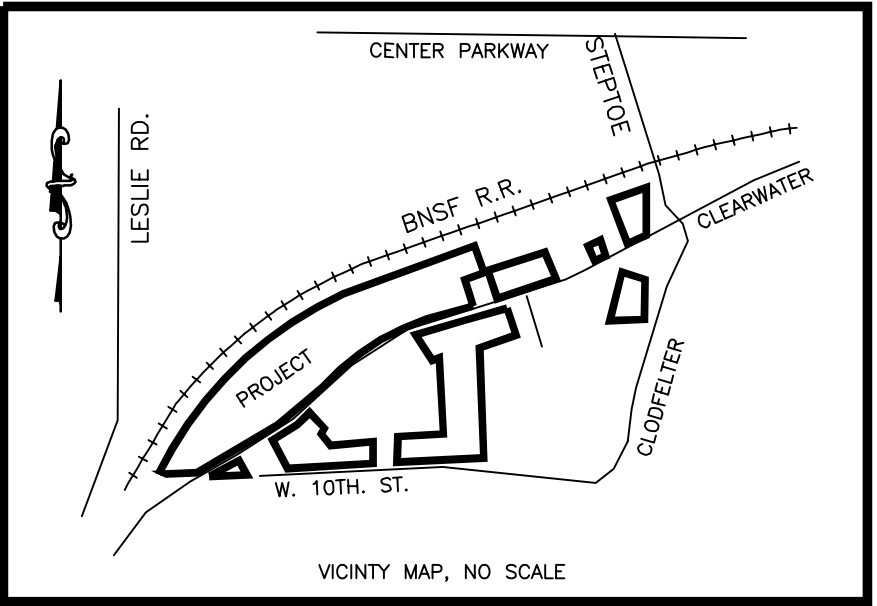
SHEET 1 OF 6

SEE SHEET TWO

A RECORD OF SURVEY AND BINDING SITE PLAN OF LANDS LOCATED IN THE
SOUTHEAST 1/4 AND THE SOUTHWEST QUARTER OF SECTION 1 OF TOWNSHIP 8
NORTH IN RANGE 28 EAST, W.M., CITY OF KENNEWICK, WA
FOR: MICHEL AND SOLBRACK,
COK FILE BSP 15-11/ PLN-2015-03989

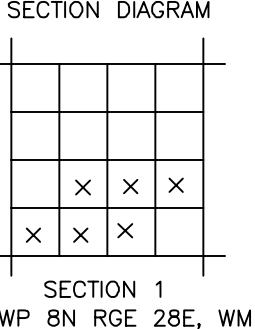
CURVE	RADIUS	ARC	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	4200.00	757.51	756.48	N 66°42'18" E	10°20'02"
C2	2400.00	1077.55	1068.52	S 59°46'37" W	25°43'29"
C3	2700.00	573.47	572.39	N 52°59'58" E	12°10'10"
C4	76.00	120.69	108.40	S 63°36'57" E	90°59'28"
C5	25.00	39.59	35.58	S 63°28'40" E	90°42'53"
C6	25.00	39.60	35.59	S 27°15'34" W	90°45'34"
C7	20.00	7.84	7.79	N 06°53'49" W	22°26'47"
C8	112.00	138.17	129.58	N 31°01'01" W	70°41'09"
C9	672.98	249.47	248.05	N 04°43'15" W	21°14'22"
C10	672.98	116.28	116.14	N 10°53'05" E	9°54'04"
C11	4564.71	286.54	286.49	N 67°21'51" E	3°35'48"
C12	4564.75	254.22	254.19	N 63°58'13" E	3°11'27"
C13	389.99	380.78	365.83	N 00°28'27" W	55°56'31"
C14	2360.00	276.09	275.94	S 69°17'16" W	6°42'11"
C15	992.00	94.63	94.60	N 15°10'57" W	5°27'57"
C16	782.00	218.21	217.50	N 20°26'37" W	15°59'16"
C17	4160.00	201.45	201.43	N 62°55'31" E	2°46'28"
C18	4160.00	219.91	219.88	N 65°49'37" E	3°01'44"
C19	4160.00	277.62	277.57	S 69°15'11" W	3°49'25"
C20	50.00	79.41	71.33	S 63°36'57" E	90°59'28"
C21	4200.00	56.26	56.26	N 72°15'20" E	0°46'03"
C22	4240.00	108.91	108.91	N 62°16'26" E	1°28'18"
C23	4246.00	189.42	189.41	N 64°17'16" E	2°33'22"
C24	4246.00	251.42	251.38	N 67°15'44" E	3°23'33"
C25	4240.00	215.61	215.59	N 70°24'55" E	2°54'49"
C26	4240.00	56.78	56.78	N 72°15'20" E	0°46'02"
C27	2440.00	198.86	198.80	S 70°18'16" W	4°40'10"
C28	2710.24	254.08	253.99	S 69°57'13" W	5°22'17"
C29	2710.24	522.14	521.34	S 61°44'55" W	11°02'18"
C30	2440.00	464.91	464.21	S 62°30'41" W	10°55'01"
C31	2440.00	375.05	374.68	N 52°38'58" E	8°48'25"
C32	2710.24	413.14	412.74	N 51°51'45" E	8°44'02"
C33	2440.00	56.69	56.69	N 47°34'49" E	1°19'53"
C36	2710.24	27.48	27.48	S 47°12'18" W	0°34'51"
C37	2389.97	269.20	269.06	N 50°08'29" E	6°27'13"
C38	2660.00	265.36	265.25	S 56°13'34" W	5°42'57"
C39	2660.00	299.61	299.46	N 50°08'29" E	6°27'13"
C40	2389.97	238.42	238.32	S 56°13'34" W	5°42'57"
C41	3472.16	480.02	479.64	N 32°42'17" E	7°55'16"
C42	3629.20	1751.84	1734.88	S 50°10'00" W	27°39'25"
C43	4103.33	414.14	413.96	N 67°07'07" E	5°46'58"
C44	30.00	47.00	42.34	N 76°02'13" W	89°45'40"
C45	280.00	105.16	104.55	N 41°41'28" W	21°31'08"
C46	2035.00	109.37	109.36	N 68°52'52" E	3°04'46"
C47	2360.00	61.71	61.71	S 47°39'49" W	1°29'53"
C48	2360.00	206.13	206.07	S 50°54'54" W	5°00'16"
C49	2360.09	149.76	149.73	S 55°14'06" W	3°38'08"
C50	2360.00	205.99	205.93	S 59°33'12" W	5°00'04"
C51	2360.00	159.91	159.88	S 63°59'42" W	3°52'57"
C52	572.97	125.76	125.51	N 09°30'57" E	12°34'33"

LINE	BEARING	DISTANCE
L1	S 28°26'15" E	109.33
L2	S 28°27'41" E	50.75
L3	S 27°29'49" W	15.59
L4	S 69°14'28" E	141.40
L5	S 85°22'19" W	261.77
L6	S 15°46'42" W	372.32
L7	N 15°46'42" E	205.03
L8	N 61°32'17" E	207.80
L9	S 61°32'17" W	185.32
L10	S 26°59'25" E	6.00
L11	S 61°32'17" W	196.19
L12	S 61°32'17" W	100.57
L13	S 61°32'17" W	166.28
L14	S 61°32'17" W	99.96
L15	N 28°28'23" W	150.11
L16	S 61°34'01" W	100.00
L17	N 28°29'13" W	150.16
L18	S 61°32'17" W	39.80
L19	N 22°39'12" W	294.86
L20	S 68°31'25" W	191.66
L21	S 19°27'03" E	15.00
L22	S 70°32'57" W	50.00
L23	S 70°32'57" W	65.04
L24	S 18°07'13" E	148.82
L25	S 18°07'13" E	199.23
L26	N 72°38'21" E	238.03
L27	N 20°18'20" W	267.43
L28	S 70°53'34" W	222.70
L29	S 70°53'07" W	188.15
L30	N 19°27'58" W	272.56
L31	N 19°09'13" W	244.02
L32	S 70°53'19" W	284.29
L33	N 70°53'19" E	233.91
L34	S 16°55'00" E	259.44
L35	N 72°38'21" E	172.10
L36	N 72°38'21" E	386.68
L37	S 17°21'39" E	324.60
L38	S 72°38'21" W	329.64
L39	S 72°24'10" W	407.72
L40	N 16°55'00" W	26.02
L41	S 72°38'21" W	303.64
L42	S 72°38'21" W	55.95
L43	S 72°38'21" W	303.64
L44	S 72°38'21" W	85.81
L45	N 16°55'00" W	285.46
L46	N 22°01'49" W	282.59
L47	N 33°46'14" W	276.02
L48	N 41°45'15" W	270.62
L49	N 46°54'53" E	297.25
L50	S 46°54'53" W	169.66
L51	N 46°54'53" E	310.24
L52	N 36°37'54" W	270.02
L53	S 30°54'58" E	270.02
L54	S 59°05'02" W	366.72
L55	N 41°19'12" W	274.53
L56	N 59°05'01" E	416.30
L57	N 41°19'12" W	290.73
L58	S 29°20'02" W	283.83
L59	N 86°08'20" E	378.16
L60	S 59°04'57" W	485.66
L61	N 46°55'35" E	54.68
L62	S 38°19'26" E	122.88
L63	S 03°51'06" E	250.33
L64	N 59°04'57" E	286.85
L65	S 86°08'20" W	377.86
L66	S 86°09'03" W	162.00
L67	N 03°50'34" W	60.02
L68	S 86°08'17" W	38.77
L69	S 30°55'28" E	213.70
L70	N 48°01'30" E	61.44
L71	S 57°57'24" W	42.25
L72	S 46°54'53" W	80.00
L73	N 46°54'50" E	159.01
L74	S 85°22'19" W	106.71
L75	S 15°46'42" W	409.53
L76	S 69°14'28" E	104.19
L77	N 46°54'53" E	147.16

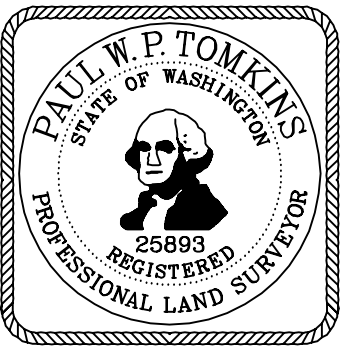


AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS _____ DAY OF _____
2016, AT _____ MINUTES PAST _____ AND
RECORDED IN VOLUME _____ OF SURVEYS, PAGE _____, AT
THE REQUEST OF HDJ DESIGN GROUP.

SURVEYOR'S CERTIFICATE
THIS MAP CORRECTLY REPRESENTS A SURVEY
MADE BY ME OR UNDER MY DIRECTION IN
CONFORMANCE WITH THE SURVEY RECORDING
ACT AND AT THE REQUEST OF TOM SOLBRACK
AND JOHN MICHEL.



BENTON COUNTY AUDITOR _____ FEE NUMBER _____
RECORD SURVEY NUMBER _____ PAUL W.P. TOMKINS, P.L.S. 25893



6115 Burden Blvd, Suite E
Pasco, WA 99301-8930
509/547-5119
306/695-3488
509/547-5129 fax
Internet: www.hdjdesigngroup.com

CLIENT: SOLBRACK & MICHEL		PROJECT NO.: 3988-01	
SURVEYOR: PWP TOMKINS		DATE: 09/28/2015	
CALC BY: PWPT	DRAWN BY: PWPT	SCALE: 1"= 200'	
SECTION: 1	TOWNSHIP: 8N	RANGE: 28E	
CITY: KENNEWICK	COUNTY: BENTON	SHEET <u>2</u> OF <u>7</u>	

04/18/2016 REVISION

SEE SHEET 1

BASIS OF BEARINGS
THIS SURVEY CONFORMS TO THE WASHINGTON
STATE PLANE COORDINATE SYSTEM, NAD-83, AS
SHOWN ON THE SURVEY FOR A GIS MAPPING
PROJECT FOR THE CITY OF KENNEWICK, BENTON
COUNTY SURVEY NO. 1540. TO REESTABLISH
THE BEARINGS SHOWN HEREIN, ONE WOULD USE
THE WEST LINE OF THE SOUTHWEST 1/4 OF
SECTION 1 WITH A BEARING N 00°23'22" W.
DISTANCES SHOWN HEREIN ARE TRUE GROUND
LENGTH.

FD. 2 1/2" BRASS CAP
4 FT. DEEP.
DISTURBED.
DID NOT
HOLD FOR
CORNER.
BR. CAP IS
N47°W 0.6'
FROM
CORNER
POSITION.

THIS MONUMENT IS A
REBAR WITH ORANGE CAP

CENTERLINE OF
STEPTOE ST.
PURSUANT TO
SURVEY NO. 4418

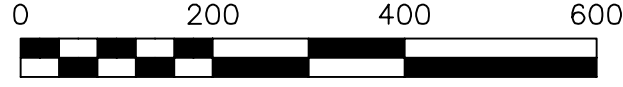
WATER VALVES
AND MANHOLE

REBAR BY
CHRISTENSEN IS
N13°08'W 0.49'
FROM INTERSECTION
OF R.O.W. LINE
WITH EAST LINE OF
LINE 1/4 OF SEC. 1

L=433.28
R=2033.28
Δ=12°12'34"
B=N 22°10'23" E
C=432.46

20' WIDE ACCESS
EASEMENT, A.F. NO.
2015-023023

NOTE: TRACT A OF BINDING
SITE PLAN NO. 4645 HAS
BEEN DEEDED TO KENNEWICK
IRRIGATION DISTRICT PER
DEED AT A.F. 2015-025039



FD. 3" BRASS CAP ON
3/4" PIPE SOUTHEAST SIDE
OF FENCE CORNER,
SOUTHEAST CORNER OF
THE SE 1/4 OF SECTION 1

When recorded, please return to:

Kennewick City Clerk
P. O. Box 6108
Kennewick, WA 99336

DEVELOPMENT AGREEMENT FOR CLEARWATER COMMERCIAL BINDING SITE PLAN

THIS DEVELOPMENT AGREEMENT (“Agreement”) is entered into by and between the CITY OF KENNEWICK, a municipal corporation of the State of Washington (hereinafter “City”), and TOM SOLBRACK and JOHN MICHEL, in their individual capacity (hereinafter “Developer”), (collectively referred to as the “Parties”), for property legally described as set forth herein.

I. RECITALS

WHEREAS, the Developer has submitted to the City a binding site plan (“BSP”) for an area generally referred to as West Clearwater Avenue, between Leslie Road and South Clodfelter Road, located in the City of Kennewick; and

WHEREAS, the full build-out of the site plan is calculated to contribute to traffic impacts which will require mitigation; and

WHEREAS, the City desires to have a mechanism in place for the calculation, timing, and remittance of proportionate traffic mitigation; and

WHEREAS, Kennewick Municipal Code 18.48 authorizes the use of Development Agreements to encourage proper planning, proportionate contributions, and the funding of infrastructure;
NOW, THEREFORE,

Based on and in consideration of the foregoing and reciprocal benefits to be realized and derived by the parties hereunder, the parties each and collectively hereby agree to this Development Agreement, as follows:

II. AGREEMENT

This Agreement is governed by RCW 36.70B.170 through .210 and Kennewick Municipal Code 18.48, as follows:

Section 1. Property Described.

1.1 General Description. The Subject Property (“Property”) is generally described as both the North and South sides of West Clearwater Avenue between Leslie Road and South Clodfelter Road in the City of Kennewick, Benton County, Washington, and comprised of approximately 90 acres.

1.2 Legal Description.

See Exhibit “A”

Parent Parcel No. 101884000005018.

Section 2. Effective Date and Term.

2.1 Effective Date. This Agreement shall become effective on the date the City formally approves this Agreement (“the effective date”).

2.2 Term. The term of this Agreement shall commence on the effective date and shall continue thereafter for a period of ten (10) years.

Section 3. Vested Rights.

3.1 Vesting Date. The Developer shall have full and complete vested rights to develop the property pursuant to the terms of this Agreement and the existing applicable laws in effect at the time of adoption of this Agreement.

3.2 Modification Requirements. In future actions pursued by Developer under and consistent with this Agreement, the City shall not impose any new or different standards, regulations, conditions, or requirements on the property unless:

3.2.1 The City reasonably believes at their sole discretion that such action is required due to serious threat to public health or safety; or

3.2.2 The City reasonably believes in that such action is required to address probable, significant, adverse environmental impacts on future actions determined to exist as a result of additional environmental review pursuant to any development application; or

3.2.3 If required by future state or federal regulations.

Section 4. Project Mitigation.

4.1 “**Project improvements**” shall consist of infrastructure and mitigation features, including, but not limited to, traffic lights, roundabouts, or street re-alignment or other infrastructure improvements. Developer shall provide, consistent with HDJ’s Analysis, the following:

4.1.1 Installation of Traffic Light between Lots 9 and 10;

4.1.2 Realignment of 10th Ave.;

4.1.3 Installation of Traffic Light, 10th Ave.

4.2 **Trip Generation Methodology.** For purposes of calculating traffic mitigation triggering events, the Parties have initially used trip generation estimates as set forth in the Transportation Impact Analysis, Clearwater Commercial Binding Site Plan, prepared by HDJ Design Group (“HDJ Analysis”)¹ which is attached hereto as Exhibit B and incorporated herein by reference. However, the Parties also recognize that actual trip generation shall be used for events that trigger a threshold for the construction of mitigation measures.

4.3 **Mitigation Triggering Events.** The following events trigger the above mitigation:

4.3.1 10th Ave. Realignment: when construction is completed that directs 100 exiting trips “in the PM peak hour” through a site entrance opposite the proposed intersection of the realigned 10th Avenue and Clearwater Avenue.

Traffic Signal 10th Avenue: when construction is complete that directs 150 exiting trips “in the PM peak hour” through a site entrance opposite the proposed intersection of the realigned 10th Avenue and Clearwater Avenue as determined by the City.

4.3.2 Traffic Signal Lots 9 and 10: when construction is complete that directs 150 exiting trips “in the PM peak hour” through a site that intersects Clearwater Avenue between lots 9 and 10 as determined by the City.

4.4 **Utah Street/Clearwater Drive.** In the event that Developer installs a traffic signal and new north/south street between lots depicted as Numbers 9 and 10, Developer’s additional mitigation at Utah Street/Clearwater Drive would be limited to a westbound right-turn lane at such time that the number of westbound right-turns onto Clearwater Drive meets or exceeds 50 right-turns in the PM peak hour, or the driveway volumes are 1,000 or more vehicles per day, or

¹ Subsequently changed to PBS Engineering and Environmental Inc.

when the threshold in the WSDOT Design Manual, Exhibit 1310-11 *Right-Turn Lane Guidelines* is exceeded.

Section 5. Additional Project Specifications and Standards.

During the term of this Agreement the following shall also be imposed:

5.1 **Access Points.** All access points on West Clearwater Avenue shall be spaced greater than 300 feet from center line to center line.

5.2 **Transportation Impact Fees.** Development of lots within the BSP shall be subject to the City Transportation Impact Fees ("TIF") which shall be due at the time of occupancy.

5.3 **Sidewalk Infill.** Any missing section of sidewalk on West Clearwater Avenue shall be filled in as condition of building permit issuance for any abutting property.

Section 6. General Terms and Conditions.

6.1 **Amendments.** Nothing in this Agreement shall prevent any of the Parties from applying for amendments to the terms of this Agreement.

6.2 **Default.** Failure by any Party to perform any term or provision of this Agreement, which failure continues uncured for a period of sixty (60) days following written notice from the other Party (unless the Parties have mutually agreed in writing to extend this period), shall constitute a default under this Agreement.

6.3 **Construction.** This Agreement sets forth the entire understanding and agreement of the Parties relating to the subject matter hereof. This Agreement shall be construed as a whole. No amendment, change, or modification of any provision of this Agreement shall be valid unless set forth in writing and signed by both Developer, or applicable Owner and the City.

6.4 **Waiver/Severability.** The failure of any Party to insist upon or enforce strict performance by the other Party of the provisions of this Agreement to exercise any rights or remedies under this Agreement shall not be construed as a waiver or relinquishment of any Party's right to assert or rely upon such provisions of rights; rather the same shall be and remain in full force and effect. The invalidity or unenforceability of any provision of this Agreement shall not affect the other provisions hereof, and this Agreement shall be construed in all respects as if such invalid or unenforceable provisions were omitted.

6.5 **Binding Effect.** This Agreement shall be recorded against the property pursuant to RCW 36.70B.190 and, subject to this Agreement's express conditions and/or limitations, shall thereupon and thereafter "run with the land" and be binding upon and inure to the benefit of the present future Owners of the property and their respective grantees, successors, and assigns.

Upon assignment of this Agreement and/or the conveyance of the property (or any portions thereof) to which this Agreement is applicable, the assignee and/or grantee shall assume all rights, obligations, and liabilities set forth in this Agreement as they apply and relate to the property (or to such portions thereof).

6.6 Cooperation. Each Party shall undertake such action (including, without limitation, the execution, acknowledgment and delivery of documents) as may be reasonably requested by the other Party for the implementation or continuing performance under this Agreement. In the event of any administrative, legal, or equitable action or other proceeding instituted by any person challenging the validity of this Agreement (or any portion thereof), or any action or future actions taken consistent with this Agreement, the Parties shall coordinate and cooperate in defending any such action or proceeding to settlement or final judgment, including all appeals therefrom. Each Party shall select its own legal counsel and retain such counsel at its own expense and cost.

6.7 Transfer/Assignment. The Developer shall have the right to assign or otherwise transfer all or any portion of the Developer's interest, rights, and/or obligations under this Agreement to third Parties acquiring an interest in the property, including, without limitation, purchasers or ground lessees of individual lots, tracts, parcels, or any lots, homes, structures, or facilities situated within or appurtenant to the property. Any such assignment shall release Developer from its obligations under this Agreement.

6.8 Notices. Notices under this Agreement shall be in writing and unless otherwise required by law, may be delivered: (a) personally; (b) by U.S. Mail, certified or registered; or (c) by a nationally recognized overnight courier service. Mail notice shall be deemed effective on the third day after deposited as registered or certified mail, postage prepaid, directed to the other Party at their addresses set forth below:

City:

Cary M. Roe
Director of Public Works
City of Kennewick
210 West 6th Avenue
Kennewick, WA 99336

Developer:

Tom Solbrack and John Michel
2555 Hwy 24
Othello, WA 99344

6.9 Exhibits. Any reference to exhibits attached to this Agreement shall be deemed as being incorporated herein and made a part hereof by virtue of each reference and attachment.

6.10 Dispute Resolution. In the event of any dispute between the Parties, nothing shall prevent the Parties from agreeing, in writing, to mediation or arbitration. Absent agreement to the contrary, jurisdiction shall be Benton County Superior Court. The substantially prevailing Party to any dispute shall be entitled to an award of attorney fees and costs.

DATED this 2nd day of Oct., 2017.



TOM SOLBRACK, Developer



JOHN MICHEL, Developer

DATED this _____ day of _____, 2017.

CITY OF KENNEWICK

STEVE C. YOUNG, Mayor

Attest:

Approved as to Form:

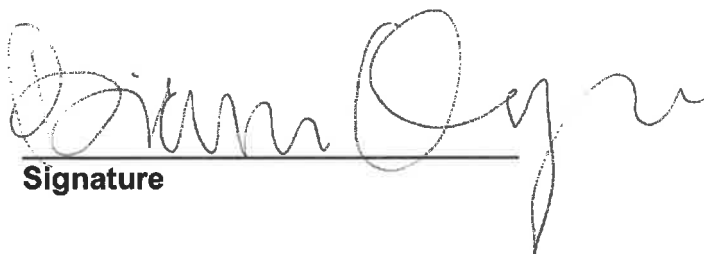
TERRI L. WRIGHT, City Clerk

LISA BEATON, City Attorney



NOTICE OF MAILING

I, BIANCA OROZCO, on 10/25, 20 17
mailed 121 copies of NOTICE OF PUBLIC HEARING
for DEVELOPMENT AGREEMENT
to PROPERTY OWNERS WITHIN 300'
as shown on the attached list.


Signature

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

November 20, 2017 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday November 20, 2017, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed Development Agreement. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

The Development Agreement is proposing to be entered into by and between the City of Kennewick and Tom Solbrack and John Michel, property owners of the land described in BSP 15-11/PLN-2015-03989.

The reason for the Development Agreement is to develop the infrastructure pursuant to the agreement and vest to applicable laws in affect at the time of adoption of the agreement. The term of the Agreement shall be 10 years from the effective date. For questions about this proposal, please call Steve Donovan (509) 585-4361.

Written comments may be addressed to Steve Donovan and submitted to steve.donovan@ci.kennewick.wa.us or mailed to PO Box 6108, Kennewick, WA 99336 and received no later than 4:30 p.m., November 17, 2017. All other comments should be submitted at the meeting.

The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact Steve Donovan at (509) 585-4361 or TDD (509) 585-4425 or through the Washington Relay Service Center TTY at #711 at least ten days prior to the date of the meeting to make arrangements for special needs.

37
DOUG J & SANDRA L SHEPARD
616 S STEPTOE ST
KENNEWICK, WA 99336

37
ISAAC T BEDFORD
1007 S SUNNYVALE DR
KENNEWICK, WA 99338

37
DOUGLAS S RYBARSKI
1122 S WILLOW PR SE
KENNEWICK, WA 99338

37
TOM & VICKI L SOLBRACK
2555 W HWY 24
OTHELLO, WA 99344

37
AMON HILLS PROPERTIES, LLC
7233 W DESCHUTES AVE
KENNEWICK, WA 99336

37
HANSEN PARK LLC
HANSEN PARK HOA
6855 W CLEARWATER AVE A 101-160
KENNEWICK, WA 99336

37
WAZZU PROPERTIES
9228 W CLEARWATER DR
KENNEWICK, WA 99336

37
S & S RESTAURANT HOLDINGS, LLC
9221 W CLEARWATER AVE
KENNEWICK, WA 99336

37
DONALD L & GAYLA S LAPIERRE
512 S PITTSBURGH ST
KENNEWICK, WA 99336

37
MARTIN E & KATHRYN D ZIZZI
500 S PITTSBURGH ST
KENNEWICK, WA 99336

37
CHARLES W & KARLEEN SPENCER
TRUSTEES
1104 S SUNNYVALE DR
KENNEWICK, WA 99338

37
RENE A & VELINA M PEREZ
1103 S SUNNYVALE DR
KENNEWICK, WA 99338

37
JON & JULIE WADDOUPS
1218 S WILLOWS PR
KENNEWICK, WA 99338

37
TDKJ COMMERCIAL PROPERTY LLC
PO BOX 903
RICHLAND, WA 99352

37
EUGENE V & KATHLEEN G MORREY
1105 S TRANQUILITY PR SE
KENNEWICK, WA 99338

37
JULIA A STEFFLER
10005 W 10TH AVE
KENNEWICK, WA 99336

37
BADGER MOUNTAIN PROFESSIONAL
LLC
10201 W CLEARWATER AVE
KENNEWICK, WA 99338

37
DALE L & GEORGE ANNE KINTZLEY
2315 S HARTFORD ST
KENNEWICK, WA 99337

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TIMOTHY J & MIRIAM LEE PORTLOCK
508 S PITTSBURGH ST
KENNEWICK, WA 99336

37
GARY & VICKI MCATEE
8912 W 6TH AVE
KENNEWICK, WA 99336

37
ACME PEST & SPRAY LLC
PO BOX 5478
WEST RICHLAND, WA 99353

37
LADELL W & BETH A VANCE
1124 S TRANQUILITY PR SE
KENNEWICK, WA 99338

37
DEBRA K GARCIA
PO BOX 832
RICHLAND, WA 99352

37
TIMOTHY C & RONDA K CRAY
1103 S SANDLEWOOD PR SE
KENNEWICK, WA 99338

37
ROBERT A STAFFORD
11911 W CLEARWATER AVE
KENNEWICK, WA 99338

37
VICTOR V & MARILYN JOHNSON
1500 S CLODFELTER RD
KENNEWICK, WA 99338

37
JEROLD C WILDE
10133 W CLEARWATER AVE
KENNEWICK, WA 99338

37
LANCE W & BRITTANY D GLEDHILL
600 S PITTSBURGH ST
KENNEWICK, WA 99336

37
BRENT & JODI GILLIPIE
504 S PITTSBURGH STREET
KENNEWICK, WA 99336

37
HEATHER WISER
503 S PITTSBURGH ST
KENNEWICK, WA 99336

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RONALD E & HAZEL D LEAVELL
9404 W 5TH PL
KENNEWICK, WA 99336

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KENNETH R LEWIS
9412 W 5TH PL
KENNEWICK, WA 99336

37
BRYAN J & NAOMI J CARDINAL
552 N COLORADO ST #101
KENNEWICK, WA 99336

37
LINDA M MEARNES
9424 W 5TH PL
KENNEWICK, WA 99336

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JENNIFER N BULL
9502 W 5TH PL
KENNEWICK, WA 99336

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MATTHEW A CLAYBROOK
9508 5TH PL
KENNEWICK, WA 99336

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JEREMY C JANSKY
9514 W 5TH PL
KENNEWICK, WA 99336

37
DANIEL & SHERRY DANGATE
2527 S IRVING ST
KENNEWICK, WA 99338

37
MICHAEL D & LORAYNE R KILGORE
502 S YOLO ST
KENNEWICK, WA 99336

37
ISIDRO ZAVALA GARCIA
313 WELLSIAN WAY
RICHLAND, WA 99352

37
THIHA & SOMRUDEE SUKVIPAT
MAUNG
313 WELLSIAN WAY
RICHLAND, WA 99352

37
ANTHONY D MILEWSKI
602 S YOLO ST
KENNEWICK, WA 99336

37
FIMIANA MOSESOVA
313 WELLSIAN WAY
RICHLAND, WA 99352

37
KHMEES KORA
313 WELLSIAN WAY
RICHLAND, WA 99352

37
KATHY J CLAPPER
700 S YOLO ST
KENNEWICK, WA 99336

37
HEATHER K CRARY HUNZEKER
706 YOLO ST
KENNEWICK, WA 99336

37
DODD DEVELOPMENT CO INC
1126 BRIDLE DR
RICHLAND, WA 99352

37
JAROD S & CAROLYN R FRANKLIN
800 YOLO ST
KENNEWICK, WA 99336

37
PHYLLIS SMITH
806 YOLO ST
KENNEWICK, WA 99336

37
CODY CHANDLER
810 YOLO ST
KENNEWICK, WA 99336

37
DIXON3 PROPERTIES LLC
PO BOX 1777
BATTLEGROUND, WA 98604

37
MARK R BAUDER
605 SUMMIT ST
RICHLAND, WA 99352

37
BRANDEN S DESPAIN
906 YOLO ST
KENNEWICK, WA 99336

37
REBECCA SMITH-HICKEY
500 S WYOMING ST
KENNEWICK, WA 99336

37
BARBARA ANN SNEDIGAR
506 WYOMING ST
KENNEWICK, WA 99336

37
CARMEN MARTINEZ
512 WYOMING STREET
KENNEWICK, WA 99336

37
KENNETH V WALTERS
600 S WYOMING ST
KENNEWICK, WA 99336

37
AUNG
313 WELLSIAN WAY
RICHLAND, WA 99352

37
JANE ROBISON
313 WELLSIAN WAY
RICHLAND, WA 99352

37
KYLE J MILLER
607 YOLO ST
KENNEWICK, WA 99336

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ROBERT G & KARYN R ELLENBERGER
601 S YOLO ST
KENNEWICK, WA 99336

37
GUY W RICHARDS
509 S YOLO ST
KENNEWICK, WA 99336

37
JEFFREY L & PATTI J THOMPSON
28104 S 959 PR SE
KENNEWICK, WA 99338

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CHARLES & KARLA CLAYBROOK
701 S YOLO ST
KENNEWICK, WA 99336

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TODD A VANDERHOOGT
707 S YOLO ST
KENNEWICK, WA 99336

37
SHARON R VORPAGEL
713 S YOLO ST
KENNEWICK, WA 99336

37
MELODY J PETERS-JOHNSON
803 S YOLO ST
KENNEWICK, WA 99336

37
TERRY L TURLEY
809 S YOLO ST
KENNEWICK, WA 99336

37
BRENDA L NORDHAUS
9512 W 9TH PL
KENNEWICK, WA 99336

37
JAMES A CASTLEBERRY
905 S YOLO ST
KENNEWICK, WA 99336

37
BARBARA J YOUNG
9417 W 5TH PL
KENNEWICK, WA 99336

37
DAVID L & MYRNA KOLLER
501 S WYOMING ST
KENNEWICK, WA 99336

37
CINDY S SCHOCK
507 S WYOMING ST
KENNEWICK, WA 99336

37
SERGIO A FAVELA
513 WYOMING ST
KENNEWICK, WA 99336

37
SANTIAGO BRIDGEWATER ESTATES
C/O HAYDEN HOMES LLC
2464 SW GLACIER PL STE 110
REDMOND, OR 97756-7731

37
BENTON CLEAN AIR AGENCY
526 S STEPTOE ST
KENNEWICK, WA 99336

37
IBEW LOCAL 112
2637 W ALBANY
KENNEWICK, WA 99336

37
MOODY FAMILY PROPERTY LLC
9304 W CLEARWATER DR #A
KENNEWICK, WA 99336

37
HILLCREST MEMORIAL CENTER LLC
9353 W CLEARWATER AVE
KENNEWICK, WA 99336

37
SCOTT & DENISE A HOWELL
6804 FRANKLIN COURT
PASCO, WA 99301

37
HOME BUILDERS ASSOCIATION OF
TRICITIES
10001 W CLEARWATER AVE
KENNEWICK, WA 99336

37
RCF & D LLC
11500 NE 66TH ST
VANCOUVER, WA 98662

37
CLA HOLDINGS, LLC
2137 KIMBERLY CIR
EUGENE, OR 97405

37
ROBERT A & LAUREE L CANNON
1128 COUNTRY RIDGE DR
RICHLAND, WA 99352

37
CALVARY CHAPEL OF TRI-CITIES
10611 W CLEARWATER AVE
KENNEWICK, WA 99338

37
KIRK SIDWELL
1331 E NELSON ST
MOSES LAKE, WA 98837

37
JOHN G & LINDA K MONK
8220 W GAGE BLVD #139
KENNEWICK, WA 99336

37
HANSEN PARK LLC
21611 AHTANUM RD
YAKIMA, WA 98908

37
WICKED DEVELOPMENT
9312 W 10TH AVE
KENNEWICK, WA 99336

37
GARY A & NORMA L CLAYBROOK
1102 S TRANQUILITY PR SE
KENNEWICK, WA 99338

37
DAVID B & MARY E CLAYBROOK
1106 S TRANQUILITY PR SE
KENNEWICK, WA 99338

37
BRENDA R EWING
774 S WYOMING ST
KENNEWICK, WA 99336

37
RYAN S KELLEY
750 WYOMING ST
KENNEWICK, WA 99336

37
SARAH E GIRARD
724 WYOMING ST
KENNEWICK, WA 99336

37
GABRIELLE E & SHERI E REAB
702 S WYOMING STREET
KENNEWICK, WA 99336

37
AUSTIN J & JENNIFER C REGIMBAL
917 S YOLO ST
KENNEWICK, WA 99336

37
TYLER GOODNIGHT
9505 W 9TH AVE
KENNEWICK, WA 99336

37
AUSTIN M LOMAX
9511 W 9TH PL
KENNEWICK, WA 99336

37
AMANDA A STRAWICK
6207 DORCHESTER CT
PASCO, WA 99301

37
SUSAN C SCHWARTZ
874 S WYOMING ST
KENNEWICK, WA 99336

37
NATHAN G & TRISHELL M MARPLE
856 S WYOMING STREET
KENNEWICK, WA 99336

37
EDWARD & KAREN ANDERSON
PO BOX 1022
WOODINVILLE, WA 98072

37
DONALD MCCABE JR
504 S VERMONT ST
KENNEWICK, WA 99336

37
SHANNON URZA
528 S VERMONT ST
KENNEWICK, WA 99336

37
IRINA MUKHAMETZIANOVA
9411 W 5TH PL
KENNEWICK, WA 99336

37
C/O IPX 1031 INVESTMENT PROP
EXCHANGE SVCS INC
601 CALIFORNIA ST STE 1501 SAN
FRANCISCO, CA 94108

37
MELFORD DAVID & CARMEN JO BOND
1097 S KELLER PL
KENNEWICK, WA 99337

37
PAMELA L HUTCHINSON
475 S UTAH ST
KENNEWICK, WA 99336

37
TIMOTHY W & ROSE C HEVRIN
487 S UTAH ST
KENNEWICK, WA 99336

37
FARZEEN KHAWAJA
9378 W 5TH PL
KENNEWICK, WA 99336

37
HECTOR BERMUDEZ GONZALEZ
415 S TEXAS ST
KENNEWICK, WA 99336

37
JOSEPH D BUCKLEN
439 S TEXAS ST
KENNEWICK, WA 99336

37
ANGEL CARIDAD JR
451 S TEXAS ST
KENNEWICK, WA 99336

37
MATTHEW M & AMY M DURST
16314 S FAIRVIEW LOOP
KENNEWICK, WA 99338

37
VANESSA D BAILEY
475 S TEXAS ST
KENNEWICK, WA 99336

37
ELIZABETH STEWART
487 S TEXAS ST
KENNEWICK, WA 99336

37
GARRICK A & KIMBERLY I MICKELSEN
499 S TEXAS ST
KENNEWICK, WA 99336

37
EDEN NAVARRO
511 S TEXAS ST
KENNEWICK, WA 99336

37
GLODOWALDO A SALINAS JR
523 S TEXAS ST
KENNEWICK, WA 99336

37
KENNEWICK IRRIGATION DISTRICT
2015 S ELY ST #A
KENNEWICK, WA 99337

37

C2 MANAGEMENT GROUP LLC
12802 S COTTONWOOD CREEK BLVD
KENNEWICK, WA 99338



**ECONOMIC DEVELOPMENT AND
COMMUNITY PLANNING DEPARTMENT**

**STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION**

FILE No: COZ 17-06/PLN-2017-02380

Staff Report Date: November 9, 2017

Public Hearing Meeting Date and Location:

November 20, 2017, Kennewick City Hall

Report Prepared By: Wes Romine
Development Services Manager

Report Reviewed By: Gregory McCormick, AICP
Planning Director

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS that Change of Zone 17-06 be APPROVED.

Summary of Proposal: A Change of Zone from Residential Suburban (RS) to Residential Low Density (RL) for one parcel of land 5.04 acres in size.

Proposal Location: North of W. 45th Avenue at 4001 S. Vancouver Street.

Legal Description:

THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 8 NORTH, RANGE 29 EAST, W.M., BENTON COUNTY, WASHINGTON;
TOGETHER WITH THE SOUTH 15 FEET OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 14;
EXCEPT THE WEST 30 FEET COLLECTIVELY THEREOF AS CONVEYED TO BENTON COUNTY FOR ROAD UNDER AUDITORS FILE NO. 258697, RECORDS OF BENTON COUNTY, WASHINGTON.

Containing 5.04 acres
Parcel No. 1-1489-400-0005-001

Property Owner: Brad Beauchamp
3411 W. Canyon Lakes Drive
Kennewick, WA 99337

Applicant: Same as Property Owner

Engineer: NA

- Approval Criteria:**
1. Comprehensive Plan – Land Use
 2. KMC Title 4 – Administrative Procedures
 3. KMC Title 18 – Zoning
 4. Washington State Environmental Policy Act

COZ Key Application Processing Dates:

Pre-Application/Feasibility Meeting	N/A
Application Submittal	September 9, 2017
Determination of Completeness Issued	September 9, 2017
Notice of Application Mailed	September 19, 2017
SEPA Threshold Determination Issued	October 11, 2017
Property Posting Sign for SEPA Determination	October 11, 2017
Date of Mailed Notice of Public Hearing	November 2, 2017
Property Posting Sign for Public Hearing	November 1, 2017
Date of Published Notice of Public Hearing	November 5, 2017
SEPA Appeal Period Ends	October 25, 2017
Planning Commission Public Hearing	November 20, 2017
City Council Decision Date	December 5, 2017

Exhibits:

- 1 Staff Report
- 2 Application/Supplemental Information
- 3 Notice of Application/Mailing List
- 4 Vicinity Map
- 5 Change of Zone Map
- 6 SEPA Determination
- 7 Department of Ecology Comments

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ 17-06) is a request to change the zone of one parcel of land, approximately 5.04 acres in size, from Residential Suburban (RS) to Residential Low Density (RL). The subject parcel is located at 4001 S. Vancouver Street, north of W. 45th Avenue. The applicant has requested the change of zone for future subdivision plans.

Residential Low Density (RL) zoning has similar development standards as Residential Suburban (RS), however RL has a minimum lot size of 7,500 square feet rather than 10,500 square feet for RS zoned property. Farm animals are allowed in RS zoning and not allowed in RL. Per the applicants SEPA checklist he states that he is planning to subdivide the property with 18 single-family lots if the change of zone is approved. However, the current application is to consider the change of zone rather than a preliminary plat subdivision application that has not been submitted.

The Comprehensive Plan Land Use Designation for the subject property is Low Density Residential. Both Residential Suburban (RS) and Residential Low Density (RL) are zoning

designations that can be implemented in the Comprehensive Plan Low Density Residential Land Use designation. A change of zone to RL would be consistent with the City's Comprehensive Plan.

Per KMC 18.03.040 (1 & 5), the purpose of RS and RL zoning districts are as follows:

RS – “The purpose of the RS district is to establish areas for low density single-family residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in a semi-rural setting”.

RL – “The purpose of the RL district is to establish areas for low density, single-family, residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting”.

Staff Comment: The change of zone site is surrounded by RL zoned property with the exception of a similar size parcel immediately to the north that is zoned RS. Regardless of whether or not the proposed change of zone is approved, the City's subdivision code allows the property to be subdivided. The only difference is that a change of zone to RL will allow a minimum lot size of 7,500 square feet rather than 10,500 square feet.

By approving this change of zone all the findings can be made that are required to approve a change of zone that are listed in KMC 18.51.070 (2):

- (a) The proposed amendment conforms with the comprehensive plan; and
- (b) Promotes the public necessity, convenience and general welfare; and
- (c) 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
- (d) The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
- (e) 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.

The above required findings to approve a change of zone have been listed below under the staff recommended findings.

Surrounding Zoning:

North: Residential Suburban (RS).

East: Residential Low Density (RL).

South: Residential Low Density (RL).

West: To the west across S. Vancouver Street -Residential Low Density (RL).

Applicable Goals and Policies of the Comprehensive Plan:

Residential Goal 1: *Provide for attractive, walkable, and well-designed neighborhoods, with differing densities and compatible with neighboring areas.*

Staff Comment: A zone change to RL would allow single-family homes to be built with similar lot sizes to the surrounding properties which would be compatible with the surrounding RL single-family homes.

Residential Goal 2: Provide appropriate public facilities supporting residential areas.

Staff Comment: The site has existing water & sewer that is available for any future development.

Land Use Implementation by Zoning: Per the land use implementation by zoning table on page 15 of the City's Comprehensive Plan, both Residential Suburban (RS) and Residential Low Density (RL) zoning can be implemented in the Low Density Land Use category.

Findings:

1. The applicant and property owner is Brad Beauchamp (3411 W. Canyon Lakes Drive, Kennewick, WA 99337).
2. The proposed change of zone is for parcel number 1-1489-400-0005-001 (4001 S. Vancouver Street).
3. The request is to change the zoning from Residential Suburban (RS) to Residential Low Density (RL).
4. The City's Comprehensive Plan Land Use Designation for the subject property is Low Density Residential.
5. The Residential Low Density (RL) zoning district is an implementing zone of the Low Density Comprehensive Plan Land Use Map designation.
6. The application was submitted on September 9, 2017 and declared complete for processing.
7. The application was routed for review to City Departments and outside agencies for comment on September 19, 2017.
8. Access to the site is currently provided from S. Vancouver Street and W. 39th Avenue.
9. The City of Kennewick Critical Area maps do not show any wetland critical areas to be on the subject site.
10. An Environmental Determination of Non-Significance (ED 17-02) was issued on October 11, 2017 for this application. The appeal period for the determination ended on October 25, 2017. No appeals were filed.

11. The Property Posting sign for the SEPA Determination was posted on October 11, 2017.
12. The Property Posting sign for the public hearing was posted on site November 1, 2017.
13. Notice of the public hearing for this application was published in the Tri-City Herald on November 2, 2017. Notices were also mailed to property owners within 300 feet of the site on November 5, 2017.
14. The proposed amendment conforms with the comprehensive plan; and
15. Promotes the public necessity, convenience and general welfare; and
16. 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
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
18. The 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.

Conclusions:

1. Approval will change the zoning for the subject parcel from Residential Suburban (RS) to Residential Low Density (RL).
2. Approval will implement Residential Goal 1 & 2 of the City of Kennewick Comprehensive Plan.
3. Approval will result in the public necessity, convenience or general welfare.
4. Approval will not result in any adverse environmental impacts.

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 17-06 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 17-06 and recommend to City Council approval of the request.

Report Prepared By and Contact Person:

Wes Romine

Development Services Manager

wes.romine@ci.kennewick.wa.us

509-585-4558

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

PROJECT # COZ 17 - 06 PLN- 2017 - 02380 FEE \$ 1,268.00

Please completely fill out this form and return it 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 1 ☐ Tier 2 ☐ Tier 3 ☐ Binding Site Plan ☐

Short Plat ☐ Conditional Use ☐ Other Change of Zone

Environmental Determination PLN- _____ - _____ Pre Application Meeting PLN- _____ - _____

Applicant: BRAD BEAUCHAMP

Address: 3411 W CANYON LAKES DR, KENNEWICK WA 99337

Telephone: 5093086556 Cell Phone: 5093086556 Fax: _____ E-mail _____

Property Owner (if other than applicant): _____

Address: _____

Telephone: _____ Cell Phone: _____ E-mail _____

SITE INFORMATION

Parcel No. 114894000005001 Acres 5.04 Zoning: RS

Address of property: 4001 S VANCOUVER

Number of Existing Parking Spaces NA Number of Proposed (New) Parking Spaces NA

Present use of property SFR

Size of existing structure: 3200 sq. ft. Size of Proposed addition/New structure: NA sq. ft.

Height of building: NA Cubic feet of excavation: NA Cost of new construction NA

Benton County Assessor Market Improvement Value: 272,000

Description of Project: WE ARE REQUESTING A ZONE CHANGE FROM THE CURRENT RS ZONING TO RL
WE PLAN TO DEVELOP LOTS

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

Brad Beauchamp
Applicant's Signature

Date: 9-8-2017

Signature of owner or owner's authorized representative

RECEIVED
SEP 09 2017
Web
CITY OF KENNEWICK

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, PROVIDES MIDDLE INCOME HOUSING OPTIONS

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, NOT WITHIN 1 MILE

3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain: _____
 YES, THE OTHER SFR BORDERING THIS PARCEL ARE RL

4. Are the existing uses, in the area, in conformance with the area's zoning classification? If no, please explain the differences: _____
 YES

5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain: _____
 NO

6. Does the existing zoning prohibit reasonable use of the property? Please explain: _____
 NO BUT WOULD CREATE LOTS THAT ARE MORE EXPENSIVE THAN NORMALLY FOUND
 IN MIDDLE INCOME HOUSING

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

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

10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain: _____
YES 18 NEW SFR WOULD BE BUILT

11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain: _____
YES

12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain: _____
NO

Summary of City forms required:

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

**NOTIFICATION OF MAILING**

I, X Dianca Orozco, on X 10/2, 20 17

Mailed 55 copies of NOPH

for COZ 17-06

to Owner/App. + prop. owners w/in 300'

as shown on the attached list.

X [Signature]
Signature

COZ 17-06/PLN-2017-02380
BRAD BEAUCHAMP
4001 S VANCOUVER ST
RS TO RL

CITY OF KENNEWICK PLANNING COMMISSION**NOTICE OF PUBLIC HEARING****November 20, 2017 - 6:30 p.m.**

The City of Kennewick Planning Commission will hold a Public Hearing on Monday, November 20, 2017, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed change of zoning. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

Project# COZ 17-06 – Proposes to change approximately 5.04 acres of land from Residential Suburban (RS) to Residential Low Density (RL), located at 4001 S. Vancouver Street, north of W. 45th Avenue.

Written comments may be addressed to Wes Romine and submitted to wes.romine@ci.kennewick.wa.us or mailed to PO Box 6108, Kennewick, WA 99336 no later than 4:30 p.m., November 8, 2017 to be included in the staff report. Comments after November 8, 2017 can be submitted at the Public Hearing on November 20, 2017. For questions, please call Wes Romine at (509) 585-4558.

The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact Wes Romine at (509) 585-4558 or TDD (509) 585-4425 or through the Washington Relay Service Center TTY at #711 at least ten days prior to the date of the meeting to make arrangements for special needs.

PUBLISH: 11-5-2017

Permitting Map



EXHIBIT 3

37

ALONGI TIM E & MELANIE J
4009 S WAVERLY ST
KENNEWICK, WA 99337

37

SMITH MARSHALL S & CRYSTAL
4007 S WAVERLY ST
KENNEWICK, WA 99337

37

TREVINO CARMEN G
4005 S WAVERLY ST
KENNEWICK, WA 99337-3136

37

STANLEY LUKE D & JESSIE J
4003 S WAVERLY ST
KENNEWICK, WA 99337-3136

37

RIEKSTS GUNARS A
3905 S WAVERLY ST
KENNEWICK, WA 99337-3135

37

BROOKS-HART JANICE K
3903 S WAVERLY ST
KENNEWICK, WA 99337

37

JEWELL PATRICIA M
3809 S WAVERLY ST
KENNEWICK, WA 99337

37

PICARD STONEE D
3807 S WAVERLY ST
KENNEWICK, WA 99337

37

JUST GUSTAVE F & KAREN S
3805 S WAVERLY ST
KENNEWICK, WA 99337-3134

37

FERGUSON,SR KENNETH R & RANDA
3802 S VANCOUVER ST
KENNEWICK, WA 99337-3821

37

STALEY PAUL NORMAN & LAURA A
3804 S VANCOUVER ST
KENNEWICK, WA 99337-3821

37

VAN HOVEN TRACI E
1213 S OLYMPIA PL APT A
KENNEWICK, WA 99337

37

AVILA JOSE CAMARENA
3808 S VANCOUVER ST
KENNEWICK, WA 99337-3821

37

LEMLEY DEANNE L
3902 S VANCOUVER ST
KENNEWICK, WA 99337-3822

37

TRAVIS JONATHON S
3904 S VANCOUVER ST
KENNEWICK, WA 99337-3822

37

MANTAY VITALIY
4002 S VANCOUVER ST
KENNEWICK, WA 99337-3928

37

CLARK CHRISTOPHER T
4102 S WAVERLY PL
KENNEWICK, WA 99337

37

GRACE JOHN M & RENEE J
3602 W 36TH AVE
KENNEWICK, WA 99337-2550

37

JACKSON TRUSTEE CHYRL M
323 HOBBLE CREEK CANYON
SPRINGVILLE, UT 84663

37

VEACH CLARKE A & LORRIE D
1810 W 40TH AVE
KENNEWICK, WA 99337-3902

37

HANRATTY JENNIFER L
1902 W 40TH AVE
KENNEWICK, WA 99337-3903

37

SIMMONS PAUL J & ANDREA N
1904 W 40TH AVE
KENNEWICK, WA 99337-3903

37

HAUETER CRAIG & LORITA
8215 W 10TH AVE
KENNEWICK, WA 99336-9568

37

BAALMAN RICHARD P & DEBRA L
1908 W 40TH AVE
KENNEWICK, WA 99337-3903

37

ATHERLEY ALISSE RACHELLE
2004 W 40TH AVE
KENNEWICK, WA 99337

37

BAUMAN DAN W & LAURIE M
3905 S UNDERWOOD PL
KENNEWICK, WA 99337-3926

37

MURPHY SHAWN D & SUZETTE M
3903 S UNDERWOOD PL
KENNEWICK, WA 99337-3926

37

HORN JOSEPH J
3902 S UNDERWOOD PL
KENNEWICK, WA 99337-3926

37

OTTO GEORGE P
3904 S UNDERWOOD PL
KENNEWICK, WA 99337-3926

37

PHIPPS NEAL G & SUZAN
3906 S UNDERWOOD PL
KENNEWICK, WA 99337

EXHIBIT 3

37
PIAZZA JONATHAN ANTHONY &
KRISTEN ITZ
2010 W 40TH AVE
KENNEWICK, WA 99337-3942

37
HENRY DERRICK J & KIMBERLY H
1909 W 40TH AVE
KENNEWICK, WA 99337-3903

37
MCLAUGHLIN CARL
1914 W 40TH AVE
KENNEWICK, WA 99337-3903

37
STETZEL WAYNE & KAYOKO
3003 S JEAN ST
KENNEWICK, WA 99337-4339

37
KEANE JEFF & MELISSA
3806 S SHARRON ST
KENNEWICK, WA 99337

37
CRAFT THOMAS W & TERRI L
3811 S SHARRON ST
KENNEWICK, WA 99337

37
GILBERTSON JAMES I & PHYLLIS J
3709 S SHARRON ST
KENNEWICK, WA 99337

37
CINO JOSEPH A & BARBARA J
1903 W 39TH AVE
KENNEWICK, WA 99337-3849

37
BRAD BEAUCHAMP
3411 W CANYON LAKES DR
KENNEWICK WA 99337

37

37
GARCIA GILBERTO M & PHYLLIS S
2008 W 40TH AVE
KENNEWICK, WA 99337-3942

37
LAKEY RALPH W & KRISTINE M
1907 W 40TH AVE
KENNEWICK, WA 99337-3903

37
KINNISON JUSTEN P
3706 S SHARRON ST
KENNEWICK, WA 99337

37
LOCKHART MICHAEL GAGE & NATALIE
3718 S SHARRON ST
KENNEWICK, WA 99337

37
SITTMAN CHRISTOPHER & MICHELLE
3810 S SHARRON ST
KENNEWICK, WA 99337

37
BENTON JEFFREY A & LYNN L
3807 S SHARRON ST
KENNEWICK, WA 99337

37
SOISETH BRIAN D
3711 S SHARRON ST
KENNEWICK, WA 99337

37
RIVAS EDWARD Q
1815 W 39TH AVE
KENNEWICK, WA 99337

COZ 17-06/PLN-2017-02380
BRAD BEAUCHAMP
4001 S VANCOUVER ST
RS TO RL

37

37
SULJIC MUSTAFA & REMZIJA
1911 W 40TH AVE
KENNEWICK, WA 99337-3903

37
CLARK FRED J & VALARIE F
1905 W 40TH AVE
KENNEWICK, WA 99337-3903

37
ORMSON ANTONIA C
3710 S SHARRON ST
KENNEWICK, WA 99337

37
BOYD SHAKIRA
3802 S SHARRON ST
KENNEWICK, WA 99337

37
STEPHENS JEREMIAH J
1810 W 39TH AVE
KENNEWICK, WA 99337

37
PROPER DENITA R
3803 S SHARRON ST
KENNEWICK, WA 99337

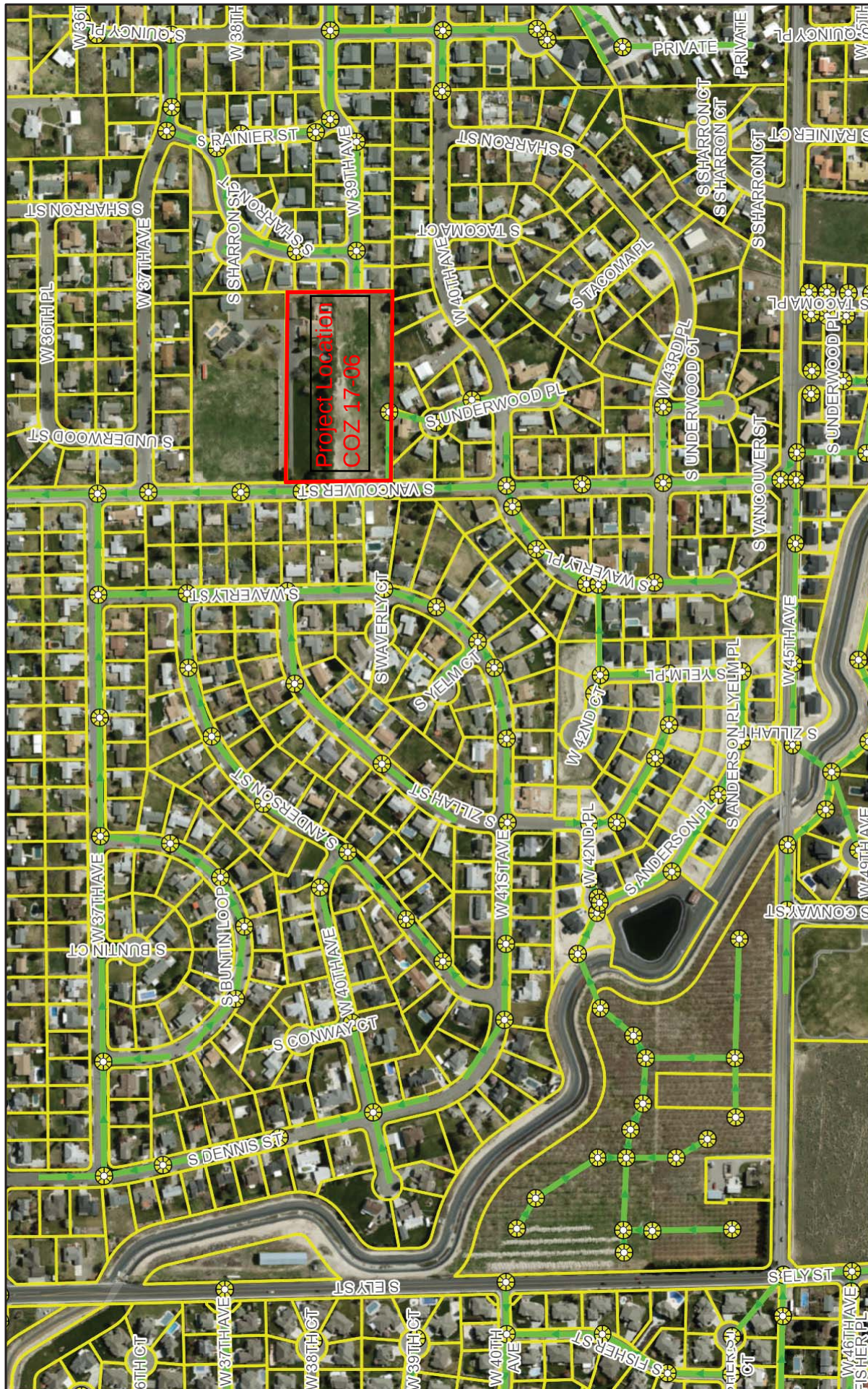
37
WARD TRUSTEE PAMELA A
1905 W 39TH AVE
KENNEWICK, WA 99337

37
BEAUJON III JAN R & M ELIZABETH
1811 W 39TH AVE
KENNEWICK, WA 99337

37

37

Permitting Map



September 18, 2017 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

	SewerManhole		SewerMainline		SV_CI_RICHLAND_10
	<all other values>		StreetName		SV_CI_COUNTY_10
	Manhole		SurveyCityLimits		SurveyUrbanGrowthBoundary
	Valve		SV_CI_KENNEWICK_10		



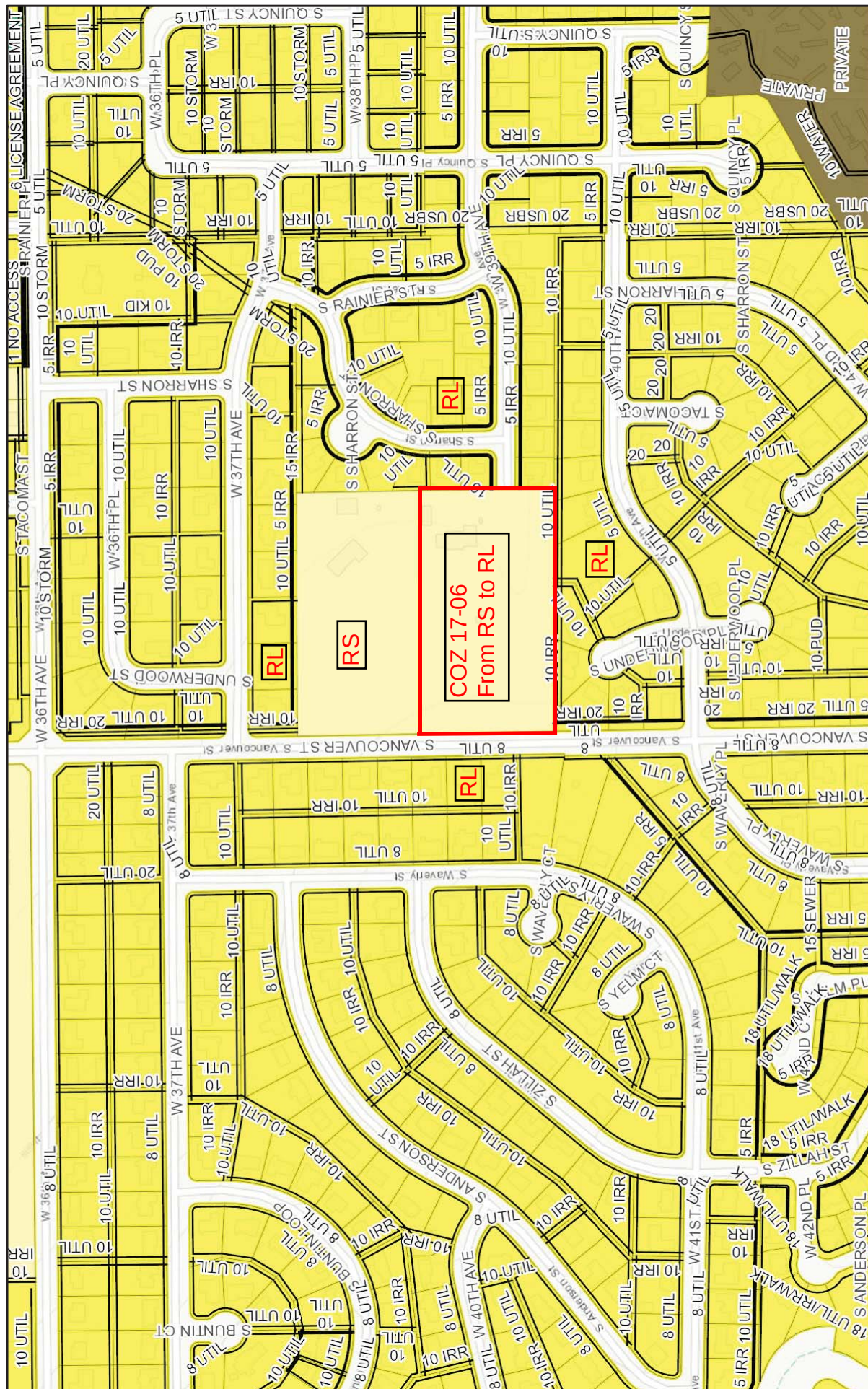
1 inch = 460 feet

1:5,520

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp.,

ArcGIS WebApp Builder
City of Kennewick

Permitting Map



September 21, 2017 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

StreetName	Apartment	Mobile Home	SurveyEasement
SurveyAddressPoint			
<all other values>	Building	Parcel	
	Condo	SurveyAddressPointSupp	



1:4,320

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp.,

ArcGIS WebApp Builder
City of Kennewick



ED #17-26

**CITY OF KENNEWICK
DETERMINATION OF NON-SIGNIFICANCE**

FILE/PROJECT NUMBER: ED 17-26 FOR COZ 17-06

DESCRIPTION OF PROPOSAL: CHANGE OF ZONE FROM RESIDENTIAL SUBURBAN (RS) TO RESIDENTIAL LOW DENSITY(RL).

PROPONENT: BRAD BEAUCHAMP

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: NORTH OF W. 45TH AVENUE AT 4001 S. VANCOUVER STREET.

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: October 11, 2017

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 e-mailed to: Dept. of Ecology, WA Dept of Fish & Wildlife, WSDOT, Yakima Nation, CTUIR, & COZ 17-06 File



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

October 3, 2017

Wes Romine
Kennewick Development Services
P.O. Box 6108
Kennewick, WA 99336

Re: COZ 17-06, PLN-2017-02380

Dear Mr. Romine:

Thank you for opportunity to comment on the pre-threshold determination for the rezone approximately 5.04 acres from Residential Suburban to Residential Low Density, proposed by Brad Beauchamp. We have reviewed the environmental checklist and have the following comment.

WATER QUALITY

Rezoning of a piece of property is often the first step in a proposed development. If a subsequent individual or common plan of development ground disturbance exceeds 1 acre in size a NPDES Construction Stormwater Permit may be required. The process requires going through SEPA, developing a stormwater pollution prevention plan, submitting an application and a 30 day public notice process. This may take 45-60 days. A permit and stormwater plan is required prior to beginning ground-breaking activities. Please contact **Lloyd Stevens Jr.** with the Department of Ecology, (509) 574-3991, with questions about this permit.

Sincerely,

Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov

6922



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

October 5, 2017

Wes Romine
Kennewick Development Services
P.O. Box 6108
Kennewick, WA 99336

Re: additional comments for COZ 17-06

Dear Mr. Romine:

Thank you for opportunity to comment on the pre-threshold determination for the rezone of approximately 5.04 acres from Residential Suburban to Residential Low Density, proposed by Brad Beauchamp. We have the following additional comment to our letter dated October 3, 2017.

SHORELANDS/ENVIRONMENTAL ASSISTANCE

Thank you for providing the opportunity to comment on the above proposed project. We have reviewed the electronic documents provided in the submittal. Additional recommendation may be needed as the project progresses. Below are recommendations to consider during the planning phase:

The actual rezoning of the parcel will not result in impacts; however, building on the parcel could produce wetland impacts. Based on aerial images (GoogleEarth) wetland signatures appear in this area and should be investigated. The parcel is noted to be surrounded by residential properties with a higher elevation, likely due to fill placement. Surrounding irrigational practices could be influencing vegetation shifts and other wetland signatures noted on aerial images. Irrigation influenced wetlands that meet all wetland criteria are regulated under City's Municipal Code, Title 18, Critical Areas, Chapter 18.58 and therefore are subject to regulation.

The Department of Ecology recommends using an environmental consultant to conduct a formal wetland delineation of the area prior to any development to locate the extent of existing wetland habitat and required buffers in the area.

Impacts to wetland habitats should be avoided and minimized to the greatest extent possible. Impacts to wetland habitat and buffers may require mitigation. Additional

Mr. Romine
October 5, 2017
Page 2

information can be found within Title 18, Critical Areas-Wetlands, Chapter 18.59 of the City's Municipal Code.

If you have any questions or would like to respond to these Shorelands/Environmental Assistance comments, please contact **Lori White** at (509) 575-2616 or email at lori.white@ecy.wa.gov.

Sincerely,



Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov

6922b

STAFF REPORT

COZ 17-07

Community Planning City of Kennewick

Steve Donovan
Planner

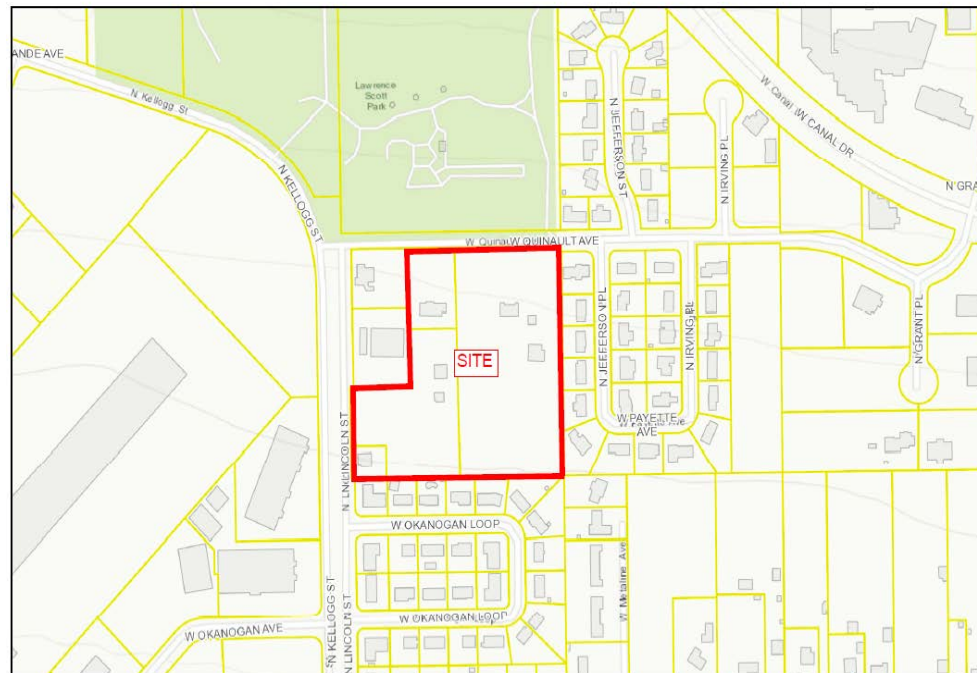
To: Planning Commission

Date: November 20, 2017

PROPOSAL: Rezone 8.25 acres currently zoned Residential, Low Density (RL) to Residential, Manufactured Home (RMH)
OWNER(S): JOSE CHAVALLO, 5927 W QUINAULT AVENUE, KENNEWICK, WA 99336
APPLICANT: JOSE CHAVALLO, 5927 W QUINAULT AVENUE, KENNEWICK, WA 99336

Site Information

- **Size:** 8.25 acres
- **Location:** 5927 & 6009 W Quinault Avenue & 1026 & 1048 N Lincoln Street
- **Topography:** Flat, 1-2%
- **Existing Comprehensive Plan Designation:** Low Density Residential
- **Existing Land Use:** Single Family Residences and Accessory Structures



Not to scale

Exhibits

- Exhibit A-1: Application/Supplemental Information
- Exhibit A-2: Zoning Map
- Exhibit A-3: Comprehensive Plan Map
- Exhibit A-4: Notification of Mailing
- Exhibit A-5: Determination of Non-Significance
- Exhibit A-6: State of Washington Department of Ecology Comments
- Exhibit A-7: Benton Clean Air Authority Comments
- Exhibit A-8: Kennewick Irrigation District Comments
- Exhibit A-9: Washington State Department of Transportation Comments

Application Process

- Application Submitted October 6, 2017
- Application routed for comments October 10, 2017
- Property posting notification sign was posted on site on October 10, 2017
- Determination of Non-Significance issued on October 26, 2017
- Notice of Hearing mailed October 25, 2017
- Notice of Hearing published November 5, 2017

Surrounding Comprehensive Plan, Zoning and Land Uses

North	Comprehensive Plan – Open Space and Low Density Residential Zoning – Open Space and Residential, Low Density (RL) Existing Land Uses – City Park and Single Family Residences
South	Comprehensive Plan – Low Density Residential and Medium Density Residential Zoning – Residential, Low Density (RL) and Residential, Medium Density (RM) Existing Land Uses – Single Family Residences
East	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL) Existing Land Uses – Single Family Residences
West	Comprehensive Plan – Industrial and Commercial Zoning – Industrial, Light (IL) and Commercial, Regional (CR) Existing Land Uses – Industrial Businesses and Vista Field

Regulatory Controls

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

Description of Request

Change of Zone 17-07 is a request to rezone approximately 8.25 acres from Residential, Low Density (RL) to Residential, Manufactured Home (RMH).

Background

This property was annexed into the City and zoned Residential, Low Density (RL) in July of 1982 via Ordinance 2703.

The properties currently have single family residences and accessory structures on-site.

Analysis

The proposed change from RL to RMH is consistent with the Comprehensive Plan and will implement the Low Density Residential land use designation on the property.

Permitted uses in the RL and RMH zones only differ in two uses. The RL zone permits cemeteries, RMH does not. The RMH zone allows Mini-Storage, the RL zone does not.

Future development consistent with the proposed rezone will be in accord with City standards regarding concurrency, the Kennewick Municipal Code, Critical Areas Ordinance, and the State Environmental Policy Act (SEPA).

The following Kennewick Municipal Code (KMC) Section establishes the purpose of the Residential, Manufactured Home zoning district:

KMC 18.03.040(5)

The purpose of the RMH district is to establish areas for low density, single family life, protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting.

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 RMH zoning district is an implementing zoning district of the Low Density Residential 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 is compatible with surrounding properties.
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. The site has access to water and sewer lines. Access to the site from public rights-of-ways will need to be improved.
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 because the RMH zone is an implementing zone of the Low Density Residential land use designation.
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: The proposed Change of Zone site is adjacent to property, to the south, that is currently in the RM zoning district, which is a higher zoning classification because it allows for a smaller lot size and higher density.

Findings

1. The property owner is Jose Chavallo, 5927 W Quinault Avenue, Kennewick, WA 99336.
2. The applicant is Jose Chavallo, 5927 W Quinault Avenue, Kennewick, WA 99336.
3. The request is to change 8.25 acres from Residential, Low Density (RL) to Residential, Manufactured Home (RMH).
4. The application was submitted on October 6, 2017 and was routed for review to various City Departments and other local, state and federal agencies for comment on October 10, 2017.
5. A Determination of Non-Significance issued on October 26, 2017.
6. The public hearing notice was posted on-site November 1, 2017, stating that the public hearing will be held on November 20, 2017 at 6:30 p.m. in the Council Chambers at Kennewick City Hall.
7. Notice of the public hearing for this application was mailed to property owners within 300 feet of the site on October 25, 2017. Notice was also published in the Tri-City Herald on November 5 3, 2017.
8. The specific site of the Change of Zone has a mix of single family residential and accessory buildings.
9. Access to the site is provided via W Quinault Avenue and N Lincoln Street.
10. The proposed Change of Zone site is adjacent to Commercial, Regional; Open Space; Residential, Low Density and Residential, Medium Density zoning districts.
11. The site was annexed by the City of Kennewick in 1982.

Conclusions

1. Approval will implement the Comprehensive Plan Land Use Designation of Low Density Residential.
2. Approval will not result in an increase of adverse environmental impacts.
3. 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 17-07 and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 17-07 and recommend to City Council approval of the request.

**CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES**

APPLICATION (general form)

COZ
PROJECT # 17 - 07 PLN- 2017 - 02679 FEE \$ 1268.00

Please completely fill out this form and return it 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 1 ☐ Tier 2 ☐ Tier 3 ☐ Binding Site Plan ☐

Short Plat ☐ Conditional Use ☐ Other Change-Of-Zone Application

Environmental Determination PLN- _____ - _____ Pre Application Meeting PLN- _____ - _____

Applicant: Jose Chavallo

Address: 5927 W. Quinault Avenue, Kennewick, WA 99336

Telephone: _____ Cell Phone: 509-539-1067 Fax: _____ E-mail: FREDCEOWT.COM

Property Owner (if other than applicant): Same

Address: _____

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

SITE INFORMATION

Parcel No. 1-3399-202-0024- (001) & (002) & (005) & (006) Acres 6.25 ^{4.91+0.72+2.39+0.23} Zoning: RL

Address of property: 5927 & 6009 W. Quinault Avenue, and 1026 & 1048 W. Lincoln Street

Number of Existing Parking Spaces None Number of Proposed (New) Parking Spaces 10

Present use of property Residential

Size of existing structure: 1800 & 2000 sq. ft. Size of Proposed addition/New structure: Mini-Storage sq. ft.

Height of building: 24 Cubic feet of excavation: N/A Cost of new construction \$1,500,000

Benton County Assessor Market Improvement Value: TBD

Description of Project: Zone change from RL to RMH

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

Applicant's Signature

Date:

Signature of owner or owner's authorized representative

RECEIVED

OCT 06 2017

CITY OF KENNEWICK

PAID

OCT 06 2017

CITY OF KENNEWICK

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, the city is needing areas developed for more housing and associated ad mentities.
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, this property is owned by the applicant.
3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain. YES, this is a transition from RL to the Commercial development of the VISTA FIELD area.
4. Are the existing uses, in the area, in conformance with the area's zoning classification? If no, please explain the differences: YES, this is development within the residerntion Comprehensive zone.
5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain. This is a transition from RL to the Commercial development of the Vista Field area
6. Does the existing zoning prohibit reasonable use of the property? Please explain. No, but the current zone does not facilitate the best beneficial use of the property.
7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain: Maybe, the new proposal will provide a transition zone adjacent to the Vista Field development
8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain: Yes, because the area will have new development on vacant land.

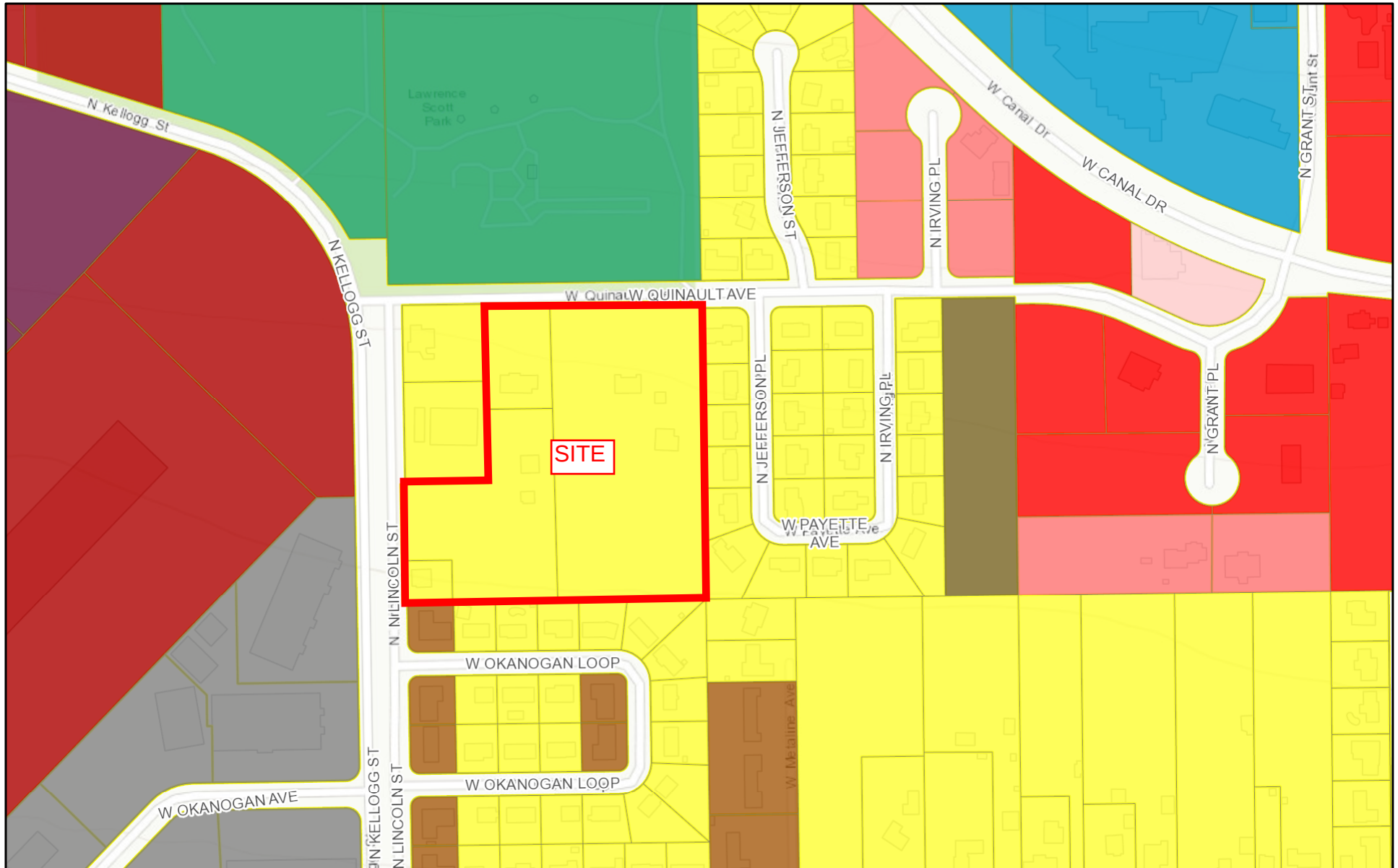
9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain: _____
No, this is an infill area surrounded by existing
land uses zoned RM, CC, OSH, and IL
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain: _____
YES, this will help and encourage future development
of the Vista Field area
11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain: _____
Yes, this will allow greater choices in housing
types and amenities
12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain: _____
No, transportation infrastructure is in place in the
area, and this development will compliment
development of the VistaField area.

Summary of City forms required:

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

Zoning Map

Exhibit A-2



October 25, 2017

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

StreetName
SurveyAddressPoint

<all other values>

Apartment
Building
Condo

Mobile Home
Parcel

SurveyCityLimits

SV_CI_KENNEWICK_10
SV_CI_RICHLAND_10

SV_CI_COUNTY_1



1 inch = 300 feet

0 155 310 620 ft

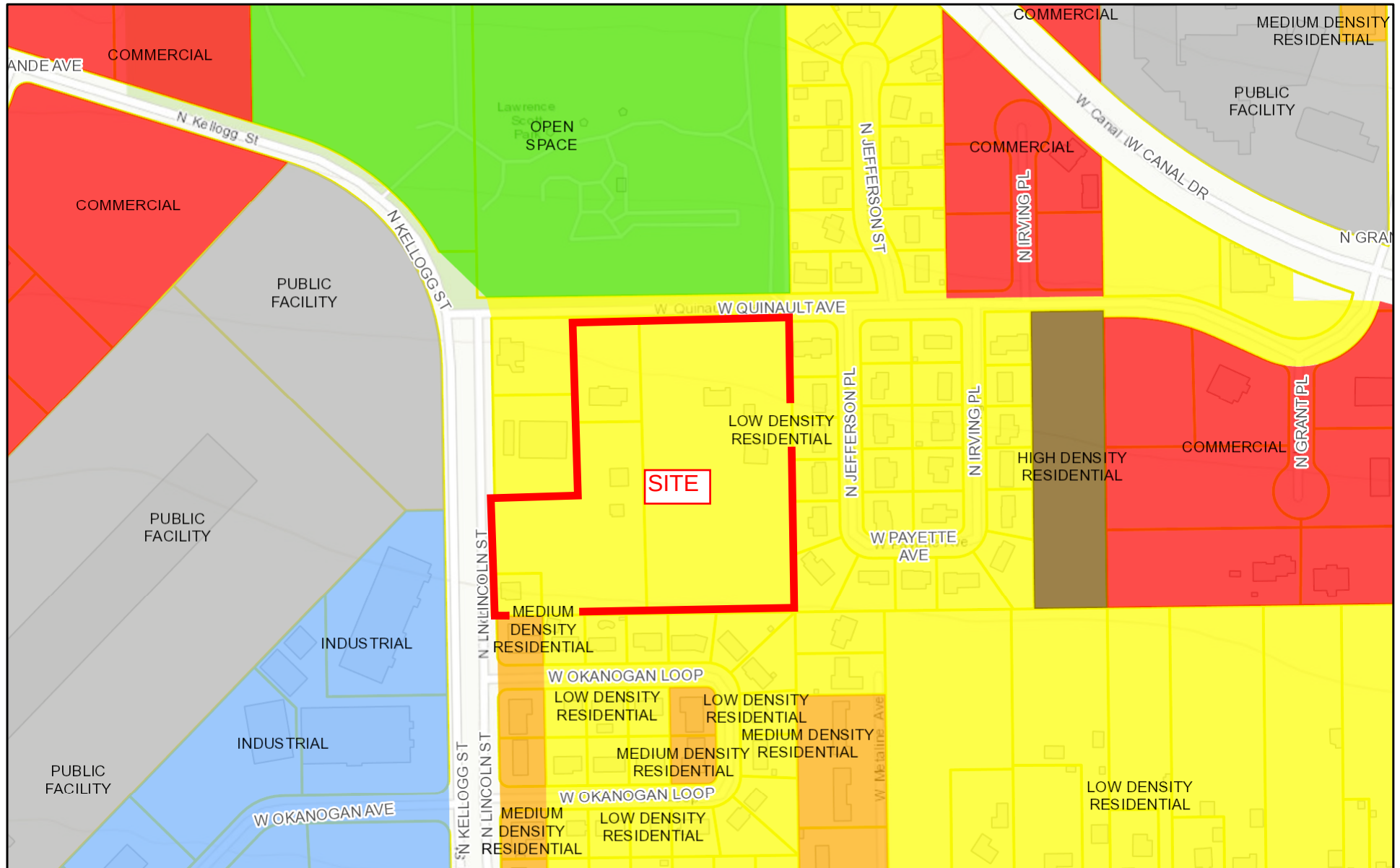
0 45 90 180 m

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp.,

ArcGIS WebApp Builder
City of Kennewick

Comprehensive Plan Map

Exhibit A-3



October 24, 2017

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

StreetName
SurveyAddressPoint
● <all other values>

Apartment
Building
Condo

Mobile Home
Parcel

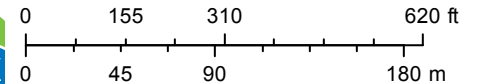
SurveyCityLimits

SV_CI_KENNEWICK_10
SV_CI_RICHLAND_10

SV_CI_COUNTY_1



1 inch = 300 feet



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp.,



NOTICE OF MAILING

I, BIANCA OROZCO, on 10/25, 20 17
mailed 600 copies of NOTICE OF PUBLIC HEARING
for COZ 17-07/PLN-2017-02479
to ADJACENT PROPERTY OWNERS WITHIN 300'
as shown on the attached list.


Signature

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

November 20, 2017 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, November 20, 2017, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed change of zoning. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

Project# COZ 17-07 – Proposes to change 6.25 acres from Residential, Low Density (RL) to Residential, Manufactured Homes (RMH). The site is located at 5927 & 6009 W Quinault Avenue and 1026 & 1048 W Lincoln Street. (See map on back.) For questions about this project, please call Steve Donovan (509) 585-4361.

Written comments may be addressed to Steve Donovan and submitted to steve.donovan@ci.kennewick.wa.us or mailed to PO Box 6108, Kennewick, WA 99336 no later than 4:30 p.m., November 17, 2017. All other comments should be submitted at the meeting.

The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact Steve Donovan at (509) 585-4361 or TDD (509) 585-4425 or through the Washington Relay Service Center TTY at #711 at least ten days prior to the date of the meeting to make arrangements for special needs.



37 PORT OF KENNEWICK, 101 CLOVER ISLAND DR KENNEWICK, WA 99336	37 PORT OF KENNEWICK, 350 CLOVER ISLAND DR KENNEWICK, WA 99336	37 CADWELL VISTA FIELD PARTNRSHIP, (CADWELL VISTA FIELD PTN) 909 N KELLOGG KENNEWICK, WA 99336
37 DUP CADWELL VISTA FIELD PARTNRSHIP, (CADWELL VISTA FIELD PTN) 909 N KELLOGG KENNEWICK, WA 99336	37 ROBERTS DOROTHY L 5830 W METALINE AVE KENNEWICK, WA 99336	37 SAGET SEAN P 5826 W METALINE PL KENNEWICK, WA 99336
37 ERICKSON DALE R & SYLVIA 11804 WATERS EDGE DR PASCO, WA 99301-9096	37 CITY OF KENNEWICK, PO BOX 6108 KENNEWICK, WA 99336-0108	37 CHAVALLO JOSE A & TAMMY K STEELE 5927 W QUINAULT ST KENNEWICK, WA 99336-7631
37 DUP CHAVALLO JOSE & TAMMY STEELE 5927 W QUINAULT ST KENNEWICK, WA 99336-7631	37 COLLEY MICHELLE R 6855 W CLEARWATER #A101-178 KENNEWICK, WA 99336	37 CROP CIRCLE LLC 3202 W 46TH AVE KENNEWICK, WA 99337
37 DUP CHAVALLO JOSE & TAMMY STEELE 5927 W QUINAULT ST KENNEWICK, WA 99336-7631	37 DUP CHAVALLO JOSE & TAMMY STEELE 5927 W QUINAULT ST KENNEWICK, WA 99336-7631	37 DAVARI HOSSEIN & TERRI 6730 W 7TH AVE KENNEWICK, WA 99336-9398
37 WONG JUDY 8016 W DESCHUTES AVE KENNEWICK, WA 99336-1634	37 MORRIS ALLEN R 1207 N JEFFERSON ST KENNEWICK, WA 99336-7672	37 MASON BRENT 1209 N JEFFERSON ST KENNEWICK, WA 99336-7672
37 LAPIERRE DARREN D 1204 N JEFFERSON ST KENNEWICK, WA 99336	37 JACKSON BARBARA ANN 1202 N JEFFERSON ST KENNEWICK, WA 99336-7672	37 BESWICK H K & JOYCE I 5804 W QUINAULT AVE KENNEWICK, WA 99336
37 PRICE MARGERY A 5711 W PAYETTE AVE KENNEWICK, WA 99336	37 CHANDLER TERESA E 5719 W PAYETTE AVE KENNEWICK, WA 99336-7601	37 HUGHES JOHN L & VERNA 1101 N JEFFERSON PL KENNEWICK, WA 99336-7671
37 NORTON JAMES M & KAREN L 1105 N JEFFERSON PL KENNEWICK, WA 99336-7671	37 STRICKLAND SCOTT A & JULIE N 1115 N JEFFERSON PL KENNEWICK, WA 99336-7671	37 TRENT LYNETTE P 1117 N JEFFERSON PL KENNEWICK, WA 99336-7671
37 BOGART HAROLD R & YVONNE L 1121 N JEFFERSON PL KENNEWICK, WA 99336-7671	37 BURNHAM RICHARD & PHYLLIS 5723 W QUINAULT AVE KENNEWICK, WA 99336-7667	37 STEPHENS KEVIN A & TERESA J 1126 N JEFFERSON PL KENNEWICK, WA 99336-7671

37
ROSS RICHARD T & JULIE A
1118 N JEFFERSON PL
KENNEWICK, WA 99336-7671

37
SCHOELLER NANCY
5708 W PAYETTE AVE
KENNEWICK, WA 99336

37
EBRIGHT LAURA
1125 N IRVING PL
KENNEWICK, WA 99336

37
DAVIS ALEXANDER BONHAM &
ALICIA JEAN
6030 W OKANOGAN LOOP
KENNEWICK, WA 99336

37
SIMMONS TANYA
6024 W OKANOGAN LOOP
KENNEWICK, WA 99336

37
LOPEZ SERGIO
6018 W OKANOGAN LOOP
KENNEWICK, WA 99336

37
CLARK DEBORAH A & ROBERT
6029 W OKANOGAN LOOP
KENNEWICK, WA 99337

37
WOODS STUART D & SHEENA K
135 CANTERBURY RD
KENNEWICK, WA 99338

37
BOOTSMA ROBERT W
6005 W OKANOGAN LOOP
KENNEWICK, WA 99336-7625

37
SAMSEL STACEY EDWARD
5915 W QUINAULT AVENUE
KENNEWICK, WA 99336

37
NADEAU DUANE C & AMY M
1114 N JEFFERSON PL
KENNEWICK, WA 99336-7671

37
CRABB MELVIN L & MARY L
1115 N IRVING PL
KENNEWICK, WA 99336-7620

37
HOOPER BRANDON
5715 W QUINAULT AVE
KENNEWICK, WA 99336

37
DAVIDSON BRIAN D
6028 W OKANOGAN LOOP
KENNEWICK, WA 99336

37
HAWKINS SANDRA K
6022 W OKANOGAN LOOP
KENNEWICK, WA 99336

37
MCKINLEY WILLIAM G & KATHLEEN S
6016 W OKANOGAN LOOP
KENNEWICK, WA 99336

37
MCCLURE MICHAEL B & DARLENE A
6027 W OKANOGAN LOOP
KENNEWICK, WA 99336-7625

37
MCMAHGAN ASSOCIATES LLC
4816 AURORA AVE N
SEATTLE, WA 98103-6518

37
PURCELL JOHN E
6003 W OKANOGAN LOOP
KENNEWICK, WA 99336-7625

37

37
JORDAN TRUSTEE GERALD L &
MARIAN K
1106 N JEFFERSON PL
KENNEWICK, WA 99336-7671

37
FELLMAN TYSON
1119 N IRVING PL
KENNEWICK, WA 99336-7620

37
MCKAY TOBY M & NATALIE
2708 N ROAD 60
PASCO, WA 99301

37
ASHLEY B E
6026 W OKANOGAN
KENNEWICK, WA 99336

37
REIFSNIDER WILLIAM G & EVELYN R
6020 W OKANOGAN LOOP
KENNEWICK, WA 99336

37
COIE BRENT A
6031 W OKANOGAN LOOP
KENNEWICK, WA 99336

37
COFFEY JAMES M & KYLA J
6025 W OKANOGAN LOOP
KENNEWICK, WA 99336

37
CASE KATIE D & ZACHARY A
6007 OKANOGAN LOOP
KENNEWICK, WA 99336

37 **DUP**
MCKAY TOBY M & NATALIE J
2708 N ROAD 60
PASCO, WA 99301

COZ 17-07 / PLN-2017-02679
5927 & 6009 W QUINAULT AVE
1026 & 1048 W LINCOLN ST
RL TO RMH
JOSE CHAVALLLO



**CITY OF KENNEWICK
DETERMINATION OF NON-SIGNIFICANCE**

FILE/PROJECT NUMBER: COZ 17-07/PLN-2017-02679/ ED 17-32

DESCRIPTION OF PROPOSAL: The request is to change the zoning district for 6.25 acres from Residential, Low Density (RL) to Residential, Manufactured Home (RMH). The property has a comprehensive plan land use designation of Low Density Residential.

PROPONENT: Jose Chavallo, 5927 W Quinault Avenue, Kennewick, WA 99336

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 5927 & 6009 W Quinault Avenue and 1026 & 1048 W Lincoln Street

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: October 26, 2017

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 mailed to:

- Dept. of Ecology
- WA Dept of Fish & Wildlife
- WSDOT
- Yakama Nation
- CTUIR
- COZ 17-07 File



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

1250 W Alder St • Union Gap, WA 98903-0009 • (509) 575-2490

October 20, 2017

Steve Donovan
Kennewick Development Services
P.O. Box 6108
Kennewick, WA 99336

Re: COZ 17-07, PLN-2017-02679, ED 17-32

Dear Mr. Donovan:

Thank you for opportunity to comment on the pre-threshold determination for the rezone of 6.25 acres, proposed by Jose and Tammy Steele-Chavallo. We have reviewed the environmental checklist and have the following comment.

WATER QUALITY

Project with Potential to Discharge Off-Site

The NPDES Construction Stormwater General Permit from the Washington State Department of Ecology is required if there is a potential for stormwater discharge from a construction site with disturbed ground. This permit requires that the SEPA checklist fully disclose anticipated activities including building, road construction and utility placements. Obtaining a permit is a minimum of a 38 day process and may take up to 60 days if the original SEPA does not disclose all proposed activities.

The permit requires that Stormwater Pollution Prevention Plan (Erosion Sediment Control Plan) is prepared and implemented for all permitted construction sites. These control measures must be able to prevent soil from being carried into surface water (this includes storm drains) by stormwater runoff. Permit coverage and erosion control measures must be in place prior to any clearing, grading or construction.

More information on the stormwater program may be found on Ecology's stormwater website at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/>. Please submit an application or contact **Lloyd Stevens Jr.** at the Dept. of Ecology, (509) 574-3991, with questions about this permit.

Sincerely,

A handwritten signature in blue ink that reads "Gwen Clear".

Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepacoordinator@ecy.wa.gov





BENTON CLEAN AIR AGENCY

October 30, 2017

Re: ED 17-32

Steve Donovan
210 W. 6th Ave.
Kennewick, WA 99336

Applicant/Proponent:
Jose Chavallo
5927 W. Quinault Ave.
Kennewick, WA 99336

Dear Mr. Donovan:

It has come to our attention that you are reviewing a proposal for the above-named applicant in which a building will be demolished in Kennewick, WA. We would like to take this opportunity to provide information to insure that the applicant follows proper procedure for demolishing a building within Benton County.

Prior to any demolition, the contractor or property owner must have a good faith survey performed to determine the presence of asbestos. If asbestos is detected, it must be properly abated before the building is demolished. Additionally, a complete Notification of Demolition and Renovation must be submitted with our office. This form must be submitted at least ten (10) business days prior to the abatement and/or demolition taking place and all abatement work must be performed by a certified abatement contractor. The Notification of Demolition and Renovation must be submitted regardless of the presence of asbestos.

Thank you for the opportunity to comment on this proposal. If you have any questions, or would like further information on this subject, please contact us at (509) 783-1304.

Sincerely,


Alex Sligar
Inspector



2015 South Ely Street
Kennewick, WA 99337
Customer Service 509-586-9111
Business 509-586-6012
FAX 509-586-7663
www.kid.org

October 24, 2017

Steve Donovan
City of Kennewick/Development Services
P.O. Box 6108
Kennewick, WA 99336

Subject: COZ 17-07/PLN 2017-02679 Review Comments

Dear Mr. Donovan:

This letter provides Kennewick Irrigation District (KID) review comments for COZ 17-07 submitted by Jose Chavallo to change the zone of two parcels of land approximately 6.25 acres in size from Residential Low Density (RL) to Residential Mobil Home (RMH). The property is generally located at 5927 W. Quinault Ave., Kennewick, WA. 99336.

1. These parcels is within the Kennewick Irrigation District (KID) boundaries and is considered irrigable lands; therefore, they are assessed by the Kennewick Irrigation District.
 - a. Irrigation services are available in this location. Please contact me if you would like more information.
2. Please note that permanent structures are not allowed within irrigation easements.

If you have any questions regarding these comments, please contact me at the address/phone number listed above.

Sincerely,

A handwritten signature in blue ink, appearing to read "Rebecca S. Hiles", with a long horizontal flourish extending to the right.

Rebecca S. Hiles
Staff Engineer

C: LB/correspondence/File: [33-9-29]

RECEIVED
NOV 02 2017
CITY OF KENNEWICK



**Washington State
Department of Transportation**

Lynn Peterson
Secretary of Transportation

Exhibit A-9

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648

(509) 577-1600 / FAX: (509) 577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

October 25, 2017

City of Kennewick
Community Planning Department
210 W 6th Avenue
Kennewick, WA 99336

RECEIVED

COMMUNITY PLANNING

Attention: Steve Donovan, Planner

Subject: COZ 17-07/PLN-2017-02679/Chavallo
SR 240, N. Columbia Center Blvd. and Edison Street Interchange Vicinity

We have reviewed the proposed rezone from Residential-Low Density (RL) to Residential Manufactured Home (RMH) and have the following comments.

We have no objection to the rezone. The subject property lies between the Edison Street interchange and the Columbia Center Boulevard interchange. The interchanges currently function within acceptable safety and operational standards. It is to the benefit of the City, the State, and developers to preserve this interchange efficiency.

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(s).

Thank you for the opportunity to review and comment on this proposed rezone. If you have any questions regarding our comments, please contact John Gruber at (509) 577-1636.

Sincerely,

Paul Gonseth, P.E.
Planning Engineer

PG:jg/df

cc: 2017-2 SR 240, Kennewick
Kara Shute, Area 3 Maintenance Superintendent

P:\459005\DEVREV\SR240\KennewickCOZ17-07_ChavalloOct_2017.docx