

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 March 5, 2018
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. **PUBLIC HEARING:**

- a. Development Agreement Amendment to develop the infrastructure pursuant to the agreement between the City of Kennewick and Tom Solbrack and John Michel, property owners of the land described in BSP 15-11/PLN-2015-03989.
- b. Change of Zone (COZ) # 18-01 proposing to change .47 acres from Residential, Suburban (RS) to Residential, Low Density (RL), at 2420 S. Rainier St. Applicant, Eric Leavell, 5407 E. French Gulch Rd., Coeur D'Alene, ID, 83814.

4. **VISITORS NOT ON AGENDA:**

5. **OLD BUSINESS:**

- a. City Council Action Updates

6. **NEW BUSINESS:**

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

8. **ADJOURNMENT:**

**KENNEWICK PLANNING COMMISSION
MARCH 5, 2018
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 Rob Rettig, Charles Torelli, Clark Stolle, Anthony Moore, Vice Chairman Victor Morris, and Chairman Ed Pacheco.

Excused: None

Unexcused: None

Staff Present: Greg McCormick, AICP Planning Director; Anthony Muai, AICP Senior Planner; Steve Donovan, Planner; Lisa Beaton, City Attorney; Melinda Didier, Administrative Assistant/Recorder

CONSENT AGENDA

- a. Approval of Minutes dated February 5, 2018
- b. Approval of Agenda
- c. Motion to enter Staff Reports into the Record

Commissioner Rettig moved to accept the consent agenda. Commissioner Stolle seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS

Chairman Pacheco opened the continued public hearing at 6:33 p.m. for Change of Zone 17-10; proposing a change of zone from Business Park (BP) to Commercial, General (CG) for one parcel of land 1.5 acres in size, located at 10379 W. Clearwater Avenue, Kennewick, WA 99336. Applicant is Lauran Wang, Mustang Signs, 8620 Gage Boulevard, Ste. A, Kennewick, WA, 99336.

Mr. Donovan gave a brief overview of the Memorandum with Conditions to the original staff report and presented a slide of the Memorandum with Conditions – *No outdoor storage of sign manufacturing components or construction materials; No storage of heavy duty equipment/machinery (i.e. excavators, backhoes, bulldozers, tractors, etc.); No overnight storage of tractor trailers (semi-trucks).* He reviewed the three choices for recommendations to council; staff gave the following three options on COZ 17-10 for recommendation to the City Council: Recommend denial; Recommend approval without conditions; Recommend approval with conditions.

Testimony of applicant/applicant's representative:

Lauran Wang
Mustang Signs
8715 W 9th Avenue
Kennewick, WA 99336

Reminded Planning Commission that this business is moving from restrictive zone into place where they can attract tenants; conditions include no outside storage, etc; will keep clean office space, no construction yards or outside storage.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

Mr. McCormick said the Memorandum with three Conditions is in the meeting packet; any conditions will run with the property, if current owner sold the property those conditions apply to the next tenant. The City GIS map tracks the property for compliance.

Planning Commission questions included:

Does City staff have direction; why isn't it considered spot zoning; how are conditions tracked; how is property enforced; any limits from applicants applying for COZ as to number requesting conditioned COZ's; where does the conditioning stop.

Public Testimony for COZ 17-10 closed at 6:45 p.m.

Chairman Pacheco asked for a motion.

Commissioner Rettig moved to accept the three Conditions for COZ 17-10 as outlined in the February 26, 2018 Staff Memorandum and forward a recommendation to City Council of APPROVAL WITH CONDITIONS of the request.

Commissioner Torelli seconded the motion.

Chair Pacheco asked Ms. Didier to re-read the motion.

Planning Commission discussion included:

None

The motion passed with 5-1 Commissioners Rettig, Torrelli, Moore, Stolle and Pacheco in favor, Commissioner Morris opposed.

Chairman Pacheco opened the public hearing at 6:51 p.m. for Change of Zone 17-11; proposing a change of zone from Commercial, Neighborhood (CN) to Commercial, Office (CO) for one parcel of land 1.38 acres in size, located at 30 S. Louisiana St., Kennewick, WA 99336. Applicant is Carmen Villarma, 7710 NE Vancouver Mall Drive, Vancouver, WA 98662.

Mr. Muai 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 COZ #17-11 and recommend to City Council APPROVAL of the request.

Testimony of applicant/applicant's representative:

Justin Baerlocher, Applicant Representative
JUB Engineering
2810 W. Clearwater Avenue
Kennewick 99336

Concurs with staff report; purpose for zone change is to move business to the site.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Planning Commission questions included: Changing to CO from CN, why was it zoned CN to begin with; was there any feedback from neighbors.

Public Testimony for COZ 17-11 closed at 7:01 p.m.

Chairman Pacheco asked for a motion.

Commissioner Torelli moved to concur with the findings and conclusions in staff report COZ #17-11 and forward a recommendation to City Council of APPROVAL of the request.

Vice-Chair Morris seconded the motion.

Planning Commission discussion included:

None

The motion passed unanimously on a roll call vote.

Chairman Pacheco opened the public hearing at 7:02 p.m. for KMC 18.24 Sign Code Amendments.

Ms. Beaton 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 Sign Code Amendments and recommend to City Council of the request.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Planning Commission questions included:

Elaborate on City's substitution clause for exit strategy; is this a coherent path; ROW for City property – does it cover irrigation or railroads; address City ROW only; max area non-commercial signs; any resolution.

Public Testimony for Sign Code Amendments closed at 7:17 p.m.

Chairman Pacheco asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in staff report Sign Code Amendments and forward a recommendation to City Council of APPROVAL of the request.

Commissioner Rettig seconded the motion.

Planning Commission discussion included:

None

The motion passed on a unanimous voice vote.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

None

NEW BUSINESS:

a. Election of Officers

Chairman Pacheco asked for nominations for the office of Chairman of the Planning Commission. Commissioner Rettig moved to nominate Ed Pacheco as Chairman, Commissioner Stolle seconded the motion. The motion was approved on a unanimous voice vote.

Chairman Pacheco asked for nominations for the office of Vice-Chairman of the Planning Commission. Chairman Pacheco moved to nominate Victor Morris as Vice-Chairman of the Planning Commission. Commissioner Torelli seconded the motion. The motion was approved on a unanimous voice vote.

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Commissioner Anthony Moore will be absent for military duty mid-April until February 2019; Vice Chairman Morris will be absent for the March 19, 2018 Planning Commission meeting.

ADJOURNMENT:

The meeting was adjourned at 7:24 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: BSP 15-11/PLN-2015-03989 1ST AMENDMENT TO
DEVELOPMENT AGREEMENT

Public Hearing Date: May 7, 2018

Proposal: 1st Amendment to Development Agreement for Binding Site Plan
BSP 15-11/PLN-2015-03989

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

Staff Contact: Bruce Mills, PE, Deputy Public Works Director

Background:

The development agreement was approved by the City Council on December 5, 2017 to address 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. This proposed 1st Amendment to the previously approved development agreement sets certain thresholds for the design and improvements of West 10th Avenue, based on the unique characteristics of the BSP.

Discussion and Analysis:

The Development Agreement approved on December 5, 2017 was 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 1st Amendment to the Development Agreement is to allow for initial development for lots that do not have frontage on W. 10th Avenue, and to require the construction of W. 10th Avenue improvements only when lots that front on W. 10th Avenue subdivide or develop. All other conditions of the development agreement remain in place.

Further 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 statements reflect the content of the proposed 1st Amendment to the Development Agreement:

- The Developer will not be required to design or install roadway and utility improvements along lots that have frontage on W. 10th Avenue, until such time as those lots are either subdivided or developed.
- When the lot upon which the future realignment of W. 10th Avenue is to be realigned is either subdivided or developed, the Developer shall first record a dedicated Right of Way over the lot for such future realignment.
- The Developer will combine two (2) parcels of land adjacent to proposed Lot 15 of the BSP by a Boundary Line Adjustment as soon as practicable after final approval of the BSP.

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

Regulatory Controls and Policies

- Kennewick Municipal Code Chapter 18.48 – Development Agreements

Findings of Fact:

1. The 1st amendment to the development agreement is between the City of Kennewick and Tom Solbrack and John Michel.
2. The 1st amendment does not change that the development agreement shall be valid for 10 years.
3. The 1st amendment to the development agreement is needed in order to ensure that the needed infrastructure along W. 10th Avenue is developed when it is needed.
4. Any of the Parties may apply for further amendments to the Agreement.

Conclusions of Law:

1. The City of Kennewick can enter into an amendment to 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 1st Amendment to 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 1st Amendment to Development Agreement
4. Notice of Mailing

When recorded, return to:

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

**FIRST AMENDMENT TO DEVELOPMENT AGREEMENT
FOR
CLEARWATER COMMERCIAL BINDING SITE PLAN**

This First Amendment to the Development Agreement for Clearwater Commercial Binding Site Plan 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 and the City entered into a Development Agreement regarding property which is bisected by West Clearwater Avenue on December 5, 2017; and

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

WHEREAS, the Parties recognize the unique characteristics of the Binding Site Plan for this project, including the prior donation of West Clearwater Right of Way by the Developer, the fact that the Developer’s parcels are large and have frontage on both West Clearwater and West Tenth Avenue, and the uncertain future alignment of West Tenth Avenue warrants a modification to the existing Development Agreement; 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 First Amendment to the Development Agreement for Clearwater Commercial Binding Site Plan, as follows:

II. AMENDMENTS

Section 1. Section 4.1.2 Realignment of 10th Ave shall be amended as follows:

“4.1.2. Realignment of 10th Avenue including a dedicated right of way over the affected parcel.”

Section 2. Amend Section 5 by adding the following three new subsections:

5.4 Infrastructure along Tenth Avenue. The Developer will not be required to install roadway improvements, utility improvements, or any other required infrastructure improvements, on the northerly half of Tenth Avenue (collectively in this Section 5, the “improvements”) for Lots 15, 16 and 17 created by the Binding Site Plan attached hereto as Exhibit 1 and incorporated herein by reference, which have frontage on Tenth Avenue, until such time as any such Lot or portion thereof is either subdivided, or developed; whereupon the Developer, its grantees, successors or assigns shall provide for the design and construction of all improvements for all Lots in the Binding Site Plan fronting on Tenth Avenue in accordance with City Codes and requirements, prior to the issuance of a Building Permit by the City of Kennewick.

5.5 Dedication of Right of Way. At such time as the Developer elects to develop or subdivide the Lot on which the future realignment of Tenth Avenue is to be located, the Developer shall first record a dedicated Right of Way over the Lot for such future realignment; unless it has already been done pursuant to Section 4 of the Agreement.

5.6 Combining Adjacent Parcels. The Developer agrees to combine two (2) parcels of land adjacent to proposed Lot 15 of the BSP by a Boundary Line Adjustment as soon as practicable after final approval and recordation of the Binding Site Plan. The Benton County Tax Parcel Numbers for the two parcels are: 1-1288-100-0005-004 and 1-1288-100-0006-002.

Section 3. All other terms and conditions contained in the Development Agreement for Clearwater Commercial Binding Site Plan dated December 5, 2017, not specifically amended above or inconsistent with the terms as amended above shall remain in full force and effect.

DATED this _____ day of June, 2018.

CITY OF KENNEWICK

DEVELOPER

DON BRITAIN, Mayor

TOM SOLBRACK, Developer

Attest:

JOHN MICHEL, Developer

TERRI L. WRIGHT, City Clerk

Approved as to Form:

LISA BEATON, City Attorney



NOTIFICATION OF MAILING

I, Melinda Didier, on 4/18, 2018
Mailed 122 copies of NOPH
for Development Agreement BSP 15-11
to Applicant/prop. owners w/in 300'
as shown on the attached list.

Melinda Didier
Signature

DEVELOPMENT AGREEMENT
BSP 15-11
300' MAILING LIST/LABELS

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

May 7, 2018 6:30 p.m.

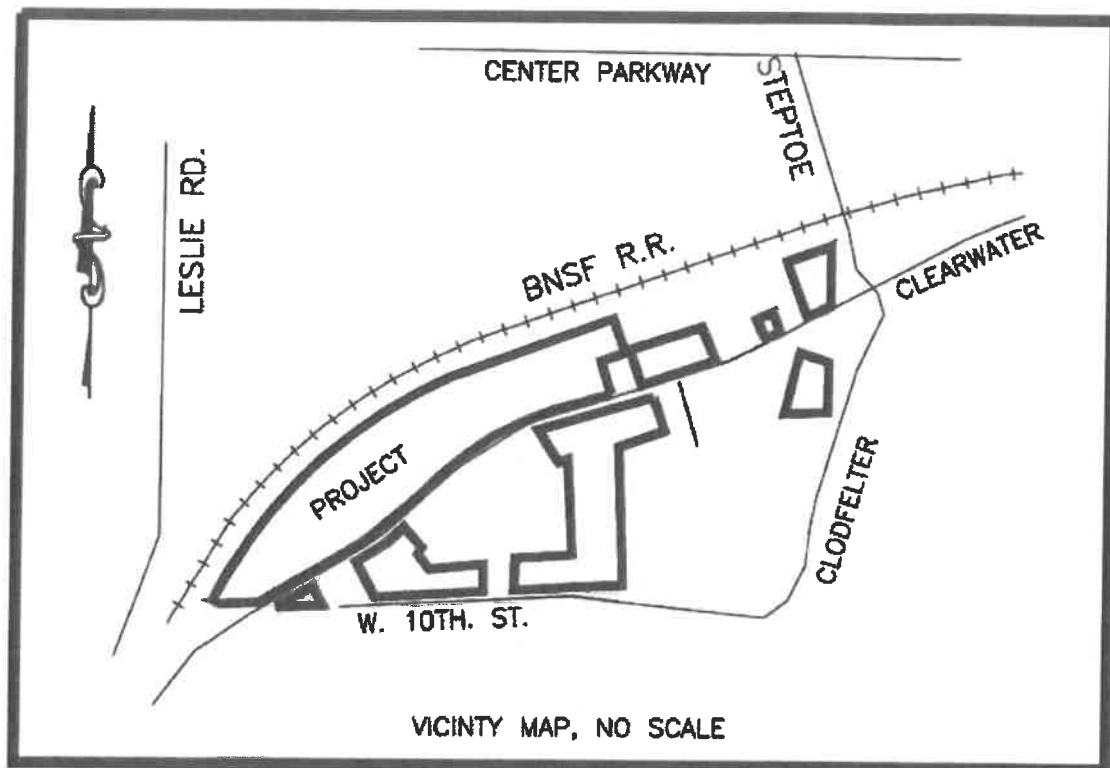
The Kennewick Planning Commission will hold a Public Hearing on Monday May 7, 2018, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed Development Agreement Amendment. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

The Development Agreement Amendment 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 Amendment 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 Amendment shall be 10 years from the effective date of the original Development Agreement executed December 5, 2017. For questions about this proposal, please call Bruce Mills (509) 585-4431.

Written comments may be addressed to Bruce Mills and submitted to bruce.mills@ci.kennewick.wa.us or mailed to PO Box 6108, Kennewick, WA 99336 and received no later than 4:30 p.m., May 4, 2018. 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 Bruce Mills at (509) 585-4431 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 John Michel 17002 S. Grandview Lane Kennewick WA 99338	37 Ben Woodard c/o KID 2015 S. Ely Street Kennewick WA 99336	37 Jason McShane c/o KID 2015 S. Ely Street Kennewick WA 99336
37 RCF&D LLC 1500 NE 66th Street Vancouver WA 98662	37 City of Kennewick P.O. Box 6108 Kennewick WA 99336	37 Kadlec Regional Medical Center 105 West 8th Avenue, Suite 7040 Spokane WA 99204
37 Dale L. and George Anne Kintzley 2315 South Hartford Street Kennewick WA 99337	37 Hansen Park LLC 21611 Ahtanum Road Yakima WA 98908	37 Tom L. and Vicki L. Solbrack 2555 West Highway 24 Othello WA 99344
37 Hansen Park LLC c/o Hansen Park HOA 6855 West Clearwater Avenue, A 101-160 Kennewick WA 99336	37 Martin E. and Kathryn D. Zizzi 500 South Pittsburgh Street Kennewick WA 99336	37 Brent and Jodi Gillipie 504 South Pittsburgh Street Kennewick WA 99336
37 Timothy J. and Miriam Lee Portlock 508 South Pittsburgh Street Kennewick WA 99336	37 Donald L. and Gayla S. LaPierre 512 South Pittsburgh Street Kennewick WA 99336	37 Lance W. and Brittany D. Gledhill 600 South Pittsburgh Street Kennewick WA 99336
37 Benton Clean Air Agency 526 South Clodfelter Road Kennewick WA 99336	37 TDKJ Commercial Property LLC P.O. Box 903 Richland WA 99352	37 Doug J. and Sandra L. Shepard 616 South Steptoe Street Kennewick WA 99336
37 Garrick A. and Kimberly I. Mickelsen 499 South Texas Street Kennewick WA 99336	37 Elizabeth Stewart 487 South Texas Street Kennewick WA 99336	37 Vanessa D. Bailey 475 South Texas Street Kennewick WA 99336
37 Matthew M. and Amy M. Durst 16314 South Fairview Loop Kennewick WA 99338	37 Angel Caridad Jr. 451 South Texas Street Kennewick WA 99336	37 Michael Hamilton 439 South Texas Street Kennewick WA 99336
37 Hector Bermudez Gonzalez 415 South Texas Street Kennewick WA 99336	37 Jonathan D. and Heather M. Bragg 403 South Texas Street Kennewick WA 99336	37 Kennewick Irrigation District 2015 South Ely Street, Building A Kennewick WA 99337
37 S&S Restaurant Holdings, LLC 9221 West Clearwater Avenue Kennewick WA 99336	37 Amon Hills Properties LLC 7233 West Deschutes Avenue Kennewick WA 99336	37 Hillcrest Memorial Center LLC 9353 West Clearwater Avenue Kennewick WA 99336

37 Kirk Sidwell 1331 East Nelson Street Moses Lake WA 98837	37 Wazzu Properties 9228 West Clearwater Drive Kennewick WA 99336	37 Moody Family Property LLC 9304 West Clearwater Drive, Suite A Kennewick WA 99336
37 CLA Holdings LLC 2137 Kimberly Circle Eugene OR 97405	37 Pamela L. Hutchinson 475 Utah Street Kennewick WA 99336	37 Timothy W. and Rose C. Hevrin 487 South Utah Street Kennewick WA 99336
37 Farzeen Khawaja 3625 115th Avenue NE, Apt. H-211 Bellevue WA 98004	37 Darn Development Company LLC P.O. Box 5636 West Richland WA 99353	37 Irina Mukhametzianova 9411 West 5th Place Kennewick WA 99336
37 Santiago Bridgewater Estates c/o Hayden Homes LLC 2464 SW Glacier Place, Suite 110 Redmond OR 97756	37 Ronald E. and Hazel D. Leavell 9404 West 5th Place Kennewick WA 99336	37 Kenneth R. Lewis 9412 West 5th Place Kennewick WA 99336
37 Bryan J. and Naomi J. Cardinal 552 North Colorado Street, Suite 101 Kennewick WA 99336	37 Linda M. Mearns 9424 West 5th Place Kennewick WA 99336	37 Jennifer N. Bull 9502 West 5th Place Kennewick WA 99336
37 Matthew A. Claybrook 9508 West 5th Place Kennewick WA 99336	37 Jeremy C. Jansky 9514 West 5th Place Kennewick WA 99336	37 Daniel and Sherry Dengate 2527 South Irving Street Kennewick WA 99338
37 Michael D. and Lorayne R. Kilgore 502 South Yolo Street Kennewick WA 99336	37 Lavonne A. Piatek 552 South Vermont Street Kennewick WA 99336	37 Shannon Urza 528 South Vermont Street Kennewick WA 99336
37 Donald McCabe Jr. 504 South Vermont Street Kennewick WA 99336	37 Barbara J. Young 9417 West 5th Place Kennewick WA 99336	37 David L. and Myrna Koller 501 South Wyoming Street Kennewick WA 99336
37 Cindy S. Schock 507 South Wyoming Street Kennewick WA 99336	37 Sergio A. Favela 513 South Wyoming Street Kennewick WA 99336	37 Rebecca Smith-Hickey 500 South Wyoming Street Kennewick WA 99336
37 Barbara Ann Snedigar 506 South Wyoming Street Kennewick WA 99336	37 Carmen Martinez 512 South Wyoming Street Kennewick WA 99336	37 Kenneth V. Walters 600 South Wyoming Street Kennewick WA 99336

37 Aung Aung and Mu Nyo 313 Wellsian Way Richland WA 99352	37 Jane Robison 313 Wellsian Way Richland WA 99352	37 Gabrielle E. and Sheri E. Reab 702 South Wyoming Street Kennewick WA 99336
37 Sarah E. Girard 724 South Wyoming Street Kennewick WA 99336	37 Ryan S. Kelley 750 South Wyoming Street Kennewick WA 99336	37 Brenda R. Ewing 774 South Wyoming Street Kennewick WA 99336
37 Edward and Karen Anderson P.O. Box 1022 Woodinville WA 98072	37 Nathan G. and Trishell M. Marple 856 South Wyoming Street Kennewick WA 99336	37 Susan C. Schwartz 874 South Wyoming Street Kennewick WA 99336
37 Amanda A. Strawick 6207 Dorchester Court Pasco WA 99301	37 Brenda L. Nordhaus 9512 West 9th Place Kennewick WA 99336	37 Terry L. Turley 809 South Yolo Street Kennewick WA 99336
37 Melody J. Peters-Johnson 803 South Yolo Street Kennewick WA 99336	37 Sharon R. Vorpapel 713 South Yolo Street Kennewick WA 99336	37 Todd A. Vanderhoogt 707 South Yolo Street Kennewick WA 99336
37 Charles and Karla Claybrook 701 South Yolo Street Kennewick WA 99336	37 Kyle J. Miller 607 South Yolo Street Kennewick WA 99336	37 Robert G. and Karyn R. Ellenberger 601 South Yolo Street Kennewick WA 99336
37 Guy W. Richards 509 South Yolo Street Kennewick WA 99336	37 Jeffrey L. and Patti J. Thompson 28104 South 959 PR SE Kennewick WA 99338	37 Isidro Zavala Garcia 313 Wellsian Way Richland WA 99352
37 Thiha Maung and Somrudee Sukvipat Maung 313 Wellsian Way Richland WA 99352	37 Anthony D. Milewski 602 South Yolo Street Kennewick WA 99336	37 Kathy J. Clapper 700 South Yolo Street Kennewick WA 99336
37 Khmees Kora and Asia Dahiya 313 Wellsian Way Richland WA 99352	37 Fimiana Mosesova 313 Wellsian Way Richland WA 99352	37 Heather K. Crary Hunzeker 706 South Yolo Street Kennewick WA 99336
37 Dodd Development Co. Inc. 1126 Bridle Drive Richland WA 99352	37 Jarod S. and Carolyn R. Franklin 800 South Yolo Street Kennewick WA 99336	37 Phyllis Smith 806 South Yolo Street Kennewick WA 99336

37 Cody Chandler 810 South Yolo Street Kennewick WA 99336	37 Dixon3 Properties LLC P.O. Box 1777 Battleground WA 98604	37 Mark R. Bauder 605 Summit Street Richland WA 99352
37 Branden S. Despain 906 South Yolo Street Kennewick WA 99336	37 James A. Castleberry 905 South Yolo Street Kennewick WA 99336	37 David W. VanDyke Jr. 9511 West 9th Place Kennewick WA 99336
37 Tom L. and Vicki L. Solbrack 2555 Highway 24 Othello WA 99344	37 Tyler Goodnight 9505 West 9th Avenue Kennewick WA 99336	37 Austin J. and Jennifer C. Regimbal 917 South Yolo Street Kennewick WA 99336
37 Wicked Development 9312 West 10th Avenue Kennewick WA 99336	37 Croskrey Properties LLC 1962 Sheridan Place Richland WA 99352	37 Julia A. Steffler 10005 West 10th Avenue Kennewick WA 99336
37 Victor V. and Marilyn Johnson 5610 West 14th Avenue Kennewick WA 99338	37 Calvary Chapel of Tri-Cities 10611 West Clearwater Avenue Kennewick WA 99336	37 Jon and Julie Waddoups 1218 South Willows PR Kennewick WA 99338
37 Douglas S. Rybarski 1122 South Willow PR SE Kennewick WA 99338	37 Eugene V. and Kathleen G. Morrey 1105 South Tranquility PR SE Kennewick WA 99338	37 Gary A. and Norma L. Claybrook 1102 South Tranquility PR SE Kennewick WA 99338
37 David B. and Mary E. Claybrook 1106 South Tranquility PR SE Kennewick WA 99338	37 Timothy C. and Ronda K. Cray 1103 South Sandlewood PR SE Kennewick WA 99338	37 Isaac T. Bedrod 1007 South Sunnyvale Drive Kennewick WA 99338
37 Rene A and Velina M. Perez 1103 South Sunnyvale Drive Kennewick WA 99338	37 Debra K. Garcia P.O. Box 832 Richland WA 99352	37 Robert A. Stafford 11911 West Clearwater Avenue Kennewick WA 99338
37 Acme Pest & Spray LLC P.O. Box 5478 West Richland WA 99353	37 C2 Management Group LLC 12802 South Cottonwood Creek Boulevard Kennewick WA 99338	37 Calvary Chapel of Tri-Cities 10611 West Clearwater Avenue Kennewick WA 99338
37 John G and Linda K. Monk 8220 West Gage Boulevard #139 Kennewick WA 99336	37 WW Real Estate LLC 8713 West 9th Avenue Kennewick WA 99336	37 Jerald C. Wilde 10133 West Clearwater Avenue Kennewick WA 99338

37
Badger Mountain Professional LLC
10201 West Clearwater Avenue
Kennewick WA 99338

37
Scott and Denise A. Howell
6804 Franklin Court
Pasco WA 99301

37
Home Builders Association of Tri-Cities
10001 West Clearwater Avenue
Kennewick WA 99336

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COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE No: COZ 18-01/PLN-2018-00603

Staff Report Date: April 19, 2018

Hearing Date & Location: May 7, 2018, Kennewick City Hall

Report Prepared By: Steve Donovan
Planner

Report Reviewed By: Wes Romine, AIA
Development Services Manager

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS that Change of Zone 18-01 be APPROVED.

Summary of Proposal: A Change of Zone from Residential, Suburban (RS) to Residential, Low Density (RL) for one parcel of land .47 acres in size.

Proposal Location: 2420 S Rainier Street

Legal Description: Lot 1, as delineated on Short Plat No. 1236, recorded under Auditor's Recording No. 858456, Records of Benton County, Washington.

Property Owner: Eric Leavell
5407 E. French Gulch Road
Coeur d' Alene, ID 83814

Applicant: Same As Above

Regulatory Controls:

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	March 6, 2018
Determination of Completeness Issued	March 6, 2018

Notice of Application Mailed	March 9, 2018
SEPA Threshold Determination Issued	March 28, 2018
Property Posting Sign for SEPA Determination	March 28, 2018
SEPA Appeal Period Ended	April 11, 2018
Date of Mailed Notice of Public Hearing	April 18, 2018
Property Posting Sign for Public Hearing	April 18, 2018
Date of Published Notice of Public Hearing	April 22, 2018

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Vicinity Map
4. Comprehensive Plan Map
5. Zoning Map
6. Notice of Mailing
7. SEPA Determination
8. Kennewick Irrigation District Comments
9. Bonneville Power Administration Comments

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ 18-01), is a request to change the zone of one .47 acre lot located at 2420 S Rainier Street, from Residential, Suburban (RS) to Residential, Low Density (RL). The RL zoning district is an implementing zoning district of the Low Density Residential land use designation.

The primary uses allowed in both the RS and RL zones are residential and public in nature. The only difference in use between the two zones is that the RS zone allows stables, corrals, riding academies and the keeping of farm animals.

Per KMC 18.03.040(1) & (2), 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.”

The site is adjacent to the following zoning districts:

North: RL
East: RL, across S Rainier Street
South: RL
West: RL

Kennewick Municipal Code Findings:

The following findings are required to be met in order to approve a change of zone:

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 Residential, Low Density 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 lines, sewer lines and public rights-of-way.
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 RL 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 has the RL zoning district completely surrounding the site.

Findings:

1. The applicant and owner is Eric Leavell, 5407 E French Gulch Road, Coeur d'Alene, ID 83814.
2. The proposed change of zone is for parcel number 1-1189-401-1236-00, located at 2420 S Rainier Street.
3. The request is to change the zoning from Residential, Suburban to Residential, Low Density.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Low Density Residential.
5. The Residential, Low Density zoning district is an implementing zone of the Low Density Residential Comprehensive Plan Land Use Map designation.
6. The application was submitted on March 6, 2018 and declared complete for processing on March 9, 2018.
7. The application was routed for review to City Departments and outside agencies for comment on March 13, 2018.
8. Access to the site is currently provided from S Rainier Street.
9. The City of Kennewick Critical Area maps do not show any critical areas to be on the subject site.
10. An Environmental Determination of Non-Significance (ED 18-04) was issued on March 28, 2018 for this application. The appeal period for the determination ended on April 11, 2018. No appeals were filed.

11. The Property Posting sign for the SEPA Determination was posted on March 28, 2018.
12. The Property Posting sign for the public hearing was posted on site April 18, 2018.
13. Notice of the public hearing for this application was published in the Tri-City Herald on April 22, 2018. Notices were also mailed to property owners within 300 feet of the site on April 18, 2018.
14. The proposed amendment conforms with the comprehensive plan; and
15. The proposed amendment 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 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 will not be in conflict with the purpose statement of the RL zone in KMC 18.03.040(2).
4. The proposed Change of Zone is in compliance with KMC 18.51.070(2).

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 18-01 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 18-01 and recommend approval of the request to City Council.

PAID

CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES

APPLICATION (general form)

MAR 06 2018

PROJECT # 00218-01 PLN- 2018-00603 FEE \$ 1294.00

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 - RS TO RL

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

Applicant: ERIC LEAVELLAddress: 5407 E. FRENCH GULCH RD., COEUR D'ALENE ID 83814Telephone: 208-664-6484 Cell Phone: 208-659-8449 Fax: _____ E-mail: ERK@oldcowboygear.comProperty Owner (if other than applicant): N.A. SAME AS APPLICANTAddress: N.A.Telephone: N.A. Cell Phone: N.A. E-mail: N.A.

SITE INFORMATION

Parcel No. 1-1189-401-1236-001 Acres 0.4734 Zoning: RSAddress of property: 2420 S. RAINIER ST., KENNEWICK WA 99337Number of Existing Parking Spaces N.A. 2 Number of Proposed (New) Parking Spaces N.A. 0Present use of property SINGLE FAMILY RESIDENTIALSize of existing structure: 1300 # sq. ft. Size of Proposed addition/New structure: N.A. sq. ft.Height of building: N.A. Cubic feet of excavation: N.A. Cost of new construction N.A.Benton County Assessor Market Improvement Value: \$ 116,040Description of Project: REZONE FROM RESIDENTIAL SUBURBAN (RS)
TO RESIDENTIAL LOW DENSITY (RL)

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: 2/20/18

Signature of owner or owner's authorized representative

RECEIVED
CITY OF KENNEWICK

MAR 06 2018

BY W/R

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: THE ADOPTION OF THIS REQUEST SHOULD IMPROVE THE WELFARE OF THE COMMUNITY BUT IS NOT DEEMED A NECESSITY.
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: I ASSUME OTHER SITES ARE AVAILABLE IN THE AREA. THESE OTHER SITES ARE NOT UNDER MY OWNERSHIP SO ITS NOT AN OPTION FOR THESE TO BE UTILIZED.
3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain: YES, ALL ADJACENT PROPERTIES ARE ZONED 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, THE CURRENT ZONING (RS) IS CURRENTLY AN ISOLATED DISTRICT
6. Does the existing zoning prohibit reasonable use of the property? Please explain: NO, A ZONING CHANGE FROM RS TO RL WILL ALSO ALLOW FOR REASONABLE 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: NO, A ZONING CHANGE WILL NOT IMPACT ANY ADJACENT RESIDENTIAL CHARACTER.
8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain: IT IS HIGHLY UNLIKELY THAT THIS ZONING CHANGE WILL HAVE ANY IMPACT ON ADJACENT PROPERTY VALUES.

9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain: NO, THIS AMENDMENT WILL CLARIFY THE EXISTING ADJACENT RL ZONING DISTRICT
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain: PERHAPS, THE ADJACENT PROPERTIES SHOULD BENEFIT BY HAVING CONSISTENT ZONING IN THE IMMEDIATE AREA
11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain: THE PROPOSED AMENDMENT MAY ALLOW FOR A FUTURE RESIDENT IN THE NEIGHBORHOOD.
12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain: NO, THE USE PROPOSED IS CONSISTENT WITH ADJACENT PROPERTIES AND NO CONCERNS ARE APPARENT.

Summary of City forms required:

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

EXHIBIT A PROPERTY INFORMATION

Kennewick, Washington Change of Zone Application for 2420 S Rainier ST Kennewick, Washington 99336 Tax #1-1189-401-1236-001

Property			
Account			
Property ID:	35761	Legal Description:	SHORT PLAT: #1236 LOT 1
Parcel # / Geo ID:	111894011236001	Agent Code:	
Type:	Real	Land Use Code	11
Tax Area:	K1 - K1	DFL	N
Open Space:	N	Remodel Property:	N
Historic Property:	N	Section:	11
Multi-Family Redevelopment:	N	Legal Acres:	0.4734
Township:	08		
Range:	29		
Location			
Address:	2420 S RAINIER ST KENNEWICK, WA 99337-3622	Map sco:	
Neighborhood:		Map ID:	
Neighborhood CD:	123574		
Owner			
Name:	LEAVEILL ERIC	Owner ID:	138758
Mailing Address:	5407 E FRENCH GULCH RD COEUR D'ALENE, ID 83814	% Ownership:	100.0000000000%
		Exemptions:	

Parcel Zoning: RS [Codes and Standards](#)

CountyAssessorLink	More info
StreetAddress	2420 S RAINIER S
CountyTaxIDFormatted	1-1189-401-1236 001
AnnexationOrdinance	
ComprehensivePlanCode	LDR
InCity	YES
LayerName	SV_PA
ObjectNumber	15,081
Zoning	RS
ZoningOrdinance	
City	KENNEWICK

EXHIBIT B
AIRIAL IMAGE

Kennewick, Washington
Change of Zone Application
for
2420 S Rainier ST
Kennewick, Washington 99336
Tax #1-1189-401-1236-001

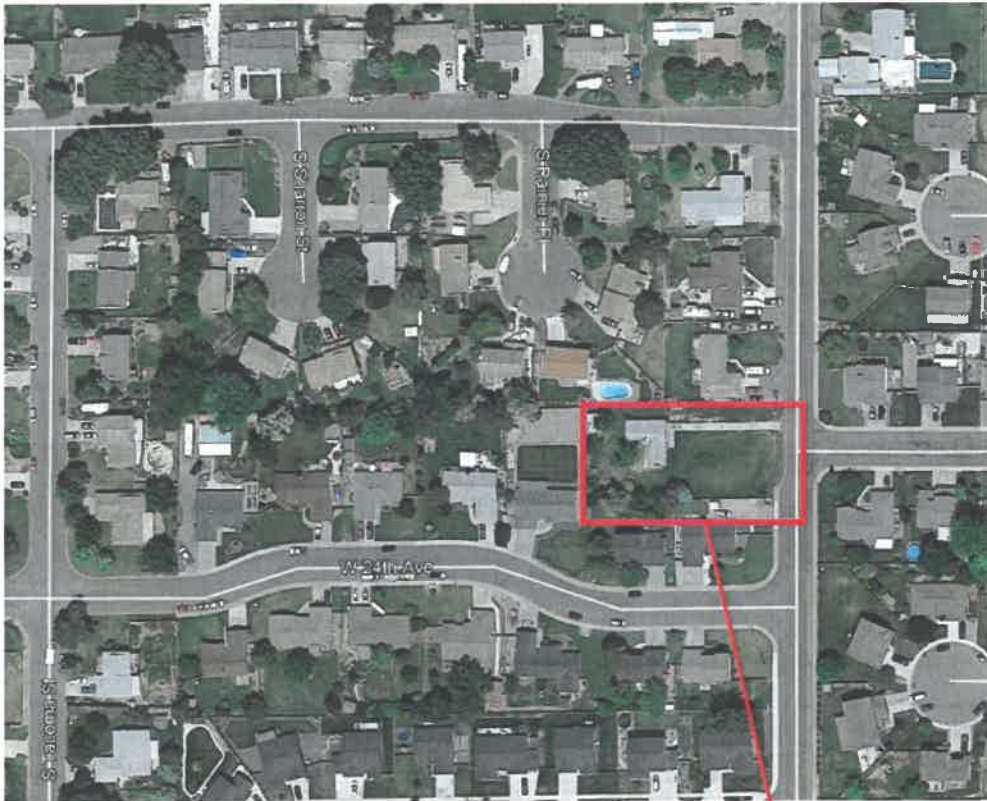


EXHIBIT C
EXISTING ZONING MAP

Kennewick, Washington
Change of Zone Application
for
2420 S Rainier ST
Kennewick, Washington 99336
Tax #1-1189-401-1236-001

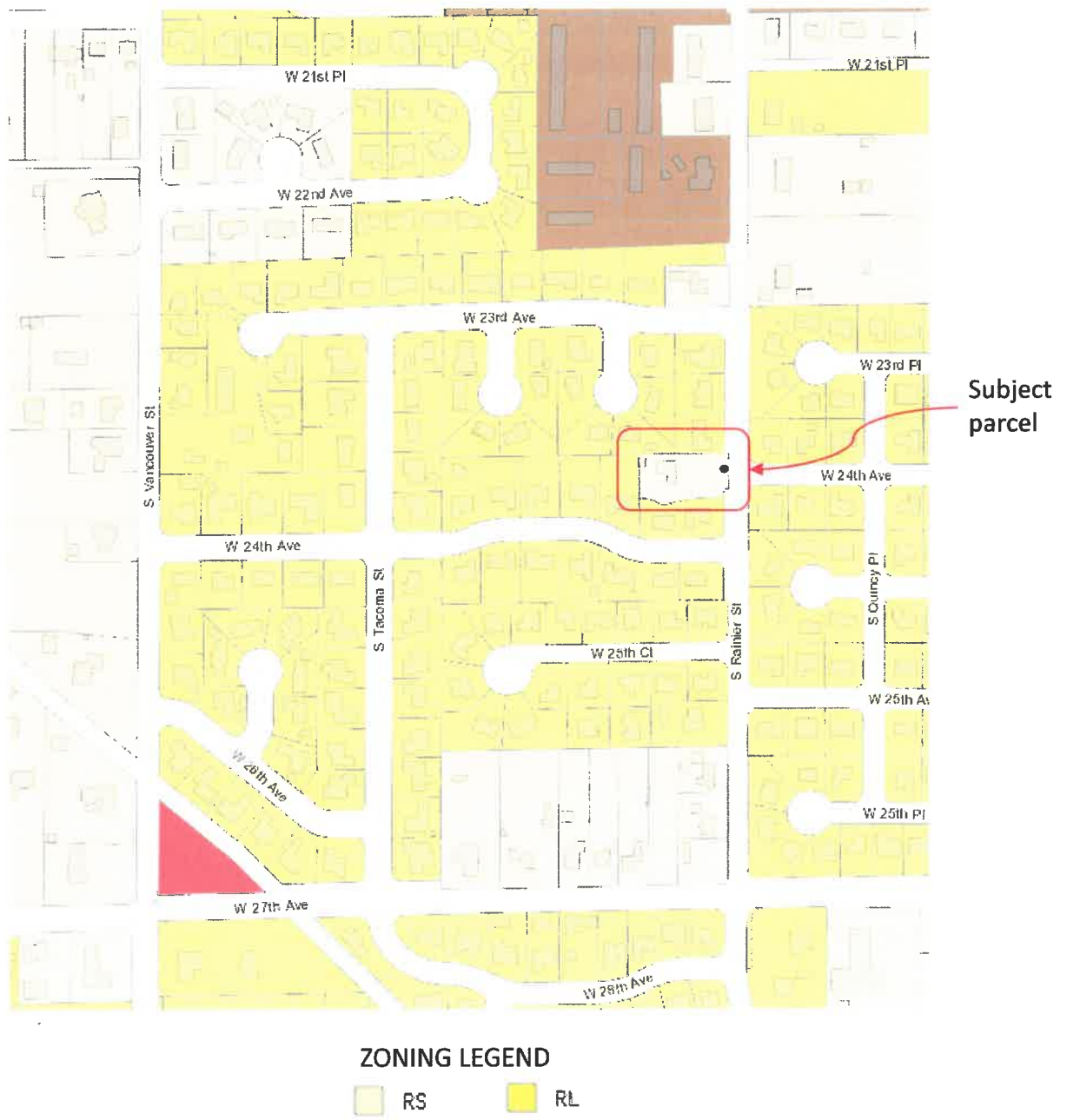


EXHIBIT D FUTURE LAND USE MAP

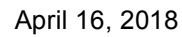
Kennewick, Washington
Change of Zone Application
 for
 2420 S Rainier ST
 Kennewick, Washington 99336
 Tax #1-1189-401-1236-001



LEGEND



Exhibit 3



StreetName

 Apartment

Mobile Home

SurveyCityLimits

SV_CI_COUNTY_1

SurveyAddressPoint

 Building

Parcel

SV_CI_KENNEWICK_10

- <all other values>

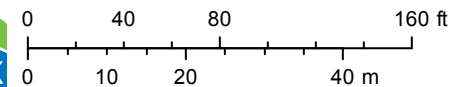
 Condo

SV_CI_RICHLAND_10



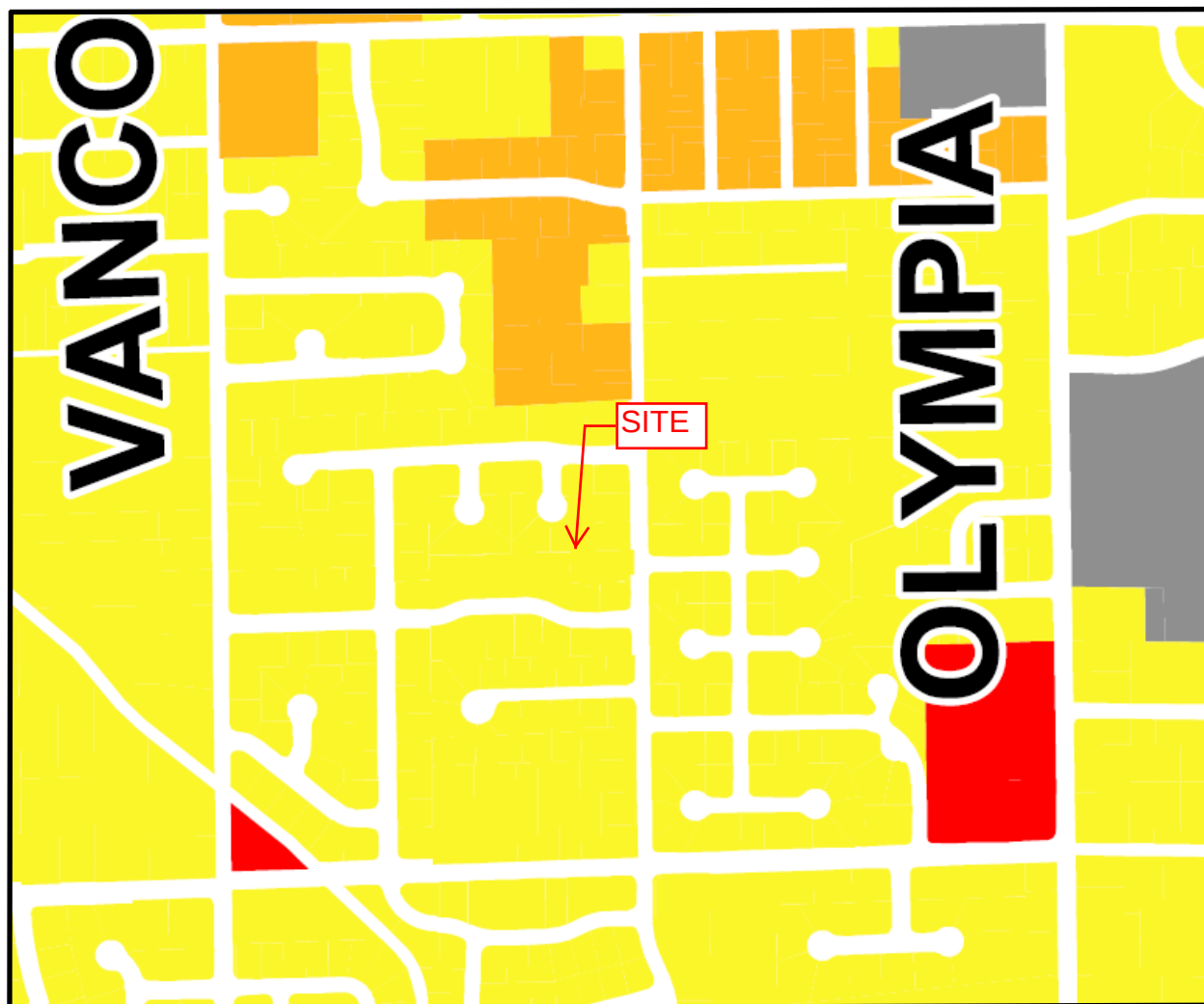
1 inch = 80 feet

1:960



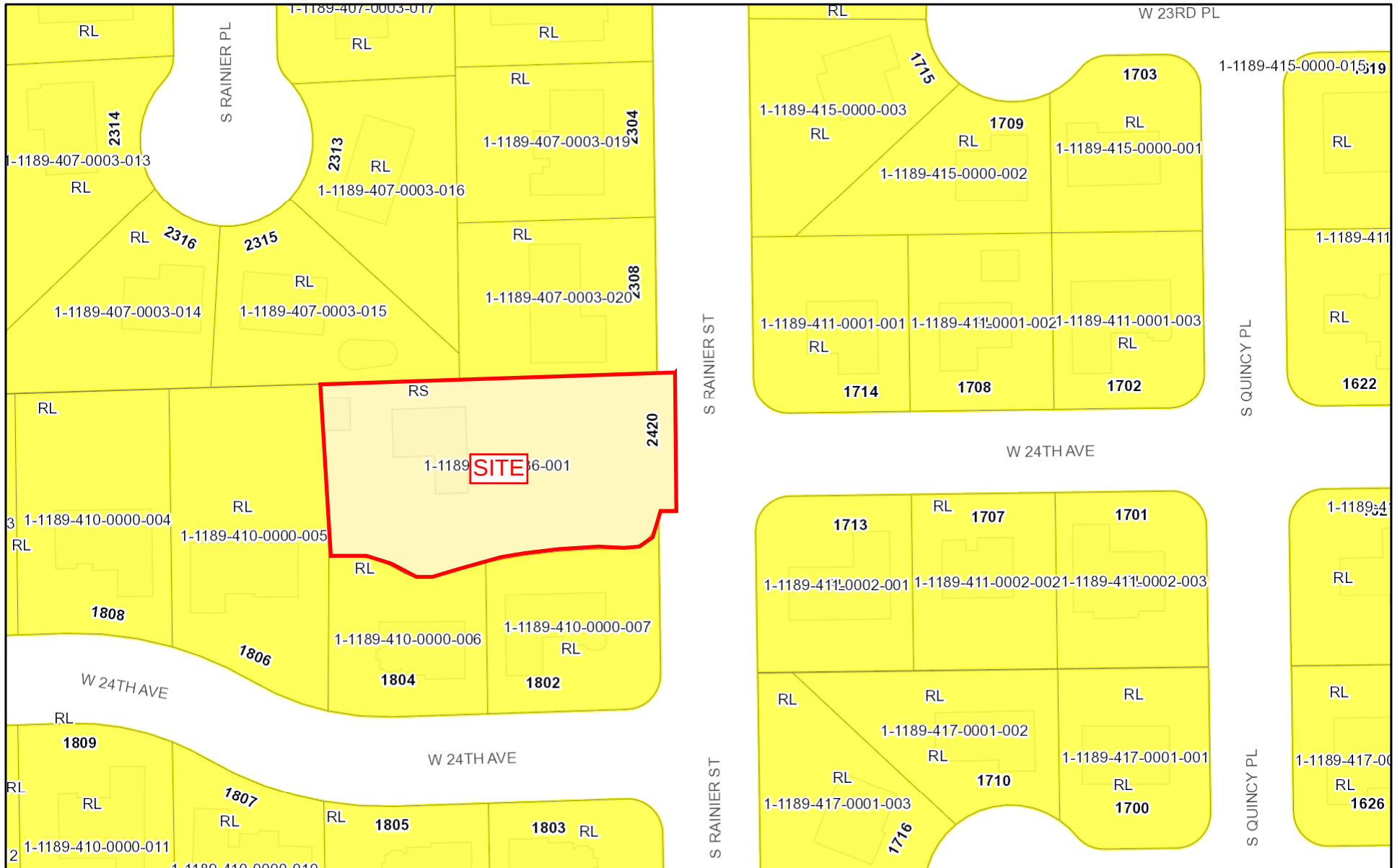
Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

Comprehensive Plan Land-Use Map



Zoning Map

Exhibit 5



April 16, 2018

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

StreetName
SurveyAddressPoint
 <all other values>

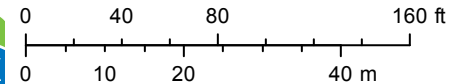
Apartment
 Building
 Condo

Mobile Home
 Parcel
SurveyCityLimits
 SV_CI_KENNEWICK_10
 SV_CI_RICHLAND_10

SV_CI_COUNTY_1



1 inch = 80 feet

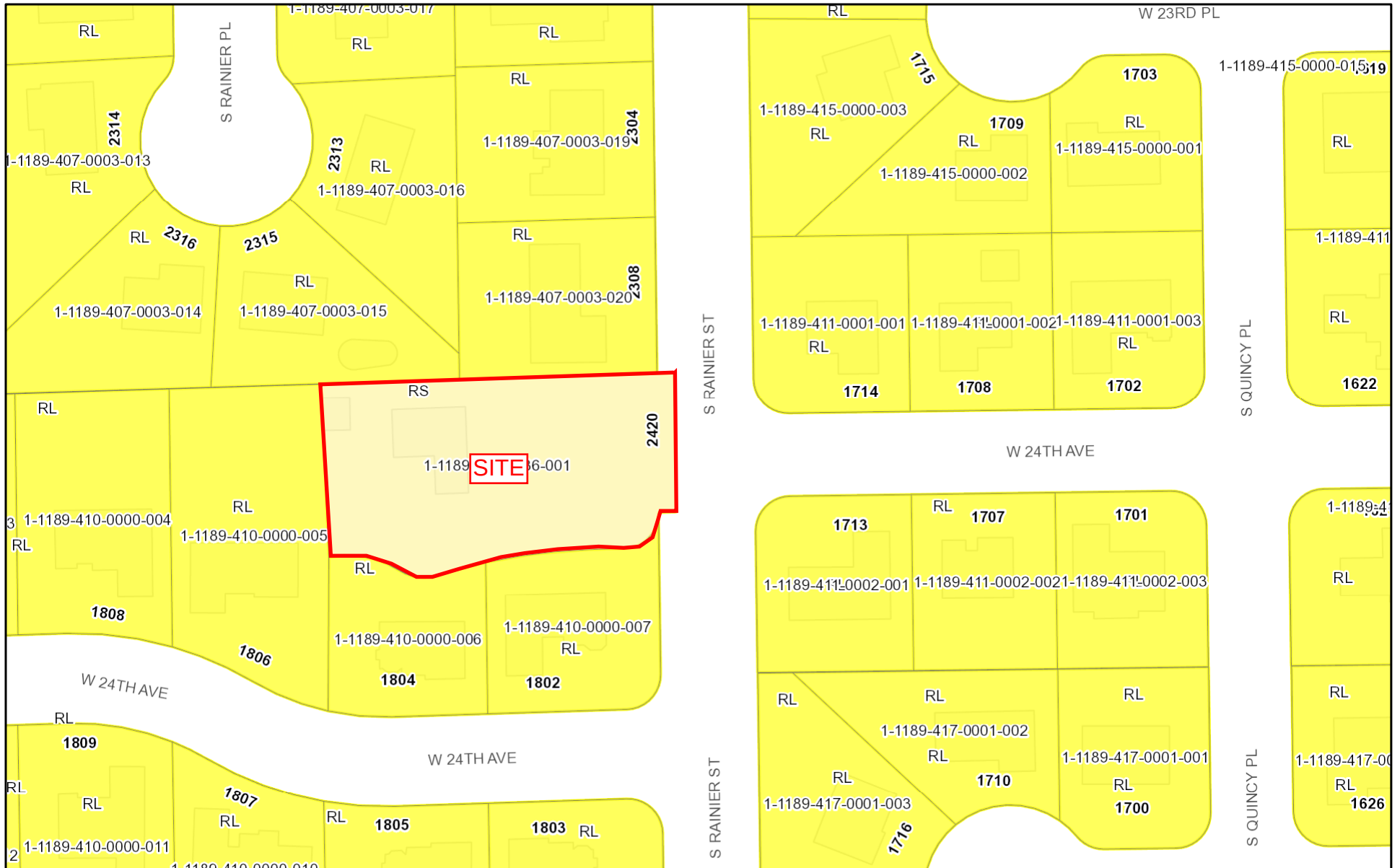


Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

ArcGIS WebApp Builder
City of Kennewick

Zoning Map

Exhibit 5



April 16, 2018

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

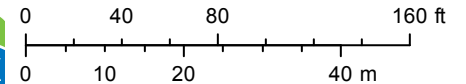
Mobile Home
 Parcel

SurveyCityLimits
 SV_CI_KENNEWICK_10
 SV_CI_RICHLAND_10

SV_CI_COUNTY_1



1 inch = 80 feet



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

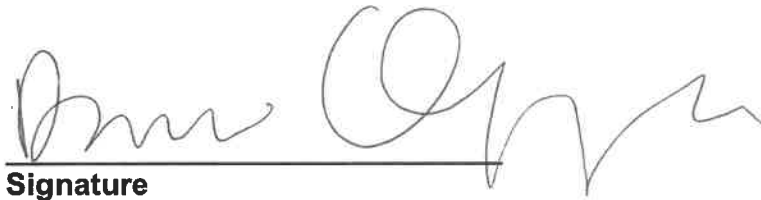
ArcGIS WebApp Builder
 City of Kennewick



NOTICE OF MAILING

I, Bianca Orozco, on April 18th, 20 18
mailed 44 copies of Public Hearing Notice
for COZ 18-01/PLN-2018-00603
to property owners within 300 feet of site.

as shown on the attached list.


Signature

COZ 18-01
PLN-2018-00603
RS TO RL
ERIC LEAVELL

Exhibit 6

37
LEAVELL ERIC
2420S RAINIER ST.
KENNEWICK, WA 99337

37
MEEKS, JR JACK L & KATHLEEN S
2308S RAINIER ST.
KENNEWICK, WA 99337

37
PEASE KYLE E & PEGGY M
2304S RAINIER ST.
KENNEWICK, WA 99337

37
LEATHERS SUZANNE K
1803W 23RD AVE
KENNEWICK, WA 99337

37
CARRELL LORIN G & LINDA K
1802W 24TH AVE.
KENNEWICK, WA 99337

37
MENDOZA LINCON NELY A
1803W 24TH AVE.
KENNEWICK, WA 99337

37
PONCHO CORY D
1804W 24TH AVE.
KENNEWICK, WA 99337

37
BERMUDEZ PEDRO RODRIGUEZ
1805W 24TH AVE.
KENNEWICK, WA 99337

37
DAHLIN TONI B
1806W 24TH AVE.
KENNEWICK, WA 99337

37
HOOVER NENA MARIE
1807W 24TH AVE.
KENNEWICK, WA 99337

37
MACKENSTADT ROB & NANCY
1808W 24TH AVE.
KENNEWICK, WA 99337

37
HUTCHINS BILLY W & PAMELA N
1809W 24TH AVE.
KENNEWICK, WA 99337

37
DENNIS DANIEL & MELINDA
1810W 24TH AVE.
KENNEWICK, WA 99337

37
TORRES ROGELIO & MEAGHAN
1811W 24TH AVE.
KENNEWICK, WA 99337

37
BOWER KENNETH C & MELANIE A
1902W 24TH AVE.
KENNEWICK, WA 99337

37
YEVTUSHINA SVITLANA A
2325S SHARRON ST
KENNEWICK, WA 99337

37
FLORES ERIKA & GABRIEL
2323S SHARRON ST
KENNEWICK, WA 99337

37
SCHUSTER LARRY R & CAROLYN F
2321S SHARRON ST
KENNEWICK, WA 99337

37
RONNQVIST LISA ANN
2312S RAINIER PL
KENNEWICK, WA 99337

37
SCHERBARTH COREY E & KELLEY F
2314S RAINIER PL
KENNEWICK, WA 99337

37
PRIOR BEATRICE E
2316S RAINIER PL
KENNEWICK, WA 99337

37
DAVIS DAVID & PATRICIA
2315S RAINIER PL
KENNEWICK, WA 99337

37
MOON DOUGLAS
2313S RAINIER PL
KENNEWICK, WA 99337

37
LOGSDON RIAN DAX & AMANDA B
2311S RAINIER PL
KENNEWICK, WA 99337

37
LORD TREVOR T
1716W 23RD PL
KENNEWICK, WA 99337

37
HENDRICKS MELISSA F
1715W 23RD PL
KENNEWICK, WA 99337

37
POFFENBERGER KRAMER L &
CASANDRA C
1703W 23RD PL
KENNEWICK, WA 99337

37
GOTHEL KAREN L
1709W 23RD PL
KENNEWICK, WA 99337

37
JAMES NANCY C
1701W 24TH AVE
KENNEWICK, WA 99337

37
HENN PHILLIP RICHARD & JENNY LYN
1714W 24TH AVE
KENNEWICK, WA 99337

Exhibit 6

37
CURTIS TODD A
1708W 24TH AVE
KENNEWICK, WA 99337

37
CONRAD SCOTT C & KELLI K
1707W 24TH AVE
KENNEWICK, WA 99337

37
DEVERS ROBERT N & JANICE M
1713W 24TH AVE
KENNEWICK, WA 99337

37
JAMES NANCY C
1701W 24TH AVE
KENNEWICK, WA 99337

37
OLSEN KEVIN JAY & CYNTHIA MARIE
1700W 24TH PL
KENNEWICK, WA 99337

37
CHAVEZ ANALI
1710W 24TH PL
KENNEWICK, WA 99337

37
LIHOSIT MATTHEW A
1716W 24TH PL
KENNEWICK, WA 99337

37
CHAVEZ JR RAFAEL J
1715W 24TH PL
KENNEWICK, WA 99337

37
ADAIR LONNIE K & NICOLE R
1802W 25TH CT
KENNEWICK, WA 99337

37
FEARING RUSSELL D
1814W 25TH CT
KENNEWICK, WA 99337

37
DAVIS GARY & EMILY
1826W 25TH CT
KENNEWICK, WA 99337

37
RANGEL MARIA S
1838W 25TH CT
KENNEWICK, WA 99337

37
WEISZ KATHRYN L
1850W 25TH CT
KENNEWICK, WA 99337

COZ 18-01
PLN-2018-00603
RS TO RL
ERIC LEAVELL

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

May 7, 2018 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, May 7, 2018, 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 18-01 – Proposes to change .47 acres from Residential, Suburban (RS) to Residential, Low Density (RL). The site is located at 2420 S Rainier Street, vicinity 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., May 4, 2018. 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.



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

FILE/PROJECT NUMBER: COZ 18-01/PLN-2018-00603/ ED 18-04

DESCRIPTION OF PROPOSAL: The request is to change the zoning designation of a .47 acre lot from Residential Suburban (RS) to Residential, Low Density (RL). The property has a comprehensive plan land use designation of Low Density Residential.

PROPOSER: Eric Leavell, 5407 E French Gulch Rd., Coeur d'Alene, ID 83814

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 2420 S Rainier 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

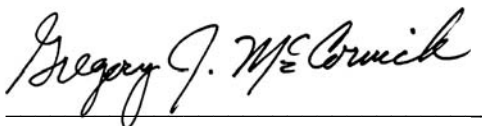
PHONE: (509) 585-4463

☐ 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: March 28, 2018

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 18-01 File



Exhibit 8
2015 South Ely Street
Kennewick, WA 99337
Customer Service 509-586-9111
Business 509-586-6012
FAX 509-586-7663
www.kid.org

April 4, 2018

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

Subject: COZ 18-01/PLN 2018-00603 Review Comments

Dear Mr. Donovan:

This letter provides Kennewick Irrigation District (KID) review comments for COZ 18-01 submitted by Eric Leavell to change the zoning district for 0.47 acres located at 2420 S. Rainier St., Kennewick, WA. 99336 from Residential, Suburban (RS) to Residential, Low Density (RL).

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.
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,

Rebecca S. Hiles
Staff Engineer

C: LB/correspondence/File: [11-8-29]



Department of Energy

Bonneville Power Administration
2211 N. Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

March 19, 2018

In reply refer to: Eric Leavell, COZ 18-01/PLN-2018-00603 and ED 18-04
Located within a Portion of Section 11, Township 8 North,
Range 29 East, W.M., Benton County, Washington

Steve Donovan
City of Kennewick
Community Planning/Planner
210 W. 6th Avenue - PO Box 6108
Kennewick, WA 99336

Dear Steve:

Bonneville Power Administration (BPA) has had the opportunity to review Eric Leavell, COZ 18-01/PLN-2018-00603 and ED 18-04. The proposal is for a change of zone Residential Suburban (RS) to Residential Low Density (RL). The subject property is located at 2420 S Rainer Street in Kennewick, WA, county parcel number 111894011236001.

In researching our records, we have found that this proposal will not directly impact BPA facilities in the area. BPA does not have any objections to the approval of this request at this time.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (503) 230-5510 or by email at mjdeklyen@bpa.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Deklyen", is written over a horizontal line.

Mike Deklyen
BPA Field Realty Specialist