

1. **CALL TO ORDER:**

- a. Roll Call/Pledge of Allegiance

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

- a. Approval of the Minutes dated December 3, 2018 & December 17, 2018
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. **PUBLIC HEARING:**

- a. Change of Zone (COZ) # 18-10 proposing to change 0.7022 acres from Residential, Low (RL) to Commercial, Neighborhood (CN), located at 1400 W. 10th Avenue, Kennewick, WA 99336. Applicant is Bruce Baker, N2K Design, 1806 Terminal Drive, Richland, WA 99354.
- b. Change of Zone (COZ) 18-12 proposing to change .95 acres from Residential, Medium Density (RM) to Residential, High Density (RH), located at 3120 W. 4th Avenue, Kennewick, WA 99336. Applicant is David and Sheryl Katcher, 3120 W. 4th Avenue, Kennewick, WA 99336.

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
DECEMBER 3, 2018
MEETING MINUTES**

CALL TO ORDER

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

Vice Chairman Morris led the Pledge of Allegiance.

Recorder Terri Wright called the roll and found the following:

Present: Commissioners Rob Rettig, Charles Torelli, Vice Chairman Morris and Chairman Pacheco.

Excused: Commissioners Anthony Moore, Clark Stolle, and Thomas Helgeson.

Unexcused: None

Staff Present: Greg McCormick, AICP Planning Director; Wes Romine, Development Services Manager; Steve Donovan, Planner; Lisa Beaton, City Attorney; Terri Wright, City Clerk/Recorder.

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of the September 17, 2018 Meeting Minutes
- c. Motion to enter Staff Reports into the Record

Commissioner Morris moved to accept the consent agenda, amending page 2 of the minutes under COZ 18-04 public hearing to "...Vice-Chairman Morris asked for a motion". Commissioner Rettig seconded the motion. The motion carried unanimously.

PUBLIC HEARINGS

Chairman Pacheco opened the public hearing at 6:33 p.m. for Small Cells Facilities. Applicant is Lisa Beaton, City Attorney City of Kennewick, 210 W. 6th Avenue, Kennewick, WA 99336.

Ms. Beaton gave a brief overview of the staff report, referenced the November 19, 2018 Planning Commission workshop session covering the proposed changes, and presented a Power Point of the staff report; Staff recommends that the Planning Commission concur with the Findings and Conditions of the staff report Small Cells Facilities, and recommend to City Council approval of the request.

Planning Commission questions included: Questions by Commissioners Torelli, Morris and Rettig; franchises, pole locations, right-of-way, aesthetics, impacts, Benton PUD, pedestrians.

Testimony of Applicant:

City is applicant.

Testimony in favor:

Jason Briscoe, Verizon
1313 N. Atlantic
Spokane, WA

Spoke in favor of the proposal.

Testimony neutral or against:

None

Staff final comments:

None

Public Testimony for Small Cells Facilities closed at 7:07 p.m.

Chairman Pacheco asked for a motion.

Commissioner Torelli moved to concur with the findings and conclusions in staff report ZOA #17-10 Small Cells Facilities and forward a recommendation to City Council APPROVAL of the request.

Commissioner Rettig seconded the motion.

Planning Commission discussion included: Commissioner Rettig questioned whether the letter received from WPG (Wireless Policy Group) be considered as part of Commissioner Torelli's motion; Commissioner Rettig said that Torelli made the original motion, which was following staff recommendation, and then what they wanted to do – because the question on the table was that they presented a letter, and the question was the staff report they received, they wanted to clarify and include the letter from Wireless Policy Group (WPG), just received during the 12/3/18 Planning Commission meeting, as part of the approval of the staff report; the city clerk said the staff report is what commissioners receive in the mail, so they had to amend the original motion to include the letter from WPG, and they wanted to include it so it went to City Council, they knew the Planning Commission received it, reviewed it, and approved it and amend the motion to include that letter.

Ms. Beaton said the motion needs to be amended to reflect the inclusion of the letter in the Planning Commission recommendation to the City Council, if that is the Planning Commission decision.

Ms. Wright said the staff report the Commissioners received didn't include the WPG letter, so the motion should be amended if the Planning Commission wants the WPG letter included in the Council recommendation.

Commissioner Rettig moved to amend the original motion to include the WPG letter, specifically referencing changes to the Chapter 5.20.30 of the application, in the Planning Commission recommendation to the City Council.

Commissioner Torelli seconded the motion.

The motion passed unanimously.

Commissioner Torelli moved to concur with the findings and conclusions in staff report ZOA 17-10 Small Cells Facilities *as amended to include WPG letter*, and forward a recommendation to City Council APPROVAL of the request.

Commissioner Rettig seconded the motion.

The motion passed unanimously.

Chairman Pacheco opened the public hearing at 7:14 p.m. for Change of Zone (COZ) #18-05 proposing to change 23.15 acres from Residential, Medium Density (RM) and Commercial, Community (CC) to Public Facility (PF), for property located at 1000 W. 4th Avenue, Kennewick, WA 99336. Applicant is Kennewick School District, 1000 W. 4th Avenue, Kennewick, WA 99336.

Mr. Donovan 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 18-05 and recommend to City Council approval of the request.

Planning Commission questions included: None

Testimony of Applicant:

Paul Knutzen
5401 Ridgeline Dr Ste. 160
Kennewick 99338

Helping school district with this project; this is follow up to comprehensive plan amendment previously submitted; will clean up the zoning to more appropriate public facility designation in keeping with comprehensive plan.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public Testimony for COZ 18-05 closed at 7:19 p.m.

Chairman Ed Pacheco asked for a motion.

Vice Chairman Morris moved to concur with the findings and conclusions in staff report COZ 18-05 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Rettig seconded the motion.

Planning Commission discussion included: None

The motion passed unanimously.

Chairman Pacheco opened the public hearing at 7:20 p.m. for Change of Zone (COZ) 18-06 proposing to change 2 parcels of land 7.42 and 4.14 acres in size from Industrial Light (IL) to Public Facility (PF), and one parcel of land 31.54 acres in size from Open Space (OS) to Public Facility (PF), located at the railroad right of way at the west and east of N. Edison Street, and at 600 N. Arthur St. Applicant is Kennewick School District, 1000 W. 4th Avenue, Kennewick, WA 99336.

Mr. Romine 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 18-06 and recommend to City Council approval of the request.

Planning Commission questions included:

How Kamiakin High School has been zoned Open Space for past 45 years.

Testimony of Applicant:

Paul Knutzen
5401 Ridgeline Dr Ste. 160
Kennewick 99338

Another Comprehensive Plan clean-up; have been looking at all school facilities for house-keeping zoning.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

None

Public Testimony for COZ 18-06 closed at 7:26 p.m.

Chairman Pacheco asked for a motion.

Commissioner Torelli moved to concur with the findings and conclusions in staff report COZ 18-06 and forward a recommendation to City Council APPROVAL of the request.

Vice Chairman Morris seconded the motion.

Planning Commission discussion included:

None

The motion passed unanimously.

Chairman Pacheco opened the public hearing at 7:27 p.m. for Change of Zone (COZ) 18-09 proposing to change 2 acres of land located at 1863, 1903, and 1917 W. 19th Avenue from Residential, Suburban (RS) and Residential, Low (RL) to Residential, Medium (RM). Applicant is Brad Beauchamp, 4001 S. Vancouver St., Kennewick, WA 99337.

Mr. Donovan 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 18-09 and recommend to City Council approval of the request.

Planning Commission questions included: Any comments from surrounding property owners.

Testimony of Applicant:

Brad Beauchamp
4001 S. Vancouver St.
Kennewick 99337

Acquired property, talked to staff last year will move forward with medium density, duplexes.

Testimony in favor:

None

Testimony neutral or against:

Jeff Robbins
290 Moore Rd
Pasco, WA 99301

Own property at 1831 W. 19th Ave; questioning medium density zoning, thought it was going to be single family.

Staff final comments:

None

Public Testimony for COZ 18-09 closed at 7:35 p.m.

Chairman Pacheco asked for a motion.

Commissioner Rettig moved to concur with the findings and conclusions in staff report COZ 18-09 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Torelli seconded the motion.

Planning Commission discussion included:

None

The motion passed unanimously.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

- a. **City Council Action Updates** – Area wide re-zone for agricultural was approved by City Council; there was a time-gap, it took a considerable amount of time refining the legal descriptions.

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Commissioner Torelli wanted on the record, discussed at last workshop; containing Urban Mixed Use, it requires a master plan for more than 20 acres prior to zoning mixed use; need to be able to restrict that somewhat until Vista Field and Bridge to Bridge is further along.

Commissioner Rettig to clarify small cells amended motion, would that be considered staff report as submitted at the hearing.

ADJOURNMENT:

The meeting was adjourned at 7:42 p.m.

**KENNEWICK PLANNING COMMISSION
DECEMBER 17, 2018
MEETING MINUTES**

CALL TO ORDER

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

Commissioner Helgeson led the Pledge of Allegiance.

Recorder Melinda Didier called the roll and found the following:

Present: Commissioners Rob Rettig, Charles Torelli, Chuck Stolle, Thomas Helgeson, Vice Chairman Morris and Chairman Pacheco.

Excused: Commissioner Anthony Moore

Unexcused: None

Staff Present: Greg McCormick, AICP Planning Director; Steve Donovan, Planner; Melinda Didier, Community Planning Administrative Assistant/Recorder

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of the December 3, 2018 Meeting Minutes
- c. Motion to enter Staff Reports into the Record

Vice Chairman Morris stated he wanted to discuss the December 3, 2018 Meeting Minutes prior to approval of the consent agenda, particularly the motion(s) and amending motion(s) referencing approval of ZOA 17-10 Small Cells Facilities, that wasn't clearly reflected in the December 3rd minutes. Vice Chair Morris said there had been a motion made and then another motion made to amend that motion and then that amended motion was passed and then the first motion was passed, but it doesn't go back and reflect the discussion regarding the first motion or the motion to amend that motion and that amendment motion passed and then the first motion and the passing of the first motion, and also the passing of the motion to amend the first motion. Ms. Didier said she listened to the audio of the 12/3/18 meeting but could not determine from the audio who made and seconded the first motion, and was unable to discern the separate passing of the two motions, but asked Vice Chair Morris if he could recall the details of each motion, then the 12/3/18 minutes can be amended. Vice Chair Morris said that Commissioner Rettig made the original motion, then said Commissioner Torelli made the original motion to approve, then Commissioner Rettig made the motion to amend that original motion. Ms. Didier asked who seconded Commissioner Torelli's original motion. Vice Chair Morris said that it says here that Commissioner Rettig did. Ms. Didier asked if Vice Chair Morris could recall what the original motion was, since that was the portion of the audio recording where it was difficult to determine. Vice Chair Morris said Commissioner Torelli's original first motion is properly stated in the December 3, 2018 minutes. Vice Chair Morris said that Commissioner Torelli then made a motion to amend his original motion, and then the Planning Commission voted on that amendment; Ms. Didier asked who seconded the amended motion. Commissioner Rettig said he didn't recall. Commissioner Rettig said that Torelli made the

original motion, which was following staff recommendation, and then what they wanted to do – because the question on the table was that they presented a letter, and the question was the staff report they received, they wanted to clarify and include the letter from Wireless Policy Group (WPG), just received during the 12/3/18 Planning Commission meeting, as part of the approval of the staff report; the city clerk said the staff report is what commissioners receive in the mail, so they had to amend the original motion to include the letter from WPG, and they wanted to include it so it went to City Council, they knew the Planning Commission received it, reviewed it, and approved it and amend the motion to include that letter. Vice Chair Morris said it's not reflected in the minutes, so that was what the issue was. Ms. Didier asked if the motion to amend was seconded by Commissioner Rettig again. Vice Chair Morris said he thought it was Commissioner Rettig that made the motion to amend Commissioner Torelli's motion, and then Commissioner Torelli seconded; and then they passed the amended motion that was made by Rettig, and then they went back to the original motion, Torelli's motion, and then they passed that also, they passed his motion as amended. Chair Pacheco asked if they needed to correct the Consent Agenda for the revised minutes. Commissioner Helgeson moved to remove Item a. from the Consent Agenda. Vice Chair Morris seconded the motion. The motion passed. Commissioner Helgeson moved to approve the Consent Agenda, Commissioner Rettig seconded the motion. The motion passed.

Mr. McCormick said the December 3, 2018 meeting minutes will be revised to reflect the changes, and those meeting minutes along with the minutes from December 17, 2018 meeting will be on the January 7, 2019 planning commission meeting consent agenda.

PUBLIC HEARINGS

- a. Chairman Pacheco opened the public hearing at 6:40 p.m. for Change of Zone (COZ) # 18-11 proposing to change 3.62 acres from Commercial, Neighborhood (CN) to Commercial, Community (CC), located at 4711 W. Canal Drive, Kennewick, WA 99336. Applicant is Paul Knutzen, Knutzen Engineering, 5453 Ridgeline Dr., Kennewick, WA 99338.**

Mr. Donovan 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 Conditions of the staff report COZ 18-11, and recommend to City Council approval of the request.

Planning Commission questions included: The triangle to the east will it be vacant forever; was there any feedback from any of the neighbors regarding zone change; what are differences in zoning between what's allowed; on application why did you go to CC instead of CO, CC opens up for much more liberal commercial uses; does city review if the requested zoning prior to processing application

Testimony of Applicant:

Paul Knutzen
5401 Ridgeline Dr. Ste. 160
Kennewick 99338

Here on behalf of client Gary Chervenell for new office building for Chervenell Construction; wants to tear down mini-storages and construct offices and CN zone didn't allow it; odd small triangular piece is LDR but larger piece is Commercial; tried to rezone entire piece but Health

Department wouldn't allow it on 4000 sf lot; maneuver to take property through judgement of adverse possession; commercial general was our first option but knew it wouldn't be supported by staff.

Testimony in favor:

None

Testimony neutral or against:

None

Staff final comments:

Uses constrained by size of parcel.

Public Testimony for COZ 18-11 closed at 6:59 p.m.

Chairman Pacheco asked for a motion.

Commissioner Torelli moved to concur with the findings and conclusions in staff report COZ 18-11 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Rettig seconded the motion.

Planning Commission discussion included: None

The motion passed unanimously.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

- a. City Council Action Updates – None tonight but two rezones on Council agenda tomorrow; will look at two zone changes and the small cells zoning ordinance as well.

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Commissioner Torelli commented on Robert's Rules of Order

ADJOURNMENT:

The meeting was adjourned at 7:01 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: COZ 18-10/PLN-2018-03442

Report Date:	December 19, 2018
Hearing Date & Location:	January 7, 2019, Kennewick City Hall
Report Prepared By:	Anthony Muai, AICP Senior Planner
Report Reviewed By:	Gregory McCormick, AICP Planning Director
Summary Recommendation:	The City of Kennewick Planning Staff RECOMMENDS that Change of Zone 18-10 be APPROVED.
Summary of Proposal:	A Change of Zone from Residential, Low (RL) to Commercial, Neighborhood (CN) for one parcel of land 0.7022 acres in size.
Proposal Location:	1400 W. 10 th Ave.
Legal Description:	That portion of the southeast quarter of the southeast quarter of section 02, township 08 north, range 29 east, W.M., records of Benton County, Washington, described as follows: Lot 7, block 1, Blue Ridge Addition to Kennewick, according to the plat thereof recorded in volume 4 of plats, page 52, records of Benton County, Washington, except that portion described as follows: Beginning at the southeast corner of said lot 7; thence south 89°55'00" east, along the south lot line, a distance of 212.00 feet; thence north 00°23'00" east, along the east lot line, a distance of 170.00 feet; thence north 89°55'00" west, along the north lot line, a distance of 18.00 feet; thence south 00°23'00" west a distance of 130.00 feet; thence south 45°10'24" west a distance of 42.47 feet; thence north 89°55'00" west a distance of 164.02 feet to the west lot line' thence south 00°23'00" west a distance of 10.00 feet to the point of beginning. Subject to a utility easement over, under and across the north 5.00 feet thereof, the west 10.00 feet thereof, and the south

5.00 feet thereof lying parallel with W. 10th Avenue right of way.

Containing 0.7022 acres
Parcel No. 1-0289-417-0001-007

Property Owner: Jaspinder K. Dhillon
3212 S. Rainier St.
Kennewick, WA 99337

Applicant: N2K Design (Bruce Baker)
1806 Terminal Dr.
Richland, WA 99354

Regulatory Controls:

Comprehensive Plan – Land Use
KMC Title 4 – Administrative Procedures
KMC Title 18 – Zoning
Washington State Environmental Policy Act

COZ Key Application Processing Dates:

Pre-Application/Feasibility Meeting	N/A
Application Submittal	November 1, 2018
Determination of Completeness Issued	November 1, 2018
Notice of Application Posted	November 15, 2018
Date of Mailed Notice of Public Hearing	November 28, 2018
Property Posting Sign for Public Hearing	November 29, 2018
Date of Published Notice of Public Hearing	December 2, 2018
Date of Mailed Notice of Public Hearing Cancellation	December 10, 2018
Date of 2 nd Mailed Notice of Public Hearing	December 18, 2018
Date of 2 nd Published Notice of Public Hearing	December 23, 2018

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Vicinity & Zoning Map
4. Adoption of existing environmental document
5. Affidavit of Mailing/Mailing List dated November 28, 2018
6. Affidavit of Mailing/Mailing List dated December 10, 2018
7. Affidavit of Mailing/Mailing List dated December 18, 2018

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ 18-10) is a request to change the zone of one parcel of land, approximately 0.7022 acres in size located at 1400 W. 10th Ave., from Residential, Low (RL) to Commercial, Neighborhood (CN). The applicant has requested the change of zone in order to implement

a recently approved Comprehensive Plan Amendment (CPA 18-03) that changed the land use designation from Low Density Residential to Commercial.

The CN zone permits a limited number of commercial uses. Below is a list of uses which are permitted in the CN zone:

- Academies

The Comprehensive Plan Land Use Designation for the subject property is Commercial. Pursuant to Table 1 of the Comprehensive Plan, the CN zone is an implementing zoning district of the Comprehensive Plan Commercial Land Use Designation.

Per KMC 18.03.040(7), “The purpose of the CN district is to establish areas for day-to-day convenience shopping and services. Such facilities must harmonize with the surrounding residential area and provide only those services, which are intended for it. Generally, one of each use is adequate to serve a given neighborhood.”

The site is adjacent to the following zoning districts:

North:	Residential, Low (RL)
East:	Residential, High (RH)
South:	Residential, Low (RL), Residential, Medium (RM)
West:	Residential, Low (RL)

Applicable Goals and Policies of the Comprehensive Plan:

Commercial Goal 3:	Create a balanced system of commercial facilities reflecting neighborhood, community and regional needs
Commercial Policy 1:	Provide commercial areas sized and scaled appropriately for the neighborhood or community.
Commercial Policy 2:	Enhance compatibility with adjacent residential neighborhoods with landscaping, screening, and superior building design.
Commercial Policy 3:	Provide for Neighborhood Commercial centers in strategic locations to serve surrounding neighborhoods, while minimizing impacts to the surrounding residential uses.

Staff Response

The proposal is a follow up rezone request to Comprehensive Plan Amendment (CPA) 18-03 which was approved in October 2018. CPA 18-03 amended Kennewick’s comprehensive plan, specifically the land use map, changing this parcel from Low Density Residential to Commercial. This proposal will implement the existing Commercial land use designation as well as promote the goals and policies of the comprehensive plan, specifically Commercial Goal 3 and its associated Policies 1, 2 and 3.

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: This site is designated Commercial and in the City's comprehensive plan. The Commercial, Neighborhood (CN) zone is an implementing zone of the Commercial land use designation. In addition, the proposal is supported by Commercial Goal 3 and its associated Policies 1, 2 and 3.

2. *Promotes the public necessity, convenience and general welfare; and*

Staff Response: The proposal promotes the public necessity, convenience and general welfare by creating a smaller commercial property to serve the higher density residential development that is located in the vicinity. The proposal will also provide commercial opportunities within walking distance of existing higher density residential development.

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: The proposal will not impose a burden upon public facilities beyond their capacity to serve, nor will it reduce service to the service area below the City's established levels of service.

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 is consistent with the applicable provisions of the Kennewick Municipal Code and the Comprehensive Plan. The CN zone implements the Comprehensive Plan's Commercial 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: Not applicable to the proposed change of zone.

Findings:

1. The applicant is N2K Design (Bruce Baker), 1806 Terminal Dr., Richland, WA 99354).
2. The property owner is Jaspinder K. Dhillon (3212 S. Rainier St., Kennewick, WA 99337).
3. The proposed change of zone is for parcel number 1-0289-417-0001-007 (1400 W. 10th Ave.).
4. The request is to change the zoning from Residential, Low (RL) to Commercial, Neighborhood (CN).
5. The City's Comprehensive Plan Land Use Designation for the subject property is Commercial.
6. The Commercial, Neighborhood (CN) zoning district is an implementing zone of the Commercial Comprehensive Plan Land Use Map designation.

7. The application was submitted on November 1, 2018 and declared complete for processing on November 1, 2018.
8. The application was routed for review to City Departments and outside agencies for comment on November 14, 2018.
9. Access to the site is currently provided from W. 10th Ave.
10. The City of Kennewick Critical Area maps indicate that there are slopes that exceed 15% on site and that the site is located in an Aquifer Recharge zone.
11. A Determination of Non-Significance issued for CPA 18-03/PLN-2018-00720 was adopted for this proposal on November 14, 2018.
12. The Property Posting sign for the public hearing was posted on site November 20, 2018.
13. An initial notice of the public hearing for this application was published in the Tri-City Herald on December 2, 2018. Notices were also mailed to property owners within 300 feet of the site on November 28, 2018. Staff discovered that the mailing was not sent to all property owners within 300 feet of the site. A notice of hearing cancellation was mailed on December 10, 2018 to all property owners who received the initial notice. Another notice of public hearing was published in the Tri-City Herald on December 23, 2018 for the new hearing date. A new notice of public hearing was mailed to all property owners within 300 feet of the site on December 18, 2018.
14. The proposed amendment conforms with the comprehensive plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare.
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.
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval with implement Commercial Goal 3 and its associated Policies 1, 2 and 3 and the Commercial land use designation of the City of Kennewick Comprehensive Plan.
2. Approval promotes the public necessity, convenience and general welfare by creating a smaller commercial property to serve the higher density residential development that is located in the vicinity. The proposal will also provide commercial opportunities within walking distance of existing higher density residential development.
3. Approval proposal will not impose a burden upon public facilities beyond their capacity to serve, nor will it reduce service to the service area below the City's established levels of service.
4. The proposed amendment is consistent with the applicable provisions of the Kennewick Municipal Code and the Comprehensive Plan. The CN zone is implements the Comprehensive Plan's Commercial land use designation.

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ 18-10 and recommend APPROVAL to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 18-10 and recommend APPROVAL to City Council approval of the request.

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

Exhibit 2

PROJECT # COZ.18-10 PLN- 2018 - 03442 FEE \$

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 Zone Change

Environmental Determination PLN- - Pre Application Meeting PLN- -

Applicant: Bruce Baker - N2K Design

Address: 1806 Terminal Drive, Richland, WA 99354

Telephone: 509.420.2012 Cell Phone: 509.551.7425 Fax: E-mail

Property Owner (if other than applicant): Inderjit (Tony) Singh & Jaspinder K Dillon

Address: 23 Ivy Lane, Pasco, WA 99301

Telephone: Cell Phone: 509.528.5952 E-mail inpreet@yahoo.com

SITE INFORMATION

Parcel No. 102894170001007 Acres .7022 Zoning: RL

Address of property: 1400 W 10Th Ave, Kennewick, WA 99336

Number of Existing Parking Spaces 0 Number of Proposed (New) Parking Spaces TBD

Present use of property Vacant

Size of existing structure: 0 sq. ft. Size of Proposed addition/New structure: TBD sq. ft.

Height of building: 0 Cubic feet of excavation: 0 Cost of new construction TBD

Benton County Assessor Market Improvement Value:

Description of Project: Land use change from low density residential to commercial neighborhood and build a new neighborhood convenience store with 4 gas pumps.

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

Applicant's Signature

Signature of owner or owner's authorized representative

Date: 10-26-2018

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, providing a neighborhood store within a safe walking distance to the adjacent multi-family housing complexes for the elderly, children and tenants is needed in the area and consistent with the City of Kennewick Commercial Property Goals.

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:

There are no vacant sites available for new construction within 1 mile of the proposed location.

3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain

The current land use in the area is residential, proposed zone change is commercial neighborhood.

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.

Yes, commercial zone within a neighborhood, it will create more pedestrian and vehicular traffic to the specific site but the vehicular traffic is already busy on the adjacent streets.

6. Does the existing zoning prohibit reasonable use of the property? Please explain.

Yes, not desirable for a new residence, been vacant for years.

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:

Precedent has already been set previously by similar commercial zones within residential zones.

All the neighboring properties have been developed leaving this property an undeveloped island, developing the property will provide an amenity to the neighborhood within walking distance.

10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain:

Yes, property has been vacant for 30 years, before that a radio tower was on it, the zone change will allow the property to be developed consistent with the city's comprehensive plan and provide a needed amenity.

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

Yes, it will provide an option for the citizens of Kennewick.

12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain:

No, land uses will be consistent with transportation patterns.

Summary of City forms required:

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



COZ 18-10/PLN-2018-03442

- Residential, High (RH)
- Residential, Low (RL)
- Residential, Medium-4 (RM-4)



Exhibit 4
Community Planning Department

210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

ADOPTION OF EXISTING ENVIRONMENTAL DOCUMENT

Adoption for ☒ DNS ☐ EIS ☐ Other

Description of proposal: Rezone 0.7 acres from Residential, Low (RL) to Commercial, Neighborhood (CN)

Proponent: City of Kennewick

Location of current proposal: 1400 W 10th Ave., Kennewick, WA.

Title of document being adopted: DNS for CPA 18-03/PLN-2018-00720

Agency that prepared document being adopted: City of Kennewick

Date adopted document was prepared: July 20, 2018

Description of document (or portion) being adopted: Determination of Non-Significance for an amendment to the comprehensive plan land use map for 0.7 acres from Low Density Residential to Commercial

If the document being adopted has been challenged (WAC 197-11-630) please describe: This document has not been challenged.

The document is available to be read at (place/time): City of Kennewick Development Services Department
210 W 6th Ave, Kennewick, WA between the hours of 8:30 a.m. and 4:30 p.m. Monday through Friday

We have identified and adopted this document as being appropriate for this proposal after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decision maker.

Name of agency: City of Kennewick

Phone: 509-585-4463

Contact person, if other than responsible official: Anthony Muai

Phone: 509-585-4386

Responsible Official: Greg McCormick

Position/Title: Planning Director

Phone: 509-585-4463

Address: 210 W 6th Ave, Kennewick, WA 99336

Date: November 14, 2018

Signature: _____

Gregory J. McCormick



NOTIFICATION OF MAILING

I, Bianca Orozco, on 11/28, 2018

Mailed 14 copies of Notice of Public Hearing

for Change of Zone (COZ) 18-10 N2K Design located at 1400 W 10th
Ave from Residential, Low (RL) to Commercial, Neighborhood (NC)

to Surrounding property owners within 300'

as shown on the attached list.

Bianca Orozco
Signature

COZ 18-10 / PLN-2018-03442
1400 W 10TH AVE
RL TO CN (FOLLOW-UP TO CPA 18-03)
N2K DESIGN

37
KENNEWICK CEMETERY ASSOCIATION
1200 S Olympia
Kennewick WA 99337

37
Walter I & Connie L Mcelrath
1420 W 10TH Ave
Kennewick WA 99336

37
Loren & Jenna Yates
103604 Manuel DR
Kennewick WA 99336

37
Dolores Glesner
1518 W 10TH Ave
Kennewick WA 99336

37
Greg Rankich
9015 NE Juanita LN
Kirkand WA 98304

37
Lucia Salgado
1509 W 9TH Ave
Kennewick WA 99336

37
John Sokol
1503 W 9TH Ave
Kennewick WA 99336

37
Jeffery Curry
1423 W 9TH Ave
Kennewick WA 99336

37
Scott Andrews
1415 W 9TH Ave
Kennewick WA 99336

37
Edward & Lois Lewis
4405 W 12TH Ave
Kennewick WA 99338

37
Gail & Mitch Brownsworth
2805 S Dayton ST
Kennewick WA 99337

37
Olga Herrera
1516 W 9Th Ave
Kennewick WA 99336

37
JASPINDER K DHILLON
1015 W LEWIS ST
PASCO WA 99301

37
N2K DESIGN
1806 TERMINAL DR
RICHLAND WA 99354

COZ 18-10 / PLN-2018-03442
1400 W 10TH AVE
RL TO CN (FOLLOW-UP TO CPA 18-03)
N2K DESIGN

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KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

December 17, 2018 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, December 17, 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 18-10 – N2K Design has proposed to change the zoning district for 0.7 acres located at 1400 West 10th Avenue from Residential, Low (RL) to Commercial, Neighborhood (NC). The property has a comprehensive plan land use designation of Commercial. Review the vicinity map on back of this notice. For questions about this project, please call Anthony Muai (509) 585-4386.

Written comments may be addressed to Anthony Muai and submitted to anthony.muai@ci.kennewick.wa.us or mailed to PO Box 6108, Kennewick, WA 99336 no later than 4:30 p.m., December 14, 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 Anthony Muai at (509) 585-4386 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.



COZ 18-10/PLN-2018-03442

- Residential, High (RH)
- Residential, Low (RL)
- Residential, Medium-4 (RM-4)



AFFIDAVIT NOTICE OF MAILING

I, Anthony Muai, on December 10, 2019

mailed 14 copies of Notice of Meeting Cancellation

for Change of Zone 18-10 N2K Design located at 1400 W. 10th Ave. from Residential, Low (RL) to Commercial, Neighborhood (CN)

to Surrounding property owners as shown on the attached list.



Signature

COZ 18-10 / PLN-2018-03442
1400 W 10TH AVE
RL TO CN (FOLLOW-UP TO CPA 18-03)
N2K DESIGN

37
KENNEWICK CEMETERY ASSOCIATION
1200 S Olympia
Kennewick WA 99337

37
Walter I & Connie L Mcelrath
1420 W 10TH Ave
Kennewick WA 99336

37
Loren & Jenna Yates
103604 Manuel DR
Kennewick WA 99336

37
Dolores Glesner
1518 W 10TH Ave
Kennewick WA 99336

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Greg Rankich
9015 NE Juanita LN
Kirkand WA 98304

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Lucia Salgado
1509 W 9TH Ave
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2805 S Dayton ST
Kennewick WA 99337

37
Olga Herrera
1516 W 9Th Ave
Kennewick WA 99336

37
JASPINDER K DHILLON
1015 W LEWIS ST
PASCO WA 99301

37
N2K DESIGN
1806 TERMINAL DR
RICHLAND WA 99354

COZ 18-10 / PLN-2018-03442
1400 W 10TH AVE
RL TO CN (FOLLOW-UP TO CPA 18-03)
N2K DESIGN

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Exhibit 6
Community Planning Department

210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

December 10, 2018

RE: COZ 18-10/PLN-2018-03442 (Rezone 1400 W. 10th Ave. from RL to CN)

Dear Sir or Madam,

You should have recently received a notice of a public hearing to be held on December 17, 2018 at 6:30 p.m. regarding an application to rezone 1400 W. 10th Ave from Residential, Low (RL) to Commercial, Neighborhood (CN). This hearing has been cancelled until further notice. It is anticipated that the hearing will occur in the near future. You will receive a new notification of this hearing once the date is established.

I apologize for any inconvenience this may cause you. If you have any questions concerning this matter, please do not hesitate to contact me at (509) 585-4386, anthony.muai@ci.kennewick.wa.us or in person at City Hall – 210 W. 6th Ave.

Warm regards,

Anthony Muai, AICP
Senior Planner



AFFIDAVIT NOTICE OF MAILING

I, Anthony Muai, on December 18, 2018
mailed 19 copies of Notice of Public Hearing
for Change of Zone (COZ) 18-10 N2K Design located at 1400 W. 10th Ave.
from Residential, Low (RL) to Commercial, Neighborhood (CN)
to Surrounding Property Owners within 300 feet of the boundary of the
site

as shown on the attached list.

COZ 18-10 / PLN-2018-03442
1400 W 10TH AVE
RL TO CN (FOLLOW-UP TO CPA 18-03)
N2K DESIGN


Signature

37
KENNEWICK CEMETERY ASSOCIATION
1200 S OLYMPIA
KENNEWICK WA 99337

37
WALTER I & CONNIE L MCEL RATH
1420 W 10TH AVE
KENNEWICK WA 99336

37
LOREN & JENNA YATES
103604 MANUEL DR
KENNEWICK WA 99336

37
DOLORES GLESNER
1518 W 10TH AVE
KENNEWICK WA 99336

37
GREG RANKICH
9015 NE JUANITA LN
KIRKAND WA 98304

37
LUCIA SALGADO
1509 W 9TH AVE
KENNEWICK WA 99336

37
JOHN SOKOL
1503 W 9TH AVE
KENNEWICK WA 99336

37
JEFFERY CURRY
1423 W 9TH AVE
KENNEWICK WA 99336

37
SCOTT ANDREWS
1415 W 9TH AVE
KENNEWICK WA 99336

37
EDWARD & LOIS LEWIS
4405 W 12TH AVE
KENNEWICK WA 99338

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GAIL & MITCH BROWNSWORTH
2805 S DAYTON ST
KENNEWICK WA 99337

37
OLGA HERRERA
1516 W 9TH AVE
KENNEWICK WA 99336

37
JASPINDER K DHILLON
1015 W LEWIS ST
PASCO WA 99301

37
N2K DESIGN
1806 TERMINAL DR
RICHLAND WA 99354

COZ 18-10 / PLN-2018-03442
1400 W 10TH AVE
RL TO CN (FOLLOW-UP TO CPA 18-03)
N2K DESIGN

37
ASPEN HILLS APARTMENTS LLC
PO BOX 17196
PORTLAND, OR 97217

37
ORION MIRACLE LLC
719 JADWIN AVE, SUITE 19
RICHLAND, WA 99352

37
PELICAN LANDING PROPERTIES LLC
10312 ARGENT RD
PASCO, WA 99301

37
CRATHIE PROPERTIES LLC
10312 ARGENT RD
PASCO, WA 99301

37
CAROL YEAROUT
1363 THOMPSON RD
SEQUIM, WA 98382

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KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

January 7, 2019 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, January 7, 2019, 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 18-10 – N2K Design has proposed to change the zoning district for 0.7 acres located at 1400 West 10th Avenue from Residential, Low (RL) to Commercial, Neighborhood (NC). The property has a comprehensive plan land use designation of Commercial. For questions about this project, please call Anthony Muai (509) 585-4386.

Written comments may be addressed to Anthony Muai and submitted to anthony.muai@ci.kennewick.wa.us or mailed to PO Box 6108, Kennewick, WA 99336 no later than 4:30 p.m., January 4, 2019. 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 Anthony Muai at (509) 585-4386 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.



COZ 18-10/PLN-2018-03442

- Residential, High (RH)
- Residential, Low (RL)
- Residential, Medium-4 (RM-4)





COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE No: COZ 18-12/PLN-2018-03670

Staff Report Date: December 28, 2018

Hearing Date & Location: January 7, 2019, 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 18-12 be APPROVED.

Summary of Proposal: A Change of Zone from Residential, Medium Density (RM) to Residential, High Density (RH) for .95 acres.

Proposal Location: 3120 W 4th Avenue

Legal Description: LOT 1 OF SHORT PLAT NUMBER 233 RECORDED IN VOLUME 1 SHORT PLATS PAGE 233, RECORD OF BENTON COUNTY, WASHINGTON: SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD 12-2-65.

EXCEPT THE SOUTH 14 FEET OF LOT 1, FOR STREET RIGHT OF WAY. (#1990-001577 1/30/1990)

TOGETHER WITH:
LOT 2 OF SHORT PLAT NUMBER 233 RECORDED IN VOLUME 1 OF SHORT PLATS PAGE 233, RECORD OF BENTON COUNTY, WASHINGTON, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD 12-2-65.

Property Owner: David & Sheryl Katcher
3120 W 4th Avenue
Kennewick, WA 99336

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	November 21, 2018
Determination of Completeness Issued	November 27, 2018
Notice of Application Mailed	November 27, 2018
SEPA Threshold Determination Issued	July 20, 2018
Property Posting Sign for SEPA Determination	N/A
SEPA Appeal Period Ended	N/A
Date of Mailed Notice of Public Hearing	December 20, 2018
Property Posting Sign for Public Hearing	December 20, 2018
Date of Published Notice of Public Hearing	December 23, 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. Benton Public Utility District Comments
9. Kennewick Irrigation District Comments
10. Bonneville Power Administration Comments

Staff Analysis of Proposal & Discussion:

As part of the 2018 Comprehensive Plan Amendment, David and Sheryl Katcher requested that the land use designation of the .95 acre site be changed from Medium Density Residential to High Density Residential. On October 16, 2018 the City Council approved Ordinance 5771 and amended the site's land use designation as requested by the applicants.

The proposed Change of Zone (COZ 18-12), is a request to change the zone of .95 acres located at 3120 W 4th Avenue, from Residential, Medium Density (RM) to Residential, High Density (RH). Pursuant to Table 1 of the Comprehensive Plan, the RH zoning district is an implementing zoning district of the High Density Residential land use designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

Per KMC 18.03.040(4), the purpose of RH zoning district is as follows:

RH - The purpose of RH district is to establish areas for multiple residential buildings and promote a suitable residential environment. The district is a transitional use between commercial and low and medium density residential uses.

The site is adjacent to the following zoning districts:

North: RH
East: RM

South: RL
West: RH

Applicable Goals and Policies of the Comprehensive Plan:

- Goal 4: Provide more housing opportunities near commercial, transit and employment.
- Policy 1: Locate highest density residential areas close to shops and services and transportation hubs.

Staff Response: The proposed change to RH will allow the property to be developed at a higher density. Adjacent properties have similar housing developments to what will be allowed at the site if zoned RH.

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, High Density zoning district is an implementing zoning district of the High 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 RH zone is an implementing zone of the High 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 is not subject to this finding.

Findings:

1. The applicant and owner are David and Sheryl Katcher, 3120 W 4th Avenue, Kennewick, WA 99337.
2. The proposed change of zone is for the parcel, located at 3120 W 4th Avenue.
3. The request is to change the zoning from Residential, Medium Density to Residential, High Density.

4. The City's Comprehensive Plan Land Use Designation for the subject property is High Density Residential.
5. The Residential, High Density zoning district is an implementing zone of the High Density Residential Comprehensive Plan Land Use Map designation.
6. The application was submitted on November 21, 2018 and declared complete for processing on November 27, 2018.
7. The application was routed for review to City Departments and outside agencies for comment on November 27, 2018.
8. Access to the site is currently provided from 3120 W 4th Avenue.
9. The site is not designated as a Critical Area.
10. An Environmental Determination of Non-Significance was issued on July 20, 2018 for the previous Comprehensive Plan Amendment (CPA 18-01).
11. The Property Posting sign for the public hearing was posted on site December 20, 2018.
12. Notice of the public hearing for this application was published in the Tri-City Herald on December 23, 2018. Notices were also mailed to property owners within 300 feet of the site on December 20, 2018.
13. The proposed amendment conforms with the comprehensive plan; and
14. The proposed amendment promotes the public necessity, convenience and general welfare; and
15. 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
16. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
17. 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.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of High Density Residential.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Land Use Goal 4 of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.
5. 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 18-12 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 18-12 and recommend approval of the request to City Council.

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

PROJECT # 06718 - ¹²~~067~~ PLN- 2018 - 03670 FEE \$ 1035.00

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 Rezone

Environmental Determination PLN- 2018 - 00172 Pre Application Meeting PLN- _____ - _____

Applicant: DAVID & SHERYL Katcher

Address: 3120 W. 4th Ave

Telephone: 360-631-0906 Cell Phone: _____ Fax: _____ E-mail da.ksak585@hotmail.com

Property Owner (if other than applicant): _____

Address: 3120 W. 4th Ave

Telephone: _____ Cell Phone: _____ E-mail _____

SITE INFORMATION

Parcel No. 1-0389-101-0233-0043 Acres .95 Zoning: RM

Address of property: 3120 W. 4th Ave

Number of Existing Parking Spaces _____ Number of Proposed (New) Parking Spaces 35

Present use of property RM

Size of existing structure: 1376 sq. ft. Size of Proposed addition/New structure: 20,000 sq. ft.

Height of building: 27' Cubic feet of excavation: _____ Cost of new construction _____

Benton County Assessor Market Improvement Value: _____

Description of Project: Rezone From RM to RH to allow 27 unit Apartment complex.

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: 11-17-2018

Signature of owner or owner's authorized representative

RECEIVED

NOV 21 2018

DEVELOPMENT SERVICES

Change-of-Zone Supplemental Information

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

1. Does the public necessity, convenience, and general welfare require the adoption of the proposed amendment? Please explain:

yes, property is surrounded by High density.
Property is surrounded by Apartments on
3 sides (West, North + East)

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

3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain

yes, property currently sits amongst Apart-
ment complexes

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.

yes, property is not being used as highest
and best use

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:

NO

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

yes, increase in housing allows greater choice
in Apartments

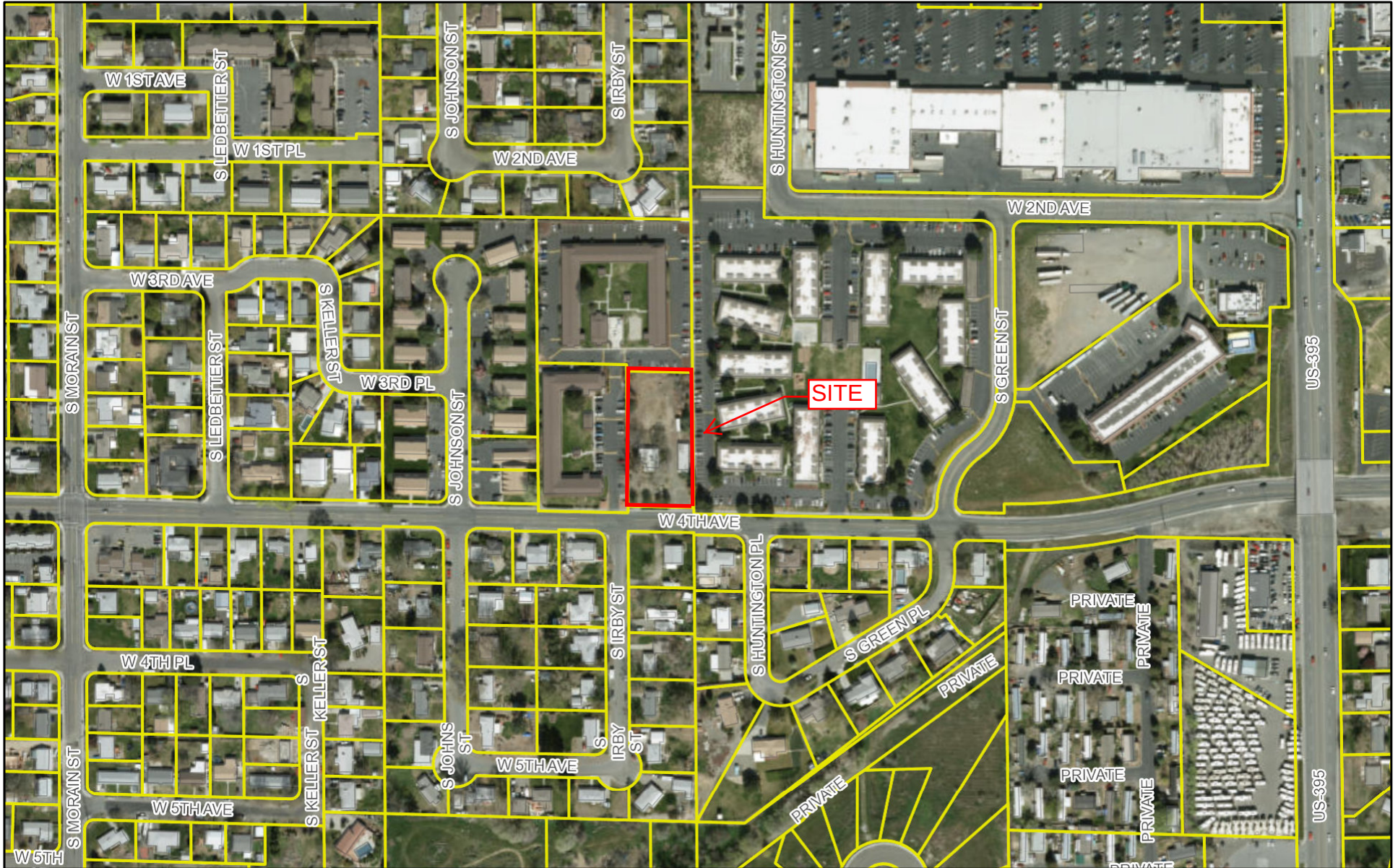
12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain:

NO

Summary of City forms required:

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

Vicinity Map



November 27, 2018 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

StreetName	Apartment	Mobile Home	SurveyCityLimits
SurveyAddressPoint	Building	Parcel	SV_CI_KENNEWICK_10
<all other values>	Condo		SV_CI_RICHLAND_10

SV_CI_COUNTY_1

1 inch = 300 feet 1:3,600

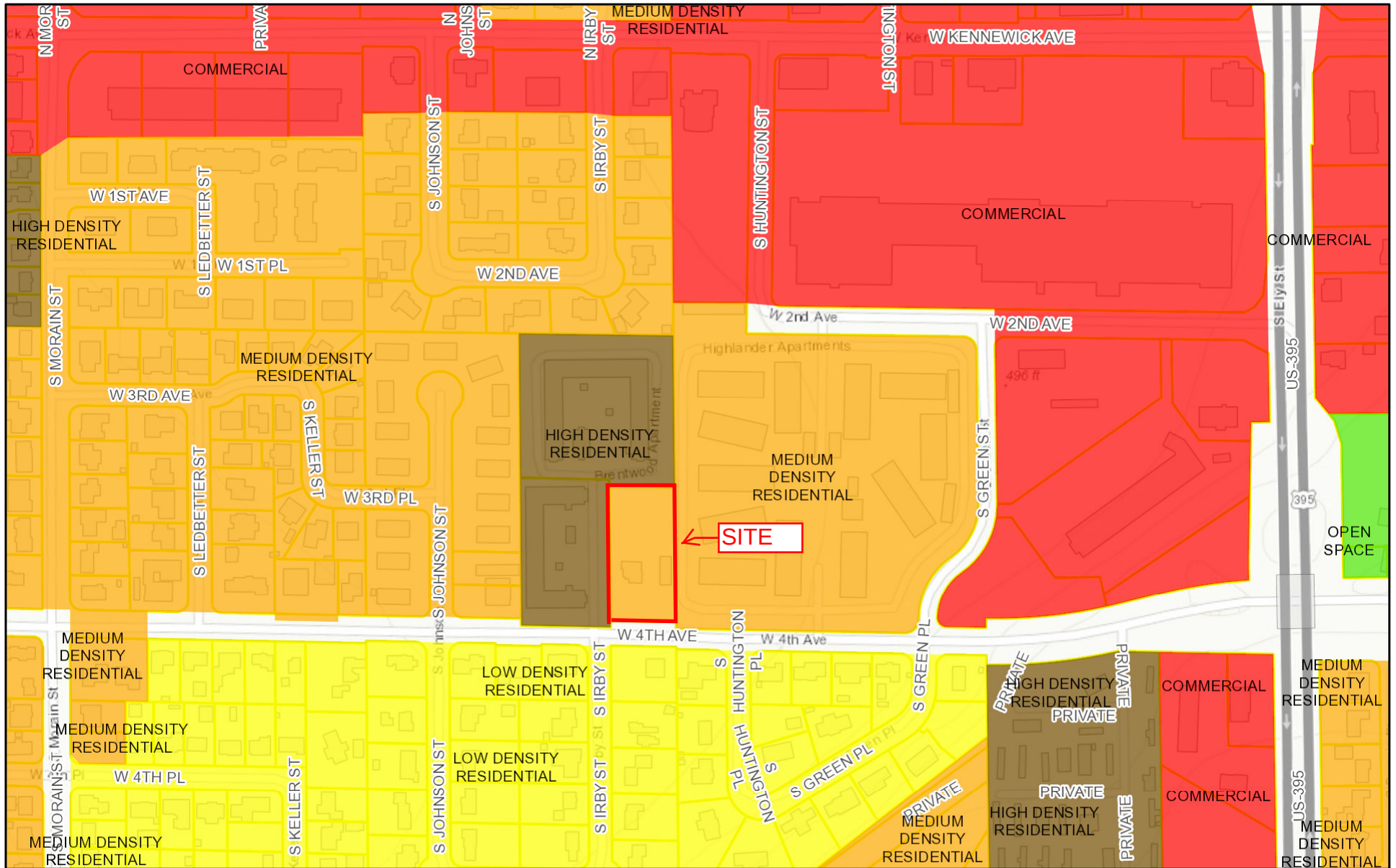
0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

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

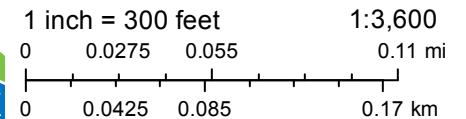
Comprehensive Plan Map

Exhibit 4



December 12, 2018 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

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

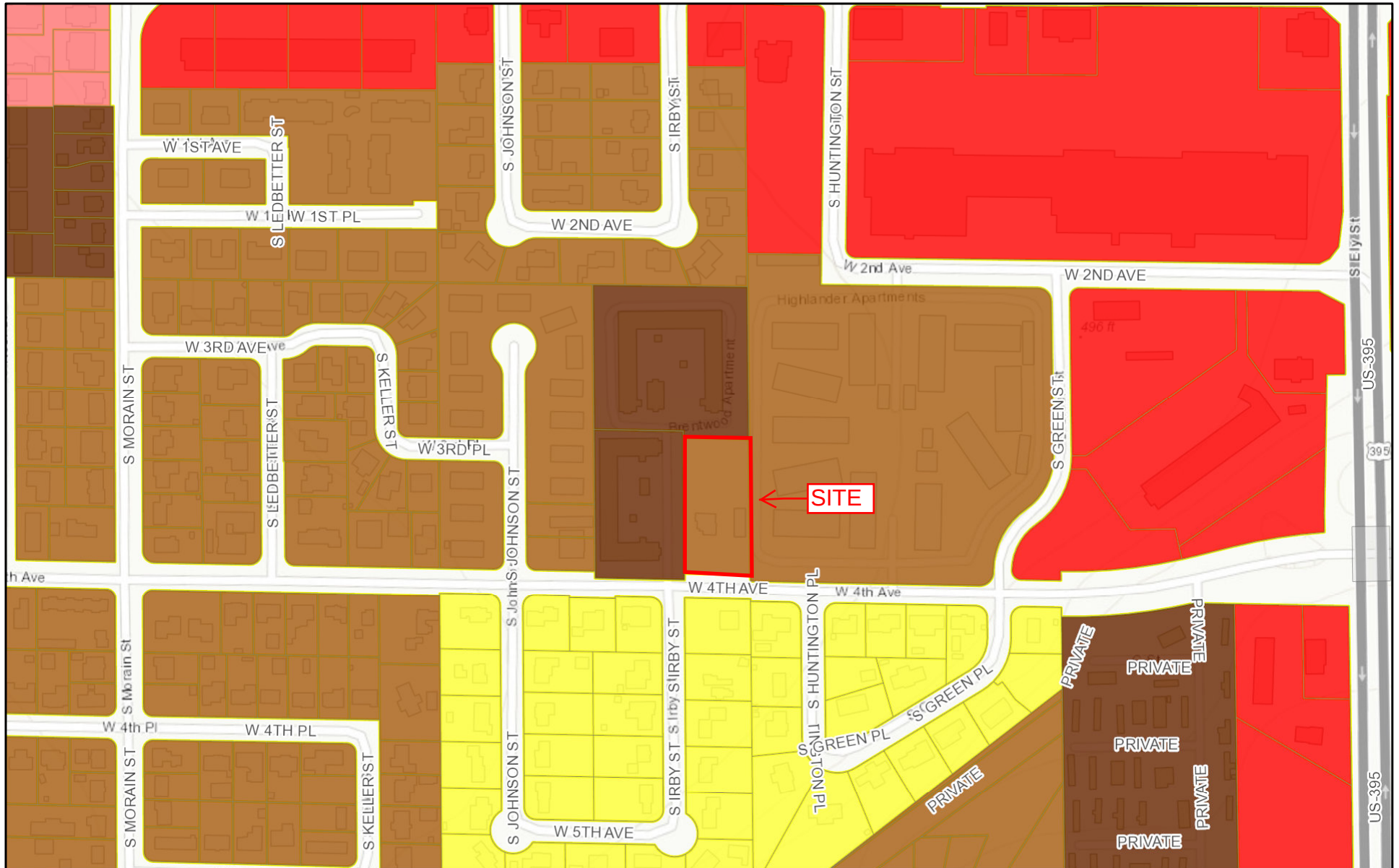


Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,

ArcGIS WebApp Builder
City of Kennewick

Zoning Map

Exhibit 5



December 12, 2018 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

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



1 inch = 300 feet 1:3,600
 0 0.0275 0.055 0.11 mi
 0 0.0425 0.085 0.17 km

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

ArcGIS WebApp Builder
 City of Kennewick



NOTIFICATION OF MAILING

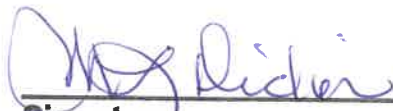
I, Melinda Didier, on 12/20, 2018

Mailed 21 copies of NOPH

for COZ 18-12

to Appl. + prop owners w/in 300'

as shown on the attached list.


Signature

COZ 18-12 / PLN-2018-03670
CPA 18-01 / PLN-201800172
3120 W 4TH Ave
RM TO RH
DAVID & SHERYL KATCHER

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

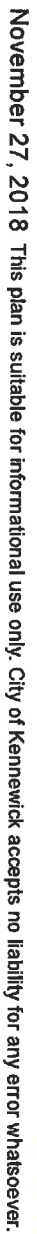
January 7, 2019 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, January 7, 2019, 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 18-12 – David and Sheryl Katcher have proposed to change the zoning district for .95 acres located at 3120 W 4th Avenue from Residential, Medium Density (RM) to Residential, High Density (RH). The property has a comprehensive plan land use designation of High Density Residential. Review the vicinity map on back of this notice. 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., January 4, 2019. All other comments should be submitted at the meeting.

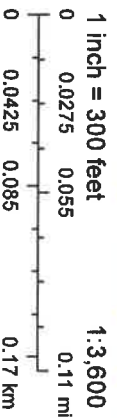
The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact 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.



SV CI COUNTY 1

SV_CI_KENNEWICK_10

SV_CI_RICHLAND_10



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

37
ReKLAW-Cambridge LLC
1333 Columbia Park Trail Suite 360
Richland WA 99352

37
123 Property Solutions LLC
201 Craighill Avenue
Richland WA 99352-4531

37
Philip & Carolyn Kairez
PO Box 1233
Anacortes WA 98221

37
Philip & Carolyn Kairez
PO Box 1233
Anacortes WA 98221

37
Norris Roger S and Dominga L
3221 W. 4th Ave.
Kennewick WA 99336-4538

37
Joaquin Garcia
3213 W. 4th Ave.
Kennewick WA 99336-4538

37
Christina Naugle
3205 W. 4th Ave.
Kennewick WA 99336-4538

37
Carlyle, Dennis W & Margaret Trustees
411 S. Johnson St.
Kennewick WA 99336-4609

37
Sarah Marcell
1021 E. 8th Ave.
Kennewick WA 99336-5931

37
Rosamaria Sanchez
416 S. Irby St.
Kennewick WA 99336-4612

37
Jose & Julian Mejia
1105 W. 1st Ave.
Kennewick WA 99336-5066

37
Jose & Julian Mejia
411 S. Irby St.
Kennewick WA 99336-4613

37
Rodney Carpender
PO Box 6106
Vancouver WA 98668

37
Margaret Palfrey
3105 W. 4th Ave.
Kennewick WA 99336-4541

37
Jovita Contreras
412 S. Huntington Pl.
Kennewick WA 99336-4616

37
Roy & Kristin Jason
424 S. Huntington Pl.
Kennewick WA 99336

37
Eugene & Emilie Rogers
3023 W. 4th Ave.
Kennewick WA 99336

37
Lawrence & Rita Cleveland
424 S. Green Pl.
Kennewick WA 99336

37
Patricia Taylor
3011 W. 4th Ave.
Kennewick WA 99336

37
Kennewick Properties Ip
5 Preslido Terrace
San Francisco CA 94118

37
David & Sheryl Katcher
3120 W 4th Ave
Kennewick WA 99336

COZ 18-12 / PLN-2018-03670
CPA 18-01 / PLN-201800172
3120 W 4TH Ave
RM TO RH
DAVID & SHERYL KATCHER



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

FILE/PROJECT NUMBER: CPA 18-01/PLN-2018-00172/ED 18-03

DESCRIPTION OF PROPOSAL: The proposal is to change the Comprehensive Plan Land Use designation for a .95 acre parcel from Medium Density Residential to High Density Residential.

PROPONENT: David and Sheryl Katcher, 3120 W 4th Avenue, 99336

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 3120 W 4th Avenue

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: July 20, 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
CPA 18-01 File

From: Chad Brooks
Sent: 29 Nov 2018 15:49:41 +0000
To: Steve Donovan
Subject: RE: [E] COZ 18-12/PLN-2018-03670

No comment on change of zoning. Owner will need to contact BPUD for power needs for the new apartment buildings.

Thank you

Chad Brooks
Distribution Design Tech I
Benton PUD
Email: brooksc@bentonpud.org
Main # (509)582-2175
Direct # (509)582-1233



From: Steve Donovan [mailto:Steve.Donovan@ci.kennewick.wa.us]
Sent: Tuesday, November 27, 2018 11:49 AM
To: BC Planning Department; BC Planning Department Clark Posey; Ben Franklin Transit - Bill Barlow; Ben Franklin Transit - Kevin Sliger; Benton Clean Air Authority - Rob Rodger; Benton Clean Air Authority - Tyler Thompson; Benton Clean Air John Lyle; Benton Franklin Health Dept - Rick Dawson; EngService; Jeff Vosahlo; Chad Brooks; Mike Irving; Shanna Everson; Tina Archey; BPA - Deborah Rodgers; BPA - Joe Cottrell; BPA - Mike Deklyen; Cascade Gas James Thomas; Charter Communication - Dean Kelley; Charter Communications - Robert Early; Columbia Irrigation District; Consolidated Tribes of Umatilla Indian Reservation - Carey L. Miller; CTUIR - Tera Farrow Ferman; Department of Ecology SEPA UNIT; Dept of Fish & Wildlife; Dept of Fish & Wildlife - Michael Ritter; Dept of Natural Resources SEPA Center; Dustin Fisk - Kennewick School District (dustin.fisk@ksd.org); Frontier - Gregory Goodwin; Kennewick School District; Brandon Potts; KID Development; Mike Blatman; Shane O'Neill; US Army Corps of Engineers; Williams Pipeline - Audie Neuson; WSDOT; Yakama Nation - Thalia Sachtleban
Subject: [E] COZ 18-12/PLN-2018-03670

Attached is a proposed change of zone.

Let me know if you have any questions.

Steve



Steve Donovan
City of Kennewick
Community Planning/Planner
O: 509.585.4361

Steve.Donovan@ci.kennewick.wa.us

Caution: This email originated from outside of Benton PUD. Do not click links or open attachments unless you recognize the sender and know the content is safe

Disclaimer: Public documents and records are available to the public as required under the Washington State Public Records Act (RCW 42.56). The information contained in all correspondence with a public entity may be disclosable to third party requesters under the Public Records Act.



EXHIBIT 9

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

December 4, 2018

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

Subject: COZ 18-12/PLN 2018-03670 Review Comments

Dear Mr. Donovan:

This letter provides Kennewick Irrigation District (KID) review comments for COZ 18-12 submitted by David and Sheryl Katcher to change the zoning district for 0.95 acres located at 3120 W. 4th Ave., Kennewick, WA. 99336 from Residential, Medium Density (RM) to Residential, High Density (RH).

1. These parcels are within the Kennewick Irrigation District (KID) boundaries and are 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: [03-08-29]



Department of Energy

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

December 12, 2018

In reply refer to: COZ 18-12/PLN-2018-03670
Located within a Portion of Section 3, 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 COZ 18-12/PLN-2018-03670. The application is to change the zoning district for .95 acres for a future 27 unit apartment complex. The property is located at 3120 W. 4th Avenue in Kennewick, WA, county parcel number 103891010233003.

In researching our records, we have found that this proposal will not directly impact BPA facilities. 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