

1. CALL TO ORDER:

- a. Roll Call/Pledge of Allegiance

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

- a. Approval of the Minutes dated October 21, 2019
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. PUBLIC HEARING:

- a. Change of Zone (COZ) #19-04 proposing to change the zoning district for 0.27 acres located at 5801 W. Hildebrand Blvd. from Residential, High Density (RH) to Public Facility (PF). Applicant and owner is Kennewick School District, 5501 W. Metaline Avenue, Kennewick, WA 99336.
- b. Change of Zone (COZ) #19-05 proposing to change the zoning district for 30.02 acres located at 3500 S. Vancouver Street from Residential, Suburban (RS) to Public Facility (PF). Applicant and Owner is Kennewick School District, 5501 W. Metaline Avenue, Kennewick, WA 99336.
- c. Change of Zone (COZ) #19-06 proposing to change the zoning district for 4.48 acres located at 3605 S. Zintel Way from Commercial, Community (CC) to Residential, Medium (RM). Applicant is Knutzen Engineering, 5401 Ridgeline Dr., Kennewick, WA 99338. Owner is Circle One Properties, LLC, 18706 S. Clodfelter Rd., Kennewick, WA 99338.

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
OCTOBER 21, 2019
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 Robert Rettig, James Hempstead, Clark Stolle, Thomas Helgeson, Anthony Moore, and Chairman Ed Pacheco.

Excused: Vice Chairman Victor Morris.

Unexcused: None

Staff Present: Lisa Beaton, City Attorney; Wes Romine, Development Services Manager; Melinda Didier, Community Planning Administrative Assistant/Recorder

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of the September 16, 2019 Meeting Minutes
- c. Motion to enter Staff Reports into the Record

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

PUBLIC HEARINGS

Chairman Pacheco opened the public hearing at 6:33 p.m. for Zoning Ordinance Amendment (ZOA) No. 19-07/AMD-2019-02719, proposing to amend Kennewick Municipal Code (KMC) Section 18-09 – Definitions and 18.12 – Zone Districts and Standards to regulate Syringe Exchange Programs in the City of Kennewick. Applicant is City of Kennewick.

Ms. Beaton gave a background on the proposal and a brief overview of the memorandum of staff report; Ms. Beaton explained that Syringe Exchange programs are lawful in the State of Washington; these amendments to Title 18 will define the program and add a new category to the zoning use table and identify Commercial Community, Commercial Regional, and Commercial General as the zones where syringe exchanges can be located. Staff recommends that the Planning Commission concur with the Findings and Conditions of Staff Report ZOA 19-07, and recommend to City Council APPROVAL of the request.

Planning Commission questions included: Where did the City come up with the 1 for 1 plus 10 for needle exchange; Ms. Beaton said she did a lot of research; when there's more clean needles that are out there, the better for that process, but it should have some limitations; Did research and for best public health came up with this number; Can we come back and revisit if we find more needles left in public areas; Can the exchange of needles occur as it is, mobile; At what point do we further define the zone limitations, setbacks, etc. Ms. Beaton said a site plan would be required and would be same zoning limitations as a health clinic; What are our regulations in regard to Sharps Containers; Ms. Beaton said just like any other medical facility for disposal of used needles. Where can they be located and how were distances considered; Ms. Beaton said while reviewing liquor licenses that's where I got the distance restriction, liquor establishments. Is it 1000 feet from any other needle exchange all other uses 500 feet.; Ed – distance restrictions just a guide like liquor licenses; Can they get 99 needles; How is it enforced; Ms. Beaton said like all other code violations they are complaint based through code enforcement; If the public wants to change it do they go to council or planning commission; Can you describe what flexible distances mean; Ms. Beaton said it's not flexible for staff to change, it would need code amendment. Commission 18.12.245 header reads.

Commissioner Helgeson noted a typographical error on page 1 of Ordinance No.5840, it reads "Section 18.12.045", it should read "Section 18.12.245". Ms. Beaton said the correction will be made on the ordinance draft.

Testimony of Applicant/Applicant's Representative:

City of Kennewick is the applicant.

Testimony in favor:

None

Testimony neutral or against:

Everett Maroon
1009 Francis Avenue
Walla Walla 99362

Proposal didn't address RCW 71.24.590, Kennewick City would be first place in State of Washington to address putting their own codes out there; not science based, transparent, don't operate a mobile unit; have a lease with Ideal Options; have to log into our systems first, only open from 11 am to 3 pm; these are our kids, parents, neighbors, we need essential programs.

Jeffrey Robinson
3803 W Nixon Street
Pasco 99301

Know that you have best interests at heart, but you're putting yourself at a legal liability situation with restrictions; syringe exchange is an "Essential Public Facility" that cannot be restricted; you don't subject any other program to daylight hours, a message is being sent with this by having it right before City Council election; there are number of liabilities for the City, does this qualify for over burdensome regulations, that's the fundamental question that needs to be addressed.

Bethany Hickey
1812 W 18th Avenue
Kennewick 99337

To address things brought up, restrictions will be more harmful than good; will bring a health equity issue, if zoned so much it will be hard for people to access the services, will it grandfather any existing exchanges; try hard to teach children about kindness and helping people - this kind of policy demonizes people.

Staff final comments: Ms. Beaton said that at a workshop, the director of Blue Mountain Exchange said they were operating a van out of the Ideal Options parking lot which is zoned CC; these are pretty straightforward, they are already complying with the regulations, this doesn't change the existing zoning or rezoning matches current use; essential public facility hasn't been defined as such by the State, is pairing them with treatment facilities, substance abuse facilities located in commercial areas, nothing about code will change the existing use; in terms of cleanup of property they will comply with that, no recent complaints about it from surrounding businesses to the property.

Public Testimony for ZOA 19-07 closed at 7:05 p.m.

Chairman Pacheco asked for a motion.

Commissioner Hempstead moved to concur with the findings and conclusions in staff report ZOA 19-07 and forward a recommendation to City Council APPROVAL of the request; Commissioner Rettig seconded the motion.

Planning Commission discussion included: Are the syringes able to be marker identified; Ms. Beaton said syringe created does have a particular mark or color. Commissioner Helgeson asked what the daytime hour limitations are based on; Ms. Beaton said they're the only one in the city and bi-county area; doesn't know if Ideal Option operates later in the evening.

The motion passed unanimously on a roll call vote.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

- a. City Council Action Updates – None

NEW BUSINESS:

- a. None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

None

ADJOURNMENT:

The meeting was adjourned at 7:09 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: COZ 19-04/PLN-2019-03012

Report Date:	November 15, 2019
Hearing Date & Location:	December 2, 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 19-04 be APPROVED.
Summary of Proposal:	A Change of Zone from Residential, High (RH) to Public Facility (PF) for 1 parcel of land 0.27 acres in size.
Proposal Location:	5801 W. Hildebrand Blvd.
Legal Description:	Parcel 1-1689-201-3346-001: Lot 2, Short Plat No. 3579, as recorded under Auditors File No. 2018-026411, records of Benton County, Washington.
Property Owners:	Kennewick School District 5501 W. Metaline Ave. Kennewick, WA 99336
Applicant:	Kennewick School District 5501 W. Metaline Ave. Kennewick, WA 99336
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	October 16, 2019
Determination of Completeness Issued	October 21, 2019
Notice of Application Posted	October 23, 2019
SEPA Determination (Adoption of DNS for CPA 19-01)	July 11, 2019
Date of Mailed Notice of Public Hearing	November 15, 2019
Property Posting Sign for Public Hearing	October 23, 2019
Date of Published Notice of Public Hearing	November 17, 2019

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Maps
4. Environmental Determination 19-03
5. Affidavit of Mailing/Mailing List dated November 15, 2019

The site is adjacent to the following zoning districts:

North: Residential, Low (RL)
 East: Residential, High (RH)
 South: Public Facility (PF)
 West: Residential, Low (RL); Public Facility (PF)

Applicable Goals and Policies of the Comprehensive Plan:

Capital Facilities Goal 3: Provide adequate facilities and services to serve new and existing development at desired service levels.
 Capital Facilities Policy 3.4: Coordinate planned capital investments across departments and with non-city-managed service providers.

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 Public Facility in the City's comprehensive plan. The Public Facility (PF) zone is an implementing zone of the Public Facility land use designation.

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

Staff Response: As stated in the applicant's application, the proposed rezone will allow the parcel to be combined with the parcel to the south in order to construct a new bus lane for Southridge High School.

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 PF zone implements the Comprehensive Plan's Public Facility 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.

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ 19-04) is a request to change the zone of one parcel of land, approximately 0.27 acres in size located at 5801 W. Hildebrand Blvd., from Residential, High (RH) to Public Facility (PF). The applicant has requested the change of zone in order to implement a recently approved Comprehensive Plan Amendment (CPA 19-01) that changed the land use designation from High Density Residential to Public Facility.

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

Per KMC 18.03.040(21), "The purpose of the PF district is to provide areas for public and quasi-public facilities, publicly owned or controlled parks and recreation facilities, and governmental buildings and facilities."

This proposal will implement the existing Public Facility land use designation as well as promote the goals and policies of the comprehensive plan.

KMC 18.51.070(2) requires findings to be made to support a change in zoning. The appropriate findings have been made to support this proposed rezoning.

Findings:

1. The applicant is Kennewick School District, (5501 W. Metaline Ave., Kennewick, WA 99336).
2. The property owner is Kennewick School District (1000 W. 4th Ave., Kennewick, WA 99336).
3. The proposed change of zone is for parcels number 1-1689-201-3346-001 (5801 W. Hildebrand Blvd.).
4. The request is to change the zoning from Residential, High (RH) to Public Facility (PF).
5. The City's Comprehensive Plan Land Use Designation for the subject property is Public Facility.
6. The Public Facility (PF) zoning district is an implementing zone of the Public Facility Comprehensive Plan Land Use Map designation.

7. The application was submitted on October 16, 2019 and declared complete for processing on October 21, 2019.
8. The application was routed for review to City Departments and outside agencies for comment on October 22, 2019.
9. Access to the site is currently provided from W. Hildebrand Blvd.
10. The City of Kennewick Critical Area maps indicate that there are no critical areas on the site.
11. A Determination of Non-Significance issued for CPA 19-01/PLN-2019-00449 was adopted for this proposal on July 11, 2019.
12. The Property Posting sign for the public hearing was posted on site October 23, 2019.
13. Notice of the public hearing for this application was published in the Tri-City Herald on November 17, 2019. Notices were also mailed to property owners within 300 feet of the site on November 15, 2019.
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 will implement the Public Facility land use designation of the City of Kennewick Comprehensive Plan.
2. Approval promotes the public necessity, convenience and general welfare by implementing the Comprehensive Plan.
3. Approval of 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 the applicable provisions of the Kennewick Municipal Code and the Comprehensive Plan. The PF zone implements the Comprehensive Plan's Public Facility 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 19-04 and recommend APPROVAL to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 19-04 and recommend APPROVAL to City Council approval of the request.

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

Exhibit 2

PROJECT # COZ 19-04 PLN- 2019 - 03012 FEE \$ 1063.00

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 _____

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

Applicant: _____

Address: _____

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

Property Owner (if other than applicant): _____

Address: _____

Telephone: _____ Cell Phone: _____ E-mail _____

SITE INFORMATION

Parcel No. _____ Acres _____ Zoning: _____

Address of property: _____

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

Present use of property _____

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

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

[Benton County Assessor Market Improvement Value:](#) _____

Description of Project: _____

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: _____

7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain:

8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain:

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:

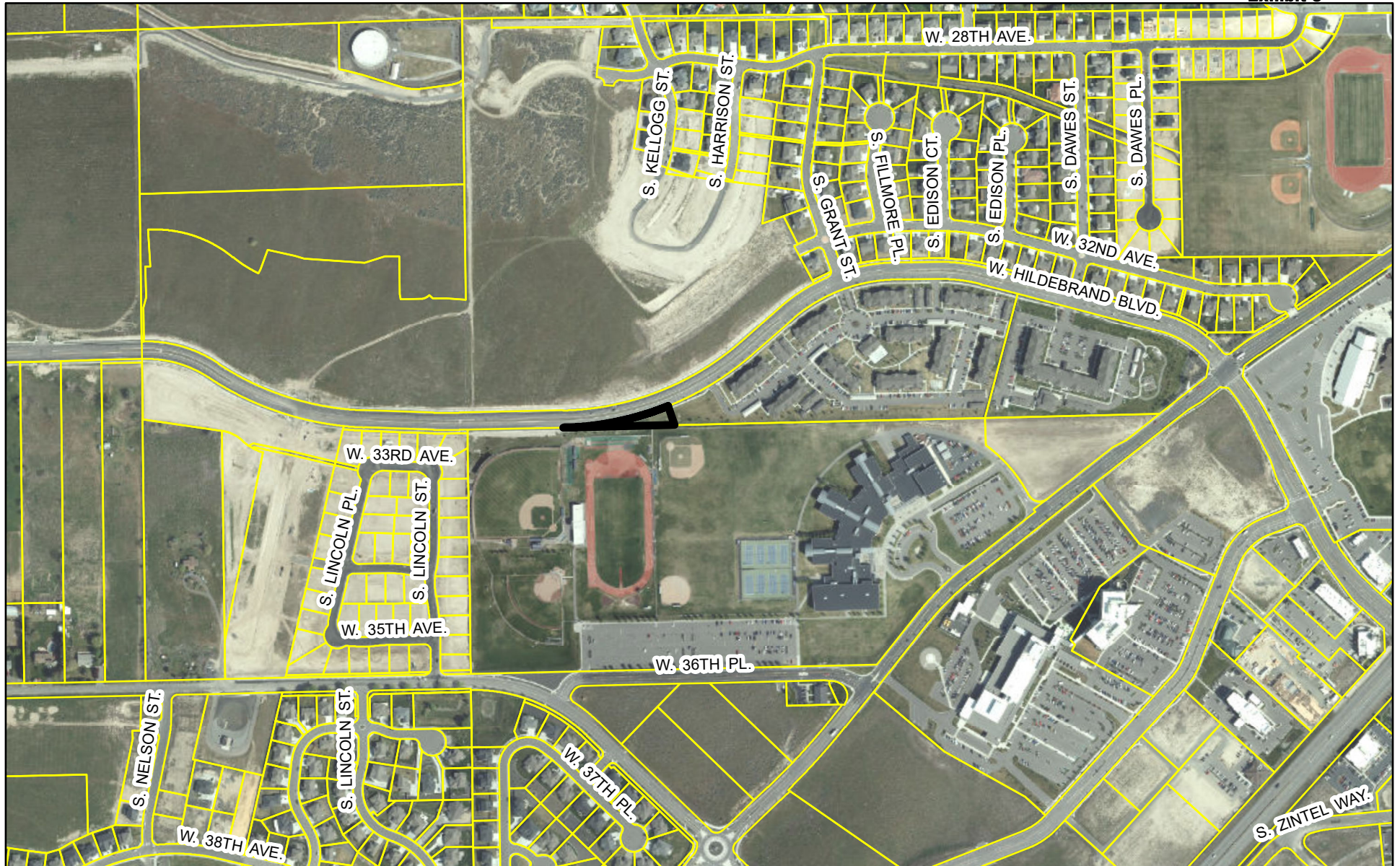
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain:

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

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

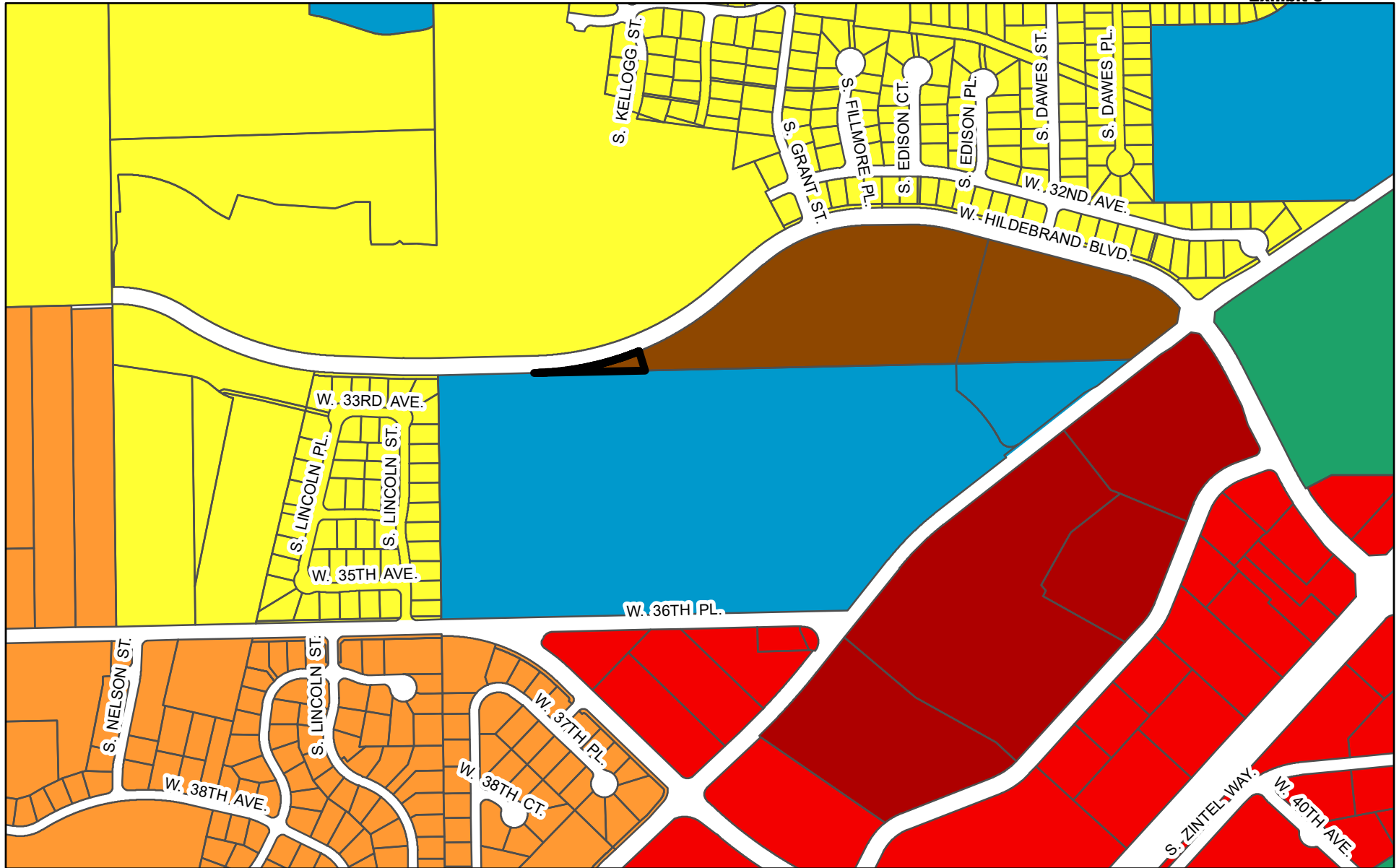
Summary of City forms required:

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



COZ 19-04/PLN-2019-03012 Kennewick School District





COZ 19-04/PLN-2019-03012 Kennewick School District





CITY OF KENNEWICK DETERMINATION OF NON-SIGNIFICANCE

FILE/PROJECT NUMBER: PLN-2019-00449, CPA 19-01

DESCRIPTION OF PROPOSAL: A comprehensive plan amendment for 1 parcel to public facilities. After the comprehensive plan is changed, a rezone from the current zoning to public facilities will be submitted; the last step will be to consolidate the parcel with an adjacent parcel through a lot consolidation process.

PROPONENT: Kennewick School District

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 5801 W. Hildebrand Blvd. located at Southridge High School.

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.

 X 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:

 X No conditions.

 See attached condition(s).

Date: July 11, 2019

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
- Project File



NOTIFICATION OF MAILING

I, Melinda Didier, on 11/15, 2019
Mailed 27 copies of NOPH
for COZ 19-04
to Appl./prop. owners w/in 300'
as shown on the attached list.

COZ 19-04 / PLN-2019-03012
5801 W HILDEBRAND BLVD
RH TO PF
KNUTZEN ENGINEERING

Melinda Didier
Signature

**KENNEWICK PLANNING
COMMISSION NOTICE OF PUBLIC
HEARING**

December 2, 2019 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on December 2, 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 zone. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

Proposal – COZ 19-04/PLN-2019-03012 – Proposes to change the zoning of 0.27 acres from Residential, High (RH) to Public Facility (PF). The site is located at 5801 W. Hildebrand Blvd.

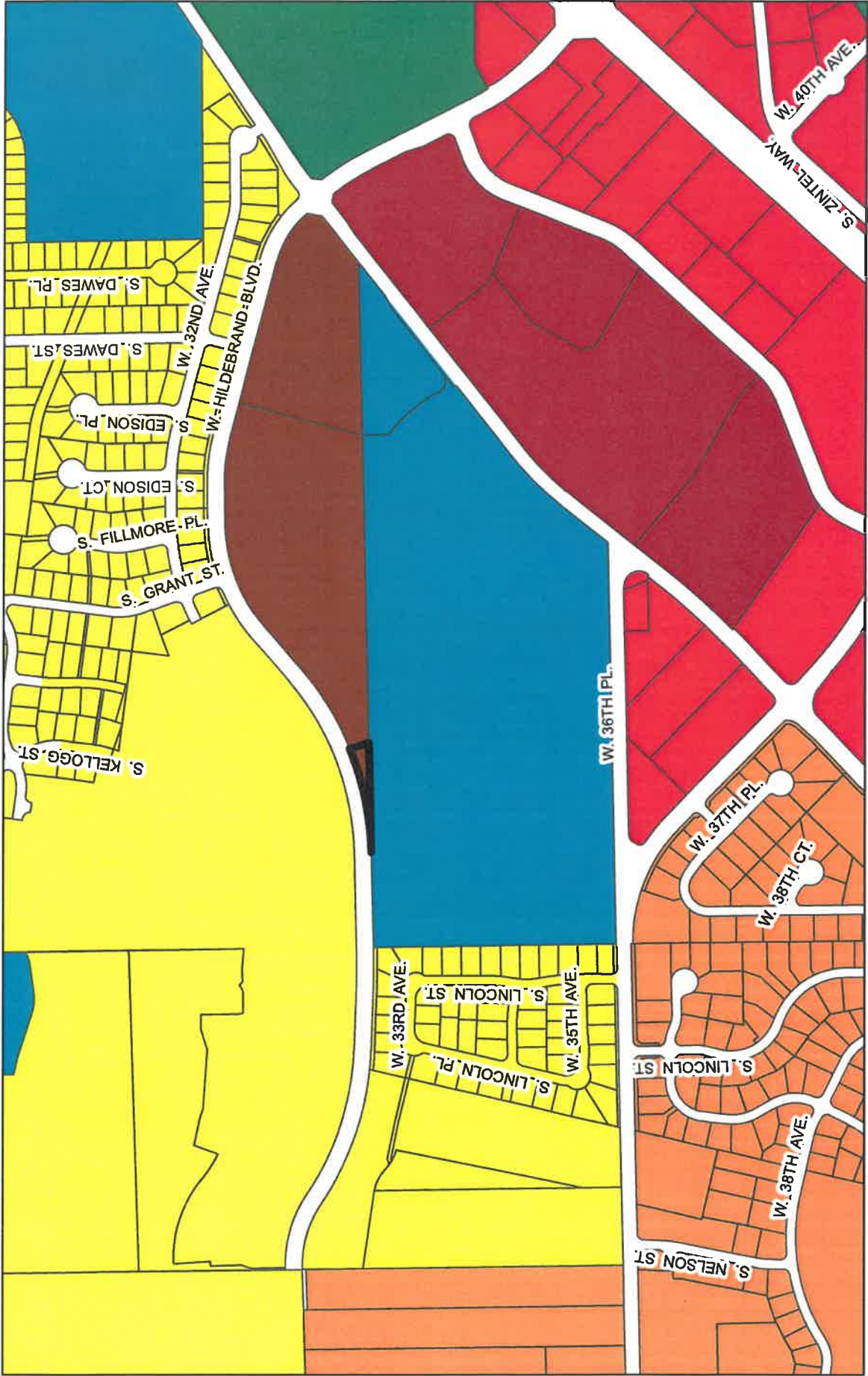
Proponent – Kennewick School District

Comment Period – Written comments may be submitted via email to Anthony Muai at amuai@ci.kennewick.wa.us. Comments may also be mailed to 210 W. 6th Ave., Kennewick, WA 99336 on or before the hearing date or presented at the hearing.

The City of Kennewick welcomes full participation in public meetings 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 Melinda Didier at (509) 585-4275 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 19-04/PLN-2019-03012 Kennewick School District



- Commercial, Community
- Commercial, Regional
- Industrial, Light
- Open Space
- Public Facility
- Residential, High
- Residential, Low
- Residential, Medium
- Residential, Suburban

37
RCCH TRIOS HEALTH LLC
C/O PROPERTY VALUATION SERVICES
14400 METCALF AVE
OVERLAND PARK, KS 66223

37
KENNEWICK SCHOOL DISTRICT #17,
1000 W 4TH AVE
KENNEWICK, WA 99336

37
CHURCH OF LATTER DAY SAINTS,
50 E NORTH TEMPLE RM 2225
SALT LAKE CITY, UT 84150-0022

37 **DUP**
PORT OF KENNEWICK
101 CLOVER ISLAND DR
KENNEWICK, WA 99336

37
LOREN C & LORRAINE M WILSON
5862 W 37TH PL
KENNEWICK, WA 99338

37
RIDGELINE ESTATES ONE HOMEOWNERS
ASSOCIATION
C/O DEAN CURTIS, TREAS. 5886 W 37TH PL
KENNEWICK, WA 99338

37
TINA & BENITEZ-SOLANO ARTEMIO
BENITEZ
PO 5276
PASCO, WA 99302

37
KIRK D. & MADONNA L. MADER
77226 MADER-RUST LN
ECHO, OR 97826

37
P&R CONSTRUCTION, LLC
1312 COUNTRY RIDGE DR
RICHLAND, WA 99352

37 **DUP**
ALDERBROOK INVESTMENTS INC
8220 W GAGE BLVD #742
KENNEWICK, WA 99336

37 **DUP**
RCCH TRIOS HEALTH LLC
C/O PROPERTY VALUATION SERVICES
14400 METCALF AVE
OVERLAND PARK, KS 66223

37
AFFINITY AT SOUTHRIDGE LLC
120 W CATALDO AVE STE 100
SPOKANE, WA 99201

37
PORT OF KENNEWICK
101 CLOVER ISLAND DR
KENNEWICK, WA 99336

37 **DUP**
PORT OF KENNEWICK
101 CLOVER ISLAND DR
KENNEWICK, WA 99336

37
GEORGE H MILLER
5838 W 37TH PL
KENNEWICK, WA 99338

37 **DUP**
RIDGELINE ESTATES ONE HOMEOWNERS
ASSOCIATION
C/O DEAN CURTIS, TREAS. 5886 W 37TH PL
KENNEWICK, WA 99338

37
KENNEWICK ACQUISITION COMPANY
III LLC
15 SW COLORADO STE 1
BEND, OR 97702

37 **DUP**
KENNEWICK SCHOOL DISTRICT #17,
1000 W 4TH AVE
KENNEWICK, WA 99336

37
PRO MADE CONSTRUCTION LLC
6159 W DESCHUTES AVE STE 509
KENNEWICK, WA 99336

37
VIKING BUILDERS LLC
19425 E BROADWAY AVE
SPOKANE VALLEY, WA 99016

37
KENNEWICK HOLDINGS LLC
C/O PROPERTY VALUATION SERVICES
14400 METCALF AVE
OVERLAND PARK, KS 66223

37
CHURCH OF LATTER DAY SAINTS,
50 E NORTH TEMPLE RM 2225
SALT LAKE CITY, UT 84150-0022

37 **DUP**
PORT OF KENNEWICK
101 CLOVER ISLAND DR
KENNEWICK, WA 99336

37
DEAN W & PAMELA J CURTIS
5886 W 37TH PL
KENNEWICK, WA 99338

37
JIM & JEANNE HAILEY
5814 W 37TH PLACE
KENNEWICK, WA 99338

37
MICHAEL & CHRISTIAN M STORDAHL
1103 S HARRISON ST
KENNEWICK, WA 99338

37 **DUP**
KENNEWICK ACQUISITION COMPANY
III LLC
15 SW COLORADO STE 1
BEND, OR 97702

37 **DUP**
KENNEWICK SCHOOL DISTRICT #17,
1000 W 4TH AVE
KENNEWICK, WA 99336

37
ALDERBROOK INVESTMENTS INC
8220 W GAGE BLVD #742
KENNEWICK, WA 99336

37 **DUP**
VIKING BUILDERS LLC
19425 E BROADWAY AVE
SPOKANE VALLEY, WA 99016

37 **DUP**
 VIKING BUILDERS LLC
 19425 E BROADWAY AVE
 SPOKANE VALLEY, WA 99016

37 **DUP**
 VIKING BUILDERS LLC
 19425 E BROADWAY AVE
 SPOKANE VALLEY, WA 99016

37 **DUP**
 VIKING BUILDERS LLC
 19425 E BROADWAY AVE
 SPOKANE VALLEY, WA 99016

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 SPOKANE VALLEY, WA 99016

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 SPOKANE VALLEY, WA 99016

37 **DUP**
 VIKING BUILDERS LLC
 19425 E BROADWAY AVE
 SPOKANE VALLEY, WA 99016

37 **DUP**
 VIKING BUILDERS LLC
 19425 E BROADWAY AVE
 SPOKANE VALLEY, WA 99016

37 **DUP**
 VIKING BUILDERS LLC
 19425 E BROADWAY AVE
 SPOKANE VALLEY, WA 99016

37 **DUP**
 VIKING BUILDERS LLC
 19425 E BROADWAY AVE
 SPOKANE VALLEY, WA 99016

37
 SG GROUP LLC
 2415 W FALLS AVE
 KENNEWICK, WA 99336

37
 SOUTHRIDGE TRI-CITIES
 DEVELOPMENT LLC
 8205 N DIVISION
 SPOKANE, WA 99208

37 **DUP**
 SOUTHRIDGE TRI-CITIES
 DEVELOPMENT LLC
 8205 N DIVISION
 SPOKANE, WA 99208

37
 INSPIRATION BUILDERS INC
 241 SUNSET LOOP
 PASCO, WA 99301

37 **DUP**
 SOUTHRIDGE TRI-CITIES
 DEVELOPMENT LLC
 8205 N DIVISION
 SPOKANE, WA 99208

37 **DUP**
 SOUTHRIDGE TRI-CITIES
 DEVELOPMENT LLC
 8205 N DIVISION
 SPOKANE, WA 99208

37 **DUP**
 SOUTHRIDGE TRI-CITIES
 DEVELOPMENT LLC
 8205 N DIVISION
 SPOKANE, WA 99208

37 **DUP**
 INSPIRATION BUILDERS INC
 241 SUNSET LOOP
 PASCO, WA 99301

37 **DUP**
 INSPIRATION BUILDERS INC
 241 SUNSET LOOP
 PASCO, WA 99301

37
 ALDERBROOK INVESTMENTS INC
 8220 W GAGE BLVD #742
 KENNEWICK, WA 99336

37 **DUP**
 ALDERBROOK INVESTMENTS INC
 8220 W GAGE BLVD #742
 KENNEWICK, WA 99336

37
 P & R CONSTRUCTION LLC
 6159 W DESCHUTES AVE #508
 KENNEWICK, WA 99336

37 **DUP**
 P & R CONSTRUCTION LLC
 6159 W DESCHUTES AVE #508
 KENNEWICK, WA 99336

37 **DUP**
 PRO MADE CONSTRUCTION LLC
 6159 W DESCHUTES AVE STE 509
 KENNEWICK, WA 99336

37 **DUP**
 PRO MADE CONSTRUCTION LLC
 6159 W DESCHUTES AVE STE 509
 KENNEWICK, WA 99336

37 **DUP**
 PRO MADE CONSTRUCTION LLC
 6159 W DESCHUTES AVE STE 509
 KENNEWICK, WA 99336

37
 COPPER RIDGE APARTMENTS LLC
 120 W CATALDO AVE STE 100
 SPOKANE, WA 99201

37 **DUP**
 KENNEWICK SCHOOL DISTRICT #17
 1000 W 4TH AVE
 KENNEWICK, WA 99336-5533

COZ 19-04 / PLN-2019-03012
 5801 W HILDEBRAND BLVD
 RH TO PF
 KNUTZEN ENGINEERING

37
 KNUTZEN ENGINEERING
 5401 RIDGELINE DR #160
 KENNEWICK WA 99338

37



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: COZ 19-05/PLN-2019-03013

Report Date: November 15, 2019

Hearing Date & Location: December 2, 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 19-05 be APPROVED.

Summary of Proposal: A Change of Zone from Residential, Suburban (RS) to Public Facility (PF) for 4 parcels of land 30.02 acres in size.

Proposal Location: 3500 S. Vancouver St.

Legal Description: Parcel Nos. 114892030001001, 114892000003003, 114892000003006, 114892011974006

A PORTION OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 8 NORTH, RANGE 29 EAST OF THE WILLAMETTE MERIDIAN, CITY OF KENNEWICK, COUNTY OF BENTON, STATE OF WASHINGTON, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER THAT BEARS SOUTH 00°00'06" WEST 2029.75 FEET FROM THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 14; THENCE NORTH 89°59'54" WEST A DISTANCE OF 30.00 FEET TO THE WESTERLY MARGIN OF SOUTH VANCOUVER STREET AND THE TRUE POINT OF BEGINNING; THENCE ALONG THE WESTERLY MARGIN OF SOUTH VANCOUVER STREET SOUTH 00°00'06" WEST PARALLEL WITH AND 30 FEET DISTANT FROM THE AFOREMENTIONED EAST LINE OF SAID NORTHWEST QUARTER A DISTANCE OF 574.73 FEET; THENCE SOUTH 45°15'37" WEST A DISTANCE OF 28.16 FEET TO THE NORTHERLY MARGIN OF WEST 36TH AVENUE; THENCE ALONG THE NORTHERLY MARGIN OF WEST 36TH AVENUE NORTH 89°28'52" WEST A DISTANCE OF 1322.28 FEET TO THE EASTERLY LINE OF PARCEL 2 OF STATUTORY WARRANTY DEED 94-32945; THENCE NORTH 00°31'08" EAST A DISTANCE OF 200.00 FEET TO THE SOUTHEASTERLY CORNER OF THE PLAT OF

SHADOW RUN DIVISION SIX, AS RECORDED IN VOLUME 15 OF PLATS, AT PAGE 105, AUDITOR'S FILE NUMBER 2000-008628, RECORDS OF BENTON COUNTY WASHINGTON, ALSO BEING THE NORTH LINE OF A PORTION OF LOT 1, SHORT PLAT NUMBER 1568, AUDITOR'S FILE NUMBER 86-11279, AS CONVEYED TO THE KENNEWICK SCHOOL DISTRICT PER QUIT CLAIM DEED 94-15822, RECORDS OF BENTON COUNTY AUDITOR; THENCE NORTH 02°07'56" EAST ALONG THE EAST LINE OF THE AFOREMENTIONED PLAT OF SHADOW RUN DIVISION SIX, AND CONTINUING ALONG THE EAST LINE OF THE PLAT OF SHADOW RUN, DIVISION FIVE, PHASE TWO AS RECORDED IN VOLUME 15 OF PLATS, AT PAGE 101, AUDITOR'S FILE NUMBER 1999-035646, RECORDS OF BENTON COUNTY WASHINGTON, A DISTANCE OF 678.16 FEET TO AN ANGLE POINT ON THE EAST LINE OF THE AFOREMENTIONED PLAT OF SHADOW RUN, DIVISION FIVE, PHASE TWO, AND THE MOST SOUTHWESTERLY CORNER OF LOT 1, PLAT OF TWIN RIVERS SCHOOL SITE AS RECORDED IN VOLUME 14 OF PLATS, AT PAGE 60, AUDITOR'S FILE NUMBER 870369, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE CONTINUING ALONG THE EAST LINE OF SAID PLAT NORTH 00°31'08" EAST A DISTANCE OF 411.38 FEET TO THE MOST SOUTHERLY AND SOUTHWESTERLY BOUNDARY OF CITY OF KENNEWICK PARK BOUNDARY, AS RECORDED UNDER AUDITOR'S FILE NUMBER 779375, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ALONG SAID PARK BOUNDARY SOUTH 47°24'04" EAST A DISTANCE OF 17.56 FEET TO THE BEGINNING OF A 400.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE 563.09 FEET THROUGH A CENTRAL ANGLE OF 80°39'26" TO A POINT OF COMPOUND CURVATURE WITH A 556.00 FOOT RADIUS CURVE TO THE LEFT; THENCE ALONG SAID CURVE A DISTANCE OF 26.55 FEET THROUGH A CENTRAL ANGLE OF 2°44'11" TO A POINT ON SAID CURVE AND A POINT ON THE WESTERLY BOUNDARY OF THE PLAT OF TWIN RIVERS NO. 1, AS RECORDED IN VOLUME 14 OF PLATS, AT PAGE 23, AUDITOR'S FILE NUMBER 809418, RECORDS OF BENTON COUNTY, WASHINGTON; THENCE ALONG SAID PLAT BOUNDARY SOUTH 40°47'41" EAST A DISTANCE OF 169.00 FEET RADIALLY TO A POINT ON A 725 FOOT RADIUS CURVE TO THE LEFT; THENCE CONTINUING ALONG SAID PLAT BOUNDARY AND ALSO NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 34.86 FEET THROUGH A CENTRAL ANGLE OF 2°45'17" (LONG CHORD BEARS NORTH 47°49'40" EAST A DISTANCE OF 34.85 FEET); THENCE CONTINUING ALONG SAID PLAT BOUNDARY SOUTH 43°32'58" EAST A DISTANCE OF 115.00 FEET; THENCE CONTINUING ALONG SAID PLAT BOUNDARY SOUTH 52°49'32" EAST A DISTANCE OF 60.74 FEET; THENCE CONTINUING ALONG SAID PLAT BOUNDARY SOUTH 44°10'22" EAST A DISTANCE OF 115.00 FEET; THENCE CONTINUING ALONG SAID PLAT BOUNDARY SOUTH 27°55'09" WEST A DISTANCE OF 104.23 FEET; THENCE CONTINUING ALONG SAID PLAT BOUNDARY SOUTH 19°25'47" EAST A DISTANCE OF 166.29 FEET; THENCE CONTINUING ALONG SAID PLAT BOUNDARY SOUTH 7°05'14" WEST A DISTANCE OF 65.70 FEET; THENCE CONTINUING ALONG SAID PLAT BOUNDARY SOUTH 17°44'21" EAST A DISTANCE OF 115.00 FEET TO A POINT ON A 836.95 FOOT RADIUS CURVE TO THE RIGHT; THENCE CONTINUING ALONG SAID PLAT BOUNDARY AND ALSO NORTHEASTERLY ALONG SAID CURVE A DISTANCE OF 259.15 FEET THROUGH A CENTRAL ANGLE OF 17°44'27" (LONG CHORD BEARS NORTH 81°00'08" EAST A DISTANCE OF 258.10 FEET); THENCE CONTINUING ALONG SAID PLAT BOUNDARY SOUTH 89°59'54" EAST A DISTANCE OF 128.22 FEET TO THE TRUE POINT OF BEGINNING AND THE END OF THIS DESCRIPTION.

Property Owners: Kennewick School District
5501 W. Metaline Ave.
Kennewick, WA 99336

Applicant: Kennewick School District
5501 W. Metaline Ave.
Kennewick, WA 99336

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	October 16, 2019
Determination of Completeness Issued	October 21, 2019
Notice of Application Posted	October 23, 2019
SEPA Determination (Adoption of DNS for CPA 19-02)	July 11, 2019
Date of Mailed Notice of Public Hearing	November 15, 2019
Property Posting Sign for Public Hearing	October 23, 2019
Date of Published Notice of Public Hearing	November 17, 2019

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Maps
4. Environmental Determination 19-04
5. Affidavit of Mailing/Mailing List dated November 15, 2019
6. McCary email dated 11/18/19 and staff response dated 11/19/19

The site is adjacent to the following zoning districts:

North: Residential, Low (RL); Open Space (OS)
East: Residential, Low (RL); Residential, Suburban (RS)
South: Residential, Low (RL)
West: Residential, Low (RL)

Applicable Goals and Policies of the Comprehensive Plan:

Capital Facilities Goal 3: Provide adequate facilities and services to serve new and existing development at desired service levels.

Capital Facilities Policy 3.4: Coordinate planned capital investments across departments and with non-city-managed service providers.

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 Public Facility in the City's comprehensive plan. The Public Facility (PF) zone is an implementing zone of the Public Facility land use designation.

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

Staff Response: As stated in the applicant's application, the proposed rezone will allow the parcels to be combined so that boundary lines do not intersect improvements and future improvements to the school will not.

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 PF zone implements the Comprehensive Plan's Public Facility 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.

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ 19-05) is a request to change the zone of four parcels of land, approximately 30.02 acres in size located at 3500 S. Vancouver St., from Residential, Suburban (RS) to Public Facility (PF). The applicant has requested the change of zone in order to implement a recently approved Comprehensive Plan Amendment (CPA 19-02) that changed the land use designation from Low Density Residential and Open Space to Public Facility.

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

Per KMC 18.03.040(21), “The purpose of the PF district is to provide areas for public and quasi-public facilities, publicly owned or controlled parks and recreation facilities, and governmental buildings and facilities.”

This proposal will implement the existing Public Facility land use designation as well as promote the goals and policies of the comprehensive plan.

KMC 18.51.070(2) requires findings to be made to support a change in zoning. The appropriate findings have been made to support this proposed rezone.

Findings:

1. The applicant is Kennewick School District, (5501 W. Metaline Ave., Kennewick, WA 99336).
2. The property owner is Kennewick School District (1000 W. 4th Ave., Kennewick, WA 99336).
3. The proposed change of zone is for parcels numbered 114892030001001, 114892000003003, 114892000003006, and 114892011974006 (3500 S. Vancouver St.).
4. The request is to change the zoning from Residential, Suburban (RS) to Public Facility (PF).
5. The City’s Comprehensive Plan Land Use Designation for the subject property is Public Facility.
6. The Public Facility (PF) zoning district is an implementing zone of the Public Facility Comprehensive Plan Land Use Map designation.
7. The application was submitted on October 16, 2019 and declared complete for processing on October 21, 2019.
8. The application was routed for review to City Departments and outside agencies for comment on October 22, 2019.
9. Access to the site is currently provided from S. Vancouver St., W. 36th Ave., W. 34th St., S. Waverly St., and S. Yelm St.
10. The City of Kennewick Critical Area maps indicate that there are no critical areas on the site.
11. A Determination of Non-Significance issued for CPA 19-02/PLN-2019-00450 was adopted for this proposal on July 11, 2019.
12. The Property Posting sign for the public hearing was posted on site October 23, 2019.
13. Notice of the public hearing for this application was published in the Tri-City Herald on November 17, 2019. Notices were also mailed to property owners within 300 feet of the site on November 15, 2019.
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 will implement the Public Facility land use designation of the City of Kennewick Comprehensive Plan.
2. Approval promotes the public necessity, convenience and general welfare by implementing the Comprehensive Plan.
3. Approval of 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 the applicable provisions of the Kennewick Municipal Code and the Comprehensive Plan. The PF zone implements the Comprehensive Plan’s Public Facility 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 19-05 and recommend APPROVAL to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 19-05 and recommend APPROVAL to City Council approval of the request.

Exhibit 2

1. Does the public necessity, convenience, and general welfare require the adoption of the proposed amendment? Please explain:
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:
3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain
4. Are the existing uses, in the area, in conformance with the area's zoning classification? If no, please explain the differences:
5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain.
6. Does the existing zoning prohibit reasonable use of the property? Please explain.

7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain:

8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain:

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:

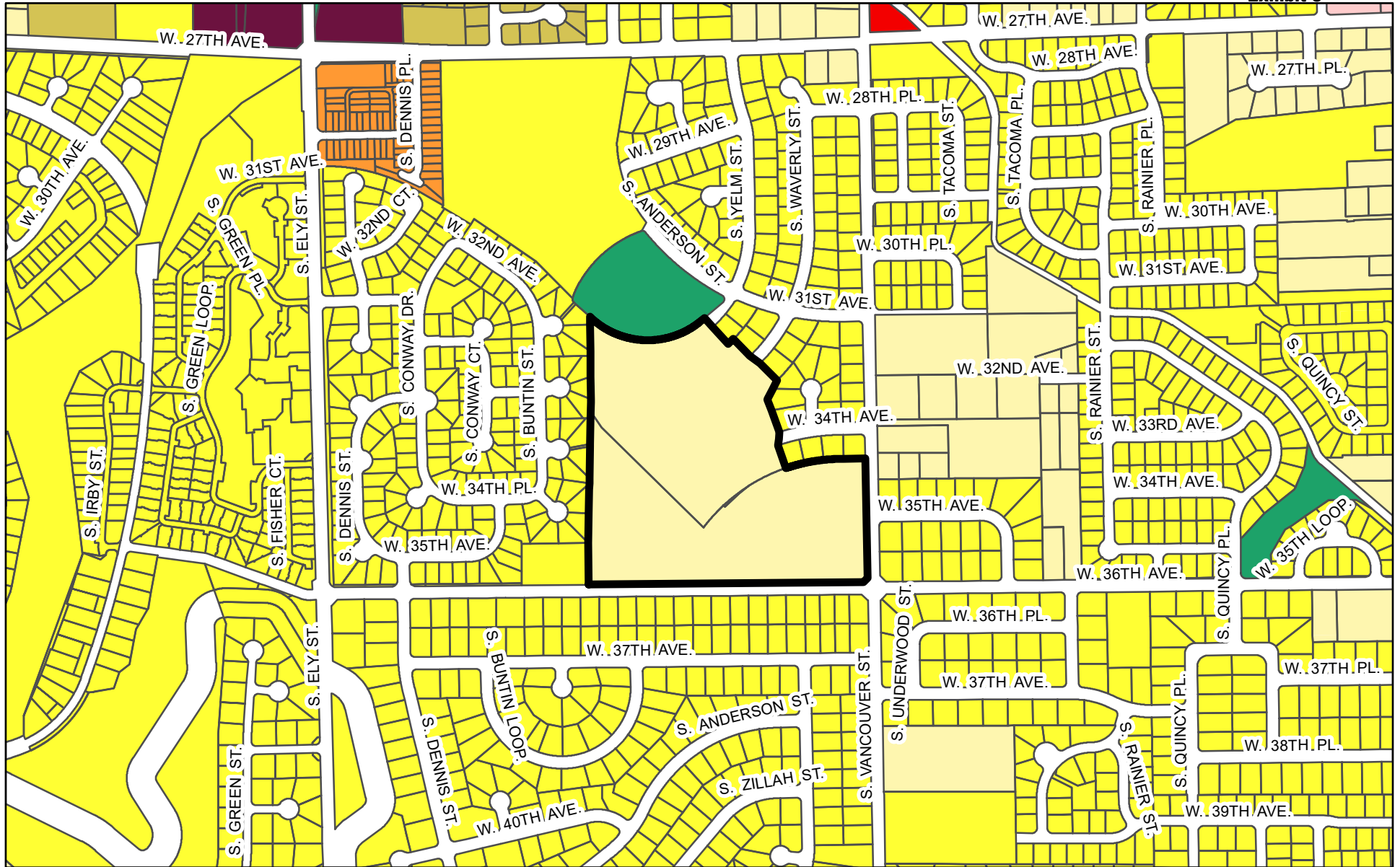
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain:

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

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

Summary of City forms required:

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



COZ 19-05/PLN-2019-03013 Kennewick School District

	Commercial, Neighborhood		Commercial, Regional		Residential, Manufactured Home
	Commercial, Community		Open Space		Residential, Medium
	Commercial, General		Residential, Low		Residential, Suburban





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

FILE/PROJECT NUMBER: PLN-2019-00450, CPA 19-02

DESCRIPTION OF PROPOSAL: A comprehensive plan amendment for 4 parcels to public facilities. After the comprehensive plan is changed, we will request a rezone from the current zoning to public facilities. The last step will be to consolidate the parcels into one parcel through a lot consolidation process..

PROPONENT: Kennewick School District

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 3500 S. Vancouver Street. located at Horse Heaven Middle School.

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.

 X 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:

 X No conditions.

 See attached condition(s).

Date: July 11, 2019

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
- Project File



NOTIFICATION OF MAILING

I, Melinda Didler, on 11/15, 2019
Mailed 129 copies of NOPH
for COZ 19-05
to Appl./prop. owners w/in 300'

as shown on the attached list.

Melinda Didler
Signature

COZ 19-05 / PLN-2019-03013
3500 S VANCOUVER ST
RS TO PF
KNUTZEN ENGINEERING

**KENNEWICK PLANNING
COMMISSION NOTICE OF PUBLIC
HEARING**

December 2, 2019 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on December 2, 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 zone. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

Proposal – COZ 19-05/PLN-2019-03013 – Proposes to change the zoning of 30.02 acres from Residential, Suburban (RS) to Public Facility (PF). The site is located at 3500 S. Vancouver St.

Proponent – Kennewick School District

Comment Period – Written comments may be submitted via email to Anthony Muai at amuai@ci.kennewick.wa.us. Comments may also be mailed to 210 W. 6th Ave., Kennewick, WA 99336 on or before the hearing date or presented at the hearing.

The City of Kennewick welcomes full participation in public meetings 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 Melinda Didier at (509) 585-4275 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 19-05/PLN-2019-03013 Kennewick School District

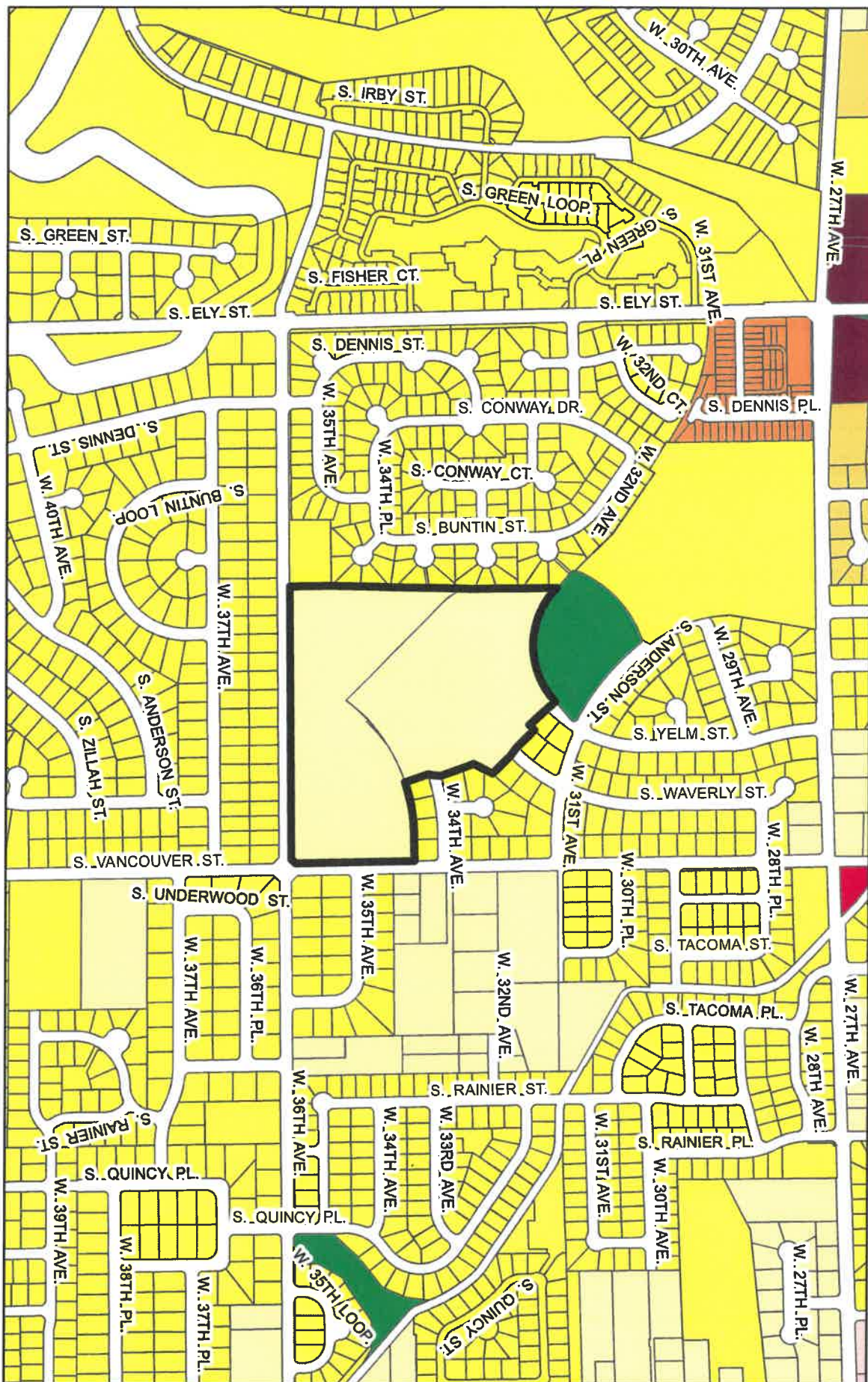


Exhibit 5

37

JED S & KIMBERLY V BERNA
3305 S VANCOUVER ST
KENNEWICK WA 99337

37

MARC G & JOYCE A MILLER
3309 S VANCOUVER ST
KENNEWICK WA 99337-3747

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MARLYN J & JOYCE STETZEL
910 S HIGHLAND DR
KENNEWICK WA 99337

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NIKOLAY SLUPACHIK
3706 W 19TH CT
KENNEWICK WA 99338

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DEANGELO & KIMBERLY A NELSON
2007 W 35TH AVE
KENNEWICK WA 99337

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EDWIN F & CARRIE S BAYHA
2009 W 35TH AVE
KENNEWICK WA 99337-3720

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WILLIAM E & COLLEEN F KEITH
2011 W 35TH AVE
KENNEWICK WA 99337-3720

37

HOLLY M TOBIN
2012 W 36TH AVE
KENNEWICK WA 99337-3733

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NORADINO TREJO TREJO
2010 W 36TH AVE
KENNEWICK WA 99337

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STEVEN L & SHELLY D HATHAWAY
2008 W 36TH
KENNEWICK WA 99337

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JAMES F & REGINA R JAMIESON
3435 S VANCOUVER ST
KENNEWICK WA 99337-3748

37

CHERYL LYNN WILKINSON
806 S NELSON ST
KENNEWICK WA 99336-9323

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PHYLISS I BAUR
2008 W 35TH AVE
KENNEWICK WA 99337-3719

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SCHOOL DISTRICT #17, KENNEWICK
1000 W 4TH AVE
KENNEWICK WA 99336

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SCHOOL DISTRICT #17, KENNEWICK
1000 W 4TH AVE
KENNEWICK WA 99336

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SCHOOL DISTRICT #17, KENNEWICK
1000 W 4TH AVE
KENNEWICK WA 99336

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OF KENNEWICK CITY
PO BOX 6108
KENNEWICK WA 99336-0108

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MADGE PETERSON
2500 W 36TH AVE
KENNEWICK WA 99337-3109

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LUTHERAN CHURCH, BETHLEHEM
2505 W 27TH AVE
KENNEWICK WA 99337

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TEDDY J WOODCOCK
3300 S VANCOUVER ST
KENNEWICK WA 99337-3747

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TRUSTEES JERRY C & LORNA
MIKKELSEN
2100 W 34TH AVE
KENNEWICK WA 99337

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DONNA M HAVENS
2101 W 34TH AVE
KENNEWICK WA 99337

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OSCAR M & SOLEDAD A DELACRUZ
2103 W 34TH AVE
KENNEWICK WA 99337

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ANGEL & LUBICA VENEGAS
2105 W 34TH AVE
KENNEWICK WA 99337

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GERALD E SKAARE
2107 W 34TH AVE
KENNEWICK WA 99337

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KAY KUON
2104 W 34TH AVE
KENNEWICK WA 99337-3007

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DARRELL L & MARIA J SCOTT
2102 W 34TH AVE
KENNEWICK WA 99337-3007

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HERMANN T & BETSY B GREEN
3303 S VANCOUVER PL
KENNEWICK WA 99337

37

CECIL M SHERMAN
3301 S VANCOUVER PL
KENNEWICK WA 99337

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MENDOZA JAIME & JOANA DIAZ
2105 W 31ST AVE
KENNEWICK WA 99337

Exhibit 5

37
LARRY A STUBBLEFIELD
3302 S VANCOUVER PL
KENNEWICK WA 99337-3031

37
KYLE H & MELISSA D MAMIYA
7428 S 128TH ST
SEATTLE WA 98178

37
STEVEN P & KELLE M AIRHART
3306 S VANCOUVER PL
KENNEWICK WA 99337-3031

37
TIMOTHY S TIMMONS
64612 ELM RD WEST
RICHLAND WA 99353

37
MARK S & MARCELLA R GEORGE
3415 S GARFIELD ST
KENNEWICK WA 99337-3024

37
JENNIFER CUSTER
2107 W 31ST AVE
KENNEWICK WA 99337-3002

37
RICHARD SANTOS ESTRADA
3012 S WAVERLY ST
KENNEWICK WA 99336

37
KRISTINA J SCHRADER
342 E SUNSET DR
BURBANK WA 99323

37
DANIEL F MAYER
3116 S WAVERLY STREET
KENNEWICK WA 99337

37
TYLER J & MARISSA E MAKEEFF
3107 S YELM ST
KENNEWICK WA 99337-3034

37
GEORGE R & KATHRYN ARMSTRONG
2203 W 31ST AVE
KENNEWICK WA 99337-3004

37
SYS MICHAEL P & HUFF DASHIA M
VANDER
2202 W 31ST AVE
KENNEWICK WA 99337

37
JASON W & LISA O ELLSWORTH
2300 W 31ST AVE
KENNEWICK WA 99337-3005

37
DAVID L & CHRISY L MCCARY
2302 W 31ST AVE
KENNEWICK WA 99337-3005

37
SHARON L CIARLO
2502 W 32ND AVE
KENNEWICK WA 99337

37
MARK A & JEANNE M BAKKER
2506 W 32ND AVE
KENNEWICK WA 99337

37
THOMAS D BOSQUET
3018 S ANDERSON ST
KENNEWICK WA 99337

37
TRUSTEES GREG & ELIZABETH B
CASTRO
348 CLOVERNOOK ST
RICHLAND WA 99352-9502

37
GERALD P & KIMBERLY I MORAN
3207 S BUNTIN ST
KENNEWICK WA 99337

37
ALLEN A & JESSICA L MADSEN
3211 S BUNTIN ST
KENNEWICK WA 99337

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PAUL J & TERI J THOMPSON
3215 S BUNTIN ST
KENNEWICK WA 99337

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SHAWN T & JESSICA A HARPER
3219 S BUNTIN ST
KENNEWICK WA 99337

37
MUTHANNA A SABER
3223 S BUNTIN ST
KENNEWICK WA 99337

37
GREGORY G & LORETTA B FALK
3305 S BUNTIN ST
KENNEWICK WA 99337

37
DAVID AARON & SHANNON ANNE BIBE
3309 S BUNTIN ST
KENNEWICK WA 99337-3172

37
ANDREW & GARCIA ZAMBURR
SPORCICH
3313 S BUNTIN STREET
KENNEWICK WA 99337

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ROLAND & KATIE SUTTON
3317 SOUTH BUNTIN STREET
KENNEWICK WA 99337

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RANDALL A & MARSHA W LUMSDEN
3321 SOUTH BUNTIN STREET
KENNEWICK WA 99337

37
STEVEN M & DIANE M OSS
3325 S BUNTIN ST
KENNEWICK WA 99337

37
KYLE M & MANDY D BATEMAN
3329 S BUNTIN ST
KENNEWICK WA 99337

Exhibit 5

37
HEATHER ANN DEGRAAF
2501 W 34TH AVE
KENNEWICK WA 99337-3175

37
JR ROGER C & DEANNE R HOLLENBECK,
2500 W 34TH AVE
KENNEWICK WA 99337-3175

37
MICHAEL L & CHERYL P SPRADLING
3304 S BUNTIN ST
KENNEWICK WA 99337

37
DREW HERBERT HANBERG
3300 S BUNTIN STREET
KENNEWICK WA 99337

37
DAVID D & ALISON ROSS
3216 S BUNTIN STREET
KENNEWICK WA 99337

37
HOI YUEN & NGUN CHING LAU
3202 S BUNTIN ST
KENNEWICK WA 99337

37
RUN HOMEOWNERS ASSOC SHADOW
PO BOX 6388
KENNEWICK WA 99336

37
RODGER H & SANDRA J SCHULTZ
3409 S BUNTIN CT
KENNEWICK WA 99337-3174

37
MATTHEW T & AMY L STAYROOK
3413 S BUNTIN ST
KENNEWICK WA 99337

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JOSHUA A MENDOZA
508 N NEVADA ST
KENNEWICK WA 99336

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THOMAS H COYNE
3419 S BUNTIN ST
KENNEWICK WA 99337-3173

37
DONALD R & MARY D BYER
3421 S BUNTIN STREET
KENNEWICK WA 99337

37
EINAR OFFERDAHL
3425 S BUNTIN STREET
KENNEWICK WA 99337

37
SHANNA MARISCAL
3429 S BUNTIN CT
KENNEWICK WA 99337

37
MARK E & RACHEL Q HARRISON
3433 S BUNTIN CT
KENNEWICK WA 99337-3174

37
GENE W & BETH L LUCZYNSKI
3435 S BUNTIN CT
KENNEWICK WA 99337

37
RICHARD WAYNE & LYNDESEY ANNE
JENSEN
3439 S BUNTIN COURT
KENNEWICK WA 99337

37
DAVID C & KATHERINE E SMITH
3440 S BUNTIN CT
KENNEWICK WA 99337

37
ROXANNA S BOWLIN
3438 S BUNTIN CT
KENNEWICK WA 99337

37
KENNEDY K TAYLOR
3436 S BUNTIN CT
KENNEWICK WA 99337

37
JEREMY J & LAUREN N GARRETT
3432 S BUNTIN CT
KENNEWICK WA 99337

37
DANIEL W & ANGELA R MATSON
3424 S BUNTIN ST
KENNEWICK WA 99337

37
RYAN W ENGEL
3418 S BUNTIN STREET
KENNEWICK WA 99337

37
HAROLD C SARGENT
3412 S BUNTIN ST
KENNEWICK WA 99337

37
WILLIAM D & TIFFANY A NELSON
3406 S BUNTIN ST
KENNEWICK WA 99337

37
RUN HOMEOWNERS ASSOC SHADOW
PO BOX 6388
KENNEWICK WA 99336

37
RUN HOMEOWNERS ASSOC SHADOW
PO BOX 6388
KENNEWICK WA 99336

37
JOHN B & KARIN J HOGG
2501 W 35TH AVE
KENNEWICK WA 99336

37
STEPHEN P & GEANINE B FROST
2505 W 35TH AVE
KENNEWICK WA 99336

37
CYNTHIA J MAIN
2106 W 37TH AVE
KENNEWICK WA 99337

Exhibit 5

37
DASHIA M BASS
2104 W 37TH AVE
KENNEWICK WA 99337-3115

37
TRUSTEE JANICE R DENO
2102 W 37TH AVE
KENNEWICK WA 99337-3115

37
DEREK A CAP
2100 W 37TH AVE
KENNEWICK WA 99337

37
REX HOWARD & ELDA S FLAUCHER
3602 S VANCOUVER ST
KENNEWICK WA 99337-3826

37
MICHAEL D TAYLOR
2405 W 19TH AVE
KENNEWICK WA 99337

37
ANDREW B & MELANIE J CHAPIN
2103 W 36TH AVE
KENNEWICK WA 99337-3147

37
ISAAC GAMEZ
619 N VOLLAND CT
KENNEWICK WA 99336

37
TROY S & CYNTHIA A WILLIS
2503 W 36TH AVE
KENNEWICK WA 99337-3110

37
BENJAMIN D & RACHEL R HOLLAND
2501 W 36TH AVE
KENNEWICK WA 99337-3110

37
CAREY WILLIAM STEPHEN BELSHAW
2407 W 36TH AVENUE
KENNEWICK WA 99337

37
MARIO G & SAMANTHA J PEREZ
2405 WEST 36TH AVE
KENNEWICK WA 99338

37
ANGEL L TRUMP
2403 W 36TH AVE
KENNEWICK WA 99337-3108

37
JAMES J WADSWORTH
2401 W 36TH AVE
KENNEWICK WA 99337-3108

37
MEAGAN NICOLE MEACHAM
2307 W 36TH AVE
KENNEWICK WA 99337

37
TIFFANY WHITELATCH
2305 W 36TH AVE
KENNEWICK WA 99337-3106

37
STEPHEN J & RENEE R POTTLE
2303 W 36TH AVE
KENNEWICK WA 99337-3106

37
MICHAEL JOHN SALANCY
2301 W 36TH AVE
KENNEWICK WA 99337-3106

37
CAMMY DEE PRICE
2207 W 36TH AVE
KENNEWICK WA 99337

37
AMANDA BLAKE
2205 W 36TH AVE
KENNEWICK WA 99337-3149

37
KENNETH C SWEARENGIN
2203 W 36TH AVE
KENNEWICK WA 99336

37
JOSHUA ROSAS
2201 W 36TH AVE
KENNEWICK WA 99337

37
CHAD W & ABBIE ELLIOT
2107 W 36TH AVE
KENNEWICK WA 99337-3147

37
GLENN A & CATHRYNE A BRANDNER
2108 W 37TH AVE
KENNEWICK WA 99337-3115

37
BRADLEY & SHANDRA M
SWARTSWALTER
2202 W 37TH AVENUE
KENNEWICK WA 99337

37
RAY M & DIANE M NEHLS
2204 W 37TH AVE
KENNEWICK WA 99337-3116

37
JAMES E & KRIS D GARLAND
4506 S QUINCY PL
KENNEWICK WA 99337-3937

37
MICHAEL DENNIS MILLER
2208 W 37TH AVE
KENNEWICK WA 99337

37
C SEAN & JULI L CAWVEY BARATONE
2302 W 37TH AVE
KENNEWICK WA 99337

37
BRADEN & JENNIFER NELSON
2304 W 37TH AVE
KENNEWICK WA 99337-3117

37
TRAVIS J DETERING
2306 W 37TH AVE
KENNEWICK WA 99337-3117

Exhibit 5

37
TAMARA G BROWN
2308 W 37TH AVE
KENNEWICK WA 99337-3117

37
DENNIS J & E MAXINE PARK
2402 W 37TH AVE
KENNEWICK WA 99337

37
LARRY J & DEBRA A ROSANE
2404 W 37TH AVE
KENNEWICK WA 99337-3118

37
BRIAN D EISENBARTH
2406 W 37TH AVE
KENNEWICK WA 99337-3118

37
WALTER J & NANCY I HOLLE
2408 W 37TH AVE
KENNEWICK WA 99337-3118

37
RICHARD L & AMBER L WITHERS
2502 W 37TH AVE
KENNEWICK WA 99337-3119

37
ROBERT & KIMBERLIE TAYLOR
2504 W 37TH AVE
KENNEWICK WA 99337-3119

37
DAVID J ASHLEY
3604 S UNDERWOOD ST
KENNEWICK WA 99337-3819

37
ANN M CHOJNACKI
3602 S UNDERWOOD ST
KENNEWICK WA 99337-3819

37
DUSTIN W & TEONA M GOLDING
4481 NORTHLAKE DR WEST
RICHLAND WA 99353

37
MATTHEW S & AMBER L LEWIS
8909 GRANDVIEW DR
PASCO WA 99301

37
MIKHAIL Y & ANNA L DOROSHCHUK
3357 S VANCOUVER STREET
KENNEWICK WA 99337

37
NIKOLAY & LIDIYA SLUPACHIK
3706 W 19TH COURT
KENNEWICK WA 99338

37
KNUTZEN ENGINEERING
5401 RIDGELINE DR #160
KENNEWICK WA 99338

37
KENNEWICK SCHOOL DISTRICT #17
1000 W 4TH AVE
KENNEWICK WA 99336

COZ 19-05 / PLN-2019-03013
3500 S VANCOUVER ST
RS TO PF
KNUTZEN ENGINEERING

From: [Anthony Muai](#)
To: ["David McCary"](#)
Subject: RE: COZ 19-05/PLN-2019-03013
Date: Tuesday, November 19, 2019 10:01:48 AM

Mr. McCary,

In order for KSD to change the zoning, they first had to change the underlying land use designation. That is what the hearing was for in August. The City Council approved the land use change in October at their regular meeting on 10/15. Council asked several questions of staff regarding why there was neighborhood opposition to the change and I explained the complaints that were posed at the hearing. No testimony is taken at the Council meeting on items that have already had a public hearing so they based their decision on the record established at the Planning Commission. This rezone is a necessary follow up to the land use change so that the existing zoning and land use designation are consistent.

The change to Public Facility will allow KSD to build school facilities consistent with what is there currently. I do not know whether or not a school district employee will be there but I will recommend that one is.

If you have any other questions, please let me know.

Anthony Muai, AICP
City of Kennewick
Community Planning Department/Senior Planner
O: 509.585.4386 | F: 509.585.4442
anthony.muai@ci.kennewick.wa.us

-----Original Message-----

From: David McCary <davidlmccary@gmail.com>
Sent: Monday, November 18, 2019 8:27 PM
To: Anthony Muai <anthony.muai@ci.kennewick.wa.us>
Subject: COZ 19-05/PLN-2019-03013

Mr. Muai,

Revived the notification regarding the KSD attempting to change the zoning for the second time in 4 months at Horse Heaven Middle School. The question I have is, changing the zoning from Residential, Suburban to "Public Facility" allow them to build what type of facilities? Will there be a representative from the school district at this meeting. NOT their engineer but an actual school district employee. They sent the engineer last time to falsify as much information as possible.

Sent from my iPhone



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: COZ 19-06/PLN-2019-03015

Report Date:	November 15, 2019
Hearing Date & Location:	December 2, 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 19-06 be APPROVED.
Summary of Proposal:	A Change of Zone from Commercial, Community (CC) to Residential, Medium (RM) for 1 parcel of land 4.48 acres in size.
Proposal Location:	3605 S. Zintel Way
Legal Description:	Parcel No. 116894013188001 Section 16 Township 8 Range 29 Quarter SE; Short Plat #3188, Lot 1, recorded 3/25/2009, under Auditor's File No. 2009-007777. Recorded in Volume 1 of Short Plats, page 3188, records of Benton County, Washington. (Amending Short Plat 3085).
Property Owners:	Circle One Properties, LLC 18706 S. Clodfelter Rd. Kennewick, WA 99338
Applicant:	Knutzen Engineering 5401 Ridgeline Dr. Kennewick, WA 99338
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	October 16, 2019
Determination of Completeness Issued	October 21, 2019
Notice of Application Posted	October 23, 2019
SEPA Determination (Adoption of DNS for CPA 19-10)	July 11, 2019
Date of Mailed Notice of Public Hearing	November 15, 2019
Property Posting Sign for Public Hearing	October 23, 2019
Date of Published Notice of Public Hearing	November 17, 2019

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Maps
4. Environmental Determination 19-16
5. Affidavit of Mailing/Mailing List dated November 15, 2019

The site is adjacent to the following zoning districts:

North: Residential, Low (RL); Commercial, Community (CC)
 East: Residential, Suburban (RS); Open Space (OS)
 South: Residential, Suburban (RS); Open Space (OS); Commercial, Community (CC)
 West: Commercial, Community (CC)

Applicable Goals and Policies of the Comprehensive Plan:

Residential Goal 4: Provide more housing opportunities near commercial, transit and employment.
 Residential Policy 4.2: Encourage residential development within commercial areas.
 Commercial Goal 3: Create a balanced system of commercial facilities reflecting neighborhood, community, and regional needs.
 Commercial Policy 3.4: Support mixed residential/commercial development in all Commercial districts in a manner that is compatible with nearby uses.

Kennewick Municipal Code Findings:

The following findings are required to be made 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 Medium Density Residential in the City's comprehensive plan. The Residential, Medium (RM) zone is an implementing zone of the Medium Density Residential land use designation.

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

Staff Response: The applicant states that the proposal promotes the public necessity, convenience and general welfare because it will allow people to buy a home in a “nice neighborhood”. (Exhibit 2) What promotes the necessity, convenience and general welfare of the public more is that the proposal implements goals and policies of the comprehensive plan, specifically Residential Goal 4 and Policy 4.2 and Commercial Goal 3 and Policy 3.4.

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 RM zone implements the Comprehensive Plan’s Medium 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: Not applicable to the proposed change of zone.

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ 19-06) is a request to change the zone of 1 parcel of land, approximately 4.48 acres in size located at 3605 S. Zintel Way, from Commercial, Community (CC) to Residential, Medium (RM). The applicant has requested the change of zone in order to implement a recently approved Comprehensive Plan Amendment (CPA 19-10) that changed the land use designation from Commercial to Medium Density Residential.

The Comprehensive Plan Land Use Designation for the subject property is Medium Density Residential. Pursuant to Table 1 of the Comprehensive Plan, the RM zone is an implementing zoning district of the Medium Density Residential Land Use Designation.

Per KMC 18.03.040(3), “The purpose of the RM district is to establish areas for medium density single and multiple-family residential buildings and to establish regulations for their development. The district is for more intensive residential use where necessary or desirable to achieve good neighborhood design and stabilize land use.”

This proposal will implement the existing Medium Density Residential land use designation as well as promote the goals and policies of the comprehensive plan.

KMC 18.51.070(2) requires findings be made to support a change in zoning. The appropriate findings have been made to support this proposed rezone.

Findings:

1. The applicant is Knutzen Engineering, (5401 Ridgeline Dr., Kennewick, WA 99338).
2. The property owner is Circle One Properties, LLC (18706 S. Clodfelter Rd., Kennewick, WA 99338).
3. The proposed change of zone is for parcel number 116894013188001 (3605 S. Zintel Way).
4. The request is to change the zoning from Commercial, Community (CC) to Residential, Medium (RM).
5. The City's Comprehensive Plan Land Use Designation for the subject property is Medium Density Residential.
6. The Residential, Medium (RM) zoning district is an implementing zone of the Medium Density Residential Comprehensive Plan Land Use Map designation.
7. The application was submitted on October 16, 2019 and declared complete for processing on October 21, 2019.
8. The application was routed for review to City Departments and outside agencies for comment on October 22, 2019.
9. Access to the site is currently provided from S. Zintel Way.
10. The City of Kennewick Critical Area maps indicate that there are no critical areas on the site.
11. A Determination of Non-Significance issued for CPA 19-10/PLN-2019-01136 was adopted for this proposal on July 11, 2019.
12. The Property Posting sign for the public hearing was posted on site October 23, 2019.
13. Notice of the public hearing for this application was published in the Tri-City Herald on November 17, 2019. Notices were mailed to property owners within 300 feet of the site on November 15, 2019.
14. The proposed amendment conforms to the comprehensive plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare by implementing Residential Goal 4 and Policy 4.2 and Commercial Goal 3 and Policy 3.4 of the comprehensive plan.
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 will implement the Medium Density Residential land use designation of the City of Kennewick Comprehensive Plan.
2. Approval promotes the public necessity, convenience and general welfare by implementing the Comprehensive Plan.
3. Approval of 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 the applicable provisions of the Kennewick Municipal Code and the Comprehensive Plan. The RM zone implements the Comprehensive Plan's Medium Density Residential 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 19-06 and recommend APPROVAL to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 19-06 and recommend APPROVAL to City Council approval of the request.

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

PROJECT # COZ 19-06 PLN- ~~2019~~ 2019 - ~~01137~~ 03015 FEE \$ 1063.00

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

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

Site Plan Tier 1 ☐ Tier 2 ☐ Tier 3 ☐ Binding Site Plan ☐

Short Plat ☐ Conditional Use ☐ Other Change of Zone

Environmental Determination PLN- 2019 - 01137 Pre Application Meeting PLN- _____ - _____

Applicant: Knutzen Engineering

Address: 5401 Ridgeline Dr, Kennewick WA 99338

Telephone: 509-222-0959 Cell Phone: _____ Fax: _____ E-mail nathan@knutzenengineering.com

Property Owner (if other than applicant): Circle One Properties, LLC

Address: 18706 S. Clodfelter Rd, Kennewick WA 99338

Telephone: 360-719-0276 Cell Phone: _____ E-mail dean@fdmdevelopment.com

SITE INFORMATION

Parcel No. 1-1689-401-3188-001 Acres 4.48 Zoning: CC

Address of property: 3605 S. Zintel Way, Kennewick WA 99337

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

Present use of property Vacant

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

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

Benton County Assessor Market Improvement Value: 889,260

Description of Project: A change of zone from Commercial to Medium Density Residential.

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

Paul Knutzen
Applicant's Signature

Alfred Chon
Signature of owner or owner's authorized representative

Date: 9/27/19

1. Does the public necessity, convenience, and general welfare require the adoption of the proposed amendment? Please explain:
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:
3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain
4. Are the existing uses, in the area, in conformance with the area's zoning classification? If no, please explain the differences:
5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain.
6. Does the existing zoning prohibit reasonable use of the property? Please explain.

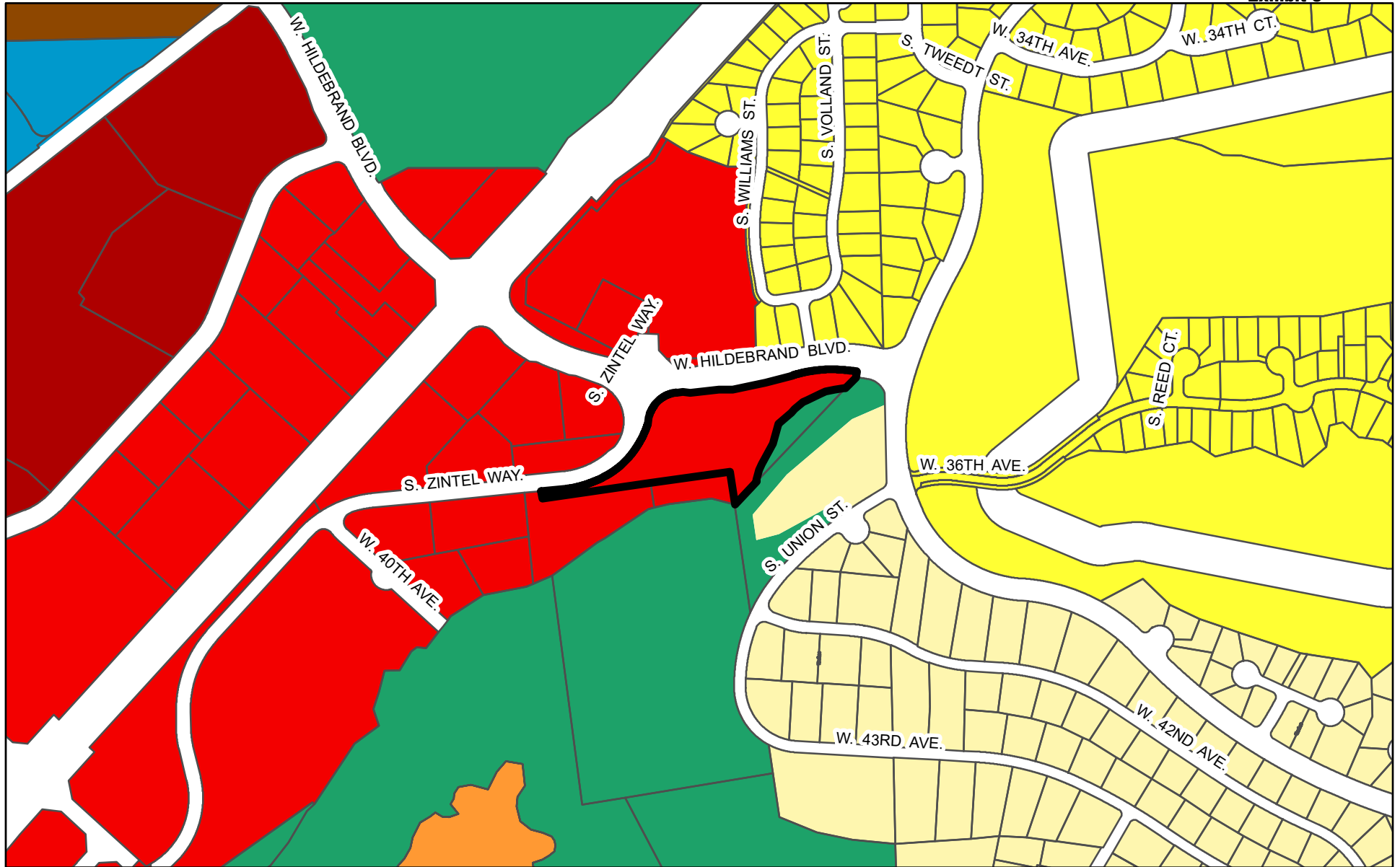
7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain:
8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain:
9. Will approval of the proposed amendment set a precedent 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:
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain:
11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain.
12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain:

Summary of City forms required:

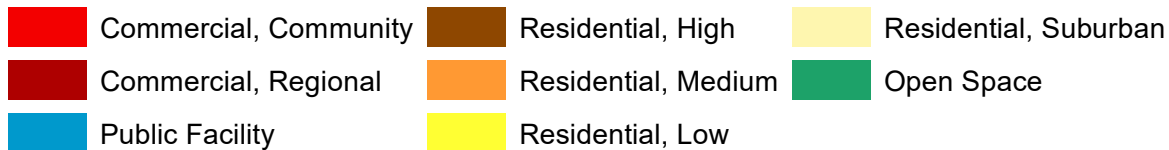
Application – General Form
Change of Zone Supplemental Information
Environmental and Salmonids Checklist (SEPA)



COZ 19-06/PLN-2019-03015 Circle One Properties



COZ 19-06/PLN-2019-03015 Circle One Properties





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

FILE/PROJECT NUMBER: PLN-2019-01111, CPA 19-10

DESCRIPTION OF PROPOSAL: Request to change Comp Plan designation from Commercial to Residential, Medium.

PROPOSER: Knutzen Engineering (Dean Maldonado)

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 3605 S. Zintel Way.

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 11, 2019

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
- Project File



NOTIFICATION OF MAILING

I, Melinda Didier, on 11/15/, 2019
Mailed 23 copies of NOPH
for COZ 19-06
to Appl / prop owners w/in 300'

as shown on the attached list.

Melinda Didier
Signature

COZ 19-06 / PLN-2019-03015
3605 S ZINTEL WAY
CC TO RM
KNUTZEN ENGINEERING

**KENNEWICK PLANNING
COMMISSION NOTICE OF PUBLIC
HEARING**

December 2, 2019 6:30 p.m.

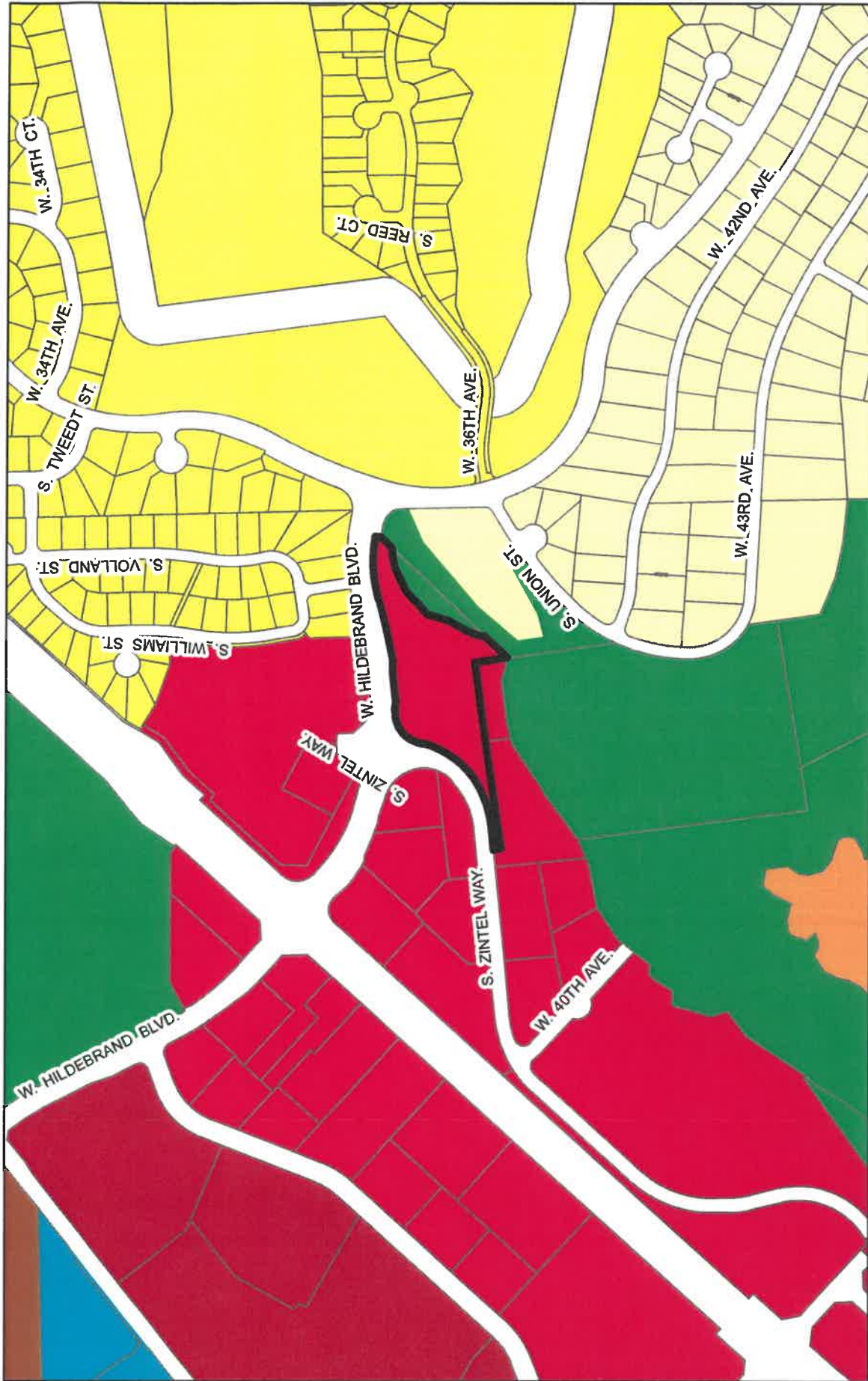
The Kennewick Planning Commission will hold a Public Hearing on December 2, 2019, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed change of zone. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

Proposal – COZ 19-06/PLN-2019-03015 – Proposes to change the zoning of 4.48 acres from Commercial, Community (CC) to Residential, Medium (RM). The site is located at 3605 S. Zintel Way

Proponent – Circle One Properties, LLC

Comment Period – Written comments may be submitted via email to Anthony Muai at amuai@ci.kennewick.wa.us. Comments may also be mailed to 210 W. 6th Ave., Kennewick, WA 99336 on or before the hearing date or presented at the hearing.

The City of Kennewick welcomes full participation in public meetings 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 Melinda Didier at (509) 585-4275 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 19-06/PLN-2019-03015 Circle One Properties



Exhibit 5

37
MICHAEL & LINDE THOMAS
2701 W CANYON LAKES DR
KENNEWICK, WA 99337

37
SITHOUH & VANPANOM SENGCHANH
3512 S WILLIAMS ST
KENNEWICK, WA 99336

37
ANDREW & KELLY BRANDT
3513 S VOLLAND ST
KENNEWICK, WA 99337

37
EARL & BONITA MASON
4105 SPRING ISLAND
OKATIE, SC 29909

37 **DUP**
39536 PROPERTIES LLC
8205 N DIVISION
SPOKANE, WA 99208

37 **DUP**
39536 PROPERTIES LLC
8205 N DIVISION
SPOKANE, WA 99208

37
TRI CITES DEVELOPMENT COMPANY
LLC
15 SW COLORADO AVE
BEND, OR 0

37 **DUP**
CIRCLE ONE PROPERTIES LLC
18706 S CLODFELTER RD
KENNEWICK, WA 99338

37
BOULDER HEIGHTS, LLC
3405 S JOHNSON ST
KENNEWICK, WA 99337

37
BENTON COUNTY,
PO BOX 190
PROSSER, WA 99350

37
TREVER & KRISTIE BURNETT
3400 S LEDBETTER ST
KENNEWICK, WA 99337

37
MICHAEL & JESSICA MARSHALL
3516 S WILLIAMS ST
KENNEWICK, WA 99337

37
SCOTT & CHRISTINE CROMAR
3509 S VOLLAND ST
KENNEWICK, WA 99336

37
PATRICK & JACQUELINE MORGAN
3509 S WILLIAMS ST
KENNEWICK, WA 99336

37
HF PASCO LLC
1162 ADAIR DR
RICHLAND, WA 99352

37
CITY OF KENNEWICK
PO Box 6108
Kennewick, WA 99336

37
CIRCLE ONE PROPERTIES LLC
18706 S CLODFELTER RD
KENNEWICK, WA 99338

37
ZINTEL PROPERTY MANAGEMENT LLC
2703 S IRVING ST
KENNEWICK, WA 99338

37
ERWIN L & I LLC
PO BOX 820528
VANCOUVER, WA 98682

37
KNUTZEN ENGINEERING
5401 RIDGELLINE DR #160
KENNEWICK WA 99338

37
CANYON LAKES GOLF COURSE INC,
3700 W CANYON LAKES DR
KENNEWICK, WA 99337

37
CHARLES & DAWN WATSON
3517 S VOLLAND ST
KENNEWICK, WA 99337

37
MCKINNON
3505 S VOLLAND ST
KENNEWICK, WA 99336

37
39536 PROPERTIES LLC
8205 N DIVISION
SPOKANE, WA 99208

37 **DUP**
39536 PROPERTIES LLC
8205 N DIVISION
SPOKANE, WA 99208

37 **DUP**
CITY OF KENNEWICK
PO BOX 6108
KENNEWICK, WA 0

37
GREGORY & VONDA SMITH
2703 S IRVING ST
KENNEWICK, WA 0

37 **DUP**
CIRCLE ONE PROPERTIES LLC
18706 S CLODFELTER RD
KENNEWICK, WA 99338

37
HAMILTON CELLARS LLC
55410 N SUNSET RD
BENTON CITY WA 99320

COZ 19-06 / PLN-2019-03015
3605 S ZINTEL WAY
CC TO RM
KNUTZEN ENGINEERING