



August 2, 2021

PLANNING COMMISSION AGENDA
****VIRTUAL MEETING PLATFORM****

6:30 p.m.

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 May 17, 2021
 - b. Approval of Agenda
 - c. Motion to enter Staff Report(s) into Record
3. **PUBLIC HEARING:**
 - a. Change of Zone (COZ) #21-08 proposing to change the zoning district for approximately .02 acres located at 4826 W. Metaline Avenue from Residential, Low Density (RL) to Public Facility (PF). Applicant is Paul Knutzen, Knutzen Engineering, 5401 Ridgeline Drive # 160, Kennewick, WA 99338. Property owner is Rene' and Velina Perez, 4826 W. Metaline Avenue, Kennewick WA 99336.
 - b. Zoning Ordinance Amendment (ZOA) #21-02 proposing to amend KMC Chapters 17.10.260, 17.12.055, and 17.13.095 to provide consistency in construction improvement requirements for final plats/final binding site plans. Applicant is City of Kennewick Deputy Public Works Director Bruce Mills, Public Works Department.
4. **VISITORS NOT ON AGENDA:**
5. **OLD BUSINESS:**
 - a. City Council Action Updates
6. **NEW BUSINESS:**
 - a. 2021 Comprehensive Plan Amendment Review
7. **REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:**
8. **ADJOURNMENT:**

**KENNEWICK PLANNING COMMISSION
MAY 17, 2021
MEETING MINUTES**

CALL TO ORDER

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

Chairman Morris led the Pledge of Allegiance.

Chairman Morris made the following statement:

"Tonight's meeting will be conducted through an online, virtual meeting platform. Planning Commissioners and staff are joining us remotely in order to comply with Governor Inslee's Proclamation 20.28.4 as it relates to the Open Public Meeting Act during the COVID-19 State of Emergency. Should an individual Planning Commissioner become unexpectedly disconnected from the Webinar, please rejoin the meeting at your first opportunity. The record will reflect your attendance. The meeting will proceed so long as a quorum of Planning Commissioners are present."

Recorder Melinda Didier called the roll and found the following logged into the Webinar:

Present: Commissioners Thomas Helgeson, Anthony Moore, Vice Chairman Clark Stolle and Chairman Victor Morris.

Excused: Commissioners James Hempstead and Ken Short.

Unexcused: None

Staff Present: Greg McCormick, AICP Planning Director; Anthony Muai, AICP Development Services Manager; Steve Donovan, AICP Senior Planner; Chris Bowman, Assistant Planner, Matt Halitsky, Planner, Melinda Didier, Administrative Assistant/Recorder.

CONSENT AGENDA

I

- a. Approval of Minutes dated April 19, 2021 & May 3, 2021
- b. Approval of Agenda
- c. Motion to enter Staff Reports into the Record

Commissioner Moore moved to accept the consent agenda. Vice Chairman Stolle seconded the motion. The motion carried unanimously on a roll call vote.

PUBLIC HEARINGS

Chairman Morris announced there was no Public Hearing portion of the meeting tonight as there are no applications requiring public testimony. The Planning Commission will be reviewing the 2021 Comprehensive Plan Amendment Docket (Item #6a "New Business" on tonight's agenda).

VISITORS NOT ON AGENDA:

Visitors logged in:

None

OLD BUSINESS:

Mr. McCormick gave a quick update on COZ 21-02 went to Council on April 20th, COZ 21-05 & CPA 20-06 is on Council agenda for May 18th.

NEW BUSINESS:

Mr. Donovan gave a brief review of how the Comprehensive plan process works, with five criteria for the Planning Commission to consider and decide whether to accept, deny, or defer to next year each Comp Plan Amendment application; Mr. Halitsky presented Comprehensive Plan Amendment CPA 21-01 through CPA 21-05 on the docket. Mr. Donovan presented CPA 21-06 through CPA 21-11, and Mr. Muai presented CPA 21-12.

Comprehensive Plan Amendment (CPA) #21-01, Comprehensive Plan Amendment to change the land use designation of 0.6887 acres from LOW DENSITY RESIDENTIAL (LDR) to MEDIUM DENSITY RESIDENTIAL (MDR). Address: 1831 W 19th Avenue.

Planning Commission questions included: Is parcel developed already.

Commissioner Stolle moved that the Planning Commission concur with the conclusions in staff report **CPA #21-01** and recommend that City Council **ACCEPT** the application for processing. Commissioner Helgeson seconded the motion.

Planning Commission discussion: None.

Motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-02, Comprehensive Plan Amendment to change the land use designation of 0.96 acres from LOW DENSITY RESIDENTIAL (LDR) to MEDIUM DENSITY RESIDENTIAL (MDR). Address: 3321 W 10th Avenue.

Planning Commission questions included: Is the surrounding area except to the north low density; will this stand alone as medium density; are they current with the low density standards.

Commissioner Moore moved that the Planning Commission concur with the conclusions in staff report **CPA #21-02** and recommend that City Council **ACCEPT** the application for processing. Commissioner Helgeson seconded the motion.

Planning Commission discussion: None.

Motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-03, Comprehensive Plan Amendment to change the land use designation of 1.36 acres from COMMERCIAL (C) to HIGH DENSITY RESIDENTIAL (HDR). Address: UNDETERMINED, PARCEL NUMBER: 1-3399-201-1560-002.

Planning Commission questions included: Is the unit just north high density; is it retirement/assisted living; will access be via Canal Drive; Mr. Muai reminded the Planning Commissioners that the proposals are land use changes not in project phase.

Commissioner Stolle moved that the Planning Commission concur with the conclusions in staff report **CPA #21-03** and recommend that City Council **ACCEPT** the application for processing. Commissioner Helgeson seconded the motion.

Planning Commission discussion: None.

Motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-04, Comprehensive Plan Amendment to change the land use designation of 3.12 acres from INDUSTRIAL (I) to COMMERCIAL (C). Address: UNDETERMINED, PARCEL NUMBERS: 1-0689-201-1788-006, 1-0689-201-1788-003, and the western half of 1-0689-201-1788-002.

Planning Commission questions included: Are other industrial lands in the vicinity.

Commissioner Helgeson moved that the Planning Commission concur with the conclusions in staff report **CPA #21-04** and recommend that City Council **ACCEPT** the application for processing. Commissioner Moore seconded the motion. The motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-05, Comprehensive Plan Amendment to change the land use designation of 0.46 acres from COMMERCIAL (C) to MEDIUM DENSITY RESIDENTIAL (MDR). Location: 107 W. 16th Avenue.

Planning Commission questions included: Staff report has address as E. 16th Avenue, it should be W. 16th Avenue; is area to the west commercial, north medium density, east low density.

Commissioner Moore moved that the Planning Commission concur with the conclusions in staff report **CPA #21-05** and recommend that City Council **ACCEPT** the application for processing. Commissioner Stolle seconded the motion.

Planning Commission discussion: None.

The motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-06, Comprehensive Plan Amendment to change the land use designation of 14.60 acres from COMMERCIAL (C) to HIGH DENSITY RESIDENTIAL (HDR). Address: 9496 W Clearwater Avenue.

Planning Commission questions included: Has this application been before us previously.

Commissioner Helgeson moved that the Planning Commission concur with the conclusions in staff report **CPA #21-06** and recommend that City Council **ACCEPT** the application for processing. Chairman Morris seconded the motion.

Planning Commission discussion included: Relative to surrounding zones. Industrial, Commercial, High Density Residential.

The motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-07, Comprehensive Plan Amendment to change the land use designation of 1.77 acres from COMMERCIAL (C) to LOW DENSITY RESIDENTIAL (LDR). Address: 1221, 1213 and 1201 N Irving Place.

Planning Commission questions included: Is the application goal to change from commercial to low density residential for a portion of the area; need clarity, are we accepting a change to low density residential for three lots.

Commissioner Stolle moved that the Planning Commission concur with the conclusions in staff report **CPA #21-07** and recommend that City Council **ACCEPT** the application for processing. Commissioner Moore seconded the motion.

Planning Commission discussion: None.

The motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-08, Comprehensive Plan Amendment to change the land use designation of 2.95 acres from COMMERCIAL (C) to HIGH DENSITY RESIDENTIAL (HDR). Address: 18 W 12TH Place.

Planning Commission questions included: Is it south or north of the power sub-station.

Commissioner Moore moved that the Planning Commission concur with the conclusions in staff report **CPA #21-08** and recommend that City Council **ACCEPT** the application for processing. Commissioner Helgeson seconded the motion. The motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-09, Comprehensive Plan Amendment to change the land use designation of 4.58 acres from HIGH DENSITY RESIDENTIAL (HDR) to COMMERCIAL (C). Address: 8125 Bob Olson Parkway.

Planning Commission questions included: Is any additional information available on parcel.

Commissioner Moore moved that the Planning Commission concur with the conclusions in staff report **CPA #21-09** and recommend that City Council **ACCEPT** the application for processing. Commissioner Stolle seconded the motion.

Planning Commission discussion: None.

The motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-10, Comprehensive Plan Amendment to change the land use designation of 8.6 acres from LOW DENSITY RESIDENTIAL (LDR) to COMMERCIAL (C). Address: 7723 Bob Olson Parkway.

Planning Commission questions included: If there is a tally on amount of commercial zoned lands in the City.

Commissioner Helgeson moved that the Planning Commission concur with the conclusions in staff report **CPA #21-10** and recommend that City Council **ACCEPT** the application for processing. Commissioner Moore seconded the motion.

Planning Commission discussion: None

The motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) #21-11: Comprehensive Plan Amendment to change the land use designation of 24.04 acres from LOW DENSITY RESIDENTIAL (LDR) to HIGH DENSITY RESIDENTIAL (HDR). Address: South of 7723 Bob Olson Parkway, Parcels 1-1889-100-0001-003 and 1-1889-100-0001-008.

Planning Commission questions included: Will HDR be surrounded by LDR and HDR orphaned.

Commissioner Moore moved that the Planning Commission concur with the conclusions in staff report **CPA #21-11** and recommend that City Council **ACCEPT** the application for processing. Commissioner Helgeson seconded the motion.

Planning Commission discussion: Problem going from LDR to HDR.

The motion passed unanimously on a roll call vote.

Comprehensive Plan Amendment (CPA) 21-12: Text amendments addressing nexus and rough proportionality related to required development regulations and mitigation of impacts.

Planning Commission questions included: None

Commissioner Moore moved that the Planning Commission concur with the conclusions in staff report **CPA #21-12** and recommend that City Council **ACCEPT** the application for processing. Commissioner Stolle seconded the motion. The motion passed unanimously on a roll call vote.

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Mr. McCormick reviewed the next steps for the Comprehensive Plan Amendment docket time frame for processing.

Chairman Morris reported on a May 6th Badger Club meeting he attended, the topic was future growth and history of the Tri-Cities area.

Commissioner Stolle asked about possible proposal for expansion of the UGA in 2022.

ADJOURNMENT:

The meeting adjourned at 7:45 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE No: COZ 21-08/PLN-2021-01977

Staff Report Date: July 12, 2021

Hearing Date & Location: July 19, 2021, Virtual Hearing

Report Prepared By: Steve Donovan, AICP
Senior Planner

Report Reviewed By: Anthony Muai, AICP
Planning Manager

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS APPROVAL of Change of Zone 21-08.

Summary of Proposal: A Change of Zone from Residential, Low Density to Public Facility (PF) for .02 acres.

Proposal Location: 4826 W Metaline Avenue

Legal Description: THAT PORTION OF LOT 1, SHORT PLAT 2791, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUFITOR'S FILE NO. 2004-005828, REOCRDS OF BENTON COUNTY, WASHINGTON LYING WESTERLY OF THE SOUTHERLY PROJECTION OF THE EAST LINE OF THAT PARCEL CONVEYED TO THE KENNEWICK SCHOOL DISTRICT #17 IN QUIT CLAIM DEED RECORDED UNDER AUDITOR'S FILE NO. 2016-005352 AS DEPICTED ON SURVEY4730, RECORDED UNDER AUDITOR'S FILE NO. 2016-009373.

CONTAINING 681 SQUARE FEET, MORE OR LESS.

Property Owner: René and Velina Perez
4826 W Metaline Avenue
Kennewick, WA 99336

Applicant: Knutzen Engineering
c/o Paul Knutzen
5401 Ridgeline Drive
Kennewick, WA 99338

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	June 4, 2021
Determination of Completeness Issued	June 4, 2021
Notice of Application Posted	June 8, 2021
SEPA Threshold Determination Issued	June 29, 2021
Property Posting Sign for SEPA Determination	June 29, 2021
SEPA Appeal Period	July 14, 2021
Date of Mailed Notice of Public Hearing	July 2, 2021
Property Posting Sign for Public Hearing	July 2, 2021
Date of Published Notice of Public Hearing	July 4, 2021

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Vicinity Map
4. Comprehensive Plan Map
5. Zoning Map
6. Notice of Mailing
7. SEPA DNS Adoption

Zoning adjacent to the site:

North: Industrial, Light (IL)

East: Residential, Low Density (RL)

South: Residential, Medium Density (RM)

West: Public Facility (PF)

Applicable Goals and Policies of the Comprehensive Plan:

Essential Public Facilities Goals and Policies:

Goal 2: The location of Essential Public Facilities shall be compatible with the land use plan and policies.

Policy 3: Essential public facilities should be equitably located throughout the City, county and state. No jurisdiction should absorb a disproportionate share.

Kennewick Municipal Code Findings:

The following findings shall 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:

- a. The proposed amendment conforms with the comprehensive plan; and
Staff Response: The proposed Change of Zone conforms to the comprehensive plan because the PF zoning district is an implementing zoning district of the site's current Public Facility Land Use Designation.
- b. Promotes the public necessity, convenience and general welfare; and

Staff Response: The proposed Change of Zone will allow the Kennewick School District to design and utilize a safer and more efficient ingress and egress point to the revised Kamiakin High School parking lot.

- c. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and
Staff Response: The proposed Change of Zone will not impose additional burdens on public facilities. Future development will be required to meet applicable levels of service.
- d. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
Staff Response: The proposed amendment will establish a zoning district that complies with Comprehensive Plan. The PF zone is an implementing zone of the site's Public Facility Land Use Designation.
- e. Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.
Staff Response: The finding is not applicable; the proposed zoning district is not a single-family residential zone.

Public Comments:

The public submitted no comments.

Agency Comments:

No agency comments were submitted.

Staff Analysis of Proposal & Discussion:

The City annexed the site on April 15, 1975 via Ordinance 1802. On August 21, 2001, the City adopted Ordinance 3986, which established the current zoning of RL for the site as part of an area-wide rezone. The City approved the amendment to change the site's land use designation from Low Density Residential to Public Facility during the City's 2020 Comprehensive Plan Amendment Cycle.

The proposed Change of Zone (COZ 21-08), is a request to change the zoning district for .02-acres of a .26-acre lot located at 4826 W Metaline Avenue, from RL to PF. Pursuant to Table 1 of the Comprehensive Plan, the PF zoning district is an implementing zoning district of the Public Facility 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(21) the purpose of PF zoning district is as follows:

PF - 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.

Pursuant to Kennewick Municipal Code 18.03.060, the applicant will be required to complete a boundary line adjustment soon after approval of the proposed Change of Zone. The property lines must match the zone boundary so the property will not have more than one zoning district on it.

Future development of the entire site will be limited to only the permitted uses of the PF zoning district. Development will be subject to meeting applicable concurrency

requirements, which include utility and street improvements. The applicant stated that the property will be used as an access point to the redesigned Kamiakin High School Parking Lot.

The proposed findings meet the requirements of KMC 18.51.070(2).

Findings:

1. The applicant is Knutzen Engineering, c/o Paul Knutzen, 5401 Ridgeline Drive, Suite 160, Kennewick, WA 99338.
2. The property owner is René and Velina Perez, 4826 W Metaline Avenue, Kennewick, WA 99336.
3. The proposed change of zone is located at 4826 W Metaline Avenue. Parcel Numbers: 1-3399-101-2791-001.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Public Facility.
5. The City changed the land use designation for the site on February 16, 2021 as part of the 2020 Comprehensive Plan Amendment Cycle.
6. The request is to change the zoning from Residential, Low Density to Public Facility.
7. The Public Facility Zoning District is an implementing zone of the Public Facility Comprehensive Plan Land Use Map Designation.
8. On June 4, 2021, the application was submitted and declared complete for processing.
9. The application was routed for review to City Departments and outside agencies for comment on June 6, 2021.
10. Access to the site is via W Metaline Avenue.
11. The Environmental Determination of Non-Significance, ED 20-07/PLN-2020-00693, was adopted on June 29, 2021.
12. The Property Posting sign for the public hearing was posted on site July 2, 2021.
13. Notice of the public hearing for this application was published in the Tri-City Herald on July 4, 2021. Notices were also mailed to property owners within 300 feet of the site on July 2, 2021.
14. The proposed amendment conforms to 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 Comprehensive Plan Land Use Designation of Public Facility.
2. Approval will not result in an increase of adverse environmental impacts.

3. Approval will implement Essential Public Facilities Goals and Policies Land Use Goal 2 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 complies 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 21-08 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ 21-08 and recommend approval of the request to City Council.

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

PROJECT # _____ - _____ PLN- _____ - _____ 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 Change of Zone _____

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

Applicant: Knutzen Engineering, Paul Knutzen

Address: 5401 Ridgeline Dr, Suite 160, Kennewick WA 99338

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

Property Owner (if other than applicant): Kennewick School District, Dustin Fisk

Address: 5501 W Metaline Ave, Kennewick WA 99336

Telephone: (509) 222-7024 Cell Phone: _____ E-mail dustin.fisk@ksd.org

SITE INFORMATION

Parcel No. 133991012791001 Acres 0.02 Zoning: RL

Address of property: 4826 W Metaline Ave, Kennewick WA 99336

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

Present use of property Undeveloped Lot

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

Height of building: N/A Cubic feet of excavation: N/A Cost of new construction N/A

Benton County Assessor Market Improvement Value: _____

Description of Project: A change of zone from Residential Low Density (RL) to Public Facility (PF).

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: 06/04/2021

Signature of owner or owner's authorized representative _____

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 it does. The school district owns the small parcel of Low Density Residential (RL) which is adjacent to parcels currently being used as Kamiakin High School. Part of a new driveway for a new parking lot is proposed for the parcel as part of the Kamiakin High School Modernization. This amendment will allow the Kennewick School District to utilize the property to its maximum potential to serve the public by providing efficient land use, including parking and traffic circulation.

2. Are there sites presently available on the market which are correctly zoned for the proposed use? Are these sites within a 1/2 mile of the proposed site? Within 1 mile of the proposed site? If yes, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized:

No, this is the only site adjacent to the existing school that would function for the desired purpose. The location offers parking and traffic circulation advantages because it would allow a new driveway to be constructed adjacent to an existing intersection.

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

Yes, it is directly connected to land already being used as Kamiakin High School. It is also in agreement with the City of Kennewick Comprehensive Plan.

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

The site is currently undeveloped and not being used. Existing uses in the area include public facility usage of the high school as well as residential usage of nearby homes. The uses do not currently conflict with the current zoning of the parcel. However, as the high school expands, the parcel would better serve as public facility in order to provide for better traffic circulation.

5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain.

No, the amendment will not change current uses in the general area.

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

The current zoning does not allow for the construction of public facilities on the property, which is the desired use.

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

No, the proposed amendment will not have any adverse effect on any residential character.

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

The proposed amendment is not expected to significantly affect property values.

9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain:

No, this will not set any precedent for other proposals. It will not change the appearance or usage of the general area.

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

The improved traffic flow at the beginning and end of the school day could appeal to current owners and residents and the nearby houses and apartments. However, it is not expected to cause significant benefits to any area.

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

No, this is not expected.

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

No. The amendment will have no effect on potential land uses, and will only help to improve transportation patterns. The change will enable a second driveway to be built to the proposed parking lot, at the location of an existing intersection. This would allow for more efficient traffic circulation which could improve traffic safety.

Site Map

EXHIBIT 3



July 28, 2020

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

CountyParcelLayer	WaterMainline	Apartment	Mobile Home
SewerMainline	SurveyAddressPoint	Building	Parcel
StreetName	<all other values>	Condo	



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

Comprehensive Plan Map

EXHIBIT 4



July 6, 2021

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

CountyParcelLayer **SurveyAddressPoint**

StreetName

<all other values>

Apartment

Building

Condo

Mobile Home

Parcel



1 inch = 300 feet

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus

ArcGIS WebApp Builder
City of Kennewick

Zoning Map

EXHIBIT 5



July 2, 2021

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

CountyParcelLayer **SurveyCityLimits**

StreetName

- SV_CI_KENNEWICK_10
- SV_CI_RICHLAND_10

- SV_CI_COUNTY_10
- SurveyUrbanGrowthBoundary
- SurveyParcelZoningLabel

SurveyParcelIDLabel



1 inch = 80 feet

0 0.0075 0.015 0.03 mi

0 0.01 0.02 0.04 km

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus

ArcGIS WebApp Builder
City of Kennewick



NOTICE OF MAILING

I, Steve Donovan, on July 2, 2021
mailed 8 copies of Notice of Public Hearing
for COZ 21-08/PLN-2021-01977
to all property owners within 300 feet of the proposal
as shown on the attached list.



Signature

EXHIBIT 6

37

KENNEWICK SCHOOL DISTRICT
1000 4TH AVENUE
KENNEWICK, WA 99336

37

KENNEWICK SCHOOL DISTRICT
1001 W 4TH AVENUE
KENNEWICK, WA 99336

37

ANATOLIY & HAYDRAOVA OLENA
SHABAK
4814 W METALINE AVENUE
KENNEWICK, WA 99336

37

VLADIMAR & GALINA ROLEDER
4802 W METALINE AVENUE
KENNEWICK, WA 99336

37

WOODLAND GREEN, LLC
412 NW 5TH AVENUE, SUITE 200
PORTLAND, OR 97209

37

KAMIAKIN LIMITED PARTNERSHIP
412 NW 5TH AVENUE, SUITE 200
PORTLAND, OR 97209

37

PEREZ VELINA M & RENE A
4826 W METALINE AVENUE
KENNEWICK, WA 99336

37

KENNEWICK SCHOOL DISTRICT
C/O DUSTIN FISK
5501 W METALINE AVENUE
KENNEWICK, WA 99336

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

July 19, 2021 at 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, July 19, 2021, remotely at 6:30 p.m. or as soon as possible thereafter, to receive public comment/testimony on the below Change of Zone. Staff will be presenting analysis and the Planning Commission will make a recommendation to the City Council on the item. In response to the COVID-19 emergency, the hearing will be conducted online. To participate in the hearing use the link found at <https://www.go2kennewick.com/598/Planning-Commission>.

Project# COZ 21-08 – Knutzen Engineering submitted a Change of Zone from Residential, Low Density to Public Facility for .02 acres. The proposal is located at 4826 W Metaline Avenue. See site map on back.

Questions or 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.

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 hearing, 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.



July 28, 2020

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CountyParcelLayer		WaterMainline
SewerMainline		SurveyAddressPoint
StreetName		<all other values>

	Apartment		Mobile Home
	Building		Parcel
	Condo		



1 inch = 300 feet

1:3,600

0 0.0275 0.055 0.11 mi

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



Development Services Division
Community Planning
210 W 6th Ave
Kennewick, WA 99336

STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NONSIGNIFICANCE
ADOPTION of EXISTING DOCUMENT

June 29, 2021

Lead Agency: City of Kennewick

Agency Contact: Steve Donovan, Steve.Donovan@ci.kennewick.wa.us, 509-585-4361

Agency File Number: COZ 21-08/PLN-2021-01977

Description of proposal: To change the zoning of a .02-acre site from Residential, Low Density to Public Facility.

Location of proposal: Parcel Number 1-3399-101-2791-001, located at 4826 W Metaline Avenue.

Name, phone, e-mail of Applicant/Proponent: Knutzen Engineering, c/o Nathan Machiela, 509-222-0959 nathan@knutzenengineering.com

Title of document being adopted: Determination of No-Significance, ED 20-07/PLN-2020-00693

Date adopted document was prepared: August 5, 2020

Description of document (or portion thereof) being adopted: The City of Kennewick issued the Determination of Non-Significance for a comprehensive plan amendment land use amendment to change the land use designation from Low Density Residential to Public Facility. The determination was not appealed.

The adopted document is available at: Attached

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

City of Kennewick has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This determination is based on the following findings and conclusions:

All documentation submitted for the Determination of Non-Significance, ED 20-07/PLN-2020-00693, listed the applicant's intentions to rezone the property to Public Facility. Future development of the site will require additional environmental review.

This DNS is issued under WAC 197-11-340(2) and no comment period is required.

Responsible Official:

Gregory McCormick, AICP

210 W 6th Avenue

Kennewick, WA 99336

(509)-585-4463

Gregory.McCormick@ci.kennewick.wa.us

Signature

Date June 29, 2021

Appeal process: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued and no later than 5 p.m. 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.



PUBLIC WORKS DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: ZOA 21-02/AMD-2021-01704

Public Hearing Date: July 19, 2021

Proposal: Amend Kennewick Municipal Code (KMC) Chapters 17.10.260, 17.12.055 and 17.13.095 – to provide consistency in construction improvement requirements for final plats and final binding site plans.

Applicant: City of Kennewick, Public Works Department

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

Background:

Prior to final plat approvals or final binding site plan approvals, certain public rights-of-way improvements and utilities must be constructed. Likewise, certain items may be bonded to assure future completion of improvements. Current KMC sections are not consistent in the treatment of these construction improvements and bonding related to final approvals for long plats, short plats and binding site plans.

Discussion and Analysis:

The proposed amendments clarify requirements to achieve final plat or final binding site plan approvals, and make the requirements consistent for all plat and binding site plan actions. They also introduce flexibility to encourage paving of streets in warmer weather, while allowing final plat and final binding site plan approval through bonding for pavement. Paving in cold late autumn weather can lessen the service life of asphalt. Other items that may be bonded, rather than completed prior to final plat or final binding site plan approval, include sidewalks, landscaping and similar improvements.

The amendments also introduce identical requirements for long plats, short plats and binding site plans, whereas the existing code has discrepancies between them.

Staff introduced these proposed code amendments during the April 21, 2021 Developers Forum and received favorable comments. The proposed amendments were posted on the City Public Works website and no negative comments were received.

Regulatory Controls and Policies

- Kennewick Municipal Code Chapters 17.10.260, 17.12.055 and 17.13.095.

Findings of Fact:

1. The City fulfilled the State Environmental Policy Act requirements by issuing a Determination of Non-significance (DNS) on June 9, 2021.

2. The proposed code amendments provide consistency and flexibility to City subdivision development and approvals.
3. Notice of the proposed code revision (expedited review request) was sent to the Washington State Department of Commerce on May 19, 2021, consistent with the requirements of RCW 36.70A.106.
4. The City received confirmation of expedited review and notice that the City has met the Growth Management Act notice to state agency requirements from the Washington State Department of Commerce on June 2, 2021.
5. Notice of the public hearing for this application was published in the Tri-City Herald on July 4, 2021.

Conclusions of Law:

1. The proposed amendments will promote the orderly development and approval of plats and binding site plan by providing consistency and flexibility to the process, saving time and money for both developers and the City.
2. The staffs proposed amendments do not conflict with the goals and policies of the Comprehensive Plan.

Staff Recommendation:

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

Motion:

I move that the Planning Commission concur with the findings and conclusions in the staff report ZOA 21-02/AMD-2021-0170419-06 and recommend to City Council approval of the revisions to KMC Chapters 17.10.260, 17.12.055 and 17.13.095 as modified by City staff.

Exhibits:

1. Staff Report
2. Proposed amendment to KMC Chapters 17.10.260, 17.12.055 and 17.13.095.
3. Environmental Determination of Non-significance ED 21-25/PLN-2021-01703.

LONG PLAT (>= 10 lots)**17.10.260: - Construction of Improvements.**

Prior to final plat approval:

- (1) ~~a~~ All public rights-of-way must be improved and utilities installed to the minimum requirements of this code and the preliminary plat. Improvements may be greater than the minimum requirements, subject to approval of the Public Works Director ~~City Engineer~~.
- (2) All required infrastructure improvements must be substantially completed as approved by the Public Works Director. Minor improvements consisting only of sidewalks and landscaping where applicable, or similar improvements, as determined solely by the Public Works Director may be secured by a bond.

When street paving cannot be completed until after October 1st, the Public Works Director may allow for the bonding of asphalt paving, with the conditions that 1) all other utility and street improvements (except sidewalk and landscaping) are completed and accepted by the City; 2) the crushed rock surface of the street will be maintained by the Contractor in a smooth drivable condition until it is paved; 3) all manholes and catch basins will be protected from intrusion of gravel and sediment; 4) all manholes, catch basins, water valves and fire hydrants will be protected and kept accessible; and 5) unpaved streets shall be signed and barricaded as Road Closed – Construction Access Only.
- (3) In lieu of ~~required completion of these minor~~ improvements, prior to recording of the plat, a plat bond issued by a licensed corporate surety or two individual sureties or other approved surety must be provided, to the full amount of the cost of such work, as estimated or approved by the Public Works Director ~~City Engineer~~, including construction inspection costs, but in no case less than \$2,000.00.
- (4) All or a portion of security will be released upon acceptance of the improvements by the Public Works Director ~~City Engineer~~, or upon substitution of another guarantee or approved bond or security.
- (5) All streets and other public rights-of-way must be improved within two years after final plat approval, in accord with the approved plans. If, after two years, all ~~improvements public rights-of-way~~ are not so improved, the City will cause the ~~improvements streets~~ to be provided improved in accord with the approved plans, and the costs thereof must be paid by the bonding company, or out of the savings account assignment or other security.
- (6) In lieu of the plat bond, a cash bond, a certified check, an irrevocable letter of credit, or other surety approved by the City Manager and City Attorney, equal to the cost of improvement may be posted. In addition, the City may require security up to two years against any defect in workmanship or materials in the installation of the improvements.
- (7) Improvements must be designed and certified by a registered civil engineer prior to the acceptance.
- ~~(4)~~ (8) All city utility and street improvements must be approved by the Public Works Director ~~City Engineer~~ prior to final inspection and occupancy of any structure within the plat.

(Ord. 5280 Sec. 1, 2010)

BINDING SITE PLAN**17.12.055: - Construction of Improvements.**

Prior to final binding site plan approval:

- (1) All public rights-of-way must be improved and utilities installed to the minimum requirements of this code and the binding site plan. Improvements may be greater than the minimum requirements, subject to approval of the Public Works Director.
- (2) All required infrastructure improvements must be substantially completed as approved by the Public Works Director. Minor improvements consisting only of sidewalks and landscaping where applicable, or similar improvements, as determined solely by the Public Works Director may be secured by a bond.

When street paving cannot be completed until after October 1st, the Public Works Director may allow for the bonding of asphalt paving, with the conditions that 1) all other utility and street improvements (except sidewalk and landscaping) are completed and accepted by the City; 2) the crushed rock surface of the street will be maintained by the Contractor in a smooth drivable condition until it is paved; 3) all manholes and catch basins will be protected from intrusion of gravel and sediment; 4) all manholes, catch basins, water valves and fire hydrants will be protected and kept accessible; and 5) unpaved streets shall be signed and barricaded as Road Closed – Construction Access Only.

- (3) In lieu of completion of these minor improvements, prior to recording of the binding site plan, a bond issued by a licensed corporate surety or two individual sureties or other approved surety must be provided, to the full amount of the cost of such work multiplied by 125 percent, as estimated or approved by the Public Works Director, including construction inspection costs, but in no case less than \$2,000.00.
- (4) All or a portion of security will be released upon acceptance of the improvements by the Public Works Director, or upon substitution of another guarantee or approved bond or security.
- (5) All streets and other public rights-of-way must be improved within two years after binding site plan approval, in accord with the approved plans. If, after two years, all improvements are not so improved, the City will cause the improvements to be provided in accord with the approved plans, and the costs thereof must be paid by the bonding company, or out of the savings account assignment or other security.
- (6) In lieu of the bond, a cash bond, a certified check, an irrevocable letter of credit, or other surety approved by the City Manager and City Attorney, equal to the cost of improvement multiplied by 125 percent may be posted. In addition, the City may require security up to two years against any defect in workmanship or materials in the installation of the improvements.
- (7) Improvements must be designed and certified by a registered civil engineer prior to the acceptance.
- (8) All city utility and street improvements must be approved by the Public Works Director prior to issuance of a building permit for any structure within the binding site plan.

(Ord. 5704 Sec. 1, 2017)

SHORT PLAT (<10 lots)

17.13.095: - Construction of Improvements.

Prior to final plat approval:

- (1) All public rights-of-way must be improved and utilities installed to the minimum requirements of this code and the preliminary plat. Improvements may be greater than the minimum requirements, subject to approval of the Public Works Director.

- (2) All required infrastructure improvements must be substantially completed as approved by the Public Works Director. Minor improvements consisting only of sidewalks and landscaping where applicable, or similar improvements, as determined solely by the Public Works Director may be secured by a plat bond.

When street paving cannot be completed until after October 1st , the Public Works Director may allow for the bonding of asphalt paving, with the conditions that 1) all other utility and street improvements (except sidewalk and landscaping) are completed and accepted by the City; 2) the crushed rock surface of the street will be maintained by the Contractor in a smooth drivable condition until it is paved; 3) all manholes and catch basins will be protected from intrusion of gravel and sediment; 4) all manholes, catch basins, water valves and fire hydrants will be protected and kept accessible; and 5) unpaved streets shall be signed and barricaded as Road Closed – Construction Access Only.

- (3) In lieu of completion of these minor improvements, prior to recording of the short plat, a plat bond issued by a licensed corporate surety or two individual sureties or other approved surety must be provided, to the full amount of the cost of such work, as estimated or approved by the Public Works Director, including construction inspection costs, but in no case less than \$2,000.00.
- (4) All or a portion of security will be released upon acceptance of the improvements by the Public Works Director, or upon substitution of another guarantee or approved bond or security.
- (5) All streets and other public rights-of-way must be improved within two years after final plat approval, in accord with the approved plans. If, after two years, all improvements are not so improved, the City will cause the improvements to be provided in accord with the approved plans, and the costs thereof must be paid by the bonding company, or out of the savings account assignment or other security.
- (6) In lieu of the plat bond, a cash bond, a certified check, an irrevocable letter of credit, or other surety approved by the City Manager and City Attorney, equal to the cost of improvement multiplied by 125 percent may be posted. In addition, the City may require security up to two years against any defect in workmanship or materials in the installation of the improvements.
- (7) Improvements must be designed and certified by a registered civil engineer prior to the acceptance.

- (8) All city utility and street improvements must be approved by the Public Works Director prior to final inspection and occupancy of any structure within the plat.

(Ord. 5686 Sec. 13, 2016)



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

Phone: (509) 585-4280

cedinfo@ci.kennewick.wa.us

DETERMINATION OF NON-SIGNIFICANCE

FILE/PROJECT NUMBER: ED 21-25 / PLN-2021-01703 & ZOA 21-02 / AMD-2021-01704

DESCRIPTION OF PROPOSAL: Zoning Ordinance Amendment to amend certain sections of the Kennewick Municipal Code, Title 17: "Subdivisions". It is proposed that Section 17.10.260: "Long Plat (>= 10 lots) - Construction of Improvements", Section 17.12.055: "Binding Site Plan - Construction of Improvements", and Section 17.13.095: "Short Plat (<10 lots) - Construction of Improvements" be amended.

PROPONENT: City of Kennewick Public Works Department

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: N/A

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: 9 June 2021

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 emailed to Benton Clean Air Authority, Confederated Tribes of Umatilla Indian Reservation, Department of Ecology SEPA Register, Department of Fish & Wildlife, Department of Natural Resources, Washington State Department of Transportation.