
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 August 2, 2021
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. PUBLIC HEARING:

- a. Change of Zone (COZ) #21-09 for 325.99 acres located on the N. & S. sides of Bob Olson Pkwy between Desert Hills Middle School & the existing City limits consistent with the Comprehensive Plan. Applicant is City of Kennewick.
- b. Comprehensive Plan Amendment (CPA) #21-01 from Low Density Residential (LDR) to Medium Density Residential (MDR).
- c. Comprehensive Plan Amendment (CPA) #21-02 from Low Density Residential (LDR) to Medium Density Residential (MDR).
- d. Comprehensive Plan Amendment (CPA) #21-03 from Commercial to High Density Residential (HDR).
- e. Comprehensive Plan Amendment (CPA) #21-04 from Industrial (I) to Commercial (C).
- f. Comprehensive Plan Amendment (CPA) #21-05 from Commercial (C) to Medium Density Residential (MDR).
- g. Comprehensive Plan Amendment (CPA) #21-06 from Commercial (C) to High Density Residential (HDR).
- h. Comprehensive Plan Amendment (CPA) #21-07 from Commercial (C) to Low Density Residential (LDR).
- i. Comprehensive Plan Amendment (CPA) #21-08 from Commercial (C) to High Density Residential (HDR).
- j. Comprehensive Plan Amendment (CPA) #21-09 from High Density Residential (HDR) to Commercial (C).
- k. Comprehensive Plan Amendment (CPA) #21-10 from Low Density Residential (LDR) to Commercial (C).
- l. Comprehensive Plan Amendment (CPA) #21-11 from Low Density Residential (LDR) to Commercial (C).
- m. Comprehensive Plan Amendment (CPA) 21-12 to address goals & policies related to nexus & rough proportionality when development exactions are required & mitigation of impacts caused by development.

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
August 2, 2021
VIRTUAL 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. Please activate your mute button at the bottom of your computer screen when not speaking”.

Community Planning Administrative Assistant Melinda Didier called the roll and found the following logged into the Webinar:

Present: Commissioners James Hempstead, Ken Short, Thomas Helgeson, Anthony Moore, Vice Chairman Clark Stolle, Chairman Victor Morris.

Excused: None

Unexcused: None

Staff Present: Anthony Muai, AICP Interim Planning Director; Steve Donovan, AICP Senior Planner, Matt Halitsky, Planner, Bruce Mills, Deputy Public Works Director, Melinda Didier, Community Planning Administrative Assistant.

Chairman Morris made the following statement:

“Next item is the Approval of the Consent Agenda. All matters listed within the Consent Agenda have been distributed to each member of the Kennewick Planning Commission for reading and study, are considered to be routine, and will be enacted by one motion of the Planning Commission with no separate discussion.”

Commissioner Moore moved to approve the Consent Agenda; Commissioner Helgeson seconded the motion. The motion passed unanimously on a roll call vote.

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of May 17, 2021 Minutes
- c. Motion to enter Staff Reports into the Record

PUBLIC HEARINGS

Chairman Morris opened the virtual public hearing at 6:36 p.m. for Change of Zone 21-08/PLN-2021-01977, proposing to change the zoning designation for approximately .02 acres located generally 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.

Mr. Donovan gave a brief overview of the staff report, and shared a Power Point presentation of the staff report.

Planning Commission questions:

None

Testimony of Applicant/Applicant's Representative:

None

Webinar Participant Comments:

None

Testimony in Favor of the Request:

None

Testimony Neutral/Against the Request:

None

Staff Comments:

None

Public Testimony for COZ 21-08 closed at 6:40 p.m.

Chairman Morris asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in staff report COZ 21-08 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Helgeson seconded the motion.

Planning Commission Discussion:

None

The motion passed on a unanimous roll call vote.

Chairman Morris opened the virtual public hearing at 6:41 p.m. for 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.

Mr. Mills gave a brief overview of the staff report, and shared a Power Point presentation of the staff report.

Planning Commission questions: How long bonding oversight has been going on; is there flexibility to pave beyond October with a bond; is 2 years completion part of the permit/agreement; during the April Developer's Forum, what were the concerns; how long is the bond good for, does the City keep track of it.

Testimony of Applicant/Applicant's Representative:

None – City of Kennewick is applicant.

Webinar Participant Comments:

None

Testimony in Favor of the Request:

None

Testimony Neutral/Against the Request:

None

Staff Comments:

None

Public Testimony for ZOA 21-02 closed at 6:52 p.m.

Chairman Morris asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in staff report ZOA 21-02 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Helgeson seconded the motion.

Planning Commission Discussion:

None

The motion passed on a unanimous roll call vote.

OLD BUSINESS:

- a. **City Council Action Updates** – None.

NEW BUSINESS:

- a. 2021 Comprehensive Plan Amendment Review Workshop

Mr. Muai gave a general overview of the twelve Comprehensive Plan Amendments in the 2021 cycle, with August 16th going before the Planning Commission and to the City Council for approval first meeting in October. Mr. Halitsky reviewed CPA 21-01 through CPA 21-05; Mr. Donovan reviewed CPA 21-06 through CPA 21-11; Mr. Muai reviewed CPA 21-12.

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

None.

ADJOURNMENT:

The meeting adjourned at 7:43 p.m.



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

Phone: (509) 585-4280

cedinfo@ci.kennewick.wa.us

August 9, 2021

To: Planning Commisison

From: Anthony Muai, AICP – Interim Planning Director

RE: COZ 21-09/PLN-2021-00742 – Public hearing not required

A public hearing has been scheduled to establish zoning for 325.99 acres in preparation for annexation consistent with the pre-zoning designation of agriculture. While researching for the staff report, it was discovered that the pre-zoning for the area had been redesignated in 2011 as part of a process to establish the boundary of the Southridge Subarea, clarify the land use designations and tie zoning to parcel lines. This was done by Ordinance 5385.

Based on this discovery, the zoning does not need to be established and a public hearing is not required or needed. Staff proposes that this item be removed from the agenda.

Staff Recommendation: Staff recommends that this item be removed from the agenda.

Motion: I move to remove item 3.a. from the agenda.



Community Planning Department

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Kennewick, WA 99336

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Comprehensive Plan Amendment 21-01

REQUEST: Change the land use designation of 0.6887 acres from Low Density Residential (LDR) to Medium Density Residential (MDR)

APPLICANT: Jeffrey Robbins

OWNER: Jeffrey Robbins



CPA 21-01/PLN-2021-00781 Land Use Map

Open Space	Medium Density Residential	Mixed Use	Industrial
Low Density Residential	High Density Residential	Commercial	Public Facility



Not to scale

SITE INFORMATION

- **Size:** 0.6887 acres
- **Location:** 1831 W 19th Avenue
- **Topography:** Flat
- **Existing Comprehensive Plan Designation:** Low Density Residential
- **Existing Zoning:** Residential, Low (RL)
- **Existing Land Use:** Single Family Home

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination

APPLICATION PROCESS

- Application Submitted 8 March 2021
- Application routed for comments 16 June 2021
- Determination of Non-Significance was issued on 1 July 2021
- Appeal Period for the DNS ended 15 July 2021
- A property posting sign notifying the public of a public hearing on this request was posted on the site on 29 July 2021
- Notice of Hearing published 1 August 2021
- Notice of Hearing mailed 29 July 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Low Density Residential Zoning – Residential, Low (RL) Existing Land Uses – Single Family Neighborhood
South	Comprehensive Plan –Medium Density Residential Zoning –Residential, Medium (RM) Existing Land Uses –Multi-family Residential Development
East	Comprehensive Plan – Low Density Residential and Medium Density Residential Zoning – Residential, Low (RL) and Residential, Medium (RM) Existing Land Uses – A single family home is adjacent with multi-family development beyond
West	Comprehensive Plan – Medium Density Residential Zoning – Residential, Medium (RM) Existing Land Uses – Multi-family residential development

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant requests to change 0.6887 acres from Low Density Residential to Medium Density Residential.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses which may have the potential to negatively impact the public health, safety, welfare and protection of the environment.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.

4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The proposed amendment does not address an identified deficiency in the Comprehensive Plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
The proposal will allow additional dwelling units to be constructed on site, in keeping with adjacent development on the block and in the neighborhood to the east, south, and west. New construction shall be consistent with the adopted Multi-family Design Standards.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
As the site does not contain any designated open space or critical areas, there will be little effect if any on open space or natural features. There are adequate measures within the Kennewick Municipal Code to mitigate any possible impacts to the natural environment; there are no sensitive natural features on site.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal is consistent with existing land use patterns to the east, south, and west which, with the exception of the property immediately adjacent to the east, is already designated Medium Density Residential. As indicated above, new development will be required to meet the adopted Multi-family Design Standards, which mandate landscaping and lighting requirements to minimize impacts to adjacent properties.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future use of the property will determine the adequacy and impact on community facilities. Currently, public amenities such as water, sewer, and transit exist along W 19th Avenue adjacent to the subject property. Neither the Public Works nor the Fire Departments have commented on the proposed application. Both will have an opportunity to comment and require upgrades once a future development application is submitted.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Comprehensive Plan Table 2: Land Inventory indicates the City has a surplus of 248 acres for lands designated Medium Density Residential. This surplus is not excessive and likely does not take into account the growth of the community over the past five years. As the block on which the subject property is located is slowly transitioning to more dense development, and the parcel is largely surrounded on three sides by Medium Density Residential, the proposal appears consistent with the current development patterns of the neighborhood.
6. The current and projected project density in the area; and
The subject property is currently zoned Residential, Low, with one dwelling unit on site. The proposed designation will allow residential development at 13 units per acre. Thus, a maximum of 9 units could potentially be built on the subject property.
7. The effect, if any upon other aspects of the Comprehensive Plan.
The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Staff has received no public comment concerning the proposal to date.

AGENCY COMMENTS

The Benton Clean Air Agency (BCAA) submitted comments on 23 June 2021 informing the applicant of Soil Destabilization Notification requirements relative to future construction.

ANALYSIS OF REQUEST

The current request to change the land use designation of the subject property from Low Density Residential to Medium Density Residential will facilitate a rezone from Residential, Low (RL) to Residential, Medium (RM), allowing additional dwelling units to be constructed behind the existing single family dwelling on site. Though a maximum of nine units may be allowed under the proposed zoning, according to the application the owner intends to construct 4-6 additional units.

The block on which the subject property is located is slowly transitioning from single-family to more dense, multi-family development. The proposed land use designation change continues that trend. Public amenities such as water, sewer, and transit currently exist along 19th Avenue, supporting additional density. In addition, the additional dwelling units are congruous with and less intensive than the recent multi-family development immediately adjacent to the west. Allowing additional density at this location is consistent with the surrounding neighborhood and supports a variety of housing options at a time when stock is limited in the community.

To date, no public comment has been received either for or against the applicant's proposal.

FINDINGS

1. The applicant is Jeffrey Robbins, 290 Moore Road, Pasco, WA 99301.
2. The owner is also Jeffrey Robbins, 290 Moore Road, Pasco, WA 99301.
3. The request is to change the land use designation for the subject parcel from Low Density Residential to Medium Density Residential.
4. The application was received on 8 March 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on 16 June 2021.
5. The site is currently served by City water and sewer in W 19th Avenue.
6. Access to the site is currently provided from W 19th Avenue.
7. The proposed amendment is adjacent to Medium Density Residential and Low Density Residential designated lands.
8. A Determination of Non-Significance was issued on 1 July 2021 for this application. The appeal period for the determination ended on 15 July 2021.
9. A public hearing notification sign was posted on site 29 July 2021.
10. Notice of the public hearing for this application was published in the Tri-City Herald on 1 August 2021. Notices were also mailed to property owners within 300 feet of the site on 29 July 2021.
11. The proposed amendment bears a relationship to the public health, safety, welfare and protection of the environment in that it will remain in a residential zoning district that prohibits uses with the potential to negatively impact the public health, safety, welfare and protection of the environment.

12. This proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request will not address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation for the subject parcel from Low Density Residential to Medium Density Residential.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will permit and increase population densities in the area.
5. Future development of the site has the potential to affect the traffic and park system. Park and Traffic Impact Fees will be determined by the type of development and assessed at the time of development.
6. Access to the site will remain via W 19th Avenue.

Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-01 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-01 contained in the staff report and recommend to City Council approval of the request.

Aerial Map



August 5, 2021

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

StreetName

SurveyCityLimits

SurveyDimension



SV_CI_KENNEWICK_10



SV_CI_RICHLAND_10



SV_CI_COUNTY_10



SurveyUrbanGrowthBoundary

SurveyParcelZoningLabel



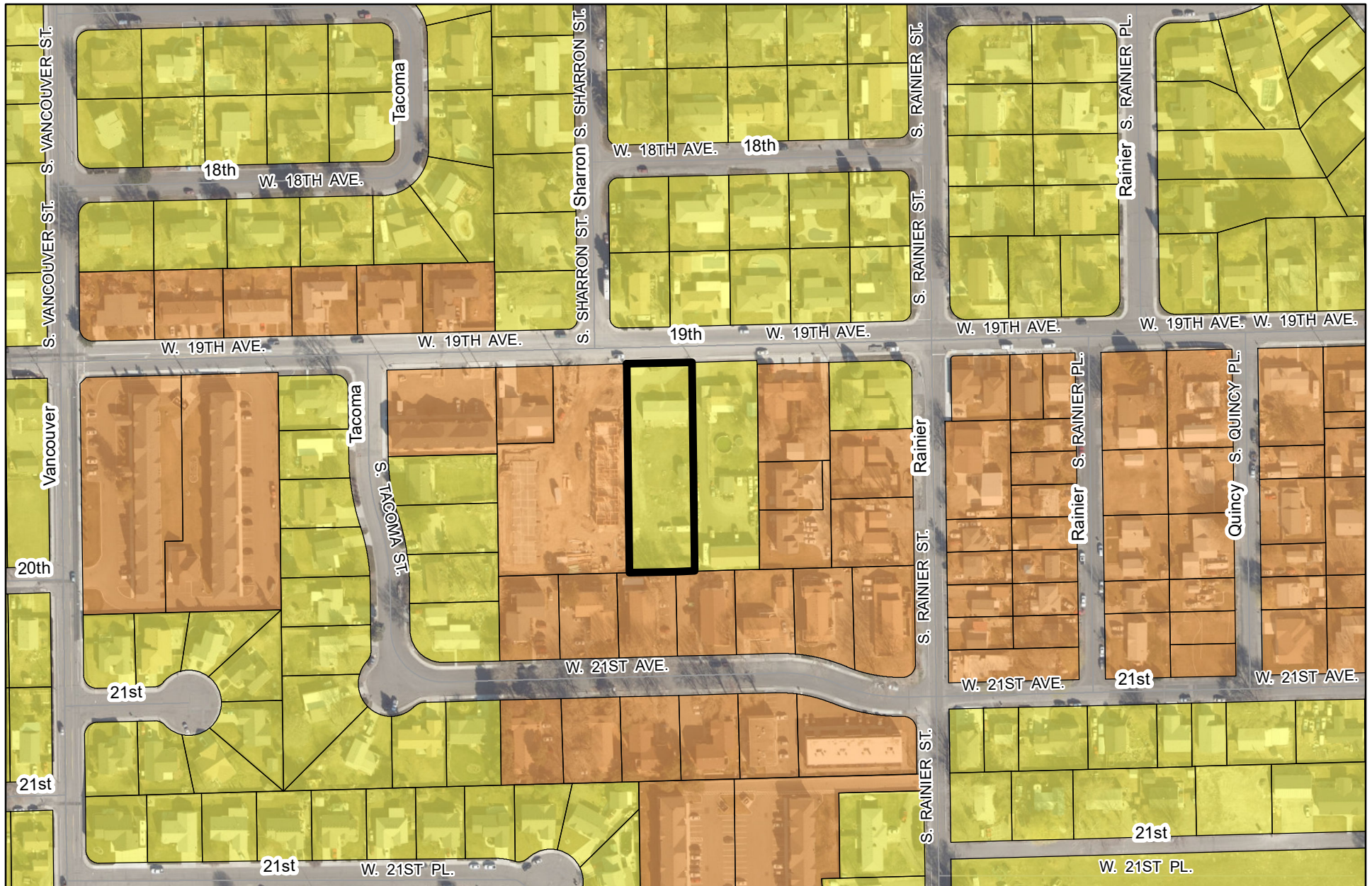
1 inch = 100 feet

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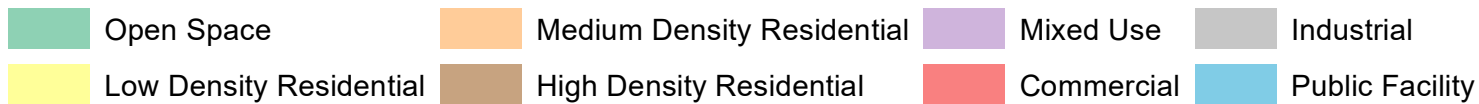
0 0.0075 0.015 0.03 mi

0 0.0125 0.025 0.05 km

Sources: Esri, HERE, Garmin,
Intermap, increment P Corp.,ArcGIS WebApp Builder
City of Kennewick



CPA 21-01/PLN-2021-00781 Land Use Map



ED 21-05 / PLN-2021-00183

Exhibit A-3

CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES

PAID

APPLICATION (general form)

PROJECT # CPA 21-01

PLN- 2021-00181

FEE \$ 1094

MAR 08 2021

CITY OF KENNEWICK

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 comprehensive plan amendment

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

Applicant: Jeffrey T. RobbinsAddress: 290 Moore Rd. Pasco WA. 99301Telephone: _____ Cell Phone (509) 987-0600 Fax: _____ E-mail _____Property Owner (if other than applicant): same

Address: _____

Telephone: _____ Cell Phone: _____ E-mail _____

SITE INFORMATION

Parcel No. 111 894 020059002 Acres .6887 Zoning: _____Address of property: 1831 W. 19th Kennewick WA. 99337

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

Present use of property single family residenceSize of existing structure: 1809 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: change from low density to medium density

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: 3-1-2021

Comprehensive Plan Amendment 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 the Comprehensive Plan Amendment request. Use additional pages if necessary.

1. State the requested amendment:

I request a zoning change to medium density residential

2. What are the reasons for the requested amendment:

At a later date, pursue building either 2 to 3 duplexes, triplexes, or a single multiplex

3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc:

There will be an increase of population eventually
There will be a better use of existing utilities

4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

This future project falls within all already existing service areas.

5. Include any other substantiated information in support of the requested amendment:

The city has expressed a desire to build within city boundaries prior to expanding boundaries



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 21-05 / PLN-2021-00783 & CPA 21-01 / PLN-2021-00781

DESCRIPTION OF PROPOSAL: Change the land use designation of 0.6887 acres from Low Density Residential (LDR) to Medium Density Residential (MDR).

PROPONENT: Jeffrey Robbins

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 1831 W 19th Ave

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: Anthony Muai, AICP

POSITION/TITLE: Interim Community Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

- ☒ Changes, modifications and /or additions to the checklist have been made on the attached Environmental Checklist Review. The Checklist was revised 14 June 2021.

This DNS is subject to the attached conditions:

- ☒ No conditions.
- ☐ See attached condition(s).

Date: 1 July 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.



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

Phone: (509) 585-4280

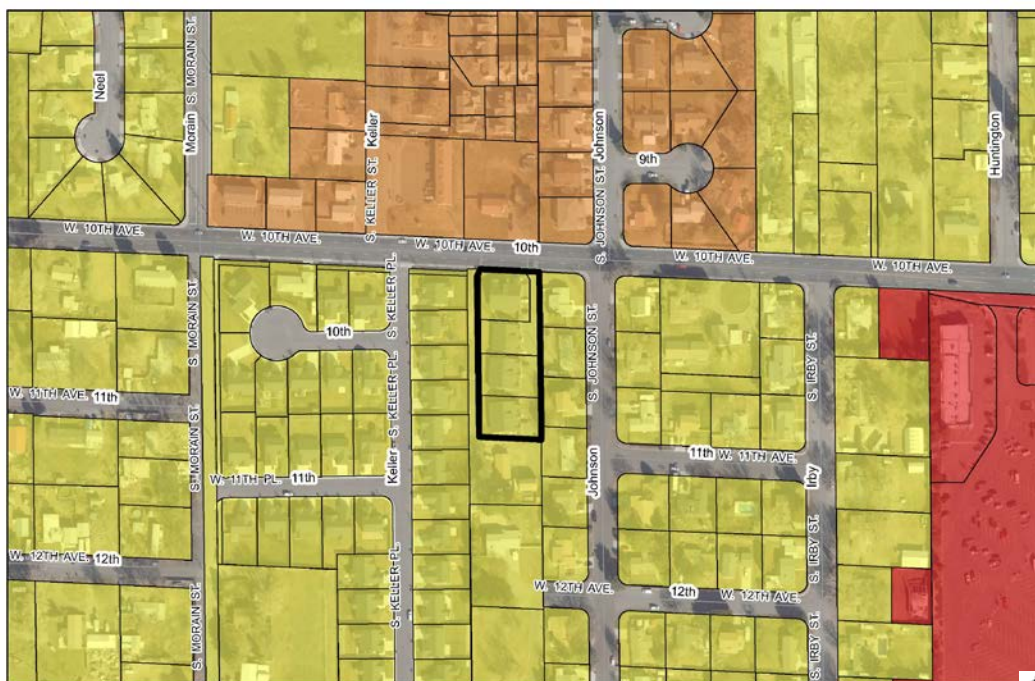
cedinfo@ci.kennewick.wa.us

Comprehensive Plan Amendment 21-02

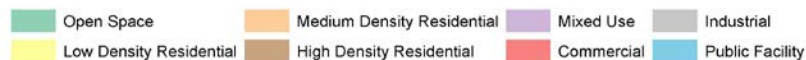
REQUEST: Change the land use designation of 0.96 acres from Low Density Residential (LDR) to Medium Density Residential (MDR)

APPLICANT: Tami Johnson, Creekstone Senior Living

OWNER: Creekstone Holdings LLC



CPA 21-02/PLN-2021-01128 Land Use Map



Not to scale

SITE INFORMATION

- **Size:** 0.96 acres
- **Location:** 3321 W 10th Avenue
- **Topography:** Flat
- **Existing Comprehensive Plan Designation:** Low Density Residential
- **Existing Zoning:** Residential, Suburban (RS)
- **Existing Land Use:** Assisted Living Facility

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination

APPLICATION PROCESS

- Application Submitted 1 April 2021
- Application routed for comments 16 June 2021
- Determination of Non-Significance was issued on 1 July 2021
- Appeal Period for the DNS ended 15 July 2021
- A property posting sign notifying the public of a public hearing on this request was posted on the site on 29 July 2021
- Notice of Hearing published 1 August 2021
- Notice of Hearing mailed 29 July 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Medium Density Residential Zoning – Residential, Medium (RM) Existing Land Uses – Mix of Single and Multi-family Residential Development
South	Comprehensive Plan –Low Density Residential Zoning –Residential, Suburban (RS) and Residential, Low (RL) Existing Land Uses –Single-family Residential Neighborhoods with Trailer Park Beyond
East	Comprehensive Plan – Low Density Residential Zoning – Residential, Low (RL) Existing Land Uses – Single-family Residential Neighborhood
West	Comprehensive Plan – Low Density Residential Zoning – Residential, Low (RL) Existing Land Uses – – Single-family Residential Neighborhood

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant requests to change 0.96 acres from Low Density Residential to Medium Density Residential.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses which may have the potential to negatively impact the public health, safety, welfare and protection of the environment. In addition, the existing development (assisted living facility) is to remain.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.

3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.
4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The proposed amendment does not address an identified deficiency in the Comprehensive Plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
The proposal will not affect the physical environment as the existing assisted living facility will remain. The applicant's intention is to consolidate the eight lots associated with the facility into one parcel.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
As indicated above, no additional impact to open space or natural features is anticipated as the property is currently developed and will remain as constructed. Additionally, as the site does not contain any designated open space or critical areas, and there are no sensitive natural features on site, there will be little effect if any on open space or natural features.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
As the development is existing, the proposal is consistent with existing land use patterns in the neighborhood. Medium Density Residential currently exists across W 10th Avenue to the north.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
No additional impact on community facilities or public amenities is anticipated as the property is currently developed, with no changes proposed.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Comprehensive Plan Table 2: Land Inventory indicates the City has a surplus of 248 acres for lands designated Medium Density Residential. This surplus is not excessive and likely does not take into account the growth of the community over the past five years. In addition, as the proposal is to accommodate the consolidation of eight lots into one, with no further development planned, tangible impacts to the quantity and location of the proposed land use type, density, and the demand for such land is not anticipated relative to the subject property.
6. The current and projected project density in the area; and
As the property is currently developed and no changes are proposed, density shall remain the same despite the change in land use designation.
7. The effect, if any upon other aspects of the Comprehensive Plan.
The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Staff has received no public comment concerning the proposal to date.

AGENCY COMMENTS

No comments have been received to-date from either outside agencies or other City departments.

ANALYSIS OF REQUEST

The applicant requests to change the land use designation of the subject property from Low Density Residential to Medium Density Residential to accommodate the consolidation of 8 existing lots into one. Current zoning (RS) does not allow for multiple dwelling units on a single parcel. As indicated above, the property is already developed with a relatively new assisted living facility, with no changes or additions planned. Existing conditions on-site and within the neighborhood will effectively remain the same despite the change in land use designation.

To date, no public comment has been received either for or against the applicant's proposal.

FINDINGS

1. The applicant is Tami Johnson of Creekstone Assisted Living Community, 3321 W 10th Ave, Kennewick, WA 99338.
2. The owner is Creekstone Holdings LLC, 3321 W 10th Ave, Kennewick, WA 99338.
3. The request is to change the land use designation for the subject parcels from Low Density Residential to Medium Density Residential.
4. The application was received on 1 April 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on 16 June 2021.
5. The site is currently served by City water and sewer in W 10th Avenue.
6. Access to the site is currently provided from W 10th Avenue.
7. The proposed amendment is adjacent to Medium Density Residential and Low Density Residential designated lands.
8. A Determination of Non-Significance was issued on 1 July 2021 for this application. The appeal period for the determination ended on 15 July 2021.
9. A public hearing notification sign was posted on site 29 July 2021.
10. Notice of the public hearing for this application was published in the Tri-City Herald on 1 August 2021. Notices were also mailed to property owners within 300 feet of the site on 29 July 2021.
11. The proposed amendment bears a relationship to the public health, safety, welfare and protection of the environment in that it will remain in a residential zoning district that prohibits uses with the potential to negatively impact the public health, safety, welfare and protection of the environment. In addition, the existing development is to remain unchanged.
12. This proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request will not address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation for the subject parcels from Low Density Residential to Medium Density Residential.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.

4. The proposed amendment will not effectively increase population densities in the area.
5. Although future development is not anticipated, Park and Traffic Impact Fees will be determined by the type of development and assessed at the time of development.
6. Access to the site will remain via W 10th Avenue.

Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-02 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-02 contained in the staff report and recommend to City Council approval of the request.

Aerial Map



August 5, 2021

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

StreetName

SV_CI_RICHLAND_10

SurveyParcelZoningLabel

SurveyCityLimits

SV_CI_COUNTY_10

SV_CI_KENNEWICK_10

SurveyUrbanGrowthBoundary



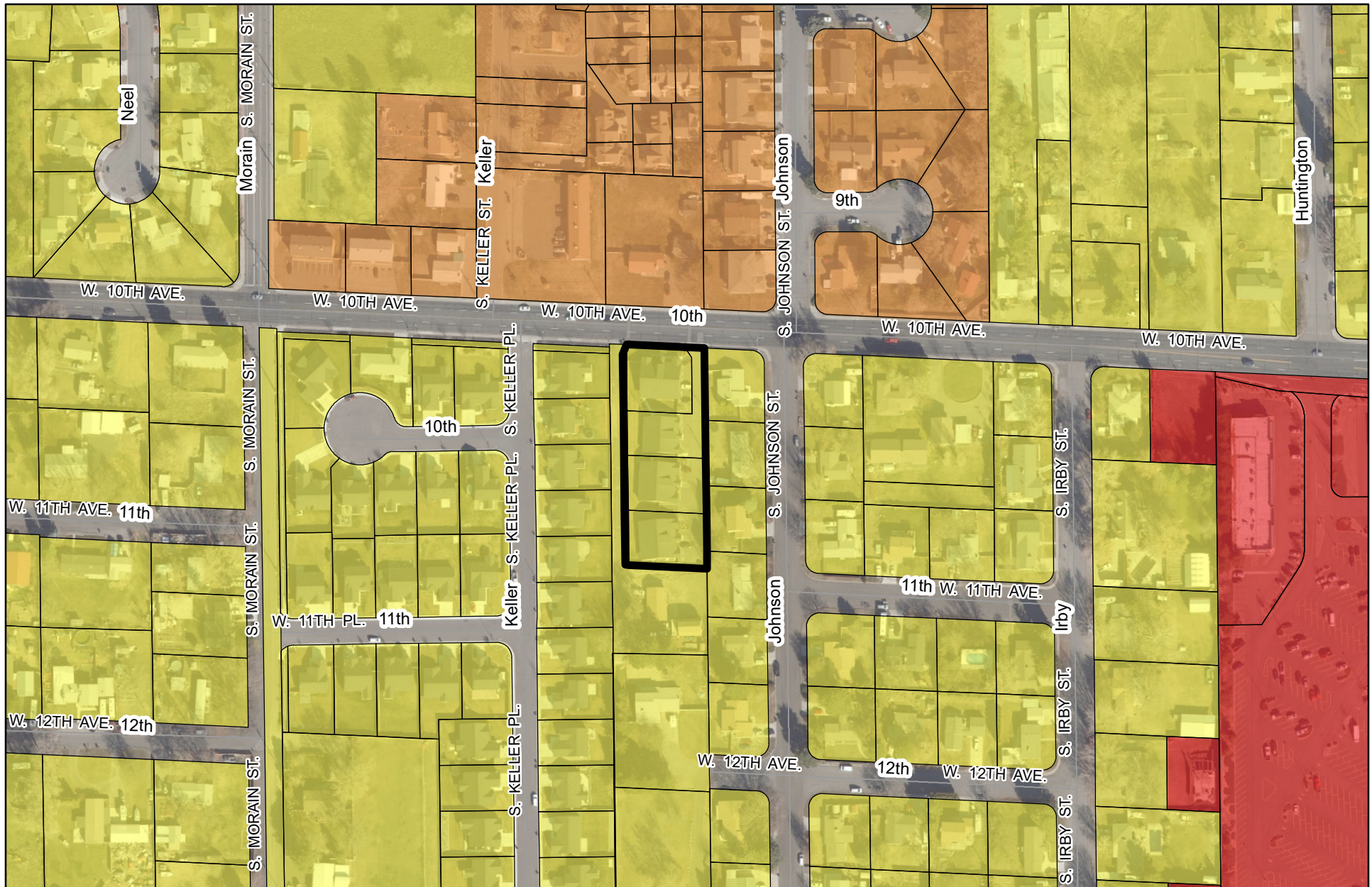
1 inch = 140 feet

1:1,680

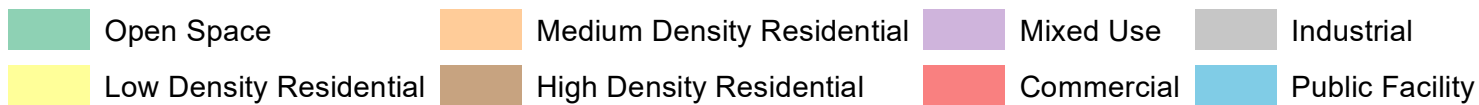
0 0.0125 0.025 0.05 mi

0 0.02 0.04 0.08 km

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



CPA 21-02/PLN-2021-01128 Land Use Map



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

PROJECT # _____ - _____ PLN- 2021 - 6/128 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 Comprehensive Plan amendment

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

Applicant: Tami Johnson - Creekstone

Address: 3321 W 16th Ave Kennewick

Telephone: 509-491-1318 Cell Phone: 509-851-8854 Fax: _____ E-mail: owner@creekstonerealestate.com

Property Owner (if other than applicant): _____

Address: _____

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

SITE INFORMATION 110891013456007, 110891013456008
110891013456003, 110891013456002, 110891013456005, 110891013456006
Parcel No. 110891013456004, 110891013456001 Acres .96 Zoning: RS

Address of property: 3321 W 10th Ave Kennewick, WA 99338

Number of Existing Parking Spaces 12 Number of Proposed (New) Parking Spaces 0

Present use of property Assisted living Community

Size of existing structure: 250 per house sq. ft. Size of Proposed addition/New structure: n/a sq. ft.

Height of building: n/a Cubic feet of excavation: 0 Cost of new construction 0

Benton County Assessor Market Improvement Value: 0

Description of Project: Consolidating 8 separate lots into one
parcel or one approved lot.
Rezone to RM and change land use designation from LDR to
MDR

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

Tami Johnson
Applicant's Signature

Date: April 1, 2021

Tami Johnson
Signature of owner or owner's authorized representative

Comprehensive Plan Amendment 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 the Comprehensive Plan Amendment request. Use additional pages if necessary.

1. State the requested amendment:

please see attached

2. What are the reasons for the requested amendment:

please see attached

3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc:

please see attached

4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

please see attached

5. Include any other substantiated information in support of the requested amendment:

Please see attached.



3321 W. 10th Ave Kennewick, WA 99336

April 6, 2021

To whom it may concern at the City of Kennewick,

We approach the City with the following request.

Tami and Philip Johnson are now the sole owners of the properties 3321, 3335, 3349 and 3363 W. 10th Ave, Kennewick WA 99336. We did not intend to be the primary owners and operators of these business locations. We were intended to be silent financial investors to the previous owner, Michael Hillman.

Michael Hillman was charged with multiple felony counts that resulted in him NOT being able to have access to vulnerable adults. In January 2019 we became the primary operators of Creekstone due to legal issues that became known to us after investing with Michael Hillman. Please see attached supporting documentation.

As we became operators, we began to reach out to others in the Senior Living industry for recommendations and operation. As professionals would observe and inspect the properties, we became aware of safety issues that were hindering operation and causing concern with EMS, home health, hospice and other attending agencies providing care for Creekstone Residents.

As a matter of safety and based on multiple occurrences, it would be in the best interest of the residents living at Creekstone and all attending agencies, EMS especially, if we were noted as one individual address instead of 4 separate addresses in one location. Please see attached. Each house is clearly identified as A, B, C, D in high reflective night light vinyl. This has helped when a member of administration is able to meet EMS and direct. When an employee is unable to assist there is always confusion. EMS going into the wrong house and becoming frustrated in an emergency because they cannot locate the resident needing care quickly.

The main reason this occurs is because we have one portable phone number that is associated with all four houses. 509.491.1318 is the main number associated with 3321. If an emergency occurred in 3335, 3349 or 3363 and the portable phone is calling, it is showing 911 the 3321 address when in fact the emergency may be in 3335, 3349 or 3363. It is too confusing for staff to have multiple phones and phone lines. For the safety of the residents having one central phone number is pivotal.

Requested Amendment

Several times we have had life or death emergency situations when EMS was on site with confusion as to where they needed to be immediately. Having the numbers 3321, 3335, 3349, 3363 has created confusion with fire trucks and ambulances. To rectify this immediate concern we added the A, B, C, D above the front door of each house. (Please see attached) When an emergency is called in we instruct EMS to come to 3321 and enter into the lettered cottage A,B,C,D where the incident is occurring. Having one address with clearly identified houses (ABCD) would be hugely beneficial for the safety of those involved in an emergency situation.

In addition to the EMS concerns, having four separate address locations is confusing for attending agencies such as home health, hospice, attending physicians, volunteers, visiting friends and family members. Having one central address, 3321 W. 10th Ave, Kennewick WA 99336 will lessen confusion for those needing to be on site to provider care or visit.

Those residents who reside in the four houses become easily confused with the multiple addresses in this one location also. To relieve stress and confusion for all those associated with Creekstone, having one address number, 3321, will streamline simplicity for Creekstone residents who are having difficulty receiving mail.

Consolidating all of the addresses into one property will also simplify the entire property location. Having one water meter instead of 4, having one electrical meter box instead of 4, having one tax lot instead of 8 tax lots will simplify accounting while making one payment instead of eight separate payments.

For the overall well-being and safety of the residents, EMS, attending agencies, friends and family who visit and the operations at Creekstone, we are requesting that the eight separate lots be combined into one lot/parcel and one address, being:

3321 W. 10th Ave, Kennewick WA 99336

We appreciate your time and consideration with this request. If you have any questions or need any further information or documentation, please reach out to me at 509.851.8854 or at owner@creekstonecareal.com .

Warm regards,



Tami Johnson

Owner



Philip Johnson

Owner



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 21-10 / PLN-2021-01154 & CPA 21-02 / PLN-2021-01128

DESCRIPTION OF PROPOSAL: Change the land use designation of 0.96 acres from Low Density Residential (LDR) to Medium Density Residential (MDR).

PROPONENT: Tami Johnson, Creekstone Assisted Living

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 3321 W 10th Ave

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: Anthony Muai, AICP

POSITION/TITLE: Interim Community Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

- ☐ 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: 1 July 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.



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

Phone: (509) 585-4280

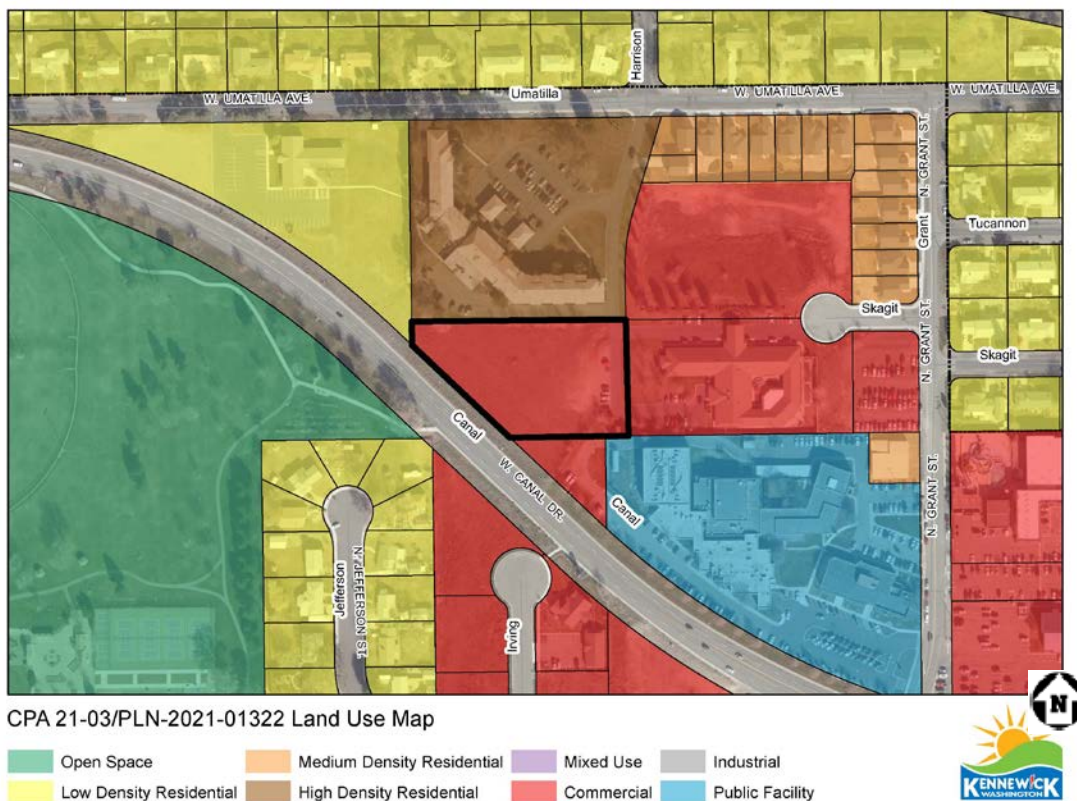
cedinfo@ci.kennewick.wa.us

Comprehensive Plan Amendment 21-03

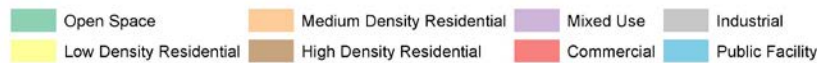
REQUEST: Change the land use designation of 1.36 acres from Commercial (C) to High Density Residential (HDR)

APPLICANT: Khurshed Sharifov

OWNER: Khurshed Sharifov



CPA 21-03/PLN-2021-01322 Land Use Map



Not to scale

SITE INFORMATION

- **Size:** 1.36 acres
- **Location:** Address TBD (W Canal between Grant and Umatilla)
- **Topography:** Relatively Flat
- **Existing Comprehensive Plan Designation:** Commercial
- **Existing Zoning:** Commercial, Office (CO)
- **Existing Land Use:** Vacant

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination

APPLICATION PROCESS

- Application Submitted 22 April 2021
- Application routed for comments 16 June 2021
- Determination of Non-Significance was issued on 1 July 2021
- Appeal Period for the DNS ended 15 July 2021
- A property posting sign notifying the public of a public hearing on this request was posted on the site on 29 July 2021
- Notice of Hearing published 1 August 2021
- Notice of Hearing mailed 29 July 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – High Density Residential Zoning – Residential, High (RH) Existing Land Uses – Assisted Living
South	Comprehensive Plan –Commercial Zoning –Commercial, Office (CO) Existing Land Uses –Small Vacant Parcel, with a Model Home Office and Additional Vacant Parcels Across W Canal
East	Comprehensive Plan – Commercial Zoning – Public Facility (PF) Existing Land Uses – Benton Franklin Juvenile Center
West	Comprehensive Plan – Open Space Zoning – Open Space (OS) Existing Land Uses – Lawrence Scott Park

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant requests to change 1.36 acres from Commercial to High Density Residential.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses which may have the potential to negatively impact the public health, safety, welfare and protection of the environment.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.

3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.
4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The proposed amendment does not address an identified deficiency in the Comprehensive Plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
The proposal will allow for a vacant parcel to be developed with a multi-family residential housing development, similar to the adjacent zoning and land use designation to the north. New construction shall be consistent with the adopted Multi-family Design Standards.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
As the site does not contain any designated open space or critical areas, there will be little effect if any on open space or natural features. There are adequate measures within the Kennewick Municipal Code to mitigate any possible impacts to the natural environment; there are no sensitive natural features on site. A large amount of open space exists to the west with Lawrence Scott Park.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal is consistent with existing land use patterns to the north. A public park is located to the west while a government facility is located to the east. The proposed development will not detract from either.

As indicated above, new development will be required to meet the adopted Multi-family Design Standards, which mandate landscaping and lighting requirements to minimize impacts to adjacent properties.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future use of the property will determine the adequacy and impact on community facilities. Currently, public amenities such as water and transit exist along W Canal Drive adjacent to the subject property. Sewer is located near the access easement from W Umatilla Avenue to the parcel. Neither the Public Works nor the Fire Departments have commented on the proposed application. Both will have an opportunity to comment and require upgrades once a future development application is submitted.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Comprehensive Plan Table 2: Land Inventory indicates the City has a deficit of 159 acres of land designated as High Density Residential, while a surplus of 91.5 acres exists as Commercial. With High Density Residential existing to the north of the subject property, and public amenities nearby, the property appears appropriate for multi-family residential development.
6. The current and projected project density in the area; and
The subject property is currently zoned Commercial, Office and is vacant, along with other similarly zoned and vacant property to the south. The proposed designation will allow residential development at 27 units per acre. Thus, a maximum of 37 units could potentially be built on the subject property.
7. The effect, if any upon other aspects of the Comprehensive Plan.

The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Staff has received no public comment concerning the proposal to date.

AGENCY COMMENTS

In a letter dated 29 June 2021, the Washington Department of Archaeology and Historic Preservation requested a cultural resources survey of the subject property prior to any ground disturbing activities due to the proximity to the Columbia River and a high probability of encountering cultural material.

ANALYSIS OF REQUEST

The applicant proposes to change the land use designation of the subject property from Commercial to High Density Residential to accommodate a future multi-family residential development. The property, along with others to the south across West Canal Drive, are currently zoned Commercial, Office, which has resulted in little development interest. Surrounding land use includes a county juvenile corrections facility to the east and an existing assisted living facility to the north. Lawrence Scott Park is located to the west of the subject property. With the presence of the park, along with public transit along W Canal Drive, the property appears appropriate for a multi-family residential development. New construction will be required to be consistent with the Multi-family Design Standards, which provide landscaping and lighting requirements, among others, to help minimize impacts to surrounding properties.

To date, no public comment has been received either for or against the applicant's proposal.

FINDINGS

1. The applicant is Khurshed Sharifov, 405 Heritage Hills Drive, Richland, WA 99352.
2. The owner is also Khurshed Sharifov, 405 Heritage Hills Drive, Richland, WA 99352.
3. The request is to change the land use designation for the subject parcel from Commercial to High Density Residential.
4. The application was received on 22 April 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on 16 June 2021.
5. The site is currently served by City water from W Canal Drive and sewer is available via easement from W Umatilla Ave.
6. Access to the site is currently provided via easement from W Umatilla Ave.
7. The proposed amendment is adjacent to High Density Residential, Commercial, and Public Facility designated lands.
8. A Determination of Non-Significance was issued on 1 July 2021 for this application. The appeal period for the determination ended on 15 July 2021.
9. A public hearing notification sign was posted on site 29 July 2021.
10. Notice of the public hearing for this application was published in the Tri-City Herald on 1 August 2021. Notices were also mailed to property owners within 300 feet of the site on 29 July 2021.
11. The proposed amendment bears a relationship to the public health, safety, welfare and protection of the environment in that it will result in a residential zoning district that prohibits uses with the potential to negatively impact the public health, safety, welfare and protection of the environment.

12. This proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request will not address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation for the subject parcel from Commercial to High Density Residential.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will permit and increase population densities in the area.
5. Future development of the site has the potential to affect the traffic and park system. Park and Traffic Impact Fees will be determined by the type of development and assessed at the time of development.
6. Access to the site will be provided via easement from W Umatilla Avenue.

Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-03 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-03 contained in the staff report and recommend to City Council approval of the request.

Aerial Map



August 5, 2021

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

StreetName

SV_CI_RICHLAND_10

SurveyCityLimits

SV_CI_COUNTY_10

SV_CI_KENNEWICK_10

SurveyUrbanGrowthBoundary



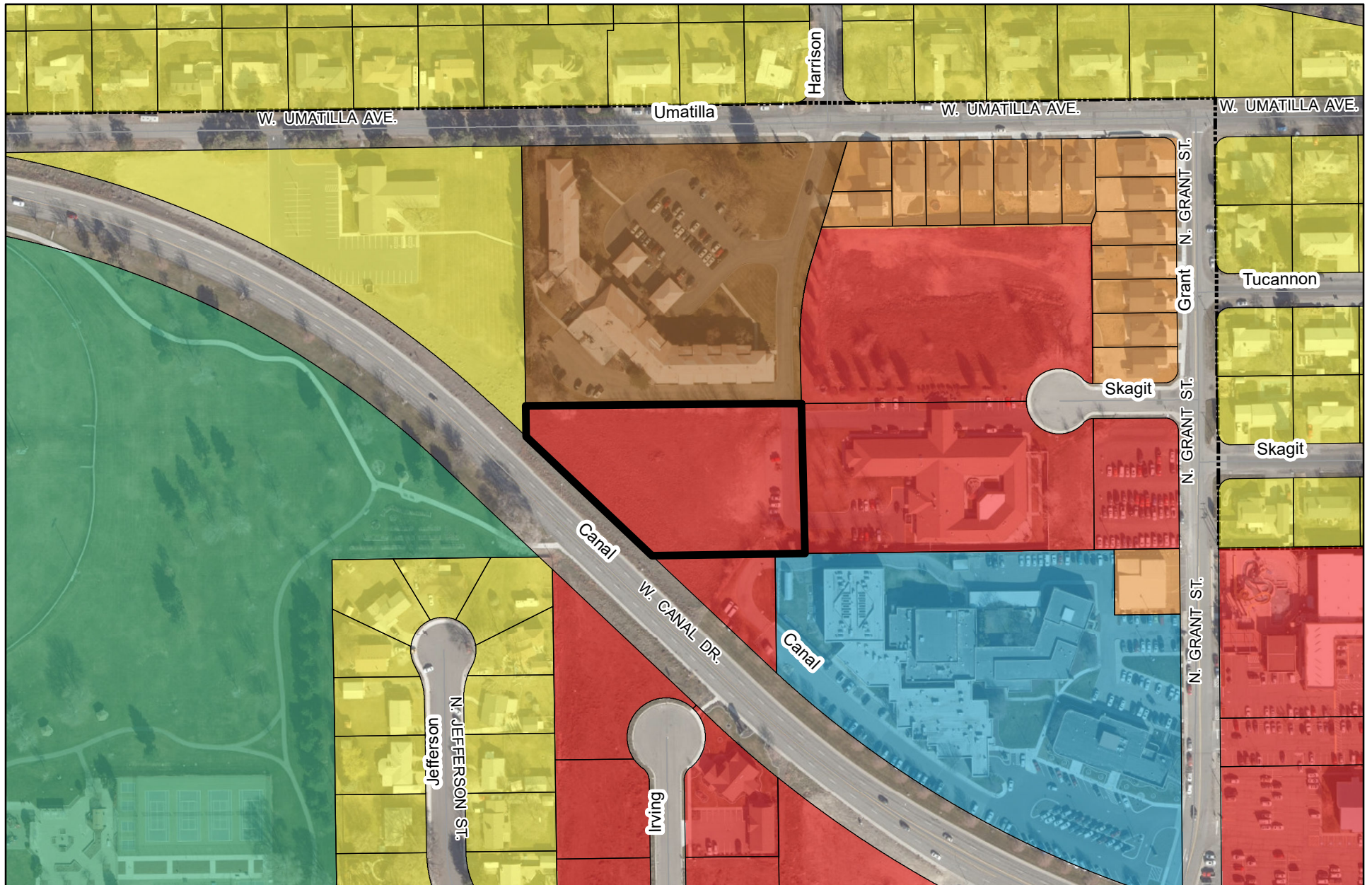
1 inch = 200 feet

1:2,400

0 0.0175 0.035 0.07 mi

0 0.0275 0.055 0.11 km

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



CPA 21-03/PLN-2021-01322 Land Use Map

- | | | | |
|--|--|--|---|
|  Open Space |  Medium Density Residential |  Mixed Use |  Industrial |
|  Low Density Residential |  High Density Residential |  Commercial |  Public Facility |



CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES

APPLICATION (general form)

PROJECT # _____ - _____ PLN- 2021 - 01322 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 Comprehensive Plan Ammendment

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

Applicant: Khurshed Sharifov

Address: 405 Heritage Hills Drive, Richland, WA 99352

Telephone: _____ Cell Phone: (509)539-7158 Fax: _____ E-mail: khurshed.sharifov@gmail.com

Property Owner (if other than applicant): Same as applicant

Address: _____

Telephone: _____ Cell Phone: _____ E-mail: khurshed.sharifov@gmail.com

SITE INFORMATION

Parcel No. 133992011560002 Acres 1.36 Zoning: CO

Address of property: Undertermined

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

Present use of property Commercial

Size of existing structure: None sq. ft. Size of Proposed addition/New structure: Unknown sq. ft.

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

Benton County Assessor Market Improvement Value: \$200,000

Description of Project: To change the zoning of the property from commercial to high density residential and build an apartment building

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

Khurshed Sharifov
Applicant's Signature

Khurshed Sharifov
Signature of owner or owner's authorized representative

Date: 04/20/2021

Comprehensive Plan Amendment 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 the Comprehensive Plan Amendment request. Use additional pages if necessary.

1. State the requested amendment:
To change from commercial to high density residential zone
2. What are the reasons for the requested amendment:
According to the City of Kennewick's 20 year Comprehensive Plan, there is shortage of high density residential acreages within the city.
3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc:
The proposed change will positively impact the Land use and High Density Residential Elements of the Comprehensive Plan. The property is located within the city limits and will be connected to existing city utility services, such as water, sewer and power. The proposed change may have an increase impact on Fire and Police services in line with similar existing high density residential areas.
4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:
The requested change is inline with Kennewick's Comprehensive Plan Land Use goals where it will add to the needed acreage in the high density residential area. The development is within urban growth area's and as such will be utilizing existing utility services as per the Comprehensive plan.
5. Include any other substantiated information in support of the requested amendment:
Within the Land Use section of the Comprehensive plan, some of the goals that City of Kennewick has identified are: Goal #1, Provide for attractive, walkable and well designed residential neighborhoods with differing densities and compatible with neighboring areas. This request meets this goal by placing a high density residential area within other types of residential dwellings. In addition, the property is adjacent to Canal Drive, which is one of the arterial streets and it is close to transit and shopping. This is also in line with Goal #4 , which is to provide more housing opportunities near commercial, transit and employment. The property is located no too far from Columbia Center Mall and Shops on Canal Drive. It is also within walking distance from future Vista Field Development.



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 21-13 / PLN-2021-01324 & CPA 21-03 / PLN-2021-01322

DESCRIPTION OF PROPOSAL: Change the land use designation of 1.36 acres from Commercial (C) to High Density Residential (HDR).

PROPONENT: Kurshed Sharifov

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: Address TBD. Parcel # 1-3399-201-1560-002

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 7/16/21. 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: Anthony Muai, AICP

POSITION/TITLE: Interim Community Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

- ☒ Changes, modifications and /or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the following condition:

Prior to any ground disturbing activities, a cultural resources survey shall be conducted of the subject property with the results shared with the Confederated Tribes of the Umatilla Indian Reservation, the Washington Department of Archaeology and Historic Preservation, and the City of Kennewick. Further consultation with these, and possibly other organizations shall be required if cultural material is discovered through the course of the survey.

Date: 1 July 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.



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

Phone: (509) 585-4280

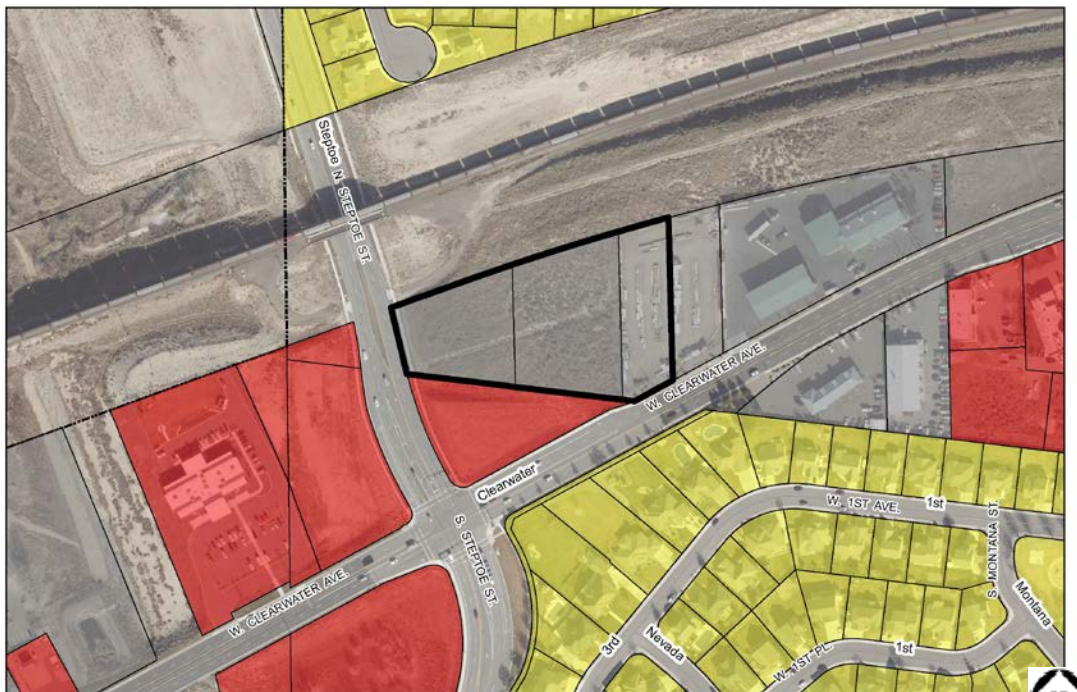
cedinfo@ci.kennewick.wa.us

Comprehensive Plan Amendment 21-04

REQUEST: Change the land use designation of 3.1 acres from Industrial (I) to Commercial (C).

APPLICANT: Keith Hughes

OWNER: Keith Hughes



CPA 21-04/PLN-2021-01415 Land Use Map

Open Space	Medium Density Residential	Mixed Use	Industrial
Low Density Residential	High Density Residential	Commercial	Public Facility



Not to scale

SITE INFORMATION

- **Size:** 3.1 acres
- **Location:** Approx. 8600 W Clearwater Ave
- **Topography:** Relatively Flat
- **Existing Comprehensive Plan Designation:** Industrial
- **Existing Zoning:** Industrial, Light (IL)
- **Existing Land Use:** Vacant

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination

APPLICATION PROCESS

- Application Submitted 27 April 2021
- Application routed for comments 29 June 2021
- Determination of Non-Significance was issued on 15 July 2021
- Appeal Period for the DNS ended 29 July 2021
- A property posting sign notifying the public of a public hearing on this request was posted on the site on 29 July 2021
- Notice of Hearing published 1 August 2021
- Notice of Hearing mailed 29 July 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Railroad ROW, with Low Density Residential Beyond Zoning – Railroad ROW, with Residential, Low (RL) Beyond Existing Land Uses – Railroad, with Single-family Residential Beyond
South	Comprehensive Plan –Commercial, with Low Density Residential Beyond Across W Clearwater Ave Zoning –Industrial, Light (IL), with Residential, Low (RL) Beyond Across W Clearwater Ave Existing Land Uses –Vacant, with Single-family Residential Beyond Across W Clearwater Ave
East	Comprehensive Plan – Industrial Zoning – Industrial, Light (IL) Existing Land Uses – Lumber Yard
West	Comprehensive Plan – Commercial Zoning – Industrial, Light (IL), with Commercial, Community (CC) Beyond Existing Land Uses – The Corner Lot is Vacant, with a Medical Clinic to the West

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant requests to change 3.1 acres from Industrial to Commercial.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
The proposed amendment will allow the property to be rezoned to a zoning district that has less potential to negatively impact the public health, safety, welfare and protection of the environment than what it is currently zoned.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.

3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.
4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The proposed amendment does not address an identified deficiency in the Comprehensive Plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
The proposal will allow for a vacant parcel to be rezoned and developed with a commercial use, more consistent with the low-density residential and commercial development that characterizes W Clearwater Ave near this location.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
As the site does not contain any designated open space or critical areas, there will be little effect if any on open space or natural features. There are adequate measures within the Kennewick Municipal Code to mitigate any possible impacts to the natural environment; there are no sensitive natural features on site.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
Though designated as Industrial in the past, the proposal is consistent with the contemporary development of the area with single-family residential neighborhoods supported by newer, commercial development and services along W Clearwater Avenue. The zoning, and ultimate uses allowed by a Commercial land use designation, are more congruous with these residential neighborhoods than those permitted if left as Industrial, reducing the potential for nuisance from industrial sources.

In addition, new development will be required to meet the adopted Commercial Design Standards, which mandate landscaping and lighting requirements to minimize impacts to adjacent properties.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future use of the property will determine the adequacy and impact on community facilities. Currently, public amenities such as water and sewer exist along W Clearwater Avenue adjacent to the subject property. Water is also available via N Steptoe Street. The Public Works Department has indicated that, depending on the proposed future use, a traffic analysis may be required. Both Public Works and the Fire Department will have an opportunity to comment and require upgrades once a future development application is submitted.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Comprehensive Plan Table 2: Land Inventory indicates the City has a deficit of 774.5 acres of land designated as Industrial, while a surplus of 91.5 acres exists as Commercial. That said, the 2016 City of Kennewick Industrial Zoned Land Assessment indicates that although demand is high for industrial land, generally parcels larger than five acres are the most desirable for new industrial development. With Low Density Residential existing to the north and south of the subject property, and Commercial to support these neighborhoods nearby, the roughly 3-acre property at the intersection of W Clearwater Avenue and N Steptoe Street appears appropriate for Commercial.
6. The current and projected project density in the area; and

The proposal to change the land use designation from Industrial to Commercial will not directly impact density in the area. Additional commercial development will support the growth of residential neighborhoods in the area. As indicated above, Public Works has indicated that, depending on the ultimate development proposed, a traffic analysis may be required to mitigate the potential for increased congestion at the Clearwater/Steptoe intersection.

7. The effect, if any upon other aspects of the Comprehensive Plan.

The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Staff has received no public comment concerning the proposal to date.

AGENCY COMMENTS

Staff has received no comment from outside agencies to date.

ANALYSIS OF REQUEST

The applicant proposes to change the land use designation of the subject property from Industrial to Commercial. Per the applicant, if successful these parcels along with the corner lot will be rezoned to accommodate a multi-pad commercial development.

Though land designated as Industrial adjacent to the railroad ROW makes sense, the property never developed as such. More recent development in the vicinity, including single-family neighborhoods and commercial to support those communities, has changed the character of the area in recent years. Industrial development in this area may no longer be the best use of the land, as noise and odors from industrial uses may be undesirable to nearby residential neighborhoods.

According to the City of Kennewick Industrial Zoned Land Assessment of 2016, though there is continued demand for industrial land in the area, not all land designated as industrial is the same. The specific requirements for those higher-intensity uses requires more acreage, and parcels greater than 5 acres are considered the most desirable. This may be one reason the subject property continues to remain vacant, as it is slightly over 3 acres in size.

Goal 3 (Section 2: Land Use-Commercial) of the Comprehensive Plan recommends creating a balanced system of commercial facilities reflecting neighborhood, community, and regional needs. Among the policies of this section of the Comprehensive Plan is to provide appropriate commercial areas for neighborhoods and to provide neighborhood commercial centers in strategic locations to serve surrounding neighborhoods. The subject property is adjacent to an existing corner lot designated as commercial, and is poised to provide additional commercial services to the growing neighborhoods along this stretch of W Clearwater Avenue.

To date, no public comment has been received either for or against the applicant's proposal.

FINDINGS

1. The applicant is Keith Hughes, 8600 W Clearwater Ave, Kennewick, WA 99336.
2. The owner is also Keith Hughes, 8600 W Clearwater Ave, Kennewick, WA 99336.
3. The request is to change the land use designation for the subject parcel from Industrial to Commercial.
4. The application was received on 27 April 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on 29 June 2021.

5. The site is currently served by City water and sewer from W Clearwater Avenue.
6. Access to the site is currently provided via W Clearwater Avenue.
7. The proposed amendment is adjacent to Commercial, Industrial, and Low Density Residential beyond.
8. A Determination of Non-Significance was issued on 15 July 2021 for this application. The appeal period for the determination ended on 29 July 2021.
9. A public hearing notification sign was posted on site 29 July 2021.
10. Notice of the public hearing for this application was published in the Tri-City Herald on 1 August 2021. Notices were also mailed to property owners within 300 feet of the site on 29 July 2021.
11. The proposed amendment bears a relationship to the public health, safety, welfare and protection of the environment in that it will allow the property to be rezoned to a zoning district that has less potential to negatively impact the public health, safety, welfare and protection of the environment than what it is currently zoned.
12. This proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request will not address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation for the subject parcel from Industrial to Commercial.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will not effectively increase population densities in the area.
5. Future development of the site has the potential to affect the traffic and park system. Park and Traffic Impact Fees will be determined by the type of development and assessed at the time of development.
6. Access to the site will be provided via W Clearwater Avenue.

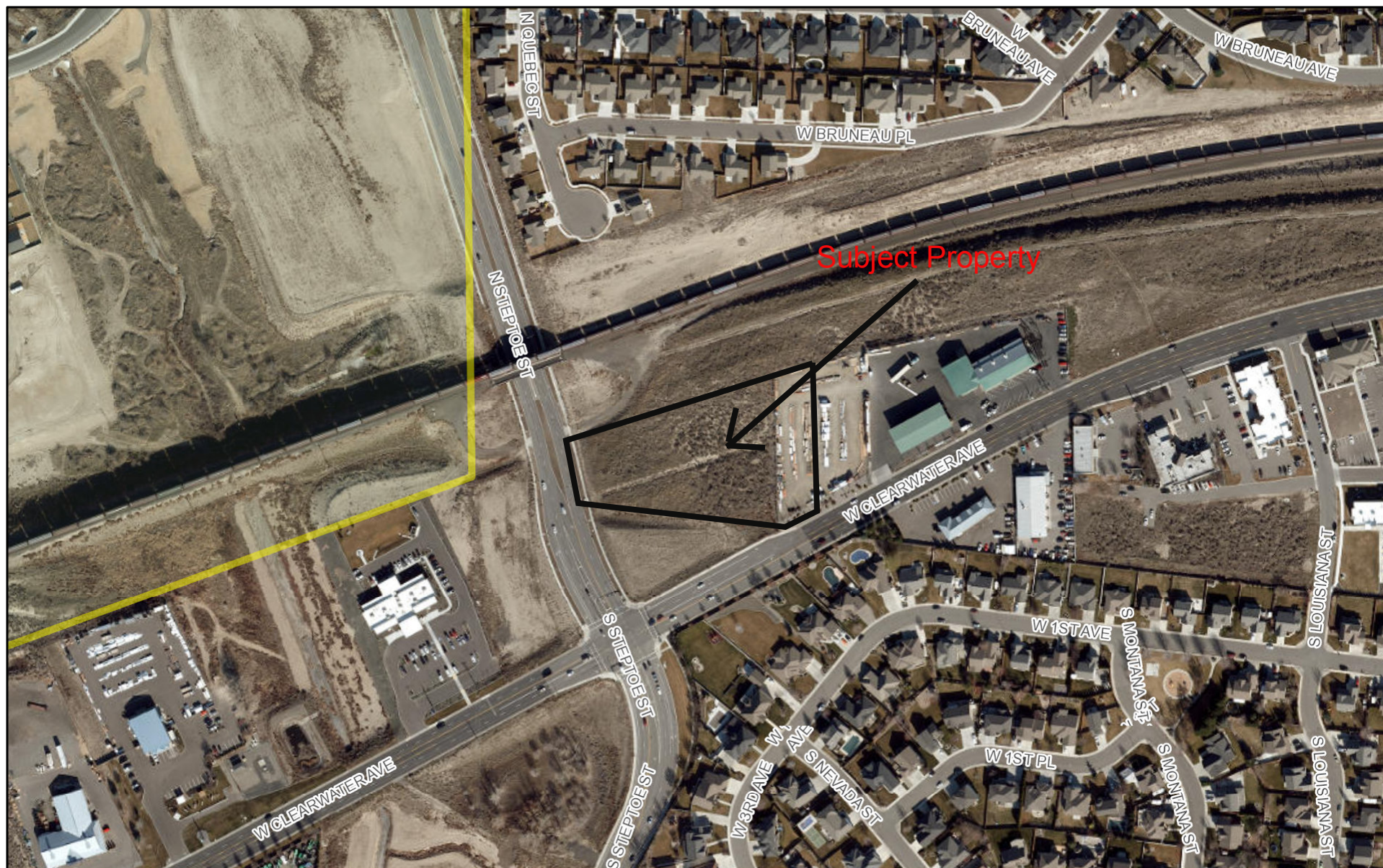
Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-04 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-04 contained in the staff report and recommend to City Council approval of the request.

Aerial Map



August 6, 2021

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

StreetName

SV_CI_RICHLAND_10

SurveyCityLimits

SV_CI_COUNTY_10

SV_CI_KENNEWICK_10

SurveyUrbanGrowthBoundary



1 inch = 300 feet

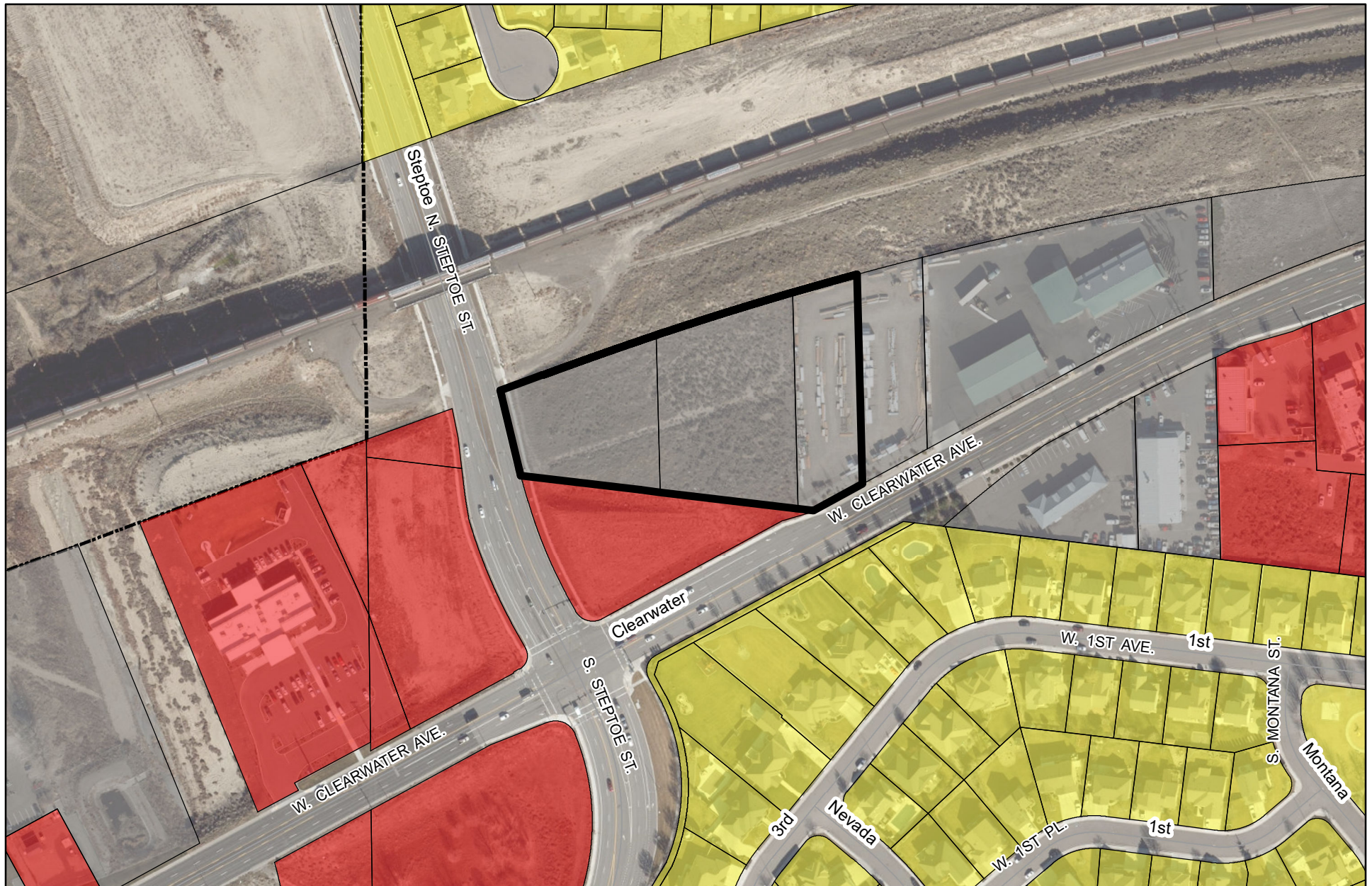
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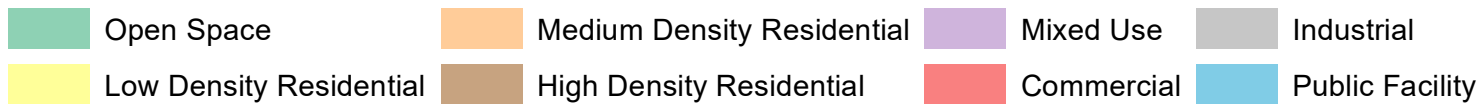
0 0.0425 0.085 0.17 km

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

ArcGIS WebApp Builder
City of Kennewick



CPA 21-04/PLN-2021-01415 Land Use Map



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

PROJECT # _____ - _____ PLN- _____ - _____ FEE \$ 1,094.00

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 Comprehensive Plan Amendment

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

Applicant: Keith Hughes

Address: 8600 W. Clearwater Avenue, Kennewick, WA 99336

Telephone: (509) 521-9595 Cell Phone: _____ Fax: _____ E-mail: Hughes.Keith49@yahoo.com

Property Owner (if other than applicant): see attached Owner list

Address: _____

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

SITE INFORMATION

Parcel No. see attached Property List Acres _____ Zoning: _____

Address of property: _____

Number of Existing Parking Spaces N/A Number of Proposed (New) Parking Spaces N/A

Present use of property Vacant/container lot

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

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

Benton County Assessor Market Improvement Value: see attached Property List

Description of Project: The request is for an amendment to the Comprehensive Plan designation from Industrial to Commercial for parcels -88006, -88003 and -88002. Parcel 106893BP4740003 already has a Comp Plan designation of C, but will need to be rezoned with the other three parcels from IL to CC.

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

D. Keith Hughes
Applicant's Signature

D. Keith Hughes
Signature of owner or owner's authorized representative

Date: 4/27/2021

Comprehensive Plan Amendment 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 the Comprehensive Plan Amendment request. Use additional pages if necessary.

1. State the requested amendment:

The request is to amend the Comprehensive Plan designation from Industrial to Commercial for parcels 106892011788006, -88003 and the western half of -88002 ("Lot 2"). After the Comp Plan Amendment, the applicant will request a rezone of these parcels and parcel 106893BP4740003 from IL to CC. This Amendment does not include Lot 1 and the east half of Lot 2, which have the same address as the subject parcels; these are to remain I/IL.

2. What are the reasons for the requested amendment:

The property owner requests a redesignation from Industrial to Commercial for three parcels to match the current Comp Plan designation of the corner lot (#106893BP4740003), allow rezone of all four lots to Community Commercial, and to provide adequate area for viably-configured commercial pads. The subject site will be a good candidate for commercial development to serve recent and ongoing residential development in the area.

3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc:

City utilities and infrastructure are in place to serve the existing parcels. Water, sewer and storm systems are present in the adjacent roads. The proposed change in use from Industrial to Commercial will most likely result in insignificant differences in impact to existing utility capacities and city services.

4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

The requested amendment represents a de minimus change to the amounts of Industrial and Commercial acreage in Kennewick. The requested Comp Plan change would take 3.1 acres out of 787.5 total industrial acres, and add 3.1 acres to 1,982.1 total commercial acres. This represents a 0.4% reduction in total industrial acreage, and a 0.2% increase in total commercial acreage. The proposed amendment would implement Commercial Goal 3, Policy 1, in that it would provide commercial property appropriately sized and scaled to serve the surrounding community.

5. Include any other substantiated information in support of the requested amendment:

The requested amendment will be in the best interest of Kennewick by responding to changing conditions in the Clearwater-Steptoe area. Residential, open space and non-industrial businesses are all increasing in the area around this intersection. There appears to be a need for a commercial node at the intersection of Clearwater Ave and Steptoe St. to serve the increase in residential development in the area. Also, newer development along Clearwater has transitioned to providing more commercial services, likely due to the same trend in residential growth in the area.



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 21-15 / PLN-2021-01417; CPA 21-04 / PLN-2021-01415

DESCRIPTION OF PROPOSAL: Change the land use designation of the subject property from Industrial to Commercial.

PROPONENT: Keith Hughes

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 8600 W Clearwater Ave

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: 15 July 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.



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

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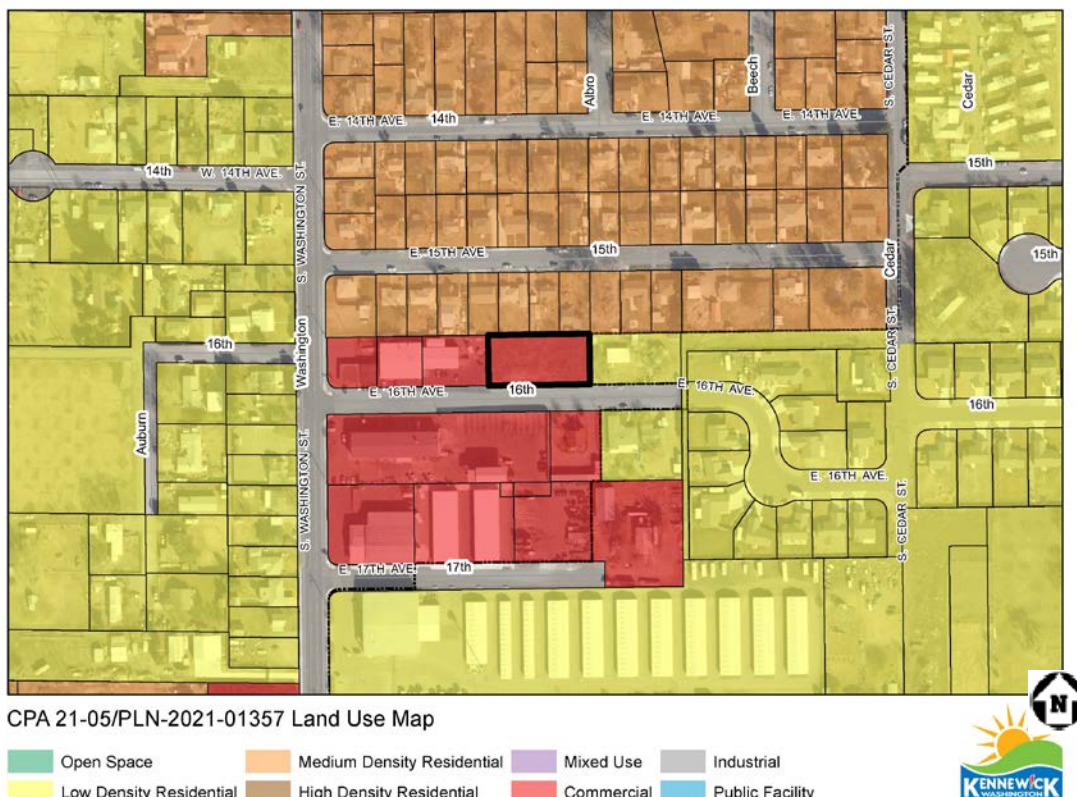
cedinfo@ci.kennewick.wa.us

Comprehensive Plan Amendment 21-05

REQUEST: Change the land use designation of 0.46 acres from Commercial (C) to Medium Density Residential (MDR)

APPLICANT: Chantell Arnold

OWNER: Chantell Arnold



Not to scale

SITE INFORMATION

- **Size:** 0.46 acres
- **Location:** 107 E 16th Avenue
- **Topography:** Flat
- **Existing Comprehensive Plan Designation:** Commercial
- **Existing Zoning:** Commercial, Neighborhood (CN)
- **Existing Land Use:** Vacant

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination

APPLICATION PROCESS

- Application Submitted 27 April 2021
- Application routed for comments 16 June 2021
- Determination of Non-Significance was issued on 1 July 2021
- Appeal Period for the DNS ended 15 July 2021
- A property posting sign notifying the public of a public hearing on this request was posted on the site on 29 July 2021
- Notice of Hearing published 1 August 2021
- Notice of Hearing mailed 29 July 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Medium Density Residential Zoning – Residential, Medium (RM) Existing Land Uses – Single-family Residential Neighborhood
South	Comprehensive Plan – Commercial Zoning – Commercial, Neighborhood (CN) Existing Land Uses – Waste Management Facility
East	Comprehensive Plan – Low Density Residential Zoning – County Existing Land Uses – Single-family Residential Neighborhood
West	Comprehensive Plan – Commercial Zoning – Commercial, Neighborhood (CN) Existing Land Uses – Countertop Showroom and Shop

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant requests to change 0.46 acres from Commercial to Medium Density Residential to accommodate an affordable cottage housing development.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses which may have the potential to negatively impact the public health, safety, welfare and protection of the environment.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.

3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.
4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The proposed amendment does not address an identified deficiency in the Comprehensive Plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
The proposal will allow for a vacant parcel to be developed with an affordable cottage housing development, creating additional housing on a vacant lot and acting as a transition from the commercial development to the west and south to the single-family neighborhoods to the north and east.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
As the site does not contain any designated open space or critical areas, there will be little effect if any on open space or natural features. There are adequate measures within the Kennewick Municipal Code to mitigate any possible impacts to the natural environment; there are no sensitive natural features on site.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal is consistent with existing residential land use patterns to the north and east. Though more dense than the single-family neighborhoods adjacent, the cottage homes are roughly 420 square feet each, and the design aesthetic resembles a detached, single-family development.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future use of the property will determine the adequacy and impact on community facilities. Currently, public amenities such as water and sewer exist along E 16th Avenue adjacent to the subject property. Public transit is located within walking distance on S Washington Street. Neither the Public Works nor the Fire Departments have commented on the proposed Comprehensive Plan Amendment. Both have submitted preliminary comments to the applicant through a pre-application meeting, and will have the opportunity to comment and require upgrades once a development application is submitted.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Comprehensive Plan Table 2: Land Inventory indicates the City has a surplus of 248 acres for lands designated Medium Density Residential. This surplus is not excessive and likely does not take into account the growth of the community over the past five years. The subject property has long been vacant, with little interest to develop the parcel in a commercial use. The applicant's proposal would improve the lot with affordable, residential dwelling units, acting as a transition between the existing commercial uses to the south and west and the residential neighborhoods to the north and east.
6. The current and projected project density in the area; and
The subject property is currently zoned Commercial, Neighborhood and is vacant. The proposed designation will allow residential development at 13 units per acre. Thus, a maximum of 6 units could potentially be built on the subject property.

7. The effect, if any upon other aspects of the Comprehensive Plan.

The proposed change will not affect any other aspects of the Comprehensive Plan. The proposal promotes infill redevelopment and affordable housing along existing transit lines with utilities already present.

PUBLIC COMMENT

Staff has received no public comment concerning the proposal to date.

AGENCY COMMENTS

In a letter dated 29 June 2021, the Washington Department of Ecology indicated the subject property was in an area previously identified as a historic orchard, with elevated levels of arsenic and lead likely present due to their use as pesticides in the past. On 6 July 2021, Ecology conducted soil sampling on the property. All results fell below any threshold of concern.

ANALYSIS OF REQUEST

The applicant proposes to change the land use designation of the subject property from Commercial to Medium Density Residential to accommodate a future affordable, cottage housing development. The subject property is currently zoned Commercial, Neighborhood, and has been vacant for years. The proposal will redevelop the vacant parcel with a high quality, affordable housing development providing unique housing options for the community. The scale of the development, though more dense than existing residential nearby, will help blend the cottages into the existing neighborhood. Proximity to public amenities, such as schools, parks, and public transit, make higher density development in this area ideal.

To date, no public comment has been received either for or against the applicant's proposal.

FINDINGS

1. The applicant is Chantell Arnold, PO Box 6539, Kennewick, WA 99336.
2. The owner is also Chantell Arnold, PO Box 6539, Kennewick, WA 99336.
3. The request is to change the land use designation for the subject parcel from Commercial to Medium Density Residential.
4. The application was received on 27 April 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on 16 June 2021.
5. The site is currently served by City water and sewer from E 16th Avenue.
6. Access to the site is currently provided via E 16th Avenue.
7. The proposed amendment is adjacent to Low Density Residential, Medium Density Residential, and Commercial.
8. A Determination of Non-Significance was issued on 1 July 2021 for this application. The appeal period for the determination ended on 15 July 2021.
9. A public hearing notification sign was posted on site 29 July 2021.
10. Notice of the public hearing for this application was published in the Tri-City Herald on 1 August 2021. Notices were also mailed to property owners within 300 feet of the site on 29 July 2021.

11. The proposed amendment bears a relationship to the public health, safety, welfare and protection of the environment in that it will result in a residential zoning district that prohibits uses with the potential to negatively impact the public health, safety, welfare and protection of the environment.
12. This proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request will not address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation for the subject parcel from Commercial to Medium Density Residential.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will permit and increase population densities in the area.
5. Future development of the site has the potential to affect the traffic and park system. Park and Traffic Impact Fees will be determined by the type of development and assessed at the time of development.
6. Access to the site will be provided via E 16th Avenue.

Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-05 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-05 contained in the staff report and recommend to City Council approval of the request.

Aerial Map



August 6, 2021

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

StreetName

SurveyCityLimits

SurveyDimension



SV_CI_KENNEWICK_10

SV_CI_RICHLAND_10



SV_CI_COUNTY_10



SurveyUrbanGrowthBoundary

SurveyParcelZoningLabel



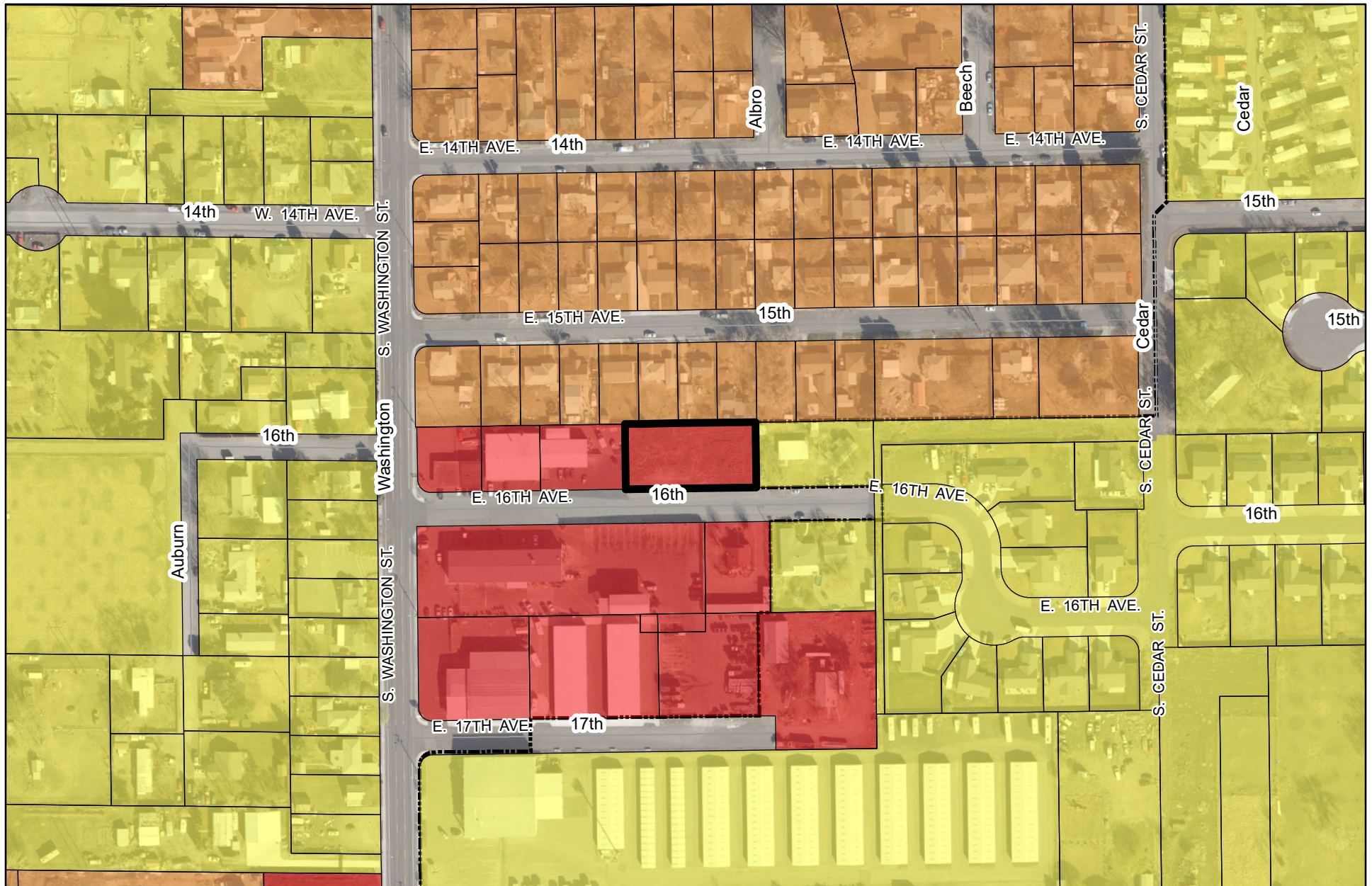
1 inch = 100 feet

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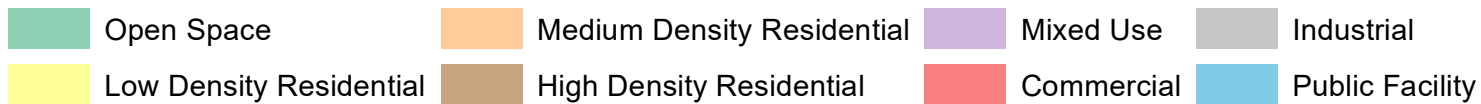
0 0.0075 0.015 0.03 mi

0 0.0125 0.025 0.05 km

Sources: Esri, HERE, Garmin,
Intermap, increment P Corp.,ArcGIS WebApp Builder
City of Kennewick



CPA 21-05/PLN-2021-01357 Land Use Map



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 Comprehensive Plan amendment

Environmental Determination PLN- _____ - _____ Pre Application Meeting PLN- 21 - 03

Applicant: Chantell Arnold

Address: PO Box 6539 Kennewick, Wa 99336

Telephone: 509-396-4315 Cell Phone: _____ Fax: _____ E-mail Chantell.Arnold@gmail.com

Property Owner (if other than applicant): Columbia Cottages LLC

Address: PO Box 6539 Kennewick, Wa 99336

Telephone: 509-396-4315 Cell Phone: _____ E-mail Chantell.Arnold@gmail.com

SITE INFORMATION

Parcel No. 107802011404002 Acres: 46 Zoning: CN

Address of property: NKA 16th Ave. SHORT PLAT #1404, LOT 2.

Number of Existing Parking Spaces -NA- Number of Proposed (New) Parking Spaces 6

Present use of property Vacant Lot / Empty parking lot

Size of existing structure: -NONE- sq. ft. Size of Proposed addition/New structure: -NA- sq. ft.

Height of building: 15 FT Cubic feet of excavation: NA Cost of new construction NA

Benton County Assessor Market Improvement Value: \$51,710.00

Description of Project: CHANGE ZONING FROM CN TO RMD

TO PUT 6 Tiny houses - 420 sq ft each - For affordable housing in Kennewick

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: 4/20/21

Comprehensive Plan Amendment 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 the Comprehensive Plan Amendment request. Use additional pages if necessary.

1. State the requested amendment:

We are requesting that the zoning be changed on the lot from Community Neighborhood (CN) to Residential Medium Density (RMD) so that we can put 6 affordable housing units (Cottage/Tiny houses) on the property.

2. What are the reasons for the requested amendment:

The lot has been vacant for 20+ years and would be used to put affordable housing units on the lot. It is located near residential lots

3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc:

The lot already has city utilities and access to city services and this would provide much needed affordable housing in Kennewick. Studies (In and by Washington State) have shown that increasing affordable housing actually decreases the cost of city services (police, fire, hospitals etc) by housing those who might otherwise be homeless or at risk of homelessness. This lot already has city services and has just not been used for its best use.

4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

Creating affordable housing on an undeveloped, unused lot within walking distance of existing services in a struggling area (areas experiences insufficient growth) using an innovative housing technique (Tiny/Cottage homes on foundations), in a commercial/ residential area meets multiple goals, and policies and studies (In and by Washington State) have shown that increasing affordable housing actually decreases the cost by housing those who might otherwise be homeless or at risk of homelessness.

5. Include any other substantiated information in support of the requested amendment:

SEE ATTACHED SHEET

Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

Creating affordable housing on an undeveloped, unused lot within walking distance of existing services in a struggling area (areas experiencing insufficient growth) using an innovative housing technique (Tiny/Cottage homes on foundations), in a commercial/residential area meets multiple goals, and policies.

Studies (In and by Washington State) have shown that increasing affordable housing actually decreases the cost of city services (police, fire, hospitals etc) by housing those who might otherwise be homeless or at risk of homelessness.

Tiny/Cottage houses also are better for a community because they produce about 2,000 pounds of CO2 emissions each year as compared to the 28,000 pounds produced by an average-sized home. According to the Kennewick Comprehensive plan there is a significant need for more housing designed for individuals or couples without children, or individuals with disabilities. These homes are designed to be ADA compliant, for 1 to 2 individuals. They have a small environmental impact, and would provide affordable housing that is desperately needed in Kennewick.

Allowing this zoning change would actually have a net positive impact on the City of Kennewick and would be in the best interest of the public and the city and would help elevate the desperate need for affordable housing that Kennewick and Washington state has.

Listed below are just a few of the GMA, Benton County and Kennewick goals and policies that this project would fulfill.

GMA Statewide planning goals (RCW 36.70A.020)

- 1.) Urban growth. Encourage development in urban areas where adequate public facilities and services exist or can be provided in an efficient manner.

Benton County Policy #1

1. Urban Growth. Encourage development in urban areas where adequate public facilities exist or can be provided in a cost efficient manner.

RESIDENTIAL GOALS + POLICIES

GOAL 1: Provide for attractive, walkable, and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas.

GOAL 3: Promote a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area. POLICY #3 3. **Residential Medium Density – Place areas that can support high-quality, compact, urban development** with access to urban services, transit, and infrastructure, whether through new development or **through infill**.

GOAL 4: Provide more housing opportunities near commercial, transit and employment.

POLICIES 1. Locate the highest density residential areas close to shops and services and transportation hubs. **2. Encourage residential development within commercial areas.**

COMMERCIAL GOALS + POLICIES GOAL

1: Revitalize declining commercial areas.

HOUSING GOALS + POLICIES Goal 1: Support and develop a variety of housing types and densities to meet the diverse needs of the population.

Policy 3. Allow residential developments such as condominiums, zero lot lines, accessory apartments and other innovative housing techniques. Policy 5. Provide for housing choices in designated mixed use centers where infrastructure is more readily available or can be improved with regional and local funds.

GMA contains 13 state-wide planning goals (RCW 36.70A.020) that serve as a policy framework for counties and cities to utilize in preparing and/or updating local comprehensive plans.

State-wide Planning Goal 4 relating to housing states: (4) Housing. Encourage the availability of affordable housing to all economic segments of the population of this state, promote a variety of residential densities and housing types, and encourage preservation of existing housing stock.

Policy #15: The County and cities within shall work together to provide housing for all economic segments of the population. **All jurisdictions shall seek to create the conditions necessary for the construction of affordable housing, at the appropriate densities within the cities and County.**

d. Develop design standards for implementation within the Comprehensive Plan with **special attention to be given to the residential needs of low to moderate income families.**

Goal 3: Promote affordable housing for all economic segments of the community.

POLICIES 1. **Promote affordable infill residential construction through flexibility in development techniques.** 2. Explore the use of density bonuses, parking reductions,

multi-family tax exemptions, and permit expediting to encourage the development of housing affordable at below market-rate.

Benton Countywide planning policies

Policy #1(12): Economic Development. a. Encourage economic development throughout the County that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this County, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and **encourage growth in areas experiencing insufficient economic growth**, all within the capacities of the County's natural resources, public services, and public facilities.

Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

Creating affordable housing on an undeveloped, unused lot within walking distance of existing services in a struggling area (areas experiencing insufficient growth) using an innovative housing technique (Tiny/Cottage homes on foundations), in a commercial/residential area meets multiple goals, and policies.

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Tiny/Cottage houses also are better for a community because they produce about 2,000 pounds of CO2 emissions each year as compared to the 28,000 pounds produced by an average-sized home. According to the Kennewick Comprehensive plan there is a significant need for more housing designed for individuals or couples without children, or individuals with disabilities. These homes are designed to be ADA compliant, for 1 to 2 individuals. They have a small environmental impact, and would provide affordable housing that is desperately needed in Kennewick.

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Policy #15: The County and cities within shall work together to provide housing for all economic segments of the population. **All jurisdictions shall seek to create the conditions necessary for the construction of affordable housing, at the appropriate densities within the cities and County.**

d. Develop design standards for implementation within the Comprehensive Plan with **special attention to be given to the residential needs of low to moderate income families.**

Goal 3: Promote affordable housing for all economic segments of the community.

POLICIES 1. **Promote affordable infill residential construction through flexibility in development techniques.** 2. Explore the use of density bonuses, parking reductions,

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Benton Countywide planning policies

Policy #1(12): Economic Development. a. Encourage economic development throughout the County that is consistent with adopted comprehensive plans, promote economic opportunity for all citizens of this County, especially for unemployed and for disadvantaged persons, promote the retention and expansion of existing businesses and recruitment of new businesses, recognize regional differences impacting economic development opportunities, and **encourage growth in areas experiencing insufficient economic growth**, all within the capacities of the County's natural resources, public services, and public facilities.



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 21-14 / PLN-2021-01405 & CPA 21-05 / PLN-2021-01357

DESCRIPTION OF PROPOSAL: Change the land use designation of 0.46 acres from Commercial (C) to Medium Density Residential (MDR).

PROPONENT: Chantell Arnold

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 107 E 16th Ave

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 7/16/21. 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: Anthony Muai, AICP

POSITION/TITLE: Interim Community Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

- ☒ Changes, modifications and /or additions to the checklist have been made on the attached Environmental Checklist Review.

This DNS is subject to the following condition:

Prior to application for any project or permit, soil testing and possible remediation is required pursuant to Washington Department of Ecology requirements.

Date: 1 July 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.



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

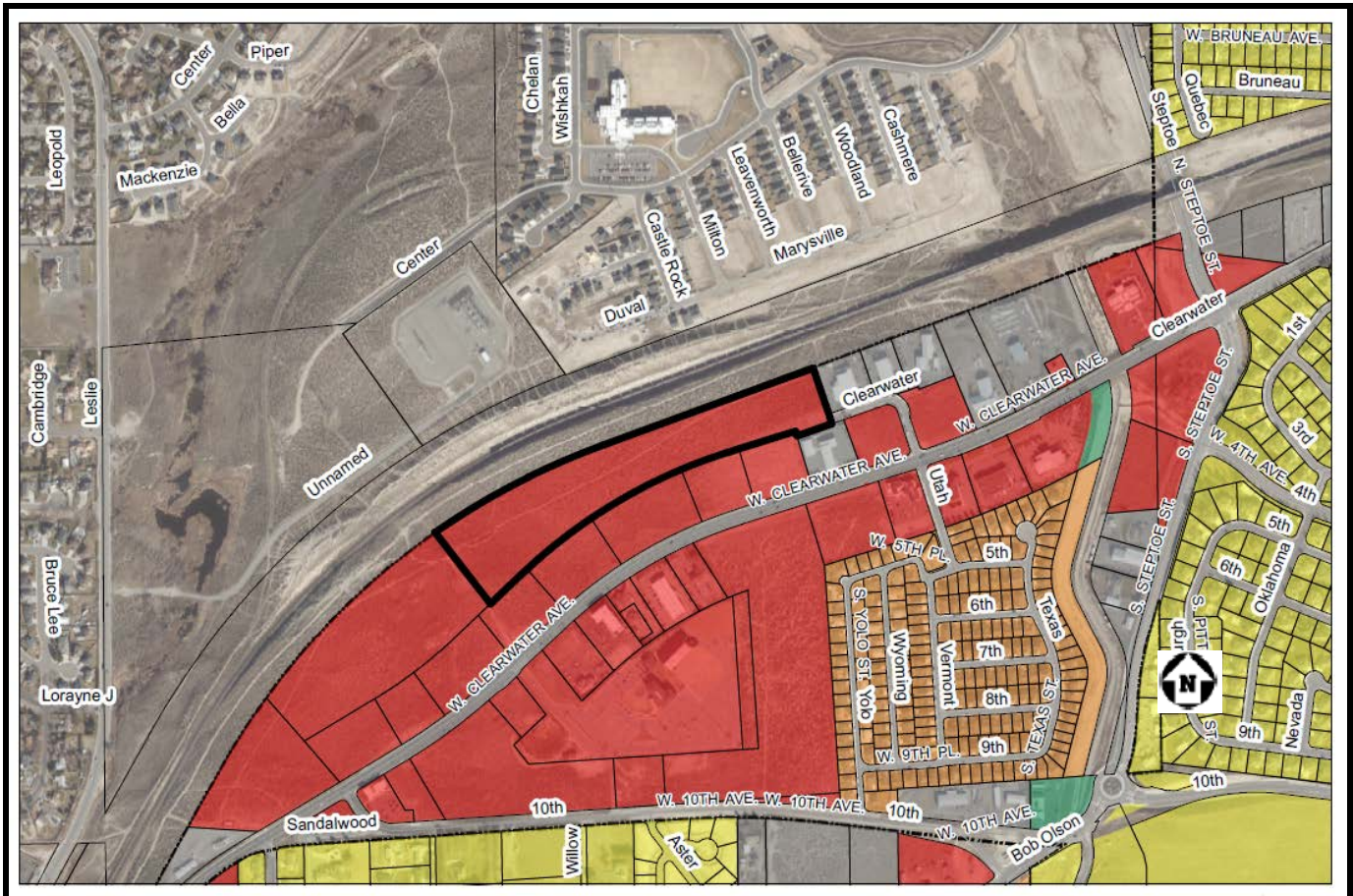
Phone: (509) 585-4561

Comprehensive Plan Amendment 21-06

REQUEST: Change 14.60 acres from Commercial to High Density Residential.

APPLICANT: Knutzen Engineering, c/o Nathan Machiela

OWNER: Tom & Vicki Solbrack



Not to scale

SITE INFORMATION

- **Size:** 14.60 acres
- **Location:** 9496 W Clearwater Avenue
- **Topography:** Flat
- **Existing Comprehensive Plan Designation:** Commercial
- **Existing Zoning:** Commercial, Community (CC)
- **Existing Land Use:** Vacant Land

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination

APPLICATION PROCESS

- Application Submitted April 28, 2021
- Application routed for comments June 14, 2021
- Determination of Non-Significance was issued on July 7, 2021
- Appeal Period for the DNS ended July 21, 2021
- Notice of Public Hearing was posted at the site on July 29, 2021.
- Notice of Public Hearing published August 1, 2021
- Notice of Notice Hearing mailed July 29, 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – City of Richland Zoning – City of Richland Existing Land Uses – railroad right-of-way
South	Comprehensive Plan – Commercial and Industrial Zoning – Commercial, Community (CC) and Industrial, Light (IL) Existing Land Uses – vacant and retail tire store
East	Comprehensive Plan – Industrial Zoning – Industrial, Light (IL) Existing Land Uses – vacant land and single-family residences
West	Comprehensive Plan – Commercial Zoning – Commercial, Community (CC) Existing Land Uses – vacant

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant has requested to change the land use designation of 14.60 acres from Commercial to High Density Residential.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses that may have the potential to negatively affect the public health, safety, welfare and protection of the environment.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.

4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The City of Kennewick's 2017-2037 Comprehensive Plan states that the City has a surplus of Commercial lands and deficit of High Density Residential lands. The proposed amendment will help reduce the deficit of land designated High Density Residential.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
Grading and clearing of vegetation will have to take place at the site for future development.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
The site does not contain any designated open space, but slopes greater than 15% exist on-site. No negative impacts are anticipated from the proposed amendment or future development. Adequate measures within the Kennewick Municipal Code exist to mitigate any possible negative impacts to the natural environment.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal is compatible with the surrounding land uses and all of the adjacent properties are currently zoned for intensive uses. Future multi-family development will most likely increase traffic, but should have little impact on the adjacent properties.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future development of the site is required to provide infrastructure improvements to ensure adequacy of community facilities.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
There is a demand for more multi-family residences in Kennewick. Approval of the proposed amendment will most likely result in a higher density than what would occur under the current land use designation.
6. The current and projected project density in the area; and
No maximum density exists for the current land use designation and the proposed land use designation has a maximum density of 27 units/acre.
7. The effect, if any upon other aspects of the Comprehensive Plan.
The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Staff has received no public comment concerning the proposal to date.

AGENCY COMMENTS

Staff has received no public comment concerning the proposal to date.

ANALYSIS OF REQUEST

This request is to amend the land use designation for 14.6 acres of a 26.4-acre parcel. Maximum density permitted for the site is 394 units. The parcel does not have street frontage on Clearwater Avenue, which is a hindrance to the viability of future commercial businesses. High density residential is compatible with commercial uses.

FINDINGS

1. The applicant is Knutzen Engineering, c/o Nathan Machiela, 5401 Ridgeline Drive, Suite 160, Kennewick, WA 99338).
2. The owners are Tom and Vicki Solbrack, 2555 W Highway 24, Othello, WA 99344.
3. The request is to change the site's land use designation from Commercial to High Density Residential.
4. The application was received on April 28, 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on June 14, 2021.
5. The site is served by City water and sewer utilities in W Clearwater Drive.
6. Access to the site is from W Clearwater Drive.
7. The proposed amendment is adjacent to Industrial and Commercial designated lands.
8. A Determination of Non-Significance was issued for this application on July 7, 2021. The appeal period for the determination ended on July 21, 2021.
9. A public hearing notification sign was posted on site July 29, 2021.
10. Notice of the public hearing for this application was published in the Tri-City Herald on August 1, 2021. Notices were mailed to property owners within 300 feet of the site on July 29, 2021.
11. The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses that may have the potential to negatively influence the public health, safety, welfare and protection of the environment.
12. This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request will address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation for a 14.6-acre portion of the subject parcel from Commercial to High Density Residential.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will not affect population densities in the area.
5. Future development of the site will not influence the traffic and park system.

Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-06 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-06 contained in the staff report and recommend to City Council approval of the request.

Aerial Map

Exhibit A-1



July 28, 2021

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

StreetName	SV_CI_RICHLAND_10	Preliminary Street Name
SurveyCityLimits	SV_CI_COUNTY_10	Preliminary Parcel
SV_CI_KENNEWICK_10	SurveyUrbanGrowthBoundary	



1 inch = 1,000 feet 1:12,000

0 0.075 0.15 0.3 mi

0 0.125 0.25 0.5 km

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

ArcGIS WebApp Builder
City of Kennewick

Open Space
 Medium Density Residential
 Mixed Use
 Industrial

Low Density Residential
 High Density Residential
 Commercial
 Public Facility



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 Comprehensive Plan Amendment

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

Applicant: Nathan Machiela (Knutzen Engineering)

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

Telephone: (509) 222-0959 Cell Phone: (509) 579-1887 Fax: _____ E-mail nathan@knutzenengineering.com

Property Owner (if other than applicant): Tom & Vicki Solbrack

Address: 2555 W Hwy 24, Othello, WA 99344

Telephone: (509) 989-0209 Cell Phone: _____ E-mail nathan@knutzenengineering.com

SITE INFORMATION

Parcel No. 1-0188-4BP-5063-002 Acres 14.60 Zoning: CC

Address of property: 9496 N. Clearwater Ave, Kennewick, WA 99336

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: \$734,970

Description of Project: Amend the City of Kennewick Comprehensive Plan Designation from Commercial (C) to High Density Residential (HDR) .

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: 04/23/21

Comprehensive Plan Amendment 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 the Comprehensive Plan Amendment request. Use additional pages if necessary.

1. State the requested amendment:

Changing 12.53 acres of parcel 1-0188-4BP-5063-002 from commercial (C) to high density residential (HDR) in the City of Kennewick Comprehensive Plan.

2. What are the reasons for the requested amendment:

The owner controls a significant amount of commercial property adjacent to Clearwater Avenue that is available for sale. This property is set back from Clearwater and is not prime commercial property and has low commercial development opportunity. With residential property adjacent on the north east, this property is better suited for residential development with a high demand. The comprehensive plan change would enable the owner to subdivide and develop the property into high density residential.

3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc:

The land use elements and housing elements of the Comprehensive Plan would be affected. The acreage of the parcels would be moved from commercial to high residential in the comprehensive plan, enabling the city to serve the demand for housing. The additional housing would increase demand for public utilities, such as water and sewer, at the site but not more than the original commercial use. This would also slightly increase the demand for schools and

4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

The amendment implements Urban Area goal 2, Residential goals 1, 2, 3 and 4, Housing goals 1, 3 and Capital Facilities goals 1 and 3 of the comprehensive plan. The proposed amendment would enable the construction of a high density residential subdivision. The comprehensive plan states that the City is planning for a population increase of 32,924 by 2037. The proposed project would provide housing for the population increase. According to the City of Kennewick's Land Use Table #2 on pg 19 of the Comprehensive Plan, it states that commercial land is in a huge

5. Include any other substantiated information in support of the requested amendment:

The proposed amendment is in conformance with existing land use in the area. The adjacent properties to the north east are existing single family residential developments which conforms to the proposed zoning for the City of Richland. There is approximately 33.81 acres (11 parcels potentially 12 with the Plat Exemption) of land designated as commercial in the immediate vicinity along Clearwater Ave that is available for sale and development, which will fulfill the demand for commercial development in this area for many years to come. The parcel in question is currently at a disadvantage compared to the properties to the south of it. The properties to the south all have frontage on W. Clearwater Ave. as the parcel in question does not abut any streets.



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

FILE/PROJECT NUMBER: ED 21-16/PLN-2021-01439

DESCRIPTION OF PROPOSAL: Change the land use designation of 14.60-acres from Commercial to High Density Residential.

PROPOSER: Knutzen Engineering, c/o Nathan Machiela, 5401 Ridgeline Drive, Suite 160, Kennewick, WA 99338

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 9496 W Clearwater Avenue, Parcel Number: 1-0188-4BP-5063-002

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: Anthony Muai, AICP

POSITION/TITLE: Interim Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

☐ 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 7, 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 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.

Copies of this DNS were mailed to:

Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED 21-16 File



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

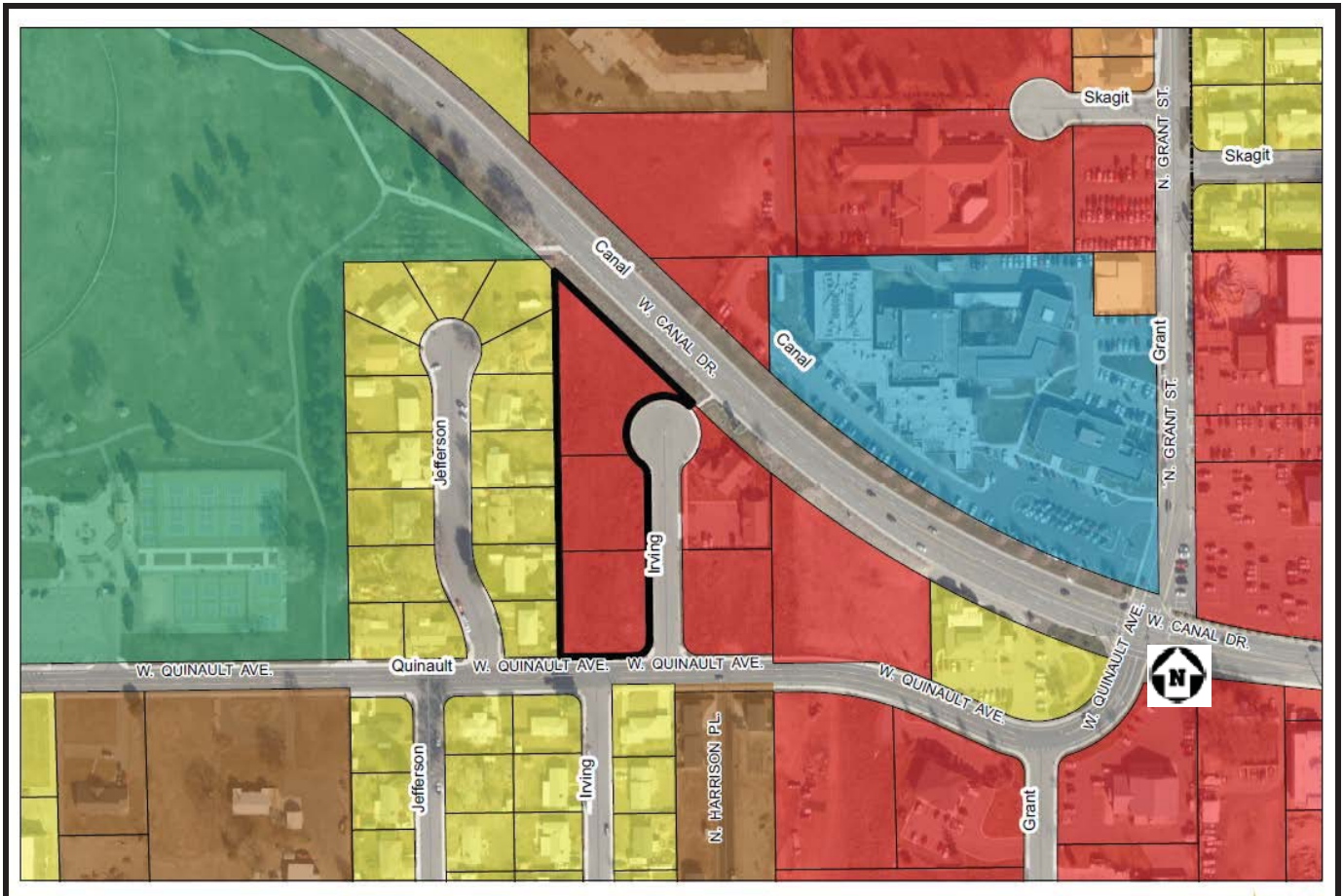
Phone: (509) 585-4561

Comprehensive Plan Amendment 21-07

REQUEST: Change 1.76 acres from Commercial to Low Density Residential.

APPLICANT: Brett Lott

OWNER: Same as above



Not to scale

SITE INFORMATION

- **Size:** 1.76 acres
- **Location:** 1201, 1213 and 1221 N Irving Place
- **Topography:** Flat
- **Existing Comprehensive Plan Designation:** Commercial
- **Existing Zoning:** Commercial, Office (CO)
- **Existing Land Use:** Vacant Land

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination
- **Exhibit A-5:** Adjacent Property Owner Comments
- **Exhibit A-6:** Comment Response from Applicant

APPLICATION PROCESS

- Application Submitted April 28, 2021
- Application routed for comments June 14, 2021
- Determination of Non-Significance was issued on July 7, 2021
- Appeal Period for the DNS ended July 21, 2021
- Notice of Public Hearing was posted at the site on July 29, 2021
- Notice of Public Hearing published August 1, 2021
- Notice of Public Hearing mailed July 29, 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Commercial Zoning – Commercial, Office (CO) and Public Facility (PF) Existing Land Uses – Vacant
South	Comprehensive Plan – Low Density Residential and High Density Residential Zoning – Residential, Low Density (RL) and Residential, Trailer Park (RTP) Existing Land Uses – Single-Family Residences and Trailer Park
East	Comprehensive Plan – Commercial Zoning – Commercial, Office (CO) Existing Land Uses – Vacant and Offices
West	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL) Existing Land Uses – Single-Family Residences

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant has requested to change the land use designation for three lots, consisting of 1.76 acres, from Commercial to Low Density Residential.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses that may have the potential to negatively influence the public health, safety, welfare and protection of the environment.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.

4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The City of Kennewick's 2017-2037 Comprehensive Plan states that the City has a deficit of High Density Residential lands. Approval of the proposed amendment will not address an identified deficiency in the comprehensive plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
Grading and clearing of vegetation will have to take place at the site for future development.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
The site does not contain any designated open space or critical areas on-site. No negative impacts are anticipated from the proposed amendment or future development. Adequate measures within the Kennewick Municipal Code exist to mitigate any possible negative impacts to the natural environment.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
If approved, the land use designation will be the same as the properties to the south and west. Property owners to the east have expressed concerns on possible impacts to their property.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future development of the site is required to provide infrastructure improvements to ensure adequacy of community facilities.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Currently, Kennewick has a surplus of land designated Low Density Residential, even though there is a demand for more housing.
6. The current and projected project density in the area; and
No maximum density exists for the current land use designation and the proposed land use designation has a maximum density of approximately 5 units/acre.
7. The effect, if any upon other aspects of the Comprehensive Plan.
The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Staff has received comments from the property owners on the east side of N Irving Place. The neighboring owners are concerned that residential uses will not be compatible with existing and proposed commercial activities on the east side of N Irving Place; see Exhibit A-5. The applicant provided responses to the adjacent neighbors' comments; see Exhibit A-6.

AGENCY COMMENTS

Staff has received no public comment concerning the proposal to date.

ANALYSIS OF REQUEST

This request is to amend the land use designation of three lots for a total of 1.76 acres. The applicant has proposed two amendment options, the preferred option is to amend the entire lots at 1201 and 1213 N Irving Place and only the south 20 feet of 1221 N Irving Place; see Exhibit A-3. The second option is to amend the entirety of all three lots to Low Density Residential.

The site does not have direct access onto Canal Drive. An existing commercial business is at 1212 N Irving Place.

The City currently has a surplus of lands designated Commercial and Low Density Residential. There is a high demand for more homes, approval of the proposed amendment will eventually allow for the construction of additional single-family residences.

FINDINGS

1. The applicant and owner is Brett Lott, 5710 Castle Holly Court, Pasco WA 99301.
2. The request is to change the site's land use designation from Commercial to Low Density Residential.
3. The application was received on April 28, 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on June 14, 2021.
4. The site is served by City water and sewer utilities in N Irving Place.
5. Access to the site is from N Irving Place.
6. The proposed amendment is adjacent to lands designated Low Density Residential and Commercial.
7. A Determination of Non-Significance was issued for this application on July 7, 2021. The appeal period for the determination ended on July 21, 2021.
8. A public hearing notification sign was posted on-site July 29, 2021.
9. The Notice of Public Hearing was published in the Tri-City Herald on August 1, 2021. Notices were mailed to property owners within 300 feet of the site on July 29, 2021.
10. The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses that may have the potential to negatively influence the public health, safety, welfare and protection of the environment.
11. This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
12. The proposed amendment does not correct an obvious mapping error.
13. This request does not will address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation of three lots for a total of 1.76-acres from Commercial to Low Density Residential.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have no impact on other aspects of the plan.
4. The proposed amendment will have a minimal effect on population densities in the area.
5. Future residential development of the site may have minimal impact to the traffic and park system.

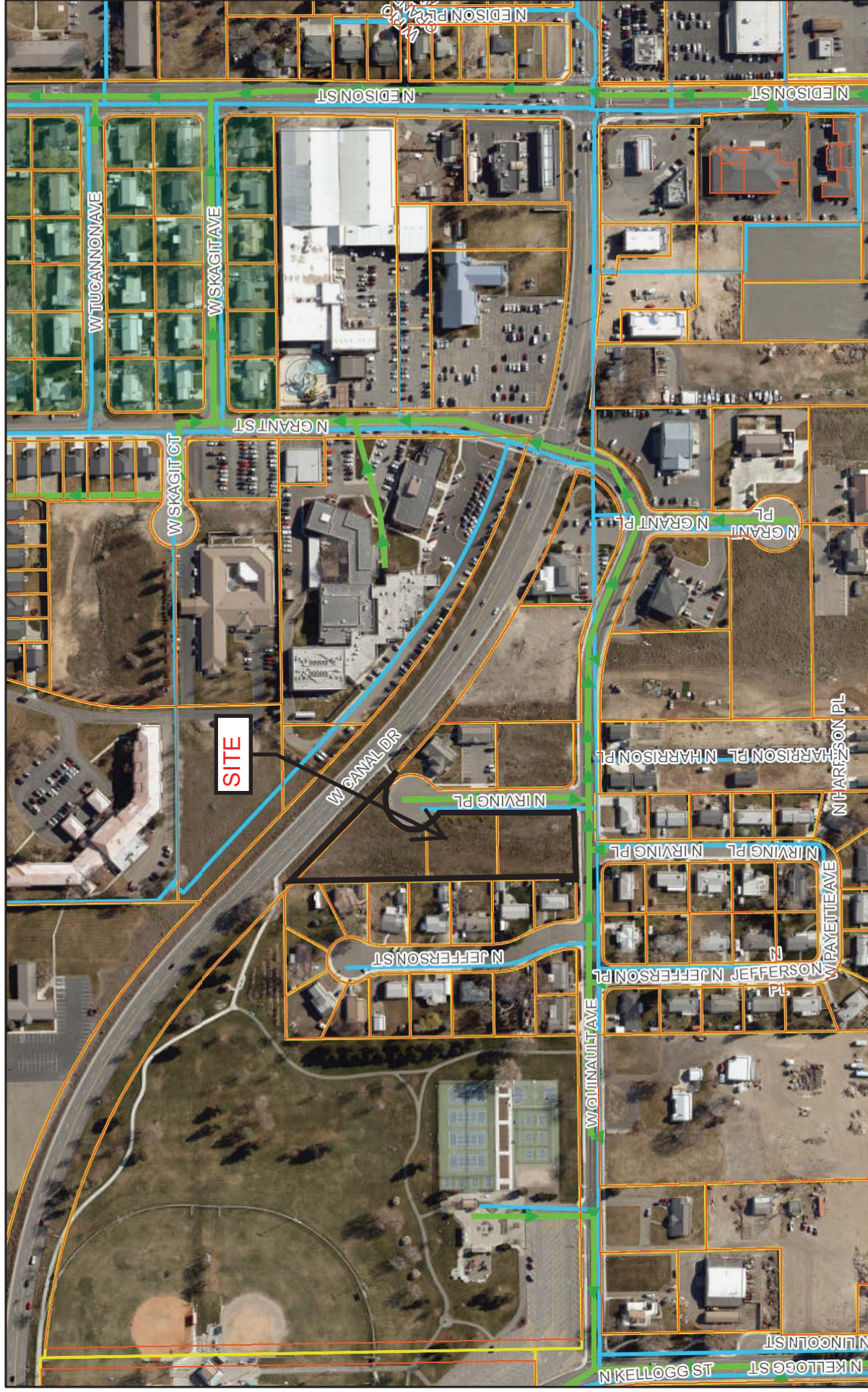
Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-07 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-07 contained in the staff report and recommend to City Council approval of the request.

Exhibit A-1



July 28, 2021

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

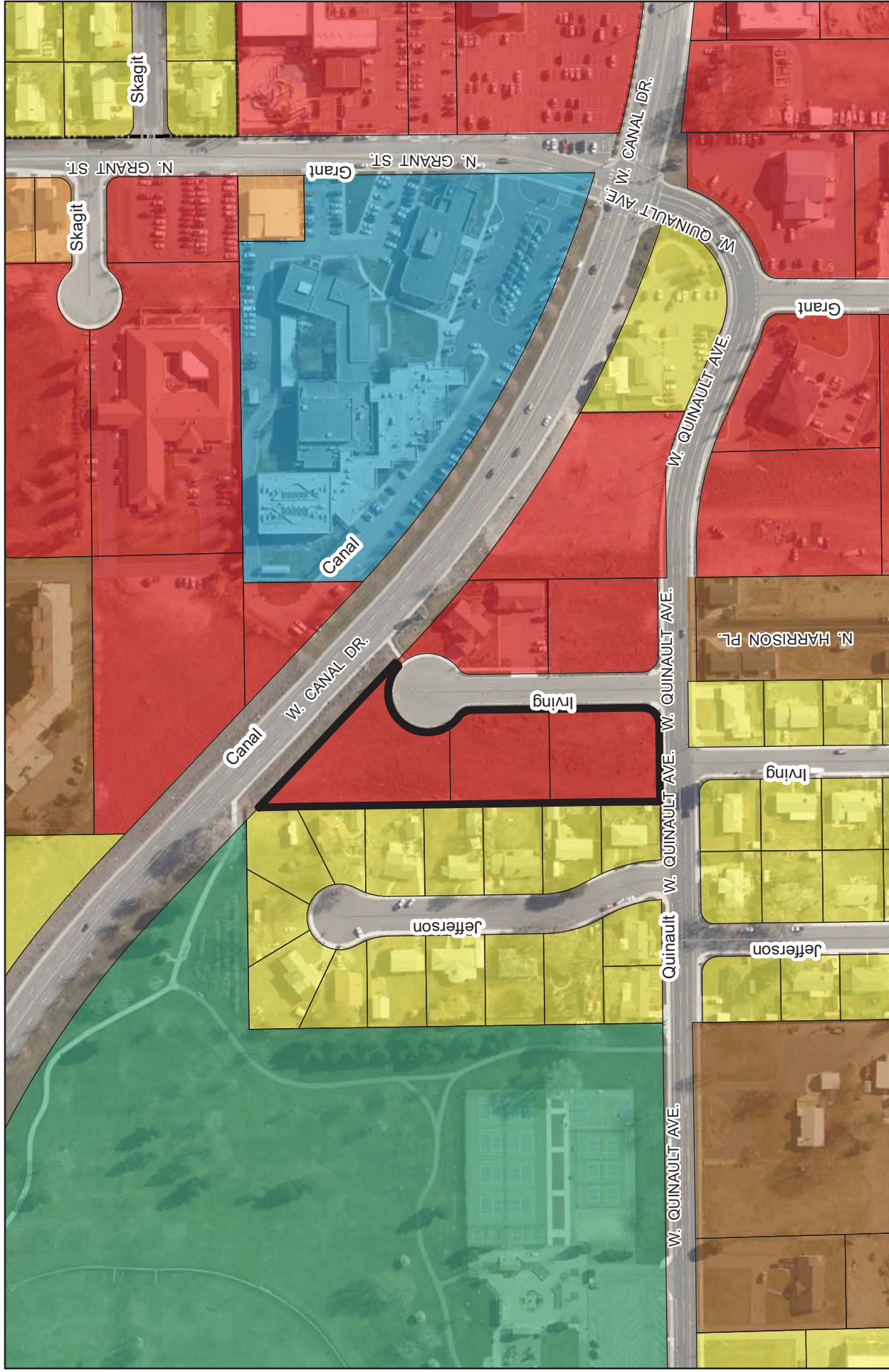
1:3,600

0.11 m

0.11 m

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

ArcGIS WebApp Builder
City of Kennewick



CPA 21-07/PLN-2021-01441 Land Use Map

- | | | | | | | | |
|---|-------------------------|---|----------------------------|---|------------|---|-----------------|
|  | Open Space |  | Medium Density Residential |  | Mixed Use |  | Industrial |
|  | Low Density Residential |  | High Density Residential |  | Commercial |  | Public Facility |



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 Comprehensive Plan Amendment

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

Applicant: Brett Lott

Address: 5710 Castle Holly Court, Pasco, WA 99301

Telephone: N/A Cell Phone: 509-851-5164 Fax: N/A E-mail Lott.Brett@gmail.com

Property Owner (if other than applicant): Same

Address: Same

Telephone: Same Cell Phone: Same E-mail Lott.Brett@gmail.com

SITE INFORMATION

Parcel No. 133992013078003, -8002, -8001 Acres 1.767 Total Zoning: CO

Address of property: 1221, 1213, 1201 N Irving Place

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

Present use of property Vacant commercial land

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

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

Benton County Assessor Market Improvement Value: \$0

Description of Project: Amend comprehensive plan to enable some or all of the three properties to be rezoned to low density residential. Several single family dwellings and possibly a commercial building may be constructed at a future date, but not as part of this amendment.

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

Joshua Lott

Digitally signed by Joshua Lott
Date: 2021.04.28 12:38:22 -07'00'

Applicant's Signature

Date: 04/28/2021

Joshua Lott

Digitally signed by Joshua Lott
Date: 2021.04.28 12:38:34 -07'00'

Signature of owner or owner's authorized representative

Comprehensive Plan Amendment 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 the Comprehensive Plan Amendment request. Use additional pages if necessary.

1. State the requested amendment:

We would like move the southern property line of the northernmost property 20' to the North (make parcel 133992013078003 slightly smaller) and change the other two parcels including the new 20' sliver of the northern property from CO to low density residential. If the keeping the northern lot commercial will not be approved by the City, then as a backup plan, we would like to change all three properties to low density residential.

2. What are the reasons for the requested amendment:

To create sites to build and sell homes. If we are able to keep the northern lot (parcel 133992013078003) commercial office as described in item 1 then we hope to use that to build a office building with several units to rent or lease out. As a backup to ensure the amendment goes through if the city is not amenable to keeping the northern property commercial, we will use the entirety of the three lots for single family dwellings.

3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc:

Because this is such a small change and the lots are currently vacant there will be no effect on utilities, parks, schools, etc. Future development will have a negligible effect on these local services.

4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

Residential Goal 1: Provide for attractive, walkable, and well-designed residential neighborhoods compatible with neighboring areas. The proposed change to residential is compatible with nearby areas. It is very close to some open space to the west with walking paths, it is within walking distance of the Court Club. It will also be in the vicinity of the downtown area that is proposed to replace the old Vista Airport.

Residential Goal 3: Promote a variety of residential densities. Although not part of this comp plan amendment



5. Include any other substantiated information in support of the requested amendment:

Kennewick has a surplus of commercial land and the demand for new homes in the area is extremely high. This will allow some additional homes to be added to the market. Additionally it will provide many homeowners on N Jefferson street with neighboring residential property instead of commercial property. If the northern area is permitted to remain zoned CO, then plans to build an office building with landscaped areas will beautify the side of a Canal Dr which is a main through road.

Vicinity Map

PREFERRED OPTION

BLUE HATCHED AREA TO REMAIN
COMMERCIAL OFFICE (CO)

PROPOSED BOUNDARY
BETWEEN ZONES TO BE 20'
NORTH OF EXISTING
PROPERTY LINE AS SHOWN

20 ft

RED HATCHED AREA TO CHANGE
TO LOW DENSITY RESIDENTIAL

133992013078003

133992013078003

133992013078003

N Irving Pl

Canal Dr

W Quinault Ave

N Jefferson Pl

Google Earth

© 2021 Google

400 ft



Vicinity Map

SECONDARY OPTION

CHANGE ALL 3 LOTS
TO LOW DENSITY
RESIDENTIAL

133992013078003

133992013078003

133992013078003

N Jefferson St

N Irving Pl

Canal Dr

W Quinault Ave

N Jefferson Pl

Google Earth

© 2021 Google



400 ft



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

FILE/PROJECT NUMBER: ED 21-17/PLN-2021-01442

DESCRIPTION OF PROPOSAL: Change the land use designation of 1.77-acres from Commercial to Low Density Residential.

PROPOSER: Brett Lott, 5710 Castle Holly Court, Pasco, WA 99301

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 1201, 1213, 1221 N Irving Place, Parcel Number: 1-3399-201-3078-001, 1-3399-201-3078-002 and 1-3399-201-3078-003

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: Anthony Muai, AICP

POSITION/TITLE: Interim Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

☐ 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 7, 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 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.

Copies of this DNS were mailed to:

Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED 21-17 File

RECEIVED

JUN 29 2021

COMMUNITY PLANNING



Sean A. Russel
(509) 895-0087
sean.russel@stokeslaw.com

Reply to Yakima Office

June 28, 2021

SENT VIA FED EX

Steve Donovan
City of Kennewick
Development Services Division
210 W. 6th Avenue
Kennewick, WA 99336

Re: CPA 21-07/PLN-2021-01441

Dear Mr. Donovan:

I am submitting this letter on behalf of Native Dirt, LLC in response to the above-referenced project application. Native Dirt, LLC is the property owner for the property located at 1212 N. Irving Place in Kennewick, and as such would be directly impacted by the applicant's proposal should it be approved. Native Dirt presently operates a commercial business on its property.

The applicant is requesting the Comprehensive Plan be amended to allow a future rezoning of 1221, 1213 and 1201 N. Irving Place in Kennewick from commercial to low-density residential (i.e., single-family). The applicant is not requesting a rezone with his current application; however, he explains that his long-term intention is to develop the property with a combination of one commercial lot and several single-family residential dwellings, or just with single-family residential dwellings. Native Dirt believes the applicant's request (and future proposal) is inconsistent with existing surrounding uses and inconsistent with the Comprehensive Plan. Native Dirt believes the application should be denied.

The applicant's proposal is inconsistent with existing commercial uses as well as surrounding commercial uses to the east and southeast of N. Irving Place. Native Dirt presently operates a commercial business on its property and therefore generates commercial traffic on N. Irving Place. Adding single-family residential use to N. Irving Place would be incompatible with the existing commercial use on that street because it would change the character of the street by introducing single family use and single-family residential traffic. While N. Irving Place might previously have been suitable for single-family residential development (prior to the establishment of Native Dirt's commercial enterprise), the fact that there is an existing commercial

RECEIVED

JUN 29 2021

COMMUNITY PLANNING

June 28, 2021

Page 2

business using N. Irving Place should preclude a change in the use of the cul-de-sac to allow single-family residential.

The neighborhood to the west, N. Jefferson Street, is an interesting comparison. That development is entirely single-family residential (no commercial) and therefore avoids the incompatibilities that would occur by blending single-family residential and commercial on N. Irving Place. Further, the N. Jefferson Street development does not front W. Canal Drive. And it is adjacent to Lawrence Scott Park, not other commercial uses like N. Irving Street. The N. Jefferson Street development is an example of a single-family use consistent with the Comprehensive Plan.

Regarding commercial uses, the Comprehensive Plan encourages compatible commercial activities to concentrate near each other. The commercial development operated by Native Dirt, LLC has effectively established N. Irving Street as a commercial street. The surrounding commercial uses to the east and southeast of Native Dirt's commercial business strongly indicate the proper use of this area should be commercial, not single family residential. Maintaining the commercial use designation for the property along N. Irving Place will further the goals of the Comprehensive Plan.

While Native Dirt is not opposed to single-family development, it does believe the applicant's proposal (and stated future development plans) are inconsistent with the current use and goals of the Comprehensive Plan. Thank you for the opportunity to provide comments.

Sincerely,

STOKES LAWRENCE
VELIKANJE MOORE & SHORE



Sean A. Russel

From: [Heather Michael](#)
To: [Steve Donovan](#)
Subject: CPA 21-07/PLN-2021-01441
Date: Tuesday, June 29, 2021 11:44:45 AM
Attachments: [image001.jpg](#)

Good afternoon, Steve,

This response is regarding the public notice for the properties located at 1201, 1213 and 1221 N Irving Place, in Kennewick.

I purchased the property across the street (1200 N Irving Place) with the intent to build a 2-story office building (8000-10000 sq feet) with parking. I am concerned because this cul-de-sac is zoned commercial and the original intent was for all 6 lots to have some type of business on them. At this time, two of them have businesses and mine would be the third. Three residential homes in this already established commercial area doesn't seem practical and only seems to fit the needs of the owner, who builds residential homes. I do not agree with the proposal to change the zoning to LDR. Can you tell me when a decision will be made because this would directly affect whether or not I will move forward with my plan to build on that lot.

Thank you!

Heather Michael



Find us on Google: <https://g.page/HomeCareSolutions?gm>

From: lott.brett@gmail.com
To: [Steve Donovan](#)
Cc: [Joshua Lott](#); ["Sandra Lott"](#)
Subject: RE: ED 21-17/PLN-2021-01442
Date: Thursday, July 22, 2021 4:35:00 PM
Attachments: [image001.png](#)
[image003.png](#)

Hello Steve,

Thank you for forwarding the comments. I just wanted to give a reply on both of these letters that may or may not be needed for the approval process but thought it might be relevant.

In response to the letter written in behalf of Native Dirt who is the owner of the property located at 1212 Irving place and also known as Lexar homes. The letter states that Native Dirt believes the application is "inconsistent with existing surrounding uses and inconsistent with the Comprehensive Plan". I would argue that the comprehensive plan is friendly towards a mixture of residential and light commercial. Even on the north side of Canal Dr., residential and commercial sits side by side. Future plans in Vista field are also friendly to a mixture of residential and commercial by possibly allowing mixed use residential and commercial businesses. I also received a call from Chad who is one of the owners of Lexar Homes and he stated their concern that if our property was rezoned to residential that there was a possibility that mobile homes would be place there as was done on the property just south of Quinault Ave. I assured him that was not our intent or plans and that we would be building upgraded SFR homes that would compliment and even improve the area. Although he would prefer it stay commercial he stated he was not apposed to our proposal.

In regards to the letter written by Heather Michael. There is really not an argument given in the letter as to why she is apposed other than it states "the original intent was for all 6 lots to have some type of business on them" and "residential homes in this already established commercial area doesn't seem practical". In actuality there are only 5 lots in the cul-de-sac and one established business, Lexar Homes, so I believe it is safe to say it is not an established commercial area especially since it is flanked by residential homes on two sides. I would also argue that residential homes in a commercial area is practical and lends to more of a community feel and also provides added activity to the area during off business hours reducing loitering or crime. It is important to note that the Michaels purchased their property a month after we had completed our purchase. Danial Michael had called me and asked what our intent was with the lots we purchased and I was upfront in letting him know what our plans where and he expressed approval during that phone call.

One other thing to note is that the only established business on the street is a residential home used as model for Lexar Homes with a smaller office building at the side. The home faces Canal Dr. and is built and landscaped to model a residential home which already lends to the residential feel of the area.

I believe our proposed application is positive in all ways and will create a look and feel that will benefit the adjacent residential and commercial owners and a good positive fit for the City of Kennewick.

Happy to have an further discussion or answer any questions.

Thank you,

Brett

From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Thursday, July 08, 2021 3:07 PM
To: 'lott.brett@gmail.com' <lott.brett@gmail.com>
Subject: RE: ED 21-17/PLN-2021-01442

Mr. Lot:

Attached are comments that I received from surrounding neighbors.

Steve

From: lott.brett@gmail.com <lott.brett@gmail.com>
Sent: Thursday, July 8, 2021 2:39 PM
To: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Subject: RE: ED 21-17/PLN-2021-01442

Thank you for the info and update.
Brett

From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Wednesday, July 07, 2021 8:37 AM
To: 'Lott.Brett@gmail.com' <Lott.Brett@gmail.com>
Subject: ED 21-17/PLN-2021-01442

Mr. Lott,

Attached is the SEPA Determination for your proposed comprehensive plan amendment.

Let me know if you have any questions.

Steve

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

Brett Lott Homes
7513 W Kennewick Ave. Suite C
Kennewick, WA 99336

August 5, 2021

City of Kennewick
210 W. 6th Avenue
Kennewick, WA 99336

To Members of the Kennewick City Council,

INTRODUCTION

The purpose of this letter is a rebuttal of the public, written comments from two different entities. The comments from Stokes Lawrence Valikanje Moore & Shore on behalf of Native Dirt, LLC, also known as Lexar Homes, will be addressed first, and comments from Heather Michael who, along with her husband, recently purchased the property across the street (1200 Irving Place) will be second.

NATIVE DIRT, LLC (LEXAR HOMES)

The comments from Native Dirt LLC paragraph two states, "Native Dirt believes the applicant's request (and future proposal) is inconsistent with existing surrounding uses and inconsistent with the Comprehensive Plan." First, our amendment request is consistent with existing surrounding uses. This is readily apparent when you look at the city's zoning map. Residential zoned properties are located immediately west and south of the property in question. In addition, parks are generally placed in areas with significant residential presence. Lawrence Scott Park is located almost immediately to the west of the property in question. Furthermore, as the Vista Field property develops with proposed mixed commercial and residential units, it makes sense to develop residential property nearby. Second, this application is consistent with the Comprehensive Plan. Please see our Comprehensive Plan Amendment Application for evidence of what Comprehensive Goals and Policies are aided by this proposal. One of the most important Residential Policies in the Comprehensive Plan that is consistent with this proposal is residential goal 4 policy 2 which reads, "Encourage residential development within commercial areas."

Paragraph three of Native Dirt LLC's comments indicates that, "the applicant's proposal is inconsistent with... surrounding commercial uses to the east and southeast." They fail to mention that all the land use to the west and south is residential. Furthermore, Native Dirt indicates that residential homes would reduce commercial traffic and harm their business. This is not a through street, it is a cul-de-sac, so traffic patterns will change marginally at most. In addition, their property borders Canal Drive, so they have an abundance of visibility to the public which would be unaffected by a few homes being built on the cul-de-sac.

The fourth paragraph states that residential and commercial property should not be on the same street, however, the comprehensive plan encourages residential development within commercial areas (see comments on the first paragraph), so their point is not consistent with the comprehensive plan.

The fifth paragraph argues that because there is already a commercial building on the street that all other buildings should be commercial as well. Once again this is inconsistent with the comprehensive plan policy of promoting residential development within commercial areas.

The final paragraph states that the company is not apposed to single-family development. Their entire argument hinges on their belief that the proposed amendment is entirely inconsistent with the comprehensive plan, which is false. There are most assuredly many goals and policies in the comprehensive plan with which the proposed amendment is consistent. I feel like their letter repeatedly tries to prove inconsistency with the comprehensive plan, without knowing anything other than the zoning of nearby properties. If Native Dirt LLC took a closer look at the goals and the policies of the comprehensive plan, they would find more goals and policies that are consistent with the proposed amendment than there are those that are inconsistent.

Additionally, I received a call from Chad who is one of the owners of Lexar Homes, and he stated their concern that if our property was rezoned to residential that there was a possibility that mobile homes would be placed there similar to what was done on the property just south of Quinault Ave. I assured him that that was not our intent and that we would be building upgraded single family residence homes that would complement and even improve the area. Although he would prefer it stay commercial, he stated he was not opposed to our proposal.

HEATHER MICHAEL

Heather and her husband intend to build a 2-story office building with parking at 1200 N Irving Place. She indicated that, "the original intent was for all 6 lots to have some type of business on them" and "residential homes in this already established commercial area doesn't seem practical". In actuality, there are only 5 lots in the cul-de-sac and one established business, Lexar Homes. Because 80% of the lots are currently vacant, it is safe to say this is not an established commercial area, especially since it is flanked by residential homes on two sides. I would also argue that residential homes in a commercial area are practical and lend to more of a community feel. They also provide added activity to the area during off business hours thus reducing loitering and crime.

She also states that residential homes "only seems to fit the needs of the owner". Obviously, every property owner would hope that the property fits their needs. However, this proposed amendment is also consistent with many of the goals and policies set forth in the comprehensive plan, which means it will beneficially impact the community in addition to meeting our needs.

Heather also indicates that this decision "would directly affect whether or not *she* will move forward with *her* plan to build on that lot." Quite frankly, this is likely a posture to sway the council decision. The Michaels purchased their property a month after we had completed our property purchase. Daniel Michael (Heather's husband) called me and asked what our intent was with the lots we purchased, and I was upfront in letting him know of our plans that are contained in the proposal to the council. He expressed approval during that phone call.

CONCLUSION

In summary, the two sets of comments that were received contain arguments that are largely unfounded. Additionally, their arguments are not consistent with comprehensive plan goals and policies. The council would be beneficially impacting the community by approving the amendment to the comprehensive plan. I invite each council member to approve the amendment to the comprehensive plan.

Sincerely,

A handwritten signature in black ink that reads "Brett Lott". The signature is written in a cursive, slightly slanted style.

Brett Lott

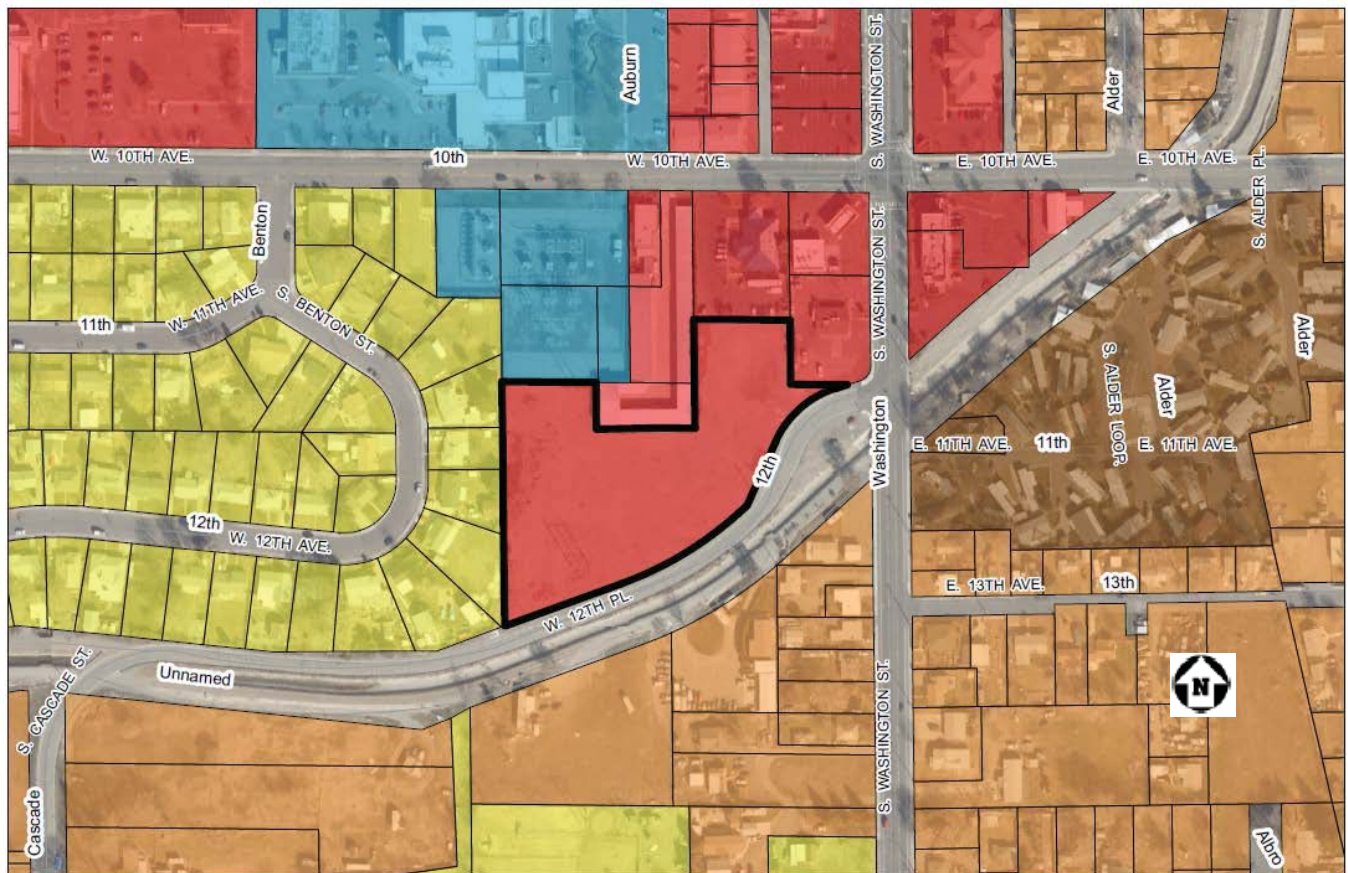


Comprehensive Plan Amendment 21-08

REQUEST: Change 2.95 acres from Commercial to High Density Residential.

APPLICANT: Thomas Wei

OWNER: FSTN, LLC



Not to scale

SITE INFORMATION

- **Size:** 2.95 acres
- **Location:** 18 W 12th Place
- **Topography:** Flat
- **Existing Comprehensive Plan Designation:** Commercial
- **Existing Zoning:** Commercial, Community (CC)
- **Existing Land Use:** Vacant Land

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination

APPLICATION PROCESS

- Application Submitted April 30, 2021
- Application routed for comments June 14, 2021
- Determination of Non-Significance was issued on July 7, 2021
- Appeal Period for the DNS ended July 21, 2021
- Notice of Public Hearing was posted at the site on July 29, 2021
- Notice of Public Hearing published August 1, 2021
- Notice of Public Hearing mailed July 29, 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Public Facility and Commercial Zoning – Public Facility (PF) and Commercial, Community (CC) Existing Land Uses – Electrical Substation, Mini Storage, Office and Restaurant
South	Comprehensive Plan – Medium Density Residential Zoning – Residential, Medium Density (RM) and Residential, Manufactured Home (RMH) Existing Land Uses – Single-Family Residences
East	Comprehensive Plan – High Density Residential and Medium Density Residential Zoning – Residential, Trailer Park (RTP) and Residential, Medium Density (RM) Existing Land Uses – Trailer Park and Single-Family Residences
West	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL) Existing Land Uses – Single-Family Residences

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant has requested to change the land use designation for 2.95 acres from Commercial to High Density Residential.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses that may have the potential to negatively influence the public health, safety, welfare and protection of the environment.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.

4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The City of Kennewick's 2017-2037 Comprehensive Plan states that the City has a surplus of Commercial Lands and a deficit of High Density Residential lands. The proposed amendment will address an identified deficiency in the comprehensive plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
Grading and clearing of vegetation will have to take place at the site for future development.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
The site does not contain any designated open space or critical areas on-site. No negative impacts are anticipated from the proposed amendment or future development. Adequate measures within the Kennewick Municipal Code exist to mitigate any possible negative impacts to the natural environment.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal is compatible with the surrounding land uses. A mix of different land use designations and zoning districts surrounds the site. Future multi-family development will most likely increase traffic, but should have minimal impact on the adjacent properties.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future development of the site is required to provide infrastructure improvements to ensure adequacy of community facilities.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Currently, Kennewick has a surplus of land designated Commercial. The addition of more High Density Residential land will help to meet the demand for more housing.
6. The current and projected project density in the area; and
No maximum density exists for the current land use designation and the proposed land use designation has a maximum density of 27 units/acre.
7. The effect, if any upon other aspects of the Comprehensive Plan.
The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

No comments were received from the public.

AGENCY COMMENTS

The City's Traffic Engineering Division may request a Traffic Analysis once a development application for the site is submitted.

ANALYSIS OF REQUEST

This request is to amend the land use designation of 2.95 acres to High Density Residential. A maximum of 80 units is permitted by the proposed land use designation. The proposed amendment will address a current supply deficiency of High Density Residential. The proposal is compatible with the multiple land use designations adjacent to the site. Access to the site is via W 12th Place. Surrounding commercial activities would provide supporting services to future residences.

FINDINGS

1. The applicant is Thomas Wei, 2120 N Road 44, Pasco, WA 99301.
2. The property owner is FSTN, LLC, 2699 Road 68, Pasco, WA 99301.
3. The request is to change the site's land use designation from Commercial to High Density Residential.
4. The application was received on April 30, 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on June 14, 2021.
5. City water and sewer utilities are in S Washington Street.
6. Access to the site is from W 12th Place.
7. The proposed amendment is adjacent to lands designated Low Density Residential, Public Facility, Medium Density Residential and Commercial.
8. A Determination of Non-Significance was issued for this application on July 7, 2021. The appeal period for the determination ended on July 21, 2021.
9. The Notice of Public Hearing was posted on site July 29, 2021.
10. The Notice of Public Hearing was published in the Tri-City Herald on August 1, 2021. Notices were mailed to property owners within 300 feet of the site on July 29, 2021.
11. The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses that may have the potential to negatively influence the public health, safety, welfare and protection of the environment.
12. This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request does address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation of 2.95 acres from Commercial to High Density Residential.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will increase the population densities in the area.
5. Future development of the site may have minimal impact to the traffic and park system.

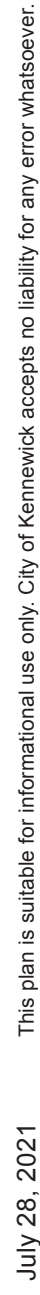
Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-08 contained in the staff report and recommend approval to City Council.

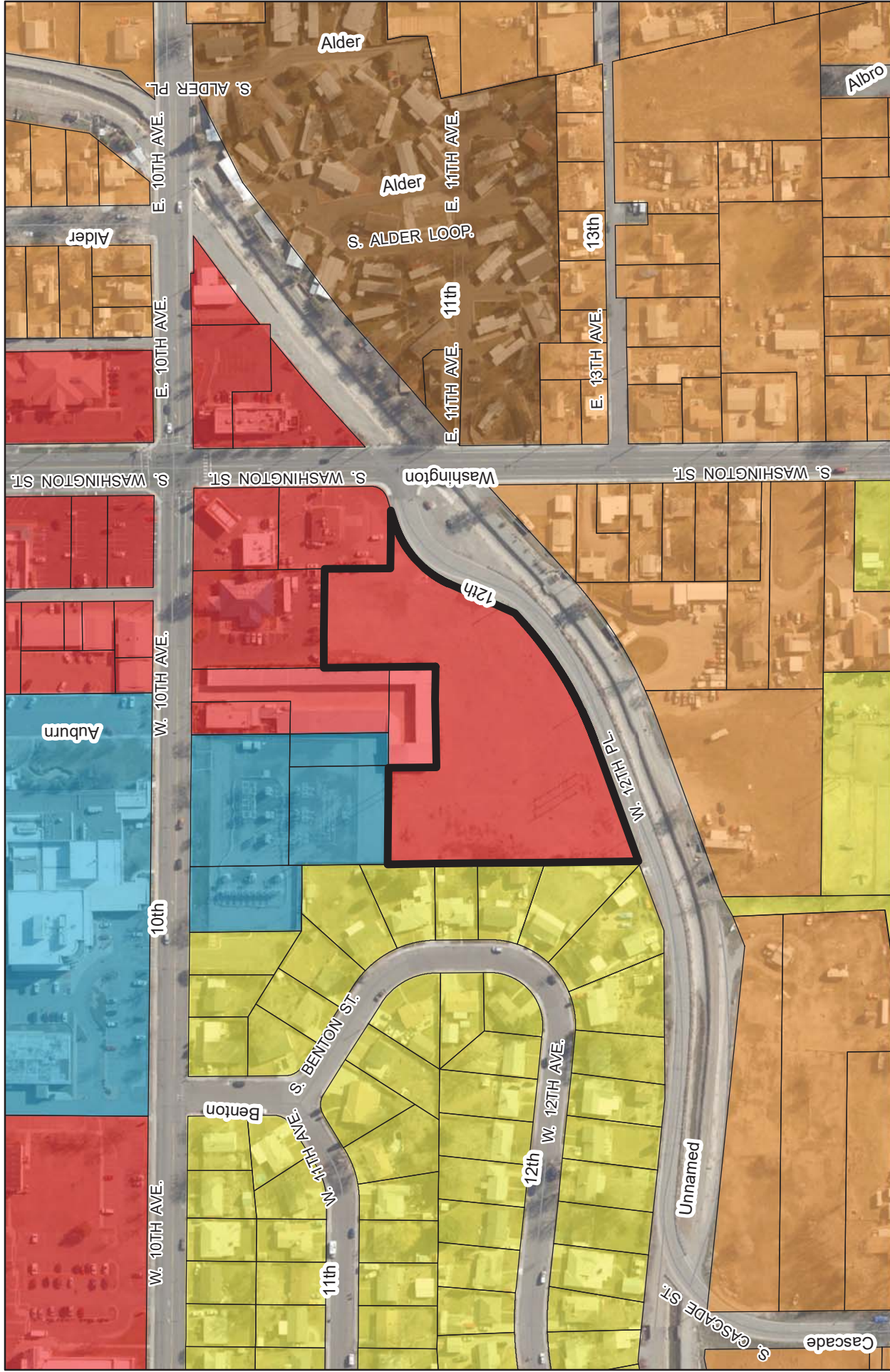
Motion

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

Exhibit A-1



ArcGIS WebApp Builder
City of Kennewick



CPA 21-08/PLN-2021-01480 Land Use Map

- | | | | | | | | |
|---|-------------------------|---|----------------------------|---|------------|---|-----------------|
|  | Open Space |  | Medium Density Residential |  | Mixed Use |  | Industrial |
|  | Low Density Residential |  | High Density Residential |  | Commercial |  | Public Facility |



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 Comprehensive Plan Amendment

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

Applicant: THOMAS WEI

Address: 2120 N RD 44, PASCO WA 99301

Telephone: 425-698-7705 Cell Phone: SAME Fax: _____ E-mail ThomasWei10@gmail.com

Property Owner (if other than applicant): FSTN, LLC

Address: 2699 RD 68, PASCO WA 99301

Telephone: _____ Cell Phone: _____ E-mail _____

SITE INFORMATION

Parcel No. 11289103000501 Acres 2.95 Zoning: CC

Address of property: 18 W 12TH PLACE

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

Present use of property VACANT

Size of existing structure: N/A sq. ft. Size of Proposed addition/New structure: undetermined sq. ft.

Heit of building: undetermined Cubic ft of excavation: undetermined Cost of new construction undetermined

Benton County Assessor Market Improvement Value: \$0 Improvement Value/\$213.870 Land Value

Description of Project: Amendment to the Comprehensive Plan to reclassify site from "Commercial" land use designation to "High Density Residential" land use designation.

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: 4/30/2021

Signature of owner or owner's authorized representative

THOMAS WEI COMPREHENSIVE PLAN AMENDMENT APPLICATION SUPPLEMENTAL INFORMATION

1. State the requested amendment:

The proposed amendment seeks a change in the land use designation on a 2.95-acre parcel from its current 'commercial' plan designation to a 'high density residential' plan designation. The site is located west of Washington Avenue and lies between 10th Avenue and 12th Place, addressed as 18 W. 12th Place. Refer to the attached vicinity map (Exhibit A). The intent of the plan amendment is to develop the site with affordable townhome units. While no specific site plans have yet been prepared for the project, 28 to 33 units are anticipated.

2. What are the reasons for the requested amendment?

- **The property is not well suited for retail commercial development.** The site is located near Washington Avenue but does not have any direct frontage along an arterial street. 12th Place, which does front the site is a low volume residential street, without the traffic counts necessary to make the site attractive to commercial retailers. Refer to attached zoning map (Exhibit C).
- **Many of the commercial uses allowed in the CC district are not as compatible with nearby residential neighborhoods.** The site borders upon a single-family neighborhood to the west. Kennewick Municipal Code Chapter 18.12 allows a variety of uses within the CC zone that could negatively impact adjacent residential neighborhoods, such as the following:

○ Alcoholic beverage sales; ○ Auto oriented uses; ○ Bars/taverns; ○ Body art studios; ○ Micro-breweries; ○ Brew pubs; ○ Bus stations; ○ Car washes; ○ Casino/cardrooms; ○ Craft distilleries;	○ Espresso stands; ○ Gas stations; ○ Hotels; ○ Kennels (150' setback required) ○ Gunsmith; ○ Mobile Home display lots; ○ Fast food restaurants; ○ Vet clinics
--	--
- **There is a lack of affordable housing options within the City.** The proposal would convert land to a residential land use designation with the goal of constructing townhomes on the site. Higher density townhomes provide an attractive affordable housing option that makes efficient use of residential land while still providing home ownership opportunities to families. Few sites are currently available in the City that can provide for this form of housing.
- **The property is well situated for residential development.** The site is ideally located for residential development, as it is close to both schools and parks. It is near to an intersection of two minor arterial streets (Washington and 10th Avenue) is adjacent to primary and secondary pedestrian and bicycle routes, is located adjacent to existing bus

routes, is close to an existing fire and police stations and health care facilities and is within easy walking distance of restaurants and a grocery store.

3. *Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc. and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc.*

Land Use Plan Impacts

Under the land use element of the plan, minor adjustments to the following land use inventory found on page 19 of the Kennewick 2017-2037 Land Use Element of the Comprehensive Plan would result from the proposal:

Table 2: Land Use Inventory

Use Category	Total Acres	Developed Lands (acres)	Buildable Lands (acres)	Acres Needed for 2037 Pop. Projection	Deficit/ Surplus (acres)
Residential	10,477.5	6,356.4	4,121.1	2645.1	1,476.0
Low Density Residential	8,206.1	4,815.2	3,390.9	2,003.7	1,387.2
Medium Density Residential	1,842.7	1,126.0	716.7	468.6	248.1
High Density Residential	428.6	415.1	13.5	172.7	-159.2 -156.2
Commercial	1,982.1	1,335.1	647.0	1,982.1	-91.5 88.5
Industrial	787.5	462.3	325.2	1,099.7	-774.5
Parks and Recreation	241.9	241.9	0.0	100.7	-100.7
Public Facilities	324.5	324.5	0.0	135.0	-135.0
Schools	237.5	194.2	43.3	80.8	-37.5
Open Space	1,564.1	1,564.1	0.0	650.9	-650.9
Public Service	77.2	77.2	0.00	12.4	-12.4
Subtotal	15,692.3	10,555.7	5,136.6	5,280.1	-143.5
Market Factor (25%)	---	---	-1,284.2	---	-1,284.2
Critical Areas Credit	---	---	0	259.0	-259.0
Total	15,692.3	10,555.7	3,852.4	5,539.1	-1,686.7

The slight surplus in commercial acreage would be decreased by 2.95 acres and the deficit in high density residential land would be decreased by the same 2.95 acres, helping in a small way to even out the overabundance of commercial land and the lack of high-density residential land.

Utility Plan Impacts

The City's utility plans would not be impacted by the proposal, as both water and sewer mains are in place along the eastern boundary of the project site. (Refer to the attached utility map – Exhibit I). Fire flow requirements for commercial development are generally greater to or equal to requirements for residential development, so there should be no impact to the City's water system when the demand for water created by the proposed townhomes is compared to the water demand created by commercial development. The impacts of the proposal on the City's sewer system would also be minimal. Commercial development, depending upon the specific commercial uses can be much greater (hotels, restaurants, car washes) or much lesser (in the case of retail or office uses) than townhome development.

Transportation Plan Impacts

The project site is well served by the City's existing transportation network. It is located extremely near the intersection of two minor arterial streets – Washington and 10th Avenue (Refer to the attached Roadway Functional Classification Map – Exhibit D). It is located adjacent to three different transit routes (refer to the attached Transit Route Map – Exhibit E). It is located adjacent to primary and secondary pedestrian routes (refer to the attached Pedestrian System Plan – Exhibit F) and to primary and secondary bicycle routes (refer to the attached Bicycle System Plan – Exhibit G).

Public Facilities Impacts

The project site is conveniently located to a wide range of public facilities as described in the following table. Distances from the site are measured following street patterns.

Facility	Distance in miles
Schools	
Eastgate Elementary School	.77
Washington Elementary School	.58
Park Middle School	.7
Kennewick High School	.76
Parks	
Civic Athletic Complex	.35
Monopoly Park	.4
Eastgate Park	.85
Keewaydin Park	.8
Other	
Fire Station	.45
Public Library	.8

The central location of the project site shows its suitability for residential land use, with a wide range of public services and facilities located within the immediate neighborhood, making the project site an ideal location for a residential infill project. (Refer to the attached Public Facilities Map – Exhibit H.)

4. *Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented.*

The proposed plan amendment would help to implement several goals within the Kennewick Comprehensive Plan, which are reprinted below followed by a brief comment explaining how the proposal is consistent with those goals and policies.

Urban Area Goal 2: Encourage growth within the Urban Growth Area.**Policies**

3. *Encourage compact development patterns within the UGA that can be efficiently served by public facilities. **

Comment: The project would result in compact high density residential development in a location that will not require the extension of public streets or utility lines and is readily served by existing public facilities and services.

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

Policies:

1. Maintain residential zoning regulations that offer a similar graduation in building scale and bulk.
2. Require multi-family housing to incorporate architectural forms and features compatible with the surrounding neighborhood. Features that promote compatibility include landscaping, setbacks, rooflines and building forms that reduce the appearance of bulk.
3. Require that multi-family structures be located near a collector street with transit, or near an arterial street, or near a neighborhood center.
4. Use natural and man-made features to separate different residential densities.
5. Encourage adequate pedestrian connection with nearby neighborhood and transit facilities in all residential site development.

Comment: The proposal would create a logical graduation between commercial properties to the north and medium density residential properties to the south in accordance with policy #1. Development of the project site would be required to comply with the City multi-family residential design standards and so would implement policy #2. The project site would provide a location for multi-family development near arterial streets that are served by transit routes and in a location within walking distance of restaurants and a grocery store, thereby implementing policy #3. The project site would use a roadway and irrigation canal as a man-made feature separating high density residential from medium density residential in accordance with policy #4. The project site is situated to provide easy access from a multi-family development to transit routes and both bicycle and pedestrian routes consistent with policy #5.

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

Policies:

1. Ensure provision of parks, schools, drainage, transit, water, sanitation, infrastructure and pedestrian in new residential developments. *

Comment: The proposal represents an opportunity for infill development. Construction of multi-family residences on the project site would not require the construction of access streets or utility line extensions and so would efficiently make use of existing City infrastructure. Existing public services, including police and fire protection, public schools, parks, bicycle and pedestrian routes and transit routes are located conveniently close to the project site.

Residential Land Use Goal 3: Promote a variety of residential densities with a minimum density target of 3 units per acres as averaged throughout the urban area.

Policies:

4. Residential High Density – Designate land for Residential High Density (HD) where access, topography, and adjacent land use create conditions appropriate for a variety of unit types, or where there is existing multi-family development. *

Comment: The project site fits the criteria for the high-density residential land use classification as outlined in Policy #4. It is flat ground with no physical development constraints; it is nearby two minor arterial streets (Washington and 10th Avenue) for good access to the City's transportation network and is located adjacent to commercial services that would benefit from nearby residential uses.

Residential Land Use Goal 4: Provide more housing opportunities near commercial, transit and employment.

Policies:

1. Locate the highest density residential areas close to shops and services and transportation hubs.
2. Encourage residential development within commercial areas.

Comment: The project site is immediately adjacent to commercial services, lying within easy walking distance to restaurants, a grocery store and health care facilities. It is extremely near the intersection of two minor arterial streets (Washington and 10th Avenue) that are designated as both pedestrian and bicycle routes and are served by public transit, thereby helping to implement policy #1. As it is immediately adjacent to commercial areas, it is also consistent with policy #2.

Housing Goal 1: Support and develop a variety of housing types and densities to meet the diverse needs of the population.

Policies:

3. Allow residential developments such as condominiums, zero lot lines, accessory apartments and other innovative housing techniques.
5. Provide for housing choice in designated mixed use-centers where infrastructure is more readily available or can be improved with regional and local funds. *

Comment: The proposal would provide for the development of townhomes on the project site, a particular form of housing that can be described as zero lot line and provides an opportunity for affordable, owner-occupied housing and so would help to implement policy #3. The project site is located on ground that is currently zoned commercial and will be adjacent to commercial property in a location where infrastructure is available and so is consistent with policy #5.

Housing Goal 3: Promote affordable housing for all economic segments of the community.

Policies:

- (1) Promote affordable infill residential construction through flexibility in development techniques.
- (3) Promote homeownership opportunities for households of all incomes. *

Comment: The proposal represents an infill development opportunity that would bring affordable townhome units to the housing market, helping to implement policy #1. Townhomes represent an affordable option of homeownership and so is in keeping with policy #3.

* For the sake of brevity, policies that do not relate to high density residential development are not reprinted here.

(5) Include any substantiated information in support of the requested amendment.

As explained in the responses above, the project site is an ideal location for high density residential development, given its proximity to public services and the City's transportation network. It is also property that is free of physical constraints, such as steep slopes or other critical areas. Further, the proposed amendment is consistent with the City's goals and policies contained in the land use and housing elements of the comprehensive plan.

Finally, the project site's conversion to high density residential uses would fit well within the neighborhood. 12th Place forms the southern border of the site, which runs parallel to an irrigation canal. Together both the road and irrigation right-of-way provide a 100-foot-wide separation between the medium density land uses to the south and the project site. A similar situation exists along the eastern property boundary with both Washington Avenue and the irrigation canal providing separation from the project site. To the north, the existing commercial land uses would not be impacted by the development of a high-density residential project. A Low-Density Residential land use designation (and a single-family neighborhood) is located west of and adjacent to the site. However, there is a BPA easement that runs north to south across the site that would prevent development along the western 150 feet of the site and provide an ample buffer between the proposed townhomes and the single-family neighborhood. (Refer to the attached Utility Easement Map – Exhibit J.) In summary, the location of the site, together with the easement that precludes the construction of structures within the easement area provide adequate buffers to the adjacent land uses and provide a good transition between the commercial land uses to the north and the residential land uses to the south.



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

FILE/PROJECT NUMBER: ED 21-18/PLN-2021-01504

DESCRIPTION OF PROPOSAL: Change the land use designation of 2.95-acres from Commercial to High Density Residential.

PROPONENT: Thomas Wei, 2120 N Road 44, Pasco, WA 99301

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 18 W 12th Place, Parcel Number: 1-1289-103-0005-013

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: Anthony Muai, AICP

POSITION/TITLE: Interim Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

☐ 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 7, 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 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.

Copies of this DNS were mailed to:

Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED 21-18 File



Community Planning Department

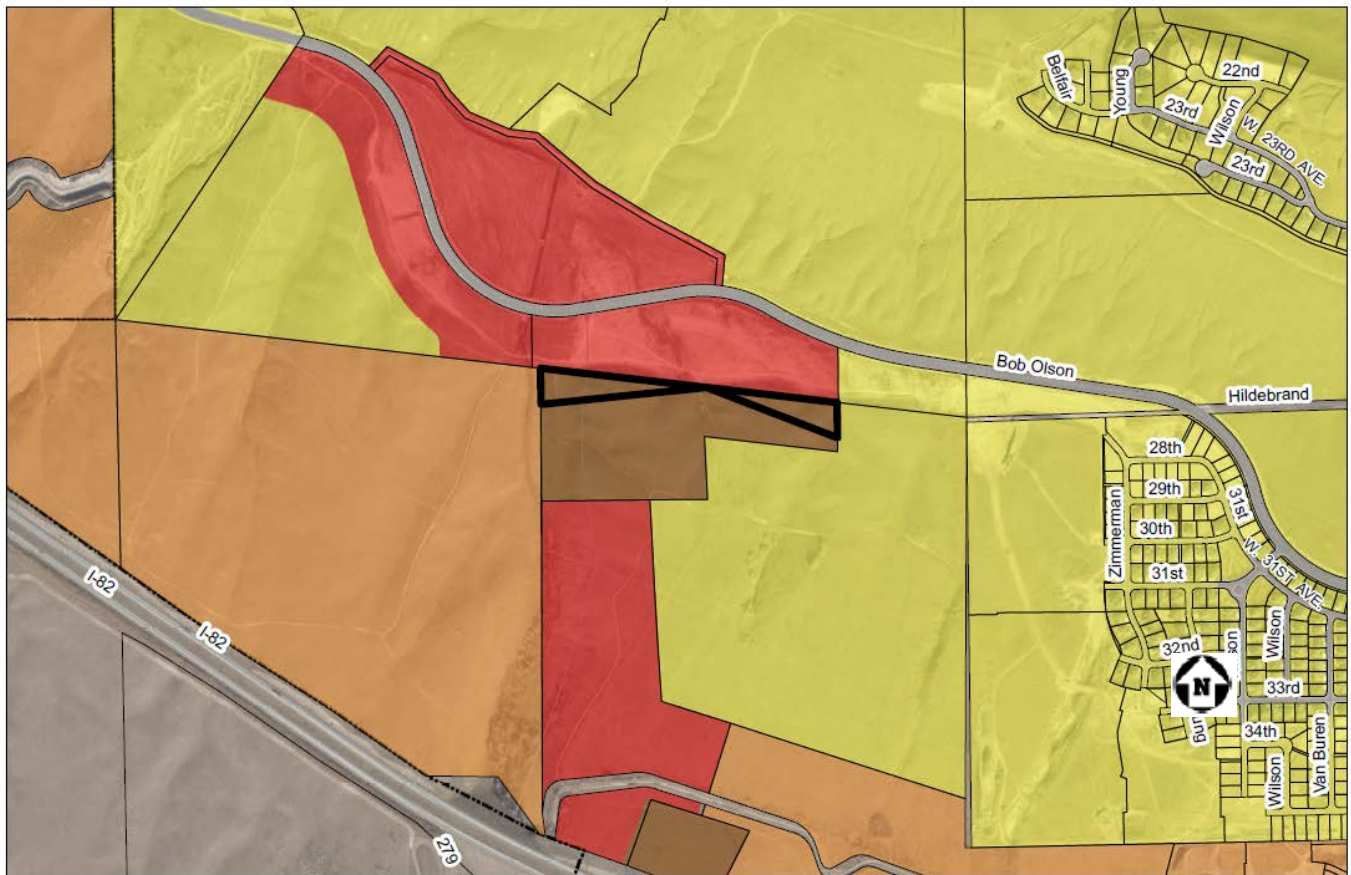
210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4561

Comprehensive Plan Amendment 21-09

REQUEST: Change 4.58 acres from High Density Residential to Commercial.

APPLICANT: Jaycee Structure, LLC

OWNER: Jaycee Structure, LLC



Not to scale

SITE INFORMATION

- **Size:** 4.58 acres
- **Location:** 8125 Bob Olson Parkway
- **Topography:** Contains slopes greater than 15%
- **Existing Comprehensive Plan Designation:** High Density Residential
- **Existing Zoning:** Residential, High Density (RH)
- **Existing Land Use:** Vacant Land

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination
- **Exhibit A-5:** Ben Franklin Transit Comments
- **Exhibit A-6:** Washington State Department of Transportation Comments
- **Exhibit A-7:** Department of Archaeology & Historic Preservation Comments
- **Exhibit A-8:** Kennewick Irrigation District Comments
- **Exhibit A-9:** Benton Clean Air Authority Comments

APPLICATION PROCESS

- Application Submitted May 3, 2021
- Application routed for comments June 14, 2021
- Determination of Non-Significance was issued on July 21, 2021
- Appeal Period for the DNS ended August 4, 2021
- Notice of Public Hearing was posted at the site on July 29, 2021
- Notice of Hearing published August 1, 2021
- Notice of Hearing mailed July 29, 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Commercial Zoning – Commercial, Community (CC) Existing Land Uses – Vacant Land
South	Comprehensive Plan – Commercial and Low Density Residential Zoning – Commercial, Community (CC) and Residential, Low Density (RL) Existing Land Uses – Vacant Land
East	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL) Existing Land Uses – Vacant Land
West	Comprehensive Plan – Low Density Residential and Medium Density Residential Zoning – Residential, Low Density (RL) and Residential Medium Density (RM) Existing Land Uses – Vacant Land

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant has requested to change the land use designation for 4.58 acres from High Density to Commercial.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;

The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses that may have the potential to negatively affect the public health, safety, welfare and protection of the environment.

2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.
4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The City of Kennewick's 2017-2037 Comprehensive Plan states that the City has a surplus of Commercial Lands and a deficit of High Density Residential lands. The proposed amendment will not address an identified deficiency in the comprehensive plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
Grading and clearing of vegetation will have to take place at the site for future development.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
The site does contain designated slopes greater than 15% and erosion hazards areas. No negative impacts are anticipated from the proposed amendment or future development. Adequate measures within the Kennewick Municipal Code exist to mitigate any possible negative impacts to the natural environment.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal is compatible with the surrounding land uses. A mix of different land use designations and zoning districts surrounds the site. Future commercial development will most likely increase traffic, but should have minimal impact on the adjacent properties.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future development of the site is required to provide infrastructure improvements to ensure adequacy of community facilities.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Currently, Kennewick has a surplus of land designated Commercial. Additionally, there is a substantial amount of land in the immediate area of the site that is also designated Commercial.
6. The current and projected project density in the area; and
The maximum density for the current land use designation is 27 units/acre and the proposed land use designation has no a maximum density.
7. The effect, if any upon other aspects of the Comprehensive Plan.
The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

The public submitted no comments.

AGENCY COMMENTS

Staff received comments from Ben Franklin Transit, Washington State Department of Transportation, Department Archaeology & Historic Preservation, Kennewick Irrigation District and Benton Clean Air Agency; see Exhibits A-5 thru A-9. All the received comments are directed towards future development of the site.

ANALYSIS OF REQUEST

This request is to amend the land use designation of 4.58 acres to Commercial. Currently, the City has a surplus of the Commercial Land. Access to the site is via Bob Olson Parkway. If approved, the site will have the same land use designation as the adjacent land to the north and a boundary line adjustment will need to be complete so property lines and zoning district boundaries match.

FINDINGS

1. The applicant and owner is Jaycee Structure, LLC, 1505 NE Village Street, Fairview, OR 97024.
2. The request is to change the site's land use designation from High Density Residential to Commercial.
3. The application was received on May 3, 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on June 14, 2021.
4. City water and sewer utilities are in Bob Olson Parkway.
5. Access to the site is from Bob Olson Parkway.
6. The proposed amendment is adjacent to lands designated Low Density Residential, Medium Density Residential, High Density Residential and Commercial.
7. A Determination of Non-Significance was issued for this application on July 21, 2021. The appeal period for the determination ended on August 4, 2021.
8. A Notice of Public Hearing was posted on site July 29, 2021.
9. The Notice of Public Hearing was published in the Tri-City Herald on August 1, 2021. Notices were mailed to property owners within 300 feet of the site on July 29, 2021.
10. The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses that may have the potential to negatively influence the public health, safety, welfare and protection of the environment.
11. This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
12. The proposed amendment does not correct an obvious mapping error.
13. This request does will not address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation of 4.58 acres from High Density Residential to Commercial.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will not increase the population densities in the area.
5. Future development of the site may have minimal impact to the traffic system.

Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-09 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-09 contained in the staff report and recommend to City Council approval of the request.

Aerial Map

Exhibit A-1



July 29, 2021

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

StreetName

SV_CI_RICHLAND_10

SurveyCityLimits

SV_CI_COUNTY_10

SV_CI_KENNEWICK_10

SurveyUrbanGrowthBoundary



1 inch = 1,000 feet

1:12,000

0 0.075 0.15 0.3 mi

0 0.125 0.25 0.5 km

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

ArcGIS WebApp Builder
City of Kennewick

Open Space
 Medium Density Residential
 Mixed Use
 Industrial

Low Density Residential
 High Density Residential
 Commercial
 Public Facility



Comprehensive Plan Amendment Supplemental Information

Jaycee Structure – HDR to C

1. State the requested amendment:

The applicant is requesting an amendment to the Comprehensive Plan Land Use designation of approximately 4.58 acres of HDR, High Density Residential to C, Commercial located in two areas located near Bob Olson Parkway between the future Center Parkway and Georgia Street.

2. What are the reasons for the requested amendment:

The request is one part of an overall master plan development concept that will create layers of zoning from intense Commercial against Bob Olson Parkway, then HDR to the south of that and then lower intensity LDR or possibly UMU under a future Comp Plan Amendment request.

After developing conceptual level development plans it has become evident that a commercially zoned property that is consistent in depth, better utilizes the property. It is anticipated that the presently designated C property will have an E-W roadway through the approximate middle of the site with commercial development on either side, split lengthwise. This centralized roadway creates a pinch point on the southern side, near the west end at Center Parkway and east end at Georgia St. that makes building placement impractical. Keeping the depth of the commercial designated property consistent, provides better utilization of the property.

3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc.:

The impacts to the City's Comprehensive Plans will be slight as the requested area is only 4.58 acres. The request will increase the available Commercially designated land and reduce the available High Density Residential designated land. Other portions of this multi-amendment application will result in a net increase to High Density Residential designated land.

Utilities have been extended and stubbed out of Bob Olson Parkway at the future Center Parkway and Georgia Street alignments that can support the future C development. BPUD has plans to construct a new substation south of the site to support development of the overall area. With future development of the property, utilities will be extended to and through the site in accordance with City standards.

A new fire station is being constructed along Colorado St., near Bob Olson Parkway, that will provide Fire and EMS to this project and the general area.

Impacts to fire and police, will not see any change from the current designation of HDR due to the limited size of the area from HDR to C. Parks and schools will see a negligible reduction in demand as the change to commercial slightly reduces the number of residents in the area.

4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

The request to amend the Comprehensive Land Use Plan to reduce HDR property and increase the available C designated property. This proposal meets the following Comp Plan Goals and Policies:

Land Use, Urban Area Goals, Goal 2, Policy 3: By adjusting the shape of the available Commercial property, a higher density of commercial services can be grouped together near a major transportation facility (Bob Olson Parkway).

Land Use, Commercial Goals, Goal 2, Policy 4: By adjusting the shape of the available Commercial property, additional services may locate at the same commerce center.

Land Use, Urban Design Goals, Goal 2, Policy 2: Supporting the development of this commercial property, together with the adjacent HDR designated property, will promote walkable connections between homes and services.

5. Include any other substantiated information in support of the requested amendment:

This request is made as a part of an overall land planning design effort of the Jaycee Structure properties. It is the applicant's opinion that this Comp Plan Amendment reflects the highest and best use of the land for the community.



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

FILE/PROJECT NUMBER: ED 21-19/PLN-2021-01509

DESCRIPTION OF PROPOSAL: Change the land use designation of 4.58 acres from High Density Residential to Commercial and eventually change the zoning from Residential, High Density to Commercial Community.

PROPONENT: Jaycee Structure, LLC, 1505 NE Village Street, Fairview, OR 97024

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 8125 Bob Olson Parkway, Parcel Number: 1-1889-100-0001-003

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: Anthony Muai, AICP

POSITION/TITLE: Interim Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

☐ 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 21, 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 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.

Copies of this DNS were mailed to:

Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED 21-19 File

From: Bill Barlow
Sent: Tue, 29 Jun 2021 19:02:53 +0000
To: Steve Donovan
Cc: Sorin Juster
Subject: RE: CPA 21-09/PLN-2021-01505, ED 21-19/PLN-2021-01509

Looks like strip development to me – if you approve this change you ought to establish an interior service road. By doing so the 45MPH speed might remain safe and the City could continue to access WSDOT maintenance funding. If you start adding direct access drives everywhere you will be inviting rear-end collisions at that speed.

Cheers, Bill

Bil Barlo
I w

Planning and Service Development
 Ben Franklin Transit
 1000 Columbia Park Trail | Richland, WA 99352
 O: 509.734.5104

Email to and from this address may be subject to public disclosure under the Washington State Public Records Act (RCW 42.56)

From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Tuesday, June 29, 2021 11:53 AM
To: Ashley M. Morton <AshleyMorton@ctuir.org>; Bill Barlow <BBarlow@bft.org>; Kevin Sliger <KSliger@bft.org>; Benton Clean Air Authority - Rob Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air Authority - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air John Lyle <john.lyle@bentoncleanair.org>; Benton Franklin Health Dept - Rick Dawson <rickd@bfhd.wa.gov>; Benton PUD - engineering services <engservice@bentonpud.org>; Benton PUD - Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD Chad Brooks <brooksc@bentonpud.org>; Benton PUD Mike Irving <irvingm@bentonpud.org>; Benton PUD Shanna Everson <eversons@bentonpud.org>; Benton PUD Tina Glines <glinest@bentonpud.org>; BPA - Deborah Rodgers <dxrodders@bpa.gov>; BPA - Joe Cottrell <jecottrell@bpa.gov>; BPA - Mike Deklyen <mjdeklyen@bpa.gov>; Cascade Gas James Thomas <james.thomas@cngc.com>; Cascade Natural Gas - Sara Pineda <sara.pineda@cngc.com>; Casey Barney <Casey_Barney@Yakama.com>; Charter Communications - Robert Early <robert.early@charter.com>; Columbia Irrigation District <cid@columbiairrigation.com>; Department of Ecology SEPA UNIT <sepaunit@ecy.wa.gov>; Dept of Archaeology and Historic Preservation (sepa@dahp.wa.gov) <sepa@dahp.wa.gov>; Dept of Fish & Wildlife <harvepjh@dfw.wa.gov>; Dept of Fish & Wildlife - Michael Ritter <michael.ritter@dfw.wa.gov>; Dept of Natural Resources SEPA Center <sepacenter@dnr.wa.gov>; Dustin Fisk - Kennewick School District (dustin.fisk@ksd.org) <dustin.fisk@ksd.org>; Greg Wendt (Greg.Wendt@co.benton.wa.us) <Greg.Wendt@co.benton.wa.us>; Jessica Lally <Jessica_Lally@Yakama.com>; Kennewick School District; Brandon Potts <brandon.potts@ksd.org>; KID Development <development@kid.org>; Kyle McCauley <Kyle.McCauley@cngc.com>; Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Mike Stevens - (mstevens@ci.richland.wa.us) <mstevens@ci.richland.wa.us>; Noah Oliver



**Washington State
Department of Transportation**

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

July 12, 2021

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

Attention: Steve Donovan, Senior Planner

Subject: CPA 21-09/PLN-2021-01505, ED 21-19/PLN-2021-10509
Jaycee Structure LLC, Comp Plan Amendment for 4.58 Acres
From High-Density Residential to Commercial
US 395, I-82

We have reviewed the proposed Comprehensive Plan land use map designation amendments and have the following comments.

CPA 21-09/PLN-2021-01505 would redesignate 4.58 acres from High-Density Residential to Commercial. The property is located in the Southridge area and is near Bob Olson Parkway. It is not adjacent to any state highway, but is about one-half mile north of I-82 and about two miles northwest of US 395 at the Hildebrand Boulevard intersection.

In the past, the City expressed interest in a new connection or crossing to I-82 located about halfway between Exit 109 (Badger Road) and Exit 113 (US 395). New or revised access to Interstate freeways requires collaboration with and approval from the Federal Highway Administration (FHWA). WSDOT and local partners need to include FHWA from the beginning of the planning process throughout the development of the proposal. WSDOT is the only entity recognized by the FHWA Washington Division that is allowed to submit requests for Interstate access revisions for review and approval. It is important to note that FHWA's position on new interchanges requires local agencies to complete all possible improvements to the local road system prior to requesting a new connection to the interstate system. WSDOT's experience is the FHWA will not agree to a new connection until all other possibilities are exhausted.

The Southridge area has seen significant development recently and traffic is increasing with congestion in certain locations. When combined, CPA 21-09, CPA 21-10, and CPA 20-11 total over 37 acres along with 118 acres redesignated in 2020. This is a substantial amount acreage that could be developed to dense urban standards. We are concerned with the cumulative impact to our system. None of these three properties is adjacent to U.S. Highway 395 (US 395). However, US 395 is the sole north-south arterial serving the area. As such, WSDOT expects the majority of traffic generated by

City of Kennewick – CPA 21-09, Jaycee Structure, LLC; Comprehensive Plan Map
Amendment
July 12, 2021
Page | 2

these proposals will utilize US 395 and access the highway at Ridgeline Drive, Hildebrand Boulevard, and 27th Avenue.

When development occurs, these three sites, along with other developments, will be the factors requiring improvements to US 395 and potentially I-82. As developments are proposed, they will be subject to review for their impacts to the WSDOT system. It is to the benefit of the City, the State, and future developers to preserve the functionality of US 395 and I-82.

The developments will need to mitigate their traffic impacts. Impacts that are determined to be significant will require mitigation, and it is anticipated that all costs will be borne by the development. Of particular concern to the department are the effects developments have on the multimodal capacity, retention and treatment of stormwater, outdoor lighting, noise sensitivity, and signage. This information is normally obtained through a Traffic Impact Analysis (TIA) performed by the developer. The City and developer should consider Transportation Demand Management (TDM) measures to reduce traffic impacts.

Thank you for the opportunity to review and comment on these proposals. If you have any questions regarding our comments, please contact Debi Freudenthal at (509) 577-1633.

Sincerely,



Paul Gonseth, P.E.
Planning Engineer

PG:df/jg

cc: File – Comp Plans/Benton County
Celeste Gilman, WSDOT Multimodal Planning
Will Simpson, Washington Department of Commerce



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

July 13, 2021

Steve Donovan
Senior Planner
City of Kennewick
210 W 6th Avenue
Kennewick, WA 99336

In future correspondence please refer to:

Project Tracking Code: 2021-07-04380

Property: City of Kennewick_Jaycee Structure Comprehensive Plan Amendment (CPA 21-09)

Re: Survey Requested

Dear Steve Donovan:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

While our statewide predictive model indicates that there is a moderate to low probability of encountering cultural resources within the proposed project area, archaeological sites have been identified in the Thompson Hill vicinity. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's [Standards for Cultural Resource Reporting](#).

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any



communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Sydney Hanson". The signature is fluid and cursive, with a long horizontal line extending to the right.

Sydney Hanson
Transportation Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov





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

July 14, 2021

Steve Donovan, AICP
City of Kennewick
PO Box 6108
Kennewick, WA 99336

Subject: Review Comments for CPA 21-09, Parcel #1-1889-100-0001-003 (Dry)

Dear Mr. Donovan:

The Kennewick Irrigation District has received your Comprehensive Plan Amendment Application submitted by Jaycee Structure, LLC to change zoning from High Density Residential to Commercial on parcel #1-1889-100-0001-003, south of Bob Olson Parkway at Georgia Street.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries but is not assessed by the Kennewick Irrigation District.
 - a. In October of 2014, the KID Board of directors reserved a water allocation for this property, providing KID the option and ability to become the irrigation purveyor if KID determined it was in its best interest to do so. Please contact the KID Engineering Department for further details.
2. Please note that permanent structures are not allowed within irrigation easements.
 - a. Please be aware there is a 200 foot USBR right-of-way, known as the Amon Wasteway located to the west of the property. No grading may be performed or any permanent structures built within KID right-of-way without an approved permit from the Kennewick Irrigation District and/or the United States Bureau of Reclamation, when applicable.
3. The KID would like to inform the City of Kennewick of the following:
 - a. Should the property subdivide in the future, storm water systems for the project shall be designed to retain, at minimum, a 100-year storm event above/adjacent to the Amon Wasteway and to minimize the introduction of water into the soils up-gradient of Wasteway. KID review and approval of all storm water plans is required prior to Plat approval.

S. Donovan
July 14, 2021
Page 2 of 2

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

Sincerely,

A handwritten signature in black ink, appearing to read "Chris D. Sittman".

Chris D. Sittman
CAD Specialist

C: LB/correspondence/File: [18-8-29]



BENTON CLEAN AIR AGENCY

July 20, 2021

Re: ED 21-19

Community Planning Department
Steve Donovan
PO Box 6108
Kennewick, WA 99336

Applicant/Proponent:
Jaycee Structures LLC
Attn:
1505 NE Village St
Fairview, OR 97024

Dear Mr. Donovan:

It has come to our attention that you are reviewing a proposal for the above named applicant in which a parcel or parcels will be disturbed for development. Because these activities may cause possible fugitive dust emissions, we would like to take this opportunity to provide information to ensure that the applicant takes reasonable steps to control the dust from his/her project.

The Benton Clean Air Agency (BCAA) requires the applicant submit a Proof of Contact: Soil Destabilization Notification for this project prior to any excavation/construction taking place. This will insure that the proponent has the ability and resources to control fugitive dust emissions that may be created as a result of construction activities. This will also inform them of the regulations and requirements of the BCAA. Additionally, a written dust control plan must be developed and maintained for all soil destabilization projects, and must be readily available upon request by the BCAA. Part of this plan is submitting the name of at least one person for the project so that the BCAA has a point of contact should we receive any dust complaints from the project. The Soil Destabilization Notification form can be found and submitted on our website, www.bentoncleanair.org.

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

Sincerely,

John Lyle
Inspector

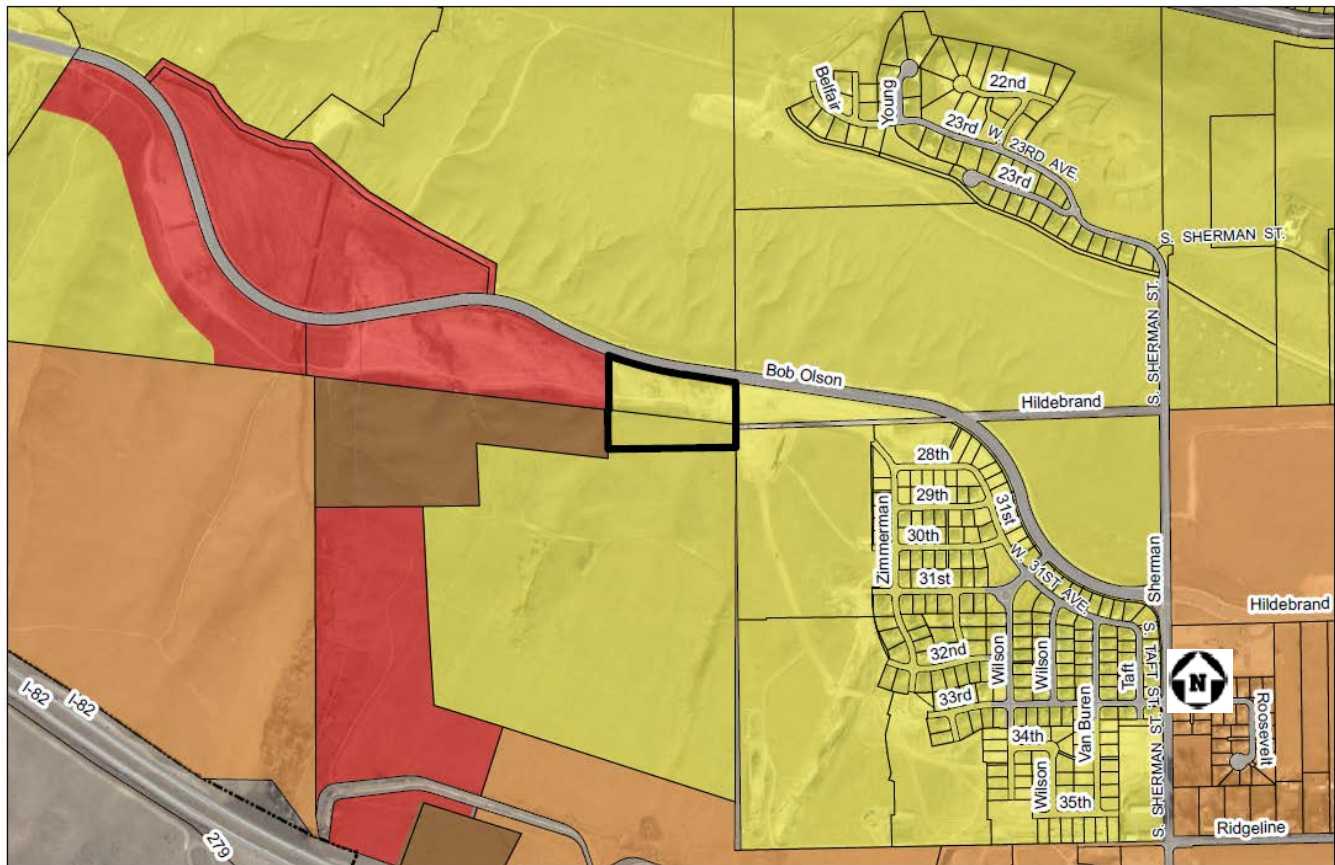


Comprehensive Plan Amendment 21-10

REQUEST: Change 8.6 acres from Low Density Residential to Commercial.

APPLICANT: Jaycee Structure, LLC

OWNER: Jaycee Structure, LLC



Not to scale

SITE INFORMATION

- **Size:** 8.6 acres
- **Location:** 7723 Bob Olson Parkway
- **Topography:** Contains slopes greater than 15%
- **Existing Comprehensive Plan Designation:** Low Density Residential
- **Existing Zoning:** Residential, Low Density (RL)
- **Existing Land Use:** Vacant Land

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination
- **Exhibit A-5:** Washington State Department of Transportation Comments
- **Exhibit A-6:** Department of Archaeology & Historic Preservation Comments
- **Exhibit A-7:** Kennewick Irrigation District Comments
- **Exhibit A-8:** Bonneville Power Administration Comments

APPLICATION PROCESS

- Application Submitted May 3, 2021
- Application routed for comments June 14, 2021
- Determination of Non-Significance was issued on July 21, 2021
- Appeal Period for the DNS ended August 4, 2021
- Notice of Public Hearing was posted at the site on July 29, 2021
- Notice of Public Hearing published August 1, 2021
- Notice of Public Hearing mailed July 29, 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL) Existing Land Uses – Vacant Land
South	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL) Existing Land Uses – Vacant Land
East	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL) Existing Land Uses – Vacant Land
West	Comprehensive Plan – Commercial and Low Density Residential Zoning – Commercial Community (CC) and Residential, Low Density (RL) Existing Land Uses – Vacant Land

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant has requested to change the land use designation for 8.6 acres from Low Density to Commercial.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;

No detrimental impacts to the City's public health, safety, welfare or protection of the environment are anticipated. Future site development must meet applicable development regulations.

2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.
4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The City of Kennewick's 2017-2037 Comprehensive Plan states that the City has a surplus of Commercial and Low Density Residential. The proposed amendment will not address an identified deficiency in the comprehensive plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
Grading and clearing of vegetation will have to take place at the site for future development.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
The site does contain designated slopes greater than 15%, erosion hazards areas and undesignated shrub steppe. No negative impacts are anticipated from the proposed amendment or future development. Adequate measures within the Kennewick Municipal Code exist to mitigate any possible negative impacts to the natural environment.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal is compatible with the surrounding land uses. A mix of different land use designations and zoning districts surrounds the site. Future commercial development will most likely increase traffic, but should have minimal impact on the adjacent properties.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future development of the site is required to provide infrastructure improvements to ensure adequacy of community facilities.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Currently, Kennewick has a surplus of land designated Commercial. Additionally, there is a substantial amount of land in the immediate area of the site that is also designated Commercial.
6. The current and projected project density in the area; and
The maximum density for the current land use designation is 5 units/acre and the proposed land use designation has no a maximum density.
7. The effect, if any upon other aspects of the Comprehensive Plan.
The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

The public submitted no comments.

AGENCY COMMENTS

Staff received comments from Washington State Department of Transportation, Department Archaeology & Historic Preservation, Kennewick Irrigation District and Bonneville Power Administration; see Exhibits A-5 thru A-8. All the received comments are directed towards future development of the site or that it will not have a direct impact specific infrastructure.

ANALYSIS OF REQUEST

This request is to amend the land use designation of 8.6 acres to Commercial. Currently, the City has a surplus of the Commercial Land. Access to the site is via Bob Olson Parkway. If approved, the site will have the same land use designation as the adjacent land to the west and a boundary line adjustment will need to be complete so property lines and zoning district boundaries match.

FINDINGS

1. The applicant and owner is Jaycee Structure, LLC, 1505 NE Village Street, Fairview, OR 97024.
2. The request is to change the site's land use designation from Low Density Residential to Commercial.
3. The application was received on May 3, 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on June 14, 2021.
4. City water and sewer utilities are in Bob Olson Parkway.
5. Access to the site is from Bob Olson Parkway.
6. The proposed amendment is adjacent to lands designated Low Density Residential, High Density Residential and Commercial.
7. A Determination of Non-Significance was issued for this application on July 21, 2021. The appeal period for the determination ended on August 4, 2021.
8. The Notice of Public Hearing was posted on site July 29, 2021.
9. The Notice of Public Hearing for this application was published in the Tri-City Herald on August 1, 2021. Notices were mailed to property owners within 300 feet of the site on July 29, 2021.
10. No detrimental impacts to the City's public health, safety, welfare or protection of the environment are anticipated. Future site development must meet applicable development regulations.
11. This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
12. The proposed amendment does not correct an obvious mapping error.
13. This request does will not address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation of 8.6 acres from Low Density Residential to Commercial.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will not increase the population densities in the area.
5. Future development of the site may have minimal impact to the traffic system.

Recommendation

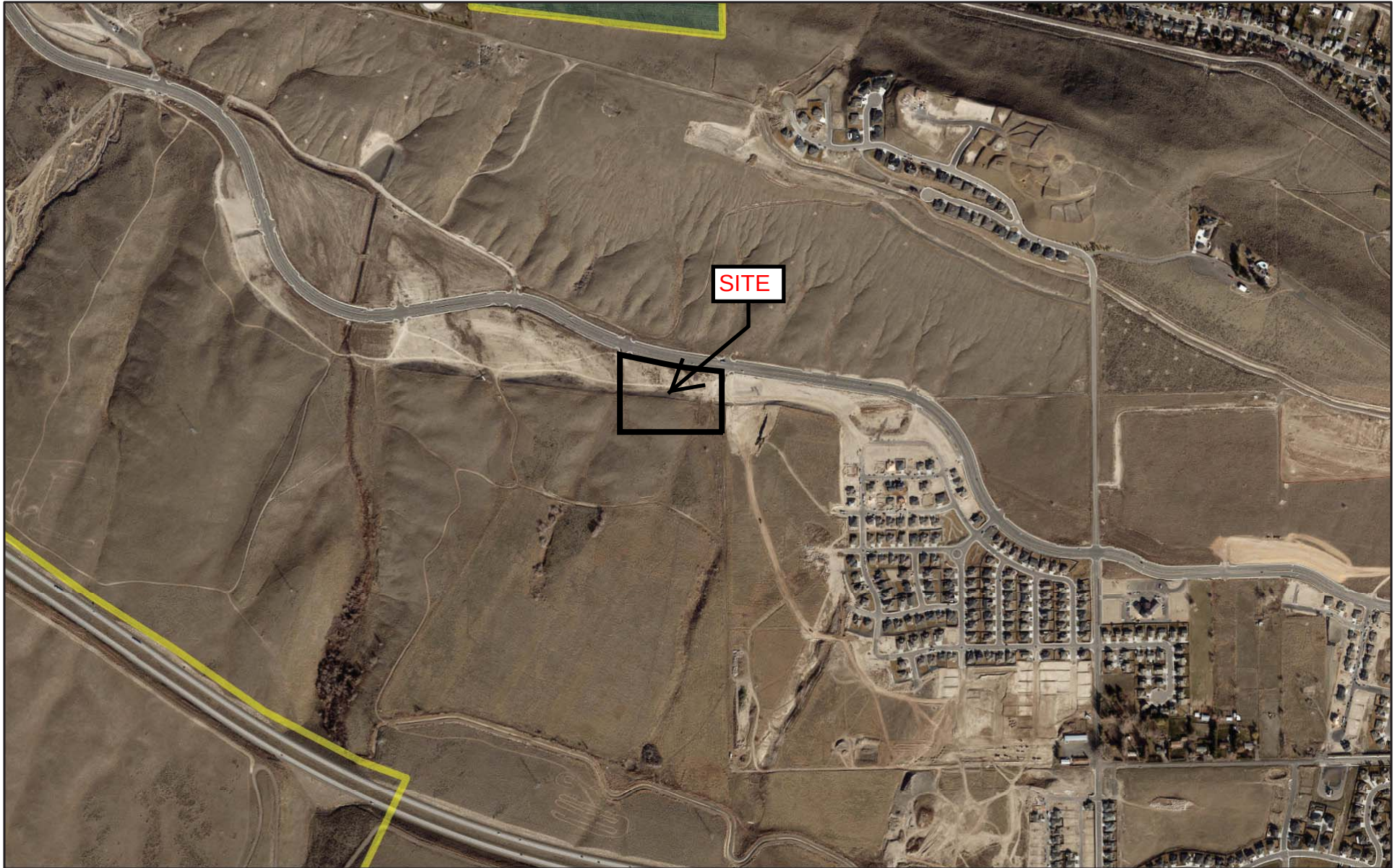
Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-10 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-10 contained in the staff report and recommend to City Council approval of the request.

Aerial Map

Exhibit A-1



July 29, 2021

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

StreetName

SV_CI_RICHLAND_10

SurveyCityLimits

SV_CI_COUNTY_10

SV_CI_KENNEWICK_10

SurveyUrbanGrowthBoundary



1 inch = 1,000 feet

1:12,000

0 0.075 0.15 0.3 mi

0 0.125 0.25 0.5 km

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

ArcGIS WebApp Builder
City of Kennewick

Open Space
 Medium Density Residential
 Mixed Use
 Industrial

Low Density Residential
 High Density Residential
 Commercial
 Public Facility



Comprehensive Plan Amendment Supplemental Information

Jaycee Structure – LDR to C

1. State the requested amendment:

The applicant is requesting an amendment to the Comprehensive Plan Land Use designation of approximately 8.7 acres of LDR, Low Density Residential to C, Commercial located Bob Olson Parkway between Georgia and Colorado Streets.

2. What are the reasons for the requested amendment:

The request is one part of an overall master plan development concept that will create layers of zoning from intense Commercial against Bob Olson Parkway, then HDR to the south of that and then lower intensity LDR or possibly UMU under a future Comp Plan Amendment request.

After developing conceptual level development plans and identifying a need for retail services including grocery in this developing area of Bob Olson Parkway, this location was identified as an ideal location to meet those needs. As the subject area lies between Georgia St on the west, Bob Olson Pkwy to the north, and Colorado to the east, it is less suitable for its current land use of low density residential than a commercial designation that will take full advantage of the roadway access. The depth of the request relative to Bob Olson Parkway has been determined by conceptual building massing layout and is important for the success of the commercial center.

3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc.:

The impacts to the City's Comprehensive Plans will be slight as the requested area is 8.7 acres in size. The request will increase the available Commercially designated land and reduce the available Low Density Residential designated land, which the City has identified as being in excess within its Comp Plan.

Utilities have been extended and stubbed out of Bob Olson Parkway at the future Georgia Street and Colorado Street alignments that can support the future C development. BPUD has plans to construct a new substation south of the site to support development of the overall area. With future development of the property, utilities will be extended to and through the site in accordance with City standards.

A new fire station is being constructed along Colorado St., adjacent to this site, that will provide Fire and EMS to this project and the general area.

Impacts to fire and police, will see extremely limited change from the current designation of LDR to C. Police services may be impacted the most by potential criminal activity targeting businesses (shoplifting etc.) Parks and schools will see a negligible reduction in demand as the change to commercial slightly reduces the number of residents in the area.

4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

The request to amend the Comprehensive Land Use Plan to reduce LDR property and increase the available C designated property. This proposal meets the following Comp Plan Goals and Policies:

Land Use, Urban Area Goals, Goal 2, Policy 3: By the land use designation to Commercial property, a higher density of commercial services can be grouped together near a major transportation facility (Bob Olson Parkway). Grouping these services in a centralized location creates beneficial business symbioses and benefits to the surrounding community by having a shopping destination for various goods and services.

Land Use, Commercial Goals, Goal 2, Policy 4: By creating this commercial land use designation, compatible commercial activities will be encouraged to concentrate near each other.

Land Use, Urban Design Goals, Goal 2, Policy 2: Supporting the development of this commercial property, together with the adjacent HDR designated property, will promote walkable connections between homes and services.

5. Include any other substantiated information in support of the requested amendment:

This request is made as a part of an overall land planning design effort of the Jaycee Structure properties. It is the applicant's opinion that this Comp Plan Amendment reflects the highest and best use of the land for the community.



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

FILE/PROJECT NUMBER: ED 21-20/PLN-2021-01510

DESCRIPTION OF PROPOSAL: Change the land use designation of 8.6 acres from Low Density Residential to Commercial and eventually change the zoning from Residential, Low Density to Commercial Community.

PROPOSER: Jaycee Structure, LLC, 1505 NE Village Street, Fairview, OR 97024

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 7723 Bob Olson Parkway, Parcel Number: 1-1889-100-0001-009

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: Anthony Muai, AICP

POSITION/TITLE: Interim Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

☐ 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 21, 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 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.

Copies of this DNS were mailed to:

Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED 21-20 File



South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

July 12, 2021

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

Attention: Steve Donovan, Senior Planner

Subject: CPA 21-10/PLN-2021-01506, ED 21-20/PLN-2021-10510
Jaycee Structure LLC, Comp Plan Amendment for ~8.6 Acres
From Low-Density Residential to Commercial
US 395, I-82

We have reviewed the proposed Comprehensive Plan land use map designation amendments and have the following comments.

CPA 21-10 and PLN-2021-01506 would redesignate about 8.6 acres from Low-Density Residential to Commercial. The property is located in the Southridge area and is on Bob Olson Parkway. It is not adjacent to any state highways but is about 0.6 mile north of I-82 and less than two miles northwest of US 395 at the Hildebrand Boulevard intersection.

In the past, the City expressed interest in a new connection or crossing to I-82 located about halfway between Exit 109 (Badger Road) and Exit 113 (US 395). New or revised access to Interstate freeways requires collaboration with and approval from the Federal Highway Administration (FHWA). WSDOT and local partners need to include FHWA from the beginning of the planning process throughout the development of the proposal. WSDOT is the only entity recognized by the FHWA Washington Division that is allowed to submit requests for Interstate access revisions for review and approval. It is important to note that FHWA's position on new interchanges requires local agencies to complete all possible improvements to the local road system prior to requesting a new connection to the interstate system. WSDOT's experience is the FHWA will not agree to a new connection until all other possibilities are exhausted.

The Southridge area has seen significant development recently and traffic is increasing with congestion in certain locations. When combined, CPA 21-09, CPA 21-10, and CPA 21-11 total over 37 acres along with 118 acres redesignated in 2020. This is a substantial amount acreage that could be developed to dense urban standards. We are concerned with the cumulative impact to our system. None of these three properties is adjacent to U.S. Highway 395 (US 395). However, US 395 is the sole north-south arterial serving the area. As such, WSDOT expects the majority of traffic generated by

City of Kennewick – CPA 21-10, Jaycee Structure, LLC; Comprehensive Plan Map
Amendment
July 12, 2021
Page | 2

these proposals will utilize US 395 and access the highway at Ridgeline Drive, Hildebrand Boulevard, and 27th Avenue.

When development occurs, these three sites, along with other developments, will be the factors requiring improvements to US 395 and potentially I-82. As developments are proposed, they will be subject to review for their impacts to the WSDOT system. It is to the benefit of the City, the State, and future developers to preserve the functionality of US 395 and I-82.

The developments will need to mitigate their traffic impacts. Impacts that are determined to be significant will require mitigation, and it is anticipated that all costs will be borne by the development. Of particular concern to the department are the effects developments have on the multimodal capacity, retention and treatment of stormwater, outdoor lighting, noise sensitivity, and signage. This information is normally obtained through a Traffic Impact Analysis (TIA) performed by the developer. The City and developer should consider Transportation Demand Management (TDM) measures to reduce traffic impacts.

Thank you for the opportunity to review and comment on these proposals. If you have any questions regarding our comments, please contact Debi Freudenthal at (509) 577-1633.

Sincerely,

A handwritten signature in dark ink, appearing to read "Paul Gonseth". The signature is fluid and cursive, with the first name "Paul" being more prominent than the last name "Gonseth".

Paul Gonseth, P.E.
Planning Engineer

PG:df/jg

cc: File – Comp Plans/Benton County
Celeste Gilman, WSDOT Multimodal Planning
Will Simpson, Washington Department of Commerce



Allyson Brooks Ph.D., Director
State Historic Preservation Officer

July 13, 2021

Steve Donovan
Senior Planner
City of Kennewick
210 W 6th Avenue
Kennewick, WA 99336

In future correspondence please refer to:

Project Tracking Code: 2021-07-04381

Property: City of Kennewick_Jaycee Structure Comprehensive Plan Amendment (CPA 21-10)

Re: Survey Requested

Dear Steve Donovan:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

While our statewide predictive model indicates that there is a moderate to low probability of encountering cultural resources within the proposed project area, archaeological sites have been identified in the Thompson Hill vicinity. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's [Standards for Cultural Resource Reporting](#).

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any



communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Sydney Hanson". The signature is fluid and cursive, with a long horizontal line extending from the end.

Sydney Hanson
Transportation Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov





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

July 14, 2021

Steve Donovan, AICP
City of Kennewick
PO Box 6108
Kennewick, WA 99336

Subject: Review Comments for CPA 21-10, Parcel #1-1889-100-0001-009 (Dry)

Dear Mr. Donovan:

The Kennewick Irrigation District has received your Comprehensive Plan Amendment Application submitted by Jaycee Structure, LLC to change zoning from Low Density Residential to Commercial on parcel #1-1889-100-0001-009, south of Bob Olson Parkway at Georgia Street.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries but is not assessed by the Kennewick Irrigation District.
2. Please note that permanent structures are not allowed within irrigation easements.
 - a. Please be aware there is a 200 foot USBR right-of-way, known as the Amon Wasteway located to the west the property. No grading may be performed or any permanent structures built within KID right-of-way without an approved permit from the Kennewick Irrigation District and/or the United States Bureau of Reclamation, when applicable.
3. The KID would like to inform the City of Kennewick of the following:
 - a. Should the property subdivide in the future, storm water systems for the project shall be designed to retain, at minimum, a 100-year storm event above/adjacent to the Amon Wasteway and to minimize the introduction of water into the soils up-gradient of Wasteway. KID review and approval of all storm water plans is required prior to Plat approval.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Chris D. Sittman".

Chris D. Sittman
CAD Specialist



Department of Energy

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

July 14, 2021

In reply refer to: CPA 21-10/PLN-2021-01506, ED 21-20/ PLN-2021-01510
Located within a Portion of Section 7, Township 8 North,
Range 29 East, W.M., Benton County, Washington

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

Dear Steve:

Bonneville Power Administration (BPA) has had the opportunity to review CPA 21-10/PLN-2021-01506, ED 21-20/ PLN-2021-01510. The applicant is requesting an amendment to change approximately 8.6 acres of Low Density Residential to Commercial. The property is general located South of Bob Olsen Parkway at Colorado Street in Kennewick, WA.

In researching our records, we have found that this proposal will not directly impact BPA facilities approximately .53 miles to the south of the subject property. BPA does not have any objections to the approval of this request at this time.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact a BPA representative at (800) 282-3713 or by email at jecottrell@bpa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Joseph E. Cottrell II".

Joseph E. Cottrell
Realty Specialist

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination
- **Exhibit A-5:** Washington State Department of Transportation Comments
- **Exhibit A-6:** Department of Archaeology & Historic Preservation Comments
- **Exhibit A-7:** Kennewick Irrigation District Comments
- **Exhibit A-8:** Bonneville Power Administration Comments
- **Exhibit A-9:** Ben Franklin Transit Comments
- **Exhibit A-10:** Surrounding Property Owner Comments

APPLICATION PROCESS

- Application Submitted May 3, 2021
- Application routed for comments June 14, 2021
- Determination of Non-Significance was issued on July 21, 2021
- Appeal Period for the DNS ended August 4, 2021
- A Notice of Public Hearing was posted on the site on July 29, 2021
- Notice of Public Hearing published August 1, 2021
- Notice of Public Hearing mailed July 29, 2021

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Low Density Residential and High Density Residential Zoning – Residential, Low Density (RL) and Residential, High Density (RH) Existing Land Uses – Vacant Land
South	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL) Existing Land Uses – Vacant Land
East	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL) Existing Land Uses – Vacant Land
West	Comprehensive Plan – Commercial and High Density Residential Zoning – Commercial Community (CC) and Residential, High Density (RH) Existing Land Uses – Vacant Land

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant has requested to change the land use designation for 24.04 acres from Low Density to High Density Residential.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
No detrimental impacts to the City's public health, safety, welfare or protection of the environment are anticipated. Future site development must meet applicable development regulations.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.
4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The City of Kennewick's 2017-2037 Comprehensive Plan states that the City has a surplus of Low Density Residential lands and a deficit of High Density Residential lands. The proposed amendment will address an identified deficiency in the comprehensive plan.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
Grading and clearing of vegetation will have to take place at the site for future development.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
The site does contain designated slopes greater than 15% and erosion hazards areas. No negative impacts are anticipated from the proposed amendment or future development. Adequate measures within the Kennewick Municipal Code exist to mitigate any possible negative impacts to the natural environment.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal is compatible with the surrounding land uses. A mix of different land use designations and zoning districts surround the site. Future multi-family development will most likely increase traffic, but Bob Olson Parkway has the capability handle a higher traffic volume.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future development of the site is required to provide infrastructure improvements to ensure adequacy of community facilities.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Currently, Kennewick has a surplus of land designated Low Density Residential. There is a demand for more multi-family residences in Kennewick. Approval of the proposed amendment will result in a higher density than what would occur under the current land use designation.
6. The current and projected project density in the area; and
The maximum density for the current land use designation is 5 units/acre and the proposed land use designation has a maximum density 27 units/acres.

7. The effect, if any upon other aspects of the Comprehensive Plan.

The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Some surrounding property owners did provide comments on the proposed amendment. The owners concerns consist of increased traffic, increased density and possible decrease in property values, see Exhibit A-10.

AGENCY COMMENTS

Staff received comments from Washington State Department of Transportation, Department Archaeology & Historic Preservation, Kennewick Irrigation District and Bonneville Power Administration. The majority of the comments received are for the future development of the site; see Exhibits A-5 thru A-9.

ANALYSIS OF REQUEST

This request is to amend the land use designation of 24.04 acres to High Density Residential. The maximum density of the proposed land use designation is 27 units/acre, which allows for a maximum of 649 units on the site. Currently, the City has a surplus of the Low Density Residential land and a deficit of High Density Residential land. If approved, the site will have the same land use designation as the adjacent land to the west and a boundary line adjustment will need to be completed so the property and zoning district boundaries match.

Access to the site is via Bob Olson Parkway. The applicant has stated that future development will require extensions of existing roads and construction of new public roadways. Additionally, it was stated in the applicant's SEPA Checklist, that permitted densities will generate approximately 9,000 Average Daily Trips and 440 PM Peak Hour trips. The City's Traffic Engineering Division has reviewed the applicant's SEPA Checklist and stated that a traffic analysis may be required at the time of site development.

FINDINGS

1. The applicant and owner is Jaycee Structure, LLC, 1505 NE Village Street, Fairview, OR 97024.
2. The request is to change the site's land use designation from Low Density Residential to Commercial.
3. The application was received on May 3, 2021 and was routed for review to various City Departments and other local, state and federal agencies for comment on June 14, 2021.
4. City water and sewer utilities are in Bob Olson Parkway.
5. Access to the site is from Bob Olson Parkway.
6. The proposed amendment is adjacent to lands designated Low Density Residential, High Density Residential and Commercial.
7. A Determination of Non-Significance was issued for this application on July 21, 2021. The appeal period for the determination ended on August 4, 2021.
8. A Notice of Public Hearing was posted on-site July 29, 2021.
9. Notice of Public Hearing was published in the Tri-City Herald on August 1, 2021. Notices were mailed to property owners within 300 feet of the site on July 29, 2021.
10. No detrimental impacts to the City's public health, safety, welfare or protection of the environment are anticipated. Future site development must meet applicable development regulations.
11. This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
12. The proposed amendment does not correct an obvious mapping error.
13. This request does will address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation of 24.04 acres from Low Density Residential to High Density Residential.
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will increase the population densities in the area.
5. Future development of the site may have minimal impact to the traffic system.

Recommendation

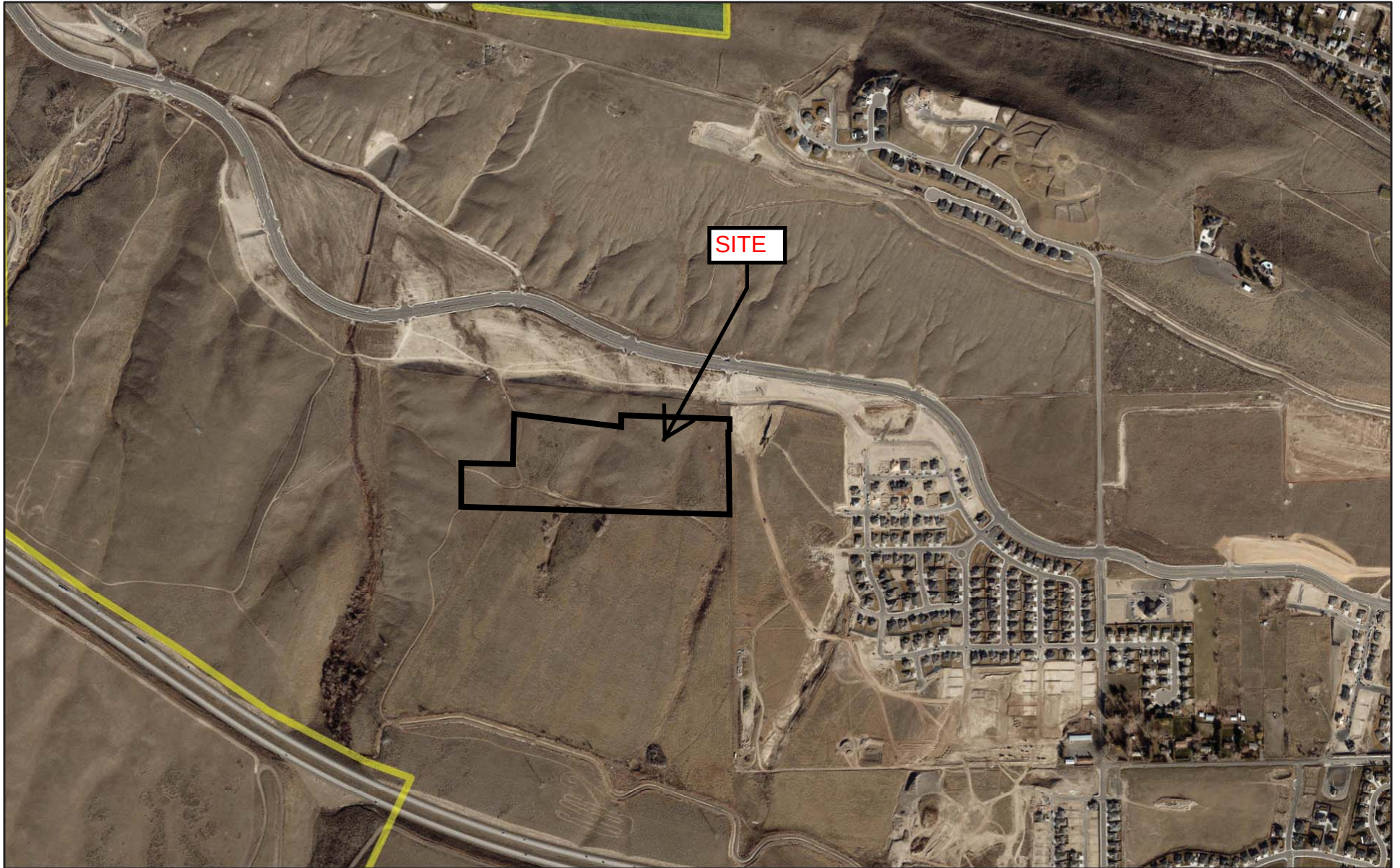
Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-11 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-11 contained in the staff report and recommend to City Council approval of the request.

Aerial Map

Exhibit A-1



July 29, 2021

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

StreetName

SV_CI_RICHLAND_10

SurveyCityLimits

SV_CI_COUNTY_10

SV_CI_KENNEWICK_10

SurveyUrbanGrowthBoundary



1 inch = 1,000 feet

1:12,000

0 0.075 0.15 0.3 mi

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

ArcGIS WebApp Builder
City of Kennewick

Open Space
 Medium Density Residential
 Mixed Use
 Industrial

Low Density Residential
 High Density Residential
 Commercial
 Public Facility



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

PROJECT #CPA 21- 11 PLN- 2021 - 01507 FEE \$ paid

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 Comprehensive Plan Amendment LDR to HDR
 Environmental Determination PLN- - Pre Application Meeting PLN- 2021 - 00966

Applicant: Jaycee Structure, LLC

Address: 1505 NE Village St. Fairview, OR 7024

Telephone: Cell Phone: (757) 805-8198 Fax: E-mail bobandwilliamprice@gmail.com

Property Owner (if other than applicant):

Address:

Telephone: Cell Phone: E-mail

SITE INFORMATION

Parcel No. 1-1889-100-0001-003 & -008 Acres Zoning: RL

Address of property: South of Bob Olson Parkway at Georgia St.

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

Present use of property Undeveloped

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: Comprehensive Plan Amendment from LDR TO HDR of 24.04 acres

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

Mr. Blush
 Applicant's Signature

Mr. Blush
 Signature of owner or owner's authorized representative

Date: 5/3/2021

Comprehensive Plan Amendment Supplemental Information

Jaycee Structure – LDR to HDR

1. State the requested amendment:

The applicant is requesting an amendment to the Comprehensive Plan Land Use designation of approximately 24.0 acres of LDR, Low Density Residential to HDR, High Density Residential.

2. What are the reasons for the requested amendment:

The request is one part of an overall master plan development concept that will create layers of zoning from intense commercial against Bob Olson Parkway, then HDR to the south of that and then lower intensity LDR or possibly UMU under a future Comp Plan Amendment request. The requested amendment to HDR will allow for a higher density population near retail centers promoting shorter vehicle trips, cycling, and walking to and from homes and retail services. The request also addresses the current housing shortage crisis in the Tri-Cities by providing more residences within the amendment area.

3. Which elements of the Comprehensive Plan will be affected and how. Include detailed information on the provision of utilities such as water, sewer, power, etc., and how such utilities correspond with the City's various utility plans. Detailed information must also be submitted regarding what effect the proposed change will have on such services as fire, police, parks, schools, etc.:

Within Kennewick's 2017-2037 Comprehensive Land Use Plan, it identifies an anticipated shortfall of 159 acres of High-Density Residential property and an excess of 1,387 acres of Low-Density Residential property. This will help to bring those numbers into balance by moving 24.0 acres of LDR to HDR.

Utilities have been extended and stubbed out of Bob Olson Parkway to the future Colorado and Georgia Street alignments that can support the future HDR development. BPUD has plans to construct a new substation south of the site to support development of the overall area. With future development of the property, utilities will be extended to and through the site in accordance with City standards.

A new fire station is being constructed along Colorado St., near Bob Olson Parkway, that will provide Fire and EMS to this project and the general area.

Impacts to fire, police, parks, and schools will likely result in only slight increases to the demands on each with the proposed increased density. As an example, with the City's 11.4 officers per 10,000 capita and a potential increase from 5 DU/Ac to 27 DU/Ac across the 24.0 acres, this would result in a net maximum potential increase of 528 DU. The City uses a household size of 3.0 for LDR and 1.9 for HDR for planning purposes which results in a net potential capita increase of 871. At most, this would result in an increased need for

0.08 additional officers. As it is unlikely the area will be developed at the maximum allowed density, the impacts will likely be much less. Impacts to parks and schools are anticipated to be similar in nature.

4. Indicate how the requested amendment will implement the Comprehensive Plan and be in the best interest of the Kennewick area, reference specific Comprehensive Plan policies that will be implemented:

The request to amend the Comprehensive Land Use Plan to increase the available HDR property and decrease the available LDR property. This proposal meets the following Comp Plan Goals and Policies:

Land Use Residential Goals, Goal 3, Policy 4: Designating this area as HDR will compliment and expand the existing designated HDR Land Use designation.

Land Use Residential Goals, Goal 4, Policy 1: The HDR designation will be immediately adjacent to commercially designated property that will provide retail services to the residents.

Land Use Urban Design Goals, Goal 5, Policy 1: Once developed the area planned to be designated as HDR will provide a link to shopping areas as well as other neighborhoods.

Housing Goals, Goal 1, Policy 3, 4, 5: It is anticipated that a portion of the 24.0 acres will be developed as zero lot line structures. The area west of the future Colorado St is anticipated to be developed as High-Density units, with living and open green space above below grade parking.

Housing Goals, Goal 3, Policy 3: Development of this property at a higher density will allow for lower ownership costs promoting households of all incomes.

Transportation Goals, Goal 2, Policy 1, 2: Locating more residents within walking and biking distance of commercial areas reduces the load on the transportation system and encourages a healthy lifestyle, which is a part of the Complete Streets program.

Utilities Goals, Goal 3, Policy 1: All new utilities will be undergrounded within the planned development area.

5. Include any other substantiated information in support of the requested amendment:

This request is made as a part of an overall land planning design effort of the Jaycee Structure properties. It is the applicant's opinion that this Comp Plan Amendment reflects the highest and best use of the land for the community.



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

FILE/PROJECT NUMBER: ED 21-21/PLN-2021-01511

DESCRIPTION OF PROPOSAL: Change the land use designation of 24.04 acres from Low Density Residential to High Density Residential and eventually change the zoning from Residential, Low Density to Residential, High Density.

PROPOSER: Jaycee Structure, LLC, 1505 NE Village Street, Fairview, OR 97024

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: No specific address, it is south of 7723 Bob Olson Parkway, Parcel Number: 1-1889-100-0001-003 & 1-1889-100-0001-008

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: Anthony Muai, AICP

POSITION/TITLE: Interim Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

☐ 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 21, 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 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.

Copies of this DNS were mailed to:

Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED 21-21 File



**Washington State
Department of Transportation**

South Central Region
2809 Rudkin Road
Union Gap, WA 98903-1648
509-577-1600 / FAX: 509-577-1603
TTY: 1-800-833-6388
www.wsdot.wa.gov

July 12, 2021

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

Attention: Steve Donovan, Senior Planner

Subject: CPA 21-11/PLN-2021-01507, ED 21-21/PLN-2021-10511
Jaycee Structure LLC, Comp Plan Amendment for 24.04 Acres
From Low-Density Residential to High-Density Residential
US 395, I-82

We have reviewed the proposed Comprehensive Plan land use map designation amendments and have the following comments.

CPA 21-11 and PLN-2021-01507 would redesignate 24.04 acres from Low-Density Residential to High-Density Residential. The property is located in the Southridge area and is near Bob Olson Parkway. It is not adjacent to any state highway, but is about one-half mile north of I-82 and less than two miles northwest of US 395 at the Hildebrand Boulevard intersection.

In the past, the City expressed interest in a new connection or crossing to I-82 located about halfway between Exit 109 (Badger Road) and Exit 113 (US 395). New or revised access to Interstate freeways requires collaboration with and approval from the Federal Highway Administration (FHWA). WSDOT and local partners need to include FHWA from the beginning of the planning process throughout the development of the proposal. WSDOT is the only entity recognized by the FHWA Washington Division that is allowed to submit requests for Interstate access revisions for review and approval. It is important to note that FHWA's position on new interchanges requires local agencies to complete all possible improvements to the local road system prior to requesting a new connection to the interstate system. WSDOT's experience is the FHWA will not agree to a new connection until all other possibilities are exhausted.

The Southridge area has seen significant development recently and traffic is increasing with congestion in certain locations. When combined, CPA 21-09, CPA 21-10, and CPA 21-11 total over 37 acres along with 118 acres redesignated in 2020. This is a substantial amount acreage that could be developed to dense urban standards. We are concerned with the cumulative impact to our system. None of these three properties is adjacent to U.S. Highway 395 (US 395). However, US 395 is the sole north-south arterial serving the area. As such, WSDOT expects the majority of traffic generated by

City of Kennewick – CPA 21-09, Jaycee Structure, LLC; Comprehensive Plan Map
Amendment
July 12, 2021
Page | 2

these proposals will utilize US 395 and access the highway at Ridgeline Drive, Hildebrand Boulevard, and 27th Avenue.

When development occurs, these three sites, along with other developments, will be the factors requiring improvements to US 395 and potentially I-82. As developments are proposed, they will be subject to review for their impacts to the WSDOT system. It is to the benefit of the City, the State, and future developers to preserve the functionality of US 395 and I-82.

The developments will need to mitigate their traffic impacts. Impacts that are determined to be significant will require mitigation, and it is anticipated that all costs will be borne by the development. Of particular concern to the department are the effects developments have on the multimodal capacity, retention and treatment of stormwater, outdoor lighting, noise sensitivity, and signage. This information is normally obtained through a Traffic Impact Analysis (TIA) performed by the developer. The City and developer should consider Transportation Demand Management (TDM) measures to reduce traffic impacts.

Thank you for the opportunity to review and comment on these proposals. If you have any questions regarding our comments, please contact Debi Freudenthal at (509) 577-1633.

Sincerely,



Paul Gonseth, P.E.
Planning Engineer

PG:df/jg

cc: File – Comp Plans/Benton County
Celeste Gilman, WSDOT Multimodal Planning
Will Simpson, Washington Department of Commerce



July 13, 2021

Steve Donovan
Planner
City of Kennewick
210 W 6th Avenue
Kennewick, WA 99336

In future correspondence please refer to:

Project Tracking Code: 2021-07-04382

Property: City of Kennewick_Jaycee Structure Comprehensive Plan Amendment (CPA 21-11)

Re: Survey Requested

Dear Steve Donovan:

Thank you for contacting the Washington State Historic Preservation Officer (SHPO) and Department of Archaeology and Historic Preservation (DAHP) and providing documentation regarding the above referenced project. These comments are based on the information available at the time of this review and on behalf of the SHPO in conformance Washington State law. Should additional information become available, our assessment may be revised.

While our statewide predictive model indicates that there is a high probability of encountering cultural resources within the proposed project area, archaeological sites have been identified in the Thompson Hill vicinity. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's [Standards for Cultural Resource Reporting](#).

We also recommend that any historic buildings or structures (45 years in age or older) located within the project area are evaluated for eligibility for listing in the National Register of Historic Places on Historic Property Inventory (HPI) forms. We highly encourage the SEPA lead agency to ensure that these evaluations are written by a cultural resource professional meeting the [SOI Professional Qualification Standards in Architectural History](#).

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

Thank you for the opportunity to comment on this project. Please ensure that the DAHP Project Tracking Number is shared with any hired cultural resource consultants and is attached to any



communications or submitted reports. Please also ensure that any reports, site forms, and/or historic property inventory (HPI) forms are uploaded to WISAARD by the consultant(s).

Should you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Sydney Hanson". The signature is fluid and cursive, with a long horizontal line extending from the end.

Sydney Hanson
Transportation Archaeologist
(360) 280-7563
Sydney.Hanson@dahp.wa.gov





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

July 14, 2021

Steve Donovan, AICP
City of Kennewick
PO Box 6108
Kennewick, WA 99336

Subject: Review Comments for CPA 21-11, Parcel #1-1889-100-0001-003 AND -008 (Wet)

Dear Mr. Donovan:

The Kennewick Irrigation District has received your Comprehensive Plan Amendment Application submitted by Jaycee Structure, LLC to change zoning from Low Density Residential to High Density Residential on parcels #1-1889-100-0001-003 and #1-1889-100-0001-008, south of Bob Olson Parkway at Georgia Street.

1. This parcel is within the Kennewick Irrigation District (KID) boundaries but is not assessed by the Kennewick Irrigation District.
 - a. In October of 2014, the KID Board of directors reserved a water allocation for this property, providing KID the option and ability to become the irrigation purveyor if KID determined it was in its best interest to do so. Please contact the KID Engineering Department for further details.
2. Please note that permanent structures are not allowed within irrigation easements.
 - a. Please be aware there is a 200 foot USBR right-of-way, known as the Amon Wasteway located to the west of the property. No grading may be performed or any permanent structures built within KID right-of-way without an approved permit from the Kennewick Irrigation District and/or the United States Bureau of Reclamation, when applicable.
3. The KID would like to inform the City of Kennewick of the following:
 - a. Should the property subdivide in the future, storm water systems for the project shall be designed to retain, at minimum, a 100-year storm event above/adjacent to the Amon Wasteway and to minimize the introduction of water into the soils up-gradient of Wasteway. KID review and approval of all storm water plans is required prior to Plat approval.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Chris D. Sittman".

Chris D. Sittman
CAD Specialist

C: LB/correspondence/File: [18-8-29]



Department of Energy

Exhibit A-8

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

July 14, 2021

In reply refer to: CPA 21-11/PLN-2021-01507, ED 21-21/PLN-2021-01511
Located within a Portion of Section 18, Township 8 North,
Range 29 East, W.M., Benton County, Washington

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

Dear Steve:

Bonneville Power Administration (BPA) has had the opportunity to review CPA 21-11/PLN-2021-01507, ED 21-21/PLN-2021-01511. The applicant is requesting an amendment to change approximately 24.04 acres of Low Density Residential to High Density Residential. The property is general located South of Bob Olsen Parkway at Georgia Street in Kennewick, WA.

In researching our records, we have found that this proposal will not directly impact BPA facilities approximately .691 feet to the south of the subject property. BPA does not have any objections to the approval of this request at this time.

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact a BPA representative at (800) 282-3713 or by email at jecottrell@bpa.gov.

Sincerely,

A handwritten signature in blue ink that reads "Joseph E. Cottrell II".

Joseph E. Cottrell
Realty Specialist

From: Bill Barlow
Sent: Tue, 29 Jun 2021 21:34:46 +0000
To: Steve Donovan
Subject: RE: CPA 21-11/PLN-2021-01507, ED 21-21/PLN-2021-01511

Bil Barlo

I w

Planning and Service Development
Ben Franklin Transit
1000 Columbia Park Trail | Richland, WA 99352
O: 509.734.5104

Email to and from this address may be subject to public disclosure under the Washington State Public Records Act (RCW 42.56)

All three of these changes need to be addressed as a single CPA change and they should technically be applicable to the entire stretch of Bob Olsen. None of my business, but I suggest you do not let this go piecemeal.

Cheers, Bill

<Steve.Donovan@ci.kennewick.wa.us>

Sent: Tuesday, June 29, 2021 1:18 PM

To: Ashley M. Morton <AshleyMorton@ctuir.org>; Bill Barlow <BBarlow@bft.org>; Kevin Sliger <KSliger@bft.org>; Benton Clean Air Authority - Rob Rodger <rob.rodger@bentoncleanair.org>; Benton Clean Air Authority - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air John Lyle <john.lyle@bentoncleanair.org>; Benton Franklin Health Dept - Rick Dawson <rickd@bfhd.wa.gov>; Benton PUD - engineering services <engservice@bentonpud.org>; Benton PUD - Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD Chad Brooks <brooksc@bentonpud.org>; Benton PUD Mike Irving <irvingm@bentonpud.org>; Benton PUD Shanna Everson <eversons@bentonpud.org>; Benton PUD Tina Glines <glinest@bentonpud.org>; BPA - Deborah Rodgers <dxrodgers@bpa.gov>; BPA - Joe Cottrell <jecottrell@bpa.gov>; BPA - Mike Deklyen <mjddeklyen@bpa.gov>; Cascade Gas James Thomas <james.thomas@cngc.com>; Cascade Natural Gas - Sara Pineda <sara.pineda@cngc.com>; Casey Barney <Casey_Barney@Yakama.com>; Charter Communications - Robert Early <robert.early@charter.com>; Columbia Irrigation District <cid@columbiairrigation.com>; Department of Ecology SEPA UNIT <sepaunit@ecy.wa.gov>; Dept of Archaeology and Historic Preservation (sepa@dahp.wa.gov) <sepa@dahp.wa.gov>; Dept of Fish & Wildlife <harvepjh@dfw.wa.gov>; Dept of Fish & Wildlife - Michael Ritter <michael.ritter@dfw.wa.gov>; Dept of Natural Resources SEPA Center <sepacenter@dnr.wa.gov>; Dustin Fisk - Kennewick School District (dustin.fisk@ksd.org) <dustin.fisk@ksd.org>; Greg Wendt (Greg.Wendt@co.benton.wa.us) <Greg.Wendt@co.benton.wa.us>; Jessica Lally <Jessica_Lally@Yakama.com>; Kennewick School District; Brandon Potts <brandon.potts@ksd.org>; KID Development <development@kid.org>; Kyle McCauley <Kyle.McCauley@cngc.com>; Michelle Cooke <Michelle.Cooke@co.benton.wa.us>; Mike Stevens - (mstevens@ci.richland.wa.us) <mstevens@ci.richland.wa.us>; Noah Oliver <Noah_Oliver@Yakama.com>; Shane O'Neill <soneill@ci.richland.wa.us>; US Army Corps of Engineers <CENWW-RE@usace.army.mil>; Williams Pipeline - Audie Neuson <audie.neuson@williams.com>;



Comprehensive Plan Amendment 21-12

REQUEST: The City of Kennewick is proposing comprehensive plan text updates that will address goals and policies related to the nexus and rough proportionality when development exactions are required and mitigation of impacts caused by development. This proposal is not site specific.

APPLICANT: City of Kennewick

EXHIBITS

- **Exhibit A-1:** Proposed Comprehensive Plan Amendments
- **Exhibit A-2:** Environmental Determination

APPLICATION PROCESS

- Application Submitted June 7, 2021
- Application routed for comments June 18, 2021
- Determination of Non-Significance was issued on July 12, 2021
- Appeal Period for the DNS ended July 26, 2021
- Notice of Hearing published August 1, 2021.

REGULATORY CONTROLS

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

NEXUS/ROUGH PROPORTIONALITY BACKGROUND

The notions of nexus and rough proportionality spawned from two landmark federal Supreme Court decisions. In 1987, the Supreme Court issued its decision in the *Nollan v. California Coastal Commission* case that involved the California Coastal Commission conditioning a land use permit that in the court's opinion, did not bear a substantial relationship or "nexus" to the impacts of the proposed development. Requiring a public beach access easement was deemed as not related to restoring the public's ocean view from the adjacent road.

Rough proportionality is a concept clarified in the 1994 Supreme Court decision in the *Dolan v. City of Tigard* Oregon case, in which the city of Tigard conditioned a development permit requiring a dedication of land for storm drainage and a pedestrian/bicycle pathway. The Court held in this case that the required dedication must be "roughly proportional" to the impact of the proposed development. In the *Dolan* case, the dedication was determined to be excessive given the scope of the proposed project.

STATE REQUIREMENTS

The Revised Code of Washington authorizes cities to enact impact fees, which addresses direct impacts to public streets and roads, publicly owned park facilities, public school facilities and fire protection facilities. These fees can only be imposed for system improvements that are reasonably related to the new development. Impact fees cannot exceed a "proportionate" share of the cost of the system improvements necessary to accommodate the proposed development and cannot be used to address existing system deficiencies.

The State Environmental Policy Act (SEPA) provides wide-ranging authority to impose mitigating conditions related to a proposed project's environmental impacts. Local government's authority under SEPA allows the imposition of mitigation fees and other forms of direct mitigation of impacts on public facilities and services. Fees collected under SEPA must be rationally related to the impacts identified in the threshold determination for a project. Additionally, fees collected under SEPA may not duplicate fees collected under other sources of authority.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

KMC 4.12.110(7): Approval Criteria. The City may approve Comprehensive Plan Amendments and area-wide zone map amendments if it finds that the request meets one or more of the following:

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
The proposed amendments will help ensure that the required right-of-way dedications and street improvements are completed in a timely manner.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.
4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
The proposed amendments will provide guidance to establish specific development regulations for right-of-way dedications and street improvements.

KMC 4.12.110(8): Additional Factors. The City must also consider the following factors prior to approving Comprehensive Plan Amendments:

1. The effect upon the physical environment;
The proposed amendment will help ensure completion of required infrastructure in a timely manner, which assist in protecting the physical environment.
2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
No negative impacts on the environments are anticipated from the proposed amendments.
3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal will help ensure the completion of all development in a timely manner.
4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The proposed amendment is not site specific, it will provide direction for the timely construction of street improvements.
5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
The amendment will have no impact on the land use type, density or demand for land.
6. The current and projected project density in the area; and
The proposal will not have an impact on the density of an area.
7. The effect, if any upon other aspects of the Comprehensive Plan.
The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

The public submitted no comments.

AGENCY COMMENTS

Public agencies submitted no comments.

PROPOSED AMENDMENTS

The City of Kennewick proposes to adopt comprehensive plan language and subsequent municipal code language that reinforces our ability to require new development to construct transportation improvements and dedicate sufficient right-of-way to meet the future needs of the City, while supporting the tenants of appropriate nexus and rough proportionality. Language from other Washington cities that have withheld legal scrutiny will be incorporated.

Additionally, language will be proposed to require more up-front master planning of larger tracts of land for development, to avoid the piecemeal approach that does not adequately address cumulative impacts.

FINDINGS

1. The applicant is the City of Kennewick, 210 W 6th Avenue, Kennewick, WA 99336.
2. The amendment will address goals and policies related to the nexus and rough proportionality when development exactions are required and mitigation of impacts caused by development.
3. The application was routed for review to various City Departments and other local, state and federal agencies for comment on June 14, 2021.
4. A Determination of Non-Significance was issued for this application on July 12, 2021. The appeal period for the determination ended on July 26, 2021.
5. The Notice of Public Hearing was published in the Tri-City Herald on August 1, 2021.
6. The proposed amendments will help ensure that the required right-of-way dedications and street improvements are completed in a timely manner.
7. This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
8. The proposed amendment does not correct an obvious mapping error.
9. The proposed amendments will provide guidance to establish specific development regulations for right-of-way dedications and street improvements.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.

Recommendation

Staff recommends that the Planning Commission concur with the findings and conclusions of CPA 21-12 contained in the staff report and recommend approval to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions of CPA 21-12 contained in the staff report and recommend to City Council approval of the request.



CONSISTENCY

GMA requires that the Comprehensive Plan must be internally consistent for objectives, goals, policies, text, and maps.

Consistency is both horizontal (external) and vertical (internal). Horizontal consistency applies to adjacent jurisdictions such as Benton County, through the County-wide Planning Policies (CWPP), the City of Richland, and the City of Pasco.

Vertical consistency means that all development regulations within the City of Kennewick are consistent with each other. These include the Comprehensive Plan, Zoning (Title 18), Subdivisions (Title 17), the Critical Areas Ordinance, the Shoreline Master Plan, and all other city regulations as contained in the Kennewick Municipal Code and other adopted plans such as the [Transportation System Plan](#), the [Park & Recreation Plan](#) and the [Wellhead Protection Plan](#). A complete listing of adopted plans is included in the bibliography of the Comprehensive Plan.

The following table illustrates consistency with zoning and the Comprehensive Plan Land Use Map. There are three residential density categories designated on the Comprehensive Plan Land Use Map. The zoning districts used to implement these residential land use categories are shown in the following table.

Table 8: Zoning to Implement Residential Land Use

Land Use Category – Comprehensive Plan	Zoning to Implement Land Use Category Title 18
Low Density Residential (minimum 7,500 square foot lots)	RS, RL, RMH
Medium Density Residential (up to 13 units per acre)	RM, HMU, RTP
High Density Residential (up to 27 units per acre)	RH

*Maximum density for commercial districts is 27 units per acre as part of mixed use developments.

Residential subdivisions are guided by the specific regulations for each of these zoning districts as contained in KMC, Title 18: Zoning. KMC, Title 17: Subdivisions, contains specific regulations for the design, submittal, and approval process of residential and other subdivisions. These specific regulations include general provisions, platting, design and construction, condominiums, and land dedications.

ADEQUATE PUBLIC FACILITIES AND SERVICES

For cities planning under GMA, there are numerous planning concepts that must be met. Two concepts apply specifically to residential development:



| LAND USE

- Development will be encouraged only in urban areas where adequate public facilities and services exist or can be provided in an efficient manner
- Inappropriate conversion of undeveloped land into sprawling, low-density development will be reduced.

These concepts are incorporated into the Benton County-wide Planning Policies under Policy #1 and goals in the Kennewick Comprehensive Plan.

Table 9: Kennewick Goals & Countywide Planning Policies

Benton County Planning Policies #1	Kennewick Goals
1. Urban Growth. Encourage development in urban areas where adequate public facilities exist or can be provided in a cost efficient manner.	Land Use Residential Goal # 2: Provide appropriate public facilities supporting residential areas. Land Use Residential Goal # 4. Encourage residential development in urban areas where service can be provided.
2. Avoid sprawl. Avoid the inappropriate conversion of undeveloped land into low-density development, lacking adequate services, injurious to ground and surface water quality, destructive to the area's agricultural lands base, and less than cost effective relative to public service costs.	Land Use Residential Goal # 3. Provide a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area.

WRITTEN FINDINGS FOR PROPOSED SUBDIVISIONS

GMA and RCW require that findings of approval for subdivisions be specifically listed in writing as part of the record of the subdivision approval process. KMC Section 17.10.080, Provisions for Public Health, Safety and Welfare, requires that the City, through the City Council "will inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication".

Plats are reviewed to determine if they are in compliance with the Comprehensive Plan, comprehensive water plan, utilities plan, [Transportation System Plan](#) and comprehensive Park & Recreation Plan, and any other issues necessary to determine if the plat should be approved. As stated in KMC Section 17.10.080, the subdivision application should address the following issues to the satisfaction of staff and the City Council:



| LAND USE

- Public health, safety & general welfare,
- Open spaces,
- Drainage ways,
- Streets, alleys, and other public ways,
- Transit stops,
- Potable water supplies,
- Sanitary wastes,
- Parks & recreation,
- Playgrounds,
- Schools & school grounds, and
- Sidewalks.

RESIDENTIAL GOALS + POLICIES

GOAL 1: Provide for attractive, walkable, and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas.

POLICIES

1. Maintain residential zoning regulations that offer a similar graduation in building scale and bulk.
2. Require multi-family housing to incorporate architectural forms and features compatible with the surrounding neighborhood. Features that promote compatibility include landscaping, setbacks, rooflines and building forms that reduce the appearance of bulk.
3. Require that multi-family structures be located near a collector street with transit, or near an arterial street, or near a neighborhood center.
4. Use natural and man-made features to separate different residential densities.
5. Encourage adequate pedestrian connections with nearby neighborhood and transit facilities in all residential site development.

GOAL 2: Provide appropriate public facilities supporting residential areas.

POLICIES

1. Ensure provision of parks, schools, drainage, transit, water, sanitation, [transportation](#), infrastructure and pedestrian in new residential developments.
2. Encourage irrigation service throughout residential areas, when available, to support and maintain healthy landscaping.
3. Deny residential developments if concurrency is not met for transportation, water, and sewer, or appropriately condition.



ZONING

- KMC 18.12.010 B.2 Table of Non- Residential Site Development Standards

BUFFERS

- KMC 18.12.010 B. 2 Table of Non- Residential Site Development Standards.
- KMC 18.21 Landscaping

PROPERTY RIGHTS

The protection of private property rights is a fundamental element of Washington State law. Numerous court cases have established a predictable path for municipalities to follow in the property rights issue. A further element of this discussion is the timely and fair processing of permits submitted for land use decisions. Kennewick currently enjoys a substantially reduced processing time relative to other communities within the State. The majority of land use applications are processed well within the time frames established in the Kennewick Administrative Code and in conformance with regulatory reform measures contained in ESHB 1724, adopted in 1995.

RCW 36.70A.370 states that there will be an orderly, consistent process that enables state and local governments to evaluate proposed actions to guarantee that they do not result in an unconstitutional taking of private property. Governments that are required to plan under GMA are to follow the process that has been established.

WAC 365-195-725 deals with the constitutional provisions of the comprehensive plan adoption process.

NEXUS AND ROUGH PROPORTIONALITY

The principles of Nexus and Rough Proportionality spawned from two landmark federal Supreme Court decisions. From the 1987 Nollan v. California Coastal Commission, requirements imposed on proposed development must bear a substantial relationship and connection or “nexus” to the impacts of the proposed development. From the 1994 Dolan v. City of Tigard, Oregon, requirements imposed on proposed development must be “roughly proportional” to the impacts of the proposed development.

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| LAND USE

The Revised Code of Washington authorizes cities to enact impact fees, which addresses direct impacts to public streets and roads, publicly owned park facilities, public school facilities and fire protection facilities. These fees may only be imposed for system improvements that are reasonably related to the new development. Impact fees cannot exceed a “proportionate” share of the cost of the system improvements necessary to accommodate the proposed development and may not be used to address existing system deficiencies.

The State Environmental Policy Act (SEPA) provides wide-ranging authority to impose mitigating conditions related to a proposed project’s environmental impacts. Local government’s authority under SEPA allows the imposition of mitigation fees and other forms of direct mitigation of impacts on public facilities and services. Fees collected under SEPA must be rationally related to the impacts identified in the threshold determination for a project. Additionally, fees collected under SEPA may not duplicate fees collected under other sources of authority.

Goals and policies are established to assure that critical infrastructure, such as transportation corridors established by the long-range Transportation System Plan, are preserved for and constructed as part of growth spurred by development, and in accordance with the tenants of Nexus and Rough Proportionality.

PROPERTY RIGHTS GOALS + POLICIES

GOAL 1: Use existing Washington State case law as a guide for protection of private property rights.

POLICIES

1. Conform to applicable state and local law regarding timely processing; permit coordination and SEPA/land use permit integration.
2. Follow the Attorney General’s recommended process to avoid unconstitutional takings of private property.

PROPERTY RIGHTS IMPLEMENTATION

PROCESSING

- KMC 18.42 Land Use Permits
- KMC 18.51 Amendment and Appeal
- KMC 18.54 Administration and Enforcement
- KAC 10-12-010 Procedure Charts



|TRANSPORTATION

The Capital Improvement Plan has been reviewed for consistency with the City of Kennewick's Comprehensive Plan. All projects with identified funding are located within the urban growth boundary and have funding sources identified for the six-year period from 2017 through 2022 of the CIP.

The six-year transportation projects have estimated costs and funding sources identified in the CIP program. The City relies on assistance from state and federal funding to implement the planned transportation improvements. If these sources of funding are not available for some reason, the City does have several options for making up the shortfalls:

- Use funds from another project that could be delayed without detriment.
- Enact impact fees, special taxes, tools, assessments, or other revenue sources available to the City.
- Develop a concurrency agreement stating that the necessary improvements will be provided within six years.
- Change the land use pattern to lower the number of trips to meet the LOS standards.
- Deny the land use proposal generating the need for the improvement.

The City's priority would be to make up any shortfalls with funds from another source. If this could not be done and the concurrency ordinance applies to the project, the City could either deny the proposed development or reassess the land uses in the area. This would be done to determine if changes to the land uses could be made that would result in a reduced LOS for the proposed project. If a project would have the potential to affect a neighboring transportation system, the proposal could be referred to the Metropolitan Planning Organization/Regional Transportation Planning Organization (MPO/RTPO) for intergovernmental consideration.

The Transportation Improvement Program (TIP) is prepared by the Benton-Franklin Council of Governments to meet state and federal guidelines. The TIP is required for applications for state and federal transportation funding. Proposed projects are prioritized based on available funding and the BFCG must certify that the TIP is in conformance with the Regional Transportation Plan.

IDENTIFICATION OF SYSTEM EXPANSION TO MEET CURRENT & FUTURE DEMANDS

The Capital Improvement Program (CIP) is updated biennially even though long-range projects, designed to meet both current and future needs, may be altered during each review. Long-range decision-making and budgeting is coordinated through the CIP.

The following Capital Improvements are identified as Major Transportation Projects in the Capital Improvement Program 2016-2021 for the City of Kennewick.

Commented [BM1]: Do we bring this table and other information up to date?



|TRANSPORTATION

1. Work with WSDOT, Ben Franklin Transit, urban jurisdictions, and major employers to develop and implement a voluntary Commute Trip Reduction program for the Tri-Cities to reduce single occupancy vehicle use, vehicle miles traveled, and minimize trip length during peak periods. Overall benefits will be reduced congestion and delay, cleaner air and less fuel consumption.
2. Continue to work with decision-makers, jurisdictions, and other agencies to encourage the Department of Energy (DOE) to implement the Federal Employees Commute Trip Subsidy Program.
3. Encourage employers to offer flexible work schedules (flex time), telecommuting, 4-day workweek, and other incentives that reduce peak period travel and lessen the need for roadway capacity.
4. Encourage commercial drivers to make deliveries and the shipping of freight during off-peak hours.
5. Investigate ways in which parking can be managed to decrease drive alone commuters.
6. Explore land use strategies that can reduce the use of single occupancy vehicles.
7. Continue facilitation of the urban Transportation Demand Management Committee.

TRANSPORTATION GOALS + POLICIES

Goal 1: Develop an integrated and balanced transportation system consistent with regional transportation objectives that supports the land use vision in the comprehensive plan and accommodates future travel demand.

POLICIES

1. Support the Benton County-Wide Planning Policies applicable to transportation.
2. Coordinate the planning, implementation, and operation of a safe and efficient multimodal transportation system with stakeholders including WSDOT, Benton County, the Benton Franklin Council of Governments, Ben Franklin Transit, the cities of Richland, Pasco, and West Richland, as well as various bicycle and pedestrian advocacy groups.



|TRANSPORTATION

Goal 5: Provide for implementation of planned transportation corridors by establishing predictable and appropriate methods to mitigate impacts from growth.

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POLICIES

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1. Assure adequate right-of-way is preserved and dedicated for existing and future planned corridors to accommodate growth, including corridors established in the Transportation System Plan.

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2. Assure that street improvements be completed along existing and future planned corridors concurrent with development that abuts or encompasses corridors established in the Transportation System Plan.

3. Clearly define appropriate mitigation measures to address impacts from growth and provide flexibility to achieve this.

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IMPLEMENTATION

Design Standards & Safety

- KMC 5.56 Public Works Construction Standards
- KMC 13.12. Traffic Obstructions
- KMC 17.20 Design & Construction
- KMC 18.21 Landscaping
- KMC 18.27.060 View Obstruction Prohibited
- KMC 18.75 and KMC 18.78 Design Standards
- KAC 13.08 Traffic Impact Study
- KAC 13.40 Neighborhood Traffic Calming
- KAC 13.46 Highway Access Management



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

FILE/PROJECT NUMBER: ED 21-27/PLN-2021-01986

DESCRIPTION OF PROPOSAL: The City of Kennewick is proposing comprehensive plan text updates that will address goals and policies related to the nexus and rough proportionality when development exactions are required and mitigation of impacts caused by development.

PROPOSER: City of Kennewick, c/o Steve Donovan, 210 W 6th Avenue, Kennewick, WA 99336

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: Not Site Specific

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: Anthony Muai, AICP

POSITION/TITLE: Interim Planning Director

ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336

PHONE: (509) 585-4386

☐ 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 12, 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 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.

Copies of this DNS were mailed to:

Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED 21-27 File