

1. CALL TO ORDER:

- a. Roll Call/Pledge of Allegiance

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

- a. Approval of the Minutes dated October 19, 2020
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. PUBLIC HEARING:

- a. Change of Zone (COZ) #2021-0004 proposing to change the zoning district for approximately 0.69 acres located at 1831 W. 19th Ave from Residential, Low (RL) to Residential, Medium Density (RM). Applicant and owner is Jeffrey Robbins, 290 Moore Road, Pasco, WA, 99301.
- b. Change of Zone (COZ) #2021-0005 proposing to change the zoning district for approximately 13.56 acres located at 10611 W. Clearwater Ave from Business Park (BP) to Commercial, Community (CC). Applicant is Paul Knutzen, Knutzen Engineering, 5401 Ridgeline Drive, Ste. 160, Kennewick, WA 99338 and owner is Calvary Chapel of Tri-Cities, 10611 W. Clearwater Ave, Kennewick, WA 99336.
- c. Change of Zone (COZ) #2021-0006 proposing to change the zoning district for approximately 1.09 acres located at 1201, 1213, & 1221 N. Irving Place from Community, Office (CO) to Residential, Low (RL). Applicant and owner is Brett Lott, 7513 W. Kennewick Ave, Kennewick, WA 99336.

4. VISITORS NOT ON AGENDA:**5. OLD BUSINESS:**

- a. City Council Action Updates

6. NEW BUSINESS:**7. REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:****8. ADJOURNMENT:**

**KENNEWICK PLANNING COMMISSION
DECEMBER 6, 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 Director Anthony Muai called the roll and found the following logged into the Webinar:

Present: Chairman Morris, Vice Chairman Stolle, Commissioners Griffith, Moore, and Helgeson

Excused: Commissioners Hempstead and Short

Unexcused: None

Staff Present: Anthony Muai, AICP Community Planning Director; AICP Senior Planner, Matt Halitsky, Planner.

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 Griffith seconded the motion. The motion passed unanimously on a roll call vote.

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of November 15, 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 (COZ) #21-13 proposing to change the zoning district for approximately .96 acres located at 3321 W. 10th Avenue from Residential, Suburban Density (RS) to Residential, Medium Density (RM). Applicant and owner is Tami Johnson, Creekstone Senior Living, 3321 W. 10th Avenue, Kennewick, WA 99336.

Mr. Halitsky 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:

Tami Johnson/Creekstone Senior Living
3321 W. 10th Ave.
Kennewick 99336

Just trying to be one property with one address so that EMS can find the facility easily.

Testimony in Favor of the Request:

None

Testimony Neutral/Against the Request:

None

Staff Comments:

None

Public Testimony for COZ 21-13 closed at 6:41 p.m.

Chairman Morris asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in staff report COZ 21-13 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.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

None

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

None

ADJOURNMENT:

The meeting adjourned at 6:45 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE No: COZ-2021-0004

Staff Report Date: 11 January 2022

Hearing Date & Location: 7 February 2022, Virtual Hearing

Report Prepared By: Matt Halitsky, AICP
Planner

Report Reviewed By: Steve Donovan, AICP
Planning Manager

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS APPROVAL of Change of Zone 2021-0004

Summary of Proposal: A Change of Zone from Residential, Low Density (RL) to Residential, Medium Density (RM) for .69 acres.

Proposal Location: 1831 W 19th Avenue

Legal Description: The West 100 feet of the East 199.6 feet of the West 399.6 feet of the North half of Lot 59, HIGHLANDS PLAT "C" according to the plat thereof recorded in Volume 2 of Plats, page 31, records of Benton County, Washington.

Property Owner & Applicant: Jeffrey Robbins
290 Moore Road
Pasco, Washington 99301

Regulatory Controls:

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

COZ Key Application Processing Dates:

Application Submittal	8 December 2021
Determination of Completeness Issued	8 December 2021
Notice of Application Posted	8 December 2021
Date of Mailed Notice of Public Hearing	19 January 2022
Property Posting Sign for Public Hearing	19 January 2022
Date of Published Notice of Public Hearing	23 January 2022

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Vicinity Map
4. Comprehensive Plan Map
5. Zoning Map
6. Notice of Mailing
7. SEPA Determination of Non-significance
8. Ordinance 5934
9. KID Comment Letter
10. BPA Comment Letter

Zoning Adjacent to the Site:

North: Residential, Low Density (RL)

East: Residential, Low Density (RL); with Residential, Medium (RM) Beyond

South: Residential, Medium Density (RM)

West: Residential, Medium Density (RM)

Applicable Goals and Policies of the Comprehensive Plan:

Housing Goals and Policies:

- Goal 1: Support and develop a variety of housing types and densities to meet the diverse needs of the population.
- Goal 3: Promote affordable housing for all economic segments of the community.

Kennewick Municipal Code Findings:

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

KMC 18.51.070(2): Findings:

Findings Required. In order to amend the zoning map, the City Council must find that:

- a. The proposed amendment conforms with the comprehensive plan; and
Staff Response: The proposed Change of Zone conforms to the Comprehensive Plan as the RM zoning district is an implementing zoning district of the site's current Medium Density Residential land use designation, which was approved by City Council in October 2021.
- b. Promotes the public necessity, convenience and general welfare; and
Staff Response: The proposed Change of Zone promotes public necessity, convenience, and welfare by establishing a zoning district that is compatible with surrounding properties.
- c. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and
Staff Response: The proposed Change of Zone will not impose an additional burden on public facilities. Future development shall be required to meet applicable levels of service.
- d. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
Staff Response: The proposed amendment will establish a zoning district that complies with Comprehensive Plan. The RM zone is an implementing zone of the site's Medium Density Residential land use designation.

- e. Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.

Staff Response: *The finding is not applicable; the proposed zoning district is not a single-family residential zone. That said, in effect the RM zoning district surrounds the subject property.*

Public Comments:

To date, there are no public comments either for or against the requested Change in Zone.

Agency Comments:

In a letter dated 15 December 2021 from the Kennewick Irrigation District (KID), the agency reminded the applicant that no permanent structures are allowed within irrigation easements and all existing irrigation facilities shall be protected. In addition, compliance with KID Resolution No. 2021-33 is required.

Staff Analysis of Proposal & Discussion:

The subject property was annexed by the City on 6 September 1983 via Ordinance 2792 and established the current zoning as Residential, Low Density (RL). On 8 October 2021, the City adopted Ordinance 5934, which amended the Comprehensive Plan land use designation from Low Density Residential to Medium Density Residential.

The proposed Change of Zone (COZ-2021-0004) is a request to change the zoning district of a single 0.69 acre parcel located at 1831 W 19th Avenue from RL to RM. Pursuant to Table 1 of the Comprehensive Plan, the RM zoning district is an implementing zoning district of the Medium Density Residential land use designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

Per KMC 18.03.040(21) the purpose of RM zoning district is as follows:

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

The RM zone allows for a density of 13 units per acre, allowing for a maximum of 9 dwelling units on the subject property. However, it is the applicant's intent to construct 2 to 3 duplexes on the site behind the existing single family dwelling, resulting only in an additional 4 to 6 units.

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

Findings:

1. The applicant is Jeffrey Robbins, 290 Moore Rd, Pasco, WA 99301.
2. The property owner is also Jeffrey Robbins, 290 Moore Rd, Pasco, WA 99301.
3. The proposed change of zone is located at 1831 W 19th Avenue. Parcel Number 1-1189-402-0059-002.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Medium Density Residential.

EXHIBIT 1

5. The City changed the land use designation for the site on 8 October 2021 as part of the 2021 Comprehensive Plan Amendment Cycle.
6. The request is to change the zoning from Residential, Low Density (RL) to Residential, Medium (RM).
7. The Residential, Medium Zoning District is an implementing zone of the Medium Density Residential Comprehensive Plan Land Use Map Designation.
8. On 8 December 2021, the application was submitted and declared complete for processing.
9. The application was routed for review to City Departments and outside agencies for comment on 8 December 2021.
10. Access to the site is via W 19th Avenue.
11. The Environmental Determination of Non-Significance (ED 21-05) was issued for the associated Comprehensive Plan Amendment (CPA 21-01).
12. The Property Posting sign for the public hearing was posted on site 19 January 2022.
13. Notice of the public hearing for this application was published in the Tri-City Herald on 23 January 2022. Notices were also mailed to property owners within 300 feet of the site on 19 January 2022.
14. The proposed amendment is consistent with the Comprehensive Plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare.
16. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of Medium Density Residential.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Housing Goals and Policies Land Use Goals 1 and 3 of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.
5. The proposed Change of Zone complies with KMC 18.51.070(2).

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained within staff report COZ-2021-0004 and recommend approval to City Council.

Proposed Motion:

I move that the Planning Commission concur with the findings and conclusions contained within staff report COZ-2021-0004 and recommend approval of the request to City Council.

COZ-2021-0004

EXHIBIT 2

1/17



Community Planning Department

210 West 6th Avenue

Kennewick, WA 99336

Phone: (509) 585-4280

cedinfo@ci.kennewick.wa.us

Exhibit 2

Change-of-Zone Application Instructions

Application Information:

- ☐ 1. Application fee ([See fee schedule](#)).
- ☐ 2. Application form – General (attached.)
- ☐ 3. An accurate map drawn to scale showing the exact dimensions of the property for which the rezone is requested and its relation to adjoining streets.
- ☐ 4. A report submitted electronically in Microsoft Excel format showing the name and address of the owner of record of the property involved and a list of the names and addresses of all property owners within 300 feet of subject property and of such contiguous property under the same ownership. Example below:

Parcel #	Owner First Name	Owner Last Name	Owner Address	Owner City	Owner State	Owner Zip	Property Address
x-xxxx-xxx-xxxx-xxx	John & Jane	Dow	1234 W City St	Kennewick	WA	99336	1234 S Example St

- ☐ 5. A complete change of zone supplemental information sheet (attached).
- ☐ 6. Any other information necessary to aid in review of the application.
- ☐ 7. Complete Legal Description submitted electronically in Microsoft Word format.
- ☐ 8. A state [Environmental Policy Act checklist \(SEPA\)](#). **This is a separate application with additional fee.**

Process:

Zone change requests are processed pursuant to the requirements of KMC Chapter 18.51.

Once the above items are received, the matter will be scheduled for an open record hearing before the Kennewick Planning Commission, typically about six to eight weeks after the application is deemed complete. City Staff will post the property with the public notice sign; a notice of the public hearing will be published in the Tri-City Herald, and mailed to owners within 300 feet of the subject property. All information received by the Kennewick Planning Commission and its findings and recommendation will be submitted to the Council for the final decision, usually about 30 days after the public hearing.

All items submitted to be included on the record become exhibits and will be numbered upon receipt by the Commission secretary. In accord with RCW 42.11.020, all exhibits and items will become part of the public record and be retained on file and kept available for public inspection by the Planning Division.

Appeal:

Any person aggrieved by a decision of the City Council may appeal to the Benton County Superior Court within 21 calendar days of the date of the Council's decision.

Change-of-Zone Supplemental Information

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

1. Does the public necessity, convenience, and general welfare require the adoption of the proposed amendment? Please explain:
Yes, the zone request is in the best interest of the public. There is an ever present need for housing especially within the existing foot print of city services.

2. Are there sites presently available on the market which are correctly zoned for the proposed use? Are these sites within a 1/2 mile of the proposed site? Within 1 mile of the proposed site? If yes, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized:
There are other properties nearby, but I'm not aware of any on the market. Those zoned for rentals are being used as rentals, as far as i am aware.

3. Is the proposed amendment consistent with the existing land use pattern in the area? Please explain
Yes, the comprehensive plan was amended earlier this year. There are neighboring multi-family properties.

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

5. Will the proposed amendment create an isolated district, or introduce a more intense land use to the area? Please explain.
There may be a more intense use of land as the proposal would ultimately increase the number of people housed on the property, but they're going to live somewhere.

6. Does the existing zoning prohibit reasonable use of the property? Please explain.
The existing zoning prohibits the highest and best use of the property.

7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain:
No. If anything the residential character would be enhanced from a single family residence with a dusty weed patch for a back yard to a couple of small multi-family units with landscaping.

8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain:
My intention is to have an attractive and desirable place to live. With good management and good people skills the neighborhood will have a positive effect on property values.

9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain:
There is already a precedent for medium density zoning, and small to medium sized multi-family dwellings.

10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain:
Unknown at this time, as this property is not adjacent to any deteriorated area.

11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain.
This will allow for greater choice in the rental market. More units by smaller property owners will offer diversity and choice.

12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain:
There will not be any conflict with land uses or traffic patterns.

Applicant Procedures for On-line Application for Civil and Land Use Permits

STEP 1 - CUSTOMER NUMBER, APPLICATIONS AND CHECKLISTS

On-line applications require payment with a credit or debit card at the time of application. You must be a registered user to apply. If you do not already have a customer number you must contact the Building/Planning Dept to receive your customer number. Call 509-585-4280; 509-585-4561 or email permit-documents@ci.kennewick.wa.us.

Review the application checklists and have all required documents ready to submit in PDF format before you apply. [Link to Development Services Forms Page](#); [Link to Civil Application and Submittal Check List](#);

STEP 2 - PREPARE FOR APPLICATION

Permit Applications and Documents Required:

Prepare your documents prior to applying online (See the application checklists for each permit type available online). All required documents must be uploaded within 24 hours of applying or your application will be canceled in our system and you will be required to reapply.

STEP 3 - APPLY FOR PERMITS

Go to www.go2kennewick.com; click on **City Services**; click on **Online Permitting**; click on **Registered User** or **New User** (If new user you must set up an e-user account. Be sure to write down your EDEN user name and password for future access). Once e-user registered you will be asked for your customer number. Enter the customer number you were given in STEP 1 and you will be logged on to Permits.

Click on **Apply for a permit**: Select the **Permit Type** from the drop down list; Add the **Permit Description** as shown on your paper application which has been filled out per STEP 1 above in the line labeled **Proposal Requested**; Select permit location by **Address** or **Parcel number** button;

- If by **address** enter the House or building address numbers into the first box and the zip code into the second box; click the **search box**; click on the ☐ **Search for an Address** dropdown arrow and pick the correct address from the list, it will then be automatically entered into the **Permit Address Lines** below.
- If by **parcel number** enter the parcel number into the **Parcel APN#** box; click the **search box**; click on the ☐ **Search for a Parcel** dropdown arrow and pick the correct parcel from the list, it will then be automatically entered into the **Permit Address Lines** below.

Click on **Next Step**; Enter the requested information in the boxes (boxes with asterisk (*) are required); Click on **Next Step**;

Review the information provided and if correct Click on **Pay Fees**; **Land Use Permits** will require payment of the full **Application Fee**; **Civil permits** do not have a fee due at this time.

Once payment has been made the system will create a permit number for you. **Copy the (XXX-20XX-XXXXX) Permit Number** as you will need this number to upload your documents.

STEP 4 - UPLOAD DOCUMENTS

You will receive an email with a document upload link after applying for your permit(s) in STEP 3.

You will be required to complete all fields with a red asterisk (*) on the upload form. The **Permit Number**, when entered, determines the required document types to be uploaded.

Upload Instructions

- Click on the link to upload documents.
- Enter the Permit Number. For example PLN-2018- XXXXX
- Enter your EDEN user name (as registered in STEP 4); hit TAB on keyboard which will auto populate some of the required fields.
- For **Planning (PLN)** pick the **Type of Permit** from the dropdown list. The document types for uploading will be listed at the bottom of the form once you have picked the type of permit from the drop down.
- The documents types will populate at the bottom of the form with an **Attach** button.
- Click on the **Attach** (type of document) button and you will be prompted to your computer files to choose the appropriate files to upload. Once the file is chosen click open and the file will upload. Make sure you have uploaded each required document type (*). When all document types have been uploaded for the permit you are working with you will have to check the "I am not a robot" box and you will be prompted to respond.

When finished click on **Submit**. You will receive an email thanking you for submitting your plans.

EXHIBIT 2

To continue with an additional permit click on the provided link again to open a new form. Repeat STEP 4 for each of the required permit types included in your project.

The application and associated documents will be reviewed within 2 business days to determine if the application can be accepted as counter ready. An email will be sent to your registered user email address notifying you of acceptance or rejection of your documents.

- **Accepted documents** will require no further action at this time.
- **Rejected documents** will be entirely deleted from our system and a new upload link will be emailed to your registered email address with details of missing and/or incomplete documents. Review the reasons and correct documents accordingly. Click on the provided link to resubmit.

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

EXHIBIT 2

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 _____

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

Applicant: _____

Address: _____

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

Property Owner (if other than applicant): _____

Address: _____

Telephone: _____ Cell Phone: _____ E-mail _____

SITE INFORMATION

Parcel No. _____ Acres _____ Zoning: _____

Address of property: _____

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

Present use of property _____

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

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

Benton County Assessor Market Improvement Value: _____

Description of Project: _____

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

Applicant's Signature

Signature of owner or owner's authorized representative

Date: _____

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

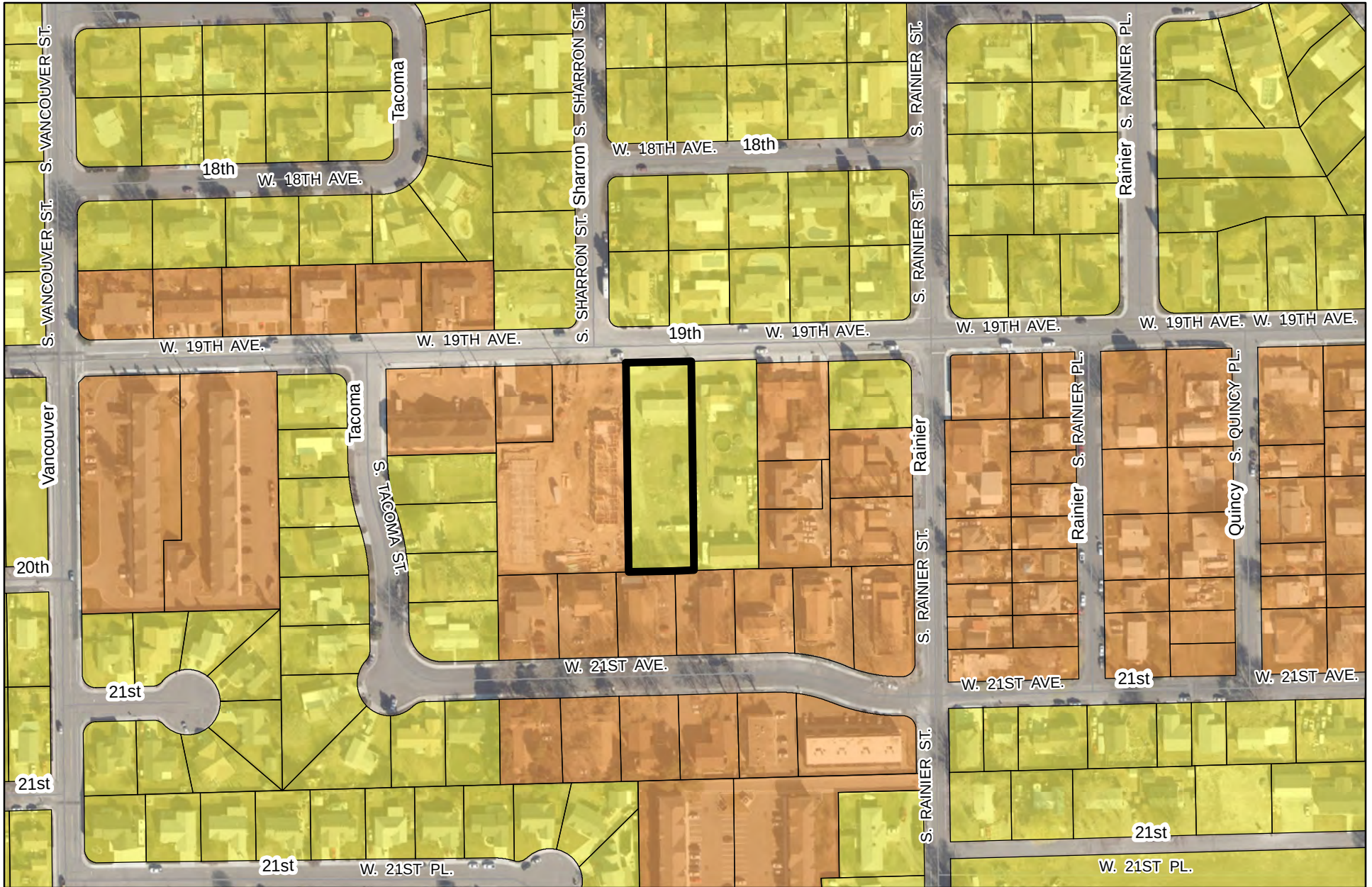
1:1,200

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

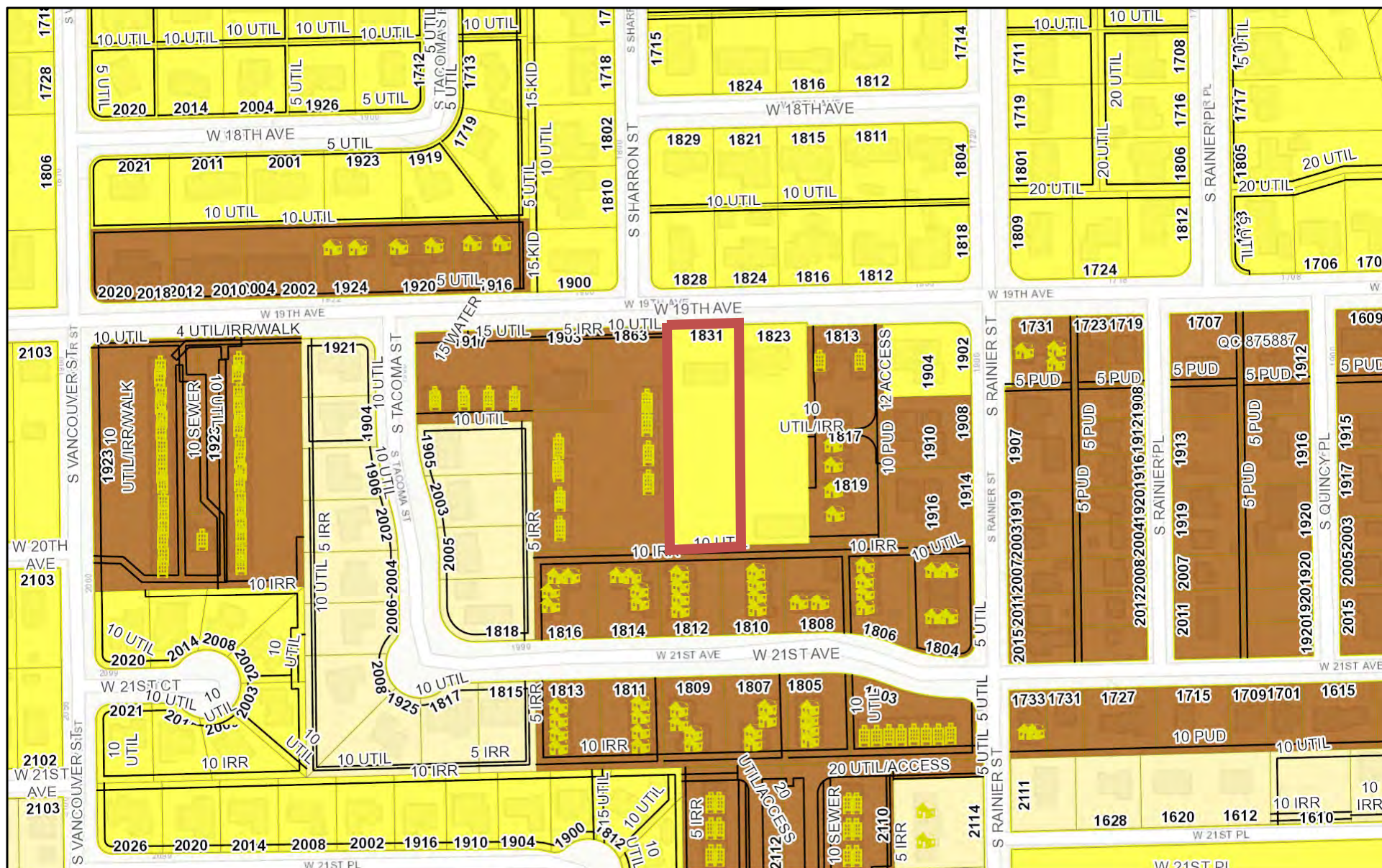


CPA 21-01/PLN-2021-00781 Land Use Map

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



Zoning Map



January 12, 2022 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

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



1 inch = 200 feet 1:2,400

0 0.0175 0.035 0.07 mi

0	0.0275	0.055	0.11 km
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Sources: Esri, HERE, Garmin, Intermap, increment P Corp.,



NOTIFICATION OF MAILING

I, Matt Halitsky, on 19 January, 20 22

Mailed 41 copies of Notice of Public Hearing w/ Map

for COZ-2021-0004

to Property owners per list provided

as shown on the attached list.

M. Xanthu
Signature

37
Jeffrey Robbins
290 Moore Rd
Pasco, WA 99301

37
William & Tiffany Woodrome
1823 W 19TH Ave
Kennewick, WA 99337

37
AP PROPERTIES LLC
725 N 26TH Ave
Pasco, WA 99301

37
TIMOTHY & ANGELETTA N Machugh
7628 Kohler Rd
Pasco, WA 99301

37
OREO1819 LLC
1819 W 19TH Ave
Kennewick, WA 99337

37
Deisy Dela-Mora
825 S Hartford St
Kennewick, WA 99336

37
Daniel & Jo Anne Graham
1812 W 21ST Ave
Kennewick, WA 99337

37
BMB DEVELOPMENT INC
3411 Canyon Lakes Dr
Kennewick, WA 99337

37
Christopher Herbert & Cambria Ann
Nelson
1939 Newhaven Loop
Kennewick, WA 99337

37
WATKINS LEGACY LLC
1209 W 15TH Place
Kennewick, WA 99337

37
Ernesto Gomez
1808 W 21ST Ave # B
Kennewick, WA 99337

37
Israel & Juanita Perez
1828 W 19TH Ave
Kennewick, WA 0

37
Pedro Jimenez & Leah Haws
1824 W 19TH Ave
Kennewick, WA 99337

37
WWJD PROPERTIES LLC
153 River Run Rd
Sequim, WA 98382

37
Ronald E & Suzanne Torvik
PO Box 21
Littlerock, WA 98556

37
Lucia Palominos
PO Box 3382
Pasco, WA 99302

37
Bernardo Ibanez
1905 S Tacoma St
Kennewick, WA 99337

37
Arthur & Patricia Fisher
2205 S Rosena Ct
Kennewick, WA 0

37
Belle Rose Pidcock
2003 S Tacoma St
Kennewick, WA 0

37
Hadi Al Azzawi
1806 W 21ST Ave
Kennewick, WA 99337

37
AP PROPERTIES LLC
725 N 26TH Ave
Pasco, WA 99301

37
Joann Kane & James Brown
2005 S Tacoma St
Kennewick, WA 99337

37
Leone M Cummins
1306 Oxford
Richland, WA 99352

37
Jacob Allen Ling & Kristen Benson
1829 W 18TH Ave
Kennewick, WA 99337

37
Linda Burton
1821 W 18TH Ave
Kennewick, WA 99337

37
Terry Cole
1620 State Ave NE
Olympia, WA 98506

37
Jesus Muniz Preciado
1818 W 21ST Ave
Kennewick, WA 99337

37
Julia Clark
1916 W 19TH Ave
Kennewick, WA 0

37
Shih-Hsiung & Shiou-Ching Shann
P O Box 1745
Richland, WA 99352

37
GERMAN & ESME LLC
26561 Brooks Circle
Stevenson Ranch, CA 91381

37 Salvador Ruiz Jr. 117 E 16TH Ave B. Kennewick, WA 99337	37 Jose Moran 1811 W 21ST Ave Kennewick, WA 99337
37 Guillermo Parra Rodriguez 6304 Del Mar Ct Pasco, WA 99301	37 Stevie Nikole Bergman 4760 Ava Way Richland, WA 99352
37 Dallas Phillips 1802 S Sharon St Kennewick, WA 99337	37 Juan Ocoha PO Box 1327 Pasco, WA 99301
37 Dixie Gately 1815 W 21ST Ave Kennewick, WA 0	37 Roger Keck 1919 W 18TH Ave Kennewick, WA 99337

37 VILLAFUERTE SAMUEL ROMAN & ROMAN ARIZAH 1818 S Rainier St Kennewick, WA 99337
37 Eileen Posey 1811 W 18TH Ave Kennewick, WA 99337
37 Stewart & Rhyll Sharpe 1719 S Tacoma St Kennewick, WA 0



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.

CITY OF KENNEWICK
ORDINANCE NO. 5934

AN ORDINANCE AMENDING THE CITY OF KENNEWICK'S COMPREHENSIVE
PLAN (CPA 21-01, ROBBINS)

WHEREAS, the City of Kennewick, by and through its City Council, and pursuant to the Growth Management Act, directed the Planning Commission of the City of Kennewick to review and update the Comprehensive Plan for the purposes of coordinating all plans and programs relating to the physical and social development of the Kennewick Urban Growth Area and the people therein; and

WHEREAS, the City of Kennewick, in accord with the Growth Management Act and RCW 36.70A.130 and implementing municipal regulations, has directed the Department of Community Planning and the Planning Commission to review and update the plan annually; and

WHEREAS, appropriate public notice has been given and a public hearing held by the Planning Commission on August 16, 2021 concerning the proposed changes, and the same has been reviewed by the Department of Commerce for the review required under RCW 36.70A.106; NOW, THEREFORE:

THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. The following amendment is made to the City of Kennewick Comprehensive Plan Land Use Map as adopted by Resolution 07-12:

1. CPA 21-01 – .69 acres located at 1831 W 19th Avenue (Low Density Residential to Medium Density Residential.)

Section 2. The property is legally described as follows:

Low Density Residential to Medium Density Residential

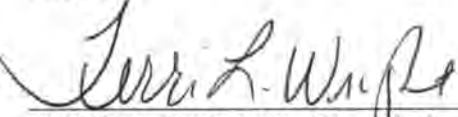
1998 Marlette Pacifica 27 x 67; THE HIGHLANDS, PLAT 'C': WEST 100 FEET OF EAST 199.6 FEET OF WEST 399.6 FEET OF NORTH 1/2 OF LOT 59. Parcel # 1-1189-402-0059-002.

Section 3. This ordinance shall be in full force and effect five days from and after its passage, approval and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 5th day of October, 2021, and signed in authentication of its passage this 5th day of October, 2021.


STEVE LEE, Mayor Pro Tem

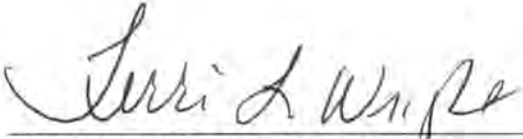
Attest:


TERRI L. WRIGHT, City Clerk

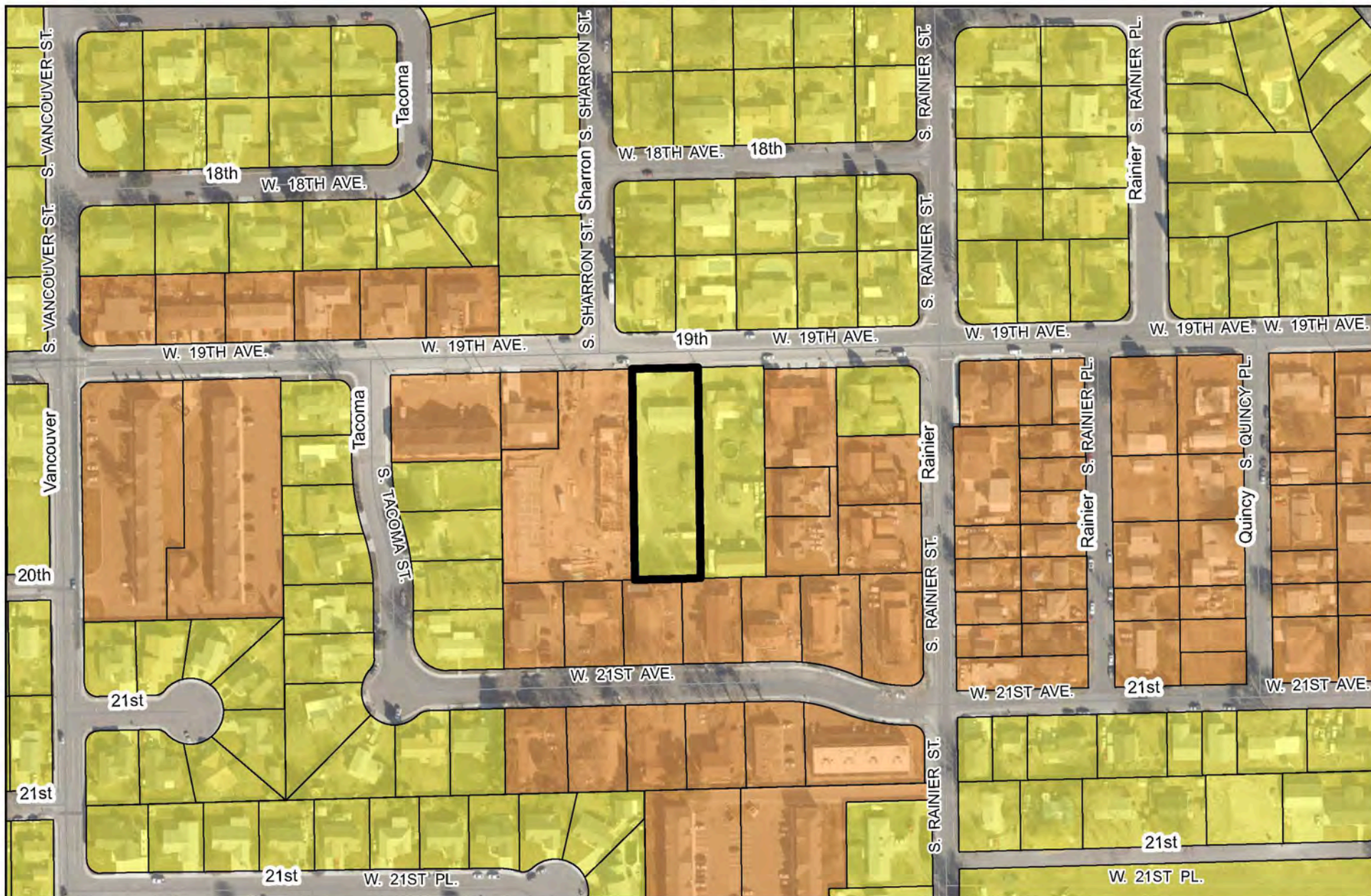
ORDINANCE NO. 5934 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 6th day of October, 2021.

Approved as to Form:

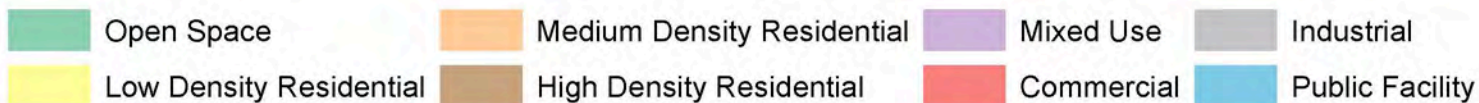

LISA BEATON, City Attorney


TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION 10-8-2021



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





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

December 15, 2021

Mathew Halitsky, AICP
City of Kennewick/ Development Services Division
PO Box 6108
Kennewick, WA 99336

Subject: Review Comments for COZ-2021-0004, 1831 W 19th Ave

Dear Mr. Halitsky:

The Kennewick Irrigation District has received your Change of Zone Application submitted by Jeffery Robbins, 290 Moore Rd, Pasco, WA 99301, project location is at 1831 W 19th Ave, Kennewick, WA 99337, consisting of 1 parcel with total of 0.69 acres from Residential, Low (RL) to Residential, Medium (RM).

1. This parcel is within the Kennewick Irrigation District (KID) boundaries and is considered irrigable lands; therefore, the Kennewick Irrigation District assesses them.
 - a. This change of zone application is located within the Martin Meadows Private Line Area. Two services were installed at the property as a part of the Kennewick Irrigation District's Martin Meadows Private Line Area Conversion project. Compliance with KID Resolution No. 2021-33 (see attached) is required should the property owner choose to connect to these services. This includes the completion of an Irrigation Water Service Agreement with KID and payment if the appropriate surcharge. Please contact Lori Gibson lgibson@kid.org for more information regarding connection.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.

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

Matthew Halitsky
December 15, 2021
Page 2 of 2

Sincerely,



Chris D. Sittman
CAD Specialist

cc: LB\correspondence\File 11-8-29
Applicant via mail – Jeffery Robbins, 290 Moore Rd, Pasco, WA 99301

Enclosure

Please return to:

*Executive Assistant
Kennewick Irrigation District
2015 South Ely Street
Kennewick, WA 99337*

KENNEWICK IRRIGATION DISTRICT RESOLUTION 2021-33

Authorization for Collection of Surcharges for the PLA Properties in the Martin Meadows Benefit Area, Amending Resolution 2020-23.

A **RESOLUTION** of the Board of Directors of Kennewick Irrigation District (KID), Benton County, Washington, relating to certain rates, charges and assessments; establishing certain rates, charges and surcharges and directing assessment process related to the KID Martin Meadows Benefit Area; authorizing and directing actions.

Section 1. RECITALS AND FINDINGS.

1.1 Some areas within the KID service have been served by privately constructed and operated irrigation systems. Many of those systems were not constructed to KID standards, and not subject to regular operation and maintenance or needed repair and replacement. KID attempts to serve the community by acquisition or assumption of such systems and to provide a program for system improvements.

1.2 Martin Meadows Private Line Area (PLA) is such an area and has been impacted by new, private construction and system deficiencies. KID sent a letter to the properties within the PLA to inform of the issues with the system and to provide information concerning a PLA conversion. Due to the Covid-19 pandemic, a public meeting has not been held. KID proposed to install pressurized lines and service connections along the frontage of W 19th Ave, S Tacoma St, West 21st Ave, and S Rainier St. These pipelines would be connected to the pressurized KID pipeline in S Vancouver St.

1.3 This Resolution sets forth KID's program for the system improvement and necessary financial support from assessments against benefited properties, and from rates and charges (including charges in lieu of assessments) for the Martin Meadows benefit area within the previously established private line area. The system improvements shall be delayed until sufficient funds are available, as determined in the future discretion of the KID Board.

Section 2. MARTIN MEADOWS BENEFIT AREA. The Martin Meadows Benefit Area is hereby established to include all of the following property:

- 11 TOWNSHIP 8 RANGE 29 QUARTER SE; SHORT PLAT #3076, LOT 1, RECORDED 2/20/2008, UNDER AUDITOR'S FILE NO. 2008-004410. RECORDED IN VOLUME 1 OF SHORT PLATS, PAGE 3076, RECORDS OF BENTON COUNTY, WASHINGTON.
 - Parcel 111894013076001

- SECTION 11, TOWNSHIP 8 NORTH, RANGE 29 EAST, QUARTER SE: SHORT PLAT #3571, LOT 1-2. RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 3571, RECORDS OF BENTON COUNTY, WASHINGTON. (AF#2018-017766, 06/20/2018)
 - Lot 1, Parcel 111894013571001
 - Lot 2, Parcel 111894013571002
- 1998 Marlette Pacifica 27 x 67 ; THE HIGHLANDS, PLAT 'C': WEST 100 FEET OF EAST 199.6 FEET OF WEST 399.6 FEET OF NORTH 1/2 OF LOT 59
 - Parcel 111894020059002
- THE HIGHLANDS, PLAT 'C': EAST 99.6 FEET OF WEST 399.6 FEET OF NORTH 1/2 OF LOT 59
 - Parcel 111894020059003
- SHORT PLAT : # 8 LOT 1-3
 - Lot 1, Parcel 111894010008001
 - Lot 2, Parcel 111894010008002
 - Lot 3, Parcel 111894010008003
- BUR-DRIG ADDITION, BLOCK 1, LOT 1-7 PER DECLARATION OF DISCONTINUANCE RAINIER PARK PHASE I REC'D 9-1-92 SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD
 - Lot 1, Parcel 111894040001008
 - Lot 2, Parcel 111894040001009
 - Lot 3, Parcel 111894040001010
 - Lot 4, Parcel 111894040001011
 - Lot 5, Parcel 111894040001012
 - Lot 6, Parcel 111894040001006
 - Lot 7, Parcel 111894040001007
- BUR-DRIG ADDITION, BLOCK 2, LOT 1-6 PER DECLARATION OF DISCONTINUANCE OF RAINIER PARK, PHASE I REC'D 9-1-92, SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD
 - Lot 1, Parcel 111894040002007
 - Lot 2, Parcel 111894040002008
 - Lot 3, Parcel 111894040002003
 - Lot 4, Parcel 111894040002004
 - Lot 5, Parcel 111894040002005
 - Lot 6, Parcel 111894040002006
- 1994 Valley Quality Manor 27 x 67; MARTIN MEADOWS, BLOCK 2, LOT 4.
 - Parcel 111894050002004
- MARTIN MEADOWS, BLOCK 2, LOT 1-3.
 - Lot 1, Parcel 111894050002001
 - Lot 2, Parcel 111894050002002
 - Lot 3, Parcel 111894050002003
- THE HIGHLANDS, PLAT 'C': NORTH 133 FEET OF EAST 1/2 OF EAST 1/2 LOT 58 (DESCRIPTION CHANGE 7/12/78)
 - Parcel 111894020058001
- MARTIN MEADOWS, BLOCK 1, LOT 1-10.
 - Lot 1, Parcel 111894050001001
 - Lot 2, Parcel 111894050001002
 - Lot 3, Parcel 111894050001003
 - Lot 4, Parcel 111894050001004
 - Lot 5, Parcel 111894050001005

- Lot 6, Parcel 111894050001006
- Lot 7, Parcel 111894050001007
- Lot 8, Parcel 111894050001008
- Lot 9, Parcel 111894050001009
- Lot 10, Parcel 111894050001010

Section 3. SURCHARGE.

3.1 Except as provided in this Resolution, the Martin Meadows Benefit Area shall be subject to KID Policy 2.41. The following charges apply as “KID Surcharges for System Improvements.” The surcharge applicable to these properties upon connection shall be calculated as follows.

3.2 The level of service provided to properties within the Martin Meadows Benefit Area shall be based on equivalent irrigation units (EIU). Each EIU shall be the equivalent of a one and one-quarter (1 ¼) inch service connection providing an instantaneous flow of fifteen (15) gallons per minute. Any larger service connections shall be calculated from as a multiple of this base EIU, irrespective of development standards applicable to a property.

3.3 The surcharge was determined based on actual costs of construction. The cost for the project is \$7,864.00 per EIU.

3.4 The surcharge will be collected as follows for properties that connect to the system prior to April 30, 2022:

3.4.1 In order to incentivize capital recovery, if the entire project costs are paid by April 30, 2022 the cost of the surcharge will be reduced to \$6,291.20 per EIU.

3.4.2 If the entire project costs are not paid in full by April 30, 2022, a property owner may elect to defer the surcharge and be charged \$120 per year until the earlier of:

3.4.2.1 Change in Property Ownership, at such point, the entire surcharge for project costs becomes due; or

3.4.2.2 January 1, 2032, at such point, the surcharge for project cost will be recovered through an annual surcharge of \$786.40 (estimated) per EIU which will be added to the KID billing with equal one-half (1/2) installments due April 30 and October 31 of each year, for ten (10) years. If there is a change in property ownership after January 1, 2032, the entire surcharge amount for the project costs, less any annual surcharges paid, becomes due.

3.4.3 If the entire project costs are not paid in full or deferred by April 30, 2022, an annual surcharge of \$786.40 (estimated) per EIU will be added to the KID billing to the property as a separate Capital Surcharge, with equal one-half (1/2) installments due on April 30 and October 31 of each year, beginning on April 30, 2022, for ten (10) years. If there is a change in property ownership after connection to the system, the entire surcharge amount for the project costs, less any annual surcharges paid, becomes due.

3.6 For properties that connect to the system after April 30, 2022, an annual surcharge of \$786.40 (estimated) per EIU will be added to the KID billing to the property as a separate Capital Surcharge, with equal one-half (1/2) installments due on April 30 and October 31 of each year, beginning on April 30 of the following year, for ten (10) years. If there is a change in property ownership after connection to the system,

the entire surcharge amount for the project costs, less any annual surcharges paid, becomes due.

Section 4. ASSESSMENT. All properties within the Martin Meadows Benefit Area may be subject to annual assessments (or a charge in lieu of assessment) for the cost of a pressurized system.

Section 5. SERVICE AGREEMENT. Prior to properties within the Martin Meadows Benefit Area connecting to the KID improvements, the properties will be required to enter into an Irrigation Water Service Agreement, to provide necessary security for payment for the KID system improvements.

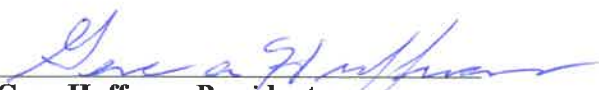
Section 6. UNAUTHORIZED CONNECTIONS – ADDITIONAL CHARGES. A Martin Meadows Benefit Area property that does not enter into an Irrigation Water Service Agreement, and is later found to be connected to the system, will be charged a tampering/unauthorized access fee in accordance with KID's most recent fee resolution. This additional charge is in part to recover the costs to KID to manage and remedy the improper connection, including but not limited to administrative costs, service call(s), and deferred financing. An annual surcharge of \$786.40 (estimated) per EIU will be added to the KID billing for such property with equal one-half (1/2) installments due on April 30 and October 31 of each year, beginning on April 30 of the following year, for ten (10) years. If there is a change in property ownership after connection to the system, the entire surcharge amount for the project costs, less any annual surcharges paid, becomes due.

Section 7. ADDITIONAL PROPERTIES. Properties (lots or parcels) newly-created through a platting process, or otherwise, which connect to the pressurized system, shall pay the appropriate surcharge in full at the time of land division unless approved by the KID Board (i.e., Voluntary Mitigation Agreement).

Section 8. IMPLEMENTATION. The KID District Manager is hereby authorized and directed to take such action as appropriate and necessary to administer and enforce this Resolution.

Section 9. REPEALER; FUTURE ACTIONS. Any KID act prior to and inconsistent with this Resolution is hereby superseded and repealed. Nothing in this Resolution shall limit the future authority of KID to modify, rates charges and assessments.

RESOLUTION 2021-33 IS HEREBY ADOPTED by the Board of Directors of Kennewick Irrigation District, Benton County, Washington, at a regular open public meeting with a quorum present thereof this 21st day of September 2021.


Gene Huffman, President


Kirk Rathbun, Vice President


David McKenzie, Director


Arland Ward, Director


Dean Dennis, Director



Department of Energy

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

December 23, 2021

In reply refer to: City of Kennewick COZ-2021-0004
Located within a Portion of Section 11 Township 8 North,
Range 29 East, W.M., Benton County, Washington

Matthew Halitsky, AICP
Planner, Community Planning Dept.
City of Kennewick
PO Box 6108
Kennewick, WA 99336

Dear Matthew:

Bonneville Power Administration (BPA) has had the opportunity to review City of Kennewick COZ-2021-0004. The proposal is to rezone approximately 0.69 acres from Residential, Low (RL) to Residential, Medium (RM). The property is located at 1831 W 19th Avenue in Kennewick, WA.

In researching our records, we have found that this proposal will not directly impact BPA facilities approximately 791 feet 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 me. I can be reached at (509) 544-4747 or by email at dxroders@bpa.gov.

Sincerely,

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

Joseph E. Cottrell II
BPA Field Realty Specialist



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION
FILE No: COZ-2021-0005

Report Date: January 27, 2022

Hearing Date & Location: February 7, 2022, Virtual

Report Prepared By: Chris Bowman
Assistant Planner

Report Reviewed By: Steve Donovan AICP
Planning Manager

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS that Change of Zone 2021-0005 be APPROVED.

Summary of Proposal: A Change of Zone of 15.01 acres from Business Park (BP) to Commercial, Community (CC)

Proposal Location: 10611 W Clearwater Ave

Legal Description: Parcel No. 1-0188-4BP-3762-001
1-0188-400-0001-010

Property Owners: Cavalry Chapel of Tri-Cities
10611 W Clearwater Ave
Kennewick, WA 99336

Applicant: Paul Knutzen, Knutzen Engineering
5401 Ridgeline Dr Ste 160
Kennewick, WA 99338

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

COZ Key Application Processing Dates:

Application Submittal	December 13, 2021
Determination of Completeness Issued	December 13, 2021
Notice of Application Posted	December 15, 2021
SEPA Determination	January 24, 2022
Date of Mailed Notice of Public Hearing	January 24, 2022
Property Posting Sign for Public Hearing	January 24, 2022
Date of Published Notice of Public Hearing	January 23, 2022

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Legal Descriptions
4. Maps
5. Environmental Determination 2021-0003
- 6 Affidavit of Mailing/Mailing List dated January 24, 2022

The site is adjacent to the following zoning districts:

North: Business Park (BP); Commercial, General (CG)
 East: Residential, Medium (RM)
 South: Residential, Medium (RM); Commercial, Community (CC) Commercial,
 West: Community (CC)

Applicable Goals and Policies of the Comprehensive Plan:

Commercial Goal 3: Create a balanced system of commercial facilities reflecting neighborhood, community, and regional needs.

Kennewick Municipal Code Findings:

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

KMC 18.51.070(2): Findings:

Findings Required. In order to amend the zoning map, the City Council must find that:

1. *The proposed amendment conforms with the comprehensive plan; and*

Staff Response: This site is designated Commercial in the City's comprehensive plan. The Commercial, Community zone is an implementing zone of the Public Facility land use designation.

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

Staff Response: The proposal implements goals and policies of the comprehensive plan, specifically Commercial Goal 3.

3. *The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and*

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

4. *The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and*

Staff Response: The proposed amendment is consistent with the applicable provisions of the Kennewick Municipal Code and the Comprehensive Plan. The CC zone implements the Comprehensive Plan's Commercial land use designation.

5. *Single Family Residential zoned properties only; Property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification or higher zoning classification.*

Staff Response: Not applicable to the proposed change of zone.

Public Comments

No public comment has been received at the time of this report.

Agency Comments

No outside agency comments were provided.

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ-2021-0004) is a request to change one parcel, approximately 15.01 acres, located at 10611 W Clearwater Ave, from Business Park, (BP) to Commercial, Community (CC). The applicant has requested the change of zone in order to implement the land use designation of Commercial.

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

Per KMC 18.03.040(10), "The purpose of the CC district is to stabilize, improve and protect commercial areas, and to provide for orderly growth in new commercial areas in accord with the Comprehensive Plan. CC districts are intended for a wide range of uses to serve the community area to which they are appurtenant.

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

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

Findings:

1. The applicant is Paul Knutzen, Knutzen Engineering (5401 Ridgeline Dr. Ste 160, Kennewick, WA 99338).
2. The property owner is Calvary Chapel of Tri-Cities (10611 W Clearwater Ave, Kennewick, WA 99336).
3. The proposed change of zone is for parcel number 1-0188-4BP-3762-001, 1-0188-400-0001-010
4. The request is to change the zoning from Business Park (BP) to Commercial, Community (CC).
5. The City's Comprehensive Plan Land Use Designation for the subject property is Commercial.
6. The Commercial, Community (CC) zoning district is an implementing zone of the Commercial Comprehensive Plan Land Use Map designation.
7. The application was submitted on December 13, 2021 and declared complete for processing on December 13, 2021.
8. The application was routed for review to City Departments and outside agencies for comment on December 15, 2021.
9. Access to the site is currently provided from W Clearwater Ave.
10. The City of Kennewick Critical Area maps indicate that there are no critical areas on the site.
11. A Determination of Non-Significance issued for EDENV-2021-0003 on January 24, 2022.
12. The Property Posting sign for the public hearing was posted on site January 24, 2022.
13. Notice of the public hearing for this application was published in the Tri-City Herald on January 23, 2022. Notices were mailed to property owners within 300 feet of the site on January 24, 2022.
14. The proposed amendment conforms to the comprehensive plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare.
16. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Commercial land use designation of the City of Kennewick Comprehensive Plan.
2. Approval promotes the public necessity, convenience and general welfare by implementing the Comprehensive Plan.
3. Approval of the proposal will not impose a burden upon public facilities beyond their capacity to serve, nor will it reduce service to the service area below the City's established levels of service.
4. The proposed amendment is consistent with the applicable provisions of the Kennewick Municipal Code and the Comprehensive Plan. The CC zone implements the Comprehensive Plan's Commercial land use designation.

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ-2021-0005 and recommend APPROVAL to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ-2021-0005 and recommend APPROVAL to City Council approval of the request.

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

Exhibit 2

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 SEPA ☐

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

Applicant: Paul Knutzen (Knutzen Engineering

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

Telephone: (509) 222-0959 Cell Phone: (509) 440-1817 Fax: _____ E-mail: paul@knutzenengineering.com

Property Owner (if other than applicant): Steve Whinery

Address: 10611 W. Clearwater Ave, Kennewick, WA 99338

Telephone: (509) 736-2086 Cell Phone: (509) 948-8386 E-mail: stevewcctc@gmail.com

SITE INFORMATION

Parcel No. 1-0188-4BP-3762-001, 1-0188-400-0001-010 Acres 15.01 Zoning: BP

Address of property: 10611 W. Clearwater Ave, Kennewick, WA 99338

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

Present use of property Church & School

Size of existing structure: 49,758 sq. ft. Size of Proposed addition/New structure: N/A sq. ft.

Height of building: 30 ft Cubic feet of excavation: N/A Cost of new construction N/A

Benton County Assessor Market Improvement Value: \$1,000,380

Description of Project: We would like to propose a change from these sites current zone BP (Business Park) to CC (Community Commercial) to make our lot conform to the comprehensive land use currently in place and to prepare for future expansions.

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

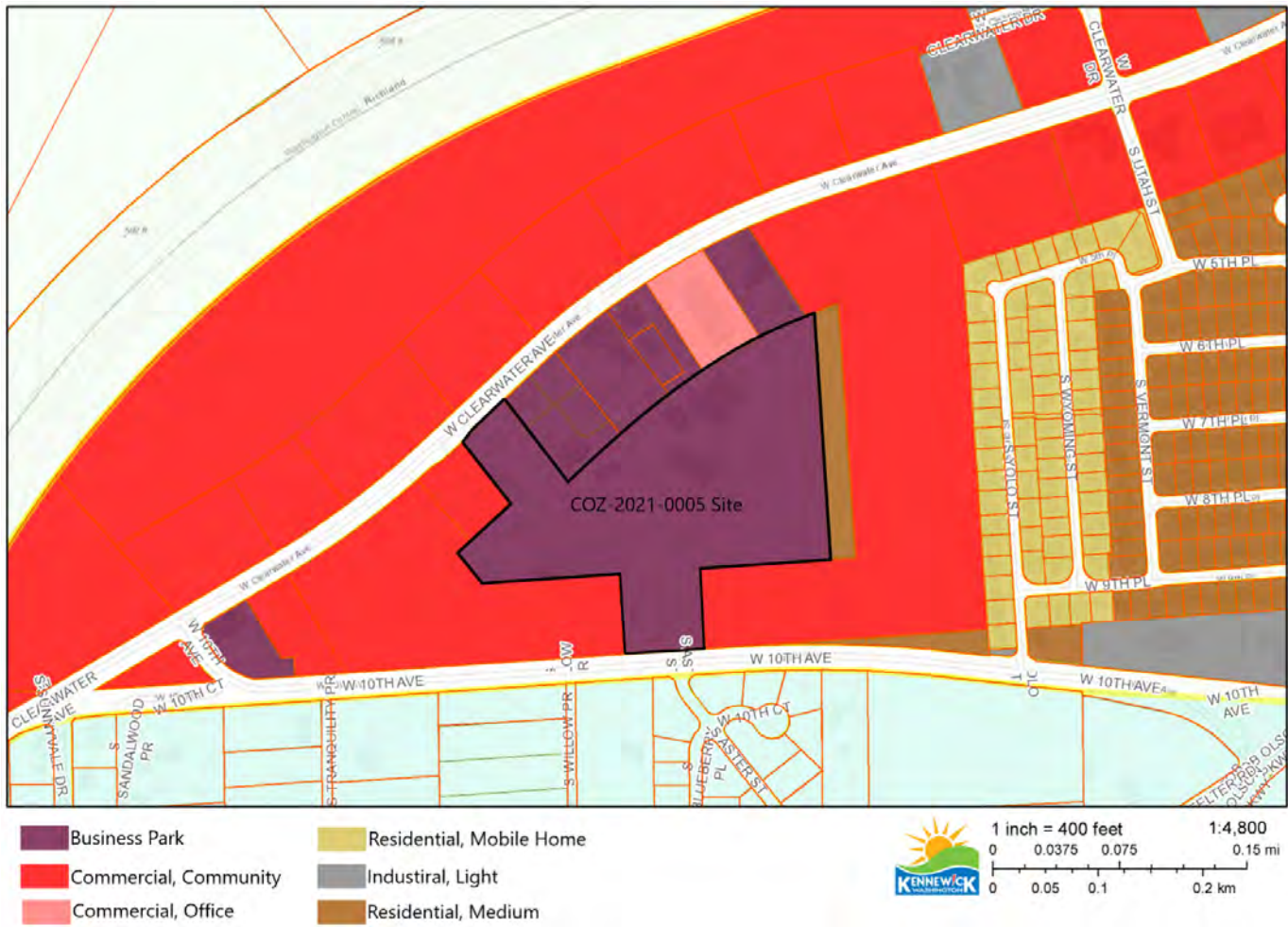
Date: 12/07/21

Legal Description Parcel 1-0188-4BP-3762-001

Section 1 Township 8 Range 28 Quarter SE; Binding Site Plan #3762, LOT 1, RECORDED 7/3/2007, UNDER AUDITOR'S FILE NO. 2007-021641. RECORDED IN VOLUME 1 OF SURVEYS, PAGE 3762, RECORDS OF BENTON COUNTY, WASHINGTON.

Legal Description Parcel 1-0188-400-0001-010

Section 1 Township 8 Range 28 Quarter SE; That portion of the South half of Section 1, Township 8 North, Range 28 East, W.M., Kennewick, Benton County, Washington, described as follows: Commencing at the South quarter corner of said Section 1; thence North 86°07'47" East (bearing s/b North 86°07'47" East per survey #3126), along the South line of said Section 1, for 654.83 feet; thence North 03°52'13" West for 250.21 feet to the True Point of Beginning; Thence North 03°52'13" West for 799.57 feet to intersect a 2035.00 foot radius curve concave to the Southeast (the radius point bears South 19°34'36" East); Thence southwesterly along the arc of said curve to the left, through a central angle of 23°30'03" for an arc distance of 834.69 feet to the point of tangency; thence South 46°55'21" West for 187.04 feet; Thence North 38°19'40" West for 326.12 feet to the Southerly right-of-way margin of West Clearwater Avenue; Thence South 46°55'22" West, along said Southerly right-of-way margin, for 185.64 feet; Thence, leaving said Southerly right-of-way margin, South 38°19'40" East for 250.86 feet; Thence South 46°55'21" West for 225.34 feet; Thence South 38°19'40" East for 122.88 feet; Thence North 86°08'08" East for 1171.92 feet to the True Point of Beginning. TOGETHER WITH an access easement over and across that portion of the Southwest quarter of Section 1, Township 8 North, Range 29 East, W.M., Benton County, Washington described as follows: Commencing at the Southeast corner of the Southwest quarter of said Section 1: thence South 86°08'36" West, along the South line of said Southwest quarter, for 86.46 feet to the true point of beginning of said access easement; thence South 86°03'36" West for 40.00 feet; thence North 03°51'24" West for 250.26 feet; thence North 86°08'08" East for 40 feet; thence South 03°51'24" East for 250.26 feet to the true point of beginning. EXCEPT: That portion of the South half of Section 1, Township 8 North, Range 28 East, W.M., Kennewick, Benton County, Washington, described as follows: Commencing at the South quarter corner of said Section 1; Thence North 86°07'47" East, along the South line of said Section 1, for 654.83 feet; Thence North 03°52'13" West for 250.21 feet to the true point of beginning; Thence North 03°52'13" West for 799.57 feet to intersect a 2035.00 foot radius curve concave to the Southeast (the radius point bears South 19°34'36" East); Thence Southwesterly along the arc of said curve to the left, through a central angle of 02°21'15", for an arc distance of 83.61 feet; Thence South 03°52'13" East for 775.28 feet; Thence North 86°08'08" East for 80.00 feet to the true point of beginning. TOGETHER WITH: That portion of the South half of Section 1, Township 8 North, Range 28 East, W.M., Kennewick, Benton County, Washington, described as follows: Beginning at the South quarter corner of said Section 1; Thence North 86°07'47" East, along the South line of said Section 1, for 165.61 feet; Thence North 03°52'13" West for 250.26 feet; Thence South 86°08'08" West for 251.77 feet; Thence South 03°51'24" East for 250.26 feet to the South line of said Section 1; Thence North 86°08'36" East, along said South line, for 86.22 feet to the true point of beginning. (QCD, AF#2004-024034, 7/6/2004). LESS BINDING SITE PLAN NO. 3762, recorded 7/3/2007, under Auditor's File No. 2007-021641





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

FILE/PROJECT NUMBER: EDENVD-2021-0003

DESCRIPTION OF PROPOSAL: Change of Zone from BP to CC

PROPONENT: Knutzen Engineering

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 10611 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.

 X There is no comment period for this DNS.

 This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS.

 This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days

from the date below. Comments must be submitted by _____. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Gregory McCormick, AICP

POSITION/TITLE: Community Planning Director

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

PHONE: (509) 585-4463

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

This DNS is subject to the attached conditions:

 X No Condition(s).

Date: **1/24/2022** Signature: _____

Appeal: An appeal of this determination must be submitted to the Community Planning Department within fourteen (14) calendar days after the date issued. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were mailed to: CITY OF KENNEWICK ENGINEERING DEPT; Dept of Ecology; CTIUR; Yakima Nation, Environmental Determination; WS Dept of Fish & Wildlife, Benton County



AFFIDAVIT NOTICE OF MAILING

Type of Notice: Notice of Public Hearing

Project/Permit Number: COZ-2021-0005

Proposal Description: Change of Zone from BP to CC

Number of Notices Mailed: 20

Mailed to:

- ☒ Abutting property owners
- ☒ Property owners w/in 300 feet
- ☐ Other [Click or tap here to enter text.](#)

Mailing Date: 1/24/22

Mailed by: Chris Bowman

Signature: Chris Bowman

Attachments:

- Copy of Mailing
- Copy of Mailing List

**KENNEWICK PLANNING
COMMISSION NOTICE OF PUBLIC
HEARING
February 7, 2022 6:30 p.m.**

The Kennewick Planning Commission will hold a Public Hearing on February 7, 2022, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed amendment to the Zoning Map. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

The public hearing will be held using a virtual platform. The link to the hearing will be posted online at www.go2kennewick.com/planningcommission 5 days prior to the meeting.

Proposal – COZ-2021-0005 – The applicant Knutzen Engineering proposes to change the zoning of approximately 13.56 acres from Business Park (BP) to Commercial, Community (CC). The site is located at 10611 W Clearwater Ave.

Proponent – Knutzen Engineering

Comment Period – Written comments may be submitted via email to Chris Bowman at chris.bowman@ci.kennewick.wa.us. Comments may also be mailed to 210 W. 6th Ave., Kennewick, WA 99336 and must be received on or before the hearing date. Comments may also be presented at the hearing.

The City of Kennewick welcomes full participation in public meetings by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact Melinda Didier at (509) 585-4275 or TDD (509) 585-4425 or through the Washington Relay Service Center TTY at #711 at least ten days prior to the date of the meeting to make arrangements for special needs.

37 BIRD CAPITAL MANAGEMENT LLC 7601 W CLEARWATER AVE STE 206 KENNEWICK, WA 99336	37 CALVARY CHAPEL OF TRI-CITIES 10611 W CLEARWATER AVE KENNEWICK, WA 99336	37 CRIMSON HILLS DEVELOPMENT INC 256 HIGHWAY 12 OTHELLO, WA 99344
37 DOUGLAS S RYBARSKI 1122 S WILLOW PR SE KENNEWICK, WA 99338	37 DUARTE EDGAR N & MARIA G CAMACHO 623 N OWEN AVE PASCO, WA 99301	37 ERIC & AUBREI T YODER 10030 W 10TH CT KENNEWICK, WA 99338
37 HOME BUILDERS ASSOCIATION OF TRICITIES 10001 W CLEARWATER AVE KENNEWICK, WA 99336	37 JEROLD C WILDE 10133 W CLEARWATER AVE KENNEWICK, WA 99336	37 JESUS MANUEL RIVERA 1004 S BLUEBERRY PL KENNEWICK, WA 99338
37 JON & JULIE WADDOUPS 1218 S WILLOWS PR KENNEWICK, WA 99338	37 LUXE PROPERTY MANAGEMENT CORPORATION 10505 WEST CLEARWATER AVENUE KENNEWICK, WA 99336	37 ROBERT PAUL & KYLEE JEAN DURHAM 10018 W 10TH CT KENNEWICK, WA 99338
37 SCOTT & DENISE A HOWELL 6804 FRANKLIN COURT PASCO, WA 99301	37 STEPHANIE MCDAID 1031 S BLUEBERRY PL KENNEWICK, WA 99338	37 THREE RIVERS MOBILE DENTISTRY LLC 10201 W CLEARWATER AVE KENNEWICK, WA 99336
37 TODD L & CHARMAINE N ROSS 8180 W 4TH AVE P 102 KENNEWICK, WA 99336	37 TOM & VICKI L SOLBRACK 2555 W HWY 24 OTHELLO, WA 99344	37 WALTER LIBAR LIBAR 10042 W 10TH CT KENNEWICK, WA 99338
37 WW REAL ESTATE LLC 8713 W 9TH AVE KENNEWICK, WA 99336	37 KNUTZEN ENGINEERING 5401 RIDGELINE DR 160 KENNEWICK, WA 99338	37
37	37	37
37	37	37
37	37	37



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: COZ-2021-0006

Staff Report Date: January 24, 2022

Hearing Date & Location: February 7, 2022, Virtual Hearing

Report Prepared By: Steve Donovan, AICP
Planning Manager

Report Reviewed By: Anthony Muai, AICP
Community Planning Director

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS APPROVAL of Change of Zone 2021-0006.

Summary of Proposal: A Change of Zone from Community, Office (CO) to Residential, Low Density (RL) for 1.09 acres.

Proposal Location: 1201, 1213 and 1221 N Irving Place

Legal Description: LOT 1 AND LOT 2, SHORT PLAT NO.3078, ACCORDING TO THE SURVEY THEREOF RECORDED UNDER AUDITOR'S FILE NO. 2008-004837, RECORDS OF BENTON COUNTY, WASHINGTON.

TOGETHER WITH THE SOUTH 20.00 FEET OF LOT 3, SAID SHORT PLAT NO.3078.

Property Owner: Brett Lott
7513 W Kennewick Avenue
Kennewick, WA 99336

Applicant: Same As Above

Regulatory Controls:

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

COZ Key Application Processing Dates:

Pre-Application/Feasibility Meeting	N/A
Application Submittal	December 22, 2021
Determination of Completeness Issued	December 23, 2021
Notice of Application Posted	December 28, 2021
SEPA Threshold Determination Issued	July 7, 2021
Property Posting Sign for SEPA Determination	July 7, 2021
SEPA Appeal Period	July 21, 2021
Date of Mailed Notice of Public Hearing	January 20, 2022
Property Posting Sign for Public Hearing	January 20, 2022
Date of Published Notice of Public Hearing	January 23, 2022

Exhibits:

1. Staff Report
2. Application/Supplemental Information
3. Vicinity Map
4. Site Map
5. Comprehensive Plan Map
6. Zoning Map
7. Notice of Mailing
8. SEPA DNS
9. Kennewick Irrigation District Letter
10. Benton Public Utility District Email

Zoning adjacent to the site:

North: Commercial, Office (CO)

East: Commercial, Office (CO)

South: Residential, Low Density (RL) and Residential Trailer Park (RTP)

West: Residential, Low Density (RL)

Applicable Goals of the Comprehensive Plan:

Residential Goals and 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.
- Goal 4: Provide more housing opportunities near commercial, transit and employment.

Kennewick Municipal Code Findings:

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

KMC 18.51.070(2): Findings:

Findings Required. In order to amend the zoning map, the City Council must find that:

- a. The proposed amendment conforms with the comprehensive plan; and

Staff Response: The proposed Change of Zone conforms to the comprehensive plan because the RL zoning district is an implementing zoning district of the site's current Low Density Residential Land Use Designation.

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

Public Comments:

No comments from the public were submitted.

Agency Comments:

Staff received comments from the Kennewick Irrigation District. The site is within the district's boundary and service connection is available. Permanent structures are not permitted within the district's easements, see Exhibit 9.

Staff Analysis of Proposal & Discussion:

The City annexed the site on July 20, 1982 via Ordinance 2703. On August 21, 2001, the City adopted Ordinance 3992, which established the current zoning of CO for the site as part of a site-specific rezone. The City approved the amendment to change the site's land use designation from Commercial to Low Density Residential during the City's 2021 Comprehensive Plan Amendment Cycle.

The proposed Change of Zone (COZ-2021-0006) is a request to change the zoning district for 1.09-acres. Pursuant to Table 1 of the Comprehensive Plan, the RL zoning district is an implementing zoning district of the Low Density Residential Land Use Designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

Per KMC 18.03.040 (2), the purpose of RL zoning district is as follows:

RL - The purpose of the RL district is to establish areas for low density, single-family, residential buildings, to stabilize and protect residential districts, and to promote and encourage a suitable environment for family life in an urban setting.

Pursuant to Kennewick Municipal Code 18.03.060, the applicant will be required to complete a short plat soon after approval of the proposed Change of Zone. The total acreage for all three lots equal 1.77 acres. Only the southern 20-feet of the lot at 1221 N Irving is proposed to be rezoned from CO to RL. The property lines must match the zone boundary so the property will not have more than one zoning district on it.

Future development of the entire site will be limited to only the permitted uses of the RL zoning district. Development will be subject to meeting applicable concurrency requirements, which include utility and street improvements.

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

Findings:

1. The applicant and property owner is Brett Lott, 7513 W Kennewick Avenue, Kennewick, WA 99336.
2. The proposed change of zone is located at 1201, 1213 and 1221 N Irving Place. Parcel Numbers: 1-3399-201-3078-001, 1-3399-201-3078-002 and 1-3399-201-3078-003.
3. The City's Comprehensive Plan Land Use Designation for the subject property is Low Density Residential.
4. The City changed the land use designation for the site on October 5, 2021 as part of the 2021 Comprehensive Plan Amendment Cycle.
5. The request is to change the zoning from Commercial, Office to Residential, Low Density.
6. The Residential, Low Density Zoning District is an implementing zone of the Low Density Residential Comprehensive Plan Land Use Map Designation.
7. On December 22, 2021, the application was submitted.
8. The application was declared complete on December 23, 2021 and routed for review to City Departments and outside agencies for comment on December 28, 2021.
9. Access to the site is via N Irving Place.
10. The Environmental Determination of Non-Significance, ED 21-17/PLN-2021-01442, was adopted on July 7, 2021.
11. The Property Posting sign for the public hearing was posted on site January 20, 2022.
12. Notice of the public hearing for this application was published in the Tri-City Herald on January 23, 2022. Notices were mailed to property owners within 300 feet of the site on January 20, 2022.
13. The proposed amendment conforms to the comprehensive plan.
14. The proposed amendment promotes the public necessity, convenience and general welfare.

15. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
16. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of Low Density Residential.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Residential Goals 1, 3 and 4 of the City of Kennewick Comprehensive Plan.
4. Approval will result in the promotion of public necessity, convenience and/or general welfare.
5. The proposed Change of Zone complies with KMC 18.51.070(2).

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ-2021-0006 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ-2021-0006 and recommend approval of the request to City Council.

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

PROJECT # _____ - _____ PLN- _____ - _____ FEE \$ _____

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

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

Site Plan Tier 1 ☐ Tier 2 ☐ Tier 3 ☐ Binding Site Plan ☐
 Short Plat ☐ Conditional Use ☐ Other Change of Zone

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

Applicant: Brett Lott

Address: 5710 Castle Holley 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): _____

Address: _____

Telephone: _____ Cell Phone: _____ E-mail _____

SITE INFORMATION

Parcel No. 133992013078001-8003 Acres 1.767 Zoning: CO

Address of property: 1201, 1213, & 1221 N Irving Plave

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

Present use of property Vacant

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: No improvements on property.

Description of Project: Rezoning the 1201 and 1213 N Irving Plave from CO to low density residential.
Also rezoning the southernmost 20-feet of 1221 from CO to low density residential while leaving the
rest of 1221 CO.

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

Brett Lott
 Applicant's Signature

Brett Lott
 Signature of owner or owner's authorized representative

Date: 12/18/2021

Change-of-Zone Supplemental Information

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

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

It is not required, but it is in line with the city's comprehensive plan. The comprehensive plan was recently amended for the parcels in questions to change them from being planned for commercial office zoning to low density residential.

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

Not that we are aware of. There is other residential property within a half to one mile radius, but it is generally already built out.

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

Yes. Low density residential is located immediately to the west and medium density residential is located across the street to the south. Commercial office zoning located to the north and east. Furthermore, this property is already planned (in the comprehensive plan) to be low density residential. This zone change is simply reflecting what is already planned.

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

Yes

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

No

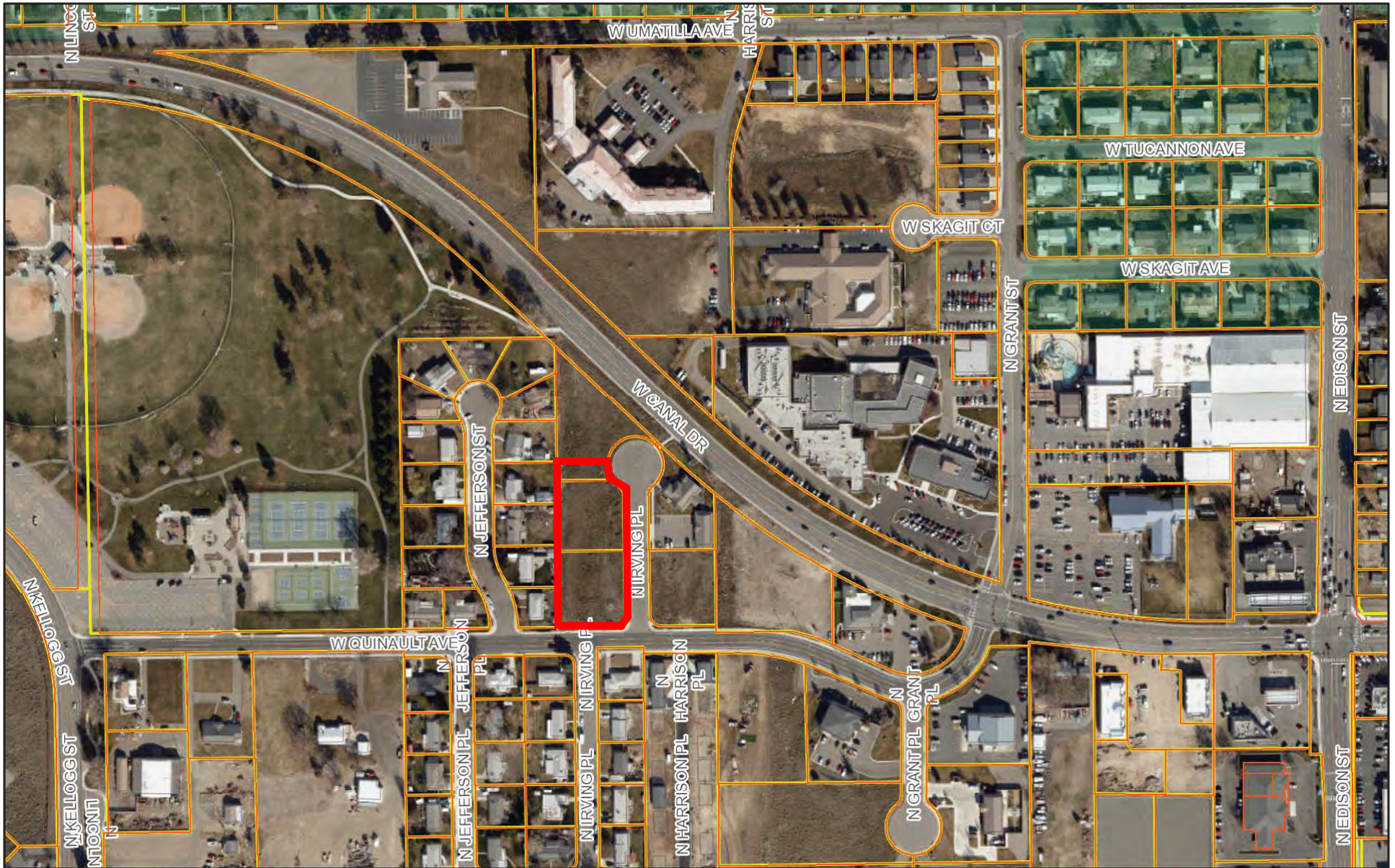
6. Does the existing zoning prohibit reasonable use of the property? Please explain.

No

7. Will any residential character, in the immediate area, be adversely affected by the proposed amendment? If yes or maybe, please explain:
- No
8. Will property values in the vicinity be changed by the proposed amendment? If yes or maybe, please explain:
- No change in nearby property values is anticipated.
9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain:
- No. This rezone is simply changing land use to reflect what is in the city's comprehensive plan.
10. Will the proposed amendment encourage more private investments which will be beneficial to the redevelopment of a deteriorated area? Please explain:
- Possibly. This rezone will allow for residential construction in an area that is nearby the proposed downtown mixed use area that is planned to replace the old Kennewick airport. More people living nearby will help to promote the development of the new mixed use area.
11. Will the proposed amendment combat any economic segregation and allow greater choice in the market? Please explain.
- Yes. The current market is already strained for new homes. The amount of homes on the market is much lower than in the past which has led to increased home prices. More developed residential property will put more homes on the market which will help to meet demand. Although not market altering, any amount helps.
12. Will the proposed amendment create conflict between potential land uses and transportation patterns? Or safety concerns? Please explain:
- No. A cul-de-sac residential property will not create any conflicts or safety concerns because vehicle trip amounts down the cul-de-sac will be virtually unaffected.

Vicinity Map

Exhibit 3



January 14, 2022 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

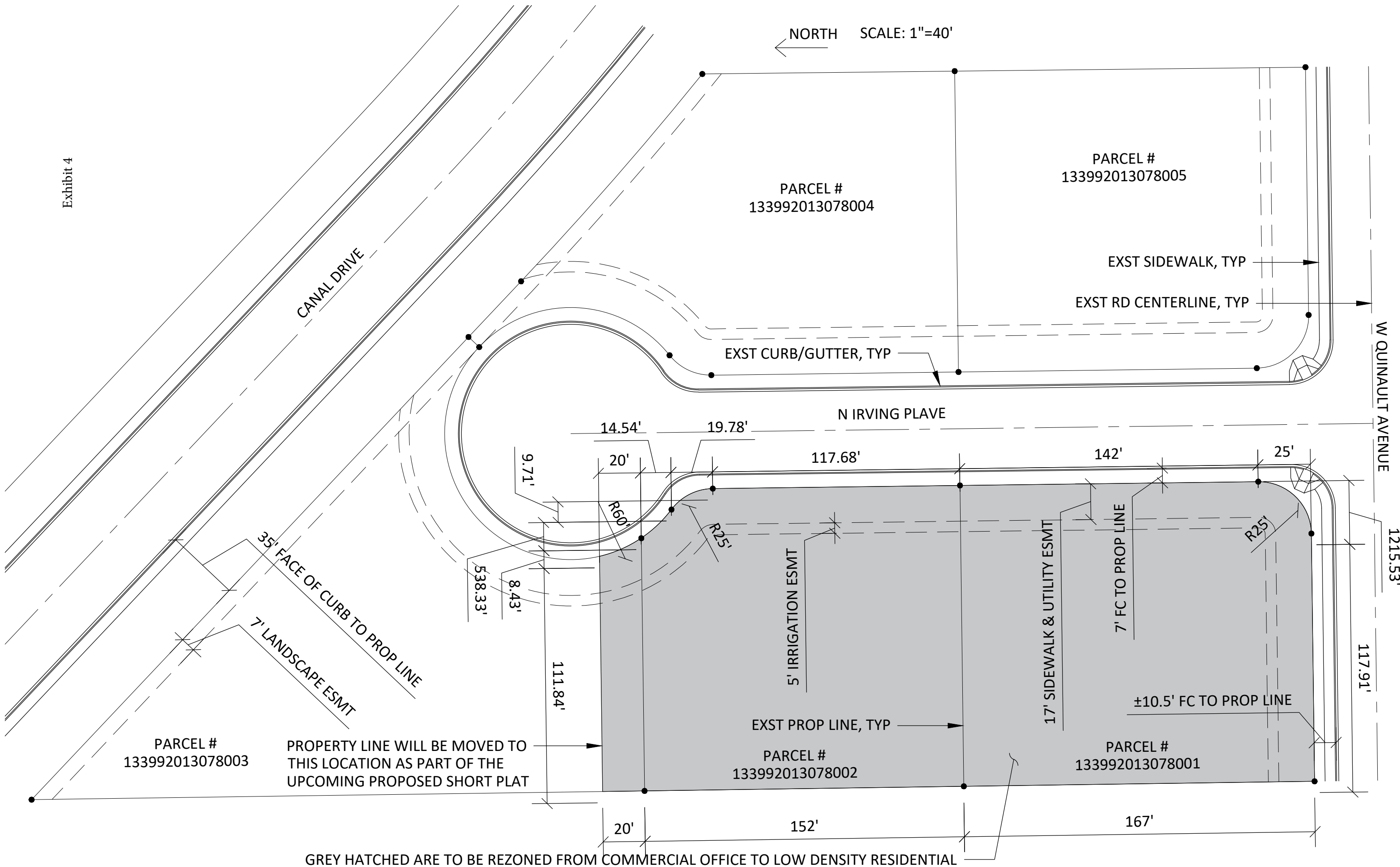
CountyParcelLayer	SurveyAddressPoint	Condo	SurveyCityLimits	SurveyUrbanGrowthBoundary
StreetName	<all other values>	Mobile Home	SV_CI_KENNEWICK_10	SurveyParcel
SurfaceDitch	Apartment	Parcel	SV_CI_RICHLAND_10	
	Building		SV_CI_COUNTY_10	



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

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

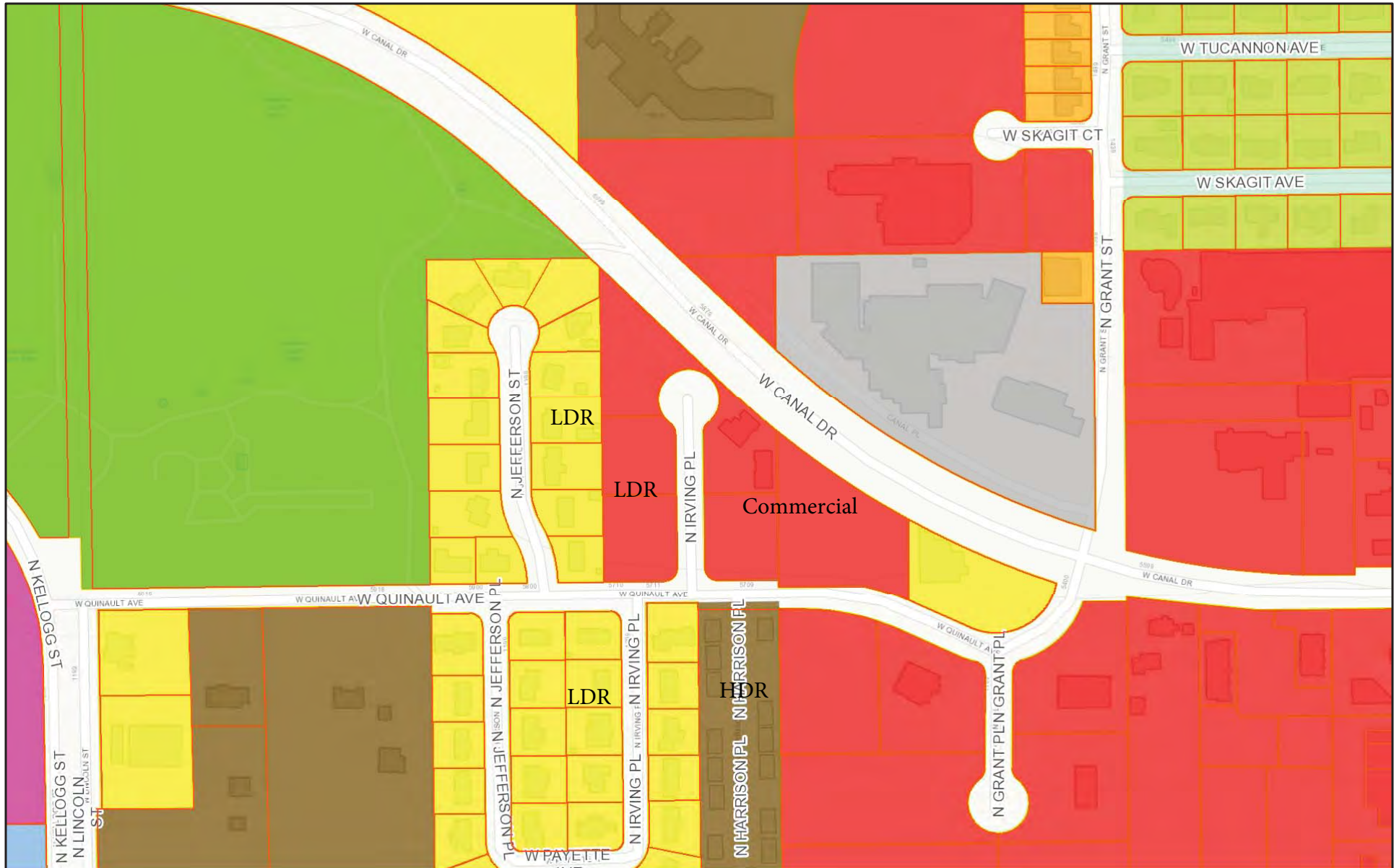
ArcGIS WebApp Builder
 City of Kennewick



GREY HATCHED ARE TO BE REZONED FROM COMMERCIAL OFFICE TO LOW DENSITY RESIDENTIAL

Comprehensive Plan Map

Exhibit 5



January 14, 2022 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

CountyParcelLayer	SurveyAddressPoint	Condo	SurveyCityLimits
StreetName	<all other values>	Mobile Home	SV_CI_KENNEWICK_10
SurfaceDitch	Apartment	Parcel	SV_CI_RICHLAND_10
	Building		SV_CI_COUNTY_10

SurveyUrbanGrowthBoundary

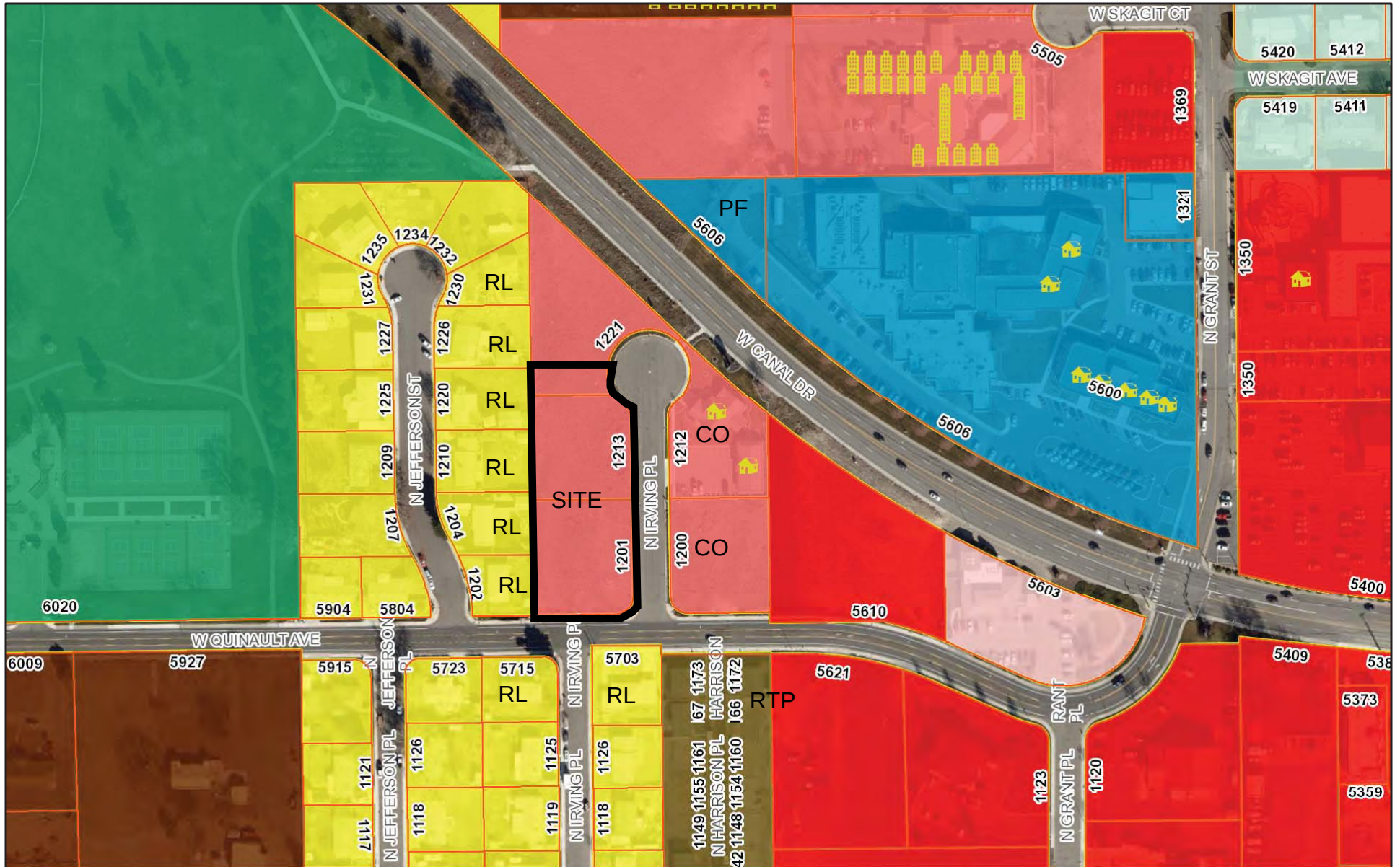


1 inch = 270 feet 1:3,240
 0 0.025 0.05 0.1 mi
 0 0.0375 0.075 0.15 km

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

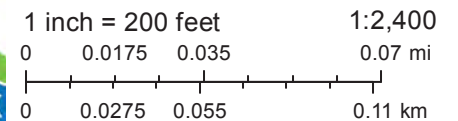
ArcGIS WebApp Builder
 City of Kennewick

Zoning Map



January 13, 2022 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

CountyParcelLayer	SurveyAddressPoint	Condo	SurveyCityLimits
StreetName	<all other values>	Mobile Home	SV_CI_KENNEWICK_10
SurfaceDitch	Apartment	Parcel	SV_CI_RICHLAND_10
	Building		SV_CI_COUNTY_10



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



NOTICE OF MAILING

I, Steve Donovan, on January 20, 20 22
mailed 39 copies of Notice of Public Hearing
for COZ-2021-0006
to all property owners within 300 feet of the proposal
as shown on the attached list.



Signature

37

Community Bible Church N/A
5807 W UMATILLA AVE
KENNEWICK WA 99336

37

BENTON-FRANKLIN JUVENILE JUSTICE
CENTER N/A
5606 W CANAL PL
KENNEWICK WA 99336

37

BRK LLP N/A
5603 W CANAL DR
KENNEWICK WA 99336

37

BENTON COUNTY S OF CNL NEAR JUV
CENTER N/A
PO BOX 190
PROSSER WA 99350

37

STACEY EDWARD SAMSEL
5915 W QUINALT AVENUE
KENNEWICK WA 99336

37

RICHARD T & JULIE A ROSS
1118 N JEFFERSON PL
KENNEWICK WA 99336

37

TYSON FELLMAN
5608 W 26TH
KENNEWICK WA 99338

37

AUSTIN T RICHARD
1118 N IRVING PL
KENNEWICK WA 99336

37

ALLEN R MORRIS
1207 N JEFFERSON ST
KENNEWICK WA 99336

37

IAN A HOPPER
1227 N JEFFERSON ST
KENNEWICK WA 99336

37

ROYAL COLUMBIAN WA LLC C/O JEA
SENIOR LIVING N/A
5101 NE 82ND AVE, STE 200
VANCOUVER WA 98662

37

CALLAWAY GARDENS PROPCO LLC N/A
5101 NE 82ND AVENUE SUITE 200
VANCOUVER WA 98662

37

NATIVE DIRT LLC N/A
2410 TERRACE HEIGHTS DR
YAKIMA WA 98901

37

BMB DEVELOPMENT INC N/A
3411 CANYON LAKES DR
KENNEWICK WA 99337

37

RICHARD & PHYLLIS BURNHAM
5723 W QUINALT AVE
KENNEWICK WA 99336

37

BRANDON HOOPER
5715 W QUINALT AVE
KENNEWICK WA 99336

37

PAUL SCHIERMAN
23125 57TH AVE SE
WOODINVILLE WA 98072

37

H K & JOYCE I BESWICK
5804 W QUINALT AVE
KENNEWICK WA 99336

37

BRENT MASON
1209 N JEFFERSON ST
KENNEWICK WA 99336

37

MICHAEL A & ASHLEY ROBERTSON
7120 W 9TH PL
KENNEWICK WA 99336

37

KHURSHED A SHARIFOV
405 HERITAGE HILLS DR
RICHLAND WA 99352

37

BENTON COUNTY KENNEWICK OFFICE
ANNEX N/A
PO BOX 190
PROSSER WA 99350

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ADAM J SCHATZ
13310 N BUNN RD
PROSSER WA 99350

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YVONNE LUCILLE BOGART
1121 N JEFFERSON PL
KENNEWICK WA 99336

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KEVIN A & TERESA J STEPHENS
1126 JEFFERSON PL
KENNEWICK WA 99336

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LAURA & CHRISTOPHER TOOL
1125 N IRVING PL
KENNEWICK WA 99336

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BRIAN E & BARBARA RANAE
MCREYNOLDS
1126 N IRVING PL
KENNEWICK WA 99336

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JUDY WONG
8016 W DESCHUTES AVE
KENNEWICK WA 99336

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ROBERT S & DOROTHY M VANNOTE
1225 N JEFFERSON ST
KENNEWICK WA 99336

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MARLYNA & HARLEY REYES
1235 N JEFFERSON STREET
KENNEWICK WA 99336

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JESUS C & ANDREA CARRILLO
1234 N JEFFERSON STEET
KENNEWICK WA 99336

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RALPH & VIRGINIA A SAWYER
1230 N JEFFERSON ST
KENNEWICK WA 99336

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RALPH & VIRGINIA A SAWYER
1230 N JEFFERSON ST
KENNEWICK WA 99336

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MAGDALENA CRISTAL TREVINO
1226 N JEFFERSON ST
KENNEWICK WA 99336

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JAMES G & DIANA H SIRES
1220 N JEFFERSON ST
KENNEWICK WA 99336

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JUDITH A & BRUCE L DONNER
1004 S DAWES ST
KENNEWICK WA 99338

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DARREN D LAPIERRE
1204 N JEFFERSON ST
KENNEWICK WA 99336

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CARLOS RUIZ
1202 N JEFFERSON ST
KENNEWICK WA 99336

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CITY OF KENNEWICK N/A
PO BOX 6108
KENNEWICK WA 99336

KENNEWICK PLANNING COMMISSION

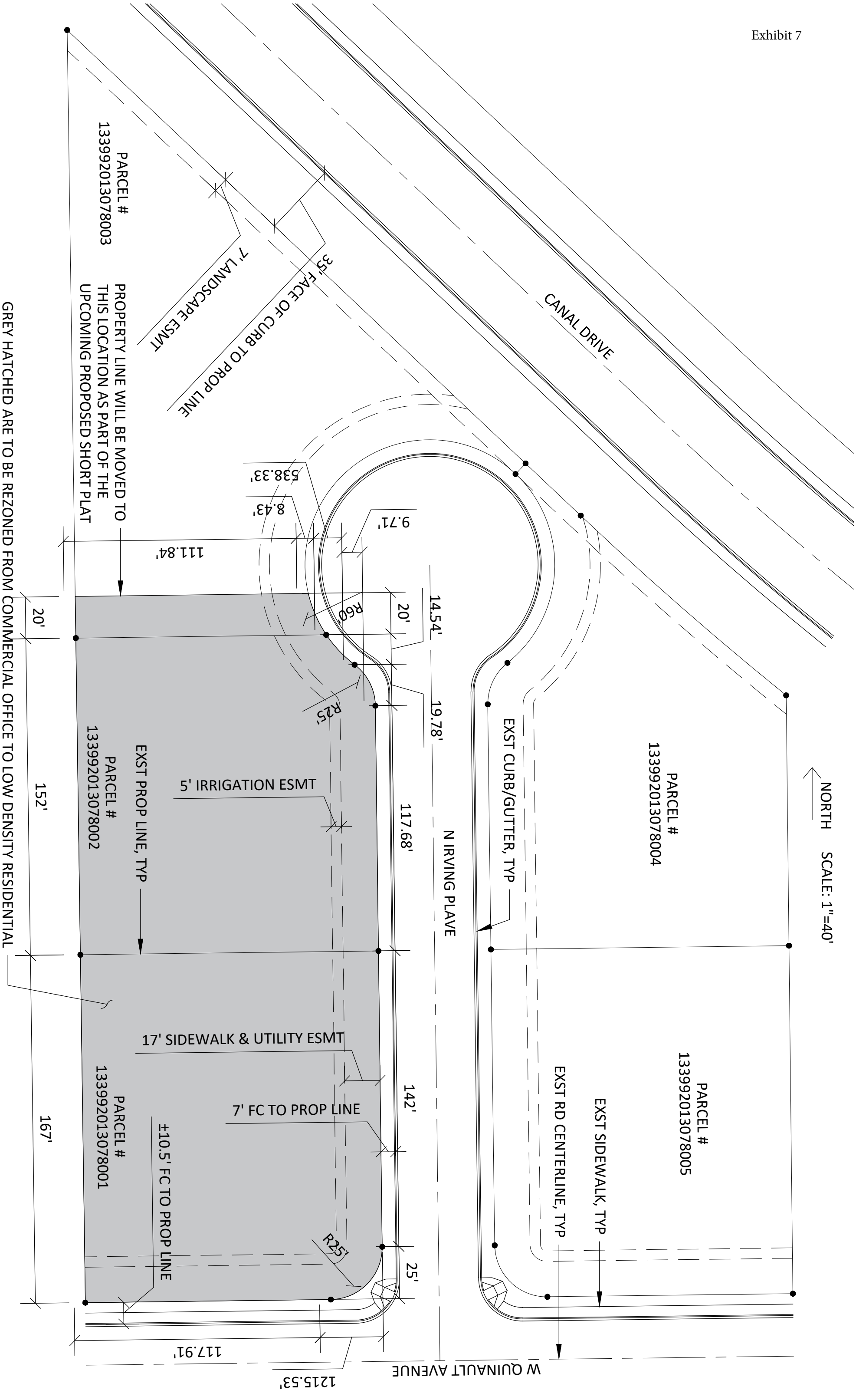
NOTICE OF PUBLIC HEARING February 7, 2022 at 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, February 7, 2022, remotely at 6:30 p.m. or as soon as possible thereafter, to receive public comment/testimony on the below Change of Zone. Staff will be presenting analysis and the Planning Commission will make a recommendation to the City Council on the item. In response to the COVID-19 emergency, the hearing will be conducted online. To participate in the hearing use the link found at <https://www.go2kennewick.com/598/Planning-Commission>.

Project# COZ-2021-0006 – Brett Lott submitted a Change of Zone from Commercial, Office to Residential, Low Density for 1.09-acres. The proposal is located at 1201, 1213 and 1221 N Irving Place. See site map on back.

Questions or written comments may be addressed to Steve Donovan and submitted to steve.donovan@ci.kennewick.wa.us or mailed to PO Box 6108, Kennewick, WA 99336.

The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public hearing, please contact Steve Donovan at (509) 585-4361 or TDD (509) 585-4425 or through the Washington Relay Service Center TTY at #711 at least ten days prior to the date of the meeting to make arrangements for special needs.





**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



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

January 5, 2022

Steve Donovan, AICP
City of Kennewick/Community Planning & Development Services
PO Box 6108
Kennewick, WA 99336

Subject: Review Comments for COZ-2021-0006

Dear Mr. Donovan:

The Kennewick Irrigation District has received your Change of Zone Application submitted by Brett Lott, 5710 Castle Holley Court, Pasco, WA 99301, to change zoning of 1.77 acres at 1201 and 1213 N Irving Place and the southernmost 20-feet of 1221 N Irving Place from Commercial (CO) to Residential, Low Density (RL).

1. This parcel is within the Kennewick Irrigation District (KID) boundaries and is considered irrigable lands; therefore, the Kennewick Irrigation District assesses them.
 - a. A KID service connection is available. Contact KID for more information.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all existing irrigation facilities.

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

Sincerely,

Chris D. Sittman
CAD Specialist

cc: LB\correspondence\File 33-9-29
Applicant via mail – Brett Lott, 5710 Castle Holley Court, Pasco, WA 99301

From: [Shanna Everson](#)
To: [Steve Donovan](#)
Subject: RE: [E] COZ -2021-0006
Date: Thursday, December 30, 2021 11:33:23 AM
Attachments: [image002.png](#)
[image004.png](#)
[image005.png](#)

No comment.

Shanna Everson
 Distribution Design Tech 2
 509-585-5367



From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Tuesday, December 28, 2021 8:39 AM
To: BC Planning - Greg Wendt <Greg.Wendt@co.benton.wa.us>; BC Planning - Michelle Cooke <michelle.cooke@co.benton.wa.us>; Ben Franklin Transit - 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>; EngService <EngService@bentonpud.org>; Jeff Vosahlo <vosahloj@bentonpud.org>; Nancy Lang <langn@bentonpud.org>; Chad Brooks <brooksc@bentonpud.org>; Shanna Everson <eversons@bentonpud.org>; Tina Glines <glinest@bentonpud.org>; BPA - Deborah Rodgers <dxrodgers@bpa.gov>; BPA - Joe Cottrell <jecottrell@bpa.gov>; BPA - Mike Deklyen <mjdeklyen@bpa.gov>; Cascade Natural Gas - Sara Pineda <sara.pineda@cngc.com>; Charter Communications - Robert Early <robert.early@charter.com>; City of Richland - Mike Stevens <mstevens@ci.richland.wa.us>; City of Richland - Shane O'Neill <soneill@ci.richland.wa.us>; CNGC- James Thomas <James.Thomas@cngn.com>; Columbia Irrigation District <cid@columbiairrigation.com>; Dustin Fisk - Kennewick School District (dustin.fisk@ksd.org) <dustin.fisk@ksd.org>; Kennewick School District; Brandon Potts <brandon.potts@ksd.org>; KID Development <development@kid.org>; Kyle McCauley <Kyle.McCauley@cngc.com>; US Army Corps of Engineers <CENWW-RE@usace.army.mil>; Williams Pipeline - Audie Neuson <audie.neuson@williams.com>; WSDOT <scplanning@wsdot.wa.gov>; Ziply Fiber Christy Ross <christy.ross@ziply.com>
Subject: [E] COZ -2021-0006

Attached is a proposed Change of Zone from Commercial, Office to Residential, Low Density. This site was part of the 2021 Comp. Plan Amendment Cycle.

Let me know if you have any questions.

Steve