



April 18, 2022

PLANNING COMMISSION AGENDA

6:30 p.m.

****HYBRID COUNCIL CHAMBERS & VIRTUAL MEETING PLATFORM****

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 March 21, 2022
- b. Approval of Agenda
- c. Motion to enter Staff Report(s) into Record

3. **PUBLIC HEARING:**

- a. Change of Zone (COZ) #2022-0009 proposing to change the zoning district for approximately 20.94 acres located at 4830 W. 49th Avenue from Residential, Suburban Density (RS) to Residential, Low Density (RL). Applicant is Ron Asmus Homes, 2810 W. Clearwater Suite 102, Kennewick, WA, 99336 and owner is Ronald and Tracey Asmus, 802 S. Dawes St., Kennewick, WA, 99337.

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
March 21, 2022
VIRTUAL MEETING MINUTES

CALL TO ORDER

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

Chairman Morris led the Pledge of Allegiance.

Chairman Morris made the following statement:

“Tonight’s meeting will be conducted through an online, virtual meeting platform. Planning Commissioners and staff are joining us remotely in order to comply with Governor Inslee’s Proclamation 20.28.4 as it relates to the Open Public Meeting Act during the COVID-19 State of Emergency. Should an individual Planning Commissioner become unexpectedly disconnected from the Webinar, please rejoin the meeting at your first opportunity. The record will reflect your attendance. The meeting will proceed so long as a quorum of Planning Commissioners are present. Please activate your mute button at the bottom of your computer screen when not speaking”.

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

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

Excused: Commissioner Griffith and Commissioner Short

Unexcused: None

Staff Present: Steve Donovan, AICP Senior Planner; Matt Halitsky, AICP Planner, Melinda Didier, CPT Community Planning Administrative Assistant.

Chairman Morris made the following statement:

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

Commissioner Hempstead moved to approve the Consent Agenda as amended; Commissioner Helgeson seconded the motion. The motion passed unanimously on a roll call vote. It was noted that Commissioner Short logged into the meeting at this point in time (6:35 pm).

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of February 7, 2022 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) #2022-0007 proposing to change the zoning district for approximately 2.95 acres located at 18 W. 12th Place from Commercial, Community (CC) to Residential, High Density (RH). Applicant and owner is Thomas Wei, 2120 N. Road 44, Pasco, WA 99301.

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

Planning Commission questions:

Is there a 50-foot BPA easement that runs through the property; on the list of property owners that received the notice of public hearing, did Kikko's Tacos receive the notice; is the irrigation canal that runs south the KID or CID.

Testimony of Applicant/Applicant's Representative:

Rick Simon, Applicant's Representative
98402 N. Harrington Road
West Richland

Speaking in support of the application and thanked staff for their positive recommendation; this proposal is a great location for multi-family housing due to proximity of services; the timing is right, due to high demand for additional new housing.

Testimony in Favor of the Request:

None

Testimony Neutral/Against the Request:

None

Staff Comments:

None

Public Testimony for COZ 2022-0007 closed at 6:46 p.m.

Chairman Morris asked for a motion.

Commissioner Moore moved to concur with the findings and conclusions in staff report COZ 2022-0007 and forward a recommendation to City Council APPROVAL of the request.

Vice Chairman Stolle seconded the motion.

Planning Commission Discussion:

None

The motion passed on a unanimous roll call vote.

Chairman Morris opened the virtual public hearing at 6:48 p.m. for Change of Zone (COZ) #2022-0008 proposing to change the zoning district for approximately 1.36 acres located at 5654 W. Canal Drive from Commercial, Office (CO) to Residential, High Density (RH). Applicant and owner is Khurshed Sharifov, 405 Heritage Hills Drive, Richland, WA 99352.

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

Planning Commission questions:

Is the primary access via Harrison a city maintained street; at what time does the traffic and routing become significant, is that at the project level; is the high density associated with any of the current facilities in the area.

Testimony of Applicant/Applicant's Representative:

None

Testimony in Favor of the Request:

None

Testimony Neutral/Against the Request:

None

Staff Comments:

None

Public Testimony for COZ 2022-0008 closed at 6:56 p.m.

Chairman Morris asked for a motion.

Commissioner Hempstead moved to concur with the findings and conclusions in staff report COZ 2022-0008 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Moore seconded the motion.

Planning Commission Discussion:

Commissioner Helgeson mentioned that it was disappointing that the applicant or representative did not attend the meeting to support their project.

Ms. Didier stated that Commissioner Short logged out of the meeting and would not be participating in the remainder of the meeting including the roll call vote. Chairman Morris said that the meeting quorum was intact, with five commissioners present.

The motion passed on a unanimous roll call vote.

Chairman Morris opened the virtual public hearing at 6:59 p.m. for Development Code Amendment (DCA) #2022-0000 proposing to amend the Kennewick Municipal Code (KMC) for boutique hotels in KMC Chapter 18.09 – Definitions, KMC Section 18.12.010 B.1 – Table of Non-Residential Uses, and add a new footnote in KMC 18.12.010 B.1 – Table of Non-Residential Uses. Applicant is Jose Chavallo, 5927 W. Quinault Ave., Kennewick, WA 99336.

Mr. Donovan stated that the applicant WITHDREW the proposed amendment request so there is no public hearing for DCA #2022-0000.

Chairman Morris closed the public hearing for DCA #2022-0000 at 7:00 p.m.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

None

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Commissioner Moore asked in regards to the withdrawn code amendment, is that normally an issued that would be brought up in a workshop initially; Mr. Donovan said that usually in the past we have done a workshop for more complex proposals. Chair Morris asked about the Governor's COVID proclamation and asked when the Planning Commission could return to City

Hall for hearings and meetings. Mr. Donovan said that in April the City will be participating in in-person meetings for Planning Commission, and it will be a hybrid virtual/in-person meeting. The meeting script will be modified to reflect the change, and staff will get back to the Planning Commissioners on that.

ADJOURNMENT:

The meeting adjourned at 7:06 p.m.



COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: COZ-2022-0009

Staff Report Date: April 11, 2022

Hearing Date & Location: April 18, 2022 - Kennewick City Hall Council Chambers

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 2022-0009.

Summary of Proposal: A Change of Zone from Residential, Suburban (RS) to Residential, Low Density (RL) for 20.94 acres.

Proposal Location: 4830 W 49th Avenue

Legal Description: See Exhibit 3

Property Owner: Ronald and Tracey Asmus
802 S Dawes
Kennewick, WA 99337

Applicant: Ron Asmus Homes
2810 W Clearwater Avenue, Suite 102
Kennewick, WA 99336

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	March 3, 2022

Determination of Completeness Issued	March 7, 2022
Notice of Application Posted	March 7, 2022
SEPA Threshold Determination Issued	March 23, 2022
Property Posting Sign for SEPA Determination	March 23, 2022
SEPA Appeal Period	April 6, 2022
Date of Mailed Notice of Public Hearing	March 31, 2022
Property Posting Sign for Public Hearing	March 31, 2022
Date of Published Notice of Public Hearing	April 3, 2022

Exhibits:

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

Zoning adjacent to the site:

North: Residential, Suburban (RS)

East: RS and Residential Low Density (RL)

South: RL

West: RL and Open Space (OS)

Applicable Goals and Policies 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.

Policy 2 Residential Low Density – Place lands constrained in sensitive areas, those intended to provide transition to the rural area, or those appropriate for larger lot housing within the Residential Low Density land use designation to allow for a range of lifestyles.

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 property is adjacent and contiguous to property that is zoned RL.

Public Comments:

The public did not submit any comments.

Agency Comments:

The Columbia Irrigation District, Kennewick Irrigation District and Benton Public Utility District have no comments on the proposal.

The Bonneville Power Administration commented that it will need to review/approve future development of the site to ensure proper operation of the existing electrical transmission lines, see Exhibit 12.

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ-2022-0009) is a request to change the zoning district for 20.94-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.

The City annexed the site in 1979 and zoned the property RL. In 2014, Ron Asmus requested a Change of Zone for the site from RL to RS; he thought future property owners would want to have horses on their lots. The City adopted Ordinance 5565 on July 15, 2014 to establish the current zoning of RS. In 2015, Ron Asmus submitted the South Hill Estates Preliminary Plat. The 20.94-acre lot was the only lot that was not

zoned RL. Approval of the proposal will result in all of the South Hill Estates Phase 2 lots being zoned RL.

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 a family life in an urban setting.

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 is Ron Asmus Homes, 2810 E Clearwater Avenue, Suite 102, Kennewick, WA 99336.
2. The property owner(s) are Ron and Tracey Asmus, 802 S Dawes, Kennewick, WA 99337.
3. The proposed change of zone is located at 4830 W 49th Avenue. Parcel Number: 1-2289-201-3468-012.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Low Density Residential.
5. The request is to change the zoning from Residential, Suburban 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. The application was submitted on March 3, 2022.
8. The application was declared complete, routed for review to City Departments and outside agencies on March 7, 2022.
9. Access to the site is via S Reed Street.
10. The Mitigated Determination of Non-Significance, ED 15-36, was adopted on March 23, 2022.
11. The Property Posting sign for the public hearing was posted on site March 31, 2022.
12. The Notice of Public Hearing was published in the Tri-City Herald on April 3, 2022.
13. Hearing notices were mailed to property owners within 300 feet of the site on March 31, 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.
18. The property is adjacent and contiguous to property of the same proposed zoning classification.

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 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 in staff report COZ-2022-0009 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ-2022-0009 and recommend approval of the request to City Council.

**CITY OF KENNEWICK
COMMUNITY PLANNING & DEVELOPMENT SERVICES**

APPLICATION (general form)

PROJECT # _____ - _____ PLN- 002-2022-0009 FEE \$ _____

RECEIVED

MAR 03 2022

CITY OF KENNEWICK

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

PAID

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

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

Short Plat ☐ Conditional Use ☐ Other **ZONE CHANGE**

MAR 03 2022

CITY OF KENNEWICK

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

Applicant: **RON ASMUS HOMES**

Address: **2810 E CLEARWATER AVE, SUITE 102, KENNEWICK WA 99336**

Telephone: _____ Cell Phone: **509-727-5200** Fax: _____ E-mail: **RON@ronasmushomes.com**

Property Owner (if other than applicant): **ASMUS RONALDS E & TRACEY L**

Address: **802 S DAWES, KENNEWICK, WA 99337**

Telephone: _____ Cell Phone: **509-727-5200** E-mail: _____

SITE INFORMATION

Parcel No. **122892013468012** Acres **41.46** Zoning: **RS**

Address of property: **4830 W 49TH AVE, KENNEWICK, WA 99337**

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

Present use of property **VACANT / UNDEVELOPED**

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

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

Benton County Assessor Market Improvement Value: _____

Description of Project: **REZONE EXISTING PROPERTY TO ACCOMMODATE AN APPROVED PRELIMINARY PLAT. PROPERTY IS CURRENTLY ZONED "RS" AND "RL" ZONING IS DESIRED.**

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

Applicant's Signature

Signature of owner or owner's authorized representative

Date: **3/3/22**

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 number of available homes in the Tri-Cities is extremely low. The zone change will allow development of additional single family dwellings nears the growing Southridge area.

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:

Yes, the City of Kennewick is rapidly growing and in need of additional residential development. The Canyon Lakes neighborhood adjacent to the subject property is also zoned RL.

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

Yes, as stated above, the Canyon Lakes neighborhood is also zoned RL. South Kennewick is also mainly zoned RL.

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

Yes, the existing uses in the area are in conformance with the area's zoning classification.

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

No, the proposed zoning is consistent with the surrounding zoning designation.

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

Yes, the subject property is surrounded predominantly by RL zoned properties.

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

No, the residential character in the immediate area will not be adversely affected by the proposed amendment. The surrounding area is zoning similar (RL and RS).

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

New development means people want to live where the development is happening, which means more jobs, housing, and transportation. This means that new development generally increases the value of a home within close proximity.

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:

The approval of the proposed amendment will not set a precedent for other similar proposals. This property was originally zoned RL prior to being zoned RS. This proposal will give the subject property similar zoning as the adjacent properties, with a higher density.

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

This proposed zoning change is for undeveloped land. This will encourage private investments for new homeowners.

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

The proposed amendment will create more housing opportunities for existing and new residents to the Tri-Cities area.

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

No.



STRATTON SURVEYING & MAPPING, PC

313 NORTH MORAIN STREET
 KENNEWICK, WA 99336
 PHONE: (509) 735-7364
 FAX: (509) 735-6560
 E-MAIL: stratton@strattonsurvey.com

DATE: 2022-02-09
 DRAWING: 4722SK9.DWG
 SITE: ASMUS ZONE CHANGE

THAT PORTION OF LOT 9 OF THE SHORT PLAT RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 3468, LYING IN THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 22, AND THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 8 NORTH, RANGE 29 EAST, W.M., BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 22 THENCE SOUTH $00^{\circ}44'45''$ WEST ALONG THE WESTERLY LINE OF SAID SECTION 1370.97 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER;
 THENCE SOUTH $88^{\circ}03'49''$ EAST ALONG THE SOUTHERLY LINE OF SAID NORTHWEST QUARTER 1033.35 FEET;
 THENCE NORTH $28^{\circ}13'54''$ WEST 115.95 FEET;
 THENCE NORTH $49^{\circ}08'54''$ EAST 139.36 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS NORTH $49^{\circ}08'54''$ EAST 215.00 FEET;
 THENCE NORTHWESTERLY ALONG SAID CURVE 49.78 FEET;
 THENCE NORTH $27^{\circ}35'06''$ WEST 40.24 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS NORTH $62^{\circ}24'54''$ EAST 215.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE 26.92 FEET;
 THENCE SOUTH $69^{\circ}35'19''$ WEST 134.51 FEET;
 THENCE NORTH $28^{\circ}13'54''$ WEST 59.28 FEET;
 THENCE NORTH $05^{\circ}19'49''$ EAST 191.23 FEET;
 THENCE NORTH $49^{\circ}33'29''$ WEST 498.22 FEET;
 THENCE NORTH $33^{\circ}03'15''$ WEST 298.98 FEET TO THE MOST SOUTHERLY CORNER OF LOT 2, BLOCK 3, THE PLAT OF THE HEIGHTS AT CANYON LAKES PHASE 4, RECORDS OF SAID COUNTY; THENCE THE FOLLOWING COURSES ALONG THE BOUNDARY LINE OF SAID PLAT; CONTINUING NORTH $33^{\circ}03'15''$ WEST 110.73 FEET;
 NORTH $00^{\circ}26'42''$ WEST 131.72 FEET;
 THENCE ALONG THE FOLLOWING COURSES ALONG THE SOUTHERLY AND WESTERLY LINES OF LOTS 7, 6, 5 AND 4 OF SAID SHORT PLAT;
 NORTH $63^{\circ}48'27''$ WEST 122.36 FEET TO AN ANGLE POINT;
 NORTH $36^{\circ}40'54''$ WEST 114.89 FEET TO AN ANGLE POINT;
 NORTH $19^{\circ}05'13''$ WEST 68.13 FEET TO AN ANGLE POINT;
 NORTH $14^{\circ}38'33''$ EAST 75.15 FEET TO AN ANGLE POINT;
 SOUTH $69^{\circ}11'58''$ EAST 165.87 FEET TO THE RIGHT-OF-WAY LINE OF WEST 44TH CT ON A NON TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH $71^{\circ}06'29''$ EAST 60.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE 47.33 FEET THROUGH A DELTA ANGLE OF $45^{\circ}11'55''$ TO AN ANGLE POINT IN SAID LINE;
 THENCE NORTH $36^{\circ}20'02''$ EAST ALONG THE NORTHERLY LINE OF SAID LOT 4 A DISTANCE OF 197.85 FEET TO THE NORTHERLY LINE OF LOT 9 OF SAID SHORT PLAT;
 THENCE NORTH $86^{\circ}05'35''$ WEST ALONG THE NORTHERLY LINE OF SAID LOT 157.65 FEET TO THE WESTERLY LINE OF SAID SECTION 15;

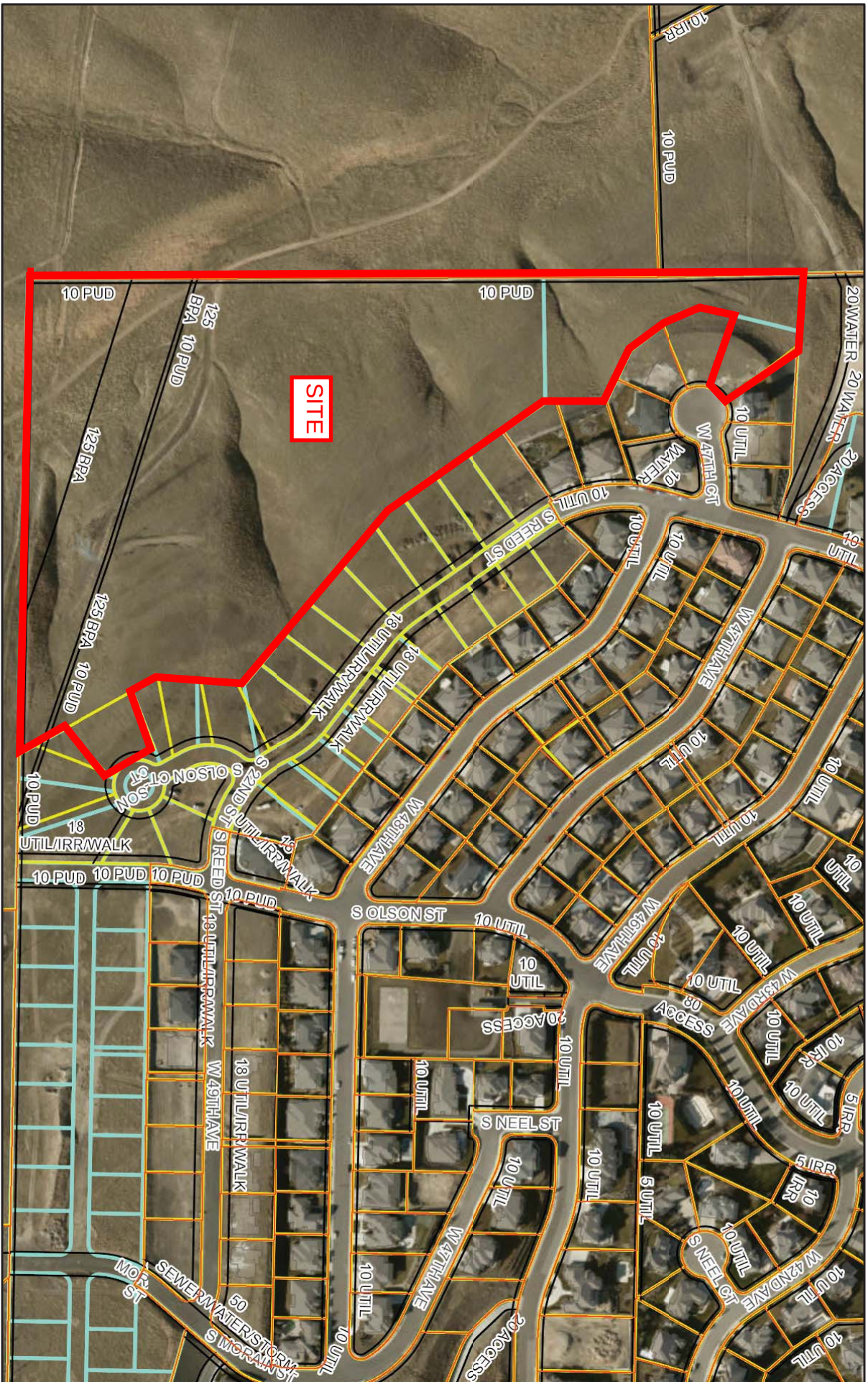
EXHIBIT 3

THENCE SOUTH 00°29'13" EAST ALONG SAID LINE 311.89 FEET TO THE SAID POINT OF BEGINNING.

CONTAINS 20.94 ACRES

TOGETHER WITH AND SUBJECT TO EASEMENTS, COVENANTS, RESERVATIONS, RIGHT-OF-WAYS AND RESTRICTIONS OF RECORD AND IN VIEW.

Vicinity Map



April 8, 2022

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

CountyParcelLayer SurveyAddressPoint

StreetName



<all other values>



Apartment

Building

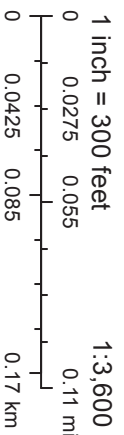
Parcel



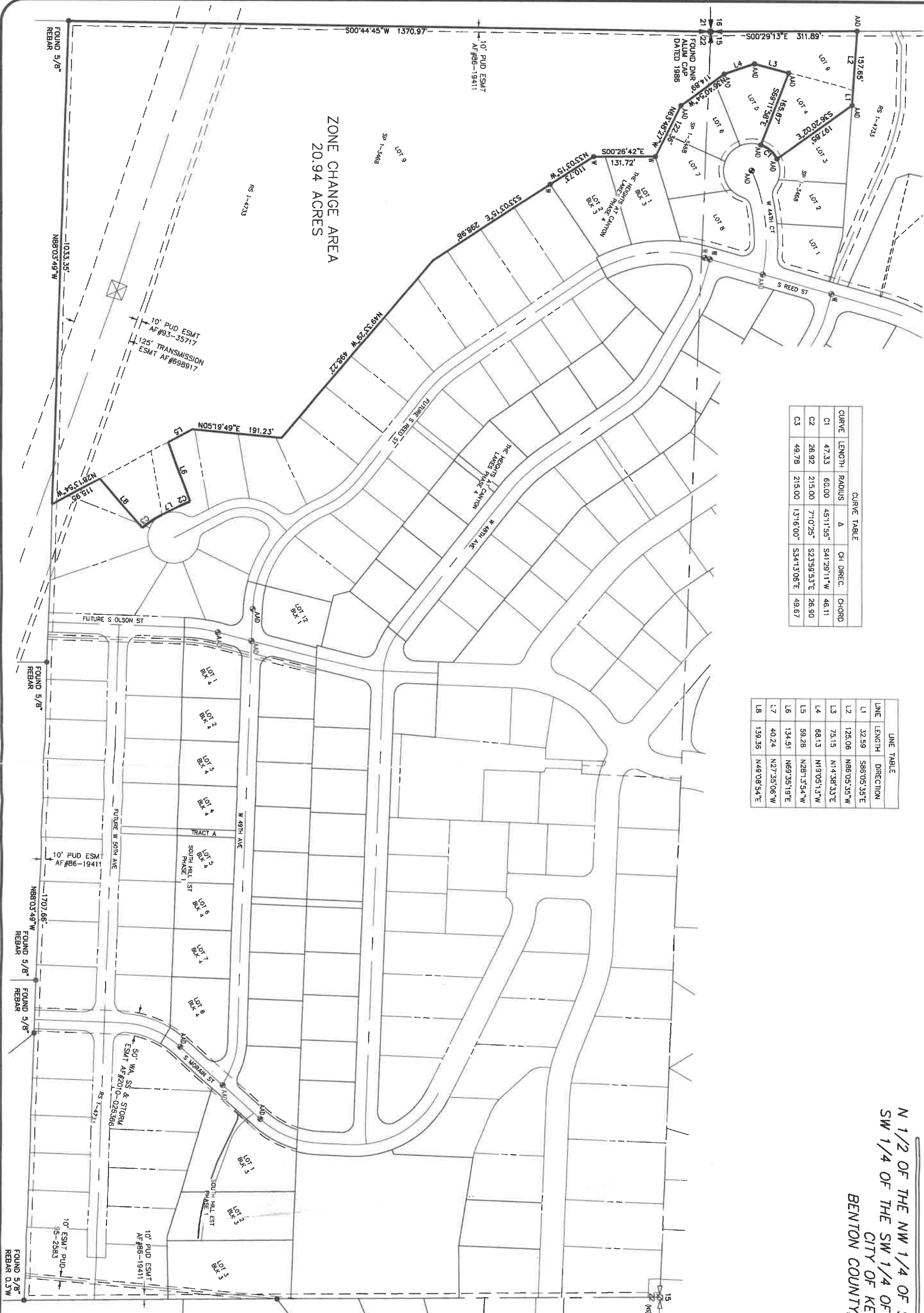
Condo



SurveyEasement



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

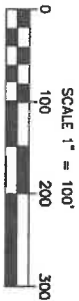
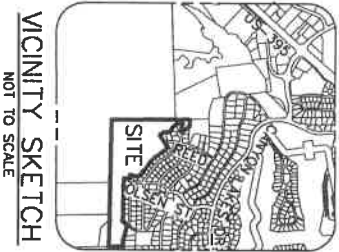


CURVE TABLE				
CURVE	LENGTH	RADIUS	Δ	CH. DIR.
C1	47.33	60.00	45°11'55"	S41°28'11"W
C2	26.92	215.00	7°10'25"	S23°58'53"E
C3	49.78	215.00	13°16'00"	S34°13'06"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	32.59	S86°05'35"E
L2	128.06	N86°05'35"W
L3	75.15	N14°38'33"E
L4	68.13	N19°05'13"W
L5	59.28	N28°13'54"W
L6	134.51	N69°35'19"E
L7	40.24	N27°35'06"W
L8	139.36	N49°08'54"E

ZONE CHANGE EXHIBIT

N 1/2 OF THE NW 1/4 OF SEC 22, T08N, R29E, W.M.
SW 1/4 OF THE SW 1/4 OF SEC 15, T8N, R29E, W.M.
CITY OF KENNEWICK,
BENTON COUNTY, WASHINGTON



BASE OF BEARING
WA STATE GRID
SOUTH ZONE NAD 83(2011)
EQUIPMENT USED
A THREE-SECOND TOTAL STATION
SPECTRA PRECISION RTK GPS

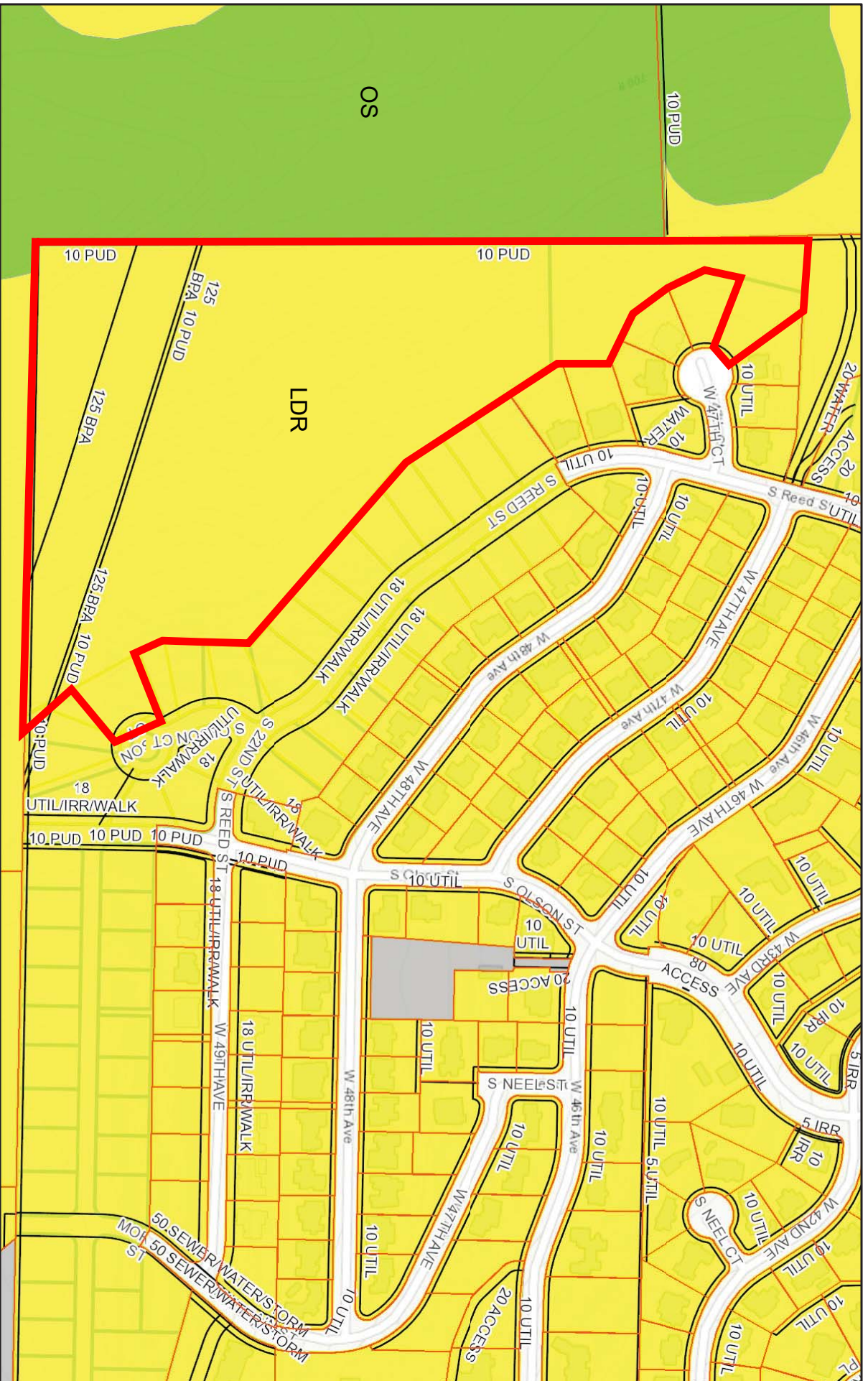
- LEGEND**
- = FOUND 5/8" REBAR W/ ORANGE PLASTIC CAP MARKED "STATION A/D 38021"
 - = FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP MARKED "MORLEY 13352"
 - = FOUND AS INDICATED
 - = PROPERTY BOUNDARY
 - = CENTERLINE

WORKSHEET FOR
ASMUS
STATION SURVEYING & MAPPING P.C.
313 NORTH MORAIN STREET
KENNEWICK, WA 98336
(360) 735-7364
FAX: (360) 735-6960
www.stationsurvey.com
© 2022
4772SK.DWG
DATE: 02/09/22
DRAWN BY: DCJ

SHT. 1 OF 1
JOB # 47722

Comprehensive Plan Map

Exhibit 5



April 8, 2022 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

CountyParcellayer **SurveyAddressPoint** <all other values> Building Condo Mobile Home SurveyEasement

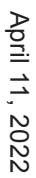
Apartment



1 inch = 300 feet 1:3,600
0 0.0275 0.05 0.11 mi
0 0.0425 0.085 0.17 km

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

Exhibit 6



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

CountyParcelLayer **SurveyAddressPoint**

StreetName



Building

Condo

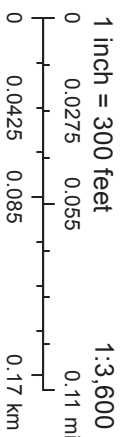
Apartment



Mobile Home

Parcel

SurveyEasement



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



NOTICE OF MAILING

I, Steve Donovan, on March 31, 2022
mailed 18 copies of Notice of Public Hearing
for COZ-2022-0009
to all property owners within 300 feet of the proposal
as shown on the attached list.


Signature

Exhibit 7

37

NOWAK TRUSTEE L LOUISE
440 LOYER LN
PERRYSBURG, OH 43551

37

RICKY LAND & CATTLE COMPANY
PO BOX 7285
KENNEWICK, WA 99336

37

BEAUCHAMP BRAD & GLORIA
1908 W 19TH
KENNEWICK, 99337

37

ELSETHAGEN ERIC O & MARY M
4036 W 47TH CT
KENNEWICK, WA 99337

37

EVANS JP ALITA & HOLGUIN
HUMBERTO AL
4020 W 47TH CT
KENNEWICK, WA 99337

37

KOWALSKI ALAN & WERNER TAMARA
4004 W 47TH CT
KENNEWICK, WA 99337

37

BRUNSON SCOTT M & DALENE
4802 S REED ST
KENNEWICK, WA 99337

37

PUCKETT DANIEL & PAMELA
4031 W 47TH COURT
KENNEWICK, WA 99337

37

MUNRO ANASTASIYA
4702 S PALOUSE CT
KENNEWICK, WA 99337

37

PARISH PAUL R & LINDA L
4806 S REED ST
KENNEWICK, WA 99337

37

JONES JASON D & STACIE I
4810 S REED ST
KENNEWICK, WA 99337

37

BRAYTON ANDREW J & CATLANA L
3751 3 49TH AVENUE
KENNEWICK, WA 99337

37

MILLER WAYNE C & CAROL M
PO BOX 6273
KENNEWICK, WA 99336

37

NEUHARTH STAN & TERRI
3919 W 48TH AVE
KENNEWICK, WA 99337

37

GUNDERSON TEDDI L
4711 S REED ST
KENNEWICK, WA 99337

37

TUCKER KEVIN & KATHY M
4520 S REED ST
KENNEWICK, WA 99337

37

STRAIT CRAIG
7011 W 5TH AVE
KENNEWICK, WA 99336

37

ASMUS RON & TRACEY
802 S DAWES
KENNEWICK, WA 99337

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

April 18, 2022 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, April 18, 2022, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed Change of Zone. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item.

Permit# COZ-2022-0009 – A Change of Zone from Residential, Suburban (RS) to Residential, Low Density (RL) 20.94 acres located at 4830 W 49th Avenue. The property has a comprehensive plan land use designation of Low Density Residential. **Review the vicinity map on the back of this notice.**

Submit written comments to Steve Donovan at steve.donovan@ci.kennewick.wa.us or mail to PO Box 6108, Kennewick, WA 99336. For questions about this project, please call Steve Donovan (509) 585-4361.

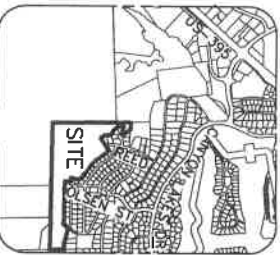
The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact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

ZONE CHANGE EXHIBIT

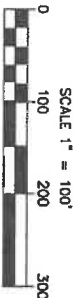
N 1/2 OF THE NW 1/4 OF SEC 22, T08N, R29E, W.M.
SW 1/4 OF THE SW 1/4 OF SEC 15, T8N, R29E, W.M.
CITY OF KENNEWICK,
BENTON COUNTY, WASHINGTON

CURVE TABLE				
CURVE	LENGTH	RADIUS	Δ	CH. DIR.
C1	47.33	60.00	45°11'56"	S41°28'11"W
C2	26.92	215.00	7°10'25"	S23°58'53"E
C3	49.78	215.00	13°16'00"	S34°13'06"E

LINE TABLE		
LINE	LENGTH	DIRECTION
L1	32.59	S86°05'35"E
L2	126.06	N86°05'35"W
L3	75.15	N14°38'33"E
L4	68.13	N19°05'13"W
L5	59.28	N28°13'54"W
L6	134.51	N69°35'19"E
L7	40.24	N27°35'06"W
L8	139.36	N49°08'54"E



VICINITY SKETCH
NOT TO SCALE



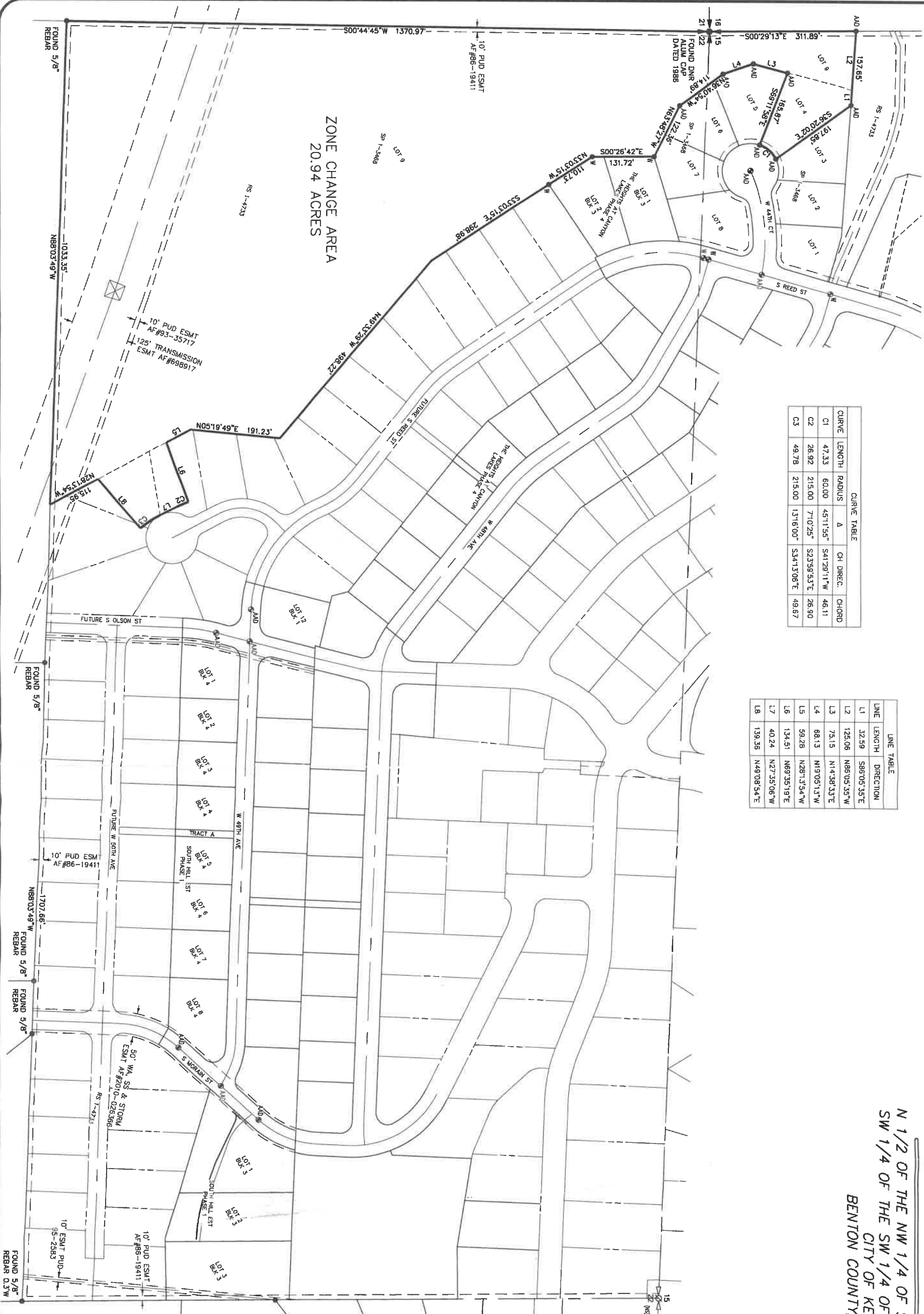
BASE OF BEARING
WA STATE GRID
SOUTH ZONE NAD 83(2011)
EQUIPMENT USED
A THREE-SECOND TOTAL STATION
SPECTRA PRECISION RTK GPS

- LEGEND**
- = FOUND 5/8" REBAR W/ ORANGE PLASTIC CAP MARKED "STATION A/D 38021"
 - = FOUND 5/8" REBAR W/ YELLOW PLASTIC CAP MARKED "MORLEY 13352"
 - = FOUND AS INDICATED
 - = PROPERTY BOUNDARY
 - = CENTERLINE



WORKSHEET FOR
ASMUS
STATION SURVEYING & MAPPING P.C.
313 NORTH MORAIN STREET
KENNEWICK, WA 98336
(360) 735-7364
FAX: (360) 735-6960
www.stationsurvey.com

47725K3.DWG © 2022
DATE: 02/09/22 SHT. 1 OF 1
DRAWN BY: DCJ JOB # 47722





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

**STATE ENVIRONMENTAL POLICY ACT
DETERMINATION OF NONSIGNIFICANCE
ADOPTION of EXSITING DOCUMENT**

March 23, 2022

Lead Agency: City of Kennewick

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

File Number: COZ-2022-0009

Description of Proposal: The applicant has proposed to rezone 41.06 acres from Residential, Suburban to Residential, Low Density.

Location of Proposal: 4830 W 49th Avenue

Applicant/Proponent: Ron Asmus Homes
2810 W Clearwater Avenue, Suite 102
Kennewick, WA 99336

Document being adopted: ED 15-36 - MDNS

Description of document being adopted: Mitigated Determination of Non-Significance for a 83 lot subdivision. The lead agency was the City of Kennewick and the determination was not appealed.

The adopted document is available at: Attached

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

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

Findings:

- The proposed amendment conforms with the comprehensive plan; and
- The proposed amendment promotes the public necessity, convenience and general welfare; and
- 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
- The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
- The property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification.

Conclusions:

- The Residential, Low Density zoning district is an implementing zoning district of the Low Density Residential Land Use Designation.
- Approval will not result in an increase of adverse environmental impacts.
- Approval will result in the promotion of public necessity, convenience and/or general welfare.
- The proposed Change of Zone is in compliance with KMC 18.51.070(2).

This DNS is issued under WAC 197-11-340(2) and the comment period will end on April 6, 2022.

Responsible Official: Anthony Muai, AICP
Community Planning Director
210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
(509) 585-4486

Signature _____



Date 23 March 2022

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.

ED #15-36

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



FILE/PROJECT NUMBER: ED 15-36 FOR PP 15-03

DESCRIPTION OF PROPOSAL: PRELIMINARY PLAT FOR 83 LOT SUBDIVISION

PROPOSER: JUSTIN BAERLOCHER, JUB ENGINEERS, INC.

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: SOUTH OF W. 48TH AVENUE NEAR REED & LEDBETTER STREETS AT 3904 W. 48TH AVENUE.

LEAD AGENCY: CITY OF KENNEWICK

DETERMINATION: The City of Kennewick has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) will not be required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the City. This information is available to the public on request. Application for other required permits may require further review under SEPA procedures.

☐ There is no comment period for this DNS.

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

☒ This DNS is issued under 197-11-340(2); the City will not act on this proposal for fifteen days from the date below. Comments must be submitted by **September 1, 2015**. After the review period has elapsed, all comments received will be evaluated and the DNS will be retained, modified, or withdrawn as required by SEPA regulations.

RESPONSIBLE OFFICIAL: Gregory McCormick, AICP**POSITION/TITLE:** Community Planning Director**ADDRESS:** 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336**PHONE:** (509) 585-4463

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

This DNS is subject to the attached conditions:

☐ No conditions.

☒ See attached condition(s).

Date: **August 17, 2015**

Signature: _____

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

Copies of this DNS were mailed to: Dept. of Ecology, WA Dept of Fish & Wildlife, WSDOT,
Yakima Nation, CTUIR, PP 15-03 & ED 15-36 File

**CITY OF KENNEWICK
ENVIRONMENTAL CHECKLIST REVIEW**

**E. D. File #15-36
Action: PP 15-03**

**Reviewed by: Wes Romine
August 14, 2015**

The City of Kennewick has reviewed the checklist and made additions & corrections to it.

Please note the following condition(s):

1.) Park Fees

For this proposal, PP 15-03/PLN-2015-02520, conditions include the mitigation fees for impacts for the addition of 83 dwelling units in Park Planning Zone 5E – Twin Rivers. In lieu of land dedication, fees are required to be paid to Park Planning Zone 5E in the amount of **\$19,434.03** as calculated per the City's Park Fee Determination Process form. This fee must be paid at the time of final plat as a percentage of lots in each final plat phase.

From: [CID](#)
To: [Steve Donovan](#)
Subject: RE: Change of Zone COZ-2022-0009
Date: Monday, March 7, 2022 4:41:32 PM
Attachments: [image001.png](#)
[image002.png](#)

Good Afternoon,

CID has no comments. The property is not in our district.

Thank you,

Lila Freshment

Office Manager
Columbia Irrigation District
10 E Kennewick Avenue
Kennewick, WA 99336
Phone: (509) 586-6118
Fax: (509) 586-0485
lfreshment@columbiairrigation.com

From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Monday, March 7, 2022 2:05 PM
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 - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air John Lyle <john.lyle@bentoncleanair.org>; Benton Franklin Health Dept - Rick Dawson <rickd@bfhd.wa.gov>; Benton PUD - engineering services <engservice@bentonpud.org>; Benton PUD - Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD Chad Brooks <brooksc@bentonpud.org>; Benton PUD Shanna Everson <eversons@bentonpud.org>; Benton PUD Tina Glines <glinest@bentonpud.org>; BPA - Deborah Rodgers <dxrodders@bpa.gov>; BPA - Joe Cottrell <jecottrell@bpa.gov>; BPA - Mike Deklyen <mjddeklyen@bpa.gov>; Cascade Natural Gas - Sara Pineda <sara.pineda@cngc.com>; Charter - Junior Campos <junior.campos@charter.com>; Charter-Ryan Sams <Ryan.Sams@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>; CID <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>; Noah Lee <noah.lee@bentoncleanair.org>; 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: Change of Zone COZ-2022-0009

Attached is a proposed Change of Zone.

From: [Chris Sittman](#)
To: [Steve Donovan](#)
Subject: RE: Change of Zone COZ-2022-0009
Date: Tuesday, March 8, 2022 2:26:17 PM
Attachments: [image001.png](#)
[image003.png](#)

KID has no comments, this is outside of our District boundaries.

Chris D. Sittman
Engineering Dept./CAD Specialist
Kennewick Irrigation District
2015 S. Ely St.
Kennewick, WA 99337
Desk: 509-460-5435
Cell: 509-873-1123

From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Monday, March 7, 2022 2:05 PM
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 - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air John Lyle <john.lyle@bentoncleanair.org>; Benton Franklin Health Dept - Rick Dawson <rickd@bfhd.wa.gov>; Benton PUD - engineering services <engservice@bentonpud.org>; Benton PUD - Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD Chad Brooks <brooksc@bentonpud.org>; Benton PUD Shanna Everson <eversons@bentonpud.org>; Benton PUD Tina Glines <glinest@bentonpud.org>; BPA - Deborah Rodgers <dxrogers@bpa.gov>; BPA - Joe Cottrell <jecottrell@bpa.gov>; BPA - Mike Deklyen <mjdeklyen@bpa.gov>; Cascade Natural Gas - Sara Pineda <sara.pineda@cngc.com>; Charter - Junior Campos <junior.campos@charter.com>; Charter-Ryan Sams <Ryan.Sams@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>; Development <development@kid.org>; Kyle McCauley <Kyle.McCauley@cngc.com>; Noah Lee <noah.lee@bentoncleanair.org>; 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: Change of Zone COZ-2022-0009

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

Attached is a proposed Change of Zone.

From: [Chad Brooks](#)
To: [Steve Donovan](#)
Subject: RE: [E] Change of Zone COZ-2022-0009
Date: Friday, March 18, 2022 9:27:06 AM
Attachments: [image003.png](#)
[image004.png](#)
[image001.png](#)

No comment on change of zone.

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



From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Monday, March 7, 2022 2:05 PM
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 - 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 - Junior Campos <junior.campos@charter.com>; Charter-Ryan Sams <Ryan.Sams@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@cngc.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>; Noah Lee <noah.lee@bentoncleanair.org>; 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] Change of Zone COZ-2022-0009



Department of Energy

Exhibit 12

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

March 22, 2022

In reply refer to: COZ-2022-0009

Located within a Portion of Section 15 and 22, all in Township 8 North,
Range 29 East, W.M., Benton County, Washington

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

Dear Steve:

Bonneville Power Administration (BPA) has had the opportunity to review COZ-2022-0009. The application is to change 41.06 acres from Residential, Suburban (RS) to Residential, Low Density (RL). The property is located at 4830 W 49th and 3506 W 50th Avenue in Kennewick, WA.

BPA easements are taken with certain restrictions on the underlying land. In order to maintain operation and safety criteria, all future activities planned within the BPA easement need to be approved by BPA prior to their occurrence. Activities that block maintenance crews (such as the installation of fences) or safety concerns (such as buildings, driveways, utilities, or small structures) need to be addressed prior to construction in order to avoid later modification, at the landowner's expense.

The owner will need to submit a land use application and acquire a Land Use Agreement from BPA, along for any portion of the owner's future development plans that will lie within BPA's right-of-way.

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 jecottrell@bpa.gov.

Sincerely,

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

Joseph E. Cottrell II
BPA Field Realty Specialist