8/15/2022 **PLANNING COMMISSION AGENDA** 6:30 p.m.

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

210 W. 6TH AVE, KENNEWICK WA 99336

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 June 20, 2022
    b. Approval of Agenda
    c. Motion to enter Staff Report(s) into Record

3. **PUBLIC HEARING**:

    a. Comprehensive Plan Amendment (CPA) #2022-0001 from Commercial (C) to High Density Residential (HDR), located at 11358 W. Clearwater Avenue.

    b. Comprehensive Plan Amendment (CPA) #2022-0003 for City initiated Comprehensive Plan text amendments to update tables and statistics.

    c. Comprehensive Plan Amendment (CPA) #2022-0004 from Commercial (C) to High Density Residential (HDR), located at 8428 Bob Olson Parkway.

    d. Comprehensive Plan Amendment (CPA) #2022-0006 from Commercial (C) to High Density Residential (HDR), located at 8224 Bob Olson Parkway.

    e. Comprehensive Plan Amendment (CPA) #2022-0008 to designate 279.53 acres as Industrial (I), located generally between Christensen Road and I-82.

    f. Comprehensive Plan Amendment (CPA) #2022-0009 from High Density Residential (HDR) to Industrial (I), located at 9496 W. Clearwater Avenue.

    g. Comprehensive Plan Amendment (CPA) #2022-0010 from Open Space (OS) to Low Density Residential (LDR), located at 2600 S. Washington Street.

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
JUNE 20, 2022
MEETING MINUTES

CALL TO ORDER

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

Vice Chairman Stolle led the Pledge of Allegiance.

Vice Chairman Stolle made the following statement:

"Tonight's meeting will be conducted through a hybrid platform which allows commissioners and the public to participate in the meeting both in person and through an online meeting platform. Should an individual Planning Commissioner become unexpectedly disconnected from the virtual platform, 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 when not speaking".

Community Planning Administrative Assistant Melinda Didier called the roll and found the following present:

Present: Vice Chairman Clark Stolle, Commissioners James Hempstead, Tina Gregory (*all in person*) Commissioners Nikki Griffth, Ken Short (*remotely*).

Excused: Chairman Victor Morris, Commissioner Thomas Helgeson

Unexcused: None

Staff: Anthony Muai, AICP Planning Director; Matt Halitsky, AICP Senior Planner, Melinda Didier, CPT Community Planning Administrative Assistant/Recorder.

Vice Chairman Stolle 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**."**

Vice Chairman Stolle called for a motion to approve the Consent Agenda.

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

CONSENT AGENDA

a. Approval of Agenda
b. Approval of May 16, 2022 Minutes
c. Motion to enter Staff Report(s) into the Record

PUBLIC HEARING(S):

Vice Chairman Stolle made the following statement:

Good evening and welcome to the June 20, 2022 Kennewick Planning Commission meeting:

It's important that everyone who wishes to do so has an opportunity to speak. Each person who has either signed-in (in person) or registered (via Zoom) will have one three-minute opportunity to address the Planning Commission.
If you are attending Via Zoom, please confirm your microphone has been unmuted before you begin your comments.
Please state your name and address for the record; once you begin your remarks the countdown timer will start. At the end of your time, please mute your microphone.
The order of the hearing shall be as follows:

1. Planning staff shall provide a staff report; the Commission may ask questions of staff;
2. The applicant or applicant's representative(s) presentation;
3. Other testimony in FAVOR of the request;
4. Testimony either NEUTRAL or AGAINST the request;
5. Final staff comments.
6. Close the public hearing and discuss proposed code amendment or change of zone request.

PUBLIC HEARINGS

Vice Chairman Stolle opened the virtual public hearing at 6:36 p.m. for Change of Zone (COZ) #2022-0010 proposing to change the zoning district for approximately 1.82 acres located at 6200 & 6220 W. Clearwater Avenue from Commercial, Community density (CC) to Commercial, General (CG). Applicant is Paul Knutzen, Knutzen Engineering, 5401 Ridgeline Dr., #160, Kennewick, WA 99338 and owner is Robert Lalonde, 360 Auto, 6200 W. Clearwater Avenue, Kennewick, WA 99336.

Vice Chairman Stolle stated for the record to show that there were no Commissioners with declarations regarding any agenda items; no audience members either present or online had objections to any Commissioner hearing any agenda items.

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:

Paul Knutzen, Applicant's Representative
Knutzen Engineering
5401 Ridgeline Dr. #160
Kennewick 99338

This is an auto repair business in a "CC" zone, not a compatible use for this zone designation; an initial zone change attempt was tabled, the initial change was for the back lot; "CG zoning across the street; application meets merit for change to "CG".

Testimony in Favor of the Request:

Robert Lalonde, Applicant & Owner
6200 W. Clearwater Avenue
Kennewick 99336

Business open for 7 years and bursting at the seams; need room to grow and zone change would allow for this; thanked Planning Commission for the opportunity.

Testimony Neutral/Against the Request:

None

Testimony of Those Registered on Virtual Format:

None

Staff Comments:

None

Public Testimony for COZ 2022-0010 closed at 6:42 p.m.

Vice Chairman Stolle asked for a motion.

Commissioner Hempstead moved to concur with the findings and conclusions in staff report COZ 2022-0010 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Griffith seconded the motion.

Planning Commission Discussion: None

The motion passed on a unanimous roll call vote.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

a. City Council Action Updates: 2022 Comprehensive Plan Amendment docket finalized by City Council; the Planning Commission will see them in August.

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Mr. Muai discussed timing and scheduling issues for public hearings when a quorum of commissioners (4 commissioners present represents a quorum). Mr. Muai said the Planning staff needs to know earlier in the process in determining if we will have the necessary number of Planning Commissioners present to meet the quorum minimum.

Commissioner Hempstead will be unavailable for the August 15, 2022 Planning Commission meeting.

ADJOURNMENT:

The meeting adjourned at 6:48 p.m.

MEMORANDUM

Community Planning

To: City of Kennewick Planning Commission

From: Steve Donovan, Planning Manager

Date: August 10, 2022

Re: CPA-2022-0001

Staff is requesting a continuance of the August 15, 2022 Public Hearing for CPA-2022-0001 to October 17, 2022. The proposed amendment is to change the land use designation of 25.41 acres from Commercial to High Density Residential. The proposal is located at 11358 W Clearwater Ave.

City Staff has initiated a Commercial Lands and Market Analysis that will help determine the City's future needs for commercially zoned lands. At this time staff is not prepared to make a recommendation on the proposed amendment. The land analysis will be completed in mid to late September.

MEMORANDUM

Community Planning

To: City of Kennewick Planning Commission

From: Steve Donovan, Planning Manager

Date: August 10, 2022

Re: CPA-2022-0003

Staff is requesting a continuance of the August 15, 2022 Public Hearing for CPA-2022-0003 to October 17, 2022. The proposed amendments is a City initiated comprehensive plan text amendment to update tables and statistics to reflect current fact and figures for 2022.

City Staff has initiated a Commercial Lands and Market Analysis that will help determine the City's future needs for commercially zoned lands and housing needs. At this time staff is not prepared to make a recommendation on the proposed amendment. The land analysis will be completed in mid to late September.

MEMORANDUM

Community Planning

To: City of Kennewick Planning Commission

From: Steve Donovan, Planning Manager

Date: August 10, 2022

Re: CPA-2022-0004

Staff is requesting a continuance of the August 15, 2022 Public Hearing for CPA-2022-0004 to October 17, 2022. The proposed amendments is to change the land use designation of 11.29 acres from Commercial to High Density Residential. The proposal is located at 8428 Bob Olson Parkway.

City Staff has initiated a Commercial Lands and Market Analysis that will help determine the City's future needs for commercially zoned lands. At this time staff is not prepared to make a recommendation on the proposed amendment. The land analysis will be completed in mid to late September.

MEMORANDUM

Community Planning

To: City of Kennewick Planning Commission

From: Steve Donovan, Planning Manager

Date: August 10, 2022

Re: CPA-2022-0006

Staff is requesting a continuance of the August 15, 2022 Public Hearing for CPA-2022-0004 to October 17, 2022. The proposed amendments is to change the land use designation of 13.76 acres from Commercial to High Density Residential. The proposal is located at 8224 Bob Olson Parkway.

City Staff has initiated a Commercial Lands and Market Analysis that will help determine the City's future needs for commercially zoned lands. At this time staff is not prepared to make a recommendation on the proposed amendment. The land analysis will be completed in mid to late September.

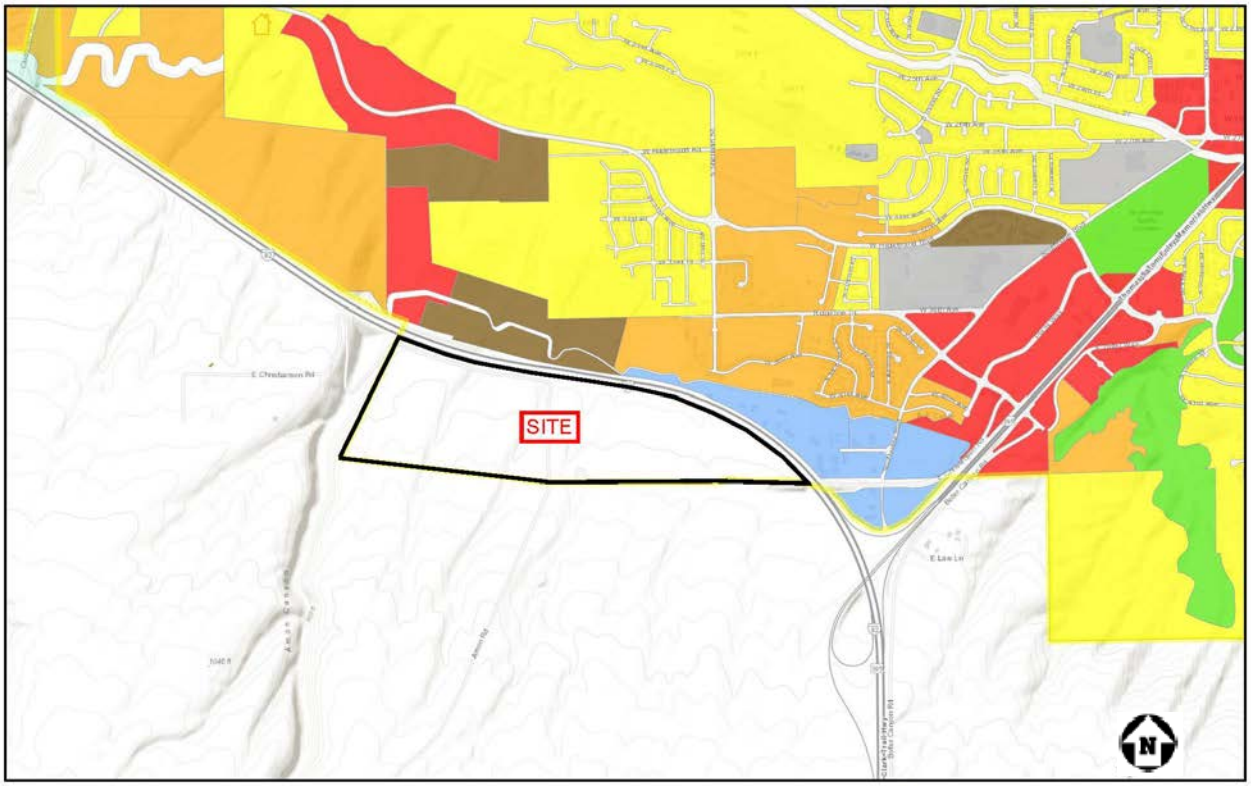
Community Planning Department
210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

Comprehensive Plan Amendment 2022-0008

REQUEST: Designate a 222.87-acre parcel as Industrial (I)

APPLICANT: City of Kennewick

OWNER: ELDA WA CA LLC



Not to scale

Site Information

- ***Size:*** 222.87 acres
- ***Location:*** Address TBD,
  Parcel # 1-1889-200-0001-005
- ***Topography:*** Rolling
- ***Existing Comprehensive Plan Designation:*** N/A
- ***Existing Zoning:*** N/A
- ***Existing Land Use:*** Vacant

Exhibits

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination
- **Exhibit A-5:** DAHP Comment Letter

APPLICATION PROCESS

- Application Submitted 26 April 2022
- Application routed for comments 13 June 2022
- Determination of Non-Significance was issued on 26 July 2022
- Appeal Period for the DNS ended 9 August 2022
- A property posting sign notifying the public of a public hearing on this request was posted on the site on 28 July 2022
- Notice of Hearing published 31 July 2022
- Notice of Hearing mailed 28 July 2022

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Industrial, High Density Residential; with Low and Medium Density Residential beyond Zoning – Industrial, Light (IL); Residential, High Density (RH) Existing Land Uses – Vacant, Industrial Park; with residential neighborhoods further north
South	Comprehensive Plan –County Zoning –County Existing Land Uses –Vacant, farmland
East	Comprehensive Plan – Industrial Zoning – Industrial, Light (IL) Existing Land Uses – Industrial Park
West	Comprehensive Plan – County Zoning – County Existing Land Uses – Vacant, dispersed residential

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The City of Kennewick requests to designate a recently annexed 222.87-acre parcel as Industrial.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

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

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
   The proposed amendment will provide additional Industrial land at the periphery of the city away from dense residential development. Future development of the property must meet state and local codes relative to public health, safety, and welfare, as well as protection of the environment.
2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
   This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.

3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.

4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
Table 2: Land Use Inventory of the Comprehensive Plan indicates a deficit in lands designated as Industrial within the City. The proposed designation will help to alleviate that deficit by increasing the amount of Industrial land by 28 percent.

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

1. The effect upon the physical environment;
The proposal will allow for a vacant parcel to be developed with uses appropriate for an industrial zone. The subject property is located on recently annexed land at the periphery of the city, south of I-82. Grubbing of the site along with grading is expected prior to development. Street improvements along Christensen Road are also anticipated. Future construction will be required to meet city adopted code and regulations, including standards for site design and engineering.

2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
Mapped areas of slopes exceeding 15% and erosion hazards are present on the subject property. These more extreme landscape features will likely be avoided, with future development placed in more amenable locations on site.

   In addition, information provided by the Washington Department of Fish and Wildlife (WDFW) suggest the possible existence of a shrub-steppe environment, as well as the possible presence of the Townsend's Ground Squirrel, a candidate for threatened and endangered status, on the subject property. Requests for comment by WDFW relative to this Comprehensive Plan Amendment were unanswered. The Department will continue to be notified of future project actions relative to the subject property and comments welcomed to help inform future land use decisions.

3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
Interstate 82 creates a clear barrier between the subject property and adjacent land uses to the north. Land to the south and west is largely vacant and located outside of the city limits. Though once placed in agricultural use, this area has been fallow for some time, with native grasses having reclaimed the area. Development of the subject property into industrial use will be a departure from the existing landscape. However, located at the far southern periphery of the city beyond I-82 also buffers existing neighborhoods to the north from any future development on the subject property. Immediately to the north and east, across the interstate, is an existing industrial park that also serves to buffer established neighborhoods from future development to the south. Any future development of the site will be required to meet city standards, including landscaping and lighting requirements, to minimize impacts to adjacent properties.

4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future use of the property will determine the adequacy and impact on community facilities. Currently, most of Christensen Road is unimproved adjacent to the subject property. Street improvements are likely as development of the site proceeds. While Benton PUD currently serves the site with power, neither municipal water nor sewer are present. The City of Kennewick has plans underway to extend municipal utility services along Christensen Road to the subject property.

As future development occurs, the Public Works and Fire Departments, as well as outside agencies such as the Washington Department of Transportation, will have an opportunity to comment on development proposals relative to infrastructure improvements in the area.

5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
   Comprehensive Plan Table 2: Land Inventory indicates the City has a deficit of 774.5 acres for lands designated Industrial. This deficit has likely not been abated since adoption of the Comprehensive Plan in 2017. As the area to the south and west is largely vacant, and land to the north and east is designated as Industrial, the proposal appears consistent with the current development patterns of the area. The addition of 222.87 acres of land designated as Industrial will help alleviate the city-wide deficit mentioned above.

6. The current and projected project density in the area; and
   The subject property is currently undesignated and has no assigned zone. The proposed Industrial designation will not allow for residential development. The property may be subdivided via Binding Site Plan in the future. A new, large-lot industrial zone is currently being discussed that may apply to the property. That zone does not currently exist in City Code.

7. The effect, if any upon other aspects of the Comprehensive Plan.
   The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Staff has received no public comment either for or against the proposed amendment to date.

AGENCY COMMENTS

The Washington Department of Archaeology and Historic Preservation (DAHP) submitted comments on 22 June 2022 indicating the subject property is located in an area with a moderate probability of encountering cultural resources and recommended further investigation. On 26 July 2022, the SEPA Determination of Non-significance was issued with a condition of approval that prior to any ground disturbing activities, a cultural resources survey be conducted with the results shared with relevant agencies.

ANALYSIS OF REQUEST

The current request to designate the subject property as Industrial (I) is a significant step in addressing the deficit of Industrial-designated lands city-wide. Locating higher-intensity development south of Interstate 82 away from established residential areas is appropriate to minimize audible, visual, and traffic impacts to existing neighborhoods. The proposal appears consistent with existing development patterns to the north and east, which include an industrial park, and should have little impact to the largely vacant areas to the south and west.

Although there is potential to subdivide the single parcel in the future, no plans to do so have yet been submitted. It is likely that Christensen Road will be improved as development of the subject property proceeds. City utilities will also be extended to the site in the near future. Creating additional Industrial land within the City will address an identified need and help diversify future economic opportunities for the community.

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

FINDINGS

1. The applicant is the City of Kennewick, Community Planning Department, 210 W 6th Ave, Kennewick, WA 99336.
2. The owner is ELDA WA CA, LLC, 19616 NE 6th Street, Camas, WA 98607.
3. The request is to designate the subject parcel as Industrial (I).
4. The application was received on 26 April 2022 and was routed for review to various City departments and other local, state and federal agencies for comment on 9 June 2022.
5. The site is not currently served by municipal water or sewer.
6. Access to the site is currently provided from Christensen Road.
7. The proposed amendment is adjacent to Industrial and High Density Residential designated lands.
8. A Determination of Non-Significance was issued on 26 July 2022 for this application. The appeal period for the determination ended on 9 August 2022.
9. A public hearing notification sign was posted on site 28 July 2022.
10. Notice of the public hearing for this application was published in the Tri-City Herald on 31 July 2022. Notices were also mailed to property owners within 300 feet of the site on 28 July 2022.
11. The proposed amendment bears a relationship to the public health, safety, welfare and protection of the environment in that it will provide additional Industrial land at the periphery of the city away from dense residential development. Future development of the property must meet state and local codes relative to public health, safety, and welfare, as well as protection of the environment.
12. This proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request will help address a deficit in Industrial-designated land identified in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will designate the subject parcel as Industrial (I).
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will help diversify economic opportunities within the community.
5. Future development of the site has the potential to affect the traffic system. Traffic Impact Fees will be determined by the type of development and assessed at the time of development.
6. Access to the site will remain via Christensen Road.

Recommendation

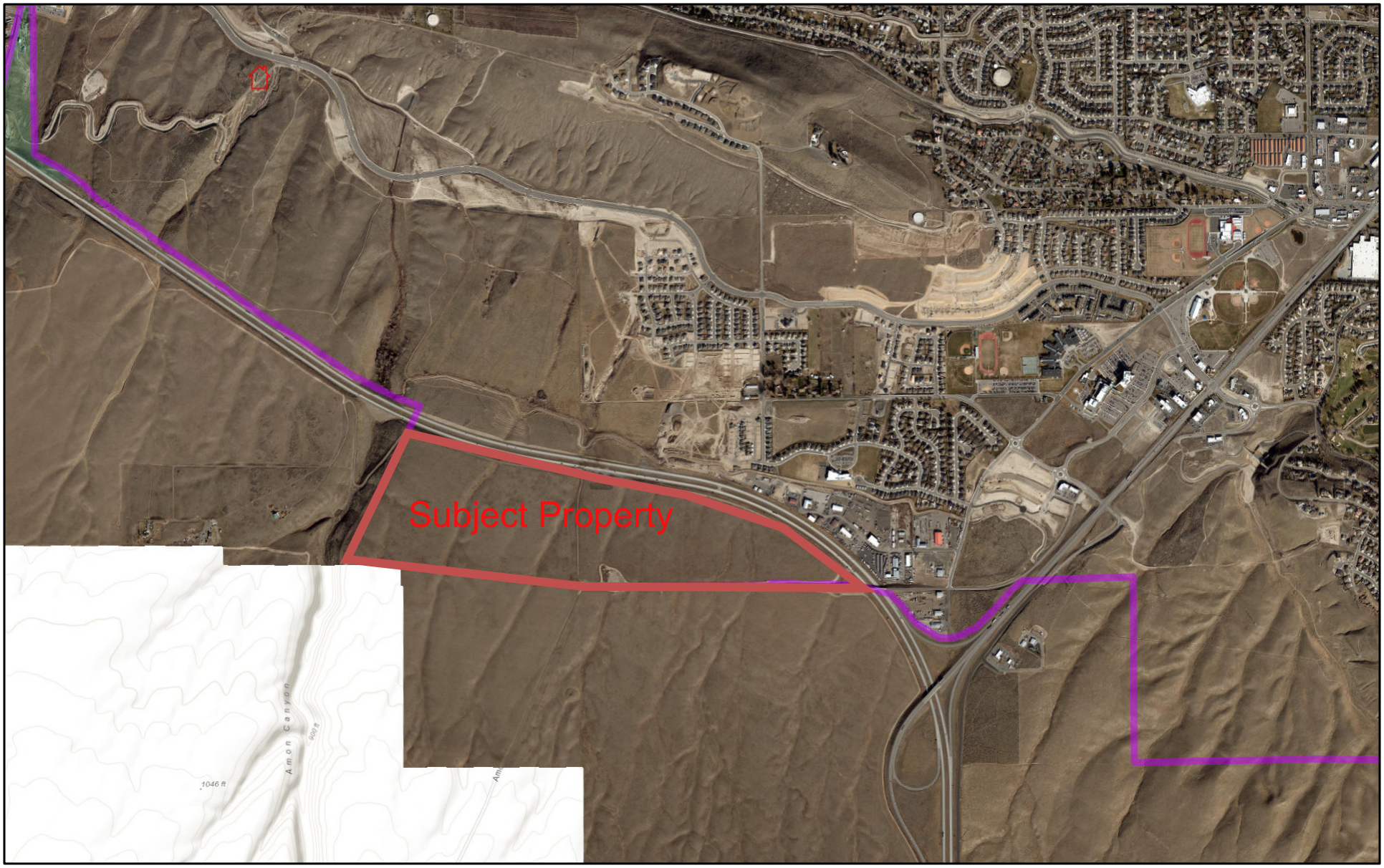
Staff recommends the Planning Commission concur with the findings and conclusions contained within staff report CPA-2022-0008 and recommend approval of the amendment to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions contained within staff report CPA-2022-0008 and recommend approval of the amendment to City Council.

Exhibit A-1

Aerial Map



August 8, 2022

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

StreetName

SurveyCityLimits

SV_CI_KENNEWICK_10

SV_CI_RICHLAND_10

SV_CI_COUNTY_10

SurveyUrbanGrowthBoundary

Historic Bldg on Registry

1 inch = 2,000 feet 1:24,000

0 0.175 0.35 0.7 mi

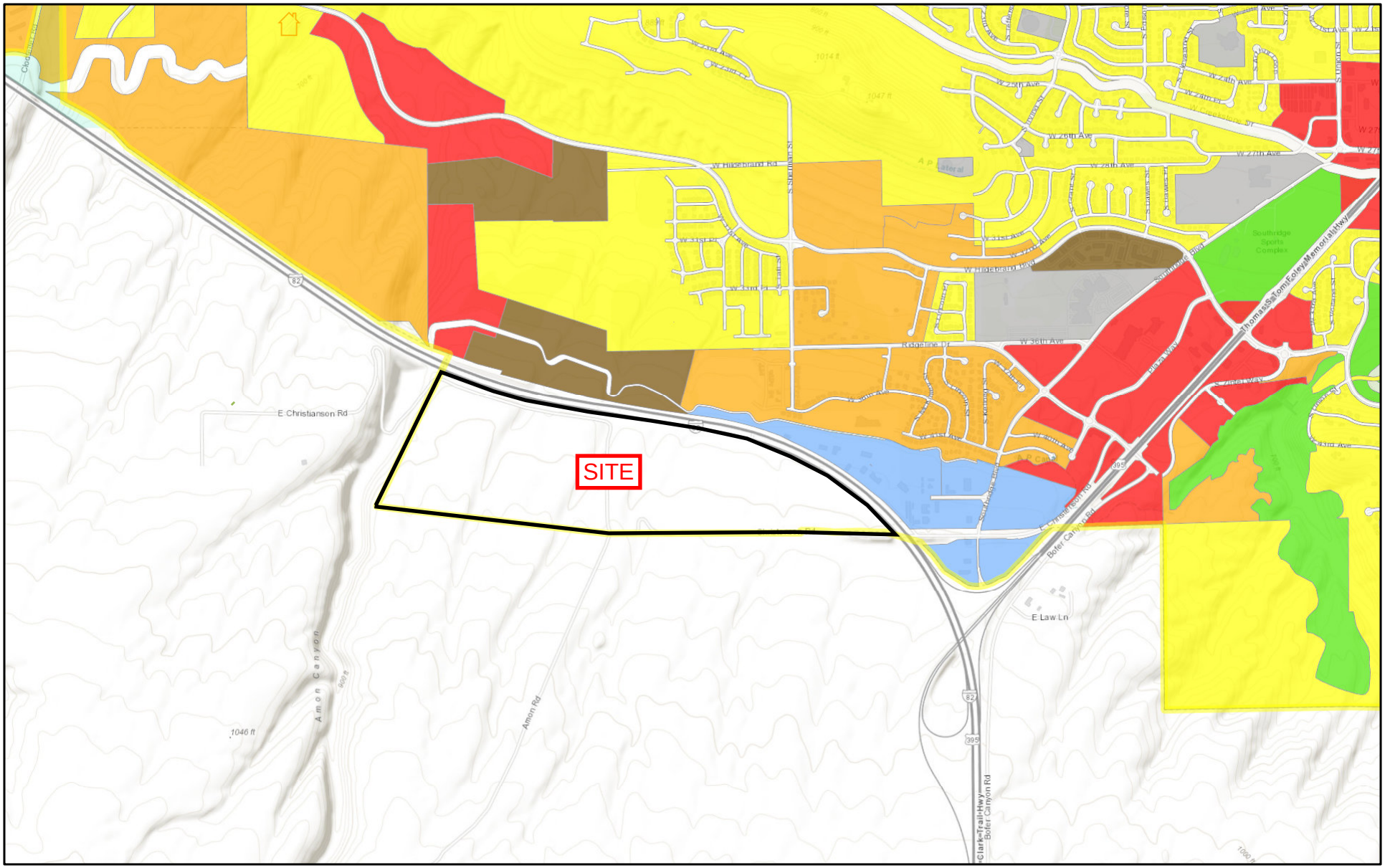
0 0.275 0.55 1.1 km

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

ArcGIS WebApp Builder
City of Kennewick

Exhibit A-2

Land Use Map



April 26, 2022

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

StreetName

SurveyCityLimits

SV_CI_KENNEWICK_10

SV_CI_RICHLAND_10

SV_CI_COUNTY_10

SurveyUrbanGrowthBoundary

1 inch = 2,000 feet

1:24,000

0 0.175 0.35 0.7 mi

0 0.275 0.55 1.1 km

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

ArcGIS WebApp Builder
City of Kennewick

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

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

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

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

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

Short Plat ☐ Conditional Use ☐ Other Comprehensive Plan Amendment

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

Applicant: City of Kennewick

Address: 210 W 6th Ave, Kennewick, WA 99336

Telephone: 509-585-4416 Cell Phone:_____ Fax:_____ E-mail_____

Property Owner (if other than applicant): ELDA WA CA LLC

Address: 19616 NE 6th Street, Camas, WA 98607

Telephone:_____ Cell Phone: _____E-mail_____

SITE INFORMATION

Parcel No. 1-1889-200-0001-005 Acres 279.53 Zoning: N/A

Address of property: TBD

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: _____

Description of Project: Comprehensive Plan Amendment to change the land use designation to Industrial.

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:_____

Comprehensive Plan Amendment Supplemental Information

The following questions will be reviewed by both the Planning Commission and City Council as a means of assisting in their consideration of the Comprehensive Plan Amendment request. Use additional pages if necessary.

1. State the requested amendment:

   Comprehensive Plan Amendment to designate a recently annexed 279.53-acre parcel as Industrial.

2. What are the reasons for the requested amendment:

   The subject property was annexed into the City in 2020 without zoning applied. This application seeks a land use designation of Industrial for the subject property, to be followed by a Change of Zone application.

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

   Electricity provided by Benton PUD currently flanks the southern property line. Municipal water and sewer are available near the property, however the City of Kennewick has budgeted to extend utility services to the site prior to development. The Fire, Police, and Parks Departments, as well as the Kennewick School District, will be provided an opportunity to comment on the Comprehensive Plan Amendment and express any concerns related to the change.

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

   The Comprehensive Plan currently identifies a need for land zoned Industrial within the City of Kennewick. Additionally, the 2016 City of Kennewick Industrial Zoned Land Assessment indicates that specifically Industrial zoned parcels greater than 5-acres are most desirable. Designating the 279-acre subject property as Industrial will help address this need.

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

   In the staff report supporting Ordinance 5863 approving the annexation of the subject property, analysis was provided indicating the intention was to ultimately designate the subject property as Industrial.

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-2022-0018 / CPA-2022-0008

DESCRIPTION OF PROPOSAL: Designate 279.53-acres as Industrial (I)

PROPONENT: City of Kennewick

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: Address TBD; Parcel # 1-1889-200-0001-005

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: Community Planning Director
ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
PHONE: (509) 585-4386

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

This DNS is subject to the condition below:

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

For
Anthony Muai

Date: 26 July 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 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.

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

June 22, 2022

Steve Donovan
Planning Manager
City of Kennewick
210 W Sixth Avenue
Kennewick, WA

In future correspondence please refer to:
Project Tracking Code: 2022-06-04189
Property: City of Kennewick_Christensen Road Comprehensive Plan Amendment (SEPA ED-2022-0018)
Re: Survey Requested

Dear Steve Donovan:

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

Our statewide predictive model indicates that there is a moderate probability of encountering cultural resources within the proposed project area, and archaeological material has been found in areas of similar probability elsewhere in the Kennewick area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource. Therefore, we recommend a professional archaeological survey of the project area be conducted and a report be produced prior to ground disturbing activities. This report should meet DAHP's Standards for Cultural Resource Reporting.

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

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

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

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

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

Sincerely,

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

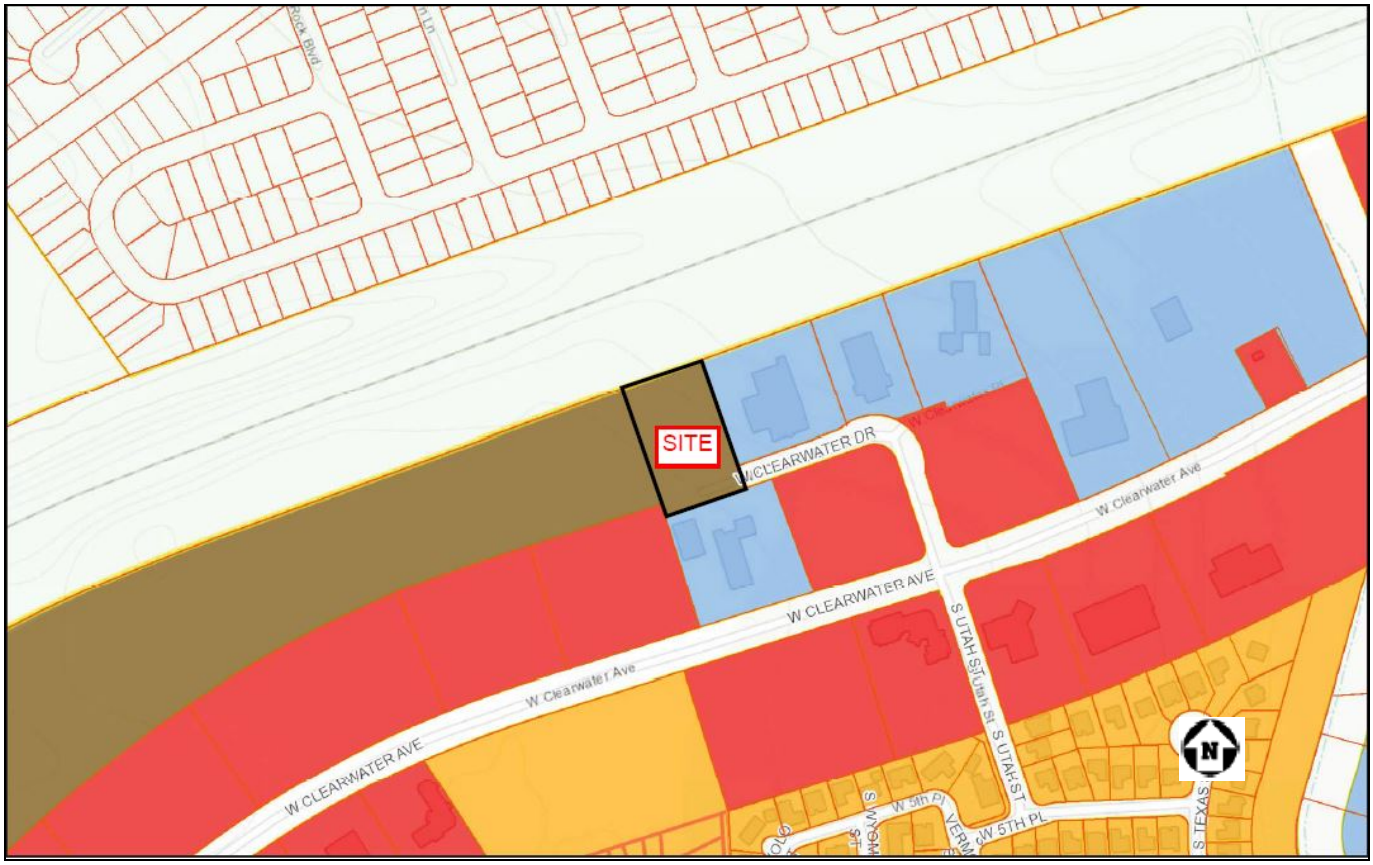
Community Planning Department
210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

Comprehensive Plan Amendment 2022-0009

REQUEST: Change the land use designation of 1.24-acres from High Density Residential (HDR) to Industrial (I)

APPLICANT: Knutzen Engineering

OWNER: Tom and Vicki Solbrack



Not to scale

Site Information

- ***Size:*** 1.24 acres
- ***Location:*** 9496 W Clearwater Ave
- ***Topography:*** Flat
- ***Existing Comprehensive Plan Designation:*** High Density Residential
- ***Existing Zoning:*** Residential, High
- ***Existing Land Use:*** Vacant

Exhibits

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination
- **Exhibit A-5:** KID Comment Letter

APPLICATION PROCESS

- Application Submitted 28 April 2022
- Application routed for comments 13 June 2022
- Determination of Non-Significance was issued on 18 July 2022
- Appeal Period for the DNS ended 1 August 2022
- A property posting sign notifying the public of a public hearing on this request was posted on the site on 28 July 2022
- Notice of Hearing published 31 July 2022
- Notice of Hearing mailed 28 July 2022

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – N/A; Railroad ROW with City of Richland beyond Zoning – N/A Existing Land Uses – Railroad ROW
South	Comprehensive Plan –Industrial Zoning –Industrial, Light Existing Land Uses –Tire Center
East	Comprehensive Plan – Industrial Zoning – Industrial, Light (IL) Existing Land Uses – Insulation and Garage Door Business
West	Comprehensive Plan – High Density Residential Zoning – Residential, High Existing Land Uses – Vacant

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant requests to change 1.24 acres from High Density Residential to Industrial.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

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

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
   The proposed amendment will allow for additional off-street parking to be developed to support the adjacent business to the east. Existing Industrial-designated land is present to the south and east. The proposed parking lot will be required to meet current City code relative to landscaping and lighting.

2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
   This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.

3. The proposed amendment corrects an obvious mapping error; or
This request does not correct a mapping error.

4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
Table 2: Land Use Inventory of the Comprehensive Plan indicates a deficit in lands designated as Industrial within the City. The proposed designation will help alleviate that deficit, and increase the size of an existing Industrial parcel to accommodate business expansion.

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

1. The effect upon the physical environment;
The proposal will allow for a vacant parcel to be developed with uses appropriate for an industrial zone. Specifically, it is the applicant's intent to sell the subject property to the adjacent business to the east for development as additional surface parking to support the existing business. Grubbing of the site along with grading is expected prior to development. Future construction will be required to meet city adopted code and regulations, including standards for site design, landscaping, and storm water runoff.

2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
As the site does not contain any designated open space or critical areas, there will be little effect if any on open space or natural features. There are adequate measures within the Kennewick Municipal Code to mitigate any possible impacts to the natural environment; there are no sensitive natural features on site.

3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
The proposal is consistent with existing land use patterns to the north, east, and south. Land to the west is designated as High Density Residential and currently vacant. The proposed development may have a positive impact on the neighborhood by decreasing congestion and on-street parking, and providing safer off-street parking opportunities for employees and patrons.

   New development will be required to meet City Code relative to landscaping and lighting to minimize impacts to adjacent properties. This includes a solid landscaping buffer between the future parking area and adjacent residential districts to the west.

4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
The future use of the property will determine the adequacy and impact on community facilities. Currently, public amenities such as water and sewer exist along W Clearwater Drive adjacent to the subject property. Neither the Public Works nor the Fire Departments have commented on the proposed application. Both will have an opportunity to comment and require upgrades once a future development application is submitted.

5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
Comprehensive Plan Table 2: Land Inventory indicates the City has a deficit of 774.5 acres for lands designated Industrial. This deficit has likely not been abated since adoption of the Comprehensive Plan in 2017. As the area to the south and east is designated as Industrial, the proposal appears consistent with the current development patterns of the area. The addition of 1.24 acres of land designated as Industrial will have a modest impact on this deficit, but allow an existing business in an Industrial zone to expand and remain in the current location.

6. The current and projected project density in the area; and
   The subject property is designated High Density Residential and currently vacant. The proposed Industrial designation will not allow for residential development. By reducing the amount of High Density Residential property in the area, overall density is reduced slightly when the property to the west develops.
7. The effect, if any upon other aspects of the Comprehensive Plan.
   The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Staff has received no public comment either for or against the proposed amendment to date.

AGENCY COMMENTS

In a letter dated 15 June 2022, the Kennewick Irrigation District (KID) indicated the subject property is not considered irrigable land. KID reminded the applicant that no permanent structures are allowed within irrigation easements, and all existing irrigation facilities must be protected in light of future development.

ANALYSIS OF REQUEST

West Clearwater Drive is currently a congested, dead-end street with dense on-street parking and several large box trucks parked at the end of the cul-de-sac. It is the applicant's intent to sell the subject parcel to the adjacent property owner to the east, who will then develop a larger parking lot to support the existing business. The applicant's proposal will help alleviate this congestion by transferring some off this on-street parking to the site. A Boundary Line Adjustment to create the parcel and accommodate the proposal has already been approved.

Parking to support the existing business is appropriate for the Industrial, Light zone. As indicated above, Industrial-designated land exists to the east and south, with railroad right-of-way to the north. Vacant High Density Residential land is located directly to the west, however a solid landscaping buffer between the parking area and adjacent residential districts is prescribed by Code. Overall, the applicant's proposal should result in a positive effect to the neighborhood.

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

FINDINGS

1. The applicant is Knutzen Engineering, 5401 Ridgeline Dr #160, Kennewick, WA 99338.
2. The owners are Tom and Vicki Solbrack, 2555 W Hwy 24, Othello, WA 99344.
3. The request is to change the land use designation from High Density Residential (HDR) to Industrial (I).
4. The application was received on 28 April 2022 and was routed for review to various City departments and other local, state and federal agencies for comment on 9 June 2022.
5. The site is currently served by municipal water and sewer.
6. Access to the site is currently provided from W Clearwater Drive.
7. The proposed amendment is adjacent to Industrial and High Density Residential designated lands.
8. A Determination of Non-Significance was issued on 18 July 2022 for this application. The appeal period for the determination ended on 1 August 2022.
9. A public hearing notification sign was posted on site 28 July 2022.

10. Notice of the public hearing for this application was published in the Tri-City Herald on 31 July 2022. Notices were also mailed to property owners within 300 feet of the site on 28 July 2022.
11. The proposed amendment bears a relationship to the public health, safety, welfare and protection of the environment in that it will allow for additional off-street parking to be developed to support the adjacent business to the east. Existing Industrial-designated land is present to the south and east. The proposed parking lot will be required to meet current City code relative to landscaping and lighting.
12. This proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request will help address a deficit in Industrial-designated land identified in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation of the subject parcel from High Density Residential (HDR) to Industrial (I).
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will help support businesses located within Industrial-designated areas.
5. Future development of the site has the potential to affect the traffic system. Traffic Impact Fees will be determined by the type of development and assessed at the time of development.
6. Access to the site will remain via W Clearwater Drive.

Recommendation

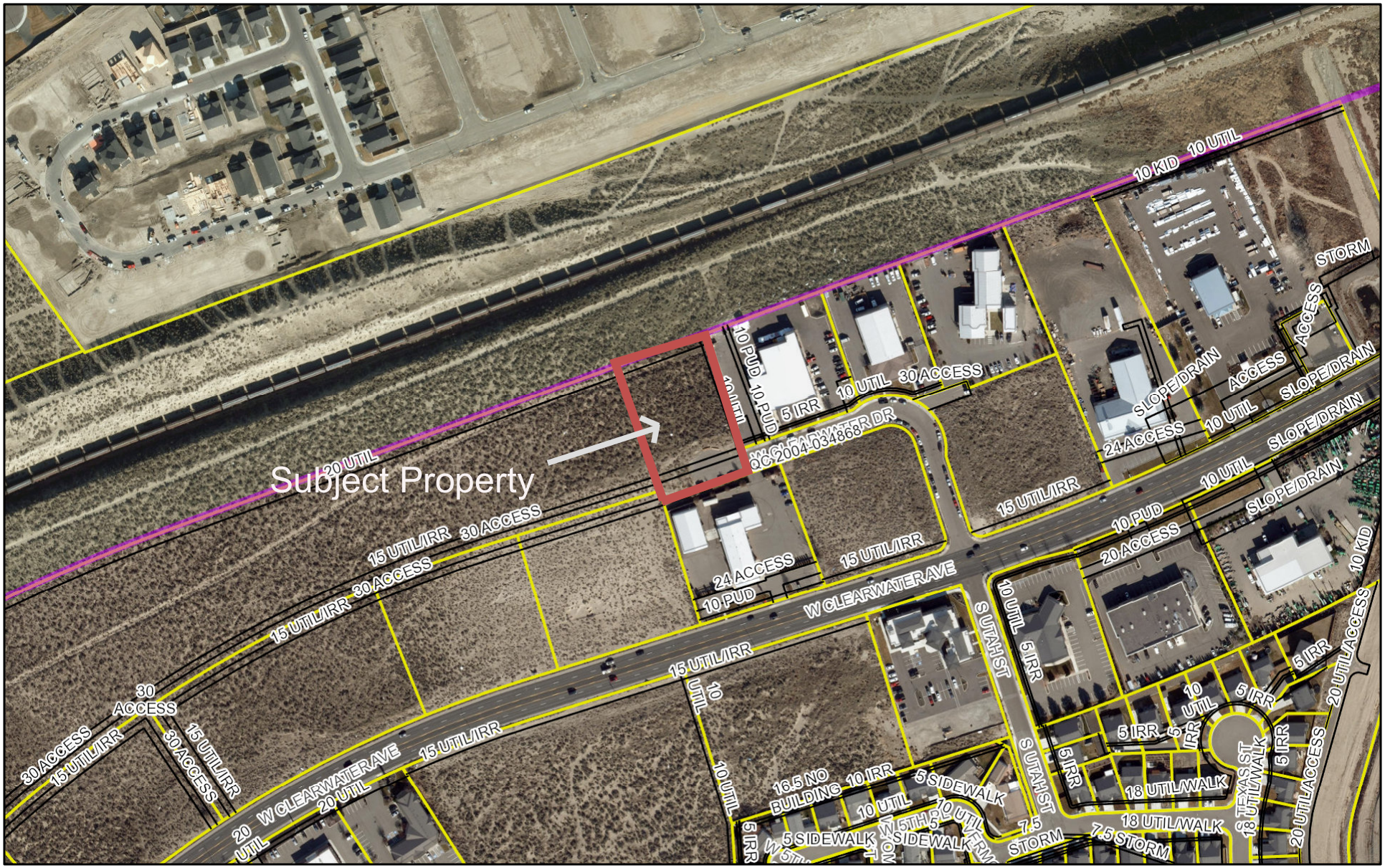
Staff recommends the Planning Commission concur with the findings and conclusions contained within staff report CPA-2022-0009 and recommend approval of the amendment to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions contained within staff report CPA-2022-0009 and recommend approval of the amendment to City Council.

Aerial Map

Exhibit A-1



August 8, 2022

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

StreetName

SurveyAddressPoint

<all other values>

Apartment

Building

Condo

Mobile Home

Parcel

SurveyEasementPoint

SurveyEasement

1 inch = 280 feet

1:3,360

0 0.025 0.05 0.1 mi

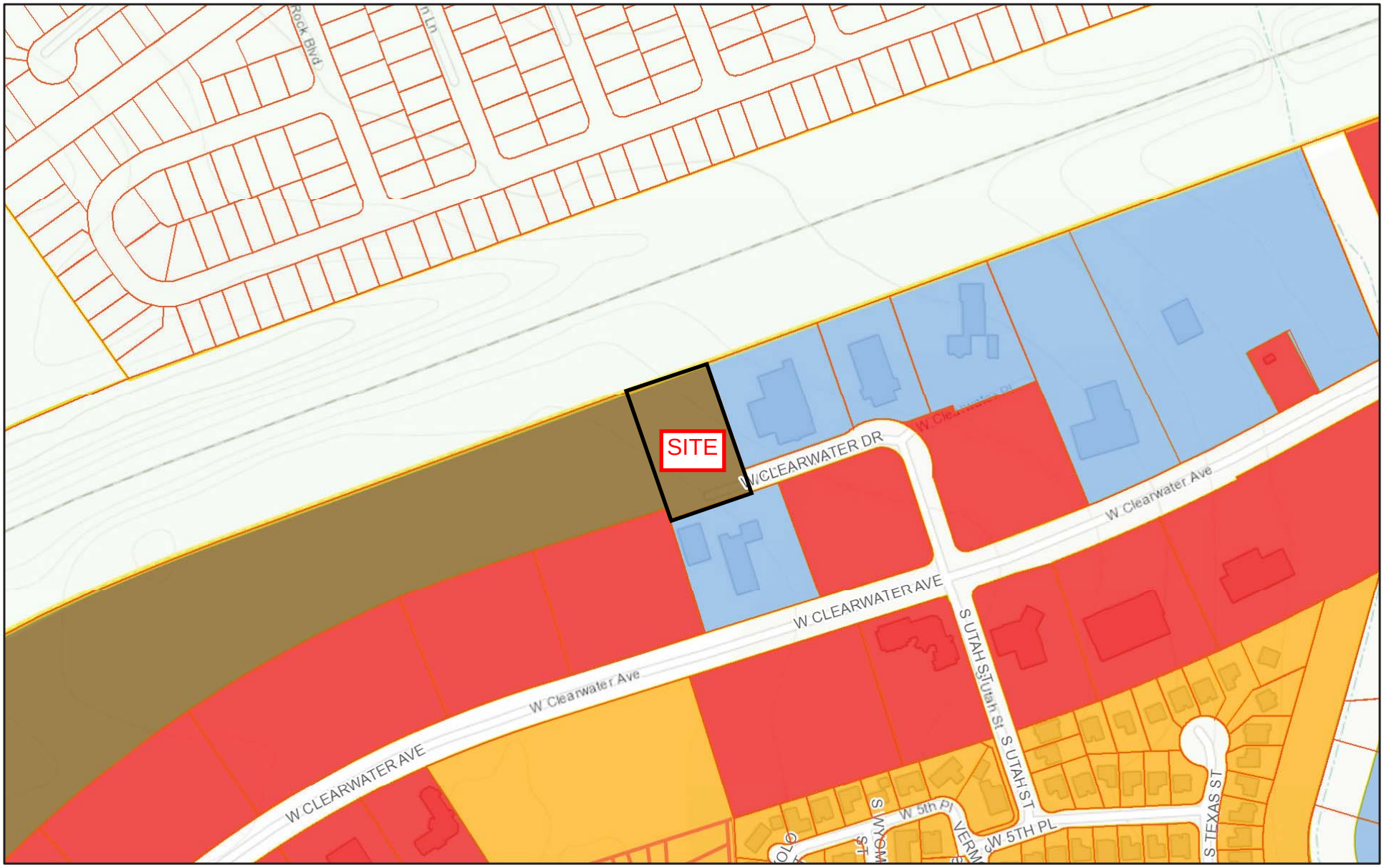
0 0.04 0.08 0.16 km

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

ArcGIS WebApp Builder
City of Kennewick

Utilities Map

Exhibit A-2



May 6, 2022

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

CountyParcelLayer

StreetName

SurveyAddressPoint

<all other values>

Apartment

Building

Condo

Mobile Home

Parcel

1 inch = 300 feet 1:3,600

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

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

ArcGIS WebApp Builder
City of Kennewick

Comprehensive Plan Amendment Supplemental Information

The following questions will be reviewed by both the Planning Commission and City Council as a means of assisting in their consideration of the Comprehensive Plan Amendment request. Use additional pages if necessary.

1. State the requested amendment:

   Change the land use designation of parcel 101884BP5063009, which is being modified to be 1.24-acres by a BLA concurrently with the CPA, to Industrial (I) from High Density Residential (HDR). Eventually the plan is to rezone the property to Lite Industrial (IL).

2. What are the reasons for the requested amendment:

   The owner intends to sell the property to the adjacent land owner, who intends to use the property for off-street parking in conjunction with his existing Lite Industrial property, parcel 101884BP3354001. The land use designation is necessary to combine the properties at a future time, per COK parcel consolidation requirements.

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

   The land use elements and housing elements of the Comprehensive Plan would be affected. The acreage of the parcel would be moved from HDR to Industrial. The change is expected to reduce the demand on public utilities & schools, as a private parking lot will not use public services or generate residents. No impact on public services is expected. If developed with buildings, lite industrial usages typically use more utility resources than HDR.

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

   See attached page for a full response to supplemental question 4.

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

   Per Table 2 of the COK's comprehensive plan, the City is in a deficit of 774.5-acres of Industrial land and only in a deficit of 159.2 acres of HDR land. The owner of the property already has intentions to develop over 40-acres of land along clearwater into HDR-properties. Proven by the deficit, the amount of area suitable for industrial zonings in the COK is limited. This is an opportunity to expand an existing Lite Industrial group of properties, ensuring adjacent usages are in compliance and reducing necessary buffers to separate differences of zoning intensities. The existing group is identified as a primary industrial land group per pg. 55 of the COK's comprehensive plan.

4. See below for how the requested amendment will implement specific Comprehensive Plan policies.

Urban Area Goals + Policies

Goal 2: Encourage growth within the Urban Growth Area.

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

Implementation: The proposed change will locate Industrial land next to existing developed Industrial properties. The intended buyer of the land intends to use the property in conjunction with his property adjacent the land, which is zoned Lite Industrial, exhibiting compact development. Public utilities and services are available at the site and deemed capable of handling impacts from a commercial development.

Industrial Goals + Policies

Goal 1: Encourage the development of a diverse industrial base with family wage jobs.

Policy 2: Encourage industrial locations near appropriate transportation, utilities, and other public facilities.

Implementation: There are existing public utilities adjacent to the property, within City ROW, deemed capable of handling a Lite Industrial development on the property.

Goal 3: Maintain an adequate amount of industrial land within City Limits and the Urban Growth Boundary.

Policy 1: Designate at least 15% of Kennewick's entire land base (City Limits and UGA) as Industrial land by 2029.

Implementation: The land use change will work towards the City's Industrial Lands goal. Per Table 2 of the COK's comprehensive plan, the City is in a deficit of 774.5-acres of Industrial Land.

Policy 3: Target industrial lands that meet all industrial market sectors, including both flexible spaces for light industrial and larger spaces for heavy industry.

Implementation: The subject property is in an opportune location for the expansion of a Lite Industrial sector. The existing lite industrial properties in the area make up a primary industrial land group per pg. 55 of the COK's comprehensive plan. The proposed property is bordered on the south and east by existing developed Lite Industrial properties and to the north by the Washington Central Railway.

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-2022-0020 / CPA-2022-0009

DESCRIPTION OF PROPOSAL: Change the land use designation of 1.24 acres from High Density Residential (HDR) to Industrial (I)

PROPONENT: Knutzen Engineering

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 9496 W Clearwater Ave

LEAD AGENCY: City of Kennewick

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

☒ There is no comment period for this DNS.

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

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

RESPONSIBLE OFFICIAL: Anthony Muai, AICP
POSITION/TITLE: Community Planning Director
ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
PHONE: (509) 585-4386

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

This DNS is subject to the attached conditions:
☒ No conditions.
☐ See attached condition(s).

Date: 18 July 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 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.

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

June 15, 2022

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

Subject: Review Comments for CPA-2022-0009/SEPA ED-2022-0020

Dear Mr. Halitsky:

The Kennewick Irrigation District has received your Comprehensive Plan Amendment and SEPA documents submitted by Robert McLeod/Knutzen Engineering, 5401 Ridgeline Dr, Suite 160, Kennewick, WA 99338 to change the land use designation of 1.24 acres located at 9496 W Clearwater Ave from High Density Residential (HDR) to Industrial (I).

1. This parcel is within the Kennewick Irrigation District (KID) boundaries, but is not considered irrigable lands; therefore, the Kennewick Irrigation District does not assess them.
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 01-08-28
Applicant via mail – Robert McLeod/Knutzen Engineering, 5401 Ridgeline Dr, Suite 160, Kennewick, WA 99338

Community Planning Department
210 West 6th Avenue
Kennewick, WA 99336
Phone: (509) 585-4280
cedinfo@ci.kennewick.wa.us

Comprehensive Plan Amendment 2022-0010

REQUEST: Change 10.4-acres from Open Space (OS) to Low Density Residential (LDR)

APPLICANT: Retter & Co.

OWNER: Libra Inc.

Not to scale

SITE INFORMATION

- ***Size:*** 10.4 acres
- ***Location:*** 2600 S Washington Street
- ***Topography:*** Flat
- ***Existing Comprehensive Plan Designation:*** Open Space
- ***Existing Zoning:*** Open Space (OS)
- ***Existing Land Use:*** Equestrian Center

EXHIBITS

- **Exhibit A-1:** Aerial Map
- **Exhibit A-2:** Land Use Map
- **Exhibit A-3:** Application
- **Exhibit A-4:** Environmental Determination
- **Exhibit A-5:** Ecology Comment Letter

APPLICATION PROCESS

- Application Submitted 2 May 2022
- Application routed for comments 13 June 2022
- Determination of Non-Significance was issued on 18 July 2022
- Appeal Period for the DNS ended 1 August 2022
- A property posting sign notifying the public of a public hearing on this request was posted on the site on 28 July 2022
- Notice of Hearing published 31 July 2022
- Notice of Hearing mailed 28 July 2022

SURROUNDING COMPREHENSIVE PLAN, ZONING AND LAND USES

North	Comprehensive Plan – Medium Density Residential Zoning – Residential, Medium (RM) Existing Land Uses – Residential Subdivision
South	Comprehensive Plan –Open Space, Low Density Residential Zoning –Open Space (OS), Residential, Low Density (RL) Existing Land Uses – Private Farm
East	Comprehensive Plan – Low Density Residential Zoning – Residential, Low Density (RL); with County beyond Existing Land Uses – Kennewick Valley Grange #731
West	Comprehensive Plan – Low Density Residential Zoning – Residential, Suburban (RS); Residential, Low (RL) Existing Land Uses – Single Family Residential Neighborhoods

REGULATORY CONTROLS

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

DESCRIPTION OF REQUEST

The applicant requests to change 10.4 acres from Open Space to Low Density Residential.

COMPLIANCE WITH TITLE 4 (ADMINISTRATIVE PROCEDURES)

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

1. The proposed amendment bears a substantial relationship to the public health, safety, welfare, and protection of the environment;
   The proposed amendment will not allow the property to be rezoned to a zoning district that will permit uses which may have the potential to negatively impact the public health, safety, welfare and protection of the environment.

2. The proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment;
   This amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.

3. The proposed amendment corrects an obvious mapping error; or
   This request does not correct a mapping error.

4. The proposed amendment addresses an identified deficiency in the Comprehensive Plan.
   Table 2: Land Use Inventory of the Comprehensive Plan identifies a deficit in lands designated as Open Space within the City. That said, 9.1 acres will remain as Open Space under the applicant's proposal.

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

1. The effect upon the physical environment;
   The proposal will allow for a small, 13-lot subdivision for patrons of the adjacent equestrian center. The subject parcel is surrounded by lower density, residential development, and the proposal is consistent with that aesthetic. As mentioned above, 9.1 acres of the current site will be reserved as Open Space. With much of that located to the south, east, and west, the area designated as Open Space will act as a buffer to existing residential neighborhoods. New construction shall be consistent with the adopted Single-Family Residential Design Standards.

2. The effect on open space and natural features including, but not limited to topography, streams, rivers, and lakes;
   The applicant's proposal will remove 10.4-acres of Open Space for use as Low Density Residential. The proposed development is clustered to preserve existing natural features and wetlands on-site. As indicated above, 9.1 acres of the subject property will be maintained as Open Space.

3. The compatibility with and impact on adjacent land uses and surrounding neighborhoods;
   The proposal is consistent with existing land use patterns surrounding the property, which is designated as Low and Medium Density Residential. As indicated above, new development will be required to meet the adopted Single-Family Residential Design Standards, which mandate landscaping and lighting requirements to minimize impacts to adjacent properties.

4. The adequacy of, and impact on community facilities, including utilities, roads, public transportation, parks, recreation, and schools;
   The future use of the property will determine the adequacy and impact on community facilities. Currently, public amenities such as water and sewer exist along S Washington Street adjacent to the subject property. Neither the Public Works nor the Fire Departments have commented on the proposed application. Both will have an opportunity to comment and require upgrades once a future development application is submitted.

5. The quantity and location of land planned for the proposed land use type and density and the demand for such land;
   Comprehensive Plan Table 2: Land Inventory identifies a deficit of roughly 651-acres of land designated as Open Space within the City. Conversely, there is a surplus of 1,476-acres of land designated as Low Density Residential. The transfer of 10.4-acres from Open Space to Low Density Residential will not substantially effect either inventory. As previously mentioned, 9.1-acres of the subject parcel will remain Open Space. In addition, the single-family residential subdivision envisioned will be consistent with existing development surrounding the property.

6. The current and projected project density in the area; and
   The subject property is currently zoned Open Space and developed with an existing equestrian center. The proposed Low Density Residential designation allows single-family residential development with a minimum lot size of 7,500 square feet if rezoned as Residential, Low Density (10,500 square feet is rezoned to Residential, Suburban). Thus, a change in designation of 10.4

acres has the potential for 43-60 single-family lots depending on a future rezone to either RS or RL. The applicant currently envisions 13 lots.

7. The effect, if any upon other aspects of the Comprehensive Plan.
   The proposed change will not affect any other aspects of the Comprehensive Plan.

PUBLIC COMMENT

Staff has received no public comment either for or against the proposed amendment to date.

AGENCY COMMENTS

In a letter dated 22 June 2022, the Washington Department of Ecology indicated the subject property is located in an area that once held an historic orchard. Ground contamination from pesticides containing arsenic may be present. Soil testing is required and remediation may be necessary prior to any ground disturbing activities.

ANALYSIS OF REQUEST

The proposal is to change the land use designation of 10.4-acres from Open Space to Low Density Residential. As indicated in Exhibit A-3, the applicant's intent is to develop a 13-lot subdivision to accommodate patrons of the on-site equestrian center with nearby housing opportunities. The potential subdivision will access both S Washington Street and W 27th Avenue, and be clustered to avoid wetlands present on site and preserve 9.1-acres of currently designated Open Space.

Though the Comprehensive Plan identifies a current deficit in land designated as Open Space, with a surplus of land designated Low Density Residential, a change of 10.4-acres is not significant to either inventory. Moreover, the parcel has only been designated as Open Space since 2008, when a Comprehensive Plan Amendment (CPA 07-03) changed the land use designation from Low Density Residential. The subject parcel is surrounded by low and medium density residential subdivisions, and the future subdivision is consistent with that density. In addition, as currently drawn the potential residential development will be buffered from established residential neighborhoods to the south, east, and west by land designated Open Space. Columbia Canal Number 3 flanks the north property line.

Overall, the applicant's proposal is congruous with existing development patterns in the area. Future development is required to meet city regulations relative to zoning, traffic, landscaping, and lighting, and must be consistent with the Single-Family Residential Design Standards.

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

FINDINGS

1. The applicant is Dave Retter, Retter & Co., 329 N Kellogg St, Kennewick, WA 99336.
2. The owner is Libra Inc. (RJ and DC Hoch), 2921 S Auburn Pl, Kennewick, WA 99337.
3. The request is to change the land use designation from Open Space (OS) to Low Density Residential (LDR).
4. The application was received on 2 May 2022 and was routed for review to various City departments and other local, state and federal agencies for comment on 9 June 2022.
5. The site is currently served by municipal water and sewer.
6. Access to the site is currently provided from S Washington Street.
7. The proposed amendment is adjacent to Open Space and Low Density Residential designated lands.

8. A Determination of Non-Significance was issued on 18 July 2022 for this application. The appeal period for the determination ended on 1 August 2022.
9. A public hearing notification sign was posted on site 28 July 2022.
10. Notice of the public hearing for this application was published in the Tri-City Herald on 31 July 2022. Notices were also mailed to property owners within 300 feet of the site on 28 July 2022.
11. The proposed amendment bears a relationship to the public health, safety, welfare and protection of the environment in that it will not allow the property to be rezoned to a zoning district that will permit uses which may have the potential to negatively impact the public health, safety, welfare and protection of the environment.
12. This proposed amendment is consistent with the requirements of Chapter 36.70A RCW and with the portion of the City's adopted comprehensive plan not affected by the amendment.
13. The proposed amendment does not correct an obvious mapping error.
14. This request will not address an identified deficiency in the Comprehensive Plan.

CONCLUSIONS

1. Pursuant to Chapter 4.08 of the Kennewick Municipal Code, the lead agency has determined that the proposed amendment does not have a probable significant adverse impact on the environment.
2. The proposed amendment will change the land use designation for the subject parcel from Open Space (OS) to Low Density Residential (LDR).
3. The proposed amendment is consistent with the City of Kennewick Comprehensive Plan and will have minimal impact on other aspects of the plan.
4. The proposed amendment will allow for a low density subdivision associated with the existing equestrian facility.
5. Future development of the site has the potential to affect the traffic and park system. Park and Traffic Impact Fees will be determined by the type of development and assessed at the time of development.
6. Access to the site will remain via S Washington Street.

Recommendation

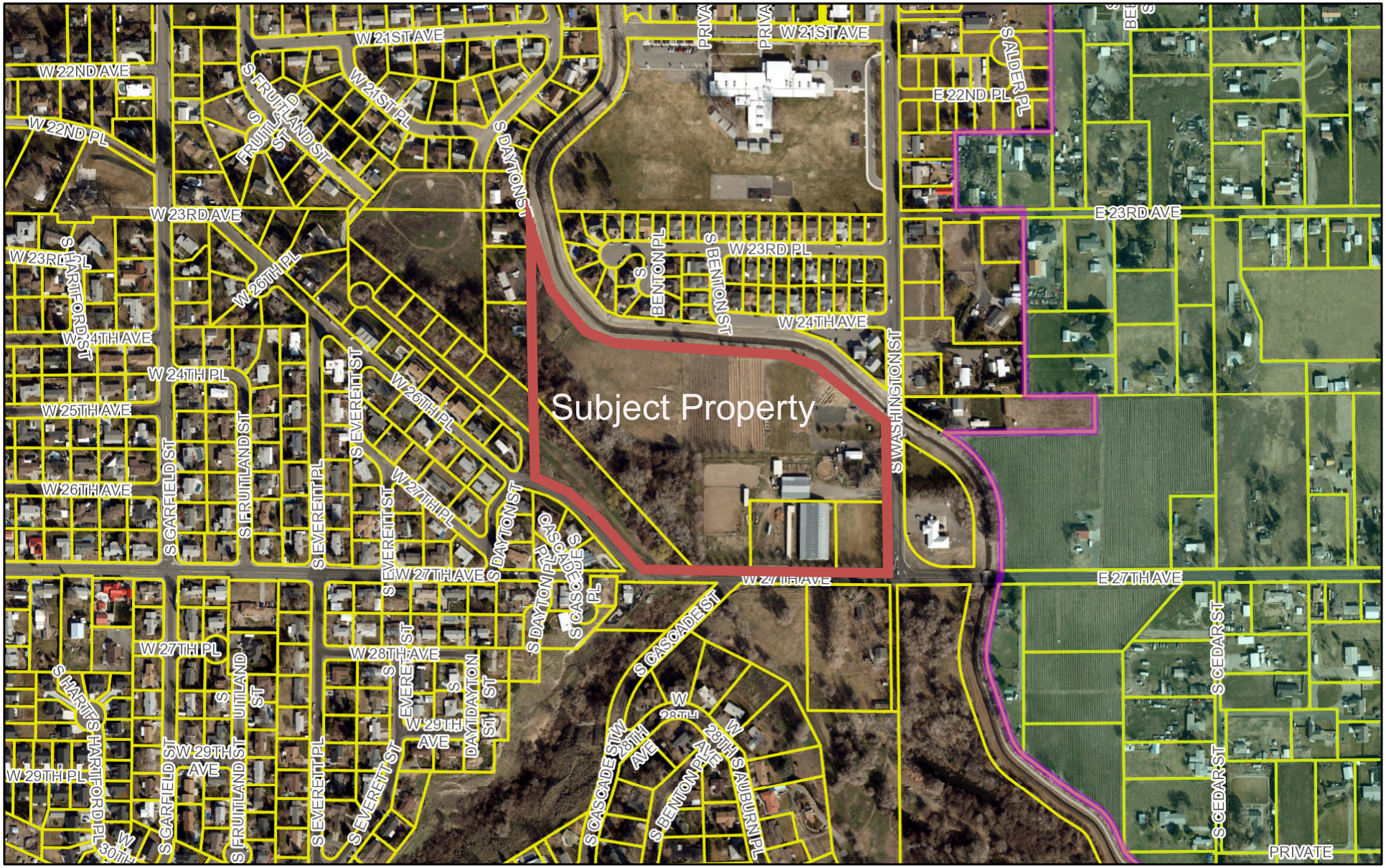
Staff recommends the Planning Commission concur with the findings and conclusions contained within staff report CPA-2022-0010 and recommend approval of the amendment to City Council.

Motion

I move that the Planning Commission concur with the findings and conclusions contained within staff report CPA-2022-0010 and recommend approval of the amendment to City Council.

Aerial Map

Exhibit A-1



August 8, 2022

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

StreetName

SurveyCityLimits

SV_CI_KENNEWICK_10

SV_CI_RICHLAND_10

SV_CI_COUNTY_10

SurveyUrbanGrowthBoundary

SurveyParcel

Historic Bldg on Registry

StructureBridge

1 inch = 500 feet 1:6,000

0 0.045 0.09 0.18 mi

0 0.05 0.1 0.2 km

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

ArcGIS WebApp Builder
City of Kennewick

Exhibit A-2

Utilities Map

May 6, 2022

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

CountyParcelLayer

StreetName

SurveyAddressPoint

<all other values>

Apartment

Building

Condo

Mobile Home

Parcel

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

Exhibit A-3

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

PROJECT #_____-_____ **PLN-**_____-_____ **FEE $**1423.00

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

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

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

Short Plat ☐ Conditional Use ☐ Other Comp Plan Amendment

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

Applicant: Dick Hoch and Matt Smith C/O Dave Retter

Address: 2921 S Auburn Pl. Kennewick, WA 9937

Telephone: 509-539-1311 Cell Phone: 509-539-1311 Fax: _____ E-mail _____

Property Owner (if other than applicant): Libra Inc. Soley owned by RJ and DC Hoch

Address: 2921 S. Auburn Pl. Kennewick, WA 99337

Telephone: 509-539-9829 Cell Phone: _____ E-mail rjhoch@sigmafinancialgroup.com

SITE INFORMATION

Parcel No. 128940000016000 128940000018000 128940000019000 Acres 19.47 Zoning: open space

Address of property: 2600 S. Washington St. Kennewick, Wa

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

Present use of property Equestian Center and Farming

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: City streets Cost of new construction new homes

Benton County Assessor Market Improvement Value: $343,780.00

Description of Project: changing zoning from open space to RL on approximately 10.4 acres and leaving the remaing land 9.1 acres in open space

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

Matt Smith Date

Applicant's Signature

R D Hoch President

Signature of owner or owner's authorized representative of Libra, Inc.

Date: 5/2/2022

SUPPLEMENTAL QUESTIONS

1. *What are the reasons for the requested amendment?*

   Rezone to RL on approximatley 1/2 of the total acreage to allow for the building of residential homes on the site.

2. *Which elements of the comprehensive plan will be affected?*

   Housing
   Land Use

3. *Please explain how the affected elements will be impacted if the proposal is approved. Include detailed information on utilities and their associated plans as well as the effect on emergency services, parks, schools, etc.*

   Land Use and Housing elements... All utilities are adjacent to this property. There will be 13-20 new homes in the proposed plat if Comp Plan is approved. The is property is adjacent to other RL zone land.

4. *Please explain how the proposed amendment will implement the comprehensive plan and be in the best interest of Kennewick referencing appropriate goals and policies contained in the plan.*

   When approved this plan will allow the developer to provide housing adjacent to property which lends itself to the public that has an interest in having horses for their families. No other plan offers this.

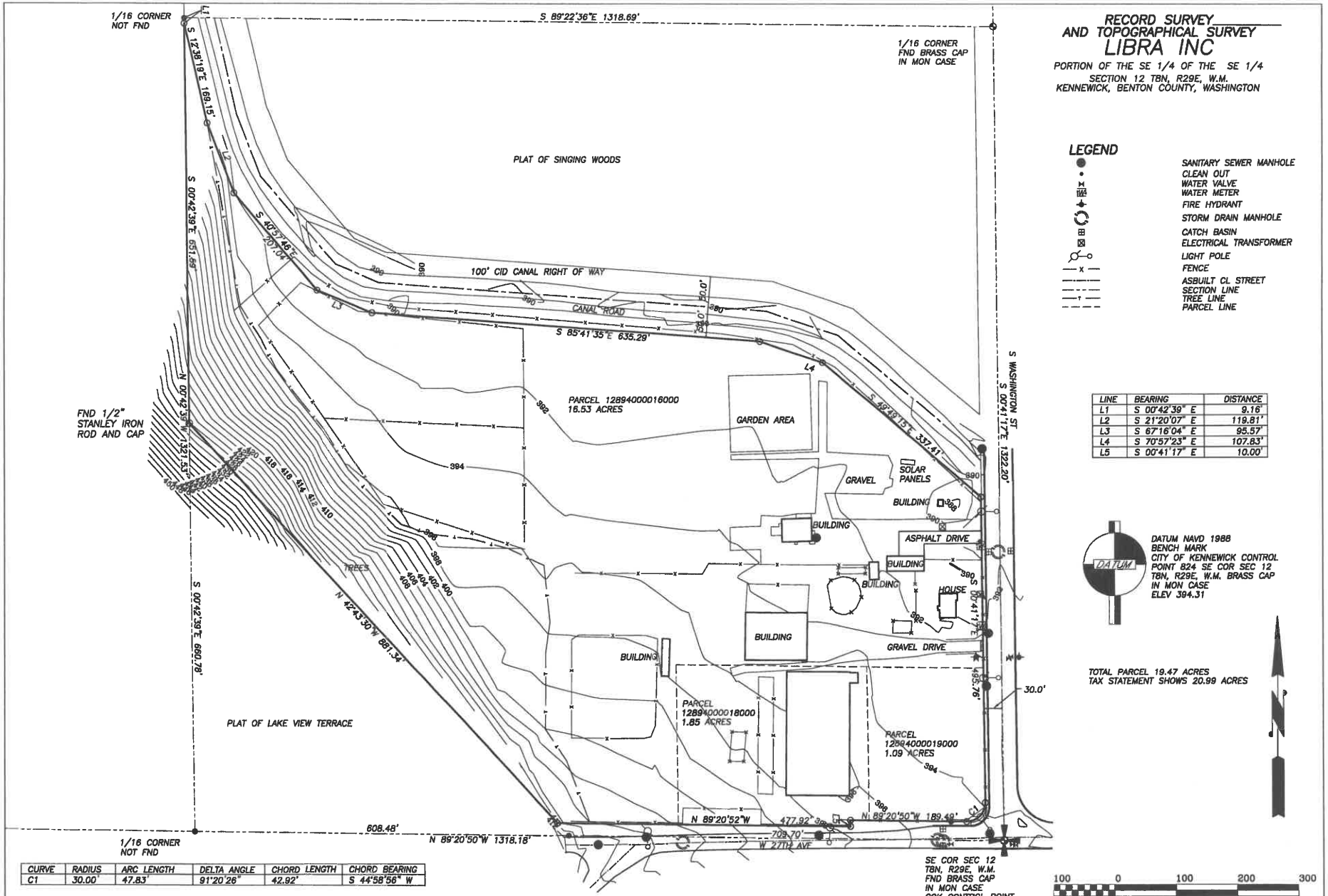
5. *Please explain any other substantiated information in support of the proposed amendment.*

   The asked for Comp Plan amendment is adjacent to RL zoning and will allow for the continued use of horse property which is currently in use and approved by the City of Kennewick many years ago.

Exhibit A-3

RECORD SURVEY AND TOPOGRAPHICAL SURVEY
LIBRA INC

PORTION OF THE SE 1/4 OF THE SE 1/4
SECTION 12 T8N, R29E, W.M.
KENNEWICK, BENTON COUNTY, WASHINGTON



LEGEND

- SANITARY SEWER MANHOLE
- CLEAN OUT
- WATER VALVE
- WATER METER
- FIRE HYDRANT
- STORM DRAIN MANHOLE
- CATCH BASIN
- ELECTRICAL TRANSFORMER
- LIGHT POLE
- FENCE
- ASBUILT CL STREET
- SECTION LINE
- TREE LINE
- PARCEL LINE

LINE	BEARING	DISTANCE
L1	S 00°42'39" E	9.16'
L2	S 21°20'07" E	119.81'
L3	S 67°16'04" E	95.57'
L4	S 70°57'23" E	107.83'
L5	S 00°41'17" E	10.00'

DATUM NAVD 1988
BENCH MARK
CITY OF KENNEWICK CONTROL POINT 824 SE COR SEC 12 T8N, R29E, W.M. BRASS CAP IN MON CASE
ELEV 394.31

TOTAL PARCEL 19.47 ACRES
TAX STATEMENT SHOWS 20.99 ACRES

CURVE	RADIUS	ARC LENGTH	DELTA ANGLE	CHORD LENGTH	CHORD BEARING
C1	30.00'	47.83'	91°20'26"	42.92'	S 44°58'56" W

100 0 100 200 300
GRAPHIC SCALE – FEET

AUDITOR'S CERTIFICATE
FILED FOR RECORD THIS ____ DAY OF ____
20 ___, AT ____ MINUTES PAST ____ ___M., AND RECORDED IN VOLUME ____ OF SURVEYS, PAGE ____, AT THE REQUEST OF WORLEY SURVEYING SERVICE, INC., P.S.

BENTON COUNTY AUDITOR ____ FEE NUMBER ____

RECORD SURVEY NUMBER ____

SURVEYOR'S CERTIFICATE
THIS MAP REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF LIBRA INC INS SEPTEMBER 2021.

RICHARD S. RUSSUM PLS 41966

RICHARD S. RUSSUM STATE OF WASHINGTON 41966 REGISTERED PROFESSIONAL LAND SURVEYOR

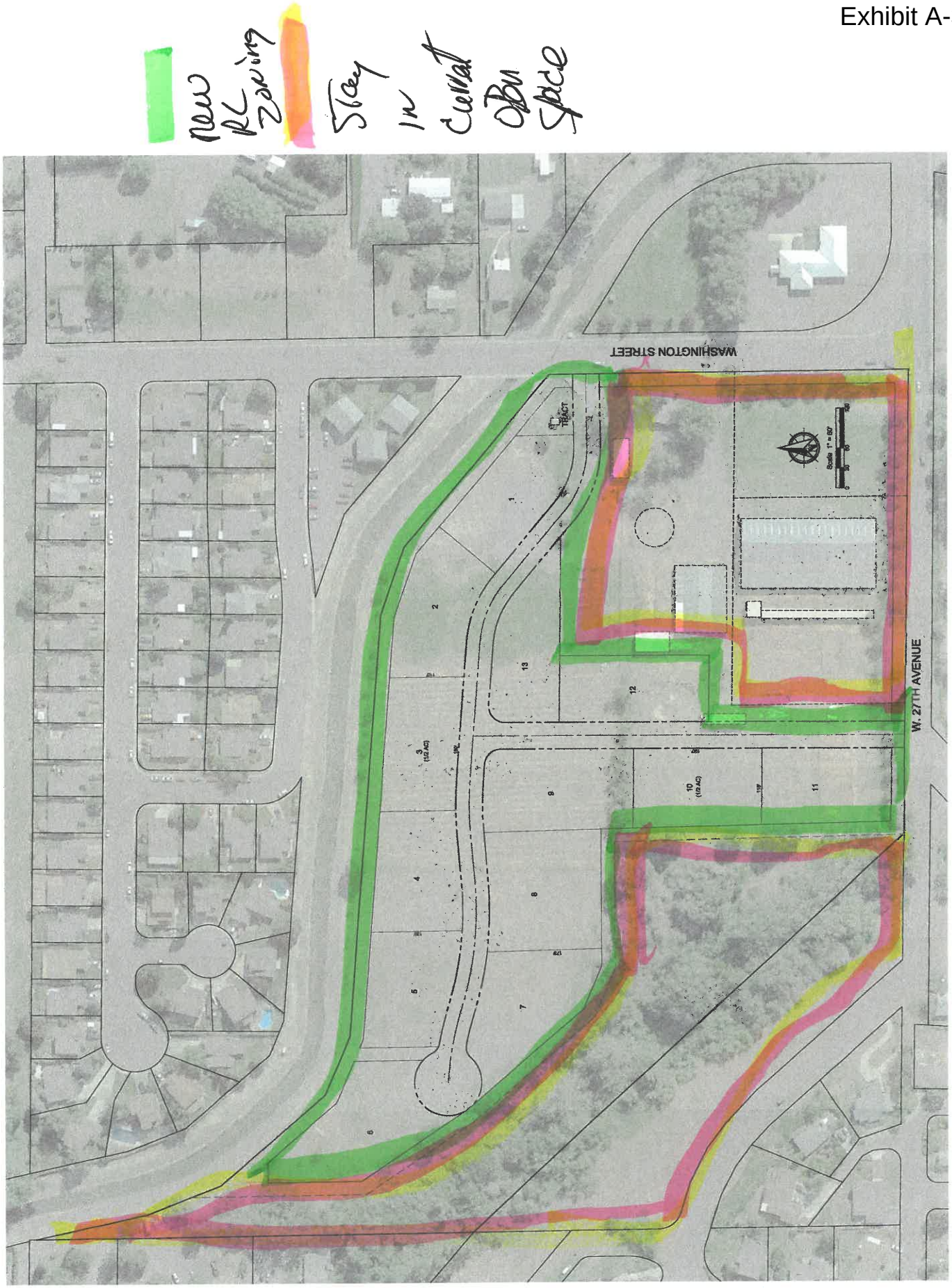
SECTION INDEX
SECTION 12, T8N, R29E, W.M.

WORLEY SURVEYING SERVICE, INC., P.S.
P.O. BOX 6132
KENNEWICK, WASHINGTON 99336
509-582-6716

SHEET 1 OF 2

JOB # 21-093

Exhibit A-3


New RC Zoning
Stay in current OSR Space
WASHINGTON STREET
W. 27TH AVENUE
TRACT
1
2
3 (1/2 AC)
4
5
6
7
8
9
10 (1/2 AC)
11
12
13

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-2022-0021 / CPA-2022-0010

DESCRIPTION OF PROPOSAL: Change the land use designation of 9.1 acres from Open Space (OS) to Low Density Residential (LDR)

PROPONENT: Dave Retter

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 2600 S Washington Street

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: Community Planning Director
ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
PHONE: (509) 585-4386

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

This DNS is subject to the attached conditions:
☒ No conditions.
☐ See attached condition(s).

Date: 18 July 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 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.

STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY
Central Region Office
1250 West Alder St., Union Gap, WA 98903-0009 • 509-575-2490

June 22, 2022

Matt Halitsky
Kennewick Development Services
PO Box 6108
Kennewick, WA 99336

Re: SEPA Register 202202946, CPA-2022-0010

Dear Matt Halitsky:

Thank you for the opportunity to comment on the Pre-Threshold Consultation for the 2600 S. Washington Street Comprehensive Plan Amendment, proposed by Dave Retter. We have reviewed the environmental checklist and have the following comment.

TOXICS CLEAN-UP

Thank you for the opportunity to comment on your proposed project.

Historical aerial photos indicate a portion of the properties within the footprint of your proposed changes were occupied by orchard during the time period when lead arsenate was applied as a pesticide, often resulting in shallow soil contamination from lead and/or arsenic. **Ecology requires soil sampling** if vacant, commercial, industrial or agricultural properties are converted to residential use as there may be an increased risk of exposure to soil with elevated concentrations of arsenic and lead.

Ecology can provide sampling services at no cost. If sampling indicates elevated levels of lead and arsenic, there are simple steps that can be taken to reduce exposure to the public and Ecology can provide free technical assistance.

Additionally, Ecology uses Model Remedies to guide cleanup for lead and arsenic pesticide contamination in historical orchards of Central Washington. The Model Remedy document is an excellent source of technical guidance, and is available at https://apps.ecology.wa.gov/publications/documents/2109006.pdf

Compliance with a Model Remedy ensures your project meets the minimum standards of the Model Toxics Control Act, and if implemented as described, your property will be successfully cleaned up to Washington State standards.

Additional information, including precautions you can take to reduce exposure, is available at: https://ecology.wa.gov/Spills-Cleanup/Contamination-cleanup/Dirt-Alert-program

Please contact **Hector Casique,** Project Manager, at (509) 208-1288 or email hector.casique@ecy.wa.gov, for further information or to schedule your initial sampling.

WATER RESOURCES

During development of this property, if the plan is to use water for dust suppression at the project site, be sure that they have a legal right. In Washington State, prospective water users must obtain authorization from the Department of Ecology before diverting surface water or withdrawing ground water, with one exception. Ground water withdrawals of up to 5,000 gallons per day used for single or group domestic supply, up to 5,000 gallons per day used for industrial purposes, stock watering, and for the irrigation of up to one-half acre of non-commercial lawn and garden are exempt from the permitting process.

Water use under the RCW 90.44.050 exemption establishes a water right that is subject to the same privileges, restrictions, laws and regulations as a water right permit or certificate obtained directly from Ecology. Temporary permits may be obtainable in a short time-period. The concern of Water Resources is for existing water rights. In some instances water may need to be obtained from a different area and hauled in or from an existing water right holder.

If you have any questions or would like to respond to these Water Resources comments, please contact **Christopher Kossik** at (509) 379-1826 or email at christopher.kossik@ecy.wa.gov .

Sincerely,

Gwen Clear

Gwen Clear
Environmental Review Coordinator
Central Regional Office
(509) 575-2012
crosepa@ecy.wa.gov

From: Dan arrenholz
To: Matt Halitsky
Subject: Project# CPA-2022-0010
Date: Sunday, August 14, 2022 3:34:54 PM

Regarding the zoning change:
I'd like to be on record as opposed to the change. My home overlooks the project area, and I'm concerned regarding impacts (particularly noise, lights at night, litter, etc.) resulting from the additional houses. Additionally, information has been provided regarding the number of houses or how access will be provided to the area.

I am also concerned over the fate of the trees and vegetation along the western and southwestern portions of the site area. This area provides winter habitat for a mated pair of red-tailed hawks that roost in those trees. Developing the area as planned will undoubtedly have serious impacts to the hawks in the form of reduced foraging, harassment, and habitat fragmentation. What efforts will be undertaken to mitigate those impacts, considering the protected nature of the species?

I would very much appreciate hearing about the outcome of the meeting, and especially how my concerns are addressed.

Thank you,

Dan Arrenholz
2609 S. Cascade Place
Kennewick, WA 99337