February 6, 2023 **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 December 19, 2022
    b. Approval of Agenda
    c. Motion to enter Staff Report(s) into Record

3. **PUBLIC HEARING**:

    a. Change of Zone (COZ) #2022-0012 proposing to change the zoning designation for 2.97 acres located at 400 & 420 S. Steptoe Street from Commercial, Community (CC) to Commercial, General (CG). Applicant & owner is Ford Group, LLC, 4818 W. 20th Court, Kennewick, WA 99338.
    b. Change of Zone (COZ) #2022-0013 proposing to change the zoning designation for 13.76 acres located at 8224 Bob Olson Parkway from Commercial, Community (CC) to Residential High Density (RH). Applicant is Bob Garrison, Murrow Development Consultants, 16800 Aston Street, Suite 200, Irvine, CA 92606. Property owner is Nick Wright, Bauder Young, 1955 Jadwin Avenue, Richland, WA 99352.

4. **VISITORS NOT ON AGENDA**:

5. **OLD BUSINESS**:

    a. City Council Action Updates

6. **NEW BUSINESS:**

7. **REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF**:

8. **ADJOURNMENT**:

KENNEWICK PLANNING COMMISSION
DECEMBER 19, 2022
MEETING MINUTES

CALL TO ORDER

Chairman Morris called the meeting to order at 6:34 p.m. and noted technical issues with remote audio.

Commissioner Helgeson led the Pledge of Allegiance.

Chairman Morris 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: Commissioners James Hempstead, Thomas Helgeson, Tina Gregory, Chairman Victor Morris, (*all in person*) Commissioner Ken Short, (*remotely*).

Excused: Commissioner Nikki Griffith was unable to participate remotely due to technical difficulties.

Unexcused: None

Staff: Steve Donovan, AICP Planning Manager, Melinda Didier, CPT Community Planning Administrative Assistant/Recorder.

A quorum was met with four commissioners in person and one remotely.

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**."**

Chairman Morris called for a motion to approve the Consent Agenda.

Commissioner Helgeson moved to approve the Consent Agenda with amending the November 7, 2022 meeting minutes date; Commissioner Hempstead seconded the motion. The motion passed unanimously as amended on a roll call vote.

Commissioner Short left the remote meeting at 6:40 pm due to the continuing audio technical difficulties. A quorum was maintained with Commissioners Hempstead, Helgeson, Gregory & Morris present in the Council Chambers.

CONSENT AGENDA

a. Approval of Agenda
b. Approval of November 7, 2022 & November 21, 2022 Minutes
c. Motion to enter Staff Report(s) into the Record

PUBLIC HEARING(S):

Chairman Morris made the following statement:

Good evening and welcome to the December 19, 2022 Kennewick Planning Commission meeting:

It is 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. Testimony in FAVOR of the request;
4. Testimony either NEUTRAL or AGAINST the request;
5. Final APPLICANT comments;
6. Final staff comments;
7. Close the public hearing and discuss the request.

PUBLIC HEARINGS

Chairman Morris opened the public hearing at 6:42 pm for Development Code Amendment (DCA) #2022-0001 that housing be permitted in the Public Facility (PF) zone when owned and/or operated by the Kennewick Housing Authority or other public agency and that the standards applicable to the Residential, High (RH) zone to be applicable to said developments. Applicant is City of Kennewick Community Planning, 210 W. 6th Avenue, Kennewick WA 99336.

Mr. Muai gave a brief overview of the staff report, and shared a Power Point presentation of the staff report. Staff recommended the Planning Commission forward a recommendation of approval to the City Council of the request.

Planning Commission questions: None

Testimony of Applicant/Applicant's Representative:

The City is the applicant and had nothing further to add.

Testimony in Favor of the Request:

None

Testimony Neutral/Against the Request:

None

Testimony of Those Registered on Virtual Format:

None

Applicant/Owner Final Testimony:

Not applicable

Staff Final Comments:

None

Public Testimony for DCA-2022-0001 closed at 6:48 p.m.

Chairman Morris asked for a motion.

Commissioner Helgeson moved to concur with the findings and conclusions in staff report DCA-2022-0001 and forward a recommendation to City Council APPROVAL of the request.

Commissioner Hempstead 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: A zone change from BP to CC was approved by City Council; CPA-2022-0010 was approved at the last regular meeting.

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Mr. Muai notified the Planning Commissioners will each be assigned individual City managed email addresses and instructions on how to use them for Planning Commission business only. This is to address public records retention management.

ADJOURNMENT:

The meeting concluded at 6:56 p.m.

COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: COZ-2022-0012

Staff Report Date:	19 January 2023
Hearing Date & Location:	6 February 2023, City Council Chambers
Report Prepared By:	Matt Halitsky, AICP Senior Planner
Report Reviewed By:	Steve Donovan, AICP Planning Manager
Summary Recommendation:	The City of Kennewick Planning Staff RECOMMENDS APPROVAL of Change of Zone 2022-0012
Summary of Proposal:	A Change of Zone from Commercial, Community (CC) to Commercial, General (CG) for 2.97 acres.
Proposal Location:	400 & 420 S Steptoe Street
Legal Description:	Parcel 1-0188-4BP-5063-013:

THAT PORTION OF LOT 13, BINDING SITE PLAN 5063, ACCORDING TO THE SURVEY THEREOF RECORDED IN VOLUME 1, PAGE 5063, UNDER AUDITOR'S FILE NO. 2018-26507, RECORDS OF BENTON COUNTY, WASHINGTON, LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 13; THENCE SOUTH 0°44'23" EAST 152.15 FEET ALONG THE EAST LINE THEREOF TO THE POINT OF BEGINNING; THENCE NORTH 69°15'58" WEST 174.76 FEET TO THE WEST LINE OF SAID LOT 13 AND TERMINUS OF SAID DESCRIBED LINE:

TOGETHER WITH THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 8 NORTH, RANGE 29 EAST, W.M., KENNEWICK, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 13; THENCE SOUTH 0°44'23" EAST 152.15 FEET; THENCE SOUTH 69°15'58" EAST 134.64 FEET TO THE BEGINNING OF A 1539.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE EAST AND THE EAST RIGHT-OF-WAY MARGIN OF SOUTH CLODFELTER ROAD (THE LONG CHORD OF WHICH BEARS NORTH 18°02'16" EAST 2.95 FEET); THENCE NORTHERLY THE FOLLOWING FOUR COURSES ALONG SAID EAST RIGHT-OF-WAY MARGIN AND ALONG THE ARC OF SAID NON-TANGENT CURVE 2.95 FEET THROUGH A CENTRAL ANGLE OF 0°06'35" TO THE BEGINNING OF A 1480.16 FOOT RADIUS COMPOUND CURVE CONCAVE TO THE EAST; THENCE NORTHERLY ALONG THE ARC OF SAID COMPOUND CURVE 102.73 FEET THROUGH A CENTRAL ANGLE OF 3°58'36" TO THE BEGINNING OF A 1540.00 FEET RADIUS

COMPOUND CURVE CONCAVE TO THE EAST; THENCE NORTHERLY ALONG THE ARC OF SAID COMPOUND CURVE 19.03 FEET THROUGH A CENTRAL ANGLE OF 0°42'29" TO THE BEGINNING OF 1539.47 FOOT RADIUS COMPOUND CURVE CONCAVE TO THE EAST; THENCE ALONG THE ARC OF SAID COMPOUND CURVE 17.03 FEET THROUGH A CENTRAL ANGLE 0°38'01"; THENCE LEAVING SAID EAST RIGHT-OF-WAY MARGIN NORTH 69°16'53" WEST 189.55 FEET TO THE POINT OF BEGINNING.

Parcel 1-0689-300-0002-010:

LOT 13, BINDING SITE PLAN 5063, ACCORDING TO THE SURVEY THEREOF RECORDED IN VOLUME 1, PAGE 5063, UNDER AUDITOR'S FILE NO. 2018-26507, RECORDS OF BENTON COUNTY, WASHINGTON:

EXCEPT THAT PORTION THEREOF LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 13; THENCE SOUTH 0°44'23" EAST 152.15 FEET ALONG THE EAST LINE THEREOF TO THE POINT OF BEGINNING; THENCE NORTH 69°15'58" WEST 174.76 FEET TO THE WEST LINE OF SAID LOT 13 AND TERMINUS OF SAID DESCRIBED LINE:

TOGETHER WITH THAT PORTION OF THE SOUTHWEST QUARTER OF SECTION 8, TOWNSHIP 8 NORTH, RANGE 29 EAST, W.M., KENNEWICK, BENTON COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 13; THENCE NORTH 0°44'23" WEST 249.02 FEET ALONG THE EAST LINE THEREOF; THENCE SOUTH 69°15'58" EAST 134.64 FEET TO THE BEGINNING OF A 1539.00 FOOT RADIUS NON-TANGENT CURVE CONCAVE TO THE EAST (FROM WHICH CHORD BEARS SOUTH 17°33'06" WEST 23.16 FEET) AND THE EAST RIGHT-OF-WAY MARGIN OF SOUTH CLODFELTER ROAD; THENCE SOUTHERLY THE FOLLOWING FOUR COURSES ALONG SAID EAST RIGHT-OF-WAY MARGIN AND ALONG THE ARC OF SAID NON-TANGENT CURVE 23.16 FEET THROUGH A CENTRAL ANGLE OF 0°51'44"; THENCE SOUTH 17°07'13" WEST 24.90 FEET; THENCE SOUTH 15°12'41" WEST 120.03 FEET; THENCE SOUTH 17°07'13" WEST 40.57 FEET; THENCE LEAVING SAID RIGHT-OF-WAY MARGIN SOUTH 89°14'23" WEST 64.96 FEET TO THE POINT OF BEGINNING.

Property Owner & Applicant: Ford Group LLC
4818 W 20th Court
Kennewick, WA 99338

Regulatory Controls:

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

COZ Key Application Processing Dates:

Application Submittal	5 December 2022
Determination of Completeness Issued	6 December 2022
Notice of Application Posted	6 December 2022
Date of Mailed Notice of Public Hearing	19 January 2023
Property Posting Sign for Public Hearing	19 January 2023
Date of Published Notice of Public Hearing	22 January 2023

Exhibits:

1. Staff Report
2. Supplemental Questionnaire
3 Vicinity Map
4. Comprehensive Plan Map
5. Zoning Map
6. Notice of Mailing
7. SEPA Determination of Non-significance
8. Dept of Ecology Comment Letter
9. Kennewick Irrigation District Comment Letter

Zoning Adjacent to the Site:

North: Industrial, Light (IL)
East: Residential, Low Density (RL)
South: Industrial, Light (IL)
West: Commercial, Community (CC); Residential, Medium Density (RM)

Applicable Goals and Policies of the Comprehensive Plan:

Commercial Goals and Policies:

Goal 2: Sustain and enhance viable commercial areas.

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

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*

The proposed Change of Zone conforms to the Comprehensive Plan as the CG zoning district is an implementing zoning district of the site's current Commercial land use designation.

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

The proposed Change of Zone promotes public necessity, convenience, and welfare by establishing a zoning district that is compatible with surrounding properties.

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

The proposed Change of Zone will not impose an additional burden on public facilities. Future development shall be required to meet applicable levels of service.

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

The proposed amendment will maintain a zoning district that complies with the Comprehensive Plan. The CG zone is an implementing zone of the site's Commercial 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.*

The finding is not applicable; the proposed zoning district is not a single-family residential zone. That said, the subject property is adjacent to the Industrial, Light (IL) zone, which is more intensive than the proposed Commercial, General (CG) zone.

Public Comments:
To date, there are no public comments either for or against the requested Change of Zone.

Agency Comments:
In a letter dated 19 December 2022, the Washington Department of Ecology provided advisory comments to the applicant relative to the use of well water for dust control.

Additionally, the Kennewick Irrigation District indicates the subject property is not considered irrigable land in a letter dated 13 December 2022.

Staff Analysis of Proposal & Discussion:
The subject property was annexed by the City on 3 January 1995 via Ordinance 3603 and established the zoning as Industrial, Light (IL). This original action was amended by Ordinance 4040 in May 2002 to correct an error. In December 2011, the land use designation for 420 S Steptoe (originally named Clodfelter Road) was changed to

Commercial via Ordinance 5383. Subsequently, the zoning for this parcel was changed to Commercial, Community (CC) in May 2012 via Ordinance 5413.

Separately, the land use designation for 400 S Steptoe was changed from Industrial to Commercial in October 2015 (Ordinance 5616). Shortly thereafter, the zoning was changed from IL to CC in January 2016 via Ordinance 5638.

The proposed Change of Zone (COZ-2022-0012) is a request to change the zoning district of two adjacent parcels totaling 2.97 acres, located at 400 and 420 S Steptoe Street, from CC to CG. Pursuant to Table 1 of the Comprehensive Plan, the CG zoning district is an implementing zoning district of the Commercial land use designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

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

> CG - The purpose of the CG district is to provide areas for heavy commercial use, wholesaling and warehousing, services supporting the primary activities of the other commercial and industrial districts, and uses which are not compatible with retail commercial zoning districts.

The CG zone allows for warehousing and contractor lay-down yards, while the CC zone does not. It is the applicant's intent to develop the subject property with a new warehouse, office, and lay-down yard to support their current electrical distribution business presently located in Richland. The anticipated use is currently not allowed within the CC zone, however it would have been had the properties not been rezoned from IL to CC in 2012/2016. Properties to the immediate north and south of the subject property remain IL, a more intensive zone than the CG proposed.

Access to the site is from S Steptoe Street. Curb, gutter, and sidewalk currently abut the property. Streetscape improvements will be required at time of future site plan approval. Municipal water and sewer are present at S Steptoe. It is anticipated that future development of the site will not place an undue burden on existing public facilities.

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

Findings:

1. The applicant is Ford Group LLC, 4818 W 20th Ct, Kennewick, WA 99338.
2. The property owner is also Ford Group LLC, 4818 W 20th Ct, Kennewick, WA 99338.
3. The proposed change of zone is located at 400 and 420 S Steptoe Street. Parcel Numbers 1-0188-4BP-5063-013 and 1-0689-300-0002-010.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Commercial.
5. The request is to change the zoning from Commercial, Community (CC) to Commercial, General (CG).
6. The Commercial, General zoning district is an implementing zone of the Commercial Comprehensive Plan Land Use Map Designation.
7. On 5 December 2022, the application was submitted, and declared complete for processing on 6 December 2022.
8. The application was routed for review to City Departments and outside agencies for comment on 6 December 2022.
9. Access to the site is via S Steptoe Street.

10. The Environmental Determination of Non-Significance (ED-2022-0046) was issued on 22 December 2022.
11. The Property Posting sign for the public hearing was posted on site 19 January 2023.
12. Notice of the public hearing for this application was published in the Tri-City Herald on 22 January 2023. Notices were also mailed to property owners within 300 feet of the site on 19 January 2023.
13. The proposed amendment is consistent with the Comprehensive Plan.
14. The proposed amendment promotes the public necessity, convenience and general welfare.
15. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
16. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

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

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained within staff report COZ-2022-0012 and recommend approval to City Council.

Proposed Motion:

I move that the Planning Commission concur with the findings and conclusions contained within staff report COZ-2022-0012 and recommend approval of the request to City Council.

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:

   Re-zoning these 2 parcels will bring 17-25 employees from the City of Richland to the City of Kennewick. The employment will produce more tax base for the City of Kennewick and could potentially create home sales in Kennewick as new staff are added. The location of these parcels will allow for the business to grow and expand. We have a second business that would like to build a 10,000-sf building on the other parcel. The business type is similar and has no retail aspect. It is a national account that will be new to the Tri-Cities and will also add to the City of Kennewick tax base.

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

   No.

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

   Within a one-mile radius there are several businesses with similar building concepts for distribution businesses with similar business structures, such as; Columbia River Plumbing, Commercial Tire, Basin Feed, Sunbelt Rental, Tri-City Lumber, Platinum Auto and Excalibur Auto.

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

   Yes

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

   No. The business proposed and the land use is consistent with the existing uses within a one-mile radius.
   The proposed business will inject no noise to the surrounding areas.

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

   The existing zoning prohibits the use for the business type planned for the parcels in question. CC zoning is more in line with retail which restricts warehouse building types. The proposed business will have less impact on traffic count than a retail business.

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

   There will be no adverse affect to the residential character in the immediate area. The adjacent residential neighborhoods are elevated above the parcels being requested for zoning change and are across Steptoe St. The residential area near the parcels already view the existing businesses. The proposed building will be aesthetically pleasing with low traffic count impact and no noise injection to the area.

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

   Property values will naturally increase with the land improvements that will be made. This will benefit the City of Kennewick's tax base for business and will add value to the immediate area with the new development.

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:

   These are the last 2 parcels available in the area between Clearwater, S. Steptoe and the roundabout at 10TH. This business will be like in kind to other surrounding businesses within a one-mile radius. These parcels have had difficulty selling in the past due to the power line, Amon Wasteways and current parceling. We can make these lots productive if allowed a zoning change.

   These are the last that are developable in this area.

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

    We are private investors. We currently have 3 lots in the City of Richland that we have developed and 1 that we are in permitting phase and will develop in 2023. We would like to invest and develop commercial property in the City of Kennewick. These 2 parcels are our first choice to develop and bring new business to the City of Kennewick. The development of these 2 parcels will also create new tax base for the City of Kennewick. These 2 parcels have had difficulty selling in the past due to the PUD power line that runs along the current property line, Amon Wasteway and current parceling. We can make these lots productive if allowed a zoning change to CG.

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

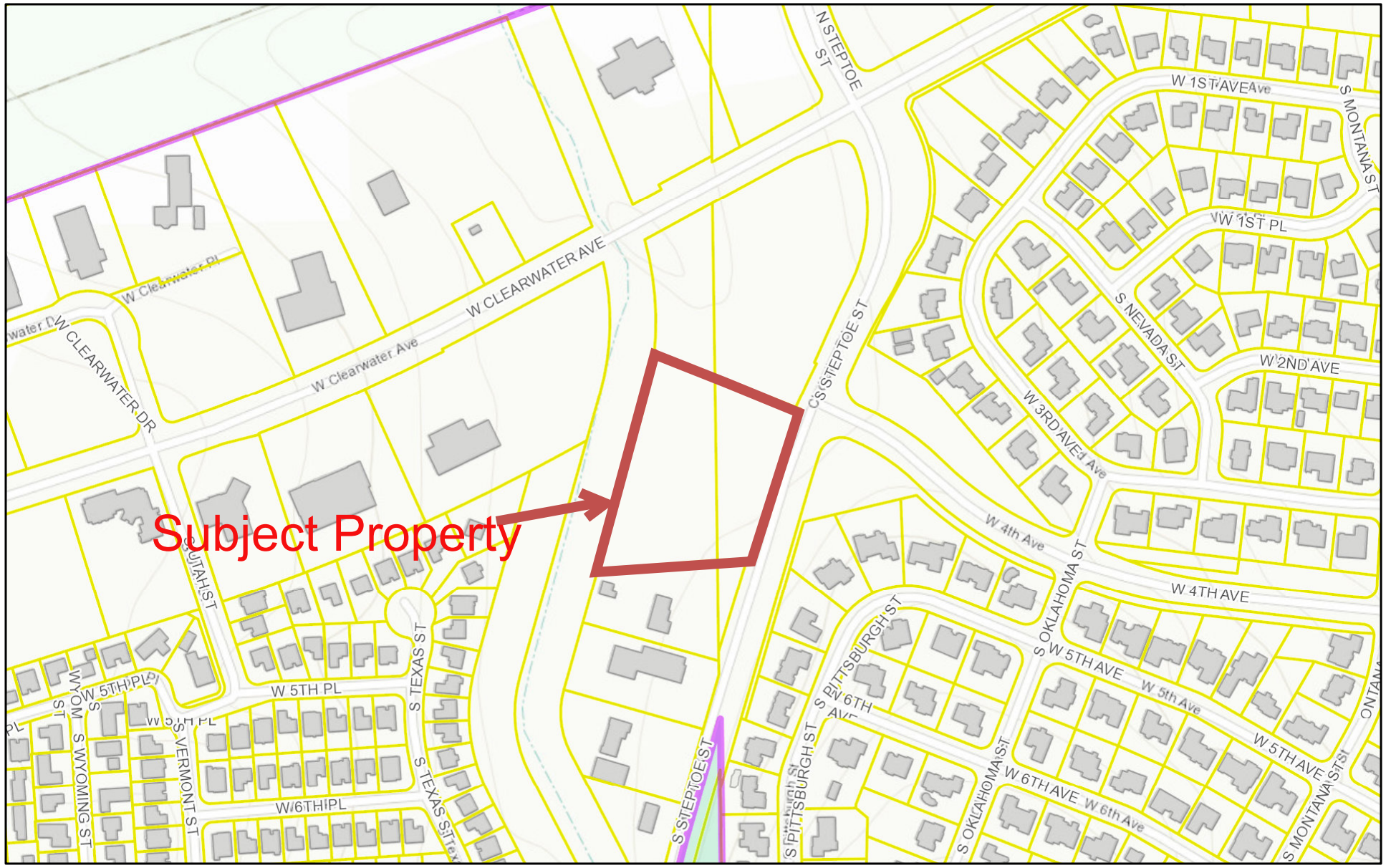
    The zoning change would a line the parcels to be consistent with the surrounding business types. These 2 parcels currently zoned as CC are located between parcels that are zoned IL on either side. The rezoning would offer more opportunity for businesses of this type to come to the City of Kennewick.

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

    N/A

Vicinity Map

Exhibit 3



January 26, 2023

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

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.,

StreetName

SurveyAddressPoint

<all other values>

Apartment

Building

Condo

Mobile Home

Parcel

SurveyCityLimits

SV_CI_KENNEWICK_10

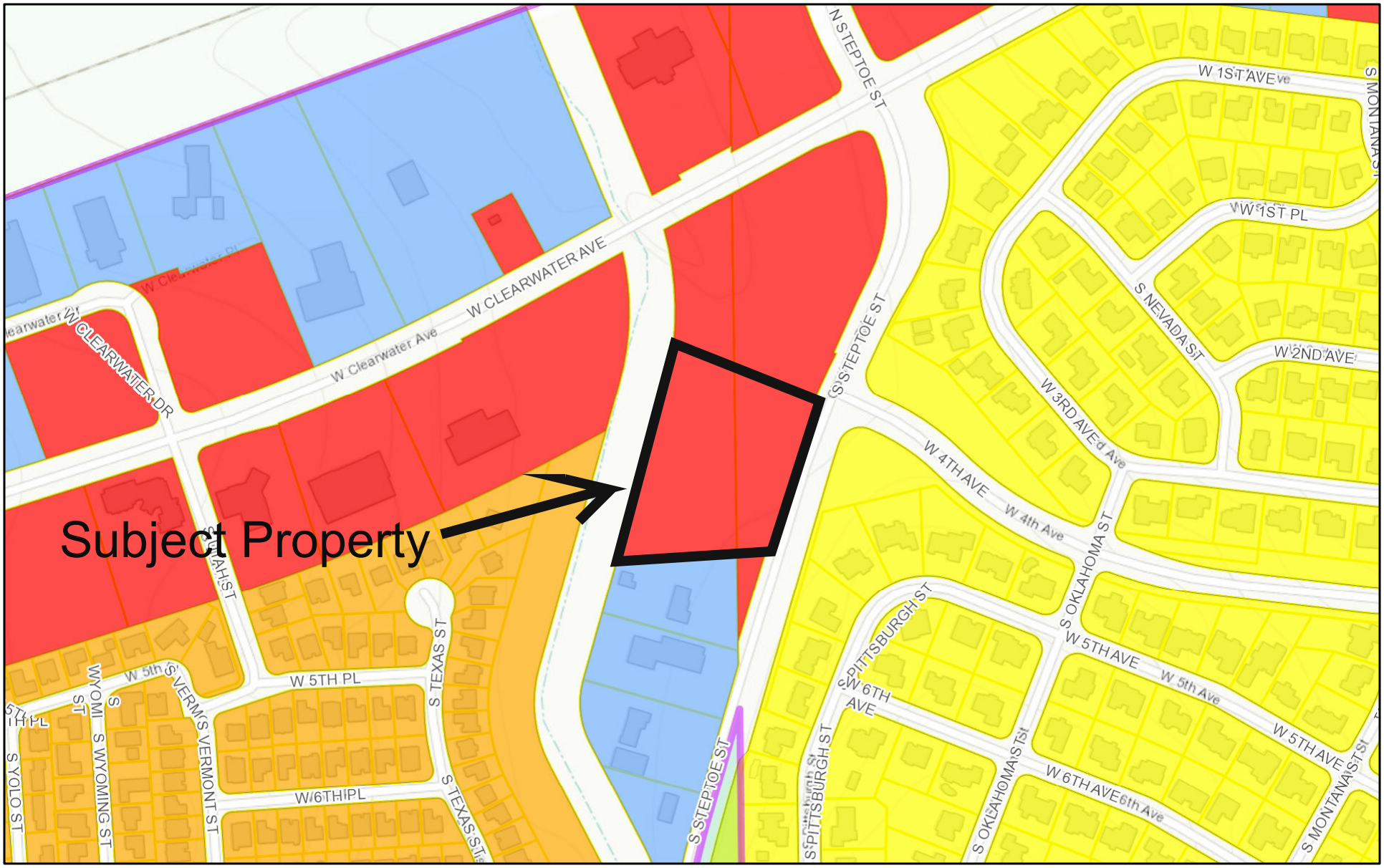
SV_CI_RICHLAND_10

SV_CI_COUNTY_1

ArcGIS WebApp Builder
City of Kennewick

Land Use Map

Exhibit 4



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SurveyCityLimits

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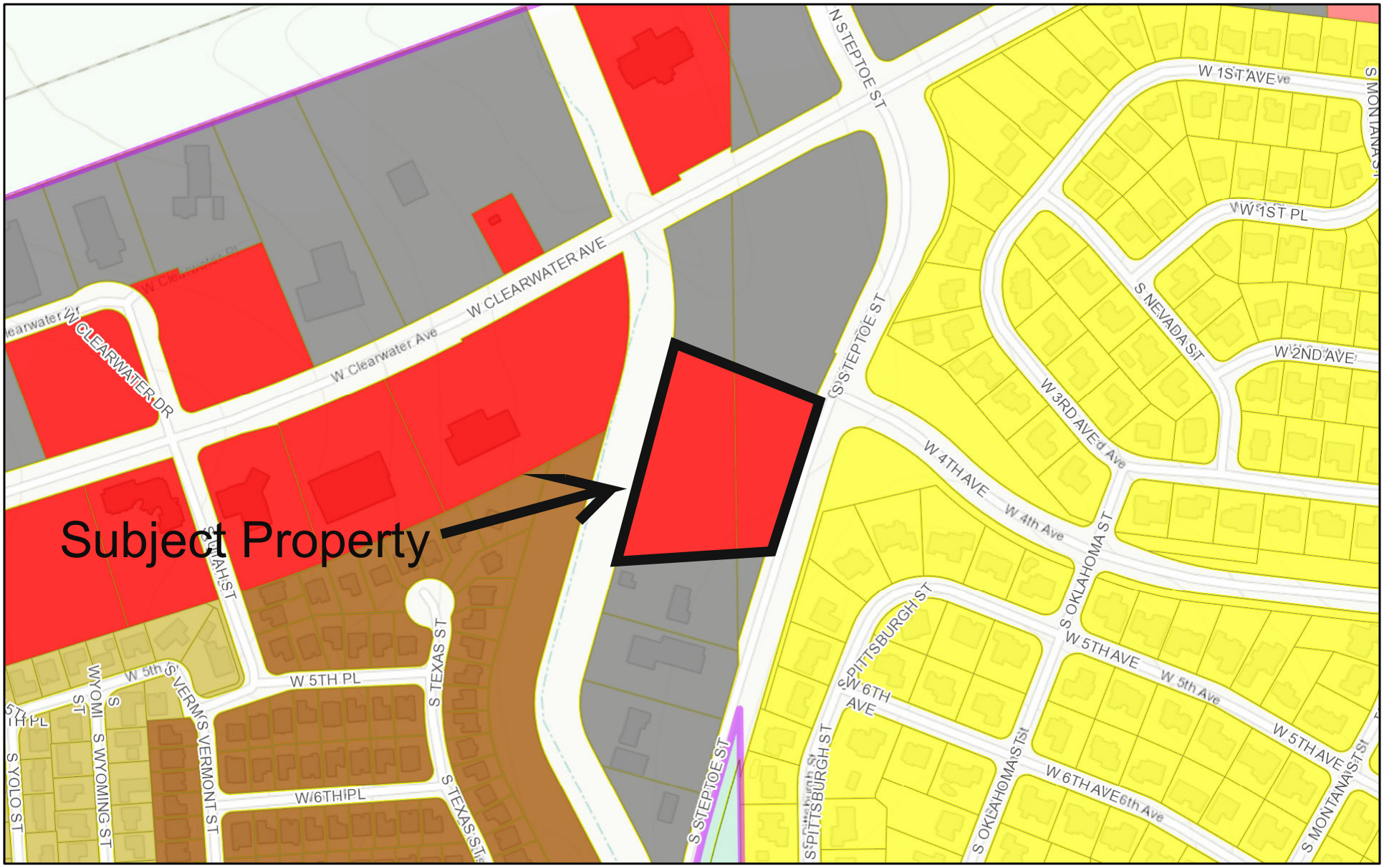
SV_CI_COUNTY_1

ArcGIS WebApp Builder
City of Kennewick

Zoning Map

Exhibit 5



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Apartment

Building

Condo

Mobile Home

Parcel

SurveyCityLimits

SV_CI_KENNEWICK_10

SV_CI_RICHLAND_10

SV_CI_COUNTY_1

ArcGIS WebApp Builder
City of Kennewick

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

February 6, 2023 6:30 p.m.

The Kennewick Planning Commission will hold a Public Hearing on Monday, February 6, 2023, 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. The public hearing will be conducted in a hybrid setting which will allow interested parties to participate in person or virtually. To participate virtually in the hearing, use the link found at https://www.go2kennewick.com/598/Planning-Commission.

Project# COZ-2022-0012 – A Change in Zone of 2.97 acres from Commercial, Community (CC) to Commercial, General (CG), located at 400 and 420 S Steptoe Street. The property has a Comprehensive Plan land use designation of Commercial. See site map on back.

Submit written comments to Matt Halitsky at matt.halitsky@ci.kennewick.wa.us or mail to PO Box 6108, Kennewick, WA 99336. For questions about this project, please call Matt Halitsky (509) 585-4416

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 Matt Halitsky at (509) 585-4416 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.

Exhibit 6

KENNEWICK

NOTIFICATION OF MAILING

I, Matt Halitsky, on 19 January, 2023

Mailed 15 copies of Notice of Public Hearing w/ Map

for COZ-2022-0012

to Property owners per attached list.

as shown on the attached list.

M. Halitsky

Signature

37
FORD GROUP, LLC
4818 W 20TH CT
KENNEWICK, WA 99338

37
HANSEN PARK HOMEOWNERS ASSOCIATION
6855 CLEARWATER AVE # A 101-160
KENNEWICK, WA 99336

37
BENTON COUNTY CLEAN AIR AGENCY
526 S CLODFELTER RD
KENNEWICK, WA 99336

37
TDKJ COMMERCIAL PROPERTY, LLC
PO BOX 903
RICHLAND, WA 99352

37
HANSEN PARK LLC
21611 AHTANUM RD
YAKIMA, WA 98908

37
ROY KINTZLEY
640 S YOUNG PL
KENNEWICK, WA 99337

37
MATTHEW STUDER
439 S TEXAS ST
KENNEWICK, WA 99336

37
ANGEL CARIDAD JR
451 S TEXAS ST
KENNEWICK, WA 99336

37
MATTHEW & AMY DURST
463 S TEXAS ST
KENNEWICK, WA 99336

37
VANESSA BAILEY
475 S TEXAS ST
KENNEWICK, WA 99336

37
DONALD & GAYLA LAPIERRE
512 S PITTSBURGH ST
KENNEWICK, WA 99337

37
TIMOTHY & MIRIAM PORTLOCK
508 S PITTSBURGH ST
KENNEWICK, WA 99337

37
BRENT & JODI GILLIPIE
504 S PITTSBURGH ST
KENNEWICK, WA 99337

37
MARTIN & KATHRYN ZIZZI
500 S PITTSBURGH ST
KENNEWICK, WA 99337

37
MICHAEL & KATHRYN HUMPHREYS
8901 W 3RD AVE
KENNEWICK, WA 99337

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-2022-0046

DESCRIPTION OF PROPOSAL: Change of zone from Commercial, Community (CC) to Commercial, General (CG); construction of a 25,000 sf warehouse/office.

PROPONENT: Ford Group, LLC

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 420 S Steptoe 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: Steve Donovan, AICP
POSITION/TITLE: Community Planning Manager
ADDRESS: 210 W 6th Ave., P.O. Box 6108, Kennewick, WA 99336
PHONE: (509) 585-4361

☐ 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: 22 December 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

December 19, 2022

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

Re: 202206032, ED-2022-0046

Dear Matthew Halitsky:

Thank you for the opportunity to comment on the Pre-Threshold Consultation for the Ford Change of Zone. We have reviewed the environmental checklist and have the following comment.

WATER RESOURCES

Dust Control from a Well

If you plan to use water for dust suppression at your project site, be sure that you 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,

Lucila Cornejo

Lucila Cornejo
SEPA Coordinator
Central Regional Office
(509) 208-4590
crosepacoordinator@ecy.wa.gov

Exhibit 9

2015 South Ely Street
Kennewick, WA 99337
Phone 509-586-9111
FAX 509-586-7663
www.kid.org

December 13, 2022

Matthew Halitsky, AICP, Planner
City of Kennewick - Development Services Division
PO Box 6108
Kennewick, WA 99336

Subject: ED-2022-0046 - COZ-2022-0012 - 400 S Steptoe Street

Dear Mr. Halitsky:

The Kennewick Irrigation District has received the application for an Environmental Determination and Change of Zone submitted by the Ford Group, LLC. This project is generally located at 400 and 420 S. Steptoe Street in Kennewick, WA. The parcel numbers are 1-0689-300-0002-010 and 1-0188-4BP-5063-013.

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.
    a. A water allotment is not assigned to this property. Water for a new allotment is unavailable at this location.
2. Please note that permanent structures are not allowed within irrigation easements.
3. Please protect all KID infrastructure.
4. Stormwater systems for the project shall be designed to retain, at minimum, a 100-year storm event above the Amon Wasteway and minimize the introduction of water into the soils up-gradient of the canal.

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

Sincerely,

Daniel Tissell, P.E.
Assistant Engineering Manager

cc: LB\correspondence\File: [6-8-28]
Applicant via mail – Ford Group, LLC, Amy Ford, 4818 W 20th CT, Kennewick, WA 99338

2.

COMMUNITY PLANNING DEPARTMENT

STAFF REPORT AND RECOMMENDATION TO THE PLANNING COMMISSION

FILE NO: COZ-2022-0013

Staff Report Date:	January 24, 2023
Hearing Date & Location:	February 6, 2023
Report Prepared By:	Steve Donovan, AICP Planning Manager
Report Reviewed By:	Matt Halitsky, AICP Senior Planner
Summary Recommendation:	The City of Kennewick Planning Staff RECOMMENDS APPROVAL of Change of Zone 2022-0013.
Summary of Proposal:	A Change of Zone from Commercial, Community (CC) to Residential, High Density (RH) for 13.76 acres.
Proposal Location:	8224 Bob Olson Parkway
Legal Description:	See Exhibit 3
Property Owner:	Bauder Young c/o Nick Wright 1955 Jadwin Avenue Richland, WA 99352
Applicant:	Murow Development Consultants c/o Bob Garrison 16800 Aston Street, Suite 200 Irvine, CA 92606

Regulatory Controls:

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

COZ Key Application Processing Dates:

Pre-Application/Feasibility Meeting	N/A
Application Submittal	December 6, 2022
Determination of Completeness Issued	December 20, 2022
Notice of Application Posted	December 20, 2022
SEPA Threshold Determination Issued	July 18, 2022
Property Posting Sign for SEPA Determination	July 18, 2022
SEPA Appeal Period	August 1, 2022
Date of Mailed Notice of Public Hearing	January 19, 2023
Property Posting Sign for Public Hearing	January 19, 2023
Date of Published Notice of Public Hearing	January 22, 2023

Exhibits:

1. Staff Report
2. Supplemental Questions
3. Legal Description
4. Vicinity/Site Map
5. Comprehensive Plan Map
6. Zoning Map
7. Notice of Mailing
8. SEPA DNS
9. Washington State Department of Fish and Wildlife Letter
10. Benton-Franklin Health District Email
11. Bonneville Power Administration Email
12. Applicant response to agency comments.

Zoning adjacent to the site:

North: Residential, Low Density (RL)
East: RL
South: Commercial, Community (CC)
West: CC

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.

Policy 2 Require multi-family housing to incorporate architectural forms and features compatible with the surrounding neighborhood. Features that promote compatibility include landscaping, setbacks, rooflines and building forms that reduce the appearance of bulk.

Policy 3 Require that multi-family structures be located near a collector street with transit, or near an arterial street, or near a neighborhood center.

Policy 4 Use natural and man-made features to separate different residential densities.

Policy 5 Encourage adequate pedestrian connections with nearby neighborhood and transit facilities in all residential site development.

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

Goal 4: Provide more housing opportunities near commercial, transit and employment.
Policy 1 Locate the highest density residential areas close to shops and services and transportation hubs.
Policy 2 Encourage residential development within commercial areas.

Housing Goals and Policies:

Goal 1: Support and develop a variety of housing types and densities to meet the diverse needs of the population.
Policy 6 Maintain Design Guidelines to ensure new residential development is consistent with the character of existing neighborhoods.

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 RH Zoning District is an implementing zoning district of the site's current High 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 pubic 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 RH Zone is an implementing zone of the site's High 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: *Not applicable to proposal.*

Public Comments:
The public did not submit comments on the proposal.

Agency Comments:
Staff received comments from the Washington State Department of Fish and Wildlife, the Benton-Franklin Health District and the Bonneville Power Administration. All comments were for the future development of the site into an apartment complex, see Exhibits 9-11. Future development of the site will subject to applicable requirements of public agencies.

The applicant provided responses to each of the comments, see Exhibit 12.

Staff Analysis of Proposal & Discussion:
The City annexed the site on January 3, 1996 by Ordinance 3674. In 2011, the site was rezoned to its current zoning district. The City approved the amendment to change the site's land use designation from Commercial to High Density Residential during the City's 2022 Comprehensive Plan Amendment Cycle.

The proposed Change of Zone (COZ-2022-0013) is a request to change the zoning district for 13.76-acres. Pursuant to Table 1 of the Comprehensive Plan, the RH Zoning District is an implementing zoning district of the High Density Residential Land Use Designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

Per KMC 18.03.040 (4), the purpose of RH zoning district is as follows:

RH - The purpose of the RH District is to establish areas for multiple residential buildings and promote a suitable residential environment. The district is a transitional use between commercial, low and medium density residential uses.

Future development of the entire site will be limited to only the permitted uses of the RH 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 Murow Development Consultants, c/o Bob Garrison, 16800 Aston Street, Suite 200, Irvine, CA 92606.
2. The property owner is Bauder Young, c/o Nick Wright, 1955 Jadwin Avenue, Richland, WA 99352.
3. The proposed change of zone is located at 8224 Bob Olson Parkway. Parcel Number: 1-0789-400-0001-X08.
4. The City's Comprehensive Plan Land Use Designation for the subject property is High Density Residential.
5. The City changed the land use designation for the site on November 15, 2022 as part of the 2022 Comprehensive Plan Amendment Cycle.
6. The request is to change the zoning from Commercial, Community to Residential, High Density.

7. The Residential, High Density Zoning District is an implementing zone of the High Density Residential Comprehensive Plan Land Use Map Designation.
8. The application was submitted on December 6, 2022.
9. The application was declared complete, routed for review to City Departments and outside agencies on December 20, 2022.
10. Access to the site is via Bob Olson Parkway.
11. The Environmental Determination of Non-Significance, ED-2022-0016, was issued July 18, 2022.
12. The Property Posting sign for the public hearing was posted on site January 19, 2023.
13. Notice of the public hearing for this application was published in the Tri-City Herald on January 22, 2023. Notices were mailed to property owners within 300 feet of the site on January 19, 2023.
14. The proposed amendment conforms to the comprehensive plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare.
16. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.

Conclusions:

1. Approval will implement the Comprehensive Plan Land Use Designation of High Density Residential.
2. Approval will not result in an increase of adverse environmental impacts.
3. Approval will implement Residential Goals 1, 3 and 4 and Housing Goal 1 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-2022-0013 and recommend approval to City Council.

Motion:

I move that the Planning Commission concur with the findings and conclusions in staff report COZ-2022-0013 and recommend approval of the request to City Council.

Supplemental Questions

1. Please explain how the public necessity, convenience, and general welfare require the adoption of the proposed amendment.
   If approved, this would provide 300 residential units under "High Density Residential" Zone at a density of 22 Dwelling Units per Acre. Therefore, providing the residents of Kennewick additional housing options in the undersupplied residential market (Substantial Relationship to the Public Welfare).

2.a. Are there sites presently available on the market which are correctly zoned for the proposed use? Yes

2.b. Are these sites within a 1/2 mile of the proposed site? Yes

2.c. Within 1 mile of the proposed site? Yes

2.d. If you answered yes to any of the above, please indicate the general location of the site(s) and the reasons why these sites are not proposed to be utilized.
   There are two sites that are zoned with the proposed use of High Density Residential. One site is located within 1/2 mile of the proposed site (Parcel 1-1889-100-0001-003) and one site is located within 1 mile of the proposed site (Parcel 1-1889-400-0001-001). Those two sites remain vacant and are inaccessible from the main road with no method of public transportation access.

3. Please explain how the proposed amendment is consistent with the existing land use pattern in the area.
   The proposed High Density Residential will be consistent with the needs of the under supplied residential market in Kennewick.

4.a. Are the existing uses in the area in conformance with the area's zoning classification? No

4.b. If NO, please explain the differences. If YES, please type NA. No

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

5.b. Please explain:
   The immediate adjacent parcels to the proposed site are vacant. The proposed High Density Residential zoning will introduce more intense land use to the area with the intention of providing more residential rooftop counts in order to drive commercial viability.

6. Please explain how the existing zoning prohibits reasonable use of the property.
   Maintaining the currently commercial zoning designation provides no guarantees the subject site will be developed with any particular business type.

7. Please explain how residential character, in the immediate area, will or will not be adversely affected by the proposed amendment.
   No residential character in the immediate area will be adversely affected because all parcels in the immediate area are vacant.

Supplemental Questions

8. Please explain how the proposed amendment will affect property values in the vicinity.
   The properties in the vicinity have been advertised for sale for commercial land use development for years. Prospective commercial buyers have turned away due to insufficient residential rooftops in the market service area. With the proposed zoning of High Density Residential, it will drive the commercial viability of the parcels in the vicinity.

9.a. Please explain how approval of the proposed amendment will or will not set a precedent for other similar proposals or uses.
   The approval of High Density Residential will not set a precedent for other similar proposals or uses because the surrounding parcels are Commercial. With High Density Residential in the immediate surrounding area, it will drive the viability and value of the commercial properties around it with residential consumers.

9.b. Please explain how approval of the proposed amendment will or will not deter the use, improvement or development of adjacent property in accordance with the existing zoning.
   The approval of High Density Residential will not deter the use of adjacent commercial properties. It will increase the viability of commercial development in the adjacent parcels.

10. Please explain how approval of the proposed amendment will or will not encourage more private investments which will be beneficial to the redevelopment of a deteriorated area.
   The surrounding area of the proposed site is vacant.

11. Please explain how approval of the proposed amendment will or will not combat any economic segregation and allow greater choice in the market.
   If approved, this zone change would revise the zoning designation to High Density Residential and will contribute to correcting a deficiency in High-Density Residential land as identified in the comprehensive plan. It will provide additional residential housing choices for the residents of Kennewick.

12. Please explain how approval of the proposed amendment will or will not create conflict between potential land uses and transportation patterns. No

Legal Description of Property – 8224 Bob Olson Parkway

LOT 2, SHORT PLAT 3622, RECORDED IN VOLUME 1 OF SHORT PLATS AT PAGE 3622 UNDER AUDITOR'S FILE NUMBER 2019-026230, RECORDS OF BENTON COUNTY, WASHINGTON; TOGETHER WITH REAL PROPERTY SITUATED IN THE CITY OF KENNEWICK, BENTON COUNTY, WASHINGTON, LYING IN THE SOUTHEAST QUARTER AND THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 7, TOWNSHIP 8 NORTH, RANGE 29 EAST, W.M. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 7; THENCE NORTH 83° 26' 01" WEST ALONG THE SOUTH LINE OF SECTION 7 A DISTANCE OF 791.86 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 83° 26' 01" WEST ALONG THE SOUTH LINE OF THE SECTION 7 A DISTANCE OF 1891.06 FEET; THENCE NORTH 00° 23' 14" WEST A DISTANCE OF 325.32 FEET TO A POINT ON THE PROPOSED SOUTH RIGHT OF WAY LINE OF HILDEBRAND BOULEVARD SAID POINT BEING A POINT ON THE ARC OF A 831.00 FOOT RADIUS CURVE; THENCE ALONG THE PROPOSED SOUTH RIGHT OF WAY LINE THE FOLLOWING COURSES; FROM A TANGENT BEARING OF NORTH 79° 39' 08" WEST ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 62° 48' 16" AN ARC DISTANCE OF 910.90 FEET TO A POINT OF TANGENCY; THENCE NORTH 16° 50' 52" WEST A DISTANCE OF 553.59 FEET TO THE POINT OF CURVATURE OF A 757.00 FOOT RADIUS CURVE; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 30°14'10" AN ARC DISTANCE OF 399.49 FEET TO A POINT ON A NON-TANGENT LINE SAID POINT BEARS SOUTH 52° 31' 42" EAST A DISTANCE OF 1972.07 FEET FROM THE WEST QUARTER CORNER OF SAID SECTION 7; THENCE LEAVING THE PROPOSED SOUTH RIGHT OF WAY LINE NORTH 42° 54' 58" EAST A DISTANCE OF 203.65 FEET; THENCE SOUTH 61° 54' 57" EAST A DISTANCE OF 313.72 FEET; THENCE SOUTH 33° 42' 17" EAST A DISTANCE OF 126.81 FEET; THENCE SOUTH 42° 20' 25" EAST A DISTANCE OF 177.61 FEET; THENCE SOUTH 67° 00' 36" EAST A DISTANCE OF 283.17 FEET; THENCE SOUTH 82° 52' 43" EAST A DISTANCE OF 170.19 FEET; THENCE SOUTH 49° 36' 23" EAST A DISTANCE OF 455.81 FEET; THENCE SOUTH 58° 34' 11" EAST A DISTANCE OF 431.57 FEET; THENCE SOUTH 62° 07' 52" EAST A DISTANCE OF 456.37 FEET; THENCE SOUTH 05° 07' 26" WEST A DISTANCE OF 159.12 FEET TO A POINT ON THE PROPOSED NORTH RIGHT OF WAY OF HILDEBRAND BOULEVARD SAID POINT BEING A POINT ON THE ARC OF A 831.00 FOOT RADIUS CURVE; THENCE ALONG THE PROPOSED NORTH RIGHT OF WAY LINE THE FOLLOWING COURSES: FROM A TANGENT BEARING OF SOUTH 84° 52' 34" EAST ALONG SAID CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 25° 36' 13" AN ARC DISTANCE OF 371.35 FEET TO A POINT OF REVERSE CURVATURE WITH A 2463.00 FOOT RADIUS CURVE; THENCE ALONG SAID CURVE TO THE LEFT THROUGH A CENTRAL ANGLE OF 10° 25' 16" AN ARC DISTANCE OF 447.98 FEET TO A NON TANGENT LINE; THENCE LEAVING THE PROPOSED NORTH RIGHT OF WAY LINE SOUTH 00° 21' 55" EAST A DISTANCE

OF 417.71 FEET TO THE SOUTH LINE OF SAID SECTION 7 AND THE POINT OF BEGINNING.

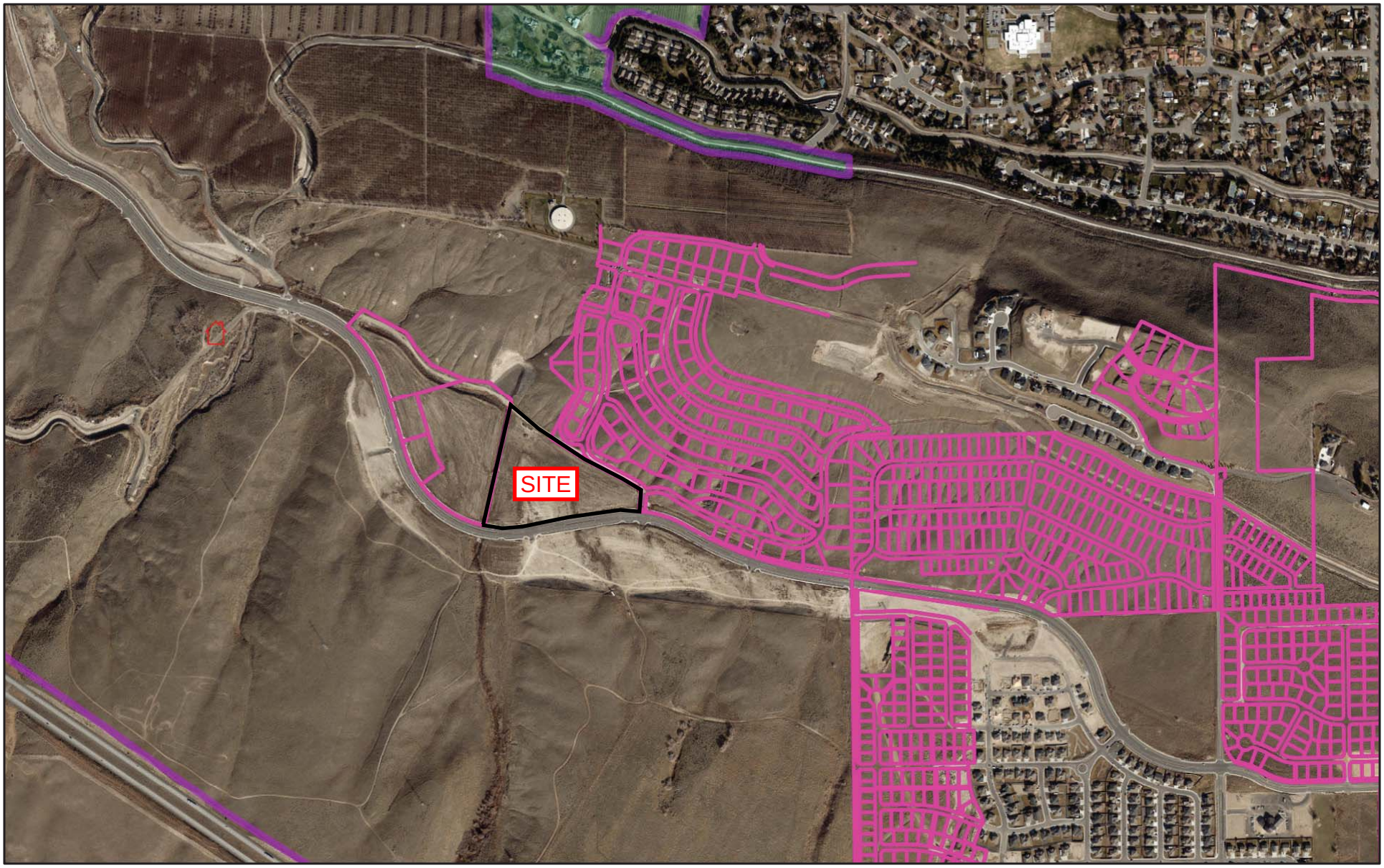
EXCEPT ANY PORTION THEREOF LYING SOUTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF BOB OLSON PARKWAY AS DEDICATED TO THE CITY OF KENNEWICK BY DOCUMENT RECORDED UNDER AUDITOR'S FILE NUMBER 2011-036131, RECORDS OF BENTON COUNTY, WASHINGTON.

ALSO EXCEPT ANY PORTION THEREOF LYING WESTERLY OF THE FOLLOWING DESCRIBED LINE: COMMENCING AT THE NORTHEASTERLY CORNER OF SAID LOT 2; THENCE NORTH 62°07'52" WEST ALONG THE NORTH LINE THEREOF A DISTANCE OF 484.91 FEET TO AN ANGLE POINT IN SAID NORTH LINE; THENCE NORTH 58°34'11" WEST ALONG SAID NORTH LINE A DISTANCE OF 426.64 FEET TO AN ANGLE POINT IN SAID NORTH LINE; THENCE
NORTH 49°36'23" WEST ALONG SAID NORTHERLY LINE A DISTANCE OF 261.68 FEET TO THE TRUE POINT OF BEGINNING: THENCE SOUTH 12°11'33" WEST A DISTANCE OF 930.20 FEET, MORE OR LESS, TO THE NORTHERLY MARGIN OF BOB OLSON PARKWAY AND THE END OF THIS LINE DESCRIPTION.

(ALSO KNOWN AS NEW PARCEL 2 OF RECORD SURVEY 5516 RECORDED UNDER AUDITOR'S FILE NO. 2021-28228)

Exhibit 4

Vicinity/Site Map



July 27, 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_COUNTY_10

SurveyUrbanGrowthBoundary

Preliminary Parcel

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

0 0.075 0.15 0.3 mi

0 0.125 0.25 0.5 km

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

ArcGIS WebApp Builder
City of Kennewick

Comprehensive Plan Map

Exhibit 5

0.075 0.15 0.3 mi

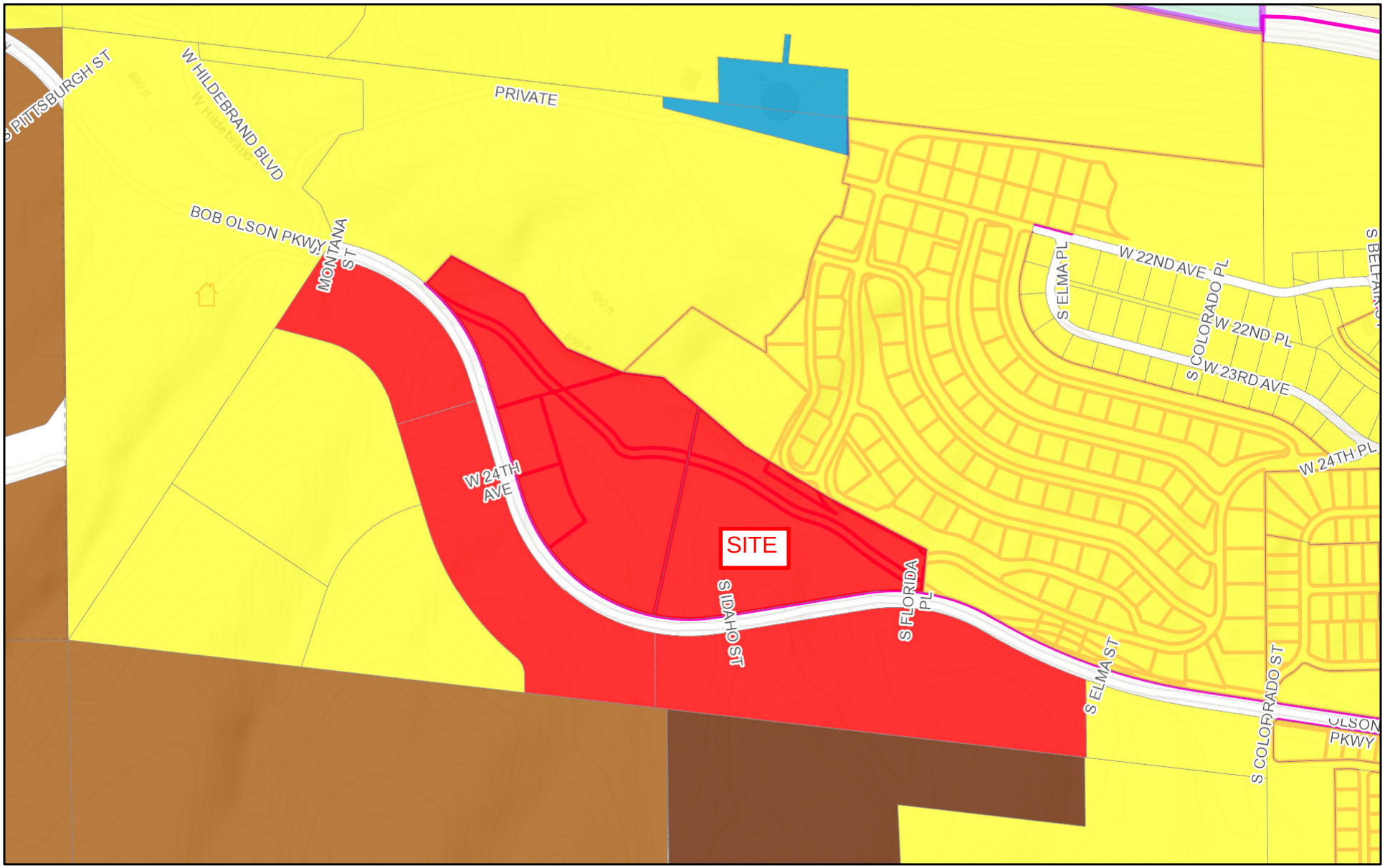
0 0.125 0.25 0.5 km

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

ArcGIS WebApp Builder
City of Kennewick

Zoning Map

Exhibit 6



1 inch = 600 feet 1:7,200

0 0.05 0.1 0.2 mi

0 0.075 0.15 0.3 km

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

ArcGIS WebApp Builder
City of Kennewick

Exhibit 7

NOTICE OF MAILING

I, Steve Donovan **, on** 1/19 **, 20** 23

mailed 5 **copies of** Public Hearing Notice

for COZ-2022-0013

to property owners within 300 feet of the site.

as shown on the attached list.

Signature

37
P & R Construction, LLC
105609 E Wiser Parkway
Kennwick, WA 99338

37
Bauder Young Properties, LLC
859 Meadow Hills
Richland, WA 99352

37
7ha Oregon, LLC
7631 W Van Giesen Street
West Richland, 99353

37

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

37

Rupp, Randall
176 Kranichwood Street
Richland, WA 99352

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

February 6, 2023 6:30 p.m.

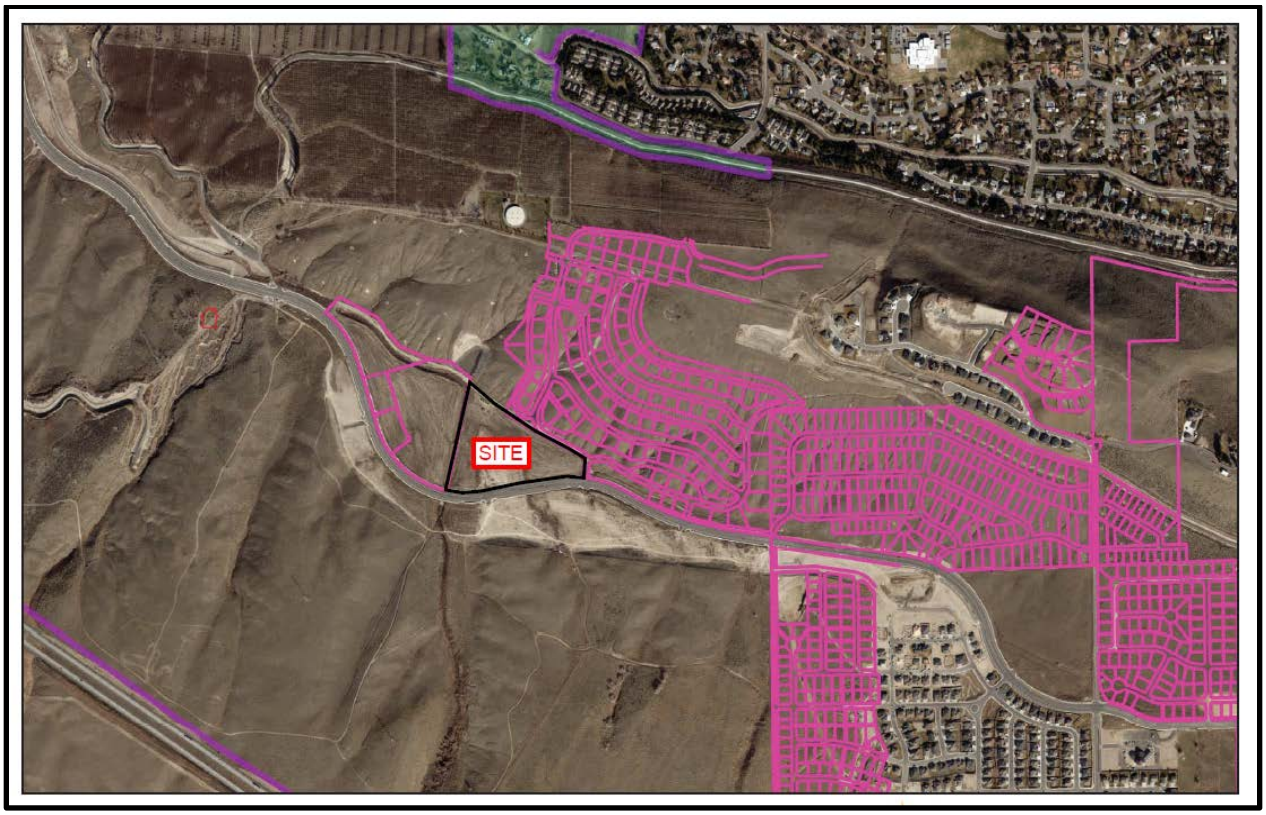
The Kennewick Planning Commission will hold a Public Hearing on Monday, February 6, 2023, at City Hall Council Chambers, 210 West 6th Avenue, at 6:30 p.m. or as soon as possible thereafter, to receive public comment on a proposed Change of Zone. Staff will be presenting their analysis and the Planning Commission will make a recommendation to the City Council on the item. The public hearing will be conducted in a hybrid setting which will allow interested parties to participate in person or virtually. To participate virtually in the hearing, use the link found at https://www.go2kennewick.com/598/Planning-Commission.

Permit# COZ-2022-0013 – A Change of Zone for 13.76 acres at 8224 Bob Olson Parkway from Commercial, Community (CC) to Residential, High Density (RH). The property has a comprehensive plan land use designation of High Density Residential. **Review the site 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.

Exhibit 7



CITY OF KENNEWICK
DETERMINATION OF NON-SIGNIFICANCE

FILE/PROJECT NUMBER: ED-2022-0016

DESCRIPTION OF PROPOSAL: To change the land use designation of 13.76 acres from Commercial to High Density Residential and to rezone the property from Commercial, Community to Residential, High Density. Additionally, a 300-unit multi-family apartment complex is proposed to be constructed at the site.

PROPONENT: Red Tail Multifamily Land Development, LLC, 2082 Michelson, 4th Floor, Irvine, CA 92612

LOCATION OF PROPOSAL, INCLUDING STREET ADDRESS, IF ANY: 8224 Bob Olson Parkway

LEAD AGENCY: City of Kennewick

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

X There is no comment period for this DNS.

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

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

RESPONSIBLE OFFICIAL: Anthony Muai, AICP
POSITION/TITLE: 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:

X No conditions.

___ See attached condition(s).

Date: July 18, 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 and no later than 5 p.m. This appeal must be written and make specific factual objections to the City's threshold determination. Appeals shall be conducted in conformance with Section 4.12.090(9) of the Kennewick Municipal Code and the required fees pursuant to the City's adopted Fee Schedule shall be paid at time of appeal submittal.

Copies of this DNS were mailed to:

Dept. of Ecology
WA Dept. of Fish & Wildlife
WSDOT
Yakama Nation
CTUIR
ED-2022-0016 File

State of Washington
DEPARTMENT OF FISH AND WILDLIFE
South Central Region • Region 3 • 1701 South 24th Avenue, Yakima, WA 98902-5720
Telephone: (509) 575-2740 • Fax: (509) 575-2474

December 20, 2022

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

RE: WDFW Comments on Proposed Change of Zone, COZ-2022-0013

Mr. Donovan:

Thank you for the opportunity to comment on the proposed change of zoning for 8224 Bob Olson Parkway, "the project". Washington Department of Fish and Wildlife (WDFW) has reviewed the application and supporting documents.

WDFW has no comments or concerns regarding the proposed zoning change. However, we do offer the following two comments relating to the development of the 300-person multi-family apartment complex proposed at the site:

1. A Type 9 ("unknown") water feature appears to be located on the site of development. However, WDFW's internal maps show that we have issued numerous HPA permits for projects downstream of this location; therefore, it is likely that this water feature may be considered a state-regulated watercourse and a Hydraulic Project Approval (HPA) permit may be required. WDFW requests that the applicant contact us so that we may perform an on-site investigation and confirm whether an HPA permit is needed.

2. The project location is underlain with "imperiled" habitat per the Arid Lands Initiative Columbia Plateau Ecoregion Analysis. We therefore recommend that any pockets of intact native vegetation, including mature native shrubs, be preserved or set aside as green space. If this is not feasible, we recommend that any stormwater drainages, flowerbeds, or other unpaved areas be planted with native shrubsteppe vegetation and designed to maximize benefit to native wildlife species.

Please contact me at (509) 607-6711 or Elizabeth.Torrey@dfw.wa.gov, if you have any questions or concerns regarding these comments. Thank you again for the opportunity to review and comment on this project.

Sincerely,

Elizabeth Torrey

Elizabeth Torrey
Assistant Regional Habitat Program Manager, WDFW

Cc:
Troy Maikis, WDFW

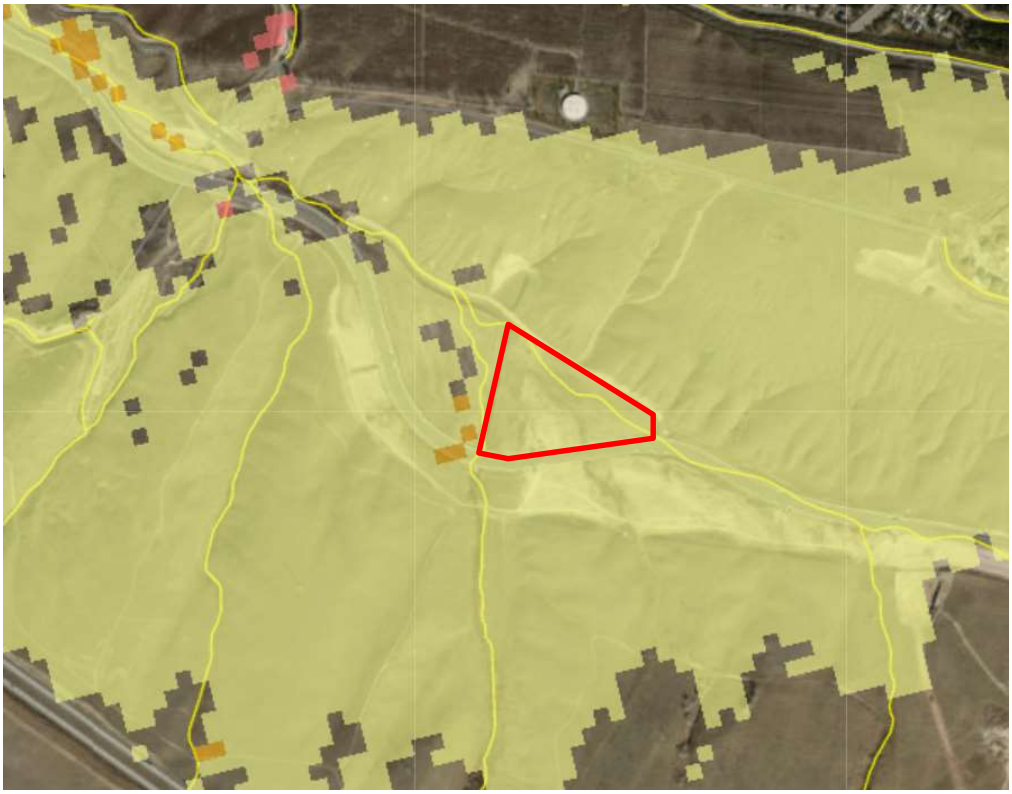


Figure 1: Parcel roughly indicated in red. The yellow lines illustrate potential watercourses, and the large yellow polygon indicates "S2 Imperiled" habitat identified by the Arid Lands Initiative.

From: JoDee Peyton
To: Steve Donovan
Subject: COZ-2022-0013
Date: Thursday, December 22, 2022 8:34:46 AM
Attachments: image001.png
image003.png
image004.png
image005.png

RE: COZ-2022-0013
Location: 8224 Bob Olson Parkway
Change of Zone

Dear Mr. Donovan,

This office has reviewed the above referenced proposal and has no objections provided:

1. Municipal services, such as sewer and water, are provided to the proposed apartment complex.

2. Any proposed swimming pool must meet the regulations of WAC 246-260, which includes obtaining a construction permit from the Department of Health and an operating permit from the Benton-Franklin Health District.

In an effort to promote active lifestyles, we would encourage you to consider and coordinate the development of safe bicycle paths, the adoption of zoning rules favoring sidewalks in residential and commercial areas, traffic-free areas and traffic patterns that encourage people to walk, measures to ensure safe streets, and incentives to encourage the public to use mass transit rather than private cars, in this and in all future developments within the City of Kennewick.

If you have any questions, please contact me at the Kennewick Health Office, phone 460-4318.

Please feel free to contact me with any concerns or questions.

JoDee A. Peyton, EHS II, Lead
Environmental Health Specialist
Land Use, Sewage and Water Section

Benton-Franklin Health District
7102 W. Okanogan Place
Kennewick, WA 99336
p: 509.460.4318
Pronouns: she/her
www.bfhd.wa.gov jodeer@bfhd.wa.gov

PUBLIC HEALTH
Prevent • Promote • Protect
BENTON-FRANKLIN HEALTH DISTRICT

PHAB

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From: Rodgers,Deborah (CONTR) - TERR-TRI CITIES RMHQ
To: Steve Donovan
Cc: Cummings,Nicole M (BPA) - TERR-TRI CITIES RMHQ
Subject: RE: COZ-2022-0013
Date: Thursday, January 5, 2023 4:37:44 PM
Attachments: image001.png
image002.png
image004.png

In reply refer to: BLA2022-119 DNR Lots 7 & 10

Tract No.: ABH-14-AR-3P2
Line: Franklin-Badger Canyon No. 1 & McNary-Badger Canyon No. 1
Access Road Easement

Steve Donovan
Community Planning/Planning Manager
City of Kennewick

Dear Mr. Donovan:

The Bonneville Power Administration (BPA) has reviewed COZ-2022-0013 and its relationship to BPA access road ABH-14-AR-3P2 located within the project area. Currently BPA is reviewing BPA's access road requirements and the proposed development area.

If you have any questions regarding this request or need additional information, please feel free to contact Nicole Cummings at (509) 542-5499 or you may contact BPA's Realty Office toll-free at (800) 282-3713.

Sincerely,

Actalent
People to Possible

Deborah Rodgers
Realty Technician Contractor
2211 North Commercial Avenue, Pasco, WA 99301
Bonneville Power Administration | TERR/Tri-Cities-RNHQ
Real Property Field Services | (509) 544-4749

From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Tuesday, December 20, 2022 1:32 PM
To: Ashley M. Morton <AshleyMorton@ctuir.org>; Ben Franklin Transit - Bill Barlow <bbarlow@bft.org>; 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. - Erin Hockaday <erint@bfhd.wa.gov>; Benton Franklin Health Dept. - Seam Domagalski <seand@bfhd.wa.gov>; Benton PUD - engineering services <engservice@bentonpud.org>; Benton PUD - Jeff Vosahlo

MUROW
DEVELOPMENT CONSULTANTS

RESPONSE TO COMMENTS DOCUMENT

Lead Agency: City of Kennewick
Planner: Steve Donovan
Email: Steve.Donovan@ci.kennewick.wa.us
CC:

Commenting Agency: Bonneville Power Administration ("BPA")
Scope: Power
Contact: Nicole Cummings
Email:
Phone: 509-542-5499
Main: 800-282-3713

Project: Arrive Kennewick – 8224 Bob Olson PKWY
Subject: Zone Change Comments
Date of Submittal: 12/20/22
Date of Comments: 01/05/23
Date of Responses:

Notes: This document contains the comment responses to the planning comment letters received on 01/18/23.
Comments are italicized. Comment responses noted:

Bonneville Power Administration ("BPA")

1. *Comment: The BPA has reviewed COZ-2022-0013 and its relationship to BPA access road ABH-14-AR-3P2 located within the project area. Currently BPA is reviewing BPA's access road requirements and the proposed development area.*
    a. Response needed from: NA
    b. Response: Need further information from BPA
    c. Reference:

MUROW
DEVELOPMENT CONSULTANTS

RESPONSE TO COMMENTS DOCUMENT

Lead Agency: City of Kennewick
Planner: Steve Donovan
Email: Steve.Donovan@ci.kennewick.wa.us
CC:

Commenting Agency: Benton-Franklin Health District
Scope: Health
Contact: JoDee A. Peyton
Email: jodeer@bfhd.wa.gov
Phone: 509-460-4318

Project: Arrive Kennewick – 8224 Bob Olson PKWY
Subject: Zone Change Comments
Date of Submittal: 12/20/22
Date of Comments: 12/22/22
Date of Responses:

Notes: This document contains the comment responses to the planning comment letters received on 01/18/23. Comments are italicized. Comment responses noted in Red:

Benton-Franklin Health District

1. *Comment: Municipal services, such as sewer and water, are provided to the proposed apartment complex*
    a. Response needed from: NA
    b. Response: All services noted will be provided to the proposed apartment complex as shown on the current plans
    c. Reference: Civil Plans
2. *Comment: Any proposed swimming pool must meet the regulations of WAC 246-260, which includes obtaining a construction permit from the department of Health and an operating permit from the Benton-Franklin Health District*
    a. Response needed from: NA
    b. Response: The proposed swimming pool will meet the regulations of WAC 246-260. The project applicant will obtain the necessary permits for construction and operation of the pool
    c. Reference:

MUROW
DEVELOPMENT CONSULTANTS

RESPONSE TO COMMENTS DOCUMENT

Lead Agency: City of Kennewick
Planner: Steve Donovan
Email: Steve.Donovan@ci.kennewick.wa.us
CC:

Commenting Agency: Washington Department of Fish and Wildlife ("WDFW")
Scope: Wildlife Protection
Contact: Elizabeth Torrey
Email: Elizabeth.Torrey@dfw.wa.gov
Phone: 509-607-6711

Project: Arrive Kennewick – 8224 Bob Olson PKWY
Subject: Zone Change Comments
Date of Submittal: 12/20/22
Date of Comments: 12/20/22
Date of Responses:

Notes: This document contains the comment responses to the planning comment letters received on 01/18/23. Comments are italicized. Comment responses noted:

WDFW – No Comments pertaining to the zone change. The following comments are related to the development of the 300-person multi-family apartment complex proposed at the site:

1. *Comment: A Type 9 ("unknown") water feature appears to be located on the site of development. However, WDFW's internal maps show that we have issued numerous HPA permits for projects downstream of this location; therefore, it is likely that this water feature may be considered a state-regulated watercourse and a Hydraulic Project Approval (HPA) permit may be required. WDFW requests that the applicant contact us so that we may perform an on-site investigation and confirm whether an HPA permit is needed.*
    a. Response needed from: Murow DC
    b. Response: According to satellite imagery and discussions with the Civil Engineer, the entire property was graded and leveled in 2016 eliminating the "riverine" from the property in its entirety. This grading work included the excavation of a deep drainage ditch that runs parallel to the property on the adjacent property on the West but is not within the Subject property. This is a non-issue and has been addressed within the Biology Report that is a part of the submittal package to the City for the Comp Plan Amendment.
    c. Reference: Biological report
2. *Comment: The project location is underlain with "imperiled" habitat per the Arid Lands Initiative Columbia Plateau Ecoregion Analysis. We therefore recommend that any pockets of intact native vegetation, including mature native shrubs, be preserved or set aside as green space. If this is not feasible, we recommend that any stormwater drainages, flowerbeds, or other unpaved areas be planted with native shrubsteppe vegetation and designed to maximize benefit to native wildlife species.*
    a. Response needed from: Murow DC

b. Response: Please see the attached Biological report for our biological findings located at the site.
c. Reference: Biological Report

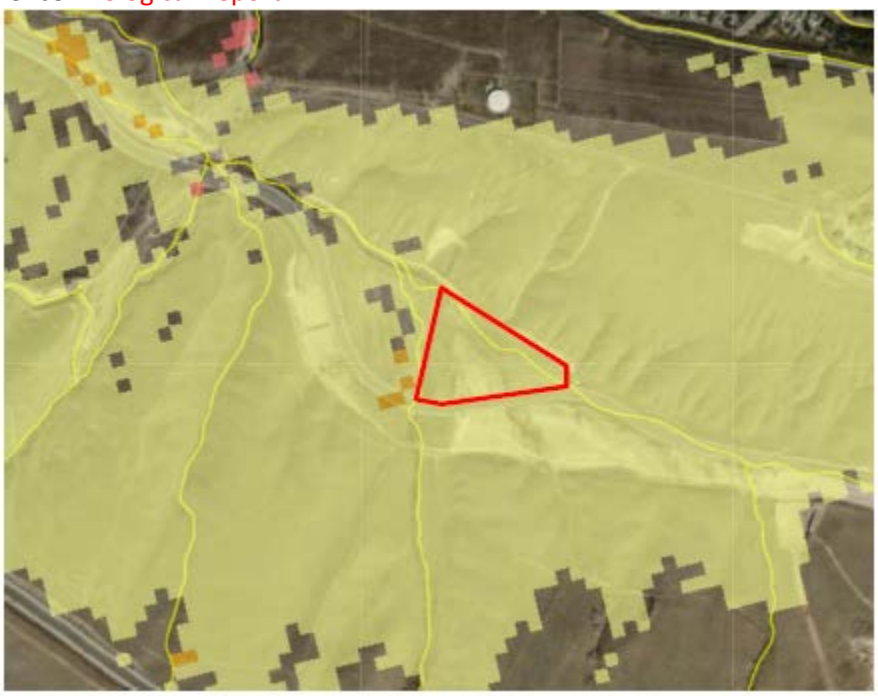

Figure 1: Parcel roughly indicated in red. The yellow lines illustrate potential watercourses, and the large yellow polygon indicates “S2 Imperiled” habitat identified by the Arid Lands Initiative.

CRITICAL AREAS REPORT –

BIOLOGICAL RESOURCES

Parcel #107894000001003
8224 Bob Olson Parkway | Kennewick
Benton County, Washington

Prepared for:

Mr. Ron Wu
Red Tail Land Development LLC
2082 Michelson, Fourth Floor
Irvine, California 92612

Client of Ms. Kelly Nguyen
Murow Development Consultants
1151 Duryea Avenue
Irvine, California 92614

Prepared by:

Geoffrey Gray, MA, PWS
GG Environmental
151 Poulin Rd. Selah, WA 98942
gg@gg-env.com
(509) 426-5645

March 23, 2022

GG Environmental
WETLANDS • FISH • WILDLIFE

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Executive Summary

Murow Development Consultants, in collaboration with Red Tail Development, LLC (Client), is proposing to construct approximately 300 multi-family single-story rental units within multiple three-story buildings on Benton County parcel #107894000001003 (13.76 acres), located at 8224 Bob Olson Parkway, within the city limits of Kennewick, Washington.

The Client retained GG Environmental (Geoffrey Gray, MA, PWS) to complete a "Biological Resources Report" (Critical Areas Report), per guidance provided in the Kennewick Municipal Code (KMC), to evaluate the potential for biological resources (wetlands, streams, and/or fish and wildlife habitat conservation areas)[1] to be present within the study area. The study area includes the proposed project footprint (project footprint) and all areas within a 200-foot radius[2] of the project footprint (31.64 acres).

A reconnaissance-level field visit was completed on February 11, 2022 followed by a site survey on March 11, 2022. The survey area was traversed on foot, except for zones south of Bob Olson Parkway that were readily observed from the road.

Based on best available science, including, but not limited to, soil data, topography, existing GIS data, historic aerial imagery, consultation with the Washington Department of Fish and Wildlife and City of Kennewick, and observational data collected onsite, it is determined that no regulated wetlands or streams are present within the survey area nor do any regulatory buffers intersect the project footprint. Furthermore, no impacts to sensitive species or habitats are anticipated.

[1] The report also includes data on migratory birds, including nesting habitat.
[2] Per KMC 18.58.080.1 *Jurisdiction – Critical Areas*.

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Acronyms and Abbreviations

DNR	Department of Natural Resources
ESA	Endangered Species Act
GIS	Geographic Information System
GNSS	Global Navigation Satellite System
GPS	Global Positioning System
HUC	Hydrologic Unit Code
KID	Kennewick Irrigation District
KMC	Kennewick Municipal Code
LRR	Land Resource Region
MBTA	Migratory Bird Treaty Act
MLRA	Major Land Resource Area
NOAA	National Oceanic and Atmospheric Administration
NRCS	Natural Resources Conservation Service
NWI	National Wetlands Inventory
PHS	Priority Habitats and Species
PWS	Professional Wetland Scientist
USFWS	United States Fish and Wildlife Service
WDFW	Washington State Department of Fish and Wildlife
WGS84	World Geodetic System 1984
WNHP	Washington Natural Heritage Program
WRIA	Water Resource Inventory Area

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1. Introduction

Murow Development Consultants, in collaboration with Red Tail Development, LLC (Client), is proposing to construct approximately 300 multi-family single-story rental units within multiple three-story buildings on Benton County parcel #107894000001003 (13.76 acres), located at 8224 Bob Olson Parkway within the city limits of Kennewick, Washington (**Figure 1**).

The parcel occurs within the southwest quarter of the southeast quarter of Section 7 in Township 8 North, Range 29 East (**Figure 2**). The approximate geospatial center of the project footprint is latitude 46°11'15.18" north, longitude 119°13'51.63" west (WGS84). Elevation is approximately 650 feet (Google 2022).

The study area also occurs within USDA Land Resource Region (LRR) B, the Columbia Basin USDA Major Land Resource Area (NRCS 2006), Water Resource Inventory Area (WRIA) 37 (Lower Yakima), and Coyote Canyon subwatershed (12th Hydrologic Unit Code 170300031204).

Figure 1. Project Location

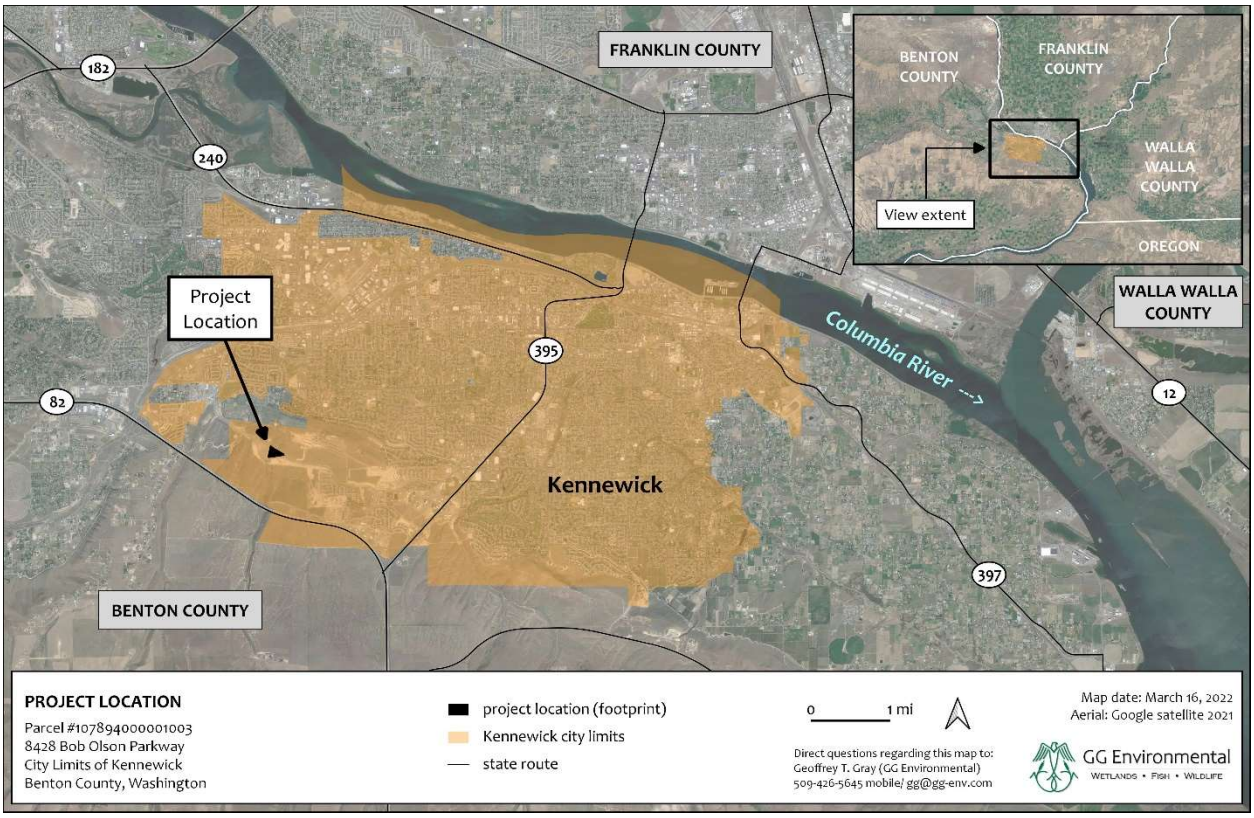
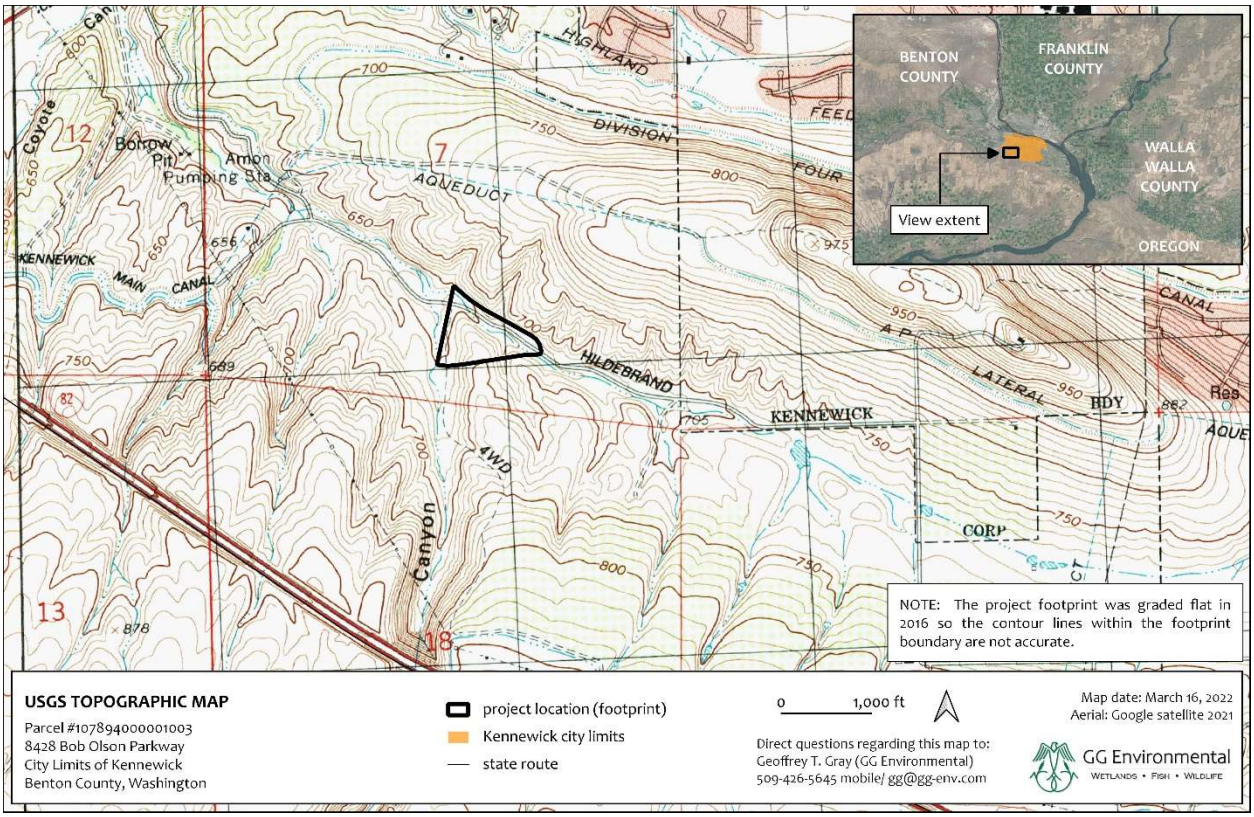


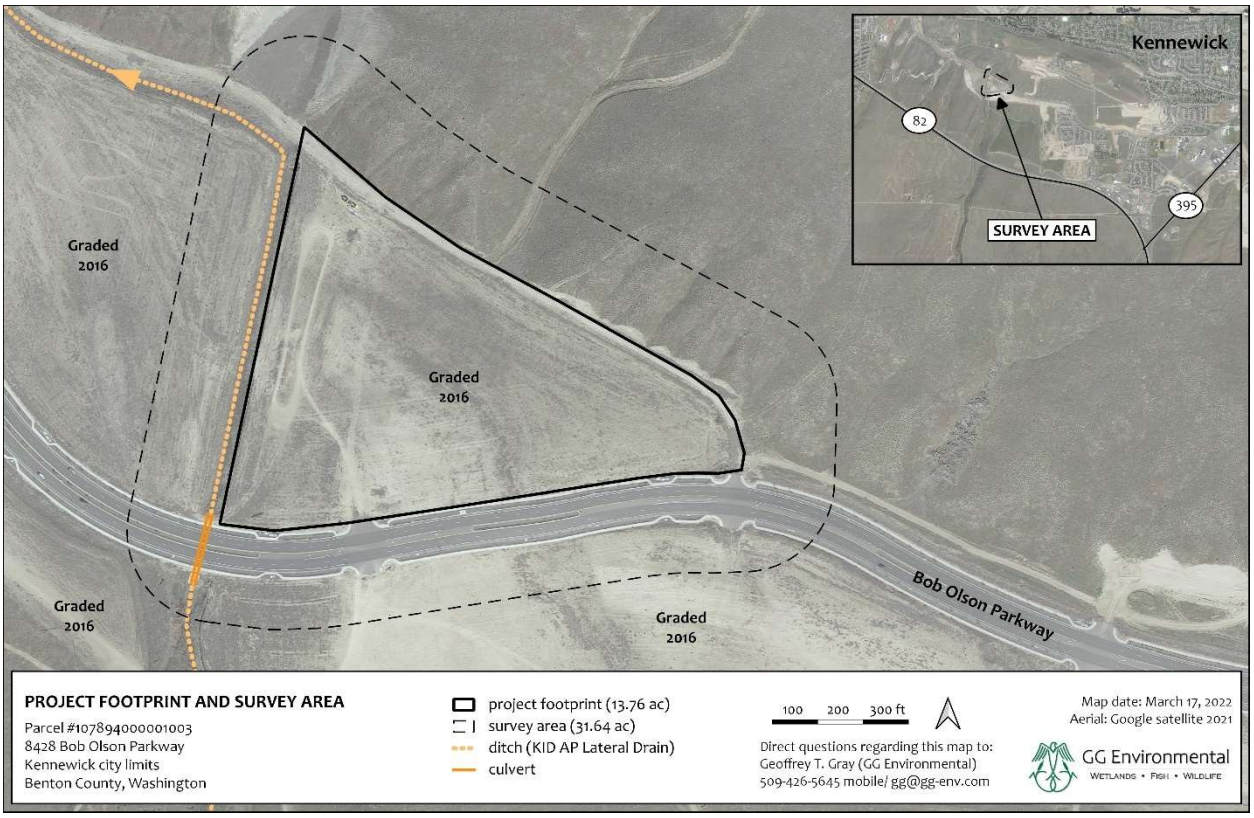
Figure 2. USGS Topographic Map



The Client retained GG Environmental (Geoffrey Gray, MA, PWS) to complete a "Biological Resources Report" (Critical Areas Report), per guidance provided in the Kennewick Municipal Code (KMC), to evaluate the potential for biological resources (wetlands, streams, and/or fish and wildlife habitat conservation areas) to be present within the study area.[3] The study area includes the proposed project footprint (project footprint) (13.76 acres) and all areas within a 200-foot radius[4] of the project footprint (31.64 acres) (**Figure 3**).

[3] The report also includes data on migratory birds, including nesting habitat.
[4] Per KMC 18.58.080.1 *Jurisdiction – Critical Areas*.

Figure 3. Project Footprint and Survey Area



2. Methods

An overview of the methods employed to evaluate aquatic resources, sensitive species, and habitats is presented in this section.

2.1. Background Data

The following sources were referenced for existing data on soils, topography, land use history, vegetation, wetlands, streams, sensitive species, and habitats:

- National Wetlands Inventory (NWI) (USFWS 2022a) (**Appendix A-1**).
- Natural Resources Conservation Service soil survey data (NRCS 2022). (**Appendix A-2**).
- Amon Wasteway and Drain System Map (KID 2022) (**Appendix A-3**).
- Historic aerial photography: 1955 (CWU 2022) and 1996-2021 (Google 2022).
- Federal and state-listed sensitive species (USFWS 2022b, NOAA 2022b, WDFW 2020, WDFW 2022a).
- Designated critical habitats (USFWS 2022c, NOAA 2022b).
- Priority Habitats and Species (PHS) (WDFW 2022a).
- Washington Natural Heritage Program (DNR 2022) (**Appendix A-4**).

2.2. Field Investigation

Fieldwork was completed by GG Environmental (Geoffrey Gray, MA, PWS). A reconnaissance-level site visit was completed on February 11, 2022 followed by a site survey on March 11, 2022. The survey area was traversed on foot, except for zones south of Bob Olson Parkway that were readily observed from the road.

Particular survey effort was directed toward the hillslope north of the project footprint with focus on the presence/absence of Townsend's ground squirrel (TGS) (*Spermophilus townsendii*) (State Candidate), burrowing owl (*Athene cunicularia*) (State Candidate) and migratory birds with an emphasis on nesting habitat (especially raptors).

The TGS survey involved scanning the ground for TGS sign (scat, appropriately-sized burrow, tracks) and listening for TGS vocalization.

Based on input from WDFW (WDFW 2022b), survey effort was also focused toward burrowing owl, with the ground scanned for appropriately-sized burrows with molted feathers, cast pellets, prey remains, eggshell fragments, and/or excrement at or near the burrow entrance.

The migratory bird survey involved searching for stick nests in trees, shrubs, or on man-made structures while recording observations of bird nests of any kind, including swallows and passerines.

Photographs of the survey area are presented in **Appendix B**.

2.3. Geospatial Documentation

Features were geospatially surveyed with a Motorola G7 Power mobile phone, running the Mapit Spatial Geopackage Manager application paired via Bluetooth® with a Juniper Systems Geode™ Multi-Global Navigation Satellite System (Multi-GNSS) receiver capable of sub-meter horizontal accuracy.

3. Existing Conditions

3.1. Project Footprint and Vicinity

According to satellite imagery (Google 2022), the project footprint and vicinity along Bob Olson Parkway was graded and leveled in 2016. Grading work included the excavation of a deep drainage ditch (see **Section 3.2**) that parallels, but lies outside, the west border of the project footprint (**Figure 3**). Bob Olson Parkway borders the project footprint to the south. A dirt road was constructed along the north boundary of the project footprint, along the toe of a hillslope.

3.2. Hydrology

Prior to 2016 grading, historic satellite imagery (Google 2022) and USGS topographic map (**Figure 2**) show a stream feature to be present in the general vicinity of the existing ditch. Draining Amon Canyon toward the north, the stream is mapped by the Kennewick Irrigation District (KID) as the "AP Lateral Drain," (APLD) managed as a component of the Amon Wasteway and Drain System

(**Appendix A-3**). In 2016, the APLD was culverted under Bob Olson Parkway, channelized, and armored with rock from that point downstream. This deep drainage ditch is located outside the project footprint.

The former (pre-2016) location of the APLD is currently mapped by the National Wetlands Inventory (NWI) (USFWS 2022a) as Freshwater Forested/Shrub Wetland. A second stream feature, labeled as "Riverine," is mapped as bisecting the project footprint (**Appendix A-1**).

3.3. Soils

Five soil map units intersect the study area (**Appendix A-2**), but given historic grading, only one unit, associated with the adjacent hillslope, is undisturbed. This undisturbed unit, Warden very fine sandy loam, 15 to 30 percent slopes, eroded, is comprised of loess over lacustrine deposits. Depth to a restrictive layer is more than 80 inches. Not listed as a hydric soil, the soil map unit is well drained and does not flood or pond.

3.4. Vegetation

The project footprint is highly disturbed by grading, upon which a variety of plants, primarily non-native annuals and noxious weeds, have colonized. At the bottom of the APLD, trace amounts of reed canarygrass and coyote willow are rooted into the rock armoring. Hills to the north are dominated by native bluebunch wheatgrass (*Pseudoroegneria spicata*), interspersed with non-native annual cheatgrass (*Bromus tectorum*), with trace rabbitbrush (*Chrysothamnus nauseosus*) and arrowleaf balsamroot (*Balsamorhiza sagittata*). No trees or large shrubs are rooted within the survey area. A list of plants observed is included in **Appendix C**.

3.5. Sensitive Species and Habitats

Sensitive species and critical habitats protected under the federal Endangered Species Act (ESA) are listed by the United States Fish and Wildlife Service (USFWS) (USFWS 2022b, USFWS 2022c) and National Oceanic and Atmospheric Administration (NOAA) (NOAA 2022a, NOAA 2022b). Migratory birds, including nests, are protected under the federal Migratory Bird Treaty Act (MBTA) (USFWS 2022d). Priority Habitats and Species (PHS) are managed at the state level by the Washington State Department of Fish and Wildlife (WDFW) (WDFW 2020, WDFW 2022a).

Federal and state sensitive species and habitat lists were queried for the project vicinity[5] with results summarized in **Table 1** (federal) and **Table 2** (state). Migratory birds, including nesting habitat, is included in **Table 1**. A list of wildlife observed in included in **Appendix C.**

[5] Results are for general reference only within the query zone, and do not conclusively determine that a particular species or habitat is present.

Table 1. ESA-listed Species (USFWS[6]) and Migratory Birds

Common Name	Scientific Name	Federal Status
Monarch butterfly	*Danaus plexippus*	Candidate
yellow-billed cuckoo	*Coccyzus americanus*	Threatened
bull trout	*Salvelinus confluentus*	Threatened
migratory birds, including nesting habitat	------	Protected under the MBTA

Table 2. Priority Habitats and Species (WDFW)

Species Name	Habitat Name
Townsend's ground squirrel *Spermophilus townsendii* (State Candidate) Burrowing owl *Athene cunicularia*[7] (State Candidate)	Shrub-steppe Eastside Steppe Freshwater Forested/Shrub Wetland

4. Findings

4.1. Wetlands and Streams

The NWI-mapped alignment of the APLD does not match the existing ditch (**Figure 3, Appendix A-1**). A second stream feature, bisecting the project footprint and mapped by the NWI as "Riverine," is not present onsite.

No wetlands were observed within the study area, north of Bob Olson Parkway. At the narrow bottom of the APLD, trace reed canarygrass (*Phalaris arundinaceae*) (FACW[8]) and coyote willow (*Salix exigua*) (FACW) are rooted in the rock armoring. However, upland species, including yarrow (*Achillea millefolium*) (FACU[9]) and prickly lettuce (*Lactuca serriola*) (FACU) are present in the lower ditch as well. No evidence of flow was observed, neither sediment deposition, erosion, nor wracked debris. Much of the ditch is filled with wind-blown prickly Russian thistle (*Salsola tragus*) (FACU).

[6] No species regulated by NOAA are mapped as potentially present within the study area.
[7] Added to the list based on input from Michael Ritter, Fish and Wildlife Area Habitat Biologist (WDFW 2022b).
[8] FACW (Facultative Wetland Plants) – Usually occur in wetlands, but may occur in non-wetlands.

[9] FACU (Facultative Upland Plants) – Usually occur in non-wetlands, but may occur in wetlands.

Seasonal flow is relatively certain to occur under heavy precipitation, rain-on-snow events, or surplus irrigation releases into the APLD by the KID. That said, the APLD may function like a seasonal stream in the channelization of excess flows, but north of Bob Olson Parkway, its construction and profile is artificial, it lacks habitat value, and it will likely continue to be managed and maintained as a component of KID infrastructure, including vegetation management and bank stabilization.

The City of Kennewick does not regulate the APLD as a critical area under KMC Chapter 18.63 (Fish and Wildlife Habitat Conservation Areas) and does not require a regulatory setback (City of Kennewick 2022).

4.2. Sensitive Species and Habitats

According to the WDFW (WDFW 2022b), approximately 2,500 acres (including the study area) was identified and studied (economics, transportation, environmental, etc.) as part of the City of Kennewick's Southridge Subarea Plan in the early 2000s. In about 2005, the subarea plan was approved and the area has seen tremendous growth the past five years. The WDFW did comment on the subarea plan and it identified some burrowing owl issues. Given infrastructure development, probably a fire or two, and construction of buildings and homes, there is little left in terms of meaningful shrub steppe habitat and associated species. Vegetation types observed within the study area is depicted in **Figure 4**. The vegetation community on the hillside north of the project footprint is adequately described as Eastside Steppe per WDFW 2008 insofar as the prevailing cover component is bluebunch wheatgrass with scattered shrubs (rabbitbrush).

None of the federal ESA-listed species in **Table 1** would be affected by the proposed project due to lack of suitable habitat within the study area. No impacts to migratory bird nests would result from the proposed project due to lack of suitable habitat. No trees, large shrubs, or infrastructure that would support raptor nests are present within the study area. No nests of any kind, including swallows or passerines, were observed.

Of the state-regulated species listed in **Table 2,** none are likely to be adversely affected by the proposed project, as determined in **Table 3**.

Figure 4. Vegetation Types

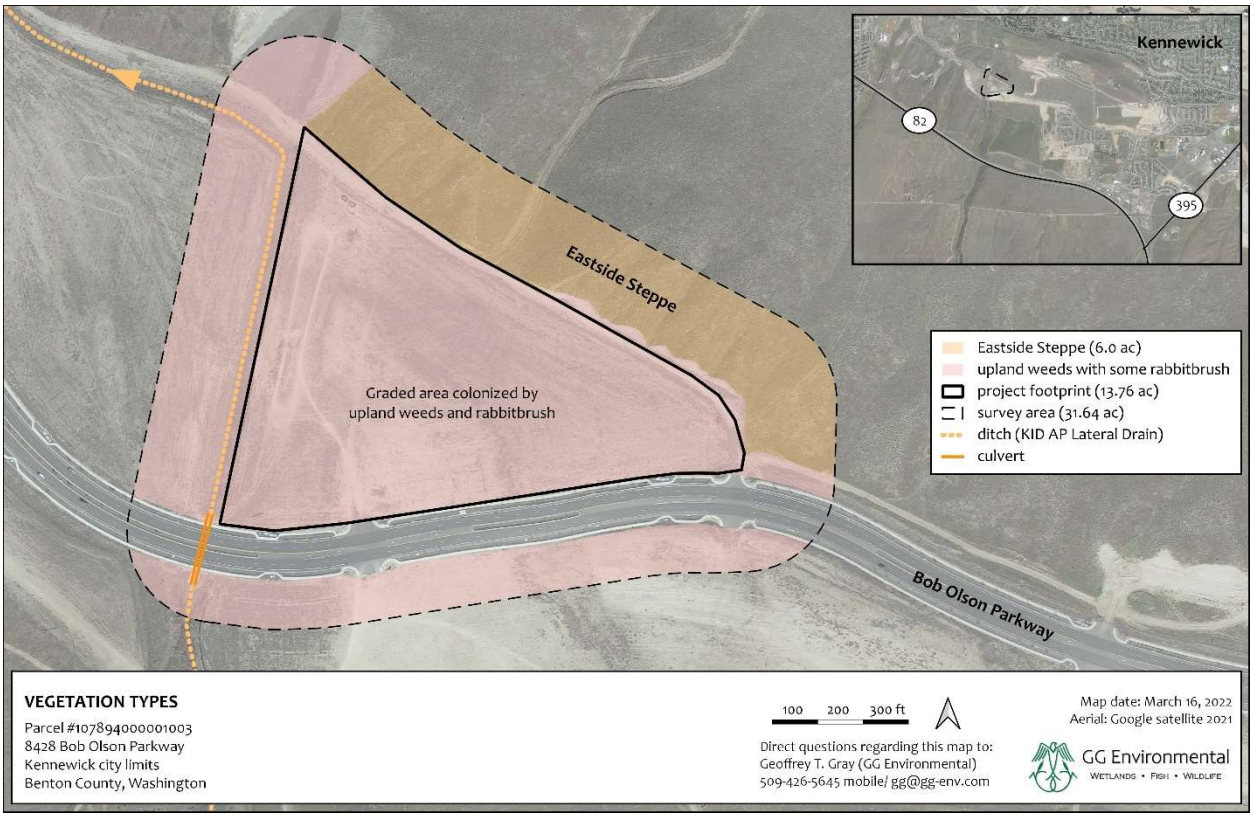


Table 3. WDFW Priority Habitats and Species – Determination

Species or Habitat	Determination
Townsend's ground squirrel	**Not likely present.** Although the survey was completed early in the year, prior to a typical April-May survey window, no TGS sign was observed. Survey data, given the disturbance history of the vicinity as communicated by WDFW (2022b), suggests that TGS is not likely present within the study area.
Burrowing owl	**Not likely present.** No burrowing owl sign was observed. These survey data, given the disturbance history of the vicinity as communicated by WDFW (2022b), suggests that burrowing owl is not likely present within the study area.
Shrub-steppe	**Not present.** In an undisturbed condition, shrub cover, dominated by big sagebrush and other co-dominant shrubs, varies between 10 to 30 percent or greater. Shrub height typically is medium tall (1.6-3.3 ft) although some sites support shrubs approaching 9 feet tall (WDFW 2009). This vegetation community is not present in the study area.
Eastside Steppe	**Present.** The hillslope is dominated by bluebunch wheatgrass, interspersed with cheatgrass. Scattered rabbitbrush and arrowleaf balsamroot are also present. However, this vegetation community lies outside the project footprint.
Freshwater Forested/Shrub Wetland	**Not present.** The former (pre-2016) location of the APLD is mapped by the NWI as Freshwater Forested/Shrub Wetland. However, no wetlands were identified within the existing APLD alignment (ditch).
Streams	**"Present" but not regulated.** The APLD ditch may function as a channelized, seasonal stream but it is highly modified and is a component of the Amon Wasteway and Drain System managed by KID. The City of Kennewick does not regulate the ditch as a stream (City of Kennewick 2022). A second stream feature, mapped as "Riverine" by the NWI and bisecting the project footprint, is not present onsite.

4.3. Washington Natural Heritage Program

Wetlands, rare plants, and nonvascular species of high conservation value are mapped by the Washington State Department of Natural Resources (DNR), Washington Natural Heritage Program (WNHP) (DNR 2022). Known locations were queried for a five-mile radius around the project footprint. One rare plant occurrence is documented 3.5-miles north of the project footprint near the Columbia River (**Appendix A-4**). Given the large distance and existing urban development between the project footprint and the mapped occurrence, no adverse effect is anticipated to result from the project.

5. Consultant Qualifications

Geoffrey Gray is a professional biologist and wetland scientist whose 25-year career has provided him with a unique breadth of experience that can readily assist you in moving your project forward.

Investing eight years in higher education, he earned a Bachelor's Degree in Business Management and a Master's degree in Biology from California State University at Fresno.

Continuously employed as a wetland, fish, and wildlife biologist since 1997, while serving tenures in field research, a large environmental consulting firm, state agencies in both California and Washington, and 10 years as an independent environmental consultant, Geoff's resume includes 17 years of full-time duty as a wetland biologist, with experience ranging from the unique vernal pool wetland habitats of California's Central Valley to the diverse wetlands of Eastern Washington State, stretching from the Cascade crest to Idaho.

Spanning his career, Geoff has performed over 120 wetland delineations and has managed 35 wetland mitigation/riparian restoration sites. As a fish and wildlife biologist, he has evaluated over 700 projects for compliance under the Endangered Species Act, including 128 federal consultations.

Geoff founded GG Environmental in 2015, and has since served a diverse palette of clients including habitat restoration groups, private landowners, real estate firms, private industry, and city governments who need assistance in overcoming the challenges of Critical Areas/Shorelines permitting and Endangered Species Act consultation.

A professional-level GPS/GIS user for over 20 years, Geoff employs cutting-edge GPS technology in the field and is proficient in GIS mapping with ArcGIS and QGIS.

Certified as a Professional Wetland Scientist by the Society of Wetland Scientists, Geoff's work is performed to the highest standards and is fully insured (Align General #ENV562007841-00, Allstate 648953645).

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Appendix A. Background Information

Appendix A includes the following sub-appendices:

A-1 USFWS National Wetlands Inventory

A-2 NRCS Soil Survey Map

A-3 Amon Wasteway and Drain System Map

A-4 Wetlands and Rare Plants of Conservation Value

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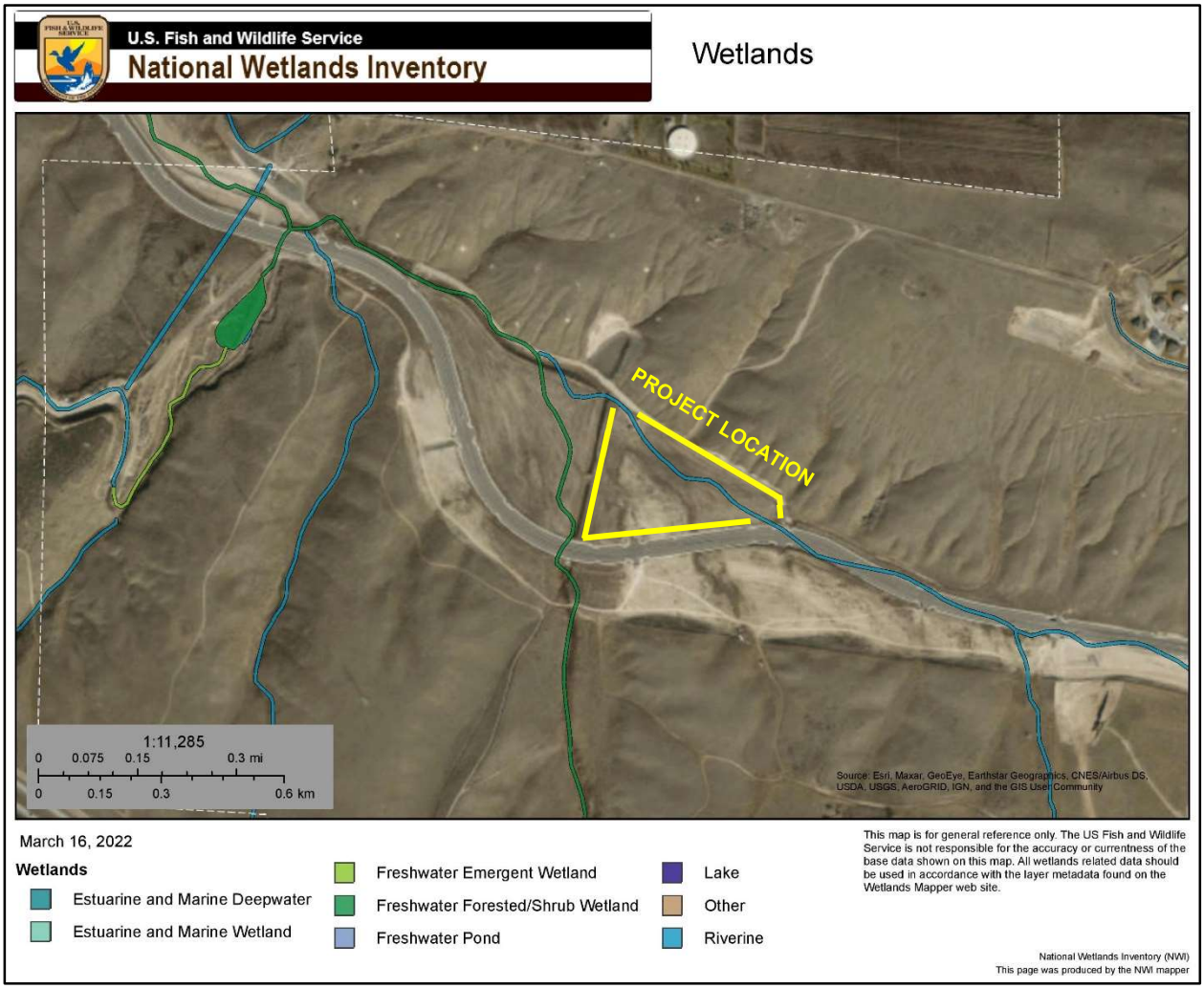
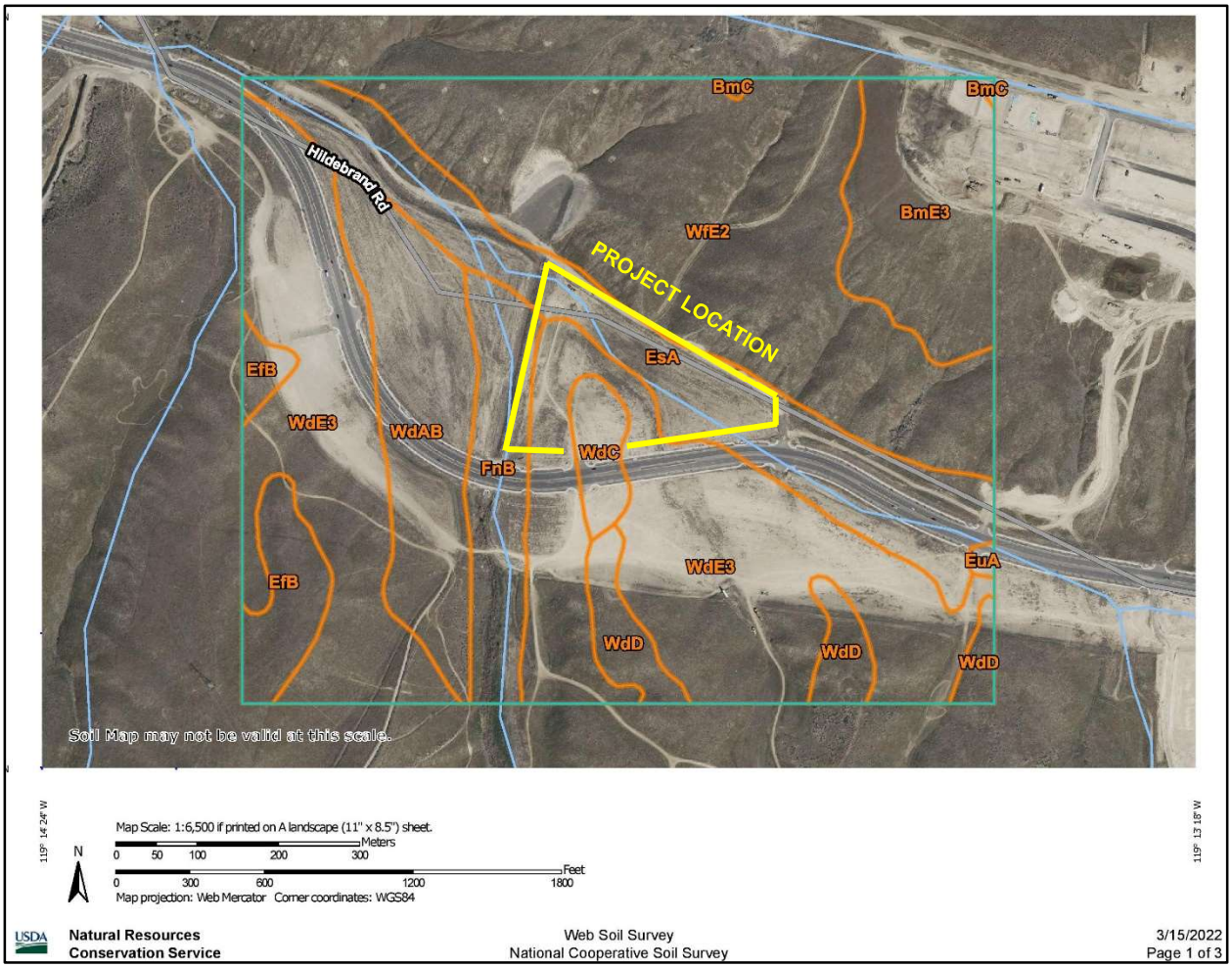
Appendix A-1. National Wetlands Inventory



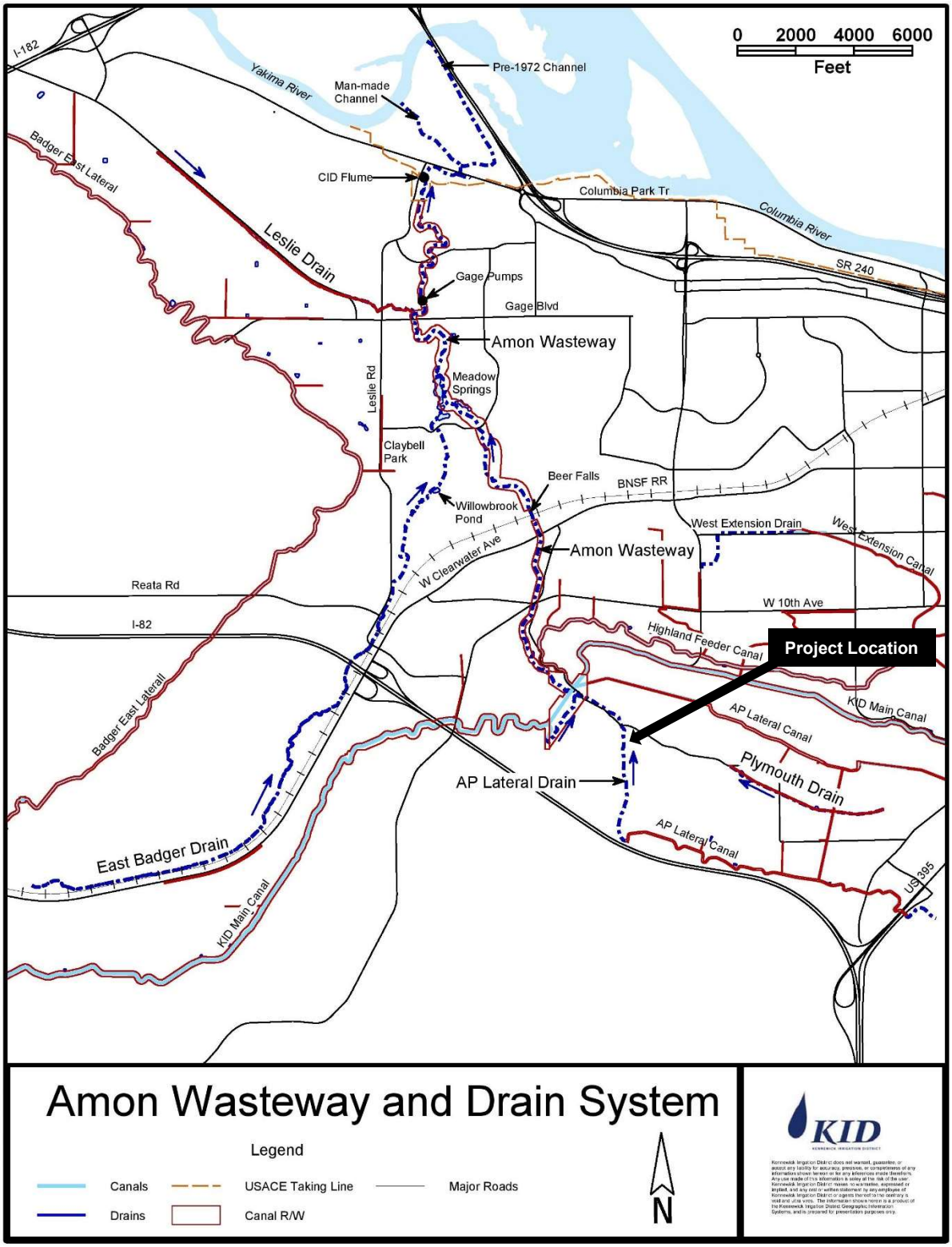
Appendix A-2. NRCS Soil Survey Map



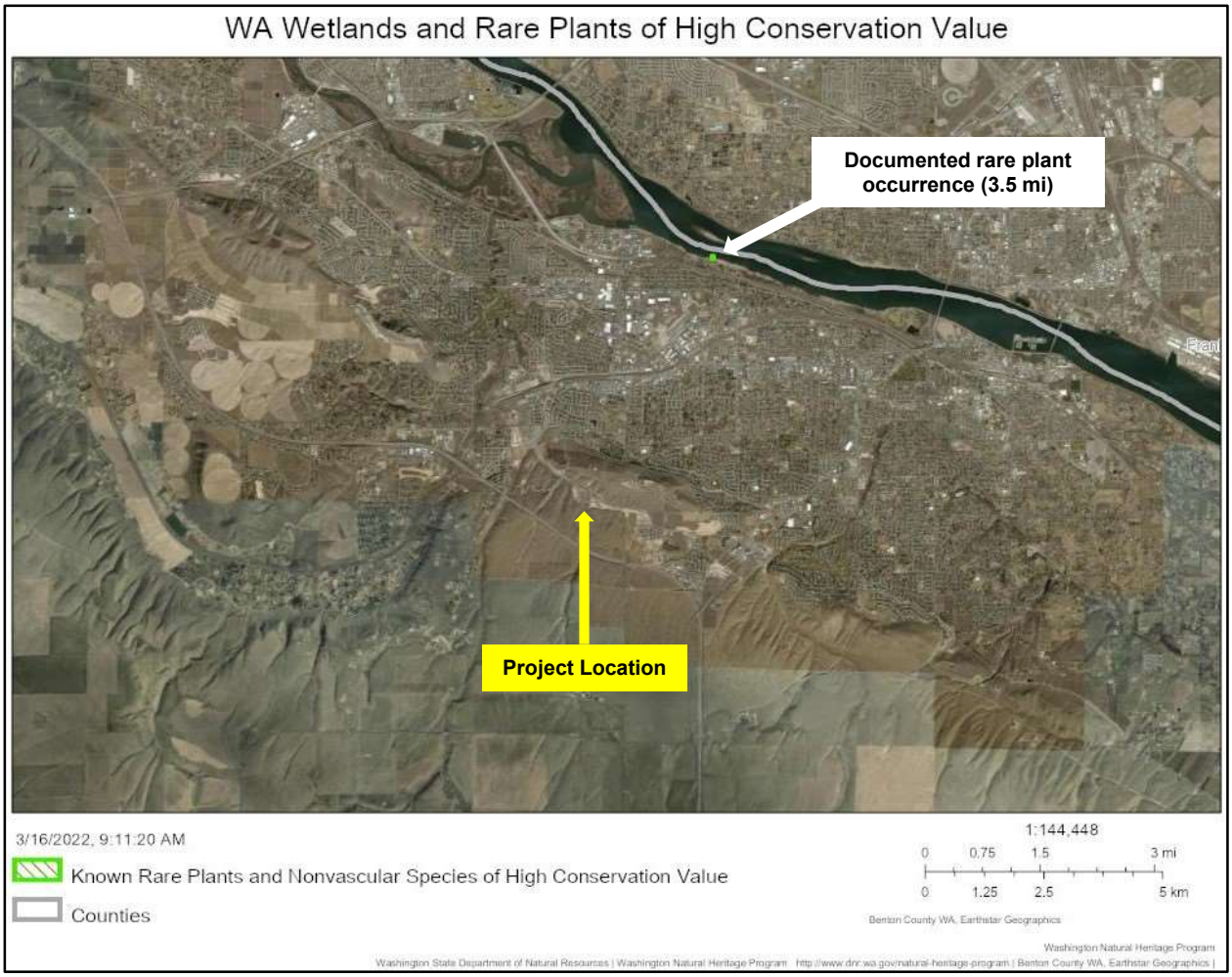
Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BmC	Burke silt loam, 5 to 8 percent slopes	0.3	0.2%
BmE3	Burke silt loam, 15 to 30 percent slopes, severely eroded	13.8	7.8%
EfB	Ellisforde silt loam, 0 to 5 percent slopes	5.9	3.3%
EsA	Esquatzel fine sandy loam, 0 to 2 percent slopes	22.0	12.4%
EuA	Esquatzel silt loam, 0 to 2 percent slopes	0.3	0.2%
FnB	Finley fine sandy loam, moderately deep, 2 to 5 percent slopes	9.1	5.2%
WdAB	Warden silt loam, 0 to 5 percent slopes	15.6	8.8%
WdC	Warden silt loam, 5 to 8 percent slopes	2.7	1.5%
WdD	Warden silt loam, 8 to 15 percent slopes	6.0	3.4%
WdE3	Warden silt loam, 15 to 30 percent slopes, severely eroded	56.5	32.0%
WfE2	Warden very fine sandy loam, 15 to 30 percent slopes, eroded	44.7	25.3%
Totals for Area of Interest		**176.9**	**100.0%**

Appendix A-3. KID Amon Wasteway and Drain System



Appendix A-4. Wetlands and Rare Plants of Conservation Value



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Appendix B. Photos

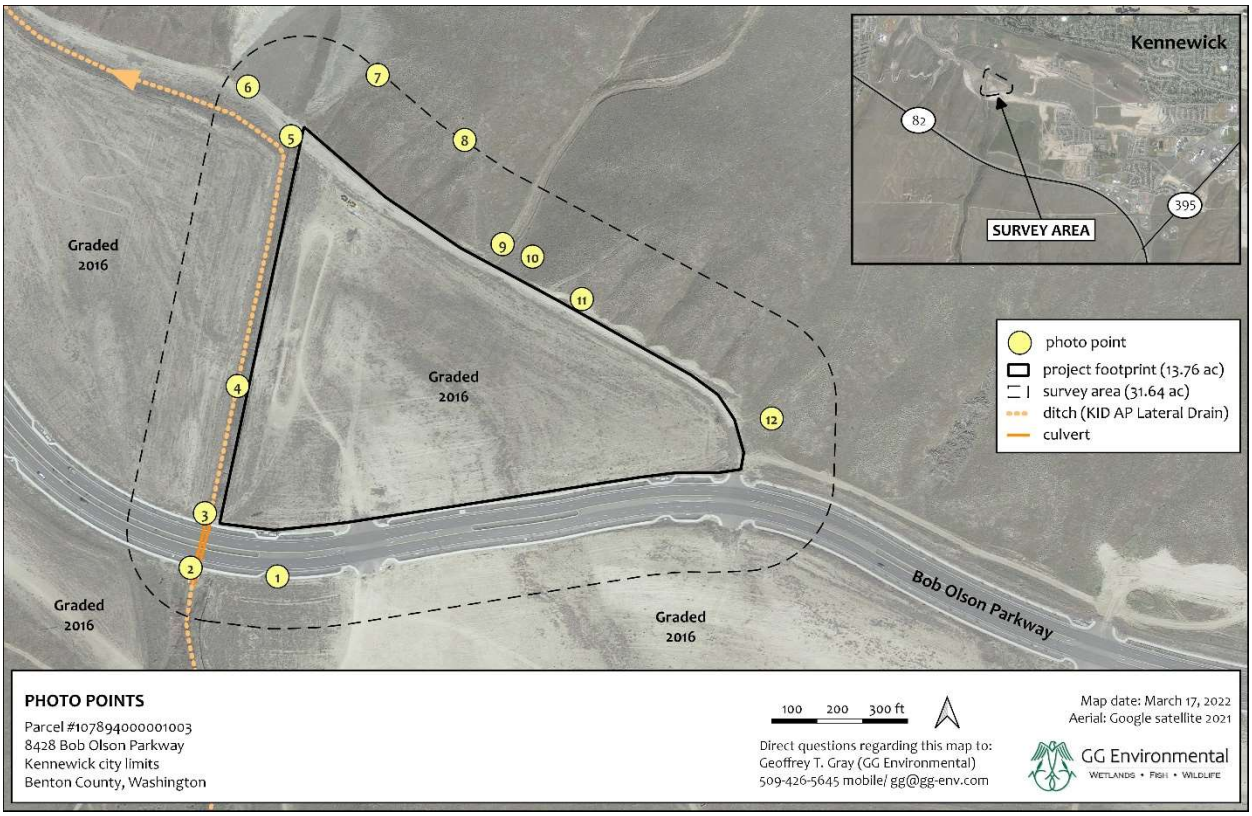

Photo Point 1
view toward south

Photo Point 2
view toward south

Photo Point 3
view toward north

Photo Point 4
view toward north

Photo Point 5
view toward south

Photo Point 6
view toward east

Photo Point 7
view toward south

Photo Point 8
view toward south

Photo Point 9
view toward northeast

Photo Point 10
view toward northeast

Photo Point 11
view toward southeast

Photo Point 12
view toward northwest

Appendix C. Plants and Wildlife Observed

SURVEY DATES: February 11, 2022, March 11, 2022.

Dominant Plants Observed in Disturbed Areas, Including Ditch

Achillea millefolium	Common yarrow	native
Bassia scoparia	Mexican-fireweed	Benton County Class B noxious weed[10]
Bromus tectorum	cheatgrass	non-native
Centaurea solstitialis	yellow star thistle	Benton County Class B noxious weed
Elaeagnus angustifolia	Russian olive	State Class C noxious weed[11]
Lactuca serriola	prickly lettuce	Non-native
Phalaris arundinaceae	reed canarygrass	Benton County Class C noxious weed
Salix exigua	coyote willow	native
Salsola tragus	prickly Russian-thistle	non-native
Sisymbrium altissimum	tumble mustard	non-native
Symphyotrichum sp.	aster, possibly *chilense*	native
Tragopogon dubius	yellow goat's beard	non-native

Plants Observed on the Hillside

Balsamorhiza sagittata	arrowleaf balsamroot	native
Bromus tectorum	cheatgrass	non-native
Chrysothamnus nauseosus	yellow rabbitbrush	native
Pseudoroegneria spicata	bluebunch wheatgrass	native

Wildlife Observed

Canis latrans	Coyote (scat)	native
Small rodents (burrows)	Vole, gopher	native

[10] Benton County (2022)
[11] Washington State (2022)