



CITY COUNCIL REGULAR MEETING AGENDA May 3, 2022 at 6:30 p.m. City Hall Council Chambers and Virtual

The City of Kennewick broadcasts Council meetings on the City's website at <https://www.go2kennewick.com/CouncilMeetingBroadcasts> and via Zoom. If you are unable to attend in person and wish to comment during one of the Visitors sections or if applicable to provide public testimony for a Public Hearing, please register at https://us02web.zoom.us/webinar/register/WN_WLL7Vu8URPyDK5L-6D6m5g. Registrations must be received by 4:00 p.m. on the day of the meeting.

The public can also submit comments by either filling out an online form at <https://www.go2kennewick.com/PublicComments> via e-mail to clerkinfo@ci.kennewick.wa.us, or submitting written comments to P.O. Box 6108, Kennewick, WA 99336. Comments must be received no later than 4:00 p.m. on the Monday before the meeting to be included in the Council packet.

Anyone attending in person is asked to comply with the State mandates regarding gathering in [public spaces](#). Face coverings will be available.

1. CALL TO ORDER

Pledge of Allegiance/Welcome

HONORS & RECOGNITIONS

- Building Safety Month Proclamation
- International Firefighters Day Proclamation
- Public Service Recognition Week Proclamation
- Professional Municipal Clerks Week

2. VISITORS

Public comments for item(s) on the agenda not covered under a public hearing. Please limit your comments to three minutes. Records intended for Council consideration (9 copies are required) must be given to the City Clerk by 4:00 p.m. on the Monday before the meeting for distribution to Council.

3. APPROVAL OF AGENDA

4. CONSENT AGENDA

All matters listed within the Consent Agenda have been distributed to each member of the Kennewick City Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussion.

- a. Minutes of Regular Meeting of April 19, 2022.
- b. Motion to approve Claims Roster - None.
- c. Motion to approve Payroll Roster for April 15, 2022.
- d. Motion to set the date of May 17, 2022 for a public hearing to adopt the Six-year Transportation Improvement Plan (2023-2028)
- e. Motion to award Contract P2115 Ohrt's Addition Storm Drain Retrofit Project to Ellison Earthworks in the amount of \$460,390.11, plus a 10% contingency amount of \$46,039.01, for a total amount of \$506,429.12.

5. ORDINANCES/RESOLUTIONS

- a. Ordinance 5978: 2021/2022 Biennial Budget Adjustment
- b. Ordinance 5979: Change of Zone 2022-0009 from Residential, Suburban (RS) to Residential, Low (RL) at 4830 W. 49th Ave.

6. PUBLIC HEARINGS/MEETINGS

- a. Resolution 22-09: Vacate a 30' Utility/Access Easement & a 10' utility easement at 4112, 4136, 4160 and 4184 W 24th Ave

*To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.
Please be advised that all Kennewick City Council Meetings are Audio and Video Taped*

7. NEW BUSINESS

8. UNFINISHED BUSINESS

9. VISITORS

Public comments for any item(s) the public wants to bring to Council. Please limit your comments to three minutes. Records intended for Council consideration (9 copies are required) must be given to the City Clerk by 4:00 p.m. on the Monday before the meeting for distribution to Council.

10. COUNCIL COMMENTS/DISCUSSION

11. ADJOURNMENT



Proclamation

WHEREAS, our city is committed to recognizing our growth and strength depends on the safety and economic value of the homes, buildings and infrastructure that serve our citizens, both in everyday life and in times of natural disaster; and

WHEREAS, our confidence in the structural integrity of these buildings that make up our community is achieved through the devotion of vigilant guardians - building safety and fire prevention officials, architects, engineers, builders, tradespeople, design professionals, laborers and others in the construction industry who work year-round to ensure the safe construction of buildings; and

WHEREAS, these guardians are dedicated members of the International Code Council, a nonprofit that brings together local, state and federal officials that are experts in the built environment to create and implement the highest-quality codes to protect us in the buildings where we live, learn, work, play; and

WHEREAS, these modern building codes include safeguards to protect the public from natural disasters such as hurricanes, snowstorms, tornadoes, wildland fires, floods and earthquake; and;

WHEREAS, Building Safety Month is sponsored by the International Code Council to remind the public about the critical role of our communities' largely unknown protectors of public safety-our local code officials-who assure us of safe, efficient and livable buildings that are essential to America's prosperity, and;

WHEREAS, "Prevent, prepare, protect. Building codes save." the theme for Building Safety Month 2022, encourages all Americans to raise awareness about the importance of safe and resilient construction; fire prevention; disaster mitigation, and new technologies in the construction industry, and;

WHEREAS, each year, in observance of Building Safety Month, people all over the world are asked to consider the commitment to improve building safety and economic investment at home and in the community, and to acknowledge the essential service provided to all of us by local and state building departments, fire prevention bureaus and federal agencies in protecting lives and property; NOW, THEREFORE,

I, W.D. (BILL) MCKAY, Mayor of the City of Kennewick, Washington, do hereby proclaim the month of May 2022, as

BUILDING SAFETY MONTH

in the City of Kennewick, Washington, and call upon all citizens to consider participating in the Building Safety Month activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Kennewick to be hereunto affixed this 3rd day of May 2022.

A handwritten signature in black ink that reads "W.D. McKay".

W.D. (BILL) MCKAY, Mayor

Attest:

A handwritten signature in blue ink that reads "Terri L. Wright".

TERRI L. WRIGHT, City Clerk





Proclamation

WHEREAS, the role of a firefighter is to respond to emergencies involving life, property, or environment and to fight together against one common enemy that can destroy lives; and

WHEREAS, most people would risk their lives to save a family member, friend or even a pet, but a firefighter makes the conscious decision daily to risk their lives for those in their community that they have never met; and

WHEREAS, the men and women of the fire service industry are a special group of individuals that exude extraordinary commitment and exceptional courage to tirelessly work in a profession whose focus is to serve and protect others; and

WHEREAS, International Firefighters Day was created in 1999 after 5 firefighters died tragically during a wildfire in Australia when the direction of the wind changed suddenly and engulfed them in flames. It is celebrated on May 4th because that is Saint Florian's Day, and Saint Florian was the first commanding firefighter of an actual Roman battalion saving many lives and is considered the patron saint of firefighters; and

WHEREAS, International Firefighter Day is a time where the World's community can recognize and honor the sacrifices that firefighters make to ensure that their communities and environment are safe as possible and remember those that gave the ultimate sacrifice of their lives to protect the safety of others, **NOW, THEREFORE,**

I, BILL MCKAY, Mayor of the City of Kennewick, do hereby proclaim May 4, 2022 as

INTERNATIONAL FIREFIGHTERS DAY

and encourage all citizens to outwardly thank and show there appreciate to firefighters who dedicate their lives to protect life and property to all.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Kennewick, Washington, to be hereunto affixed this 3rd day of May 2022.

W.D. (Bill) McKay, Mayor

Attest:

TERRI L. WRIGHT, City Clerk





Proclamation

WHEREAS, every day, residents of Kennewick, and visitors to the City directly benefit from the dedication and commitment of City of Kennewick employees, those public servants and unsung heroes that keep Kennewick Running; and

WHEREAS, City of Kennewick employees represent numerous occupations and trades, possess a broad array of skills and expertise and put these to use with efficiency and integrity for everyone in our City; and

WHEREAS, while elected officials come and go, the consistency and institutional knowledge of City of Kennewick employees offers continuity of service across years and election cycles and is essential to the smooth functioning of our City over time; and

WHEREAS, many City of Kennewick employees, including our police officers and firefighters, risk their safety and in some cases their lives in service of the people of the City of Kennewick; and

WHEREAS, we all owe a substantial debt of gratitude to City of Kennewick employees;
NOW THEREFORE,

I, W.D. (BILL) MCKAY, Mayor of the City of Kennewick, do hereby proclaim May 1-7, 2022 as

PUBLIC SERVICE RECOGNITION WEEK

in the City of Kennewick, and encourage all residents to recognize the accomplishments and contributions of City of Kennewick employees and to the extent to which we all rely upon and benefit from their service.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Kennewick, Washington, to be affixed this 3rd day of May 2022.

A handwritten signature in black ink, appearing to read "W D McKay".

W.D. (BILL) MCKAY, Mayor

Attest:

A handwritten signature in blue ink, appearing to read "Terri L. Wright".

TERRI L. WRIGHT, City Clerk





Proclamation

WHEREAS, The Office of the Professional Municipal Clerk, a time honored and vital part of local government exists throughout the world, and

WHEREAS, The Office of the Professional Municipal Clerk is the oldest among public servants, and

WHEREAS, The Office of the Professional Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels, and

WHEREAS, Professional Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all, and

WHEREAS, The Professional Municipal Clerk serves as the information center on functions of local government and community, and

WHEREAS, Professional Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations; NOW, THEREFORE,

I, **W.D. (BILL) MCKAY**, Mayor of the City of Kennewick, do hereby proclaim May 1 through May 7, 2022, as

PROFESSIONAL MUNICIPAL CLERKS WEEK

and further extend appreciation to our Professional Municipal Clerk, **TERRI L. WRIGHT** and to all Professional Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Kennewick, Washington, to be hereunto affixed this 3rd day of May 2022.

A handwritten signature in black ink, appearing to read "W.D. McKay", written over a horizontal line.

W.D. (BILL) MCKAY, Mayor

Attest:

A handwritten signature in black ink, appearing to read "Dana Dollarhyde", written over a horizontal line.

DANA DOLLARHYDE, Deputy City Clerk



CITY OF KENNEWICK
CITY COUNCIL
Regular Meeting
April 19, 2022

1. CALL TO ORDER

Mayor McKay called the meeting to order at 6:30 p.m.

City Council and Staff Present:

Mayor Pro Tem Gretl Crawford	Marie Mosley	Dan Legard
John Trumbo	Anthony Muai	Emily Estes-Cross
Chuck Torelli	Christina Palmer	Chris Guerrero
Jim Millbauer	Lisa Beaton	Chad Michael
Loren Anderson	Cary Roe	Evelyn Lusignan
Mayor Bill McKay	Terri Wright	Trevor White

Mayor Pro Tem Crawford moved, seconded by Mr. Anderson to excuse the absence of Mr. Beauchamp at tonight's meeting. The motion passed unanimously.

Mr. Anderson led the Pledge of Allegiance.

HONORS & RECOGNITIONS

- Retiree Recognition – Susan Bryson 40-years (Police Department), Craig Hanson 29-years (Police Department) & Cary Cole 22-years (Fire Department)

Mayor McKay invited Craig Hanson to the podium and presented him with a plaque in appreciation of his 29-years of service.

Mayor McKay recognized Susan Bryson for her 40-years and Cary Cole for his 22-years of service. They were unable to attend the meeting but each will receive a plaque in appreciation.

- Arbor Day Proclamation

Mayor McKay invited Ken Hahn, Parks & Recreation Commission Chairman to the podium as he read the proclamation.

Mayor McKay recessed the meeting for 10 minutes at 6:38 p.m. to allow everyone an opportunity to congratulate the retiree.

Mayor McKay called the meeting back to order at 6:47 p.m.

2. VISITORS - None

3. APPROVAL OF AGENDA

Mr. Torelli moved, seconded by Mr. Millbauer to approve the Agenda as presented. The motion passed unanimously.

4. APPROVAL OF CONSENT AGENDA

- (1) Minutes of Regular Meeting of April 5, 2022.
(2) Minutes of Special Meeting of April 12, 2022.
- Motion to approve Claims Roster for March 2022.
- Motion to approve Payroll Roster for March 31, 2022.
- Motion to authorize the Mayor to sign the License Agreement for 506 E. 44th Ave with Reid and Joann Forrest.
- Resolution 22-07: Setting a public hearing on May 17, 2022 for a right-of-way vacation at 7640 and 7641 W. Hildebrand Blvd.

- f. Motion to authorize the City Manager to sign the License Agreement for 2910 W. Clearwater Ave with Moore Properties Three LLC.

Mr. Torelli moved, seconded by Mr. Millbauer to approve the Consent Agenda. The motion passed unanimously.

5. ORDINANCE/RESOLUTIONS

- a. Resolution 22-08: Amending KAC 13.56 to add four street names. Anthony Muai, Planning Director reported.

RESOLUTION NO. 22-08

A RESOLUTION RELATING TO STREET NAMES AND AMENDING SECTION 13-56-060 OF THE KENNEWICK ADMINISTRATIVE CODE AND AUTHORIZING DEVIATION FROM THE STREET NAMING SEQUENCE AT VISTA FIELD

Mr. Torelli moved, seconded by Mr. Anderson to adopt Resolution No. 22-08. The motion passed unanimously.

6. PUBLIC HEARINGS/MEETINGS - None

7. NEW BUSINESS

- a. Opioid Settlement MOU. Lisa Beaton, City Attorney reported.

Mr. Anderson moved, seconded by Mayor Pro Tem Crawford to authorize the Mayor to sign the One Washington Memorandum of Understanding between Washington Municipalities. The motion passed unanimously.

8. UNFINISHED BUSINESS - None

9. VISITORS

Tina Gregory, 5208 W. 10th Ave, Kennewick – spoke about being ready to stand up to mandates in the future

Bob Brown, 3517 W.5th Ave, Kennewick – spoke about road conditions on Morain and wants more police presence in the area.

10. COUNCIL COMMENTS/DISCUSSION

Council members reported on their respective activities.

11. ADJOURNMENT

Meeting was concluded at 7:26 p.m.

Terri L. Wright, CMC
City Clerk

Council Agenda Coversheet



Agenda Item Number	4.c.	Council Date	05/03/2022
Agenda Item Type	General Business Item		
Subject	Payroll Roster for PPE 4/15/2022		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Finance		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

That Council approve the Payroll Roster.

Motion for Consideration

I move to approve the Payroll Roster for 4/15/2022 in the amount of \$2,736,510.63 comprised of check numbers 75708 through 75715 and direct deposit numbers 201559 through 202012.

Summary

None.

Alternatives

None.

Fiscal Impact

Total: \$2,736,510.63.

Through

Dept Head Approval

Dan Legard
Apr 27, 07:27:26 GMT-0700 2022

City Mgr Approval

Marie Mosley
Apr 28, 22:21:55 GMT-0700 2022

Attachments:

Payroll Roster

Recording
Required?

May 3, 2022

All Departments:

April 15, 2022

ADMINISTRATIVE TEAM		6,984.61
CITY COUNCIL		4,700.00
CITY MANAGER		12,381.78
CIVIL SERVICE		778.80
COMMUNITY PLANNING & ECONOMIC DEVELOPMENT		25,544.03
EMPLOYEE & COMMUNITY RELATIONS		47,265.72
ENGINEERING		60,655.91
FACILITIES & GROUNDS		97,964.15
FINANCE		57,354.42
FIRE		96,958.29
LEGAL SERVICES		24,466.16
MANAGEMENT SERVICES		90,370.97
POLICE		497,252.49
	Subtotal General Fund	<u>1,022,677.33</u>
STREETS		21,918.41
TRAFFIC		24,343.39
	Subtotal Street Fund	<u>46,261.80</u>
BI-PIN		10,799.33
BUILDING SAFETY		42,812.25
COMMUNITY DEVELOPMENT		4,603.64
CRIMINAL JUSTICE		62,713.81
EQUIPMENT RENTAL		12,535.30
MEDICAL SERVICES		358,451.24
RISK MANAGEMENT		3,847.73
STORMWATER UTILITY		20,421.44
WATER & SEWER		146,643.49
	Subtotal Other Funds	<u>662,828.23</u>
	Total Salaries and Wages	<u>1,731,767.36</u>
<u>Benefits:</u>		
Dental Insurance		45,054.35
Industrial Insurance		44,110.77
Life Insurance		5,186.80
Long Term Disability Insurance		6,008.25
Medical Insurance		662,247.72
Medical Retirement Account		3,262.50
Retirement		127,567.79
Social Security (FICA)		101,387.62
Vision Insurance		7,269.92
WA Family Leave		2,647.55
	Total Benefits	<u>1,004,743.27</u>
	Grand Total	<u><u>\$2,736,510.63</u></u>

I, Dan Legard, Finance Director, at the direction of the Council, do hereby certify that the Payroll hereinabove specified is approved for payment in the amount of \$2,736,510.63 comprised of check numbers 75708 through 75715 and direct deposit numbers 201559 through 202012.

Approved for payment:



Dan Legard, Finance Director

Council Agenda Coversheet



Agenda Item Number	4.d.	Council Date	05/03/2022
Agenda Item Type	General Business Item		
Subject	Six-Year Transportation Improvement Plan		
Ordinance/Reso #		Contract #	
Project #		Permit #	
Department	Public Works		

Consent Agenda	<input checked="" type="checkbox"/>
Ordinance/Reso	<input type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

Staff recommends a public hearing be set for May 17th, 2022, to consider adopting the Six-Year Transportation Improvement Plan (2023-2028)

Motion for Consideration

I move to set the date of May 17th, 2022, for a public hearing to adopt the Six-Year Transportation Improvement Plan (2023-2028)

Summary

By state law, the City Council is required annually, to adopt the Six-Year Transportation Improvement Plan (STIP). The new six-year plan will cover years 2023 through 2028. The plan is required to be financially constrained to transportation projects that are either funded , or likely to be funded within this period.

Alternatives

None recommended.

Fiscal Impact

None

Through

Sorin Juster
Apr 25, 15:35:41 GMT-0700 2022

Dept Head Approval

Cary Roe
Apr 25, 15:40:39 GMT-0700 2022

City Mgr Approval

Marie Mosley
Apr 28, 22:22:39 GMT-0700 2022

Attachments:

Recording Required?

Council Agenda Coversheet 	Agenda Item Number	4.e.	Council Date	05/03/2022	Consent Agenda	<input checked="" type="checkbox"/>	
	Agenda Item Type	Contract/Agreement/Lease				Ordinance/Reso	<input type="checkbox"/>
	Subject	Ohr's Addition Storm Drainage Retrofit Project				Public Mtg / Hrg	<input type="checkbox"/>
	Ordinance/Reso #		Contract #		Other	<input type="checkbox"/>	
	Project #	P2115-22	Permit #		Quasi-Judicial	<input type="checkbox"/>	
	Department	Public Works					

Recommendation

That City Council award Contract P2115 Ohr's Addition Storm Drain Retrofit Project to Ellison Earthworks LLC in the amount of \$460,390.11, plus a 10% contingency amount of \$46,039.01, for a total amount of \$506,429.12.

Motion for Consideration

I move to award Contract P2115 Ohr's Addition Storm Drain Retrofit Project to Ellison Earthworks LLC in the amount of \$460,390.11, plus a 10% contingency amount of \$46,039.01, for a total amount of \$506,429.12.

Summary

Six (6) bids were received on April 19, 2022 at 10:00 a.m.

Ellison Earthworks LLC	\$ 460,390.11	Engineer's Estimate:	\$553,720.00
Premier Excavation, Inc.	\$ 501,648.14		
Tapani, Inc.	\$ 559,955.08		
Goodman & Mehlenbacher, Inc.	\$ 569,596.30		
Double J Excavating	\$ 572,812.00		
ESF Solutions	\$ 752,481.09		

This project involves storm drainage improvements to address drainage and flooding issues located within Ohr's Subdivision. More specifically, this project will occur on W. 37th Ave., S. Buntin Loop, S. Waverly St., and S. Anderson St. Work will consist of the installation of 10-inch, 12-inch, and 18-inch storm drain mainlines, storm drain structures, and service lines along with modifications to existing drywells and one manhole. Also included will be the removal of existing catch basins and storm service pipes.

State law requires that we award contracts to a responsible bidder with the lowest responsive bid. We have reviewed all bids and determined them all to be responsive. We are recommending award of this project to Ellison Earthworks LLC of Richland, WA, who we have determined to be a responsive bidder with the lowest responsive bid.

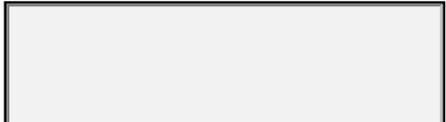
Alternatives

None recommended.

Fiscal Impact

Contract Budget:
405 Stormwater Utility Fund \$506,430

Through	Heath Mellotte Apr 19, 14:15:26 GMT-0700 2022
Dept Head Approval	Cary Roe Apr 28, 07:08:34 GMT-0700 2022
City Mgr Approval	Marie Mosley Apr 28, 22:23:50 GMT-0700 2022

Attachments: 

Recording Required?

Council Agenda Coversheet



Agenda Item Number	5.a.	Council Date	05/03/2022
Agenda Item Type	Ordinance		
Subject	Budget Adjustment		
Ordinance/Reso #	5978	Contract #	
Project #		Permit #	
Department	Finance		

Consent Agenda	<input type="checkbox"/>
Ordinance/Reso	<input checked="" type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

Staff recommends Council adopt Ordinance 5978.

Motion for Consideration

I move to adopt Ordinance 5978.

Summary

The budget adjustment ordinance provides the opportunity to formally appropriate items previously approved by Council and to bring matters of special interest to Council's attention. This is the third adjustment to the City's 2021/2022 biennial budget. Significant items included in the adjustment are as follows:

- To appropriate for additional tree maintenance and removal in high traffic areas.
- To appropriate grant awards from the CDBG FY 2022 Annual Action Plan Funding Recommendations.
- To modify the budget methodology for the City's American Rescue Plan Act (ARPA) by moving revenue from the Coronavirus Fiscal Recovery Fund directly to the funds responsible for the funded projects.
- To appropriate the City's match for the Deschutes/CCB Intersection TIB grant award
- To appropriate ARPA funds for improvements to the Civic Complex restrooms.
- To appropriate for increased fuel costs due to recent volatility in gas prices.

Alternatives

None recommended.

Fiscal Impact

Total decrease in appropriations of \$9,193,484, of which \$11,063,000 is redirecting ARPA revenues originally budgeted in the CSLFRF Fund to other City funds. Other fund appropriations are increasing by \$1,869,516.

Through

Dept Head Approval

Dan Legard
Apr 27, 07:44:22 GMT-0700 2022

City Mgr Approval

Marie Mosley
Apr 28, 22:35:01 GMT-0700 2022

Attachments:

Ordinance
Budget Summary 21-22
Budget Adj - Spring 2022

Recording Required?

CITY OF KENNEWICK
ORDINANCE NO. 5978

AN ORDINANCE PROVIDING FOR MODIFICATION OF THE 2021/2022
BIENNIAL BUDGET

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

Section 1. That certain expenditures as set out below must be made during 2022 that were not foreseeable at the time of preparing the 2021/2022 biennial budget and it is necessary to make appropriations as set forth below and to adjust certain fund income not forecast for 2021/2022, and to make expenditures and changes as designated below, and the following funds shall be changed as follows:

Community Development Fund	\$283,768
CSLFRF Fund	(11,063,000)
Urban Arterial Street Fund	320,000
Capital Improvement Fund	696,000
Medical Services Fund	339,998
Equipment Rental Fund	132,250
Risk Management Fund	<u>97,500</u>
Total Decrease in Appropriations	<u>\$(9,193,484)</u>

Section 2. That the increases and/or decreases in appropriations and anticipated revenues in the above funds, for said uses and purposes and proper City officials be, and hereby are, authorized and directed to issue warrants or transfer of said funds in accordance with this ordinance.

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

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this
3rd day of May, 2022, and signed in authentication of its passage this 3rd day of May, 2022.

Attest:

W.D. MCKAY, Mayor

TERRI L. WRIGHT, City Clerk

ORDINANCE NO. 5978 filed and recorded in the
office of the City Clerk of the City of Kennewick,
Washington this 4th day of May, 2022.

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

DATE OF PUBLICATION _____

CITY OF KENNEWICK
SUMMARY OF 2021/2022 BIENNIAL BUDGET ADJUSTMENTS

	Original Biennial Budget	Ord. #5910 Adjustment (5/21)	Ord. #5950 Adjustment (11/21)	Ord. #5978 Adjustment (5/22)	Amended Biennial Budget
GENERAL GOV'T OPERATIONS					
General Fund	\$ 107,892,451	\$ 3,193,211	\$ 4,188,322	\$ -	\$ 115,273,984
Street Fund	4,812,229	-	30,000	-	4,842,229
Subtotal	112,704,680	3,193,211	4,218,322	-	120,116,213
CAPITAL PROJECTS					
Urban Arterial Street Fund	8,680,500	788,048	-	320,000	9,788,548
Capital Improvement Fund	44,652,625	10,848,015	4,369,792	696,000	60,566,432
ENTERPRISE & INTERNAL SERVICE					
Water & Sewer Fund	68,803,501	24,781,285	3,960,000	-	97,544,786
Medical Services Fund	30,596,950	4,058,171	-	339,998	34,995,119
Building Safety Fund	5,560,000	252,808	-	-	5,812,808
Coliseum Fund	6,588,000	(81,053)	2,690,000	-	9,196,947
Stormwater Utility Fund	6,672,675	348,774	-	-	7,021,449
Columbia Park Golf Course Fund	922,500	2,652	-	-	925,152
Equipment Rental Fund	13,052,260	299,375	2,136,000	132,250	15,619,885
Central Stores Fund	669,750	20,886	-	-	690,636
Risk Management Fund	4,655,275	343,269	-	97,500	5,096,044
DEBT SERVICE					
Debt Service Fund	8,609,800	10,899	-	-	8,620,699
LID Guaranty Fund	38,900	(26)	-	-	38,874
SPECIAL REVENUE					
Arterial Street Fund	5,000,000	-	1,000,000	-	6,000,000
BI-PIN Operations Fund	1,779,774	-	-	-	1,779,774
Community Development Fund	1,707,115	1,119,497	-	283,768	3,110,380
Asset Forfeiture Fund	123,500	(5,758)	-	-	117,742
Public Safety Fund	4,514,542	-	-	-	4,514,542
Cash Reserve Fund	2,933,400	38,129	180,000	-	3,151,529
Lodging Tax Fund	3,753,300	20,493	-	-	3,773,793
Criminal Justice Sales Tax Fund	6,455,000	217,094	-	-	6,672,094
HIDTA Program Fund	4,500,000	-	-	-	4,500,000
CSLFRF Fund	-	-	16,062,000	(11,063,000)	4,999,000
FIDUCIARY TRUST FUNDS					
Fire Pension Fund	1,316,000	(849)	-	-	1,315,151
OPEB Trust Fund	5,611,010	28,528	-	-	5,639,538
Total	\$ 349,901,057	\$ 46,283,448	\$ 34,616,114	\$ (9,193,484)	\$ 421,607,135

Ordinance #5910 (5/21) adjusted beginning fund balances and appropriated for 2019/20 carry over, use of forfeiture funds for capital, appropriated for David Evans CE contract on US395/Ridgeline and Duffy's pond USACE permitting and reimbursement.

Ordinance #5950 (11/21) is the mid-biennium budget adjustment and appropriation of CSLFRF funds.

Ordinance #5978 (5/22) is the spring 2022 budget adjustment.

CITY OF KENNEWICK
Budget Adjustment Ordinance No. 5978

BARS Account	Account Title	Adopted Budget	Proposed Adjustment	Amended Budget	Explanation	
GENERAL FUND REVENUES						
001000	331017	CSLFRF - ARPA Funds	\$ -	\$ 1,163,000	\$ 1,163,000	Allocate grant award to designated funds.
001000	397051	Transfer fm CSLFRF Fund	1,163,000	<u>(1,163,000)</u>	-	Eliminate transfer from CSLFRF fund.
		Net Increase (Decrease) in Revenues	<u>\$</u>	<u>-</u>		
GENERAL FUND EXPENDITURES						
FINANCE DEPARTMENT						
<i>Finance</i>						
B1514230	541005	Contractual/Consulting Svcs	\$ 3,550	\$ 18,650	\$ 22,200	Appropriate for ClearGov and DebtBook agreements.
<i>Human Resources</i>						
B2518100	520024	Flex Plan Services	8,466	<u>10,100</u>	18,566	Flex plan deposit requirement for claims processing.
		Total Finance		28,750		
PARKS AND RECREATION DEPARTMENT						
<i>General Parks Facilities</i>						
K2576810	531012	Building Repair/Maint Supplies	80,000	6,206	86,206	Increased cost of chlorine gas due to supply chain issues.
K2576810	531012	Building Repair/Maint Supplies	86,206	5,033	91,239	Unanticipated repairs at Columbia River Landing facility.
K2576810	531031	Irrigation Repair/Maint Supply	63,970	1,849	65,819	Unanticipated irrigation pump motor repair.
K2576810	541043	Contractual - Septic Pumping	6,000	4,204	10,204	Portable toilets used during facility closures due to COVID19.
K2576810	541052	Contractual Svcs-HVAC Mntnce	20,800	11,767	32,567	Replace failed HVAC at Highlands Grange facility.
K2576810	548059	Tree Trimming & Maint Program	70,000	111,887	181,887	Hazardous tree pruning and removal in highest traffic areas.
<i>Other City Facilities</i>						
K2576900	541005	Contractual/Consulting Svcs	131,630	1,146	132,776	Unanticipated repair of failed tamper valve switch at KPD.
K2576900	541052	Contractual Svcs-HVAC Mntnce	88,805	8,450	97,255	Unanticipated repair of glycol feeder system.
K2576900	548059	Tree Trimming & Maint Program	42,000	<u>(8,672)</u>	33,328	Hazardous tree pruning and removal in highest traffic areas.
		Total Parks/Rec		141,870		
NON-DEPARTMENTAL						
<i>Library</i>						
Z1572500	548011	Maintenance Agreements	34,838	14,038	48,876	Unanticipated repair to Union Library HVAC system.
Z1572500	548028	Other Repair/Maint Charges	14,000	7,018	21,018	Contracted repairs to Union Library lighting system.
<i>Transfers Out</i>						
Z1597100	500014	Transfer to Equip Rental Fund	-	9,750	9,750	Trailerred tumbleweed burner purchase.

CITY OF KENNEWICK
Budget Adjustment Ordinance No. 5978

BARS Account	Account Title	Adopted Budget	Proposed Adjustment	Amended Budget	Explanation
NON-DEPARTMENTAL (Continued)					
<i>Allowance for Under Expenditure</i>					
Z1597200	511001	Allowance for Under Expenditure	(2,875,670)	(9,750)	(2,885,420) Funding for trailered tumbleweed burner purchase.
Z1597200	511001	Allowance for Under Expenditure	(2,885,420)	(18,650)	(2,904,070) Funding for ClearGov and DebtBook agreements.
		Total Non-Deptl		2,406	
Z1508900	500000	Ending Fund Balance	6,160,144	(173,026)	5,987,118 Impact on ending fund balance.
		Net Increase (Decrease) in Appropriations		\$ -	
ARTERIAL STREET FUND					
103000	331017	CSLFRF - ARPA Funds	\$ -	\$ 1,000,000	\$ 1,000,000 Allocate grant award to designated funds.
103000	397051	Transfer fm CSLFRF Fund	1,000,000	(1,000,000)	- Eliminate transfer from CSLFRF fund.
		Net Increase (Decrease) in Revenues		\$ -	
COMMUNITY DEVELOPMENT FUND					
107130	331001	H.U.D. Block Grant	\$ 2,280,194	\$ 62,295	\$ 2,342,489 CDBG awards greater than anticipated.
107130	331003	Down Pmt Assistance Repaymt	-	56,512	56,512 Unanticipated program income.
107130	331004	Housing Rehab-Client Portion	-	78,361	78,361 Unanticipated program income.
107140	333003	HOME Program	495,000	86,600	581,600 HOME award greater than anticipated.
		Net Increase (Decrease) in Revenues		\$ 283,768	
M5559301	541014	Title and Appraisal Fees	\$ -	\$ 10,000	\$ 10,000 Title conveyance fees for HOME loan repayments.
M5559301	549028	HOME	494,000	76,600	570,600 Increase DPA program for new grant funds.
M5565100	549024	Unallocated Grant Proceeds	664,940	(233,763)	431,177 Use of prior year grant balance for new projects.
M5565300	549047	Partners and Pals Program	24,000	24,000	48,000 Addition of 2022 grant award.
M5569000	549048	Senior Life Resources	24,000	25,000	49,000 Addition of 2022 grant award.
M5571100	549027	Youth Scholarship Program	29,000	8,597	37,597 Addition of 2022 grant award and true up 2021 activity.
M5571100	549080	Elijah Family Homes/Youth Act	3,000	(2,666)	334 True up 2021 program activity.
M5597100	500015	Transfer to Capital Imprv Fund	763,902	40,000	803,902 Increase award for Keewaydin Park Improvements.
M5597100	500015	Transfer to Capital Imprv Fund	803,902	336,000	1,139,902 Addition of 2022 grant awards for ADA Improvements.
		Net Increase (Decrease) in Appropriations		\$ 283,768	

CITY OF KENNEWICK
Budget Adjustment Ordinance No. 5978

BARS Account		Account Title	Adopted Budget	Proposed Adjustment	Amended Budget	Explanation
CSLFRF FUND						
119000	331017	CSLFRF - ARPA Funds	\$ 16,062,000	\$ (11,063,000)	\$ 4,999,000	Allocate grant award to designated funds.
		Net Increase (Decrease) in Revenues		\$ (11,063,000)		
R6597100	500001	Transfer to General Fund	\$ 1,163,000	\$ (1,163,000)	\$ -	Allocate grant award to designated funds.
R6597100	500004	Transfer to Arterial Street Fund	1,000,000	(1,000,000)	-	" " " "
R6597100	500011	Transfer to Water/Sewer Fund	3,960,000	(3,960,000)	-	" " " "
R6597100	500014	Transfer to Equipment Rental Fund	1,800,000	(1,800,000)	-	" " " "
R6597100	500034	Transfer to Coliseum Fund	2,840,000	(2,840,000)	-	" " " "
R6508300	500000	Ending Fund Balance	2,881,640	(300,000)	2,581,640	Impact on fund balance.
		Net Increase (Decrease) in Appropriations		\$ (11,063,000)		
URBAN ARTERIAL STREET FUND						
303000	397015	Transfer fm Capital Improvement	\$ 2,360,112	\$ 320,000	\$ 2,680,112	Grant match to TIB award for Deschutes/CCB Intersection.
		Net Increase (Decrease) in Revenues		\$ 320,000		
<i>Preliminary Engineering</i>						
P7595110	563048	Deschutes/CCB Intersection	\$ 61,920	\$ 320,000	\$ 381,920	" " " "
		Net Increase (Decrease) in Appropriations		\$ 320,000		
CAPITAL IMPROVEMENT FUND						
300000	331017	CSLFRF - ARPA Funds	\$ -	\$ 300,000	\$ 300,000	ARPA designation for Civic Complex restroom improvements.
300160	334031	WA State Dept of Ecology Grant	-	20,000	20,000	Carryforward of remediation grant from Dept of Ecology.
300000	397023	Transfer fm Community Dev Fund	763,902	40,000	803,902	Amended CDBG award for Keewaydin Park Improvements.
300000	397023	Transfer fm Community Dev Fund	803,902	336,000	1,139,902	Additional CDBG award for ADA improvements.
		Net Increase (Decrease) in Revenues		\$ 696,000		
<i>Land and Facilities</i>						
K3518200	541005	Contractual/Consulting Svcs	\$ -	\$ 20,000	\$ 20,000	Contract for remediation plan on toxic cleanup.
K3576800	548058	Tree Removal	295,550	131,785	427,335	Hazardous tree pruning and removals in Columbia Park.
K3594180	562011	Hard Surface Repair Program	51,529	56,313	107,842	Lawrence Scott Park BST and restriping.
K3594220	562004	Fire Station #2	72,670	(56,313)	16,357	" " " "
K3594480	562029	Library Improvements	-	51,000	51,000	Window films & destratification fans for temp control.

CITY OF KENNEWICK
Budget Adjustment Ordinance No. 5978

BARS Account		Account Title	Adopted Budget	Proposed Adjustment	Amended Budget	Explanation
CAPITAL IMPROVEMENT FUND (Continued)						
K3594760	562023	Keewaydin Park Improv	410,000	40,000	450,000	Amended CDBG award for Keewaydin Park Improvements.
P4594760	563032	Civic Complex Restrooms & Hub	-	300,000	300,000	Civic Complex restroom improvements.
P4594760	563078	Playground of Dreams	102,247	116,900	219,147	Playground of Dreams reader board sign installation.
P4595100	563128	Wayfinding Program	226,510	(116,900)	109,610	" " " " "
P4595610	563069	Miscellaneous ADA Improvements	350,000	336,000	686,000	Additional 2022 CDBG award for ADA improvements.
P4597100	500021	Transfer to UAB Fund	2,360,112	320,000	2,680,112	City match for Deschutes/CCB Intersection TIB grant.
P4508500	500000	Ending Fund Balance	16,407,237	(502,785)	15,904,452	Impact on fund balance.
		Net Increase (Decrease) in Appropriations		<u>\$ 696,000</u>		
MEDICAL SERVICES FUND						
402000	331013	FEMA - SAFER Grant	\$ 170,450	<u>\$ 339,998</u>	\$ 510,448	Correct budget estimate for SAFER grant proceeds.
		Net Increase (Decrease) in Revenues		<u>339,998</u>		
F2508800	500000	Ending Fund Balance	6,131,534	<u>339,998</u>	6,471,532	" " " " "
		Net Increase (Decrease) in Appropriations		<u>339,998</u>		
WATER/SEWER FUND						
300000	331017	CSLFRF - ARPA Funds	\$ -	\$ 3,960,000	\$ 3,960,000	Allocate grant award to designated funds.
410000	397051	Transfer fm CSLFRF Fund	3,960,000	(3,960,000)	-	Eliminate transfer from CSLFRF fund.
		Net Increase (Decrease) in Revenues		<u>\$ -</u>		
<i>Water Utility Operations</i>						
W1534900	541116	Water Plan Studies	\$ 140,000	\$ (140,000)	\$ -	Realign operating budget.
W1534900	541123	ASR Contractual Services	73,322	115,000	188,322	" " "
W1534900	541205	Hazardous Algal Bloom Contract	-	25,000	25,000	" " "
<i>Water Utility Capital</i>						
W1594340	565022	Fire Flow Deficiencies	1,000,000	(360,000)	640,000	Realign capital project budget.
W1594340	565069	19th & Olympia Improvements	200,000	210,000	410,000	" " "
W1594340	565072	Pump Station Meter Replacement	150,000	150,000	300,000	" " "

CITY OF KENNEWICK
Budget Adjustment Ordinance No. 5978

BARS Account	Account Title	Adopted Budget	Proposed Adjustment	Amended Budget	Explanation
WATER/SEWER FUND (Continued)					
<i>Sewer Utility Capital</i>					
W1594350	565003	23rd & Gum Lift Station	600,000	85,000	685,000 " " "
W1594350	565005	Access Improvements	100,000	(85,000)	15,000 " " "
W1594350	565037	Sewerline Renewals & Replacements	942,970	200,000	1,142,970 " " "
W1594350	565075	32nd & Ione Lift Station Improvements	200,000	(200,000)	- " " "
		Net Increase (Decrease) in Appropriations	<u>\$ -</u>		
COLISEUM FUND					
404000	331017	CSLFRF - ARPA Funds	\$ -	\$ 2,840,000	\$ 2,840,000 Allocate grant award to designated funds.
404000	397015	Transfer fm CSLFRF Fund	2,840,000	(2,840,000)	- Eliminate transfer from CSLFRF fund.
		Net Increase (Decrease) in Revenues	<u>\$ -</u>		
STORMWATER FUND					
S1595310	563049	Drywell - Misc Locations	\$ 300,000	\$ 100,000	\$ 400,000 Realign capital projects.
S1595310	563159	46th/47th-Ledbetter to Ely	900,000	(100,000)	800,000 " " "
		Net Increase (Decrease) in Appropriations	<u>\$ -</u>		
EQUIPMENT RENTAL FUND					
501000	331017	CSLFRF - ARPA Funds	\$ -	\$ 1,800,000	\$ 1,800,000 Allocate grant award to designated funds.
501000	397001	Transfer fm General Fund	-	9,750	9,750 Funding for purchase of trailered tumbleweed burner.
501000	397006	Transfer fm Risk Mngmt Fund	-	122,500	122,500 Insurance proceeds for fleet equipment claims.
501000	397051	Transfer from CSLFRF Fund	1,800,000	(1,800,000)	- Eliminate transfer from CSLFRF fund.
		Net Increase (Decrease) in Revenues	<u>\$ 132,250</u>		
M7548680	532001	Gasoline	\$ 960,200	\$ 130,000	\$ 1,090,200 Fuel price increases due to market volatility.
M7548680	542001	Telephone Charges	4,000	32,500	36,500 GPS device service contract.
M7548680	548029	Outside Equip Repair-Labor&Parts	294,700	175,000	469,700 Contractual repair increases.
M7594180	564008	Transportation Equipment	5,831,445	100,000	5,931,445 Purchase of replacement generator #5203.
M7594180	564008	Transportation Equipment	5,931,445	64,000	5,995,445 Purchase of replacement vehicle #7201.
M7594180	564008	Transportation Equipment	5,995,445	9,750	6,005,195 Purchase of trailered tumbleweed burner.
M7508800	500000	Ending Fund Balance	6,214,622	(379,000)	5,835,622 Impact on fund balance.
		Net Increase (Decrease) in Appropriations	<u>\$ 132,250</u>		

CITY OF KENNEWICK
Budget Adjustment Ordinance No. 5978

BARS Account	Account Title	Adopted Budget	Proposed Adjustment	Amended Budget	Explanation	
RISK MANAGEMENT FUND						
503000	372001	Insurance Claim Recoveries	\$ 80,000	\$ <u>97,500</u>	\$ 177,500	Insurance proceeds from fleet equipment claims.
		Net Increase (Decrease) in Revenues		\$ <u>97,500</u>		
B6597100	500014	Transfer to Equip Rental Fund	\$ -	\$ 122,500	\$ 122,500	Funding for purchase of #5203 and #7201.
B6508800	500000	Ending Fund Balance	678,295	<u>(25,000)</u>	653,295	Impact on fund balance.
		Net Increase (Decrease) in Appropriations		\$ <u>97,500</u>		

Council Agenda Coversheet



Agenda Item Number	5.b.	Council Date	05/03/2022
Agenda Item Type	Ordinance		
Subject	Change of Zone from RS to RL		
Ordinance/Reso #	5979	Contract #	
Project #		Permit #	COZ-2022-0009
Department	Planning		

Consent Agenda	<input type="checkbox"/>
Ordinance/Reso	<input checked="" type="checkbox"/>
Public Mtg / Hrg	<input type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input checked="" type="checkbox"/>

Recommendation

The Planning Commission recommends City Council concur with the findings and conclusions contained within staff report COZ-2022-0009 by adopting Ordinance 5979.

Motion for Consideration

I move to adopt Ordinance 5979.

Summary

Ron Asmus Homes has applied to change the zoning of 20.94 acres from Residential, Suburban (RS) to Residential, Low Density (RL). The RL Zone is an implementing zoning district of the Low Density Residential Comprehensive Plan Land Use Designation.

The subject property is generally located at 4830 W 49th Avenue.

The Planning Commission held a public hearing to review the proposal on April 18, 2022. At the hearing, staff presented an overview of the staff report and findings. No public testimony, either for or against the proposed Change of Zone, was received. The Planning Commission voted unanimously to recommend approval of COZ-2022-009 to City Council.

Alternatives

None Recommended

Fiscal Impact

None

Through	Steve Donovan Apr 26, 14:22:28 GMT-0700 2022
Dept Head Approval	Anthony Muai Apr 26, 17:42:51 GMT-0700 2022
City Mgr Approval	Marie Mosley Apr 28, 22:37:56 GMT-0700 2022

Attachments:

- Ordinance
- PC Action Summary
- Presentation
- Minutes
- Staff Report
- City Manager

Recording
Required?

CITY OF KENNEWICK
ORDINANCE NO. 5979

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF
CERTAIN REAL PROPERTY WITHIN THE CITY OF KENNEWICK
LOCATED 4830 W. 49th AVENUE FROM RESIDENTIAL, SUBURBAN (RS)
TO RESIDENTIAL, LOW DENSITY (RL) (COZ 22-09, Ron Asmus Homes)

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

Section 1. Ordinance No. 3001, as amended, the zoning ordinance of the City of Kennewick and the accompanying zoning map of the City of Kennewick being part of said ordinance shall be and hereby is changed from Residential, Suburban (RS) to Residential, Low Density (RL) for the real property described as follows:

Parcel Number 1-2289-201-3468-012

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

BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 22 THENCE SOUTH 00°44'45" WEST ALONG THE WESTERLY LINE OF SAID SECTION 1370.97 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER;
THENCE SOUTH 88°03'49" EAST ALONG THE SOUTHERLY LINE OF SAID NORTHWEST QUARTER 1033.35 FEET;
THENCE NORTH 28°13'54" WEST 115.95 FEET;
THENCE NORTH 49°08'54" EAST 139.36 FEET TO THE BEGINNING OF A NON-TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS NORTH 49°08'54" EAST 215.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE 49.78 FEET;
THENCE NORTH 27°35'06" WEST 40.24 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS NORTH 62°24'54" EAST 215.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE 26.92 FEET;
THENCE SOUTH 69°35'19" WEST 134.51 FEET;
THENCE NORTH 28°13'54" WEST 59.28 FEET;
THENCE NORTH 05°19'49" EAST 191.23 FEET;
THENCE NORTH 49°33'29" WEST 498.22 FEET;
THENCE NORTH 33°03'15" WEST 298.98 FEET TO THE MOST SOUTHERLY CORNER OF LOT 2, BLOCK 3, THE PLAT OF THE HEIGHTS AT CANYON LAKES PHASE 4, RECORDS OF SAID COUNTY; THENCE THE FOLLOWING COURSES ALONG THE BOUNDARY LINE OF SAID PLAT; CONTINUING NORTH 33°03'15" WEST 110.73 FEET; NORTH 00°26'42" WEST 131.72 FEET;
THENCE ALONG THE FOLLOWING COURSES ALONG THE SOUTHERLY AND WESTERLY LINES OF LOTS 7, 6, 5 AND 4 OF SAID SHORT PLAT;
NORTH 63°48'27" WEST 122.36 FEET TO AN ANGLE POINT;
NORTH 36°40'54" WEST 114.89 FEET TO AN ANGLE POINT;
NORTH 19°05'13" WEST 68.13 FEET TO AN ANGLE POINT;
NORTH 14°38'33" EAST 75.15 FEET TO AN ANGLE POINT;

SOUTH 69°11'58" EAST 165.87 FEET TO THE RIGHT-OF-WAY LINE OF WEST 44TH CT ON A NON TANGENT CURVE TO THE RIGHT THE RADIUS POINT OF WHICH BEARS SOUTH 71°06'29" EAST 60.00 FEET; THENCE NORTHEASTERLY ALONG SAID CURVE 47.33 FEET THROUGH A DELTA ANGLE OF 45°11'55" TO AN ANGLE POINT IN SAID LINE;
THENCE NORTH 36°20'02" EAST ALONG THE NORTHERLY LINE OF SAID LOT 4 A DISTANCE OF 197.85 FEET TO THE NORTHERLY LINE OF LOT 9 OF SAID SHORT PLAT;
THENCE NORTH 86°05'35" WEST ALONG THE NORTHERLY LINE OF SAID LOT 157.65 FEET TO THE WESTERLY LINE OF SAID SECTION 15; THENCE SOUTH 00°29'13" EAST ALONG SAID LINE 311.89 FEET TO THE SAID POINT OF BEGINNING.

CONTAINS 20.94 ACRES

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

Section 2. The City Council finds the amendments described in Section 1 above are in conformance with the Comprehensive Plan of the City.

Section 3. Severability Clause. If any provision of this amendatory ordinance or its application to any persons or circumstances is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

Section 4. The Responsible Official for the State Environmental Policy Act has determined that the proposal will not have a probable significant adverse impact on the quality of the environment.

Section 5. This ordinance shall be in full force and effect five (5) days from and after its approval, passage and publication as required by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 3rd day of May, 2022, and signed in authentication of its passage this 3rd day of May, 2022.

Attest:

TERRI L. WRIGHT, City Clerk

W.D. MCKAY, Mayor

ORDINANCE NO. 5979 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington this 4th day of May, 2022.

Approved as to form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

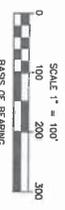
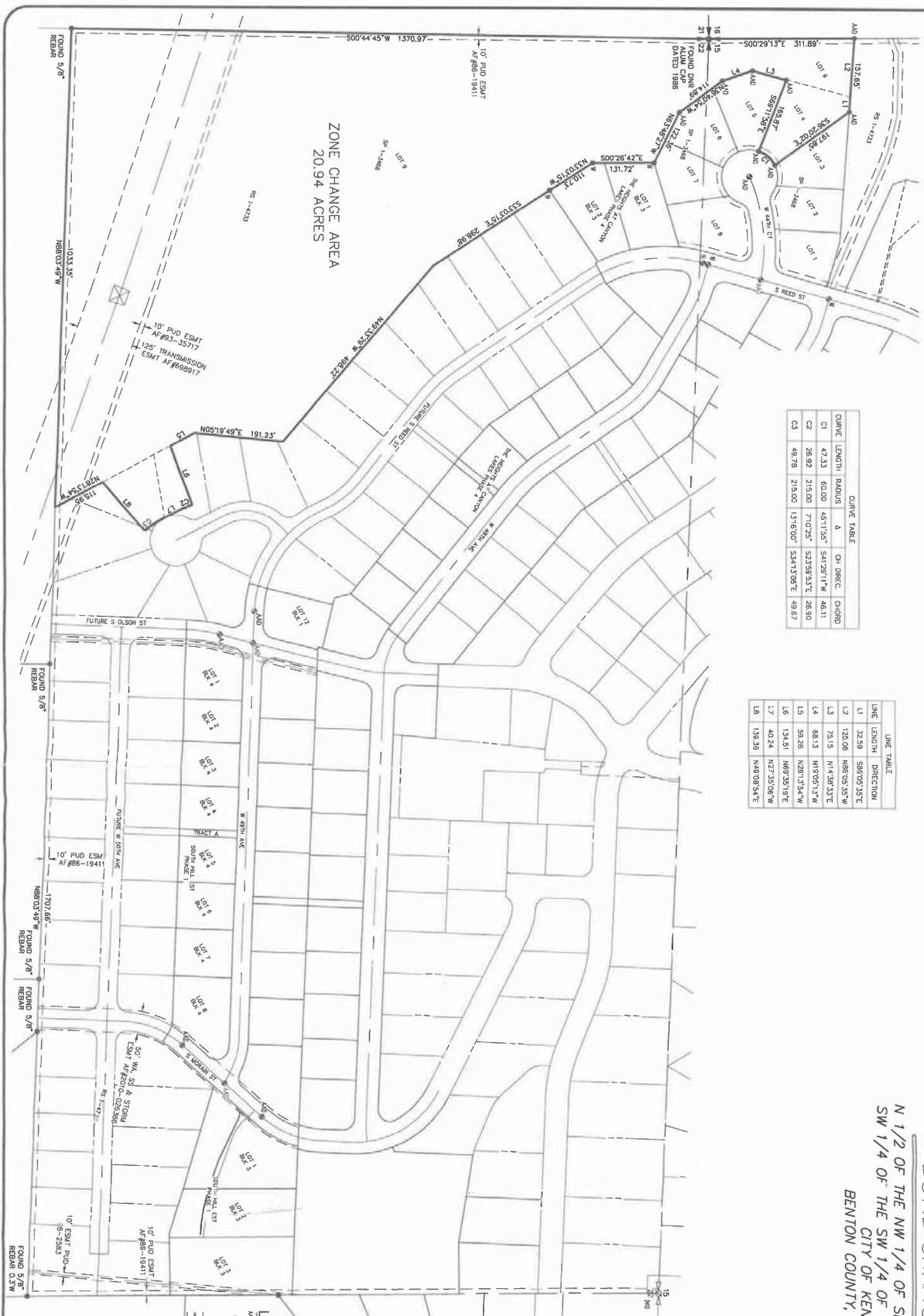
DATE OF PUBLICATION _____

ZONE CHANGE EXHIBIT

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

CURVE	LENGTH	RADIUS	A	CH DIR.	CHORD
C1	47.33	62.00	45°11'55"	S41°28'11"W	48.11
C2	26.92	215.00	7°10'25"	S23°58'53"E	26.90
C3	49.78	215.00	13°16'00"	S34°13'08"E	49.67

LINE	LENGTH	DIRECTION
L1	32.50	S89°02'35"E
L2	125.06	N88°05'25"W
L3	75.13	N14°38'33"E
L4	68.13	N19°05'13"W
L5	59.26	N28°13'54"W
L6	124.51	N63°28'19"E
L7	40.24	N27°35'08"W
L8	139.36	N49°08'54"E



SCALE 1" = 100'
 0 100 200 300
 BASED ON BEARING
 WA STATE GRID
 SOUTH ZONE NAD 83(2011)
 A THREE-ELEMENT LEAST
 SQUARES ADJUSTMENT
 SPECTRA PRECISION RTK GPS

- LEGEND**
- ▲ FOUND 5/07 REBAR W/ ORANGE PLASTIC
 - FOUND 5/07 STRATON AND SMOKE
 - FOUND 5/07 STRATON AND SMOKE
 - CAP MARKED "WORLD 1352"
 - FOUND NON-IDENTIFIED
 - FOUND NON-IDENTIFIED
 - EGRESS POINT
 - CENTERLINE

WORKSHEET FOR
ASMUS
STRATON SURVEYING & MAPPING P.C.
 313 NORTH KOPAN STREET
 KENNEWICK, WA 98548
 FAX: (360) 725-6560
 www.stratonsurveying.com

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 DATE: 02/09/22 SHT. 1 OF 1
 DRAWN BY: DCO JOB # 47222

ZONE CHANGE AREA
 20.94 ACRES

City Council Meeting

CHANGE of ZONE COZ-2022-0009

MAY 3, 2022



Application Summary



Applicant: Ron Asmus Homes

Owner(s): Ronald and Tracey Asmus

Proposal: Rezone 20.94 acres from Residential, Suburban (RS) to Residential, Low Density (RL)

Comprehensive Plan Designation: Low Density Residential

Location: 4830 W 49th Avenue

Vicinity Map



Property History

- The City annexed the site in 1979 and zoned the property RL. The site was rezoned to RS in 2014.

Permitted Uses

The RS and RL Zones are both single-family residential zoning districts. The RS Zone has a minimum lot size of 10,500 square feet and the RL Zone has a minimum lot size of 7,500 square feet. The RS Zone permits the keeping of farm animals and the RL Zone does not.

Change of Zone Findings

KMC 18.51.070(2)

- (a) The proposed amendment conforms with the comprehensive plan.
- (b) Promotes the public necessity, convenience and general welfare.
- (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.
- (d) The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.
- (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.

Hearing Summary

- ▶ The Planning Commission held the public hearing for the proposed Change of Zone on April 18, 2022.
- ▶ No testimony was provided by the applicant or the public.

Recommendation

The Planning Commission recommends approval of COZ-2022-0009.



COMMUNITY PLANNING DEPARTMENT

**STAFF REPORT AND RECOMMENDATION TO
THE PLANNING COMMISSION**

FILE No: COZ-2022-0009

Staff Report Date: April 11, 2022

Hearing Date & Location: April 18, Kennewick City Hall

Report Prepared By: Steve Donovan, AICP
Planning Manager

Report Reviewed By: Anthony Muai, AICP
Community Planning Director

Summary Recommendation: The City of Kennewick Planning Staff RECOMMENDS APPROVAL of Change of Zone 2022-0009.

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

Proposal Location: 4830 W 49th Avenue

Legal Description: See Exhibit 3

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

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

Regulatory Controls:

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

COZ Key Application Processing Dates:

Pre-Application/Feasibility Meeting	N/A
Application Submittal	March 3, 2022

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

Exhibits:

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

Zoning adjacent to the site:

North: Residential, Suburban (RS)
 East: RS and Residential Low Density (RL)
 South: RL
 West: RL and Open Space (OS)

Applicable Goals and Policies of the Comprehensive Plan:

Residential Goals and Policies:

- Goal 1: Provide for attractive, walkable, and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas.
- Goal 3: Promote a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban area.
- Policy 2 Residential Low Density – Place lands constrained in sensitive areas, those intended to provide transition to the rural area, or those appropriate for larger lot housing within the Residential Low Density land use designation to allow for a range of lifestyles.

Kennewick Municipal Code Findings:

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

KMC 18.51.070(2): Findings:

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

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

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

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

Public Comments:

The public did not submit any comments.

Agency Comments:

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

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

Staff Analysis of Proposal & Discussion:

The proposed Change of Zone (COZ-2022-0009) is a request to change the zoning district for 20.94-acres. Pursuant to Table 1 of the Comprehensive Plan, the RL Zoning District is an implementing zoning district of the Low Density Residential Land Use Designation. RCW 36.70A, Growth Management Act, requires that a City's development regulations implement its comprehensive plan.

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

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

Per KMC 18.03.040 (2), the purpose of RL Zoning District is as follows:

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

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

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

Findings:

1. The applicant is Ron Asmus Homes, 2810 E Clearwater Avenue, Suite 102, Kennewick, WA 99336.
2. The property owner(s) are Ron and Tracey Asmus, 802 S Dawes, Kennewick, WA 99337.
3. The proposed change of zone is located at 4830 W 49th Avenue. Parcel Number: 1-2289-201-3468-012.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Low Density Residential.
5. The request is to change the zoning from Residential, Suburban to Residential, Low Density.
6. The Residential, Low Density Zoning District is an implementing zone of the Low Density Residential Comprehensive Plan Land Use Map Designation.
7. The application was submitted on March 3, 2022.
8. The application was declared complete, routed for review to City Departments and outside agencies on March 7, 2022.
9. Access to the site is via S Reed Street.
10. The Mitigated Determination of Non-Significance, ED 15-36, was adopted on March 23, 2022.
11. The Property Posting sign for the public hearing was posted on site March 31, 2022.
12. The Notice of Public Hearing was published in the Tri-City Herald on April 3, 2022.
13. Hearing notices were mailed to property owners within 300 feet of the site on March 31, 2022.
14. The proposed amendment conforms to the comprehensive plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare.
16. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.

17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.
18. The property is adjacent and contiguous to property of the same proposed zoning classification.

Conclusions:

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

Recommendation:

Staff has reviewed the application and recommends that the Planning Commission concur with the findings and conclusions contained in staff report COZ-2022-0009 and recommend approval to City Council.

Motion:

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

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

RECEIVED

MAR 03 2022

CITY OF KENNEWICK

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

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

PAID

MAR 03 2022

CITY OF KENNEWICK

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

Site Plan Tier 1 Tier 2 Tier 3 Binding Site Plan

Short Plat Conditional Use Other ZONE CHANGE

Environmental Determination PLN- _____ - _____ Pre Application Meeting PK

Applicant: RON ASMUS HOMES

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

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

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

Address: 802 S DAWES, KENNEWICK, WA 99337

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

SITE INFORMATION

Parcel No. 122892013468012 Acres 41.46 Zoning: RS

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

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

Present use of property VACANT / UNDEVELOPED

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

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

Benton County Assessor Market Improvement Value: _____

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

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

Ron Asmus
Applicant's Signature

Ron Asmus
Signature of owner or owner's authorized representative

Date: 3/3/22

Change-of-Zone Supplemental Information

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9. Will approval of the proposed amendment set a precedent for other similar proposals or uses? Will this deter the use, improvement or development of adjacent property in accordance with the existing Zoning Districts? Please explain:

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

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

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

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

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

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

No.



STRATTON SURVEYING & MAPPING, PC

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

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

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

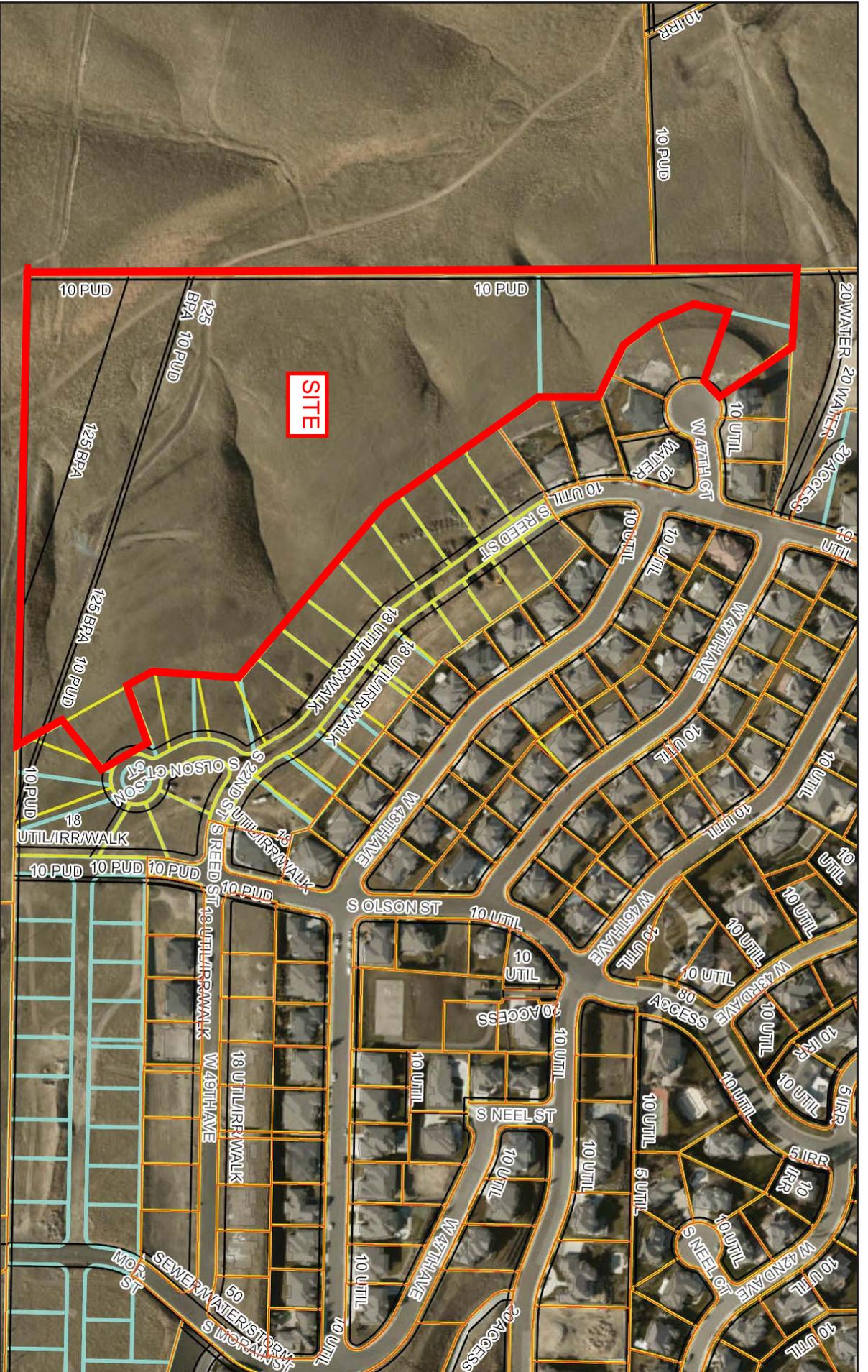
BEGINNING AT THE NORTHWEST CORNER OF SAID SECTION 22 THENCE SOUTH $00^{\circ}44'45''$ WEST ALONG THE WESTERLY LINE OF SAID SECTION 1370.97 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER;
 THENCE SOUTH $88^{\circ}03'49''$ EAST ALONG THE SOUTHERLY LINE OF SAID NORTHWEST QUARTER 1033.35 FEET;
 THENCE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

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

CONTAINS 20.94 ACRES

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

Vicinity Map



April 8, 2022

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

CountyParcelLayer **SurveyAddressPoint**

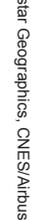
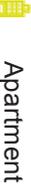
<all other values>

Parcel



1 inch = 300 feet

1:3,600



StreetName

Apartment

Condo

Mobile Home

SurveyEasement

0 0.0275 0.055 0.11 mi

0 0.0425 0.085 0.17 km

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

ZONE CHANGE EXHIBIT

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

CURVE	LENGTH	RADIUS	Δ	CH DIRC.	CHORD
C1	47.33	60.00	45°11'55"	S41°29'11"W	46.11
C2	26.92	215.00	7°10'25"	S23°59'53"E	26.90
C3	49.78	215.00	13°16'00"	S34°13'06"E	49.67

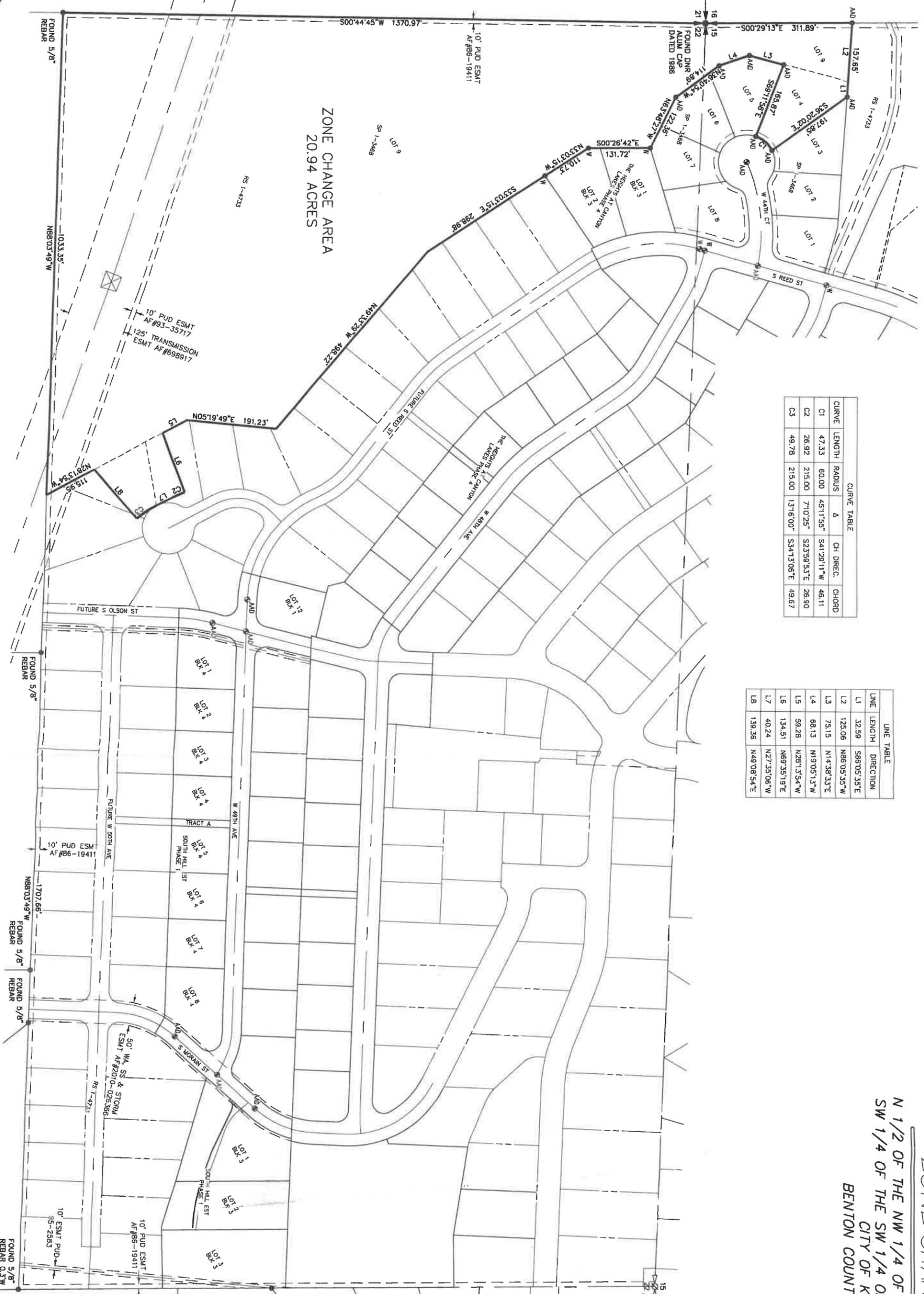
LINE	LENGTH	DIRECTION
L1	32.59	S86°05'35"E
L2	126.06	N86°05'35"W
L3	75.15	N14°38'33"E
L4	68.13	N19°05'13"W
L5	59.28	N28°13'54"W
L6	134.51	N69°35'19"E
L7	40.24	N27°35'06"W
L8	139.36	N49°08'54"E



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

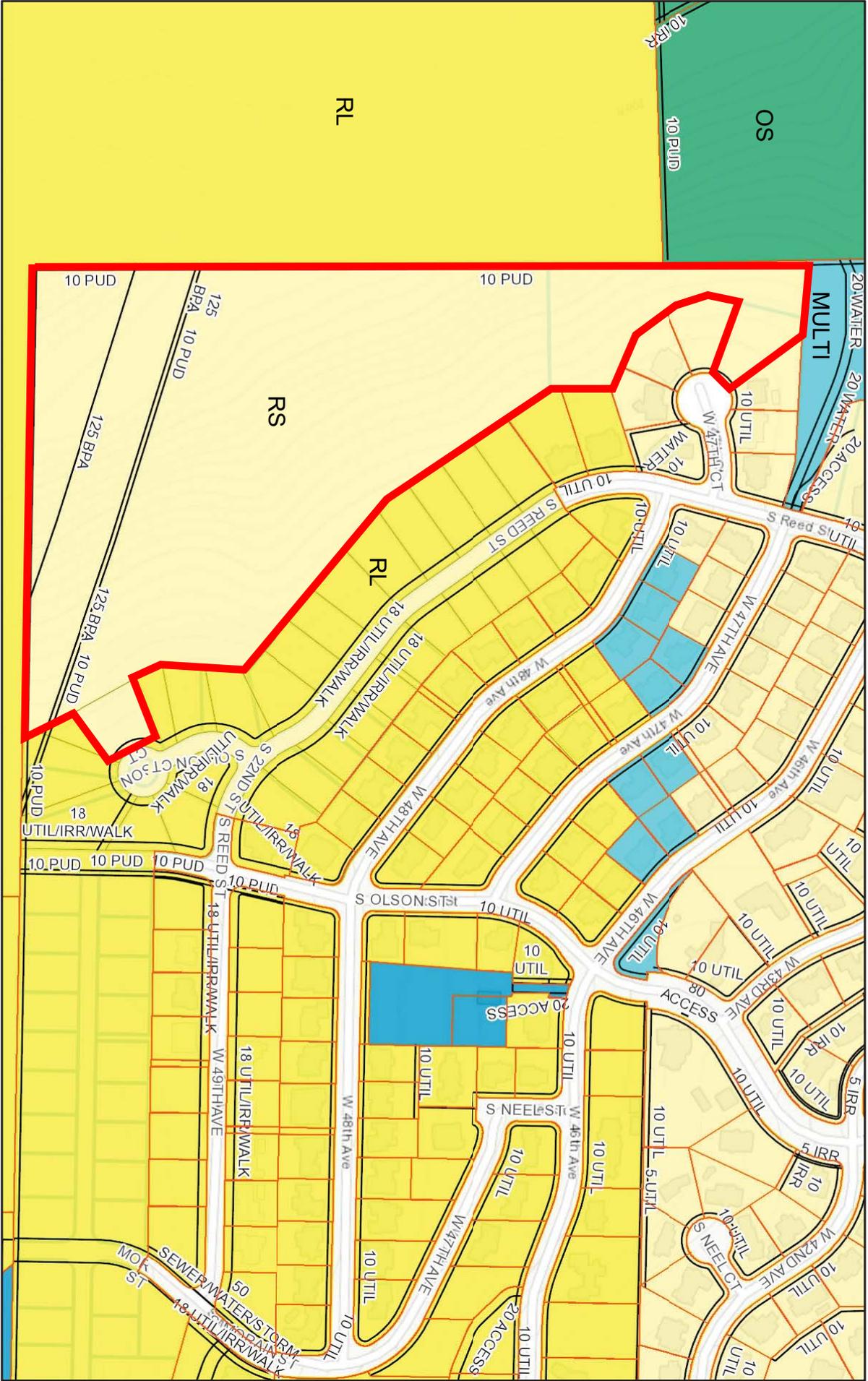
- LEGEND**
- = FOUND 5/8" REBAR W/ ORANGE PLASTIC
 - = FOUND 5/8" REBAR W/ YELLOW PLASTIC
 - = FOUND 5/8" REBAR W/ YELLOW PLASTIC
 - = CAP MARKED "MORLEY 13352"
 - = FOUND AS INDICATED
 - = FOUND AS INDICATED
 - = INDICATED
 - = PROPERTY BOUNDARY
 - = CENTERLINE

WORKSHEET FOR
ASMUS
STATION SURVEYING
& MAPPING P.C.
 313 NORTH MORAIN STREET
 KENNEWICK, WA 98336
 (509) 735-7364
 FAX: (509) 735-0980
 www.stationurvey.com
 © 2022
 4725K9.DWG
 DATE: 02/09/22
 DRAWN BY: DCJ



Zoning Map

Exhibit 6



April 11, 2022 This plan is suitable for informational use only. City of Kennewick accepts no liability for any error whatsoever.

- CountyParcelLayer **SurveyAddressPoint**
- StreetName <all other values>
- Apartment
- Building
- Condo
- Mobile Home
- Parcel
- SurveyEasement



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



NOTICE OF MAILING

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

A handwritten signature in black ink, appearing to read "Steve Donovan".

Signature

Exhibit 7

37
NOWAK TRUSTEE L LOUISE
440 LOYER LN
PERRYSBURG, OH 43551

37
RICKY LAND & CATTLE COMPANY
PO BOX 7285
KENNEWICK, WA 99336

37
BEAUCHAMP BRAD & GLORIA
1908 W 19TH
KENNEWICK, 99337

37
ELSETHAGEN ERIC O & MARY M
4036 W 47TH CT
KENNEWICK, WA 99337

37
EVANS JP ALITA & HOLGUIN
HUMBERTO AL
4020 W 47TH CT
KENNEWICK, WA 99337

37
KOWALSKI ALAN & WERNER TAMARA
4004 W 47TH CT
KENNEWICK, WA 99337

37
BRUNSON SCOTT M & DALENE
4802 S REED ST
KENNEWICK, WA 99337

37
PUCKETT DANIEL & PAMELA
4031 W 47TH COURT
KENNEWICK, WA 99337

37
MUNRO ANASTASIYA
4702 S PALOUSE CT
KENNEWICK, WA 99337

37
PARISH PAUL R & LINDA L
4806 S REED ST
KENNEWICK, WA 99337

37
JONES JASON D & STACIE I
4810 S REED ST
KENNEWICK, WA 99337

37
BRAYTON ANDREW J & CATLANA L
3751 3 49TH AVENUE
KENNEWICK, WA 99337

37
MILLER WAYNE C & CAROL M
PO BOX 6273
KENNEWICK, WA 99336

37
NEUHARTH STAN & TERRI
3919 W 48TH AVE
KENNEWICK, WA 99337

37
GUNDERSON TEDDI L
4711 S REED ST
KENNEWICK, WA 99337

37
TUCKER KEVIN & KATHY M
4520 S REED ST
KENNEWICK, WA 99337

37
STRAIT CRAIG
7011 W 5TH AVE
KENNEWICK, WA 99336

37
ASMUS RON & TRACEY
802 S DAWES
KENNEWICK, WA 99337

KENNEWICK PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

April 18, 2022 6:30 p.m.

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

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

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

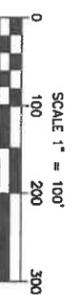
The City of Kennewick welcomes full participation in public meeting by all citizens. No qualified individual with a disability shall be excluded or denied the benefit of participating in such meetings. If you wish to use auxiliary aids or require assistance to comment at this public meeting, please contact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

ZONE CHANGE EXHIBIT

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

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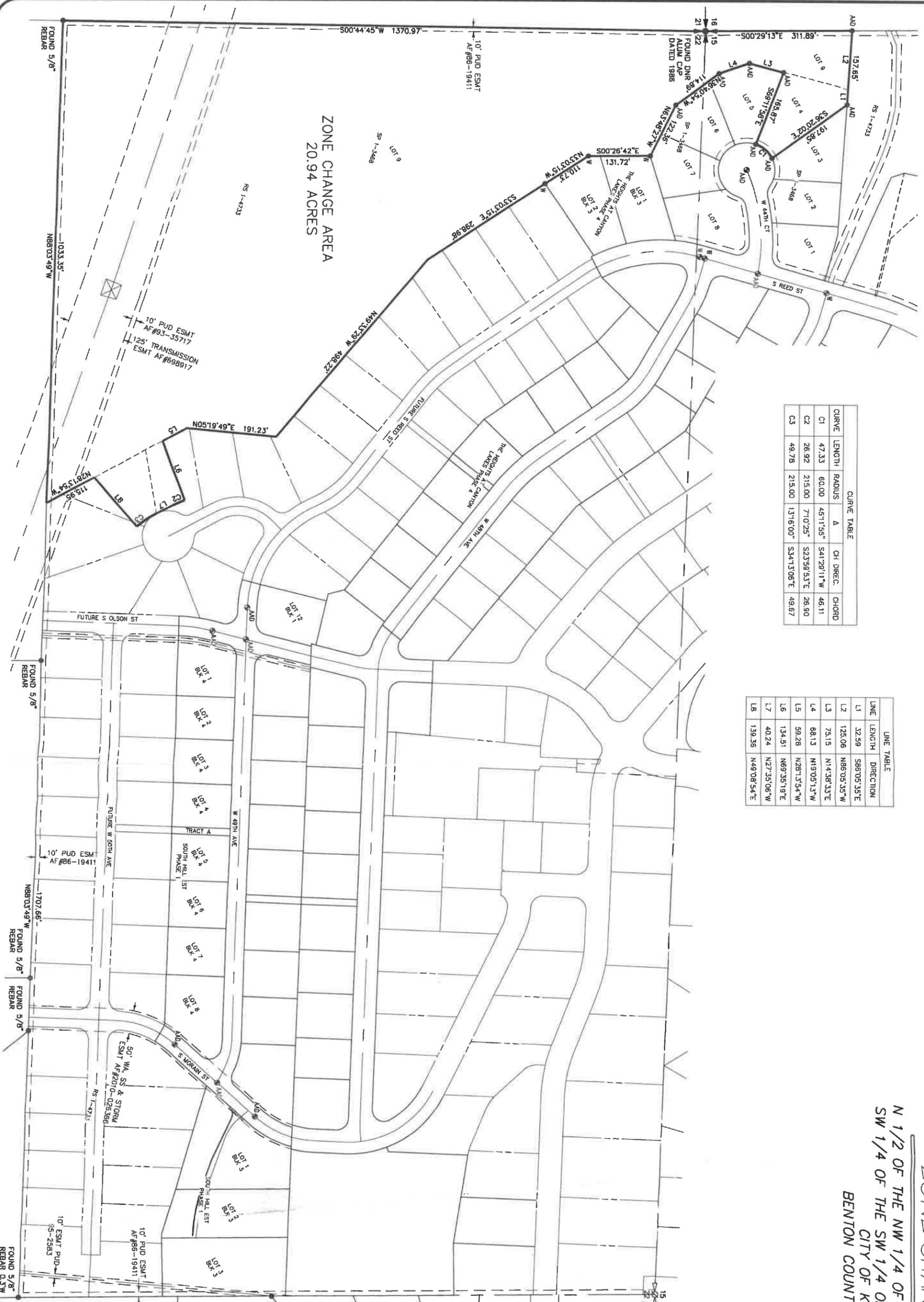
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 & MAPPING P.C.
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 KENNEWICK, WA 98336
 (509) 735-7364
 FAX: (509) 735-6980
 www.stationurvey.com
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4725K9.DWG
 DATE: 02/09/22
 DRAWN BY: DCJ
 JOB # 4722



ZONE CHANGE AREA
 20.94 ACRES



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

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

March 23, 2022

Lead Agency: City of Kennewick

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

File Number: COZ-2022-0009

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

Location of Proposal: 4830 W 49th Avenue

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

Document being adopted: ED 15-36 - MDNS

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

The adopted document is available at: Attached

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

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

Findings:

- The proposed amendment conforms with the comprehensive plan; and
- The proposed amendment promotes the public necessity, convenience and general welfare; and
- The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City; and
- The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan; and
- The property is adjacent and contiguous (which shall include corner touches and property located across a public right-of-way) to property of the same proposed zoning classification.

Conclusions:

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

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

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

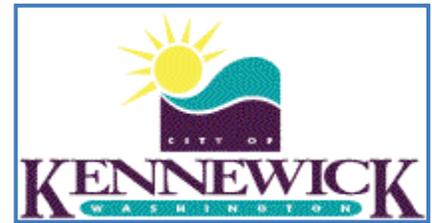
Signature  _____

Date 23 March 2022

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

ED #15-36

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



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

DESCRIPTION OF PROPOSAL: PRELIMINARY PLAT FOR 83 LOT SUBDIVISION

PROPONENT: JUSTIN BAERLOCHER, JUB ENGINEERS, INC.

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

LEAD AGENCY: CITY OF KENNEWICK

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

There is no comment period for this DNS.

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

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

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

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

This DNS is subject to the attached conditions:

No conditions.
 See attached condition(s).

Date: August 17, 2015 Signature: 

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

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

**CITY OF KENNEWICK
ENVIRONMENTAL CHECKLIST REVIEW**

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

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

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

Please note the following condition(s):

1.) Park Fees

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

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

Good Afternoon,

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

Thank you,

Lila Freshment

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

From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Monday, March 7, 2022 2:05 PM
To: BC Planning - Greg Wendt <Greg.Wendt@co.benton.wa.us>; BC Planning - Michelle Cooke <michelle.cooke@co.benton.wa.us>; Ben Franklin Transit - Kevin Sliger <ksliger@bft.org>; Benton Clean Air Authority - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air John Lyle <john.lyle@bentoncleanair.org>; Benton Franklin Health Dept - Rick Dawson <rickd@bfhd.wa.gov>; Benton PUD - engineering services <engservice@bentonpud.org>; Benton PUD - Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD Chad Brooks <brooksc@bentonpud.org>; Benton PUD Shanna Everson <eversons@bentonpud.org>; Benton PUD Tina Glines <glinest@bentonpud.org>; BPA - Deborah Rodgers <dxrodgers@bpa.gov>; BPA - Joe Cottrell <jecottrell@bpa.gov>; BPA - Mike Deklyen <mjdklyen@bpa.gov>; Cascade Natural Gas - Sara Pineda <sara.pineda@cngc.com>; Charter - Junior Campos <junior.campos@charter.com>; Charter-Ryan Sams <Ryan.Sams@charter.com>; City of Richland - Mike Stevens <mstevens@ci.richland.wa.us>; City of Richland - Shane O'Neill <soneill@ci.richland.wa.us>; CNGC- James Thomas <James.Thomas@cngn.com>; CID <cid@columbiairrigation.com>; Dustin Fisk - Kennewick School District (dustin.fisk@ksd.org) <dustin.fisk@ksd.org>; Kennewick School District; Brandon Potts <brandon.potts@ksd.org>; KID Development <development@kid.org>; Kyle McCauley <Kyle.McCauley@cngc.com>; Noah Lee <noah.lee@bentoncleanair.org>; US Army Corps of Engineers <CENWW-RE@usace.army.mil>; Williams Pipeline - Audie Neuson <audie.neuson@williams.com>; WSDOT <scplanning@wsdot.wa.gov>; Ziplly Fiber Christy Ross <christy.ross@ziply.com>
Subject: Change of Zone COZ-2022-0009

Attached is a proposed Change of Zone.

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

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

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

From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Monday, March 7, 2022 2:05 PM
To: BC Planning - Greg Wendt <Greg.Wendt@co.benton.wa.us>; BC Planning - Michelle Cooke <michelle.cooke@co.benton.wa.us>; Ben Franklin Transit - Kevin Sliger <ksliger@bft.org>; Benton Clean Air Authority - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air John Lyle <john.lyle@bentoncleanair.org>; Benton Franklin Health Dept - Rick Dawson <rickd@bfhd.wa.gov>; Benton PUD - engineering services <engservice@bentonpud.org>; Benton PUD - Jeff Vosahlo <vosahloj@bentonpud.org>; Benton PUD - Nancy Lang <langn@bentonpud.org>; Benton PUD Chad Brooks <brooksc@bentonpud.org>; Benton PUD Shanna Everson <eversons@bentonpud.org>; Benton PUD Tina Glines <glinest@bentonpud.org>; BPA - Deborah Rodgers <dxroddgers@bpa.gov>; BPA - Joe Cottrell <jecottrell@bpa.gov>; BPA - Mike Deklyen <mjdeklyen@bpa.gov>; Cascade Natural Gas - Sara Pineda <sara.pineda@cngc.com>; Charter - Junior Campos <junior.campos@charter.com>; Charter-Ryan Sams <Ryan.Sams@charter.com>; City of Richland - Mike Stevens <mstevens@ci.richland.wa.us>; City of Richland - Shane O'Neill <soneill@ci.richland.wa.us>; CNGC- James Thomas <James.Thomas@cngn.com>; Columbia Irrigation District <cid@columbiairrigation.com>; Dustin Fisk - Kennewick School District (dustin.fisk@ksd.org) <dustin.fisk@ksd.org>; Kennewick School District; Brandon Potts <brandon.potts@ksd.org>; Development <development@kid.org>; Kyle McCauley <Kyle.McCauley@cngc.com>; Noah Lee <noah.lee@bentoncleanair.org>; US Army Corps of Engineers <CENWW-RE@usace.army.mil>; Williams Pipeline - Audie Neuson <audie.neuson@williams.com>; WSDOT <scplanning@wsdot.wa.gov>; Ziplly Fiber Christy Ross <christy.ross@ziplly.com>
Subject: Change of Zone COZ-2022-0009

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

Attached is a proposed Change of Zone.

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

No comment on change of zone.

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



From: Steve Donovan <Steve.Donovan@ci.kennewick.wa.us>
Sent: Monday, March 7, 2022 2:05 PM
To: BC Planning - Greg Wendt <Greg.Wendt@co.benton.wa.us>; BC Planning - Michelle Cooke <michelle.cooke@co.benton.wa.us>; Ben Franklin Transit - Kevin Sliger <ksliger@bft.org>; Benton Clean Air Authority - Tyler Thompson <tyler.thompson@bentoncleanair.org>; Benton Clean Air John Lyle <john.lyle@bentoncleanair.org>; Benton Franklin Health Dept - Rick Dawson <rickd@bfhd.wa.gov>; EngService <EngService@bentonpud.org>; Jeff Vosahlo <vosahloj@bentonpud.org>; Nancy Lang <langn@bentonpud.org>; Chad Brooks <brooksc@bentonpud.org>; Shanna Everson <eversons@bentonpud.org>; Tina Glines <glinest@bentonpud.org>; BPA - Deborah Rodgers <dxrodgers@bpa.gov>; BPA - Joe Cottrell <jecottrell@bpa.gov>; BPA - Mike Deklyen <mjdeklyen@bpa.gov>; Cascade Natural Gas - Sara Pineda <sara.pineda@cngc.com>; Charter - Junior Campos <junior.campos@charter.com>; Charter-Ryan Sams <Ryan.Sams@charter.com>; City of Richland - Mike Stevens <mstevens@ci.richland.wa.us>; City of Richland - Shane O'Neill <soneill@ci.richland.wa.us>; CNGC-James Thomas <James.Thomas@cngc.com>; Columbia Irrigation District <cid@columbiairrigation.com>; Dustin Fisk - Kennewick School District (dustin.fisk@ksd.org) <dustin.fisk@ksd.org>; Kennewick School District; Brandon Potts <brandon.potts@ksd.org>; KID Development <development@kid.org>; Kyle McCauley <Kyle.McCauley@cngc.com>; Noah Lee <noah.lee@bentoncleanair.org>; US Army Corps of Engineers <CENWW-RE@usace.army.mil>; Williams Pipeline - Audie Neuson <audie.neuson@williams.com>; WSDOT <scplanning@wsdot.wa.gov>; Ziplly Fiber Christy Ross <christy.ross@ziplly.com>
Subject: [E] Change of Zone COZ-2022-0009



Department of Energy

Exhibit 12

Bonneville Power Administration
2211 North Commercial Avenue
Pasco, WA 99301

TRANSMISSION SERVICES

March 22, 2022

In reply refer to: COZ-2022-0009

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

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

Dear Steve:

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

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

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

Thank you for the opportunity to review this application. If you have any questions regarding this request or need additional information, please feel free to contact me. I can be reached at (509) 544-4747 or by email at jecottrell@bpa.gov.

Sincerely,

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

Joseph E. Cottrell II
BPA Field Realty Specialist

Planning Commission Action Summary
COZ-2022-0009 – Ron Asmus Homes

The Kennewick Planning Commission conducted a public hearing on April 18, 2022. All interested parties were notified to come before the Commission and be heard. After reviewing the staff report and all oral and written facts and opinions, the Commission passed a motion on the proposed Change of Zone, concurring with the findings and conclusions in the staff report COZ-2022-0009 and recommends to City Council approval of the proposed Change of Zone contained in the staff report.

Findings of Fact

1. The applicant is Ron Asmus Homes, 2810 E Clearwater Avenue, Suite 102, Kennewick, WA 99336.
2. The property owner(s) are Ron and Tracey Asmus, 802 S Dawes, Kennewick, WA 99337.
3. The proposed change of zone is located at 4830 W 49th Avenue. Parcel Number: 1-2289-201-3468-012.
4. The City's Comprehensive Plan Land Use Designation for the subject property is Low Density Residential.
5. The request is to change the zoning from Residential, Suburban to Residential. Low Density.
6. The Residential, Low Density Zoning District is an implementing zone of the Low Density Residential Comprehensive Plan Land Use Map Designation.
7. The application was submitted on March 3, 2022.
8. The application was declared complete, routed for review to City Departments and outside agencies on March 7, 2022.
9. Access to the site is via S Reed Street.
10. The Mitigated Determination of Non-Significance, ED 15-36, was adopted on March 23, 2022.
11. The Property Posting sign for the public hearing was posted on site March 31, 2022.
12. The Notice of Public Hearing was published in the Tri-City Herald on April 3, 2022.
13. Hearing notices were mailed to property owners within 300 feet of the site on March 31, 2022.
14. The proposed amendment conforms to the comprehensive plan.
15. The proposed amendment promotes the public necessity, convenience and general welfare.
16. The proposed amendment does not impose a burden upon public facilities beyond their capacity to serve or reduce such services to lands, which are deemed unacceptable by the City.
17. The proposed amendment is consistent with all applicable provisions of the Kennewick Municipal Code, including those adopted by reference from the Comprehensive Plan.
18. The property is adjacent and contiguous to property of the same proposed zoning classification.

Conclusions of Law

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

The motion to approve was moved by Commissioner Hempstead and seconded by Vice-Chairman Stolle. The motion passed unanimously, with Commissioners Hempstead, Helgeson, Gregory, Griffith, Vice-Chairman Stolle and Chairman Morris all in favor.

**KENNEWICK PLANNING COMMISSION
APRIL 18, 2022
VIRTUAL MEETING MINUTES**

CALL TO ORDER

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

Commissioner Hempstead 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: Chairman Victor Morris, Vice Chairman Clark Stolle, Commissioners James Hempstead, Thomas Helgeson, Tina Gregory (*all in person*) Commissioner Nikki Griffth (*remotely*).

Excused: None

Unexcused: Commissioner Ken Short

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

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 said that he did not see mention in the March 21, 2022 meeting minutes that Mr. Donovan removed Item # 3c. DCA #2022-0000 from the agenda due to the applicant withdrawing the application. Chairman Morris called for a motion to approve the Consent Agenda with the March 21, 2022 minutes as amended.

Commissioner Hempstead moved to approve the Consent Agenda as amended; Vice Chairman Stolle seconded the motion. The motion passed unanimously on a roll call vote.

CONSENT AGENDA

- a. Approval of Agenda
- b. Approval of March 21, 2022 Minutes (*as amended*)
- c. Motion to enter Staff Reports into the Record

PUBLIC HEARINGS

Chairman Morris opened the virtual public hearing at 6:39 p.m. for Change of Zone (COZ) #2022-0009 proposing to change the zoning district for approximately 20.94 acres located at 4830 W. 49th Avenue from Residential, Suburban density (RS) to Residential, Low Density (RL). Applicant and owner is Ron Asmus Homes, 2810 W. Clearwater Ave. Suite 2, Kennewick, WA 99336 and Owner is Ronald and Tracey Asmus, 802 S. Dawes St., Kennewick, WA 99337.

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

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

Planning Commission questions:

Since 2014 has there been any development there; has the applicant proposed access to the site yet; is the site adjacent to open space.

Testimony of Applicant/Applicant's Representative:

None present

Testimony in Favor of the Request:

None

Testimony Neutral/Against the Request:

None

Testimony of Those Registered on Virtual Format:

Mr. Kevin Howes – registered online virtual format – did not offer testimony.

Staff Comments:

None

Public Testimony for COZ 2022-0009 closed at 6:48 p.m.

Chairman Morris asked for a motion.

Commissioner Hempstead moved to concur with the findings and conclusions in staff report COZ 2022-0009 and forward a recommendation to City Council APPROVAL of the request.

Vice Chairman Stolle seconded the motion.

Planning Commission Discussion:

None

The motion passed on a unanimous roll call vote.

VISITORS NOT ON AGENDA:

None

OLD BUSINESS:

- a. City Council Action Updates: COZ 2022-0007 and COZ 2022-0008 were both approved by City Council at their last meeting;

NEW BUSINESS:

None

REPORTS, COMMENTS, OR DISCUSSION OF COMMISSIONERS AND STAFF:

Chairman Morris welcomed new Planning Commissioner Tina Gregory, and mentioned that it was great to be back in person at City Hall.

Commissioner Gregory asked if a commissioner knows they will be out of town for a Planning Commission meeting, is it acceptable to be present via the online virtual remote platform. Mr. Muai said there is nothing specific in the by-laws or Kennewick Municipal Code, but they commission could have a discussion and adopt it formally.

Commissioner Hempstead asked if Mr. Muai would check with the City Attorney and other Boards and Commissions to make sure the hybrid attendance format is consistent. Mr. Muai said the City Council already conducts meetings this way with Council members, i.e. the ability to attend remotely if they cannot attend in person. Mr. Muai said he believes most boards/commissions will follow the pattern of Council, so the Planning Commission would not be out of bounds if they choose to do so as well.

Chairman Morris asked if we could check with the City Attorney to make sure that is legal; Mr. Muai said because we hold public hearings and are subject to the OPMA rules governing public meetings, we are required to hold hybrid meetings similar to the Council. The decision for the Planning Commission would make decide whether they want to allow Commissioners to attend remotely if they are unable to be here in person. Vice Chairman Stolle voiced his support to attend remotely if unable to be present in person. Mr. Muai said the item could be added to next regular meeting agenda.

ADJOURNMENT:

The meeting adjourned at 7:02 p.m.

Council Agenda Coversheet



Agenda Item Number	6.a.	Council Date	05/03/2022
Agenda Item Type	Resolution		
Subject	Easement Vac 4112, 4136, 4160, 4184 W 24th Ave		
Ordinance/Reso #	22-09	Contract #	
Project #		Permit #	ENG-2022-6273
Department	Public Works		

Consent Agenda	<input type="checkbox"/>
Ordinance/Reso	<input checked="" type="checkbox"/>
Public Mtg / Hrg	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>
Quasi-Judicial	<input type="checkbox"/>

Recommendation

Staff recommends that Council adopt Resolution 22-09 declaring surplus a portion of a 30 foot wide access/utility easement and a 10 foot utility easement located at 4112, 4136, 4160 and 4184 West 24th Avenue.

Motion for Consideration

I move to adopt Resolution 22-09.

Summary

Knutzen Engineering on behalf of AP Properties LLC is requesting the vacation of a 30 foot access/utility easement and 10 foot utility easement at 4112, 4136, 4160 and 4184 West 24th Avenue.

The easements were dedicated on Binding Site Plan Record of Survey 4771 to serve the four lots that were created.

The property owner has since consolidated the four lots for the purpose of constructing a large office building across these easements.

Easements were not used and will not be needed for the proposed development of the consolidated lot.

Affected City Utility companies and City Staff have reviewed the request and have no objection to the proposed vacation.

Alternatives

None recommended.

Fiscal Impact

None.

Through	Heath Mellotte Apr 26, 11:16:43 GMT-0700 2022
Dept Head Approval	Cary Roe Apr 26, 19:18:56 GMT-0700 2022
City Mgr Approval	Marie Mosley Apr 28, 22:43:04 GMT-0700 2022

Attachments:

Resolution
Deed
Map

Recording
Required?

CITY OF KENNEWICK
RESOLUTION NO. 22-09

A RESOLUTION OF THE CITY OF KENNEWICK DECLARING SURPLUS
A PORTION OF A 30.00 WIDE UTILITY/ACCESS EASEMENT AND A 10.00
FOOT WIDE UTILITY EASEMENT WITHIN 4112, 4136, 4160 AND 4184
WEST 24TH AVENUE

WHEREAS, AP Properties, LLC, a Washington Limited Liability Company have requested the vacation of a certain utility easement located on their property; and

WHEREAS, RCW 35.94.040 provides for the disposal of surplus property originally required for public utility purposes; and

WHEREAS, notice has been published on April 22, 2022, that a public hearing would be held on this date concerning disposal of this property; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK,
WASHINGTON that property originally acquired for the purpose of a utility/access easement and described as follows:

Parcel Numbers: 1-1089-3BP-4771-001, 1-1089-3BP-4771-002, 1-1089-3BP-4771-003,
1-1089-3BP-4771-004

THAT CERTAIN EASEMENT DESCRIBED AS 'EASEMENT A' ON THE FACE OF
BINDING SITE PLAN (BSP) 4771, RECORDED UNDER AUDITOR'S FILE
NUMBER 2016-025845, RECORDS OF BENTON COUNTY, WASHINGTON.

TOGETHER WITH THAT CERTAIN EASEMENT SHOWN ON THE FACE OF SAID
BSP BEING ROUGHLY 10.00 FEET WIDE AND HAVING 5.00 FEET OF SUCH
WIDTH TO EACH SIDE OF THE NORTH-SOUTH COMMON LINE BETWEEN
LOTS 1, 2, 3 AND 4 OF SAID BSP.

is hereby found to be surplus to the City's needs and not required for the providing of continued services; and

BE IT FURTHER RESOLVED that the consideration to be paid for the release of this easement shall be \$50.00; and

BE IT FURTHER RESOLVED that the Mayor of the City of Kennewick is authorized to deed by quit claim to the AP Properties, LLC, a Washington Limited Liability Company the above-described easement and deliver the same upon payment.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 3rd day of May, 2022, and signed in authentication of its passage this 3rd day of May, 2022.

Attest:

W.D. MCKAY, Mayor

TERRI L. WRIGHT, City Clerk

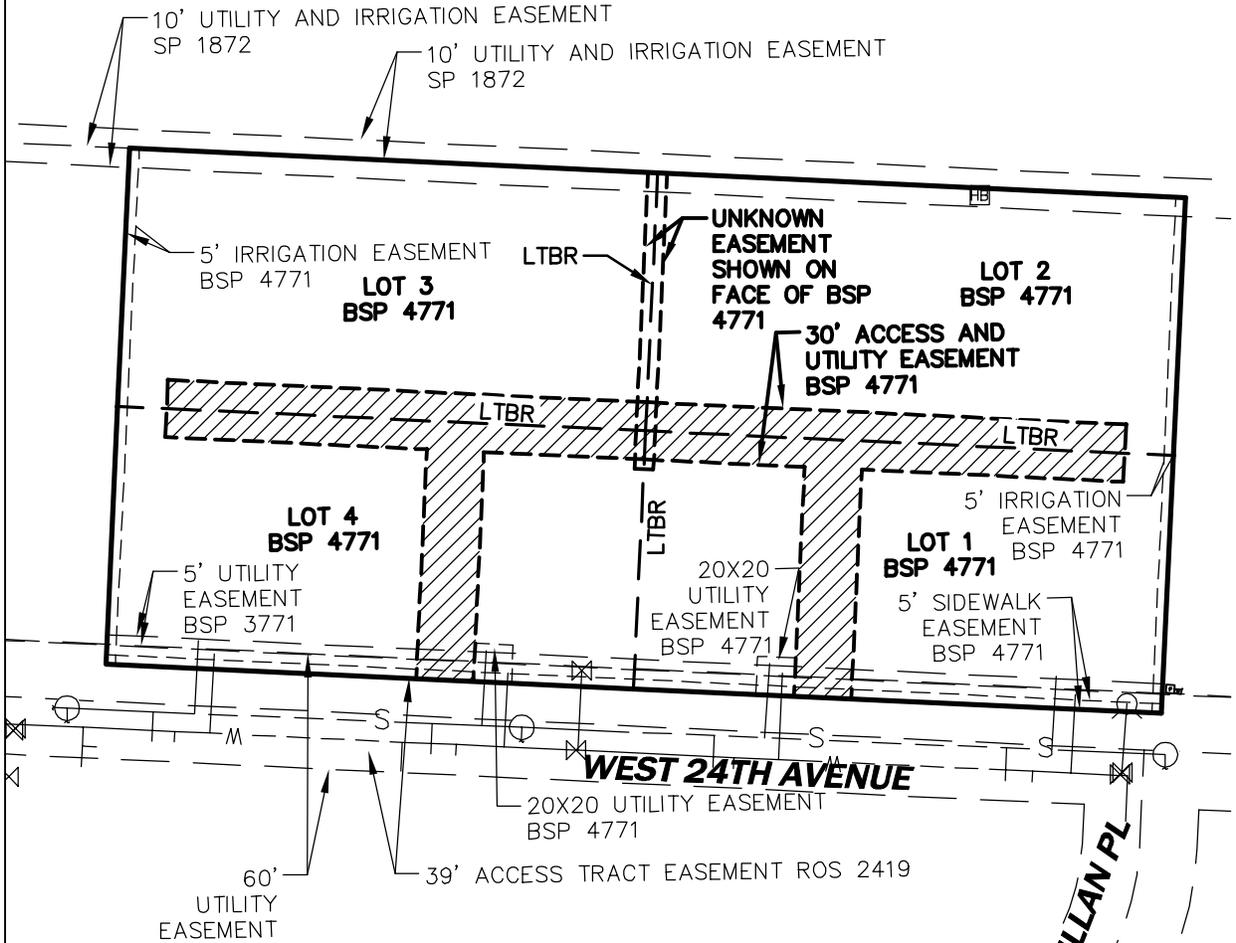
RESOLUTION NO. 22-09 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington, this 4th day of May, 2022.

Approved as to Form:

LISA BEATON, City Attorney

TERRI L. WRIGHT, City Clerk

EASEMENT VACATION



1"=100'

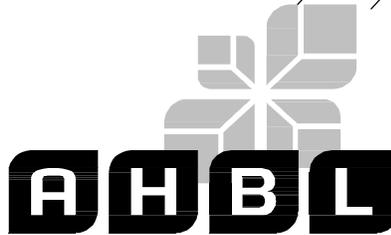
JOB NO. 2180173.50

January 31, 2022

EASEMENT VACATION

LEGAL BY: TD EXHIBIT BY: TD

w:\sdsproj\2018\2180173\2180173-esmt vacation.dwg



5804 Road 90,

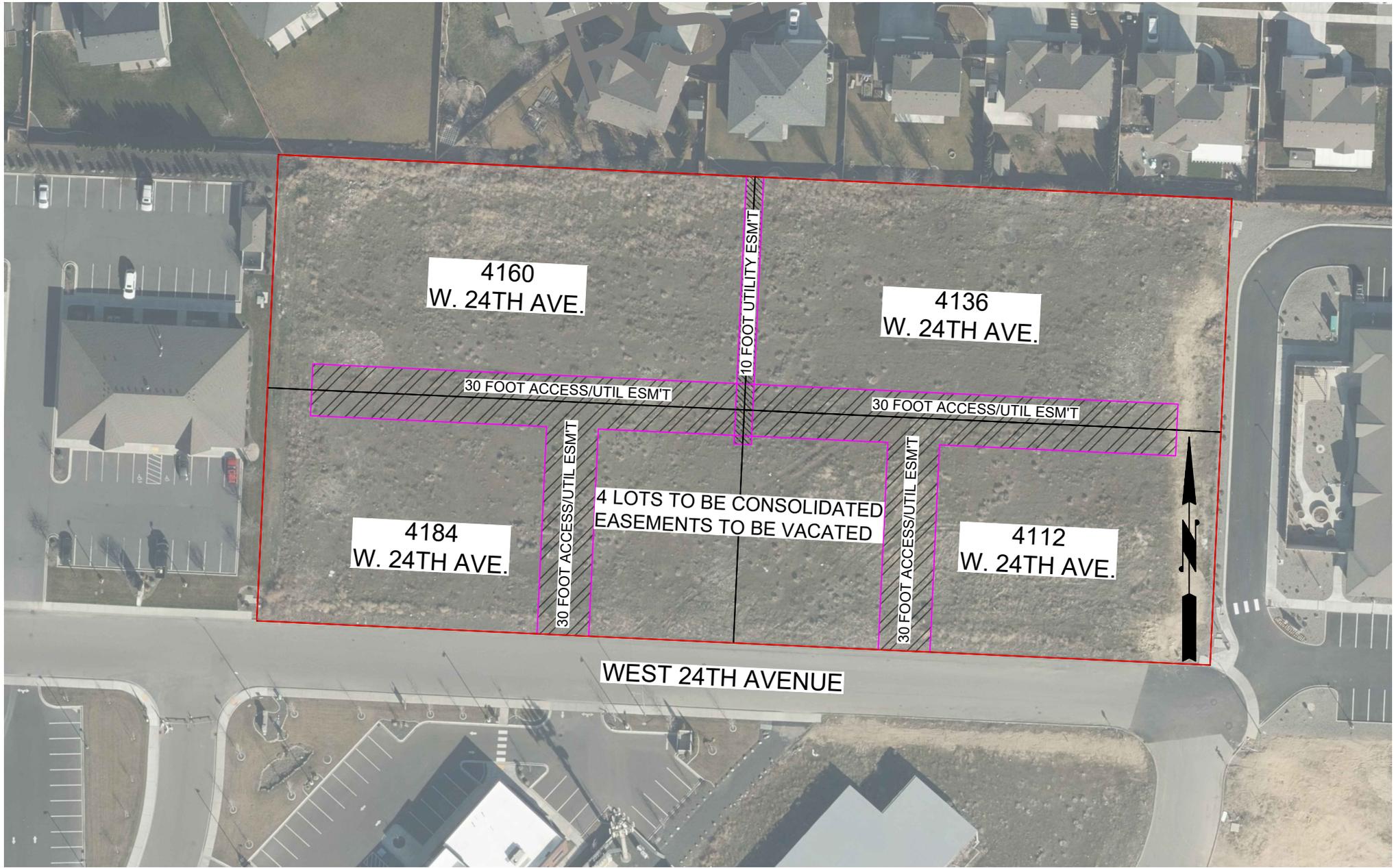
Suite H,

Pasco, WA 99301

509.380.5883 TEL

509.380.5885 FAX

THIS EXHIBIT HAS BEEN PREPARED TO ASSIST IN THE INTERPRETATION OF THE ACCOMPANYING LEGAL DESCRIPTION. IF THERE IS A CONFLICT BETWEEN THE WRITTEN LEGAL DESCRIPTION AND THIS SKETCH, THE LEGAL DESCRIPTION SHALL PREVAIL.



4160
W. 24TH AVE.

4136
W. 24TH AVE.

4184
W. 24TH AVE.

4112
W. 24TH AVE.

4 LOTS TO BE CONSOLIDATED
EASEMENTS TO BE VACATED

WEST 24TH AVENUE

10 FOOT UTILITY ESM'T

30 FOOT ACCESS/UTIL ESM'T

30 FOOT ACCESS/UTIL ESM'T

30 FOOT ACCESS/UTIL ESM'T

30 FOOT ACCESS/UTIL ESM'T





City Council Meeting Schedule May 2022

The City broadcasts City Council meetings on the City's website
<https://www.go2kennewick.com/CouncilMeetingBroadcasts>.

May 3, 2022
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

May 10 2022
Tuesday, 6:30 p.m. WORKSHOP MEETING

1. Economic Development & Port of Kennewick Partnership
2. Regional and Neighborhood Parks
3. Fire Department Update: Biennium Goals & Priorities
4. Police Department Update: Biennium Goals & Priorities

May 17, 2022
Tuesday, 6:30 p.m. REGULAR COUNCIL MEETING

May 24, 2022
Tuesday, 6:30 p.m. WORKSHOP MEETING

1. KPFD & VenuWorks
2. Entertainment District Partnership Update (A-1 Pearl)
3. Planning & Public Works Development Process
4. Fourth of July Safety Measures

May 31, 2022
Tuesday, 6:30 p.m. NO MEETING SCHEDULED

To assure disabled persons the opportunity to participate in or benefit from City services, please provide twenty-four (24) hour advance notice for additional arrangements to reasonably accommodate special needs.

Please be advised that all Kennewick City Council Meetings are Audio and Video Taped



City Council Meeting Schedule June 2022

The City broadcasts City Council meetings on the City's website
<https://www.go2kennewick.com/CouncilMeetingBroadcasts>.

June 7, 2022

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

June 14 2022

Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. Hanford Communities Update
2. City Attorney's Office Update: Biennium Goals & Priorities
3. Finance Department: Update: Biennium Goals & Priorities
4. Existing Facilities and Six-Year Capital Improvement Plan

June 21, 2022

Tuesday, 6:30 p.m.

REGULAR COUNCIL MEETING

June 28, 2022

Tuesday, 6:30 p.m.

WORKSHOP MEETING

1. Tri-Cities Water Follies Update
2. Management Services Update: Biennium Goals & Priorities
3. Parks & Recreation Department Update: Biennium Goals & Priorities
4. Motorized Personal Transport

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