



Agenda
Hearing Examiner Meeting
Tuesday, August 25, 2020
Via Zoom
Public Access (888) 788-0099 or (877) 853-5247 Meeting ID 993 9109 4793

Pursuant to Resolution No. 100-20, this meeting will be conducted remotely via Zoom and broadcast live on CityView Channel 192 and at ci.richland.wa.us. The public may attend this meeting using the access information provided.

Hearing Examiner: Gary McLean Gary McLean

Liaisons: Staff Liaison: Planning Manager Stevens

Public Hearing - 11:00 a.m.

Public Hearing Explanation:

New Business - Public Hearing:

- I. Z2020-103 - Tapteal Rezone, C-2 to C-LB (7.4-acres)
Young Asset Management LLC

Adjournment

The next Hearing Examiner Meeting is as needed.

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HEARING EXAMINER AGENDA ITEM COVERSHEET

Meeting Date: 8/25/2020

Agenda Category: New Business - Public Hearing

Prepared By: Shane O'Neill, Senior Planner

Subject:

Z2020-103 - Tapteal Rezone, C-2 to C-LB (7.4-acres)
Young Asset Management LLC

Department:

Development Services

Recommended Motion:

Planning Department staff recommends approval of the rezone request without applying additional land use restrictions.

Summary:

Young Asset Management LLC, has applied to rezone two (2) parcels totaling 7.4-acres, from Retail Business (C-2) to Limited Business (C-LB). The subject site lies on the south side of Columbia Park Trail approximately 666-feet west of the Steptoe Street/Highway SR-240 round-about. The site previously contained a residential mobile home park served by an internal network of private utility infrastructure which remains on-site today.

The stated purpose of the rezone request is to effectively eliminate a site development feature of the C-2 zone limiting the ground-floor occupancy of multi-family developments to commercial businesses only. Applying C-LB zoning to the site removes this commercial occupancy requirement.

Further, since abandonment of the mobile home park the site has become a target for routine illegal dumping, thereby creating an eyesore for the single family neighborhood to the south. Approval of the proposed rezone application will foster redevelopment of the site, eliminate of a source of blight in Richland while removing a barrier to multi-family development. Facilitating multi-family housing develop will contribute to meeting the current high-demand for affordable housing in the State.

Attachments:

1. Staff Report - Tapteal C-2 to C-LB

**CITY OF RICHLAND DEVELOPMENT SERVICES DIVISION
STAFF REPORT TO THE HEARING EXAMINER**

GENERAL INFORMATION:

PROPOSAL NAME: Tapteal Rezone

LOCATION: The project site is located approximately 666-feet west of the Steptoe Street/Hwy SR-240 round-about (APN's: 1-25981000011001 & 1-25981000015000).

APPLICANT: Young Asset Management, LLC (Nick Wright) on behalf of Tapteal Properties, LLC

FILE NO.: Z2020-103

DESCRIPTION: Request to change zoning of approximately 7.4 acres from C-2 (Retail Business) to Limited Business (C-LB).

PROJECT TYPE: Type 3 Site-Specific Rezone

HEARING DATE: August 10, 2020 & August 25, 2020

REPORT BY: Shane O'Neill, Senior Planner

RECOMMENDED ACTION: Approval



Figure 1 - Vicinity Map

DESCRIPTION OF PROPOSAL

On June 17, 2020, Young Asset Management, LLC filed an application (Exhibit 1) with the City, petitioning to rezone a 7.4-acre site from Retail Business (C-2) to Limited Business (C-LB). The purpose of this request is to zone the site in a manner consistent with the city's Comprehensive Plan while allowing for multi-family development without the requirement of first floor commercial use.

SITE DESCRIPTION & ADJACENT LAND USES

The site is comprised of two un-platted parcels totaling approximately 7.4-acres lying approximately 666-feet west of the Steptoe Street/Hwy SR-240 round-about (see Fig. 1 above). Combined, the parcels form a diamond-shaped trapezoid. Measuring approximately 1,143 feet in its longest diagonal dimension, and 555 feet at its narrowest diagonal dimension.

Beginning along the south line of the site, the property's elevation drops traveling north; experiencing an average site-wide grade change of approximately 30 feet. The site is accessed by a deteriorated gravel driveway approach extending south from Columbia Park Trail near the northwest corner of the site. A secondary point of access exists off-site. The secondary access extends south from Columbia Park

Trail immediately west of the railroad overpass along the east site boundary. Legal availability of this off-site access point is unlikely.

The northern boundary abuts the Columbia Park Trail public right-of-way. The eastern boundary of the site abuts a railroad right-of-way containing an active rail line, the southern boundary of the site abuts a Columbia Irrigation District easement containing an active open-air irrigation canal. Adjacent to the west site boundary lies an active RV campground containing stalls immediately inside the dividing fence. The occupied RV stalls are not setback from the shared boundary.

Approximately 10 years ago, use of the site as a residential mobile home park was abandoned. The site has remained vacant since that time. Artifacts of the previous mobile home park visible today include a variety of paved areas, low walls, landscaping and private roadways. Images of the site are provided herein as Exhibit 4.

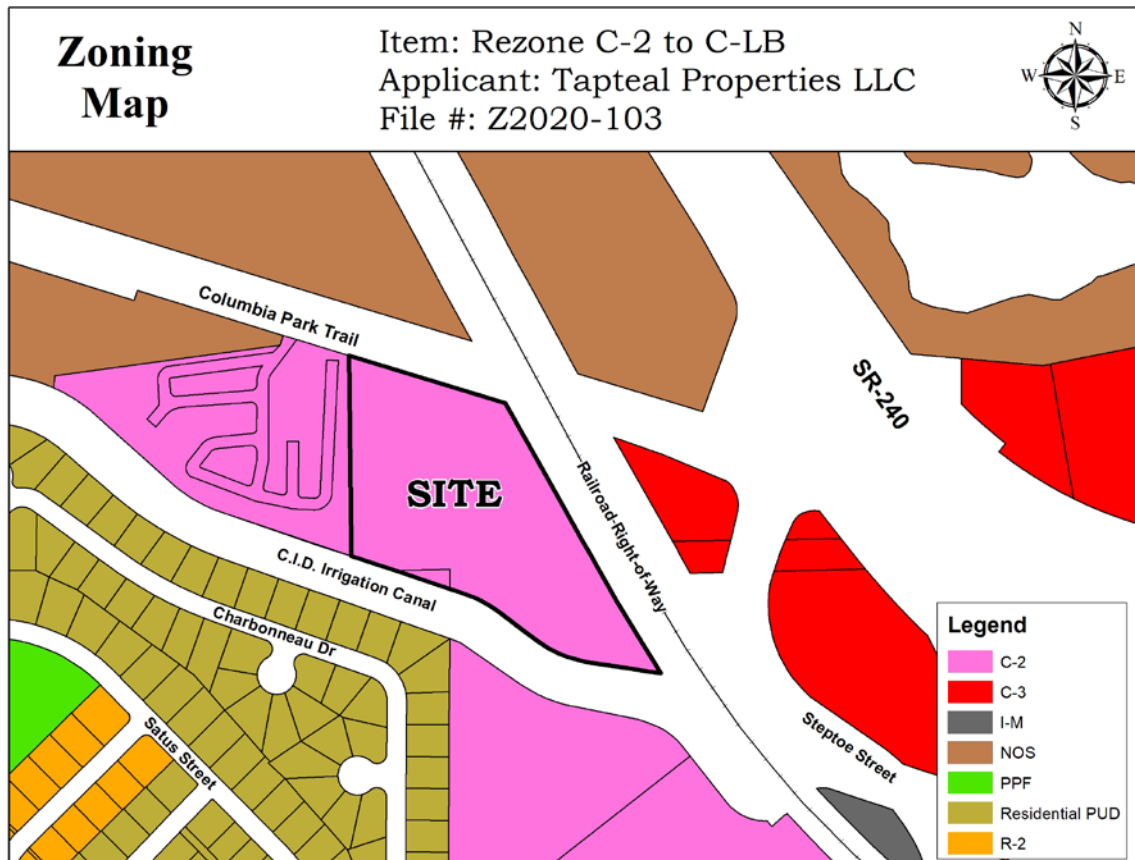


Figure 2 – Zoning Map

CURRENT ZONING

The zoning map above illustrates the site's current C-2 zoning as well as the zoning assigned to adjacent and surrounding properties.

The Retail Business use district (C-2) is a business zone classification providing for a wide range of retail business uses and services compatible to the core of the city and providing a focal point for the commerce of the city. All activities shall be conducted within an enclosed building except that off-street loading, parking, and servicing of automobiles may be in the open and except that outdoor storage may be permitted when conducted in conjunction with the principal operation which is in an enclosed adjoining building. This zoning classification is intended to be applied to some portions of the city that are designated commercial under the city of Richland comprehensive plan.

Of particular significance to this request is a detail of multi-family residential development in C-2 whereby the ground-floor of multi-family buildings may only contain commercial retail businesses (RMC 23.22.030, footnote #18). The request at-hand is driven by the want to remove this ground-floor commercial occupancy requirement. Both C-2 zone and the C-LB zoning districts allow for multi-family residential development outright.

SURROUNDING ZONING & LAND USES

North: Columbia Park Trail public right-of-way then a vacant parcel containing wetlands, zoned Natural Open Space (NOS)

East: Active railroad right-of-way then a vacant parcel zoned General Business (C-3)

South: Columbia Irrigation District (C.I.D.) open-air irrigation canal then a vacant parcel zoned C-3, and a Planned Unit Development single-family residential neighborhood zoned PUD.

West: An active RV park zoned Retail Business (C-2)

REQUESTED ZONING

The Limited Business (C-LB) zone is a zone classification designed to provide an area for the location of buildings for professional and business offices, motels, hotels, and their associated accessory uses, and other compatible uses serving as an administrative district for the enhancement of the central business districts, with regulations to afford protection for developments in this and adjacent districts and in certain instances to provide a buffer zone between residential areas and other commercial and industrial districts. The zoning classification is intended to be applied to some portions of the city that are designated either commercial or high-density residential under the city of Richland comprehensive plan.

C-LB zoning outright permits multi-family residential development "Apartments, Condominiums (3 or more units)" at a maximum density of 1 dwelling unit/ 1,500 square feet of land area (29-units/acre). Non-residential land uses permitted in the C-LB zone are primarily office-type land uses and public facilities.

PUBLIC NOTICE

Application Date:	June 17, 2020
Notice of Hearing Mailed:	July 9, 2020
Notice of Hearing Posted:	July 7, 2020
Notice of Hearing Published:	August 14, 2020
Public Hearing:	August 10 & 25, 2020

Notice of application and notice of hearing was provided through posting of the property, mailing of notice to property owners within 300 feet of the site and publication in the *Tri-City Herald* newspaper. Copies of the notices and affidavits are included in Exhibit 2. As of the date of this report, city staff received no comments from the general public. The Washington State Dept. of Transportation (WSDOT) submitted a written comment dated July 14th relating to potential noise impacts from the nearby highway SR-240 on a future development. On July 23th City Planning staff received a comment letter from the Washington State Department of Archaeology and Historic Preservation (DAHP) explaining the high likelihood of the presence of historic and pre-historic artifacts on-site. DAHP further calls for the conduct of a professional archaeological survey prior to initiating any ground-disturbing activities. All comments are included herein as Exhibit 3.

During the August 10th hearing a clerical error was discovered whereby the hearing was not advertised in the newspaper. This necessitated a second hearing benefiting from proper notification. All evidence of a second round of hearing notifications are provided herein as Exhibit 2A.

UTILITY AVAILABILITY

City utility mapping records indicate the site contains an underground network of private sewer and water lines laid out to serve the previous mobile home lots. An image of said utilities is provided below.



Figure 3 - Utilities Map
(Blue = water, Green = sewer, Red = Electrical power)

SEWER

Columbia Park Trail contains both a 15-inch sewer main and an 8-inch sewer main which both appear to feed into an 8-inch stub serving the site. The sewer stub is aligned with the existing driveway at the northwest corner of the site.

WATER

A twelve (12) inch water main located in Columbia Park Trail is stubbed into the site at the driveway in the northwest corner. This stub feeds into a network of private water lines laid-out to provide service to the abandoned mobile home pad sites. This water main is available and is of adequate capacity to serve future redevelopment of the site.

ELECTRICAL POWER

Richland Energy Services (RES), a municipal public utility district, will service development on the site. The site is currently crossed by RES power lines. A 3-phase overhead power line currently spans the entire width of the site in an east-west orientation. Underground power lines are stubbed to a vault at the driveway near the northwest corner. Another set of overhead power lines terminate near the southeast corner. All of these electrical facilities are in-place and are of adequate capacity to serve the additional load demand created by future residential and/or commercial development.

TRANSPORTATION

Access into the site will continue to come directly from the Columbia Park Trail right-of-way. Columbia Park Trail is classified as a minor arterial roadway. A preliminary traffic impact review by the Richland Transportation Engineer (John Deskins) determined Columbia Park Trail contains sufficient capacity to accommodate the highest traffic-generating land uses permitted in the requested C-LB zone without lowering the roadways' level of service (LOS) below level D. Said review did contain indication that a 100-foot deep deceleration lane may be required for site development.

In terms of access, the site benefits from nearly direct access to highway SR-240. Commercial, office, and high-density residential uses are appropriately applied in higher-impact areas such as sites near busy roadways and other transportation facilities.

Columbia Park Trail belongs to Benton-Franklin Transit route #126 but this route begins approximately 2,222-feet east of the site. Benton-Franklin Transit route #110 is available at the intersection of Steptoe Street and Canyon Street, located 2,500 feet southeast of the site. And although nearby Highway SR-240 belongs to transit route #120 (1,200-feet east), there are no stops available since it is a highway.

SEPA

The proposal is not subject to State environmental review under the State Environmental Policy Act. Pursuant to WAC 197-11-800(6)(c) the rezone application qualifies as a categorically exempt action.

COMPREHENSIVE PLAN

Richland's Comprehensive Plan designates the subject site for Commercial land uses. The Limited Business (C-LB) zone is included in the Commercial Zoning Districts chapter of the Zoning code (RMC 23.22). In this way the proposal is consistent with the Comprehensive Plan.

The following land use map illustrates the city's Comprehensive Plan land use designations for the site and surrounding vicinity as depicted by the city's GIS mapping database. The C-LB zoning classification is intended to be applied to portions of the city designated as either High-Density Residential or Commercial under the City of Richland Comprehensive Plan.

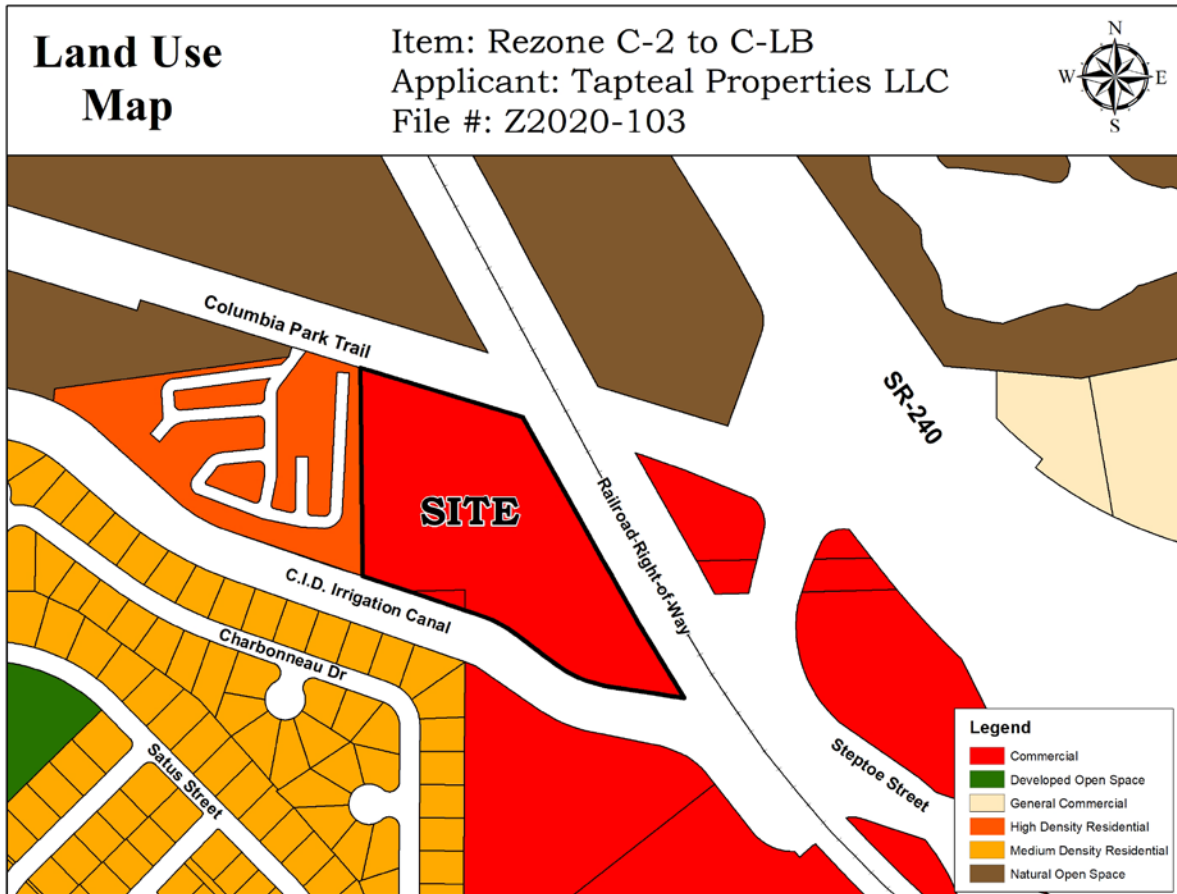


Figure 4 – Comprehensive Plan Map

The Comprehensive Plan contains the following goals and policy statements generally viewed as being in support of the proposed rezone application:

Land Use Goal 1:

Plan for growth within the urban growth area and promote compatible land use.

Policy 1 - Revitalize areas that are already within the City, especially areas within the Central Business District, such as the Parkway and Uptown, and the Island View areas.

Policy 2 - Facilitate planned growth and infill developments within the City.

Land Use Goal 2:

Establish land uses that are sustainable and create a livable and vibrant community.

Policy 1 - Maintain a variety of land use designations to accommodate appropriate residential [and] commercial... uses that will take advantage of the existing infrastructure network.

LU Goal 3:

Maintain a broad range of residential land use designations to accommodate a variety of lifestyles and housing opportunities. Policy 1: Distribute residential uses and densities throughout the urban growth area consistent with the City's vision.

Policy 2: Encourage higher residential densities especially in and near the Central Business District area.

LU Goal 4:

Promote commercial and industrial growth that supports the City's economic development goals.

Policy 1: Accommodate a variety of commercial land uses including retail and wholesale sales and services, and research and professional services.

Land Use Goal 5:

Ensure connectivity that enhances community access and promotes physical, social, and overall well-being so residents can live healthier and more active lives.

Policy 1 – Locate commercial uses so that they conveniently serve the needs of residential neighborhoods, workplaces, and are easily accessible via non-motorized modes of transport.

BACKGROUND

The subject site was annexed into the City in 1965 upon adoption of Ordinance No. 332. Until about 10-years ago, the site contained a residential mobile home park developed with an internal network of private sewer and water infrastructure together with a private roadway leading to each tenant space. Evidence of the infrastructure can be seen today in the form of fire hydrants, pavement and remnant landscaping at the old home-sites.

Since the closure of the mobile home park, the site has been a regular target for illegal refuse dumping which has become an ongoing maintenance responsibility for the property owner. During a site visit, Planning Dept. staff observed a variety of ground-burrows and dens occupied by marmots and skunks inhabiting the site. These animals likely take advantage of the nearby wetland on the north side of Columbia Park Trail, as a reliable source for food.

Considering the site has become a target for dumping and suitable habitat for wild animals including skunks and rodents, it is in the best interest of the City and the general public's welfare, to facilitate efforts aimed at redeveloping the site.

ANALYSIS

In Planning staff's professional opinion, assigning C-LB zoning to this site is appropriate. In essence the request will effectively downgrade the site's permitted commercial land use intensity. Decreasing the potential land use intensity is a generally acceptable proposal as viewed by adjacent land owners.

The C-LB zone is primarily an office zone which also allows for high-density residential development. C-LB restricts retail businesses from being a principal use. It is common and accepted planning practice to assign both office zones and high-density residential zones to areas in order to buffer sensitive uses like single-family residential neighborhoods from high-impact areas and land uses such as busy roads and freeways and heavy-commercial business. The subject site is situated in precisely this way. On-site development of offices or a multi-family residential complex will allow for land development while shielding the homes to the south from ever-increasing traffic noise from Columbia Park Trail and Highway SR-240.

The rezone request is consistent with the City's land use vision of the site, as set forth in the 2017 Comprehensive Plan land use map (figure 4). In this way the proposed rezone satisfies one of the principal criterion used to determine the appropriateness of rezone requests.

Over the past ten years, use of the subject site has transitioned from a residential mobile home park to a vacant site. In 2006 the site was converted from High-Density Residential (R-3) zoning to the current Retail Business (C-2) zoning. I would appear that plans associated with the rezone to C-2 failed to come to fruition. Since the mobile home park was closed, conditions on-site have deteriorated to such a degree that it is routinely targeted for illegal refuse dumping and habitat for dense populations of rodents and feral animals.

While residential development in neighborhoods to the south has progressively continued, the subject site has remained a source of visual blight and a source of pests incompatible with nearby residences for the reason of public health. Until the site is developed the issue of pests is likely to increase due to the abundant sources of water nearby. The open C.I.D. irrigation canal borders the site to the south together with the wetland across Columbia Park Trail provide water to critters living on-site on a year-round basis.

Furthermore, over the past ten years the demand for multi-family residential units has increased significantly. And even more recently many areas throughout the US have been considered to be in a housing crisis whereby the demand for affordable housing has out-paced construction rates. Fostering the availability of the site for a multi-family residential development will contribute to meeting housing need locally and of the State in general.

FINDINGS AND CONCLUSIONS

Staff has completed its review of the request for a change in zoning (Z2020-103) and recommends approval of the request based on the following:

1. The site is comprised of two parcels totaling approximately 7.4-acres in area;
2. The entire site is currently zoned Retail Business (C-2);
3. The City of Richland Comprehensive Plan designates the subject site as suitable for commercial land uses;
4. The C-LB purpose statement (RMC 23.22.010.A) states C-LB zoning is intended to be applied to portions of the City commercially designated in the City's Comprehensive Plan;
5. The site previously contained a residential mobile home park;
6. The site lies adjacent to Columbia Park Trail; providing potential access points;
7. Establishment of the Limited Business (C-LB) zoning district is consistent with the intent of the Comprehensive Plan;
8. The subject site lies in close proximity to busy roadways including highway SR-240 and Columbia Park Trail;
9. The subject site is immediately west of and adjacent to active railroad tracks;
10. The rezone request is exempt from the provisions of the State Environmental Policy Act, as identified in WAC 197-11-800(6)(c);
11. Much of the utility infrastructure available to serve this site lies within the Columbia Park Trail right-of-way;
12. The Washington State Department of Transportation (WSDOT) submitted a comment letter dated July 14, 2020 (Exhibit 3) advising of the potential need for impact mitigation measures. The WSDOT letter expresses particular concern with regard to future development as it relates to: multimodal capacity, stormwater retention and treatment, outdoor lighting noise sensitivity and signage;
13. Residential development in the immediately surrounding vicinity has steadily progressed, leaving the subject site to remain an eyesore for the new residents;

14. The demand for affordable multi-family residential housing units has increased sharply over the past few years. Fostering such development on-site will contribute to meeting said demand;
15. The site harbors feral animals which can have negative impacts on public health;
16. The site is routinely targeted for illegal refuse dumping;
17. The site's close proximity to an active railroad line makes it less attractive to more noise-sensitive land uses; and
18. Based on the above findings and conclusions, approval of the zone change request would be in the best interest of the community of Richland.

EXHIBIT LIST

1. Rezone Application
2. Public Notices
- 2A. Public Notices #2
3. Comments
4. Site Photos