

**BEFORE THE HEARING EXAMINER  
FOR CITY OF KENNEWICK**

In the Matter of the Application of )  
Brad Beauchamp (Vancouver Meadows) )  
 )  
for Preliminary Plat Approval )  
\_\_\_\_\_ )

No: **PP 18-01/PLN-2018-  
00064**  
FINDINGS, CONCLUSIONS,  
and DECISION

**SUMMARY OF DECISION**

Preliminary plat approval is granted to subdivide 5.04 acres with a 19-lot single-family home subdivision. The subdivision will be developed in one phase on property west of S. Vancouver Street and north of W. 45<sup>th</sup> Avenue at 4001 S. Vancouver Street, Kennewick, Washington. The approval is subject to conditions as set forth in the Decision section of this document.

**SUMMARY OF RECORD**

**Request**

Brad Beauchamp (Applicant) requested approval of a preliminary plat to subdivide a 5.04-acre parcel of land west of S. Vancouver Street and north of W. 45<sup>th</sup> Avenue at 4001 S. Vancouver Street in Kennewick, Washington.<sup>1</sup> The development will be a 19-lot single-family home subdivision.

**Hearing Date:**

The Hearing Examiner of the City of Kennewick held an open record hearing on the application on March 12, 2018.

**Testimony:**

At the open record hearing the following individuals presented testimony under oath:

Wes Romine -City of Kennewick  
Joe Seet-City of Kennewick  
Brad Beauchamp-Applicant  
John Grace  
Laura Staley  
Debbie Clark  
Ben Woodard-KID

**Exhibits admitted for the public record:**

At the open record hearing the following exhibits were admitted:

1. Staff Report
2. Application
3. Notice of Application/Mailing List

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<sup>1</sup> 1-1489-400-0005-001

THE SOUTHWEST QUARTER OF THE SOUTH ONE/HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 14 TOWNSHIP 8 NORTH RANGE 29, EXCEPT ROAD, TOGETHER WITH THE SOUTH 15 FEET OF THE NORTHWEST QUARTER OF THE SOUTH ONE/HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER (DESCRIPTION CHANGE 12-31-84) 10 FOOT RIGHT OF WAY EASEMENT ALONG NORTH BORDER. DECLARATION OF COVENANTS 4-2-82. RELEASE AND MERGER OF EASEMENT 12-31-84. IRRIGATION AGREEMENT 12-31-84. The property is in Benton County, Washington

4. Vicinity Map
5. Preliminary Plat Plans
6. Conceptual Grading Plan
7. City Department Comments
8. Outside Agency Comments
9. Neighborhood Comments
10. Applicant Letter
11. E-mail (March 12, 2018) from wetland engineer
12. Kennewick School District letter (March 12, 2018)
13. Hard copy of staff power point presentation
14. E-mail (March 12, 2018) Shawn Murphy
15. Wetland Report
16. Photos submitted by Ms. Clark
17. Memo from City re: school path safety and attached photographs of Vancouver Street and a safety map

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Base on consideration of the testimony and exhibits submitted at the open record hearing, the Hearing Examiner enters the following Findings and Conclusions:

#### **FINDINGS**

1. The Applicant requested approval of a preliminary plat of a 5.04-acre parcel of land west of S. Vancouver Street and north of W. 45<sup>th</sup> Avenue at 4001 S. Vancouver Street in Kennewick, Washington. The lots of the plat will range from 7,982 square feet to 35,518 square feet in area. Proposed lots 12, 13 and 14 are currently encumbered by a PUD easement that must be vacated in order for said lots to be developed. The Applicant has proposed to vacate the easement after the power lines are removed. *Exhibit 1, pg.3; Exhibit 2.* The property for the project will include access to the lots from an extension of W. 39<sup>th</sup> Avenue. *Testimony of Mr. Romine; Exhibit 1, pg. 3; Exhibit 13, pg. 7*
2. The subject parcel was annexed into the City of Kennewick in May 1979 and at that time was zoned with a Residential Suburban (RS) zoning designation (*Ordinance. 5142*). In December 2017 the zoning for the subject property was changed to Residential Low Density (RL) (*Ordinance 5385*). *Exhibit 1, pg. 3.* The Comprehensive Plan designation of the property is Low Density Residential. *Testimony of Mr. Romine; Exhibit 1, pg. 3*
3. The surrounding property to the east is zoned (RL) and is proposed to be developed with similar sized lots as those being proposed for the instant plat. Properties to the south and west are also zoned RL and are developed with single-family lots that are slightly larger than those being proposed. An adjacent property to the north is a large single-family lot zoned RS. The Kennewick Planning Department concluded that the proposed plat will be harmonious with the surrounding properties. *Exhibit 1. Pg. 5; Testimony of Mr. Romine.*
4. Pursuant to the Washington State Environmental Policy Act (SEPA) the City of Kennewick, the lead agency for review of the project, determined that the proposal is exempt from SEPA review because the number of single-family units proposed for the site is less than 30 units and the criteria as set forth in KMC 4.08.110 are satisfied. *Exhibit 1, pg. 2.*

5. Pursuant to the Table of Residential Development Standards (*KMC 18.12.010 A.2*) the lot width and setback standards are satisfied by the design of the proposed preliminary plat. In addition to the development standards, the City of Kennewick's Single-Family Residential Design Standards apply to the proposed project. *Exhibit 1, pg. 2; Exhibit 13, pg. 8; Testimony of Mr. Romine*. RL zoning districts do not have minimum or maximum density requirements for the development of parcels of land, but RL zoning standards include a requirement for a minimum lot size of 7,500 square feet. The smallest lot will be 7,982 square feet. *Testimony of Mr. Romine; Exhibit 1, pg. 3*
6. Access to the subdivision will be off W. 39<sup>th</sup> Ave. In the City of Kennewick, full street improvements for residential streets within a subdivision are required and must be constructed per Kennewick Standard Detail 2-1, sheet 2 of 4 (*KMC 5.56.270*). *Testimony of Mr. Seet*. Full residential street improvements are required for the extension of W. 39<sup>th</sup> Avenue. Half street improvements per City of Kennewick Standard Drawing Detail 2-3 are required at the points where the proposed development fronts S. Vancouver Street. The Residential Design Standards allow curbs and tight sidewalks as an option to separated sidewalks; however, the sidewalk at driveway curb cuts must satisfy ADA standards. *Exhibit 7; Exhibit 13, pg. 9; Exhibit 1, pgs. 3 and 4*.
7. The city's chief traffic engineer reviewed the proposed street layout and plans for the subdivision and determined that the street design will result in a need to control speeds in the neighborhood. Traffic calming is required and must be installed with approval of the City Traffic Engineer. The Applicant has proposed a speed bump on W. 39<sup>th</sup>. *Exhibit 7, pg.6; Exhibit 1, pgs. 3 and 4*.
8. The City's traffic engineer determined that the project meets concurrency for transportation. There will be mitigation fees pursuant to the City of Kennewick's traffic mitigation ordinance (*Ordinance 5596*). A traffic impact fee of \$938 per dwelling will be due and paid at the time of building permit issuance, or it will be deferred until occupancy and subject to a recorded covenant of payment obligation form. The fee may be adjusted for later cost of living adjustments. *Exhibit 1, pgs. 3 and 4; Exhibit 7 pg. 4; Testimony of Mr. Seet*.
9. An existing zone 3, 8-inch water main is located in W. 39<sup>th</sup> Avenue and is stubbed to the eastern side of the proposed subdivision. There is also an existing zone 3, 8-inch water main located in S. Vancouver Street. *Exhibit 7, pgs. 1-2*. As part of the plat development, the Applicant must loop the water mains in order to avoid buildup of stagnant water and minimize bacteria regrowth. An existing well on the property must be decommissioned prior to approval of the final plat. *Exhibit 7, pgs. 1 and 2; Exhibit 1, pg. 4; Exhibit 6*.
10. There are existing 8-inch sanitary sewer mains stubbed to different portions of the proposed plat. In addition, there is an existing 4-inch sewer main near the site. Sewage from the site can be handled by these systems. The sewer extensions are the financial responsibility of the Applicant or successors, and sewer lines must be extended to the east property line of the parcel. *Exhibit 7, pg. 2; Exhibit 1, pg. 4*

11. City storm water standards for residential subdivisions require designs to retain and dispose of the calculated difference between a 25-year: 24-hour event for a developed state of the site and the 24-hour event for the natural pre-developed state of the site. Detention ponds (control outlet) may be used only if it can be clearly demonstrated that infiltration, or retention, are not feasible per City of Kennewick Standard Specifications. Prior to Final Plat approval the Applicant must submit detailed civil engineering drawings for review and approval to the City's Public Works Department. The submittal must include a storm water plan that satisfies City standards. *Exhibit 7, pg. 2; Exhibit 1, pg. 4.*
12. Although the topography of the site has slopes with less than 15% grade, on the subject property there is an existing natural drainage way that extends throughout the City. The storm water design that is to be submitted for the proposed development must include plans and description of the conveyance of upstream flow through the project. *Exhibit 7, pg.3; Testimony of Mr. Romine. Exhibit 14, pg. 2.*
13. The Washington State Department of Ecology submitted a January 26, 2018 letter that stated that potential wetland impacts were identified on site. Ecology's position was based on Google Earth aerial images. The Department recommends that the Applicant use a wetland consultant to conduct a formal wetland delineation of the area prior to any development. *Exhibit 8, pgs. 7 and 8.*
14. According to the City of Kennewick's critical area maps there are no Critical Areas identified on the subject property. *Exhibit 1, pg. 5.* This information was supported by a Critical Area review submitted by the Applicant. In a wetland report submitted by the Applicant's representative *Exhibit 15*, the methods for the no critical area on-site opinion was based on the following methods:

The field study was conducted by Greg Swenson, Professional Wetland Scientist. The method used for conducting the determination followed the routine approach of the U.S. Army Corps of Engineers (USACE) *Wetlands Delineation Manual* and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region (Version 2.0)* (U.S. Army Corps of Engineers 2008). Soils, vegetation, and indicators of hydrology were recorded at three sample plot locations on the standard wetland determination data form (Attachment B). Wetland plant ratings were assigned based on the *2016 National Wetland Plant List* (Lichvar et. al. 2016). Plot locations were chosen to represent the lowest elevations within the study area where a stream polygon is mapped by the National Wetlands Inventory<sup>3</sup> (NWI). No modification of the standard wetland determination methodology was necessary during the determination.

*Exhibit 15, pg. 1*

Based on detailed scientific data contained in the report the conclusion of the authors of the report, PBS Engineering, concluded "the wetland determination plots lacked indicators of hydrophytic vegetation, hydric soils, and wetland hydrology, therefore no wetlands were documented within the study area" *Exhibit 15, pg. 2.*
15. The proposed subdivision is located east of US 395 in an area that is classified by the City for park purposes as Service Area 2. In December 2017 the City of Kennewick adopted a Park

Impact Fee ordinance that became effective January 1, 2018 (*Ord. 5736*). Pursuant to the ordinance the park impact fees for the Service Area 2 are \$760 per single-family unit. The fees are due at the time of building permit application, or they can be deferred until occupancy with a recorded covenant of payment obligation form. *Exhibit 1, pg. 4; Testimony of Mr. Romine.*

16. The Kennewick School District, which will serve the residents of the developed subdivision, has capacity to add students at all levels at three schools that will be attended by the students of the subdivision. The Capital Projects Director of the Kennewick School district identified the schools as the Sagecrest Elementary School, Horse Heaven Hills Middle School and Kennewick High School. Students living in the proposed subdivision are in a walking zone for Horse Heaven Hills Middle School; Sagecrest Elementary and Kennewick High School are in bussing zones. *Exhibit 1, pg. 5; Exhibit 12.*
17. New streets within the subdivision must have 5-foot wide sidewalks which will connect to S. Vancouver Street. New sidewalks are also required where the proposed subdivision fronts S. Vancouver Street. *Testimony of Mr. Romine.*
18. At the public hearing, testimony was provided by residents who live in the vicinity of the proposed subdivision. The witnesses questioned whether the portion of S. Vancouver Street between the subject parcel and W. 37<sup>th</sup> Avenue is a safe walkway for school to Horse Heaven Hills Middle School. The witnesses contended that while the Applicant will be required to develop sidewalks on the property frontage of S. Vancouver, the stretch beyond the subject property to W. 37<sup>th</sup> is not adequate for walking purposes. *Testimony of Mr. Grace, Mr. Murphy Ms. Clark and Ms. Staley.* The Applicant's representative submitted that all required sidewalks were being provided with the development but, that the area of concern of concern of the witnesses did not front property that was under control of the Applicant. *Testimony of Mr. Beauchamp.*
19. In response to the public testimony regarding the walking safety issues on S. Vancouver, the City requested an opportunity to review the site and submit additional information. *Testimony of Mr. Romine.* The request was granted. After a visit to the site and the street, Mr. Romine submitted a memo for the record<sup>2</sup> that included the following:

I was at the above project site on March 13, 2018 and took the attached photos. Per my observation, the gravel shoulder on the road generally provides a safe walk route to Horse Heaven Hills Middle School from the project site at S. Vancouver Street to Horse Heaven Hills Middle School. There is an area approximately 120 feet long just north of W. 37th Avenue on the east side of S. Vancouver where the gravel width becomes narrow which would require a walk route to occur in a shallow drainage swale area.

*Testimony of Mr. Romine; Exhibit 17.*
20. In addition to observing the road and the site, Mr. Romine contacted the Kennewick School District for input on the safety of the walking route on Vancouver Street. According to the

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<sup>2</sup> Pursuant to a Hearing Examiner order issued at the hearing

attachment to Exhibit 17, the School District provided a walk route map provided by the District sent when Mr. Romine requested information to determine whether the Vancouver Meadows subdivision is in a safe walk zone for Horse Heaven Hills Middle School students. On the submitted map, S. Vancouver Street is identified as a “Walk/Bike Route” for Horse Heaven Hills Middle School. *Exhibit 17 and attached map to Exhibit 17,*

21. The proposal was reviewed by the Bonneville Power Administration (BPA). In a January 22, 2018 letter to the Kennewick Planning Department BPA stated that it would not be impacted and had no objections to the approval. *Exhibit 8, pg. 12; Testimony of Mr. Romine.*
22. In a January 26, 2018 letter to the Kennewick Planning Department submitted by the Benton-Franklin Health District states that it had reviewed the proposal and had no objection if all sewer and water were served by the City of Kennewick sewer and water systems. The Health District also noted that an existing single family well must be properly decommissioned in accordance with WAC 173-160. The District encouraged the City to “consider” a number of safety measures for bike, pedestrian and automobile safety. *Exhibit 8, pg. 10*
23. The proposed plat is consistent with the Kennewick Comprehensive Plan, URBAN AREA POLICY 3. The development will consist of single family residences that are permitted uses in the Residential, Low Density (RL) zoning district. The subject property will be served by City utilities and services. *Exhibit 1, pg. 5; Exhibit 6-10; and Exhibit 13, pg.*
24. The proposed plat is consistent with the Kennewick Comprehensive Plan, URBAN AREA RESIDENTIAL GOAL that requires that the development “[P]rovide for attractive, walkable, and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas.” The proposed plat is consistent with the Comprehensive Plan Land Use and is zoned similar to much of the surrounding property. It complies with Kennewick’s development standards for Residential Low Density (RL) zoning. *Exhibit 1, pgs. 1-5; Testimony of Mr. Romine.*
25. The proposed plat is consistent with the Kennewick Comprehensive Plan RESIDENTIAL GOAL 2 that requires the development of the plat include a means to “Provide appropriate public facilities supporting residential areas.” The plat will have city water and sewer available at W. 39<sup>th</sup> Avenue and S. Vancouver Street. The extension of W. 39<sup>th</sup> Avenue will provide connectivity to S. Vancouver Street. *Exhibit 1, pg. 4; Testimony of Mr. Romine.*
26. The proposed plat is consistent with the Kennewick Comprehensive Plan RESIDENTIAL GOAL 3 that promotes “...a variety of residential densities with a minimum target of 3 units per acre as averaged throughout the urban area.”. The density for the proposed development area is 3.77 units per acre. *Testimony of Mr. Romine; Exhibit 1, pg. 3*
27. The proposed plat is consistent with the Kennewick Comprehensive Plan CRITICAL AREAS AND SHORELINE GOAL 3. There are no critical areas on the site. City of Kennewick critical area maps and a submitted wetland report indicate there are no critical

areas on or near the proposed project. The Applicant has contacted a wetland consultant to address Department of Ecology's wetland comments. *Exhibit 1, pg. 5; Exhibit 15*

28. The plat will be constructed to City of Kennewick Residential Design Standards and the development requirements as set forth in the Kennewick Municipal Code. Pursuant to the review of the plat application and supporting material, the Kennewick Planning Staff representative submitted that appropriate provisions have been made for the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, public sidewalks, utility easements and other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation areas, playgrounds, schools and school grounds, and the proposed subdivision has considered all other relevant facts and other planning features that assure safe walking.

### **CONCLUSIONS**

#### ***Jurisdiction:***

The Kennewick Hearing Examiner is granted jurisdiction to hear and decide preliminary plat applications pursuant to KMC 4.02.080 (1)(b) ii.

#### ***Criteria for Review:***

The Hearing Examiner may approve an application for a preliminary plat only if the requirements of KMC Chapter 17.10 are satisfied. Included in these requirements is KMC 17.10.080: Provisions for Public Health, Safety, and Welfare which are:

- (1) The Hearing Examiner will inquire into the public use and interest proposed to be served by the establishment of the subdivision and dedication. All plats will be reviewed to determine their conformance with the Comprehensive Plan, comprehensive water plan, utilities plan, and Comprehensive Park and Recreation Plan, and anything else necessary to assist in determining if the plat should be approved. Appropriate provisions must be made for, but not limited to, the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, public sidewalks, utility easements and other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation areas, playgrounds, schools and school grounds, and shall consider all other relevant facts and other planning features that assure safe walking conditions for students who only walk to and from school. All relevant facts will be considered to determine whether the public interest will be served by the subdivision and dedication. If it is determined that the proposed plat makes such appropriate provisions, then the Hearing Examiner must approve the proposed plat. Dedication of land to any public body may be required as a condition of subdivision approval. The Hearing Examiner will not, as a condition to the approval of any plat, require a release from damages to be procured from other property owners.

#### **RCW 58.17.033**

Proposed division of land—Consideration of application for preliminary plat or short plat approval—Requirements defined by local ordinance.

- (1) A proposed division of land, as defined in RCW 58.17.020, shall be considered under the subdivision or short subdivision ordinance, and zoning or other land use control ordinances, in effect on the land at the time a fully completed application for

preliminary plat approval of the subdivision, or short plat approval of the short subdivision, has been submitted to the appropriate county, city, or town official.

(2) The requirements for a fully completed application shall be defined by local Ordinance.

(3) The limitations imposed by this section shall not restrict conditions imposed under Chapter 43.21C RCW.

**KMC 4.08.110: SEPA Exemption**

Categorical Exemptions: (1) The following types of construction are categorically exempt except when undertaken in any part on lands covered by water, within 300 feet of any areas which might contain aquatic resources, including wetlands, streams, or other areas where surface or groundwater might collect, pond or flow or parcels designated as “Survey Highly Advised: Very High Risk” by the Washington State Department of Archeology and Historic Preservation:

(a) The construction or location of single family residential structures of thirty (30) dwelling units or less.

*Conclusions based on Findings*

1. The Applicant requested approval of a preliminary plat of a 5.04-acre parcel of land west of S. Vancouver Street and north of W. 45<sup>th</sup> Avenue at 4001 S. Vancouver Street in Kennewick, Washington. The lots of the plat will range from 7,982 square feet to 35,518 square feet in area. Proposed lots 12, 13 and 14 are currently encumbered by a PUD easement that must be vacated in order for said lots to be developed. The Applicant has proposed to vacate the easement after the power lines are removed. *Exhibit 2*. The property for the project will include access to the lots from an extension of W. 39<sup>th</sup> Avenue. *Finding of Fact No. 1*.
2. The subject property is zoned Residential Low Density and the Comprehensive Plan designation is Low Density Residential. The proposed plat has been designed to meet the requirements of both designations. *Finding of Fact No. 2*
3. The proposed plat has been reviewed by the City and other agencies and has been determined to be in conformance with the City of Kennewick Comprehensive Plan *Findings of Fact Nos. 23-27*; water requirements of the City of Kennewick, *Finding of Fact No. 9*; sanitary sewer service requirements, *Finding of Fact Nos 10*; storm sewer service requirements, *Finding of Fact No. 11.*; Comprehensive Park and Recreation Plan *Finding of Fact No. 15*; and all relevant requirements to the approval of the plat.
4. Appropriate provisions have been made for the public health, safety, and general welfare, for open spaces, drainage ways, streets or roads, alleys, public sidewalks, utility easements and other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation areas, playgrounds, schools and school grounds, and the proposed subdivision has considered all other relevant facts and other planning features that assure safe walking conditions for students who walk to and from school. *Findings of Fact Nos. 1, 5-22 and 28*.

5. The proposed plat is exempt from the review of the State Environmental Policy Act.  
*Finding of Fact No. 4*
6. Various state and local agencies submitted comments and recommendations. The recommendations addressed impacts that could be created with the development of the plat. The recommended conditions are specific to the development and would mitigate the impacts. *Findings of Fact Nos. 5-17 and 19-22.*
7. The Applicant has presented, and the City has reviewed, a wetland report that includes a best available science review of the wetland the property. The Applicant complied with all State and City requirements in developing the report. *Findings Nos.13 and 14*
8. The designs of the roads and sidewalks within and along the plat satisfy the requirement that safe walkways be provided. The Applicant will provide sidewalks within the plat and along the portion of the plat that abuts Vancouver Street. The Applicant does not own the property that is beyond his property along Vancouver and cannot make the needed improvements along that stretch. The City reviewed the School District's response to walking along Vancouver and contacted the District for additional information. The District did not provide any change in its review of the plat and provided a map for safe walking along the Vancouver Street stretch. The Applicant has complied with the statutory requirement for providing a safe walkway through and along his property. *Findings of Fact Nos.16-20*
9. The proposed plat includes required improvements for infrastructure and open space. Adequate provisions have been determined for park fees to offset the impacts for recreational impacts. Schools in the area can handle the increase in students generated by the development. Utilities, including drainage, water and sewer are available to the site. Pedestrian and aesthetic considerations in the new development are called out on the plat map submitted for approval. The proposed plat provides provisions for parks, schools, drainage, transit, water, sanitation, infrastructure, pedestrian, and aesthetic considerations in new residential development. *Findings of Fact 10-24*

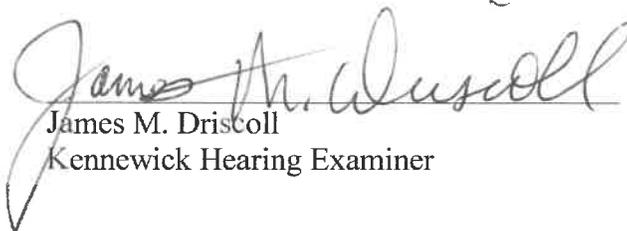
## **DECISION**

Based on the administrative record developed at the public hearing approval and the Findings of Facts and Conclusions as set forth above preliminary plat approval is granted approval of a preliminary plat of a 5.04-acre parcel of land west of S. Vancouver Street and north of W. 45<sup>th</sup> Avenue at 4001 S. Vancouver Street in Kennewick, Washington. The approval is subject to conditions as set forth in the Decision section of this document. The term "Applicant" in these conditions shall apply to the Applicant and its successors in interest of any part of this approved plat.

1. The Applicant shall comply with all City of Kennewick regulatory controls, policies and codes, including the Single-family Residential Design Standards and Residential Low Density (RL) zoning designation.
2. A landscape plan must be submitted for approval of all common areas, open spaces and rights-of-way not left in a natural state, listing the number, location, and species of trees, sizes of plant material, and ground cover prior to final plat approval. The landscape plan shall be prepared by a licensed landscape architect or licensed landscape installer drawn to a legible scale.
3. Common area landscaping and residential street trees are required to be installed or bonded for prior to final plat.
4. All fees required by the City shall be paid prior to the approval of the final plat unless otherwise agreed to by the City.
5. All development of the plat shall be in conformance with the plat drawings submitted as Exhibit 5 at the public hearing.
6. The Applicant shall provide the address of each proposed lot consistent with that as depicted by the City of Kennewick GIS Department.
7. The Applicant shall comply with all requirement and comments of the Kennewick Fire Department. *(Exhibit 7. Pg. 10)*
8. The Applicant shall comply with all requirements and comments as set forth in the February 9, 2018 Traffic Engineering Division memorandum comment. *(Exhibit 7)*. Included in civil plans signing, striping and street lighting plan sheets must be included. The street lighting plan must include details on the conduits, j-boxes meter locations etc. The Applicant shall also record all required easements for utilities. *Refer to Exhibit 7, pgs. 4 and 5.*
9. The Applicant shall comply with all requirement and comments as set forth in the February 6, 2016 Public Works Department memorandum and comments. *(Exhibit 7, pgs. 1 and 2)*
10. The Applicant shall construct residential streets per City of Kennewick Standard Detail 2-1, sheet 2 of 4. The Single-Family Residential Design Standards allow an option for curb tight sidewalks which may be used.
11. If, during construction, there is disruption or damage to an existing water, sewer or storm drainage system the Applicant and its agents shall be responsible for repair of the damaged system.
12. In lieu of dedication of park land, park fees are required in the amount of **\$760.00** for each single-family unit for impacts Service Area 2. Park fees will be collected prior to signing the final plat mylar.
13. The Applicant and its agents shall work with the City's Public Works Department in the striping of streets and any other safety issues resulting from the development of the plat.

14. The Applicant must provide dust control method(s), including but not limited to, hydro seeding for all areas of the site that are disturbed.
15. The Applicant shall comply with the Benton-Franklin Health Department comments dated January 26, 2018 (Exhibit 8).
16. The Applicant shall comply with Kennewick Irrigation District letter dated February 15, 2018 (Exhibit 8).
17. Geo-Tec reports are required for each lot at the time of building permit submittal. With prior approval a blanket geological report may be accepted as long as all applicable codes are met regarding soil bearing capacity.
18. Residential street trees are required to be installed prior to issuance of the Certificate of Occupancy for each new home. Provide a list of street trees to be used for approval prior to planting.
19. The Applicant shall execute a written agreement to the satisfaction of the City Attorney which will allow the City to make arrangements for maintenance of any common areas, open spaces, private roads, and common landscape areas should the Homeowner's Association fail or refuse to maintain these areas.
20. Geo-Tec reports are required for each lot at the time of building permit submittal. With prior approval a blanket geological report may be accepted if all applicable codes are met regarding soil bearing capacity.
21. The Applicant shall consult with the Kennewick School District about the District's position to ensure pedestrian safety for students who will use the unimproved 700 feet stretch on Sherman Street. This may include the placement of barriers along the city right-of-way. Any changes proposed must be approved by the City of Kennewick.
22. The Preliminary Plat (PP 18-01) expires 5 years from the approval date. While the City may grant an extension, any extension application must be applied for before the approved preliminary plat expires.

Dated this 29<sup>th</sup> day of March, 2018

  
James M. Driscoll  
Kennewick Hearing Examiner