



AGENDA

**MONDAY, DECEMBER 9, 2019
6:00 P.M.**

KENNEWICK CITY HALL, COUNCIL CHAMBER
210 W. 6TH AVE, KENNEWICK, WA 99336

Procedure for Participation

- Please sign in if you wish to receive a copy of the decision when it is issued and if you plan to give testimony.
- When recognized by the Examiner, state your name, address and whether you are representing only yourself or others.
- All remarks, comments, and questions should be addressed to the Hearing Examiner and not to the audience or parties. You may offer written comments or other items (such as photographs) to the Hearing Examiner as an exhibit for the permanent record. Please provide at least three (3) copies of each item submitted: one copy for the Hearing Examiner, one for the Official Record, and one for Staff). During an Appeal Hearing, if the appellant and the applicant are different parties, then a fourth copy of all documentation is requested.

I. CALL TO ORDER

II. PROCEDURAL INFORMATION

III. PUBLIC HEARING

- A. Preliminary Plat (PP No. 19-03/PLN-2019-03067, "Apple Valley Phase 5" proposing to subdivide 24.56 acres into 52 lots and 5 tracts. The site is generally located at 3426 S. Young Street. The site is currently zoned Residential, Low Density (RL), the Comprehensive Plan designation is Low Density Residential. The applicant and property owner is Matt Smith, Tri-Cities Development LLC, 15 SW Colorado Ave, Ste. 1, Bend, OR 97702.

IV. ADJOURN



COMMUNITY PLANNING DEPARTMENT
STAFF REPORT AND RECOMMENDATION TO
THE HEARING EXAMINER

FILE No: PP 19-03/PLN-2019-03067

Staff Report Date: November 27, 2019

Public Hearing Date and Location: December 9, 2019, Kennewick City Hall

Report Prepared By: Steve Donovan, Planner

Report Reviewed By: Wes Romine, AIA, Development Services Manager

Summary

Recommendation: The City of Kennewick RECOMMENDS that Preliminary Plat 19-03 be APPROVED with conditions.

Summary of Proposal: A Preliminary Plat proposed to subdivide 24.56 acres into 52 lots and 5 tracts.

Proposal Location: 3426 S Young Street, Parcel Number 1-1789-200-0001-012

Legal Description: A PARCEL OF LAND LOCATED WITHIN THE NORTHWEST QUARTER OF SECTION 17 IN TOWNSHIP 8 NORTH IN RANGE 29 EAST, W.M., BENTON COUNTY, WASHINGTON, DESCRIBED MORE PARTICULARLY AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17, MARKED WITH A 1/2 INCH IRON PIPE PER THAT SURVEY RECORDED IN VOLUME 1 OF SURVEYS AT PAGE 4170 UNDER AUDITOR'S FILE NUMBER 2011-001284; THENCE NORTH 88°47'16" EAST ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 17 A DISTANCE OF 2,653.96 FEET TO THE SOUTHEAST CORNER THEREOF, MARKED WITH A 3 INCH BRASS CAP PER THE PLAT OF THE VILLAGE AT SOUTHRIDGE PHASE 1 RECORDED IN VOLUME 15 OF PLATS AT PAGE 570 UNDER AUDITOR'S FILE NUMBER 2017-029283; THENCE SOUTH 88°47'16" WEST ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 17 A DISTANCE OF 308.25 FEET TO THE TRUE POINT OF BEGINNING;

THENCE NORTH 1°12'44" WEST A DISTANCE OF 158.02 FEET; THENCE NORTH 04°48'49" EAST A DISTANCE OF 40.23 FEET; THENCE NORTH 00°37'45" WEST A DISTANCE OF 565.01 FEET; THENCE SOUTH 89°22'15" WEST A DISTANCE OF 280.03 FEET; THENCE SOUTH 00°37'45" EAST A DISTANCE OF 38.00 FEET;

EXHIBIT 1

THENCE SOUTH 89°22'15" WEST A DISTANCE OF 358.03 FEET;
THENCE SOUTH 00°37'45" WEST A DISTANCE OF 8.31 FEET;
THENCE SOUTH 89°22'15" WEST A DISTANCE OF 59.01 FEET;
TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING
TO THE RIGHT, HAVING A RADIUS OF 828.59 FEET; THE RADIUS
POINT OF WHICH BEARS NORTH 00°05'19" WEST; THENCE
ALONG SAID CURVE, HAVING AN ARC LENGTH OF 39.39 FEET,
WITH A DELTA ANGLE OF 02°43'26", A CHORD BEARING OF
NORTH 88°43'36" WEST, AND A CHORD LENGTH OF 39.39 FEET;
THENCE SOUTH 89°22'15" WEST A DISTANCE OF 92.62 FEET;
THENCE SOUTH 75°00'39" WEST A DISTANCE OF 27.28 FEET;
THENCE SOUTH 60°39'04" WEST A DISTANCE OF 143.63 FEET;
THENCE SOUTH 79°20'53" WEST A DISTANCE OF 40.02 FEET;
THENCE SOUTH 77°49'34" WEST A DISTANCE OF 136.01 FEET;
THENCE NORTH 12°10'26" WEST A DISTANCE OF 176.76 FEET;
TO A POINT ON THE ARC OF A NONTANGENT CURVE TURNING
TO THE LEFT, HAVING A RADIUS OF 820.08 FEET; THE RADIUS
POINT OF WHICH BEARS NORTH 01°56'35" WEST; THENCE
ALONG SAID CURVE, HAVING AN ARC LENGTH OF 10.15 FEET,
WITH A DELTA ANGLE OF 00°42'33", A CHORD BEARING OF
NORTH 87°42'08" EAST, AND A CHORD LENGTH OF 10.15 FEET;
THENCE NORTH 02°39'09" WEST A DISTANCE OF 40.00 FEET;
TO A POINT ON THE ARC OF A NON TANGENT CURVE
TURNING TO THE LEFT, HAVING A RADIUS OF 780.08 FEET; THE
RADIUS POINT OF WHICH BEARS NORTH 02°39'09" WEST;
THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF
42.15 FEET, WITH A DELTA ANGLE OF 03°05'46", A CHORD
BEARING OF NORTH 85°47'58" EAST, AND A CHORD LENGTH OF
42.15 FEET;
THENCE NORTH 05°44'55" WEST A DISTANCE OF 26.67 FEET;
TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING
TO THE RIGHT, HAVING A RADIUS OF 828.59 FEET; THE RADIUS
POINT OF WHICH BEARS NORTH 32°24'53" EAST; THENCE
ALONG SAID CURVE, HAVING AN ARC LENGTH OF 146.38 FEET,
WITH A DELTA ANGLE OF 10°07'20", A CHORD BEARING OF
NORTH 52°32'27" WEST, AND A CHORD LENGTH OF 146.19
FEET;
THENCE NORTH 45°37'45" WEST A DISTANCE OF 5.52;
THENCE NORTH 79°44'11" WEST A DISTANCE OF 40.14 FEET;
THENCE SOUTH 05°37'03" WEST A DISTANCE OF 20.01 FEET;
TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING
TO THE RIGHT, HAVING A RADIUS OF 663.78 FEET; THE RADIUS
POINT OF WHICH BEARS NORTH 07°12'03" EAST; THENCE
ALONG SAID CURVE, HAVING AN ARC LENGTH OF 90.35 FEET,
WITH A DELTA ANGLE OF 07°47'56", A CHORD BEARING OF
NORTH 78°53'59" WEST, AND A CHORD LENGTH OF 90.28 FEET;
THENCE SOUTH 14°59'00" WEST A DISTANCE OF 104.93 FEET;
THENCE SOUTH 14°59'00" WEST A DISTANCE OF 40.00 FEET;
TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING
TO THE LEFT, HAVING A RADIUS OF 820.08 FEET; THE RADIUS
POINT OF WHICH BEARS NORTH 14°59'00" EAST; THENCE
ALONG SAID CURVE, HAVING AN ARC LENGTH 16.53 FEET,

EXHIBIT 1

WITH A DELTA ANGLE OF 01°09'18", A CHORD BEARING OF SOUTH 75°35'40" EAST, AND A CHORD LENGTH OF 16.53 FEET; THENCE SOUTH 13°40'06" WEST A DISTANCE OF 128.35 FEET; TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 895.09 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 87°04'43" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 106.45 FEET, WITH A DELTA ANGLE OF 06°48'52", A CHORD BEARING OF SOUTH 06°19'43" EAST, AND A CHORD LENGTH OF 106.39 FEET; THENCE SOUTH 09°44'09" EAST A DISTANCE OF 137.24 FEET; THENCE SOUTH 20°53'48" WEST A DISTANCE OF 40.00 FEET; TO A POINT ON THE ARC OF A NON TANGENT CURVE TURNING TO THE LEFT, HAVING A RADIUS OF 820.08 FEET; THE RADIUS POINT OF WHICH BEARS NORTH 20°53'48" EAST; THENCE ALONG SAID CURVE, HAVING AN ARC LENGTH OF 36.76 FEET, WITH A DELTA ANGLE OF 02°34'05", A CHORD BEARING OF SOUTH 70°23'14" EAST, AND A CHORD LENGTH OF 36.75 FEET; THENCE SOUTH 00°37'45" EAST A DISTANCE OF 207.47 FEET; THENCE SOUTH 88°47'16" WEST A DISTANCE OF 21.01 FEET; THENCE SOUTH 01°12'44" EAST A DISTANCE OF 40.00 FEET; THENCE SOUTH 01°12'44" EAST A DISTANCE OF 158.02 FEET; THENCE NORTH 88°47'16" EAST A DISTANCE OF 1,409.50 FEET TO THE **TRUE POINT OF BEGINNING.**

HAVING AN AREA OF 1,069,846 SQUARE FEET, 24.56 ACRES

Property Owner(s): Tri Cities Development Company, LLC
15 SW Colorado Avenue, Suite 1
Bend, OR 97702

Applicant: Matt Smith
15 SW Colorado Avenue, Suite 1
Bend, OR 97702

Engineer: PBS Engineering and Environmental Inc.
c/o Jason Mattox
400 Bradley Boulevard, Suite 106
Richland, WA 99352

Surveyor: PBS Engineering and Environmental Inc.
c/o Alex Matarazzo
400 Bradley Boulevard, Suite 106
Richland, WA 99352

Approval Criteria:

1. Comprehensive Plan – Land Use
2. Kennewick Municipal Code (KMC) Title 18 – Zoning
3. KMC Title 17 – Subdivisions
4. KMC Section 5.56 – Public Works Construction Standards
5. Washington State Environmental Policy Act

Preliminary Plat Key Application Processing Dates:

Pre-Application/Feasibility Meeting	N/A
Application Submittal	October 18, 2019
Determination of Completeness Issued	October 21, 2019
Notice of Application	October 22, 2019
Property Posting Sign	October 22, 2019
City Department Review Meeting	November 6, 2019
SEPA Threshold Determination Issued	ED 15-62 DNS Adoption on November 6, 2019
SEPA Appeal Period Ends	November 21, 2019
Date of Published Notice of Public Hearing	November 24, 2019
Date of Mailed Notice of Public Hearing	November 21, 2019

Exhibits:

1. Staff Report
2. Application
3. Notice of Public Hearing, 300-ft. mailing list and mailing affidavit
4. Preliminary Plat
5. Mitigated Determination of Non-Significance Adoption, dated 11/07/2019
6. Soil Sampling Report: The Parks, Planned Residential Development, Kennewick, Benton County, Washington, dated April 2016
7. Geotechnical Engineering Services – Critical Areas, Apple Valley Phase 5, dated 9/18/2019
8. Trip Generation Letter and Distribution Letter, Apple Valley Subdivision Phase 5, dated 9/27/2019
9. Memorandum – Fire Department Memorandum, dated 10/30/2019
10. Letter from the Bonneville Power Administration, dated 10/30/2019
11. Email from Chad Brooks, Benton PUD, dated 11/01/2019
12. Letter from Kennewick Irrigation District, dated 11/05/2019
13. Memorandum – Public Works Department, dated 11/07/2019
14. Memorandum – Traffic Engineering Division, dated 11/19/2019
15. Letter from State of Washington Department of Ecology, dated 11/20/2019
16. Letter from Kennewick School District, dated 11/25/2019

Staff Analysis of Proposal & Discussion:

The proposed Preliminary Plat (PP 19-03) is a request for the subdivision of 24.56-acres into 52 lots and 5 tracts. The project is generally located north of 3426 S Young Street.

The site has a Comprehensive Plan Land-Use Designation of Low Density Residential and is zoned Residential, Low Density (RL) which has a minimum lot size requirement of 7,500 square feet.

A Preliminary Plat (KMC 17.10) is the first step in a subdivision process for subdivisions with more than nine (9) lots and is an approval for overall lot layout and compliance with land use regulations. A Final Plat is required to create lots for preliminary plats and is the last phase in the subdivision process, and must be recorded prior to the creation of individual lots. Final plat

approval is based on the Preliminary Plat conditions of approval. A civil permit with a detailed review of street, utility and stormwater construction standards, and street and utility construction or bonding for incomplete work is required prior the final plat approval. Additionally, the City of Kennewick's Residential Design Standards apply to this project.

Property History:

The subject property was annexed into the City in April 18, 2006 and was zoned according to the Southridge Sub-Area Plan via Ordinance 5142.

Density/Lot Size:

Per the Table of Residential Development Standards (KMC 18.12.010 A.2) the Residential, Low Density (RL) zoning district has no maximum density requirement but the minimum lot size is 7,500 square feet.

The proposed development has a minimum residential lot area of 7,909 square feet, a maximum residential lot area of 11,172 square feet, with an overall lot average of 9,006 square feet.

Staff Comment: The preliminary plat as proposed meets the Residential Development Standards contained in KMC 18.12.010(A.2), and is subject to the Residential Design Standards.

Traffic:

See attached Memorandum – Traffic Engineering Division, dated 11/19/2019, see Exhibit 14.

Storm Water:

Residential sub-divisions storm drainage systems to be dedicated to the public shall be designed to retain and dispose of the calculated difference between a 25-year 24-hour event for the developed state and the 24-hour event for the natural pre-developed state. Detention ponds (control outlet) may be used only where it can be clearly demonstrated that infiltration, or retention, are not feasible per City of Kennewick Standard Specifications Section 5-9.02, see Exhibit 13.

Streets & Utilities:

See Exhibits 13 and 14 in regard to specific road and utility construction requirements.

Parks:

The Park Fee was determined via the Mitigated Determination of Non-Significance for PRD 15-01 & PP 15-06. The total park fee for the entire Apple Valley Development is \$46,635.58 for 553 lots. Apple Valley Phase 5's portion of the Park Fee is \$84.33 multiplied by 52 lots for a total of \$4,385.26.

Critical Areas:

The site contains slopes greater than 15% and Erosion Hazard Areas. The submitted Geotechnical Report, see Exhibit 7, will need to be adhered to during development.

Additionally, the site is designated as an Aquifer Recharge Area and the developer is required to adhere to the requirements of KMC Chapter 18.60 – Critical Areas – Critical Aquifer Recharge Areas.

Schools:

The boundary schools for the proposed development are Sagecrest Elementary (Bussing Zone), Chinook Middle School (Bussing Zone) and Southridge High School (Walking Zone).

Surrounding Property:

The adjacent properties consist of single family residences and vacant property. The land use designations for the surrounding properties are Medium Density Residential and Low Density Residential.

Staff Comment: It is staff's opinion that the proposed Preliminary Plat will be harmonious with the existing uses on the adjacent properties.

Provisions for Public Health, Safety, and Welfare:

The proposed development will be constructed to City of Kennewick Residential Design Standards and the applicable requirement of the Kennewick Municipal Code.

Staff Comment: It is staff's opinion that appropriate provisions have been 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 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.

Comprehensive Plan:

Staff is of the opinion that this request is consistent with and generally conforms to the City's Comprehensive Plan, and it will implement, goals and policies of the Comprehensive Plan.

Particularly the following:

RESIDENTIAL GOAL 1: "Provide for attractive, walkable, and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas."

POLICY 1: "Maintain residential zoning regulations that offer a similar graduation in building scale and bulk."

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

Staff Comment: The proposed Preliminary Plat is consistent with the Comprehensive Plan Land Use and complies with development standards for Residential Medium Density (RM) zoning district. Similar housing types and lot layouts are in the in the general area of the proposed development.

RESIDENTIAL GOAL 2: "Provide appropriate public facilities supporting residential areas."

POLICY1: "Ensure provision of parks, schools, drainage, transit, water, sanitation, infrastructure and pedestrian in new residential developments."

POLICY 2: "Encourage irrigation service throughout residential areas, when available, to support and maintain healthy landscaping."

POLICY 3: "Deny residential developments if concurrency is not met for transportation, water, and sewer, or appropriately condition."

Staff Comment: The proposed development will be constructed with the required infrastructure improvements that meet applicable standards.

The City of Kennewick hereby RECOMMENDS that Preliminary Plat 19-03 be APPROVED with the following conditions:

1. Comply with City of Kennewick regulatory controls, policies and codes, including the Residential Design Standards.
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. Provide a bond or cash deposit for incomplete landscaping prior to final plat approval.

EXHIBIT 1

4. Prior to final plat approval, a maintenance agreement shall be submitted for the future maintenance of the proposed tracts.
5. All fees required by the City shall be paid prior to approval of the final plat.
6. Comply with the applicable requirements of Kennewick Municipal Code Chapters 18.60 – Critical Areas – Critical Aquifer Recharge Areas and 18.62 – Critical Areas – Geologically Hazardous Areas.
7. Comply with the Fire Department Memorandum. (Exhibit 9)
8. Comply with the email submitted by the Benton Public Utility District. (Exhibit 11)
9. Comply with the Memorandum – Public Works Department. (Exhibit 13)
10. Comply with the Traffic Engineering Division comments. (Exhibit 14)
11. Provide dust control method(s) such as hydro seeding for all areas of the site that are disturbed.
12. The Preliminary Plat (PP 19-03) expires 5 years from the approval date. The City may grant an extension, but any extension application must be applied for before the approved preliminary plat expires.

Report prepared by and contact person:

Steve Donovan, Planner

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