

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

In the Matter of the Application of)		
Knutzen Engineering)		No. FILE NO: PP 21-02 / PLN-2021-01979
)		
for Preliminary Plat Approval)		FINDINGS, CONCLUSIONS,
(Crimson Hills))		and DECISION

SUMMARY OF DECISION

Based on the administrative record developed at the public hearing approval and the Findings of Facts and Conclusions as set forth herein, the preliminary plat approval of the Crimson Hills subdivision of 14.76-acres into 138 lots on property located at 9757 W Clearwater Avenue, Kennewick, Washington is granted subject to the listed conditions in the Decision.

SUMMARY OF RECORD

Request

Knutzen Engineering, on behalf of Tom Solbrack, owner of the property, requested approval of a Preliminary Plat (PP 21-02) for the subdivision of 14.76-acres into 138 lots. The project is generally located at 9757 W Clearwater Avenue.¹

Hearing Date:

The Hearing Examiner of the City of Kennewick held an open record hearing on the application on October 11, 2021. The hearing was held on-line with ZOOM communication. All parties and the public were notified of the date and time of the hearing and were given instructions on how to participate at the hearing.

Testimony:

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

- Matt Halitsky-Kennewick Planning Department
- Anthony Muai-Kennewick Planning Director
- Sorin Juster-Kennewick Engineer
- Nathan Machiela-Applicant’s Representative

Exhibits admitted for the public record:

At the open record hearing, the following exhibits were admitted:

1. Staff Report
2. Legal Descriptions
3. Application
4. Mitigated Determination of Non-Significance (MDNS)
5. Notice of Public Hearing, 300-ft. mailing list and mailing affidavit
6. Preliminary Plat map-July, 20, 2021
7. Draft Grading Plan-June 4, 2021
8. Traffic Study June 4, 2021--Right-turn Study July 15, 2021--Revised Traffic Study August 4, 2021

¹ An extensive legal description of the property is set forth in Exhibit 2 of the administrative record.

9. Memorandum – Fire Department June 15, 2021
10. Memorandum – Public Works Department June 23, 2021
11. Revised Traffic Engineering Division comments August 24, 2021
12. Initial Traffic Engineering Division comments June 23, 2021
13. Department of Archaeology and Historic Preservation comments June 6, /2021
14. Benton Clean Air Agency comments June 23, 2021
15. Confederated Tribes of the Umatilla Indian Reservation comments June 27, 2021
16. Washington Department of Transportation comments August 5, 2021
17. Kennewick School District comments September 28, 2021
18. Additional Traffic Division comments relative to intersection requirements October 6, 2021
19. Department of Parks and Recreation Park Impact Fees information
20. Department of Roads Traffic Impact Fees.
21. Power Point hard copy.

Upon 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 (PP 21-02) for the subdivision of 14.76-acres into 138 lots² on property located at 9757 W Clearwater Avenue, Kennewick, Washington. The plat, to be developed on currently vacant land, will be referred to as Crimson Hills. The site will be developed with townhouses. Even though the general address is off W. Clearwater, all access to the plat will be off W. 10th Avenue. *Exhibit 1 pg.2; Testimony of Mr. Halitsky; Testimony of Mr. Machiela*
2. The City of Kennewick (City) annexed the site on May 7, 2002. After the annexation, it was zoned Commercial, Community (CC) with approval of Ordinance 4040. On February 19, 2021, the City adopted Ordinance 5898, which changed the comprehensive plan land use designation from Commercial to Medium Density Residential. Subsequently, on June 4, 2021, the City rezoned the property from Commercial Community to Residential, Medium Density (Ordinance 5914), *Exhibit 1, Pg. 3*
3. Properties to the immediate north of the subject property are zoned Commercial, Community (CC); To the south the properties are outside of the City limits and subject to Benton County jurisdiction; To the east, immediately adjacent to the subject property, the land is zoned Residential Mobile Home (RMH)³; To the west the land is zoned Business Park (BP) and is developed as the Calvary Chapel Church and School. *Exhibit 1, Pg., 3.*
4. The site has a Comprehensive Plan Land Use Designation of Medium Density Residential (MR) and is zoned Residential, Medium (RM). In the City of Kennewick, a minimum lot size requirement of 4,000 square feet and 1,800 square feet for a townhouse/duplex is

² The plat map originally submitted identified 141 lots. A revision was made and the proposed plat has 138 lots.

³ Further to the east property is zoned Residential, Medium (RM)

imposed for RM zoned property. The proposed development will have a minimum residential lot area of 3,360 square feet. The maximum lot area will be 8,370 square feet. The average lot size will be 3,875 square feet. *Exhibit 1, Pg. 3; Exhibit 6.* There does not appear to be any mapped critical areas within the subject property. *Exhibit 1, Pg. 4*

5. Pursuant to the Washington State Environmental Policy Act (SEPA) (*RCW 43.21C*) the City was designated as the lead agency for review of environmental impacts resulting from the proposed development. On August 25th, 2021, the City issued a Mitigated Determination of Nonsignificance (MDNS) for the proposed project on the subject property. The only condition of the MDNS read:

Prior to any ground disturbing activities, a cultural resources survey, to include subsurface testing, shall be conducted on the subject property with the results shared with the Confederated Tribes of the Umatilla Indian Reservation, The Washington Department of Archaeology and Historic Preservation, and the City of Kennewick. Further consultation with these, and possible other organizations shall be required if cultural material is discovered through the course of the survey;

No appeal of the MDNS was filed. *Exhibit 4; Testimony of Mr. Halitsky*

6. As depicted on the plat map, exhibit 6, the address of the plat is listed as being on Clearwater Avenue. However, there will be no vehicular access off that street. All vehicular access to the plat will be off W. 10th Ave. which will abut the south boundary of the proposed plat. Two main access points off 10th Avenue will connect to a looped road identified on the plat map as S. Yolo Place on the eastern portion of the plat, and, S. Zeelar Street in the western portion of the plat. There will also be a cul-de-sac road, NE. 9th Place, that will extend off S. Zeelar Street. All access to lots will be off these internal streets of the plat.⁴ *Exhibit 6*
7. Full residential street improvements are required on interior plat roadways. All improvements must be designed and constructed to City standards. *Testimony of Mr. Juster.* The Applicant indicated that the improvements will meet City standards. *Testimony of Mr. Machiela.*
8. During the City's review of the Applicant's plans, the City and the Applicant were involved in numerous discussions to identify impacts from the development to local area roads. Negotiations for reasonable mitigation improvements were conducted by the City and the Applicant with a goal of area road improvements and improved pedestrian options within the plat. *Testimony of Mr. Juster*
9. In the initial Traffic Accounting Update Report, the Applicant calculated there would be 801 vehicular trips generated per day from the subdivision at buildout. *Exhibit 8.* However, the City did not accept the traffic figures of the Report and required that they be recalculated. The City partially based this decision on the Washington State

⁴ If the names of the internal streets are different than as shown on the preliminary plat they must be identified in the final plat map.

Department of Transportation's review and calculations which was based on the 10th Edition of the ITE Trip Generation Manual (Land Use 220). The ITE Manual was used to identify a potential 1,010 average vehicular trips would be generated by the plat at buildout. *Exhibit 16*. Rather than dispute the City's position, the Applicant agreed to review its figures and in an updated Report agreed with City's and State's numbers. *Testimony of Mr. Machiela; Testimony of Mr. Juster, Exhibit 18.*

10. Because of the changed number of vehicular trips per day as set forth in the revised traffic report, the City identified the intersection of W. 10th Avenue. and Clearwater Avenue as the location of road improvements, including a new design of the intersection. The improvements include four right lane turns on all corners of the intersection. *Testimony of Mr. Juster; Testimony of Mr. Machiela.*

11. Another point of discussion between the City and the Applicant were street and pedestrian designs standards for the internal streets of the plat. KMC 17.20.010.3(b) requires:

Clearly defined and identifiable pedestrian connections shall be provided within blocks when the length of a block is more than 600 feet. Alternative designs that provide pedestrian connectivity within the subdivision may be permitted by the Plat Administrator (Administrator)

Both internal streets within the proposed plat will exceed 600 feet. If the standard for development is enforced, the resulting pedestrian connections would connect to a plat boundary that has no sidewalks, trails, or roads. *Testimony of Mr. Juster; Exhibit 6*

12. As an alternative option for required pedestrian connections, the Applicant proposed that a pedestrian pathway be developed between lots 88 and 89 and that would extend city to proposed tracts A and B which ultimately extend to Clearwater. The tracts also serve as a sewer easement. *Testimony of Mr. Machiela; Exhibit 6*. The City representative testified that the City had accepted the Applicant's proposed pedestrian design as an alternative to the standard as set forth in KMC 17.20.010.3(b). *Testimony of Mr. Juster.*

13. 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 the developed state and the 24-hour event for the natural pre-developed state. 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 10, pg. 2-- #20-22.*

14. The Applicant must provide a water comprehensive plan for review and approval prior to submitting construction plans. The preferred waterline connection is to an existing 26-inv DH water line in W. 10th Ave. *Exhibit 10, Pg.1--#8*. As part of Kennewick's development standards, the Applicant must loop the water mains to avoid buildup of stagnant water and to minimize bacteria regrowth. *Exhibit 10, Pg. 1--#11*

15. The Applicant must provide water service to each proposed lot prior to final plat approval. The service lines shall include installation of a water meter as close to the water main as possible. *17.10.060 Townhomes water meters are not allowed on driveway approaches. KMC 14.12.060; Exhibit 10, Pg. 1--#8-9.*
16. A new storage facility, Summit Storage is near the proposed plat. It has an 8-inch sanitary sewer main that will connect to Yolo Street, and, will provide sewer main service to the proposed plat. Each residential lot will have a 4-inch sewer service connection to the main. *Exhibit 10, pg.2*
17. Full street improvements for residential streets within the subdivision are required per *KMC 5.56.270*. The improvement must be constructed per Kennewick Standard Detail 2-1, sheet 2 of 4. *Exhibit 1, Pg. 4; Exhibit 5; Exhibit 12*. In addition, the City identified Traffic Impact Fees (TIF) as being \$787/dwelling unit for each lot within the plat.⁵ *Exhibit 20*
18. Pursuant to Kennewick's Comprehensive Park Plan, and the Ordinances of Kennewick, the impacts that will be created by the development to available recreation have been determined. The proposed development is in Service Area 1. Pursuant to *KMC 3.90*, the Park Impact Fee (PIF) for Service Area 1 is \$977 per Single-Family Unit. The impact fee is due and payable prior to the issuance of a certificate of occupancy on the lot being developed. *Testimony of Mr. Halitsky; Exhibit 19.*
19. The Kennewick School District, which will serve the residences of the developed subdivision, has the capacity to add students at all levels at three schools. The Capital Projects Director of the Kennewick School district identified the schools that will serve the subdivision as Amon Creek Elementary School, Desert Hills Middle School, and Kamiakin High School. All students of the plat will be in a bussing zone to the respective schools. *Exhibit 1, pg. 5; Exhibit 13, pg. 17*. The Applicant must work with the School District to identify and construct the bus stops
20. On June 15th, 2021 the Kennewick Fire Department submitted a letter to the Applicant's representative setting forth a list of specific requirements for the development of the proposed plat. These requirements are part of the conditions of approval of the preliminary plat. In addition, the Applicant and/or its successors must comply with all established fire regulations and laws. *Testimony of Mr. Halitsky; Exhibit 9*
21. On June 22nd, 2021, the State of Washington Department of Archaeology and Historic Preservation submitted a letter to the City in which it stated that "Our statewide predictive model indicates that there is a moderate probability of encountering cultural resources within the proposed project area. Further, the scale of the proposed ground disturbing actions would destroy any archaeological resources present. Identification during construction is not a recommended detection method because inadvertent discoveries often result in costly construction delays and damage to the resource.

⁵ The TIF was based on a land use of Multi-Family. *Exhibit 20*

Therefore, we recommend a professional archaeological survey of the project area be conducted prior to disturbing activities. We also recommend consultation with the concerned Tribes' cultural committees and staff regarding cultural resource issues." *Exhibit 13*. This request is recommended as a condition of the preliminary plat approval. *Exhibit 1, Pg. 6-#11. Exhibit 15*

22. The Land Use of the Kennewick Comprehensive Plan, Section 2, addresses among other topics, residential lands. *Comprehensive Plan Pg. 41 et. seq.* Among goals of Residential planning in the City is. RESIDENTIAL GOAL 1: "Provide for attractive, walkable, and well-designed residential neighborhoods, with differing densities and compatible with neighboring areas." With the current development plans the proposed plat will be consistent with this goal of the Comprehensive Plan Land Use and will comply with development standards for the Residential, Medium (RM) zoning district. The Applicant intends to develop the neighborhood with townhome lots that it with pedestrian access to the amenities along W Clearwater Avenue. *Exhibit 1, Pg. 5; Testimony of Mr. Halitsky*
23. Residential Goal 2 of the Comprehensive Plans calls for development to be designed and built to "Provide appropriate public facilities supporting residential areas." One of the policies of this goal is POLICY1: "Ensure provision of parks, schools, drainage, transit, water, sanitation, infrastructure and pedestrian in new residential developments." As noted, in various Findings herein, this policy will be satisfied with the proposed development. *Exhibit 1; Testimony of Mr. Halitsky.*
24. Residential Goal 2, Policy 3 of the Comprehensive Plan requires that a plat "Deny residential developments if concurrency is not met for transportation, water, and sewer, or appropriately condition." Based on the reviews of the proposal by various City Departments as described in the exhibits of the Administrative Record, the proposed development will have the required infrastructure improvements that meet applicable standards. *Exhibit 1, Pg. 5; Testimony of Mr. Halitsky; Exhibits 4, 7-14 and 18*
25. Residential Goal 3, Policy 3 reads: RESIDENTIAL GOAL 3: "Promote a variety of residential densities with a minimum density target of 3 units per acre as averaged throughout the urban areas." POLICY 3: "Residential Medium Density: Place areas that can support high-quality, compact urban development with access to urban services, transit, and infrastructure, whether through new development or through infill. The City representatives testified that, as proposed, the development will satisfy Goal 3, Policy 3 with townhome lots in an area that is supported with urban services. Such development will diversify the housing stock in the area. *Exhibit 1, Pg. 5; Testimony of Mr. Halitsky*
26. 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 and aesthetic considerations in new residential developments. *Exhibit 1; Exhibit 4; Exhibits 7-14. 15-18; Testimony of Mr. Halitsky*, Various non-City agencies submitted that they had reviewed the project and submitted recommendations of approval. Some organizations requested certain conditions be imposed. *Exhibits Nos. 13-16*.

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.

Conclusions based on Findings

1. The Applicant requested approval of a preliminary plat (PP 21-02) for subdivision of 14.76-acres into 138 lots on property at 9757 W Clearwater Avenue, Kennewick, Washington. *Finding of Fact No. 1.* The lots of the plat will be townhouses, which are allowed in the Residential, Medium Density zoned property. *Finding of Fact No. 2.* The proposed plat has been reviewed by the City and other agencies and has been determined to be in conformance with City of Kennewick Comprehensive Plan. *Findings of Fact Nos 4- 21 and. 21-25.*
2. The vehicular access to the plat will be off W. 10th Avenue, which borders the south boundary of the property. Two main access points off 10th will connect to a looped road within the plat. The looped road identified on the plat map as S. Yolo Place will serve residences on the eastern portion of the plat, and, S. Zeelar Street will be in the western portion of the plat. A cul-de-sac road, NE. 9th Place, will extend off S. Zeelar Street. All access to lots will be off these internal streets of the plat. *Findings of Fact Nos. 1 and 2*
3. The City has reviewed the proposal and has determined that it can be developed and meet the regulations and requirements of the City, including street and road improvements *Findings of Facts Nos. 6-9 and 17*, water requirements of the City of Kennewick of *Fact Nos.14 and 15.* sanitary sewer service requirements, *Finding of Fact No,16*, storm sewer service requirements *Findings of Fact No. 13*, Comprehensive Park and Recreation Plan *Finding of Fact No 18*, and all relevant requirements to the approval of plats in the City of Kennewick.
- 4.. 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 Nos. 4-21*
5. Pursuant to the Washington State Environmental Policy Act (SEPA) the City was designated as the lead agency for review of environmental impacts resulting from the proposed development. On August 25, 2021, the City issued mitigated determination of Nonsignificance (MDNS) for the project. No appeals were filed. No critical areas are located on site. *Finding of Fact No. 5*
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 26*

DECISION

Based on the administrative record developed at the public hearing approval and the Findings of Facts and Conclusions as set forth above the preliminary plat approval of the Crimson Hills subdivision of 14.76-acres into 138 lots on property located at 9757 W Clearwater Avenue, Kennewick, Washington is granted. The approval is subject to conditions as set forth below.

The conditions apply to the Applicant, its agents and any successors of interest

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. The Applicant must design and provide a 10-foot landscaping strip that includes adequate ground cover and street trees every 40 feet along W 10th Avenue.
3. 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. Street trees shall be placed at 40-foot intervals and within five feet of the back of sidewalk for curb tight sidewalks. The landscape plan shall be prepared by a licensed landscape architect or licensed landscape installer and it must be drawn to a legible scale.
4. The Applicant must provide the City with a bond or cash deposit to ensure completion of any sidewalks that are not completed and all landscaping. These bonds or cash deposit must be filed prior to final plat approval. Trees for the individual residential lots shall be planted prior to of a certificate of occupancy for each new home.
5. All fencing along W 10th Avenue must satisfy the arterial street fencing requirements of the Residential Design Standards, with a minimum two-foot wide masonry column at least every 50-feet.
6. All fees required by the City, with the exception of park impact fees and traffic impact fees, shall be paid prior to approval of the final plat. The park impact fees and the traffic impact fees shall be due prior to the issuance of a certificate of occupancy for each lot.
7. In lieu of dedication of park land, park fees are required in the amount of \$977 per Single-Family Unit
8. Traffic impact fees (TIF) of \$787 per dwelling unit for each lot within the plat must be paid prior to issuance of a certificate of occupancy for the lot.
9. All development of the plat shall be in conformance and consistent with the plat drawing which was admitted as Exhibit 6.
10. The Kennewick Building Department requires a geo-tech report addressing and identifying the bearing capacity of the soil for each structure. The study can be either a mass report for all building sites submitted with the final plat or individual reports for each lot, required prior to the approval of the footing inspection, as they are built out.
11. The Applicant shall comply with the Memorandum – Public Works Department which was admitted as Exhibit 10 at the October 11th, 2021 public hearing.

12. The Applicant shall comply with the Traffic Engineering Division comments. Exhibits 11, 12, 18 and 20 that are part of the administrative record of the October 11th, 2021 hearing.
13. The comments set forth in the Traffic Engineering Division comments of October 6th, 2021 (Exhibit 18), requiring right-turn lanes at all four (4) approaches of the realigned W Clearwater Ave / W 10th Ave intersection are required. The Applicant is required to fully develop the intersection consistent with the Traffic Division approval of left turn lanes and signal system.
14. The Applicant shall comply with the State of Washington Department of Archaeology and Historic Preservation and CTUIR comments that are set forth in Exhibits 13 and 15 of the administrative record for the October 11th, 2021 administrative hearing.
15. Prior to any ground disturbing activities, a cultural resources survey, to include subsurface testing, shall be conducted on the subject property with the results shared with the Confederated Tribes of the Umatilla Indian Reservation, The Washington Department of Archaeology and Historic Preservation, and the City of Kennewick. Further consultation with these, and possible other organizations shall be required if cultural material is discovered through the course of the survey.
16. The Applicant shall comply with the Benton Clean Air Agency comments. Exhibit 14 of the administrative record for the October 11th, 2021 administrative hearing.
17. The Applicant shall provide dust control method(s) such as hydro seeding for all areas of the site that are disturbed.
18. A Homeowner's Association shall be formed and include all lots of the approved plat.
19. The Applicant and/or all of its successors must execute a written agreement to the satisfaction of the City Attorney, which will allow the City to establish enforceable 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. The Applicant must work with the School District to identify and construct the bus stops for the children being bussed from the Crimson Hills subdivision.
21. If the names of the internal streets of the plat are different than as depicted on the preliminary plat map, they must be identified on the final plat map.
22. The Preliminary Plat (PP 21-02) 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.

DATED THIS 5th day of November, 2021

James M. Driscoll
Kennewick Hearing Examiner

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

In the Matter of the Application of)	
Knutzen Engineering)	No. FILE NO: PP 21-02 / PLN-2021-01979-
)	
for Preliminary Plat Approval)	ORDER FOR ADDITIONAL EXHIBITS
<u>of Crimson Hills Plat</u>)	

The administrative record created at the October 11, 2021, public hearing is incomplete. Additional exhibits are necessary to have a complete record that that will support Findings that will be issued with the Decision. The following must be submitted by 5 p.m. on October 28th, 2021:

- A memo from Parks and Recreation setting forth whether park fees are required for the above identified plat, and if so, the total amount of fees and the amount of fees for each lot.
- A memo from the City Engineer’s office setting forth the general road and sidewalk improvements that are required for the internal roads of the proposed plat.

A copy of each submitted document shall be emailed to Mr. Nathan Machiela, the Applicant’s representative. Mr. Machiela shall have until 12 p.m. on October 29th, 2021 to submit any objections or comments to the submitted documents. All submitted documents shall become part of the record.

Dated this 26th day of October, 2021.

James M. Driscoll
Hearing Examiner



MEMORANDUM

Kennewick Parks, Recreation & Facilities

To: Anthony Muai, Planning Manager
From: Drea Myers, Parks and Recreation Administrative Assistant
Date: October 27, 2021
Re: Park Impact Fees for Crimson Hills Subdivision
Project: PP 21-02 / PLN-2021-1979

The Crimson Hills subdivision is located in Park Service Area 1.

Pursuant to Ordinance 5736, park impact fees for Park Service Area 1 are \$977 per single-family dwelling. Park impact fees will be assessed at building permit and are required to be paid prior to issuance of a certificate of occupancy.



MEMORANDUM

Traffic Engineering Division

To: Matt Halitsky, Planner
From: Joe Seet, Assistant Traffic Engineer
Date: October 28, 2021
Re: Traffic Engineering Summary of Comments for 9757 W Clearwater Ave.
Crimson Hills - Duplex Subdivision PP 21-02_PLN-2021-01979
Project: PP 21-02/PLN-2021-01979

Project Description

Crimson Hills - Duplex Subdivision with dedication of public ROW.
Frontage improvements of W. 10th Ave. (DPW-2021-01446).
Realignment and full roadway development of W. 10th Ave. (Clearwater Commercial Binding Site Plan – AGR2017-037197 & Clearwater Commercial Binding Site Plan – AMD 2018-014731)

KMC 13.16 Transportation Impact Fees

1. The Transportation Impact Fee (TIF) is a one-time charge for direct impacts caused by the traffic generated from the proposed development and used to pay for transportation projects needed to address said impacts. The TIF amendment on June 5 2018 (effective June 14 2018) created Traffic Impact Fee Districts, which allows fees be remitted to projects congruent with the area where the impact is realized.
2. The 2020 TIF is \$787/dwelling unit based on a land use of Multi-Family.

Traffic Operations

1. Per KMC 17.20.010(2)(a), streets greater than 1,200 feet in continuous uninterrupted length will need traffic calming measure.
2. Per KMC 17.20.010(3)(b), streets greater than 600 feet in continuous uninterrupted length will need a mid-block roadway pedestrian crossing.

Proposed Internal Streets

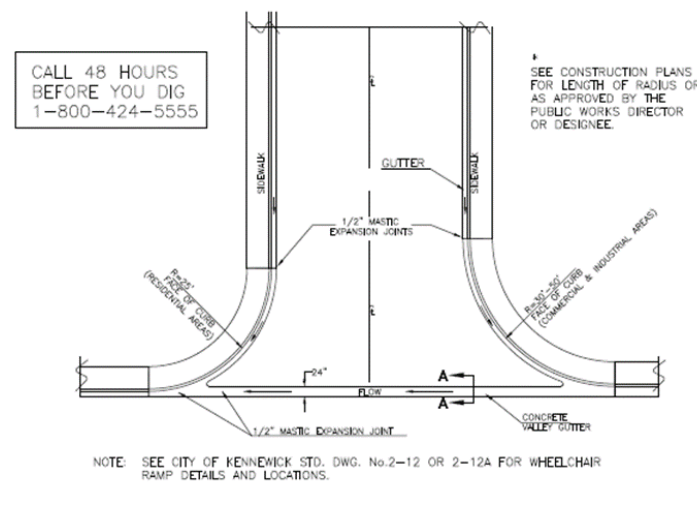
1. All proposed internal streets are functionally classified Local Street and full width roadway improvements, including pavement, curb, gutter, sidewalk and street lighting, are required per City of Kennewick Standard Drawing 2-1.
2. Record 18' public sidewalk, utility and irrigation easement along the proposed development's frontages for all of the subdivision internal streets.
3. The proposed internal local street centerline radius are to meet KMC 5.56.275(1) requirements.

5.56.275: - Street Radii and Grade.



- (1) Local Streets: Unless otherwise approved by the Deputy Director of Public Works, local streets shall be constructed with centerline radii which meet the following standards. On minor loop streets and cul-de-sac streets, where the street makes a 90-degree plus or minus five-degree turn, the minimum centerline radius shall be 50 feet. On all other minor loop street and cul-de-sac street curves, the minimum centerline radius shall be 150 feet. On all local through streets, other than minor loop streets, as determined by the Deputy Director of Public Works, the minimum centerline radius shall be 200. Unless otherwise approved by the Deputy Director of Public Works, the maximum grade on local streets shall be 12 percent.

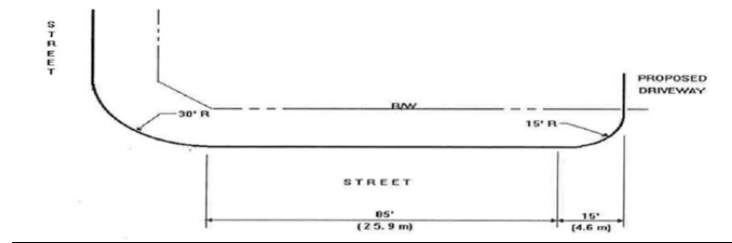
4. The proposed internal local street intersections with W, 10th Ave. radius are to meet KMC Standard Drawing No. 2-9 for intersection design guidelines.



5. Corner parcels (Lots 1, 53, 54 and 38) at public roadway intersections with W 10th Ave will need to meet minimum Corner Clearance requirements per KAC 13-46-110.

13-46-110: Corner Clearance: All direct access driveways shall be constructed such that the point of tangency of the curb radius return closest to a signalized or stop-sign controlled intersection be at least 100 feet (30.5 m) from the corner right-of-way of the intersecting street (see figure 10). Access driveway(s), if approved by the Traffic Engineer, that are within 350 feet (107 m) of an existing or planned signalized intersection, or the intersection of arterial and/or collector streets, or major traffic generating access (over 1,000 vehicle per day) may require restricted vehicle movements as documented in a traffic impact study and as determined by the Traffic Engineer.

Figure 10
Minimum Corner Clearance



- The Applicant submitted a design variance for the separation between the proposed intersections of S. Yolo Pl. with S. Zeelar St. (proposed internal street). The design variance was approved on October 27, 2021

W. 10th Ave

- W. 10th Ave is functionally classified Minor Arterial. Per KMC 5.56.070(1)(b) and 17.20.010(2)(h), half street improvements are required along the project's frontage, including pavement, curb, gutter, sidewalk and street lighting per City of Kennewick Standard Drawing 2-4.
- Record 15' public sidewalk, utility and irrigation easement along the proposed development's frontage on W. 10th Ave.
- Record 1' No Driveway Access easement along the proposed development's frontage on W. 10th Ave.

Re-alignment of W. 10th Ave

Per the Clearwater Commercial Binding Site Plan – AGR2017-037197 & Clearwater Commercial Binding Site Plan – AMD 2018-014731, 9757 W Clearwater Ave. Subdivision Project shall realign W. 10th Ave. to complete a full width roadway.

- W. 10th Ave is functionally classified Minor Arterial and full width roadway improvements, including pavement, curb, gutter, sidewalk and street lighting, are required per City of Kennewick Standard Drawing 2-4.
- W. 10th Ave (Realigned)/W. Clearwater Ave. proposed intersection:
 - Right turn lanes for all approach legs on W. Clearwater Ave. and W. 10th Ave (Realigned)

- ii. Complete signal design and installation of all signal related underground infrastructure
 - iii. Roadway and associated roadway infrastructure, northerly of W. Clearwater Ave. right of way limit is deferred until the first submittal of a development permit associated with any parcel(s) that lie within the Clearwater Commercial Binding Site Plan limits and northerly of the W. Clearwater Ave. right of way limit.
3. Incidental to re-aligning W. 10th Ave., the Developer is to install curb, gutter and sidewalk per City of Kennewick Standard Drawing 2-4 to close the W. 10th Ave (existing)/W. Clearwater Ave. intersection and
4. Incidental to re-aligning W. 10th Ave., the Developer is to install a permanent barrier restricting access to W. 10th Ave at the divergence point between the existing and proposed alignment of W. 10th Ave., vicinity of W. 10th Ct.

American Disability Act (ADA) Compliance

1. All proposed pedestrian facilities within the public right of way and easement, including but not limited to driveways, sidewalks, curb ramps, etc., shall be ADA compliant to maintain Pedestrian Accessibility Route (PAR) accessibility, continuity and connectivity.

Street Lights

1. Per KMC 5.53, Public Works Construction Standard Chapter 6, design and install street lighting per City of Kennewick Standard Drawings 6-1 and 6-2 on W. 10th Ave. and all proposed internal streets.