



Administrative Staff Report

Report Date: August 8, 2022

Application Submittal Date: March 11, 2021

Application Complete Date: March 22, 2021

Project Name: JSP Silverdale Multi-Family and Commercial Development

Type of Application: Administrative Conditional Use

Permit Number: 21-01494

Project Location

11493& 11531 Clear Creek Rd NW
Silverdale, WA 98383-9602
Commissioner District #3

Assessor's Account

082501-4-047-2005
082501-4-032-2002
082501-4-022-2004
082501-4-033-2001
082501-4-024-2002
082501-4-021-2005
082501-4-025-2001
082501-4-026-2000
082501-4-046-2006

Applicant/Owner of Record

Norm Olson, PE
NL Olson & Associates
2453 Bethel Avenue
Port Orchard, WA 98366

Decision Summary

Approved subject to conditions listed under Section 13 of this report.

1. Background

Request for Administrative Conditional Use Permit (ACUP) for the JSP Silverdale (Russell Square) Development mixed-use, a multi-family and commercial development of

VICINITY MAP



approximately 24 acres for construction of approximately 570 units and 6,000 square foot commercial space. The site is comprised of nine parcels with access from Clear Creek Road and by a proposed connector road to Greaves Way to the south. The proposal includes the construction of 15 apartment buildings, and a recreational club house building, a 6,000-sf commercial building, anticipated use is retail/café, and associated sewer and water infrastructure. The total building footprint is approximately 175,000 sf. The western portion of the site is in the Waaga Way Town Center design district of the Silverdale Design Standards with a connector road from Greaves Way is proposed within the Silverdale UGA.

Because the site is in the Waaga Way Town Center design district of the Silverdale UGA a portion of a connector road to Greaves Way is proposed in the western portion of the site. The collector road section has 10’ wide sidewalks & bike lane with concrete curb gutter on both sides of the road, 12’ wide drive lanes and 8’ parking lanes on both sides of the road center line. The section is consistent with the Waaga Way Town Center design district guidelines for a Northern Connector Road. Stormwater treatment and detention control facilities, and utilities to serve the site are also included in the project design proposal. See Information Response below for table of density calculations.

PLANNING/ZONING COMPLIANCE REVIEW

Item 1: Reference code section KCC 17.420.054 Commercial, industrial and parks zones density and dimensions table

Response: Density calculations are based on gross acreage of site

Total site area	= 25.54 ac (See Sheet C1.0)
ROW for Greaves Connector Road	= 2.18 ac (See Sheet C1.0)
Developable site area (gross)	= 23.36 ac
Total number of units proposed	= 570 (See Sheet C1.0)

2. Project Request

The applicant is requesting approval of an Administrative Conditional Use Permit for JSP Silverdale Mixed-Use (Russel Square) with the construction of 570 apartments and 6,000-sf commercial space with an anticipated retail/café building use.

3. SEPA (State Environmental Policy Act)

The State Environmental Policy Act (SEPA), found in Chapter 43.21C RCW (Revised Code of Washington), is a state law that requires the County to conduct an environmental impact review of any action that might have a significant, adverse impact on the environment. The review includes the completion of an Environmental Checklist by the applicant and a review of that checklist by the County. If it is determined that there will be environmental impacts, conditions are imposed upon the applicant to mitigate those impacts below the threshold of “major” environmental impacts. If the impacts cannot be mitigated, an environmental impact statement (EIS) must be prepared. The decision following environmental review, which may result in a Determination of Nonsignificance (DNS), Mitigated DNS, or the necessity for an EIS is called a threshold determination. A separate notice of the threshold determination is given by the County. If it is not appealed, it becomes part of the hearing

record as it was issued, since it cannot be changed by the Hearing Examiner.

Pursuant to WAC 197-11-355, the optional DNS process was utilized for this project. The SEPA Comment period previously occurred concurrent with the Notice of Application June 4, 2021. A Mitigated Determination of Nonsignificance (MDNS) was issued on July 14, 2022, SEPA noted the following information/SEPA mitigation conditions have been imposed and are listed under conditions XX at the end of this report:

CONDITONS AND PROJECT MITIGATION:

The following SEPA MDNS conditions are critical to the determination that the project will not have a significant adverse environmental impact.

STORM DRAINAGE

1. The proposal has been reviewed and will be conditioned for Stormwater controls per Kitsap County Code Title 12. This includes, but is not limited to, the Development Services and Engineering Preliminary Conditions Memorandum, dated June 24, 2022.
2. Prior to final project approval the applicant shall submit to the County a copy of the letter of No Further Action from Washington Department of Ecology and shall certify the project as consistent with the State Voluntary Cleanup Program requirements.

CRITICAL AREAS

1. The project has been reviewed and will be conditioned for Wetland Mitigation per Kitsap County Code Title 19.200.220. This includes but is not limited to the recommendations from wetland and mitigation reports by Ecological Land Services and BGE Environmental, dated November 16, 2020 and December 11, 2003 respectively.

LAND USE

1. The proposal has been reviewed and will be conditioned for Zoning per Kitsap County Code Title 17. The proposed use (multi-family dwelling) is permitted in the applicable zoning district Commercial (C) zoning districts.
2. Implementation of the landscape plan will provide a functional screen around the perimeter of the project area and will provide a filtered view from adjacent residential properties. The landscaping shall be installed and retained per the approved landscaping plan consistent KCC 17.500.027 and 030. The landscaping plan includes a screening buffer along the west property. Consistent with KCC 17.500.027.B.1 (b) a 6-foot screening fence (solid wood panel) shall be installed along the west side until landscaping matures to help provide a functional screen.
3. Outdoor lighting light fixtures should be recessed and pointed down to prevent unnecessary glare on adjacent residential property owners consistent with KCC 17.105.110.

TRAFFIC AND RIGHT-OF-WAY MITIGATION

1. A full width 10' shared use trail on both sides of Greaves Connector shall be continued through driveways.
2. South access on Clear Creek shall be right-out only. The applicant shall provide intersection

- line of sight for Clear Creek Rd NW access points and connector road access points.
3. Site access to Clear Creek shall be designed per KCRS Figure 4-4.
 4. The developer shall pay proportionate share towards the Greaves Way/Old Frontier Roundabout project. The contribution shall be based on total entering intersection site traffic to total entering traffic at time of project buildout.
 5. The applicant shall submit plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Existing approaches may need to be improved to meet current standards.
 6. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
 7. Parking markings shall be per MUTCD Figure 2B-21(middle example). Maintenance of markings shall be the responsibility of property owners.

FIRE SAFETY MITIGATION

1. Based the proposed height, the applicant is required to comply with the Central Kitsap Fire District voluntary height mitigation impact fees for building over three stories.
2. The applicant shall provide enhanced access for Fire District ladder trucks for emergency site access through the Site Development Activity Permit review process.

The SEPA appeal period expired July 29, 2022. No appeals were filed; therefore, the SEPA determination is final.

4. Physical Characteristics

The site is comprised of nine parcels approximately 24 acres in size, situated, north of Silverdale, north of NW Greaves Way, near the SR-3/SR-303 interchange. The project site located between Clear Creek Road NW and a proposed connector road called Bella Vista Avenue NW. The nine properties that make up the project site are located on the west side of Clear Creek Road NW Silverdale. Commercial development is proposed at the southwest corner. The site is undeveloped except for a single-family residence at the south end. The topography is highest on the west side and slopes down to the east towards Clear Creek Road NW. The project site includes a variety of vegetation with mostly conifers and deciduous trees on the west and with some pastureland on the east side. Two undeveloped parcels, 9.78 acres in size located on Brian Lane NW, were previously occupied and had been identified as having hazardous waste on site and actively cleaned up since the 1990’s (082501-4-025-2001, 082501-4-026-2000).

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Urban High Intensity Commercial (C) Zone: Commercial (C)	Standard	Proposed
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Minimum Density	10 (23.7 acres of net developable acreage x 10 = 237 required units)	570
Maximum Density	30 (23.7 acres x 30 = 711 maximum units)	
Minimum Lot Size	NA	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	NA	NA
Minimum Lot Depth	NA	NA
Maximum Height	35 feet	3 to 4 stories, <35 feet
Maximum Impervious Surface Coverage	85%	~10.39 acres or (43%)
Maximum Lot Coverage	NA	NA

Applicable footnotes: 17.420.060 Footnote #17 A greater height may be allowed with approval of the fire marshal/fire district with decrease of building coverage, an increase in public amenities and/or efficient use of the land. KCC 17.420.060 Footnote #21 Twenty feet when abutting a residential zone (also see KCC 17.500.027.B.2) and 17.420.060 Footnote #40 Height limitations shall not apply: elevators, HVAC systems

Staff Comment: Fire Marshal’s Office approved the request for the height increase. The Fire Marshal’s Office noted that Central Kitsap and Rescue owns a ladder truck for fire access to taller buildings in the District. The Fire Marshal conditioned the project that the applicant complies with the voluntary CKFD mitigation program for buildings over three stories and provide enhanced access for fire apparatus access to ladder trucks.

Table 2 - Setback for Zoning District

	Standard	Proposed
Front (West)	20 feet	20 feet
Side (North)	25 feet per KCC 17.500.027(B)(2) abutting RR zone	25 feet
Side (South)	10 feet	10 feet
Rear (East Side)	20 feet	20 feet

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Currently undeveloped.	Business Center Zoning (BC)
South	Multi-family Development (under construction)	C
East	Undeveloped and single-family residences	C
West	Single-family residences units (Brianwood Plat)	Rural Residential (RR)

Table 4 - Public Utilities and Services

	Provider
Water	Silverdale Water District
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sheriff
Fire	Central Kitsap Fire & Rescue
School	Central Kitsap School District #403

5. Access

The multifamily project has adequate vehicular access is provided via access to the project site from the east and future access from the west on public roads. There will be a driveway approach on Clear Creek Road on the east side and an approach from the public connector road to be constructed called Bella Vista Avenue NW on the west site of the project. Bella Vista Avenue NW currently will also provide access to Fieldstone and Rush multi-family developments south of the project site. Sidewalks and bike lanes are provided along the proposed connector

Clear Creek Road NW has a functional classification as a minor arterial and Bella Vista Avenue NW has a functional classification as a local access road. Urban minor arterials are defined provide service for trips of moderate length and distribute travel to smaller geographic areas. Local road provides direct access from abutting land to local collectors. Bella Vista Avenue NW was required to mitigate traffic impacts, pursuant to the Silverdale Design Standards per the Chapter 10 Waaga Way Design District, which discussed further below.

6. Site Design

Within the Commercial zone the apartment complex is a permitted use, but conditionally approved by an Administrative Conditional Use Permit (ACUP), per Kitsap County Code (KCC per 17.240 Commercial Zone). The request was reviewed for consistency with KCC 17.540, the intent of the Commercial zone and compatibility with the abutting residential development, adjacent commercial uses, and the pedestrian circulation/traffic.

The development was reviewed for consistency with requirements in KCC 17.410.042 Allowed Uses, KCC 17.420.030 Design Standards, KCC 17.420.052 Commercial, Industrial, Parks and Public Facilities Zones Density and Dimensions Table, and Chapter 17.540 Administrative Conditional Use Permit. KCC 17.110.250 defines dwelling, multi-family means a building of portion thereof containing three or more dwelling units and designated for occupancy by three of more families. The below are planning review categories in KCC 17.420.030 Design Standards.

7. Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting

development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted June 30, 2016 and amended April 27, 2020

The following Comprehensive Plan goals and policies are most relevant to this application:

Chapter 1 Land Use

Land Use Goal 1

Focus current and future planning on infill and redevelopment of existing Urban Growth Areas

Land Use Policy 2

Support innovative, high quality infill development and redevelopment in existing developed areas within the Urban Growth Areas.

Land Use Policy 17

Support compact commercial areas in order to encourage pedestrian and non-motorized travel and transit use.

Chapter 4 Housing

Housing and Human Services Goal 6.

Integrate affordable housing and human services planning for transportation, workforce development and economic development efforts.

Housing, Human Svcs. Policy 23.

Promote housing preservation and development in areas that are already well-served by schools, public transportation, commercial facilities, and adequate infrastructure to support alternative modes of transportation.

Chapter 5 Transportation

Transportation Goal 1

Provide a safe and reliable multi-modal transportation system for people of all ages and abilities.

Transportation Policy 3

Continue to require sidewalks on roads when development occurs within Urban Growth Areas.

The County’s development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Code Reference	Subject
Title 11	Road Standards
Title 12	Storm Water Drainage (Kitsap County Stormwater Manual)
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Administrative CUP Application	March 12, 2021
Project Narrative	March 12, 2021
Revised Environmental (SEPA) Checklist	June 24, 2022
Revised Site Plan	February 3, 2022
Landscaping Plan	February 3, 2022
Final Health District Approval	August 17, 2017
Request for Parking Reduction	March 12, 2021
Preliminary Drainage Plan	March 12, 2021
Wetland Determination Report	March 12, 2021
Remedial Investigation Report	June 24, 2022
 <u>Staff Communication</u>	 <u>Dated</u>
Dev. Services & Engineering Memo	June 24, 2022
SEPA Environmental Determination	July 15, 2022

9. Public Outreach and Comments

Pursuant to KCC Title 21, Land Use and Development Procedures, the Department gave proper public notice 800 feet around the subject property for the Administrative Conditional Use Permit. The Department did receive questions and comments on the proposal from neighbors Marc and Erlinda Sahr and Ed Coviello who represents Kitsap Transit.

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
1.	Inquiry on the type of proposed development. The neighbor to the project has lived in the area since 1994. Changes to quality of life.	

2.	Question concerning if frontage improvements are included to improve the frontage along Clear Creek Road NW to allow for pedestrian access to the to the Kitsap Transit stop?	
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Issue Ref. No.	Issue	Staff Response
1.	Development Impacts	Not all impact can be avoided. However, the project will be conditioned to include mitigation measures to reduce project impacts on adjacent rural residential properties.
2.	Pedestrian Access	The development proposal includes pedestrian access throughout the site and people who reside in the complex can access a transit stop to the south.

10. Analysis

a. Planning/Zoning

The proposed is for multi-family housing for apartments, which are permitted use but conditionally approved under an ACUP within the Commercial zone. The proposal was reviewed for consistency with the intent of the Commercial zone and compatibility with the abutting single-family, multi-family residential developments and adjacent commercial uses. The proposal was reviewed for consistency with requirements KCC 17.420.030 Design Standards for provide functional screens, pedestrian circulation/traffic to avoid pedestrian-vehicle conflicts. In addition, the project was reviewed consistency with KCC 17.470 Multifamily Design Standards and the Silverdale Design Standards.

b. Lighting

Consistent with KCC 17.420.030 Design Standards and 17.105.110 artificial outdoor lighting, if necessary, the lighting should be arranged so that light is fully shielded from the side view, directed downward, and away from adjacent single-family residential properties. Not more than one-foot candle of illumination may leave the property boundaries. The project has been conditioned and the applicant has provided a functional screen along the west property line between the Rural Residential zone and the Commercial zone, consistent with KCC 17.500.027 to help mitigate potential glare impacts (See Photometric Map .LC-001).

Staff Response: For urban lighting requirements staff will review at the time of Building Permit for location and shielding specifications.

c. Screening of Equipment, Storage, and Refuse Areas per consistent with KCC 17.420.030 Design Standards.

The location of service areas, outdoor storage areas and other intrusive site features away from neighboring properties to reduce conflicts with adjacent uses. Building

materials for use on the same premises may be stored on the parcel during the time that a valid building permit is in effect for construction.

All roof mounted air conditioning or heating equipment, vents, ducts, or other equipment shall not be visible from the abutting lot, or any public street or right-of-way as feasible. This shall be accomplished using a parapet roof extension or screened in a manner which is architecturally integrated with the main structures.

Staff Response: Dumpster locations are adequately screened with vegetation, fencing and/or CMU walls. No other service areas are proposed. Elevations indicate the HVAC system is screened and not visible from the roadway or abutting properties. Visibility requirement will be verified at Building Permit Review.

d. Off-Street Parking

The project is required to provide adequate off-street parking consistent with the standards in KCC 17.490 Off-street Parking and Loading. Pursuant to KCC 17.490.030 Number of required spaces. The project is required to provide the minimum off-street parking for multi-family at a ratio is 1.5-spaces per unit and 0.5 per unit of overflow and set-aside parking. Using the off-street parking ratio of 2.0 spaces per unit, the minimum number of spaces for a 570-unit development is 1,140 off-street parking spaces. Pursuant to KCC 17.490.060, a total of 32 accessible parking spaces will be provided uniformly across the project site.

Parking Ratio Parking Reduction

The applicable minimum parking stall requirement is contained in KCC 17.490.030 for the "Multifamily (Condos/Townhomes/Apartments)" classification which is a minimum of 1.5 spaces per unit + 0.5 unit on-street or set aside space per unit for a minimum total of 2 parking spaces per unit – regardless of apartment size and number of bedrooms in the unit. The applicant is proposing 1,022 off-street parking spaces (25% reduction). The applicant is proposing 6,000 square feet of commercial space and has not identified a specific commercial use. Therefore, off-street parking should be calculated based on more intensive land use at a ratio of 1:200 of gross floor area which will require 23.

Justification for Multifamily Parking Reduction Request

Applicant Response: As allowed by KCC 17.490.030.A.1. "Relaxation of Required Spaces", the applicant is requesting the Director of Community Development to authorize up to a 25% reduction to the minimum amount of required off-street parking for this development.

1. Proposed parking ratios for different unit types and a Unit Mix with more smaller apartment units that reduce the forecasted minimum number of parking spaces:

Applicant Response: The proposed development has a mixture of apartment sizes and

number of bedrooms as documented in the following table. Typically, jurisdictions vary the required parking per unit based on the number of bedrooms the unit contains, like that listed in the table.

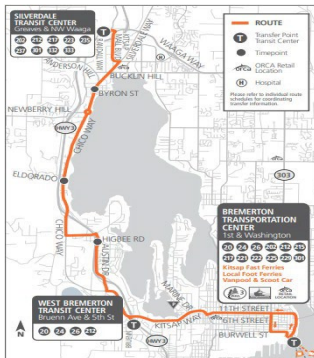
Unit Type	Area (S.F.)	Number	% Type	Proposed Spaces/Unit	Spaces Required
1-Bed	750	248	49.8%	1.5	372
2-Bed	1,050	208	41.8%	1.75	364
3-Bed	1,250	42	8.4%	2	84
Totals		498	100%		820

The project currently proposes 858 total parking spaces. Removing the commercial parking as previously discussed leaves a total of 834 residential parking spaces. Although 834 residential parking spaces are proposed to be constructed with this project, 73 of these spaces will be located within dedicated Kitsap County right-of-way. The future Greaves Way Connector Road will be dedicated to the public upon completion but will also contain parallel parking within the road section.

2. The Proposed development location has convenient access to businesses, amenities and public transit:

Applicant Response: The project site is located less than a ¼ mile walking distance (just minutes walking) to the bus transit routes along Greaves Way located just south of this development. The subarea planning associated with the town center focused on pedestrian mobility and access. The proximity of the project site to shopping, restaurants, etc. and transit facilities makes the parking reduction request readily supportable.

Map showing Kitsap Transit Route starting south of Bella Vista Avenue



3. Institute of Transportation Engineers (ITE) Parking Generation:

Applicant Response: Based on the data generated from 73 studies, the parking demand can be estimated for similar projects. Using this exhibit, the estimated average parking demand for weekday parking during the evening, 10pm – 5am is approximately 1.3 so, well below the 1.5 parking spaces per unit that would represent a 25% reduction.

Bike Parking

The applicant is proposing bicycle parking, pursuant to KCC 17.490.020(H)(10). It recommended that applicant provide bicycle parking at a ratio of 1 space per 10 vehicle spaces and is required at a ratio 1 space per 20 vehicle spaces. The applicant is providing a total of 102 residential bicycle parking spaces, which 92 spaces are required, 3 spaces for the commercial use (3 required) and 1 space for the club house (1 space required). The assumption is that each of the 15 residential building will have 6 to 7 bicycle spaces. The civil site plan for the SDAP will be required to location of bicycle parking.

Staff Response: The applicant's response demonstrates justification for up to the 25% reduction requirement based on the unit type, access to transit routes traffic engineering.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Multifamily (Condos / Townhomes / Apartments) and Club House	1.5 per unit + 0.5 per unit on street or set aside	858 + 73 on-street or set aside = 1,140	917 residential spaces On-street or set aside = 72 9 spaces 24 spaces
Commercial (retail/café)	1 per 200 sf of gross floor area	30 spaces	(15% reduction requested)
Total		1140	1,022

e. Signage

Pursuant to KCC 17.510 Sign Code the applicant can apply for signage near the entrance to the apartment complex during or after construction. Signage is not proposed at this time. To be consistent with 17.510.100.E Monument Signs, any stand-alone monument sign will need to be coordinated with the Certificate of Occupancy with one sign per road frontage (see Conditions).

f. Schools

The project will be served by Central Kitsap School District and students will most likely be bused to the nearest schools which includes Emerald Heights Elementary School, Central Kitsap Middle School and Central Kitsap High School on NW Anderson Hill Road. To date, the Department has not received comments from Central Kitsap School District on bus access and circulation.

g. Landscaping

The project is required to be reviewed for consistency with KCC 17.500 Landscaping and 17.700 Appendix A. The Landscaping Plan is required to show how all disturbed areas, buildings and structures, and off-street parking areas are to be landscaped. Landscaping is calculated based on total site area. The applicant submitted a revised preliminary landscaping plan which is generally consistent with landscaping standards in KCC 17.500 Landscaping for size, spacing and function. (*See Condition #2 below*). The landscaping plan to be submitted as part of the Site Development Activity permit will require more information on landscaping around the commercial site parking area for screening from the residential use and reduce the intensity of the commercial land use against the wetland buffer.

The construction site involves a large area and with many buildings to be constructed over time. The applicant shall submit a vegetation management plan to control invasive species, as identified by the State and Kitsap County Weed Board until the site is built-out and landscaping is established.

Staff Comment: The applicant has submitted a preliminary landscaping plan and plant schedule with the preliminary land use proposal. Consistent with a review comments by staff, the applicant has included a rural separation buffer with a screening fence added on the western zoned Rural Residential side of the party.

Table 6 - Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	15% (15, 682)	43% (453,000-sqft)
Required Buffer(s) 17.500.025		
North	Separation Buffer	Separation Buffer
South	Separation Buffer	Separation Buffer
East	Roadside and Setback Buffer	Roadside and Setback Buffer
West	Solid Screening Buffer	Solid Screening Buffer
Street Trees	Yes	Yes

h. Frontage Improvements

The project was reviewed for potential pedestrian and vehicular traffic impacts. The project site includes building frontage improvements that provide for pedestrian safety, and commercial road approach to help reduce pedestrian and vehicle conflicts. The project site located off Clear Creek Road NW and Bella Vista Ave NW and does require frontage improvements on both road frontages with pedestrian improvements. The proposed pedestrian facilities are consistent KCC 17.420.030 Design Standards - Pedestrian Circulation. The existing transit stop is located on the frontage and is proposed to remain. The construction of the connector road and along Clear Creek Road includes frontage improvements with pedestrian facilities.

i. Design Districts/Requirements

Silverdale Design Standards

The applicant has prepared the following responded to Chapter 10 Waaga Way Design District standards and guidelines:

10.2 Design intent

The Waaga Way Town Center is intended to include a compatible mix of office/retail, business and residential uses constructed in a coordinated park-like setting while reinforcing pedestrian friendly open spaces and connectivity between buildings. The proposed design meets the intent of the above-mentioned design guidelines and standards as follows:

Section 10.3: Design Principles

- A. The Waaga Way Town Center shall be a pedestrian and bicycle-friendly environment built to a human-scale with convenient pathways, connecting buildings and parking lots in a landscaped setting.

Applicant Response: A pedestrian accessible network of paths is provided throughout the project site.

- B. Parking shall be in dispersed lots, while avoiding large expansive areas of paved surfaces, where feasible. Parking areas shall include landscaped pedestrian and bicycle pathways that are protected from vehicular traffic. Development shall include low impact development techniques, where feasible.

Applicant Response: Parking for the residential portion of the project is proposed to be single row stalls along the internal streets with landscaped islands and access via sidewalks. Parking for the residents are dispersed throughout the development to minimize parking fields and allow for a parking in proximity to each building and/or use. A 6,000 gross square feet commercial building is proposed along the frontage of Clear Creek Road. The building is set back maximum 25'. A small parking lot with capacity of (24) stalls is proposed for the

commercial portion of the development. See landscape narrative for overview of low impact development techniques utilized for the proposed development.

- C. Future development should avoid disturbance of the natural topography by retaining trees and natural features, where feasible. Development shall also incorporate natural vistas, such as views to Dyes Inlet, the Cascade Mountain range, and Clear Creek into the overall orientation of the development.

Applicant Response: The proposed development utilizes the existing grades, thus preserving views east of the property. Approximately 35% of the site is proposed to be landscaped with natural features. See landscape plans.

- D. Interior access roads shall provide landscaped edges or medians.

Applicant Response: Landscape islands are provided and as much as practical, much of the interior roads are bordered with landscape. See landscape plans.

- E. Larger buildings shall be designed in a manner to have the exterior appearance from all public areas of several smaller buildings using architectural features or other methods.

Applicant Response: A Pacific Northwest architectural vernacular is proposed for all buildings to give a cohesive expression to the proposed development. The proposed use of building materials is consistent with other contemporary developments in the area. The architectural massing and arrangement of the materials is consistently applied on small as well as large buildings.

- F. Buildings shall be architecturally distinct using multiple roof forms and elevations. Building scale and bulk shall be mitigated using prominent architecture at corners, focal points and business accesses. The visual effect of expansive walls shall be broken up using wall treatments and/or horizontal articulation.

Applicant Response: Building scale and bulk is addressed by meaningful arrangement of the building materials, changes in building wall planes and window placement. A combination of hipped and gabled roofs is consistently used throughout the project. The gable roof forms mark the entry breezeways.

- G. Business center, industrial and commercial development patterns will protect and buffer adjacent residential developments with enhanced landscape features and other techniques.

Applicant Response: A 25' wide landscape buffer is provided along the West edge of the project property, in order to buffer the adjacent Rural Residential zone. See

landscape plans.

Staff Response: Approximately 1,100 feet of the western edge of the subject property project abuts property zoned Rural Residential the edge of the Urban Growth Boundary. Pursuant to 17.500.027 the applicant is including a separation buffer with landscaping to help mitigate impacts.

- H. Development shall use innovative and sustainable green building techniques, where feasible. Such techniques may include, but not limited to, energy-efficient construction, green roofs, and/or solar or geothermal energy production

Applicant Response: The project will utilize energy efficient appliances; lighting systems, and fixtures.

- I. Development adjacent to the Clear Creek Trail system shall be coordinated with these facilities with private open spaces and gathering places oriented towards them.

Applicant Response: The proposed development is not adjacent to the Clear Creek Trail.

Section 10.4: Waaga Way Connector Roads

Applicant Response: A portion of the connector road is proposed with this development. The “design standards map” shows the road crossing from Greaves road through the adjoining parcel to the south of this development’s property.

Section 10.5.1: Design Actions – Site Development Standards

- A. To provide for a welcoming and accessible streetscape, primary building entrances shall be oriented toward pedestrian, bicycle and transit facilities.

Applicant Response: Primary entrances to the buildings are oriented towards the street and sidewalks.

- B. Applicant Response: N/A.

- C. Commercial development should provide spaces for civic interaction and frequently serve as public spaces. To make these more accessible and accommodating to the public, pedestrian plazas, street furniture and public open spaces shall be incorporated as site amenities whenever possible. The location and design of these spaces shall be integrated into the overall project design.

Applicant Response: A 6,000 GSF commercial building is proposed at the SE corner of the development. Open space is provided adjacent to the commercial building which potentially could be used as a pedestrian plaza.

D. Applicant Response: N/A

E. If buildings are not located at the corner intersections, monumentation shall be incorporated at key or focal intersections within or on the perimeter of developments to foster a sense of community identity and arrival. Monumentation shall be of an appropriate size, scale and design to accomplish this intent consistent with KCC Chapter 17.445.

Applicant Response: A monument sign is to be provided at the main site entry off Clear Creek Road and the site entry on Greaves Way Connector.

Section 10.5.2: Design Actions – Architectural and building design and height standards

A. Building walls located along the Waaga Way Extension Road, connector roads or other public streets shall be horizontally articulated a minimum of five (5) feet every seventy-five (75) feet of their length

Applicant Response: Balcony deck alcoves, entry breezeways and building massing provide the architectural articulation along the facade of all buildings, including the ones along the connector road.

B. Any building wall greater than fifty (50) feet in length shall include one (1) or more of the following elements:

1. Transparent windows or doors.
2. Architectural treatments such as mosaic, glass block or similar features.
3. Trellis with climbing plants.
4. Display windows.
5. Other features that interrupt blank walls

Applicant Response: With the use of building massing and clear glass fenestrations, there are no blank walls on any of the proposed buildings.

C. All buildings located nearest a full-motion access intersection with a connector road and/or the Waaga Way Extension Road shall include prominent architecture at the corner facing the intersection.

Applicant Response: The proposed site and buildings are not at the corner of a full motion access intersection.

D. Uses greater than 10,000 square feet in size shall include prominent architecture at

their entrance.

Applicant Response: Gabled roof forms and framed opening are used to highlight the building entrances

- E. Buildings less than or equal to 10,000 square feet in size shall include a minimum of two roof/façade elevations.

Applicant Response: The projects accessory buildings (i.e., retail & clubhouse) will be designed in a consistent manner as the primary use buildings (apartments); Therefore, they will have four roof / façade elevations and fully comply with the zoning intent.

- F. Buildings between 10,000 and 25,000 square feet in size shall include a minimum of three roof/façade elevations.

Applicant Response: N/A

- G. Buildings 25,000 square feet or greater in size shall include a minimum of four roof/façade elevations.

Applicant Response: See architectural elevations.

- H. Buildings shall integrate awnings, overhangs or other rain protection features when abutting pedestrian amenities.

Applicant Response: N/A

Staff Response: *When feasible, the project should always try to incorporate architectural features that give pedestrian weather protection when accessing the building.*

- I. Height shall be consistent with the requirements of Kitsap County Code.

Applicant Response: Total height of all proposed buildings are within code limits.

Section 10.5.4: Design Actions – Vehicular circulation and parking standards

- A. Parking lots shall be integrated in such a manner as to encourage pedestrian and bicycle access to the development, connect uses to the street and decrease the distance between adjacent developments

Applicant Response: See response to item 10.3.B above.

- B. The multi-modal circulation system and parking shall be designed as an extension of the street system to provide a connection to the street and to draw users onto the site.

Applicant Response: This shall be accomplished using continuous sidewalks, bicycle pathways, landscaping, utilization of the street elevation, the use of parallel and/or angle parking and the use of driveways and circulation drives as mid-block connections, where feasible. The proposed development has continuous sidewalks next to the parking areas. The perimeter of the roadways and parking areas are landscaped. The connector road has 10' wide multi-use paths for pedestrians and bikes on both sides of the road. See Civil and Landscape drawings.

- C. Applicant Response: N/A

- D. Applicant Response: N/A

- E. To provide greater opportunity for pedestrian and bicycle interconnectivity and to prevent automobiles from having to use the public street system to travel between adjacent developments, parking and pedestrian and bicycle circulation shall be designed to accommodate connections between developments, where feasible.

Applicant Response: Sidewalks and bike lanes are provided along the proposed Greaves Way Connector

- F. For properties zoned Regional Commercial, Highway Tourist Commercial, Urban Low Residential or Business Center, a minimum of a 15-foot landscaping buffer is required along the Waaga Way Extension Road, all connector roads and other public streets. Vegetation shall include street trees and shrubbery. Irrigation may be required based upon the species of vegetation installed. The uses allowed within this buffer include utilities, street lighting, gathering areas, pedestrian and bicycle access, transit facilities and vehicular access to the overall development.

Applicant Response: N/A

- G. For properties zoned Industrial, a 25-foot screening buffer is required along the Waaga Way Extension Road, all connector roads and other public streets. Vegetation shall include evergreen trees and other vegetation to provide adequate functional screening of the uses on site.

Applicant Response: N/A

Staff Response: The applicant provided a similar 25-foot separation buffer along the west boundary of the project.

- H. Rows of parking stalls shall include a planting strip every ten (10) stalls protected by a vertical curb. Such a strip shall be five (5) feet in width and include a minimum of one (1) tree and other shrubbery. Irrigation may be required based upon the species of vegetation installed. See Landscape plans I. Parking stalls abutting a building frontage shall include a planting strip every six (6) stalls protected by a vertical curb. Such a strip shall be a minimum of five (5) feet in width and include a minimum of one (1) tree and other shrubbery. Irrigation may be required based upon the species of vegetation installed.

Applicant Response: See Landscape plans

- J. In order to reduce the growth of surface parking which results in decreased intensity of uses, increased sprawl and separation of uses and anti-pedestrian environments, the amount of surface parking shall be limited to no more than hundred percent (100%) of the required minimum amount. Any parking in excess of the 100% required minimum must be located within a parking structure(s).

Applicant Response: Surface parking provided is less than 100% of the required minimum amount. See parking reduction request letter.

Section 10.5.5: Design Actions – Pedestrian infrastructure standards

- A. Pedestrian linkages shall be designed to provide the most direct route to the transportation infrastructure. Linkages should be a continuation of the infrastructure to reduce dead-end paths and encourage users to the development. Consideration shall be given to off-site destinations in the design of the system.

Applicant Response: A network of accessible sidewalks is proposed that connects each building entrance to both, Clear Creek Road and Bella Vista Avenue (connector road).

- B. Pedestrian and bicycle pathways shall be coordinated both on-site and within adjacent developments, where feasible. Such pathways are required through the site connecting buildings or parking lots. At minimum, one (1) pathway shall be located every two (2) aisles of parking stalls. Such pathways shall be a minimum of five (5) feet in open width if serving only pedestrian traffic and ten (10) feet in open width if serving both pedestrian and bicycle traffic. Such pathways shall be aligned with building entrances and, where feasible, and landscaped on both sides including a row of trees protected from vehicle

traffic by a vertical curb. All pedestrian and bicycle pathways and crossings of vehicle lanes shall be delineated with a distinct surfacing different from the driving areas in color, texture and composition.

Applicant Response: A network of accessible sidewalks is proposed that connects each building entrance to both, Clear Creek Road and the new connector road.

- C. Amenities such as benches, sitting areas, art, pedestrian squares and varied building facades shall be provided along pedestrian routes to add interest and convenience to the user. These amenities shall share a common construction with the pedestrian and bicycle pathways in color, texture and composition.

Applicant Response: See Landscape plans and architectural elevations

- D. To provide for convenience, pedestrian and bicycle facilities along building frontages and developments shall incorporate rain protection and boulevard landscaping whenever possible. When such facilities are provided, special attention should be given to ensure safety, security and convenience by not creating enclosed spaces that may shelter potential criminal activity. Appropriate lighting shall be incorporated whenever possible.

Applicant Response: About 38% of the residential parking stalls are provided under carports. The carports are interspersed throughout the project site. All building entrances are under cover.

Staff Response: *The applicant is providing 102 residential bicycle parking spaces and 3 bicycle spaces for the commercial use. Applicant shall include appropriate lighting to help maintain security.*

Multi-family Design Standards

The multi-family proposal is required to be reviewed for consistency with KCC 17.470 Multi-Family Development Design Standards. The intent is to ensure that new multifamily development is sensitive to the character of the surrounding neighborhoods, to enhance the built environment for pedestrians in higher density areas and ensure adequate light, air and readily available open space for multifamily development in order to maintain public health, safety and welfare. The following are findings based on review of the proposal.

Multi-family Design Standards

KCC 17.470.020 Applicability - How to use the design standards

Applicability. The “requirements sections” in the following design criteria apply to each multifamily project requiring conditional use review under Chapter [17.540](#) or [17.550](#).

Staff Response: *The project was reviewed under KCC 17.540 and therefore is required to be reviewed with the multi-family design standards.*

KCC 17.470.030 Multifamily Site design – Orientation

Requirement. Design multifamily projects to be oriented to public streets or common open spaces and to provide pedestrian and vehicular connections to existing neighborhoods.

Staff Response *The apartments are oriented to Bella Vista Avenue and includes pedestrian and vehicle access.*

KCC 17.470.040 Fences and Walls

Requirement. Design the site to minimize the need for fences and walls that inhibit or discourage pedestrian use of sidewalks or paths, isolate neighborhoods, or separate neighborhoods from main roads.

Applicant Response: A fence elevation/construction detail was added to the set. The fence is a vertical slat alternating on each side for equal screening and aesthetics for each property owner. The fence shall be cedar.

Staff Response: *Staff supports the applicant's proposal. The project site is located within an existing commercial zoning district development abutting Rural Residential zone (RR) to the west. The project is not isolated within the commercial zone, but screening is required with a greater setback of 25 feet abutting the rural residential zone.*

KCC 17.470.050 Recreation centers, mailboxes, site lighting and bus stops

Requirement. Provide adequate lighting, screening and pedestrian access to supporting facilities such as recreation centers, mailboxes, play yards, bus stops and dumpsters. If otherwise required as a condition of project approval, locate passenger shelters in well-lit areas with access to the multifamily walkway network. Provide for shielding and directing of light to minimize impacts upon residents and abutting property owners.

Applicant Response: (10) auto parking spaces and (1) bike parking space is provided adjacent to the clubhouse.

- a. A network of accessible sidewalks connects the entire site, including all the apartment buildings to the clubhouse. In addition to the clubhouse, the pedestrian network connects to mailbox locations, trash collection areas, and other site amenities. The pedestrian network is proposed to be landscaped and well illuminated.
- b. Site lighting is provided in the play areas and parking areas. Light fixtures (max 15' in height) with cut off shields are proposed to direct lighting away from adjacent properties and keep from shining into the dwelling units in the development.
- c. Two mailbox box locations with cluster mailboxes are provided on the site. The

architectural character of the roof structure at mailboxes is proposed to be similar to surrounding site elements, the carports. The mailbox locations are pedestrian accessible and well illuminated.

- d. The accessible pedestrian network connects to the site entry at Greaves Way connector road, which provides pedestrian access to transit stop, South off the development. See Civil drawings, Landscape drawings for additional information and Exhibit C, page 1 KCC 17.490 Off Street Parking and Loading

Staff Response: The project will be required to minimize glare with associated lighting. The applicant has prepared a photometric study demonstrating compliance (LC-001). The applicant is proposing adequate lighting and pedestrian access around the complex, the supporting facilities, off-street parking and to building entries. All lighting shall be recessed and/or directed down (see Condition #3 below).

KCC 17.470.060 Grading and Tree/vegetation Retention

Requirement. To the extent reasonable and practicable, multifamily projects shall be designed to minimize impacts to existing topography and vegetation.

Staff Response: The project site is located within a developed site in an existing commercial development. Except for the west side of the project, there is little vegetation to preserve. Applicant's landscape plan will augment vegetation around the development site per KCC 17.500 Landscaping.

KCC 17.470.070 Open space

A. Requirement. Open space shall be provided in or adjacent to multifamily development for all the residents of the development

Staff Response: The project will include approximately 227,550 sf of open space. Open space will be provided with landscaped and pedestrian areas around the site the site.

KCC 17.470.080 Landscape Design

Requirement. In addition to the requirements in Chapter [17.500](#), landscaping and supporting elements (such as trellises, planters, site furniture or similar features) shall be appropriately incorporated into the project design.

Staff Response: The project complies with KCC 17.500 Landscaping design standards and percentage of landscaping.

KCC 17.470.090 Multifamily-Site Design Parking

Requirement. Minimize the impact of driveways and parking lots on pedestrians and neighboring properties by designing and locating parking lots, carports, and garages in a manner that creates few interruptions on the street, sidewalk or building facade (UVC).

Staff Response: The off-street parking is broken up into smaller areas around the development with minimum vehicular access to the complex, thereby lowering impacts to roadways.

KCC 17.470.100 Multifamily -Site Design -Screening

Requirement. Provide adequate screening for support facility needs associated with multifamily developments.

Staff Response: Support facilities such as the dumpster is located adjacent to parking, around the project site, and will be fully screened within enclosures.

KCC 17.470.0110 Multifamily - Signs

Requirement. Minimize the amount of signage needed to identify the development the multifamily development.

Staff Response: Signage will be reviewed for consistency when a sign permit is submitted to the Department.

j. Development Engineering/Stormwater

The proposed stormwater facilities include two detention facilities for stormwater quantity control; and engineered soil media units for stormwater quality control. Conveyance was added to bypass through the site a discharge from a storm discharge piped located near the southwest corner of the western property line. The immediate area west of this discharge location is forested and is part of a 40-foot wide open space vegetation buffer associated with the Brianwood Plat. Development Services and Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. The information provided demonstrates this proposal is a Large Project as defined in KCC Title 12 and reviewed through a Site Development Action Permit for civil plan review (See Stormwater conditions below).

k. Environmental

The project site is located within Silverdale, unincorporated Kitsap County, along the northern reach of the commercial corridor off State Highway 3 and the Silverdale interchange. Six properties make up the project site located west of Clear Creek Road NW. Most of the site is undeveloped except for one single-family residence located at the southern end of the site. The existing topography is the highest on the west side with an elevation of 225 feet and gentle slopes down to the east to an elevation 220 feet. The site contains vegetation a variety of vegetation mostly covered with mostly mature mixed forests with conifers and a mix of deciduous tree cover. The north central area of the site is pastureland and appears from aerial mapping still actively farmed.

Ecological Land Services prepared an inventory and determination report for the subject property. BGE Environmental, LLC prepared a delineation report for the abutting property to the south. The proposed JSP development site is due north of a wetland and stream. BGE delineated and categorized a small (Category IV) jurisdictional wetland offsite (Wetland A) located in a narrow depression at top of a short ravine near Clear Creek Road NW. A Type Ns stream (non-fish) leaves the east side of the wetland and flows through the ravine for approximately 500 feet to a catch basin and drains under Clear Creek Road NW through a culvert to the Ross Field. It has been noted that most of the property was maintained as pasture up until the 1990's. Most of the property is fallow that now includes a heavy cover of invasive species in the interior that include Himalayan blackberry and Scots Broom.

Consistent with KCC 19.200 Wetlands, the project includes a 50 ft standard buffer and 15-foot construction setback. BGE prepared a mitigation plan and mitigation is proposed as full restoration of the wetland and buffer from degraded invasive dominate species to native complex. The prescribed vegetation restoration effort has the potential to promote function and value within the resource and supporting watershed.

i. Access, Traffic and Roads

Consistent with KCC 17.420.030 Design Standards, the applicant is including a network of accessible sidewalks is proposed that connects each building entrance to both, Clear Creek Road NW and the new connector road. Both Clear Creek Road and Bella Vista Lane Avenue NW are public roads and will need to comply with Kitsap County Road Standards. The applicant has prepared traffic impact analysis to determine if additional traffic mitigation is required. Development Services and Engineering and Public Works has reviewed the above land use proposal for transportation and finds the added vehicle trips should not impact the local road network.

m. Fire Safety

It is anticipated the project would fire response from Stations 51 and 52 once constructed. The project includes building height greater than 35 feet. The Fire Marshal did not object to the proposed height but commented the development should incorporate fire apparatus access for a ladder truck during the SDAP review process. Also, the Fire Marshal recommended contacting Central Kitsap Fire District for voluntary fire impact fees levied by the District. The Kitsap Fire Marshall has reviewed to the proposal for consistency with fire and life safety requirements.

n. Solid Waste

Waste Management is the County's waste handler/hauler. The applicant has requested a written approval from Waste Management for the proposed locations of solid waste enclosures meet design and access standards. The request will document the frequency of service. All standards for solid waste and recycling will be met through the SDAP. The

applicant is proposing 10 solid waste/recycling enclosures for the multi-family residential use and one enclosure for the 6,000-sf commercial space.

The following is summary of the proposal for solid waste collection:

Apartment Building:

- One-tenth cubic yard of waste capacity per unit, per week
- One-tenth cubic yard of recycling capacity per unit, per week (Per KCC 9.48.040.2.D)

Total number of units = 570

- Estimated waste volume = 57 cu yd/week
- Estimated recycling volume = 57 cu yd/week

Proposed collection solution:

- Trash collection locations (10) collection locations are provided Each collection location can accommodate at least (2) 6 cu yd steel bins (one for waste, and one for recycling)
- Required number of bins for waste collection = $57/6 = 9.5$ bins (10 bins provided)
- Required number of bins for recycling collection = $57/6 = 9.5$ bins (10 bins provided)

Commercial Building (6,000 sf gross):

- Anticipated building use: retail/cafe
- Proposed collection solution: (1) collection location is provided Each collection location can accommodate at least (3) 6 cu yd bins and (1) 4 cu yd bin.

Staff Response: *The proposal is consistent with KCC 420.030 Design Standards for trash enclosures.*

o. Water/Sewer

West Sound Utility District provides potable water service, fire flow and sanitary sewer service for the multifamily project. The applicant has submitted binding letters of water and sewer availability to confirm service.

p. Kitsap Public Health District

The Kitsap Public Health District has reviewed the request and recommends preliminary approval. The District has determined that a Sewered Building Clearance will be required prior to building permit issuance.

Waste Site: A historical dump site on lots 082501-4-025-2001 and 082501-4-026-2001, which falls under the jurisdiction of Department of Ecology. The site is located west of Random Place NW and north of Brian Lane NW were previously occupied by single - family homes and have been identified as having hazardous waste, which have been in

the process of active remediation since the 1990's through the Department of Ecology Voluntary Cleanup Program. The site was tested for possible Arsenic and heavy metal contamination. The site is referred to as the Seitz property site (FSID 6865393). The developer/owner has agreed to work with the Ecology to characterize and clean up the contamination (*See Remedial Investigation Report provided by Krazan and Associates, Inc. dated October 19, 2021*). Based recent groundwater testing, the site will officially be deemed cleaned up. The subject property will receive a "No Further Action" designation and be officially removed from the State Hazardous Site List by February of 2023. The property is classified as CARA-II Critical Aquifer Recharge Area and the project site will be adjacent to a new well site for the Silverdale Water District. The District was contacted and did not have concerns regarding site cleanup efforts.

q. Recreation Facilities

The applicant states that the project 16,651sf of active recreation area and includes areas defined consistent with definition KCC 17.110.647 Recreation facilities. The project includes recreation facilities such as a picnic area, club house, outside pool area, and outdoor play area. The project includes approximately 5.22 acres of open space, which most of it could be considered passive open space for recreational use.

11. Review Authority

The Director has review authority for this Administrative Conditional Use Permit application under KCC, Sections 17.540.020 and 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny an Administrative Conditional Use Permit.

12. Findings

1. The proposal is consistent with the Comprehensive Plan.

Applicant Response: The proposed use is allowed under the comprehensive plan designation (commercial) which implies there is a need for the proposed housing in an apartment setting. The proposal includes connectivity and accessibility to Clear Creek Road, addition of Greaves Way Connector and conforms to the landscaping design standards of Kitsap County design standards.

Staff Comment: *The proposed use is consistent with the Comprehensive Plan, providing multi-family development in the Commercial zone.*

2. The proposal complies or will comply with requirements of KCC Title 17 and complies with or will comply with all the other applicable provisions of Kitsap County Code and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.

Staff Comment: *The project complies with required development standards per Title*

17 Zoning and other applicable development regulations in KCC Titles 11, Road Standards, 12 Stormwater Drainage, Title 19 Critical Areas Ordinance, etc.

3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.

Applicant Response: The proposed use is permitted and consistent with abutting parcels to the South. Required setbacks are observed for residential neighborhoods on the west and north. The appearance is similar to neighboring high density residential and commercial development along Clear Creek road to the south and the Silverdale vicinity, therefore compatible with existing and proposed development in the vicinity.

Staff Comment: *The proposed multi-family project is permissible and should not create adverse impacts on the surrounding zones.*

4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

Applicant Response: The project is designed with landscaping, fencing, building orientation, and connectivity towards the Clear Creek road and Greaves Way connector and the adjoining Silverdale community. The building and site are designed to meet the designed standards of Kitsap County commercial zone and Waaga Way Town Center design district of the Silverdale UGA.

Staff Comment: *The preliminary design of buildings incorporates physical characteristics such as modulation of walls, roof and fenestration to reduce building mass and help promote pedestrian scale.*

13. Decision

Based upon the analysis above and the decision criteria found in KCC 17.540.040.A, the Department of Community Development recommends that the Administrative Conditional Use Permit request for JSP Mixed-use Project Name be **approved**, subject to the following conditions:

a. Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. Landscaping shall be installed and maintained in conformance with the requirements of KCC 17.500. Landscaping shall be installed and inspected prior to

requesting a final inspection or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.

3. The applicant shall submit a vegetation management plan to control invasive species, as identified by the State and Kitsap County Weed Board until the site is built-out and landscaping is established.
4. Artificial outdoor lighting shall be arranged so that the lighting is fully recessed or fully shielded from side view and directed downward and away from surrounding properties. No more than one foot-candle of illumination shall leave the property boundary. Lighting shall be the minimum necessary for safety purposes and be compatible with the rural character of the area. Light standards (poles) shall not exceed 20 feet in height.
5. Any and all signage design and location (including exempt signs) shall comply with KCC 17.510 and be reviewed and approved by DCD prior to installation. Signage may require a separate permit.
6. The recipient of any administrative conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of an agreement to abide by the terms and conditions of the administrative conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared and recorded by the Department at the applicant's expense.
7. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the KCC. Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
5. The decision set forth herein is based upon representations made and exhibits contained in the project application (insert #). Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
8. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement

of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

9. This Administrative Conditional Use Permit approval shall automatically become void if no development permit application is accepted as complete by DCD within four years of the Notice of Decision date or the resolution of any appeals.
10. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.

b. Development Engineering

GENERAL

11. Construction plans and profiles for all roads, storm drainage facilities and appurtenances prepared by the developer's engineer shall be submitted to Kitsap County for review and acceptance. No construction shall be started prior to said plan acceptance.

STORMWATER

12. The information provided demonstrates this proposal is a Large Project as defined in Kitsap County Code Title 12, and as such will require a Full Drainage Site Development Activity Permit (SDAP) from Development Services and Engineering.
13. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Administrative Conditional Use Permit application was deemed complete, March 26, 2021. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of SDAP application.
14. Should the proponent propose phasing of the project, a phasing plan shall be submitted to Development Services and Engineering for review and approval. The phasing plan shall, as a minimum, address the following items:
 - a. Timetables indicating the anticipated time between initial site grubbing/grading activity and the completion of construction, including site stabilization of that specific phase.
 - b. The extent of drainage improvements to be installed during the various phases.

15. Any project that includes offsite improvements that create additional impervious surface such as lane widening, sidewalk or shoulder installation or intersection channelization shall provide stormwater mitigation in accordance with Kitsap County Code Title 12 effective at the time the Administrative Conditional Use Permit application was deemed complete, March 26, 2021.
16. The Washington State Department of Fish and Wildlife may require a Hydraulic Project Approval for the work required at the proposed outfall.
17. The project proponent shall be responsible for installing any necessary off-site downstream drainage improvement on Clear Creek Road. Procurement of any permits or easements necessary to install off-site improvements shall be the responsibility of the project proponent.
18. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at:
<http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Josh Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior to issuance of the SDAP.
19. The Washington State Department of Ecology (Ecology) may require registration of the infiltration trench as an Underground Injection Control (UIC) well in accordance with the Underground Injection Control Program (Chapter 173-218 WAC). The applicant shall contact Ecology to determine if the facility is regulated under the UIC program.
20. The application indicates that a significant quantity of grading material will be exported from the site. Prior to issuing the SDAP an approved fill site(s) must be identified.
21. Any fill site receiving 150 cubic yards or more of material must obtain an SDAP.
22. Fill sites receiving 5,000 cubic yards or more, or located within a critical area, must have an engineered SDAP.
23. For any fill site receiving less than 150 cubic yards, the SDAP holder shall submit to Kitsap County Department of Community Development load slips indicating the location of the receiving site and the quantity of material received by said site.
24. The application indicates that a significant quantity of grading material will be imported to/exported from the site. Typically, this means five or more trucks

entering/leaving the site per hour. Because of this a vehicle wheel wash must be included as an element of the siltation erosion control plan.

25. The design of the infiltration facilities shall be accordance with Vol. II, Chapter 5 of the Kitsap County Stormwater Design Manual.
26. The infiltration facilities shall remain offline until the drainage areas are stabilized, and the water quality treatment facility is adequately established. Temporary erosion and sedimentation ponds shall not be located over infiltration facilities. In addition, retention ponds shall not be utilized as temporary erosion and sedimentation control ponds.
27. During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection to verify that the facilities are installed in accordance with the design documents and that actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to Development Services and Engineering.
28. This project includes the construction of a detention vault, which requires a building permit issued by the Department of Community Development. A Structural Engineer, registered in the State of Washington, shall prepare the construction drawings. In addition, a geotechnical engineering analysis of the vault design is required. That analysis will be prepared by a Civil Engineer licensed in the State of Washington, knowledgeable in the practice of soils engineering and mechanics. The analysis will address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities will be designed following the recommendations of the geotechnical analysis.
29. All publicly maintained drainage systems outside public dedicated right of way shall be located either in a tract dedicated to Kitsap County or in an easement, granted to Kitsap County, for ingress, egress, operations and maintenance of the stormwater facilities contained therein.
30. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of Occupancy Permits for this development, the person or persons holding title to the subject property for which the storm drainage facilities were required shall record a Declaration of Covenant that guarantees the County that the system will be properly maintained. Wording must be included in the covenant that will allow the County to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving

him a reasonable time to do the necessary work. Should County forces be required to do the work, the owner will be billed the maximum amount allowed by law.

31. If the project proposal is modified from that shown on the submitted site plan accepted for review February 3, 2022, Development Services and Engineering will require additional review and potentially new conditions.

c. Environmental

32. The project has been reviewed and will be conditioned for environmental impacts per Kitsap County Code Title 19 and will be conditioned for Wetland Mitigation per Kitsap County Code Title 19. This includes but is not limited to the Wetland Report by Ecological Resources and BGE reports, Environmental, dated November 16, 2020 and December 11, 2003 respectively.

d. Traffic and Roads

33. Submit an Application for Concurrency Test (KCPW Form 1601) as required by Chapter 20.04.030, Transportation Concurrency, of the Kitsap County Code. The KCPW 1601 form reserves road capacity for the project.
34. Public roads shall not exceed 12% grade or less depending on the road classification per Kitsap County Road Standards.
35. All traffic control devices on public and private roads shall comply with the Manual on Uniform Traffic Control Devices as amended by the Washington Administrative Code. This is in accordance with 23 Code of Federal Regulations (CFR), Part 655.
36. All rights of access for adjoining properties currently in existence shall be preserved. Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to SDAP approval.
37. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
38. The property owners shall be responsible for maintenance of all landscaping within the existing and proposed right-of-way including any structures other than roadway, storm drainage facilities, and traffic signage. Maintenance shall include, but not be limited to, mowing of lawn areas. A note to this effect shall appear on the face of the final plat map and the accepted construction plans. In addition, Development Services and Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
39. Roadway illumination shall be provided along Greaves Way Connector.

40. Full width 10-foot shared use trail on both sides of Greaves Connector shall be continued thru driveways.
41. South access on Clear Creek shall be right-out only. Provide intersection line of sight for Clear Creek access points and Connector Road access points.
42. Site access to Clear Creek shall be designed per KCRS Figure 4-4.
43. Developer shall pay proportionate share towards Greaves Way/Old Frontier Roundabout project. Contribution shall be based on total entering intersection site traffic to total entering traffic at time of project buildout.
44. Submit plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Existing approaches may need to be improved to meet current standards.
45. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
46. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of Road A and Clear Creek Road. Such certification shall note the minimum required sight distance, the actual sight distance provided, and a sight distance diagram showing the intersection geometry drawn to scale, topographic and landscaping features, and the sight triangle. The sight distance shall meet the requirements of the Kitsap County Road Standards. The certification shall also note necessary measures to correct and maintain the minimum sight triangle.
47. All work, equipment and materials for traffic signal and street lighting installations shall meet and be in compliance with all requirements of the Kitsap County Road Standards, Project Contract Provisions of Plans and Specifications accepted for construction by Kitsap County, Manual on Uniform Traffic Control Devices (MUTCD), National Electrical Manufacturer's Association (NEMA), National Electrical Code (NEC), Washington State Department of Transportation (WSDOT) Standard Specifications and Standard Plans, and the Occupational Safety and Health Administration (OSHA).
48. Parking markings shall be per MUTCD Figure 2B-21(middle example). Maintenance of markings shall be the responsibility of property owners.

e. Wastewater

- 49. Kitsap County sanitary sewer is available for the project. Applicant needs to submit a complete set of sewer plans, profiles, and specifications designed in accordance with Kitsap County Public Works - Sewer Utility Division Standards and Regulations.
- 50. Kitsap County sanitary sewer is available for the project. Applicant needs to submit an "Application to Construct Sanitary Sewer" to KCPW Sewer Utility Division.
- 51. Sewer Availability Agreement account(s) must be kept current and in good standing.

f. Fire Safety

- 52. Fire flow is NOT approved with this permit. Fire flow will be calculated with total building square footage and type of construction at SDAP.
- 53. Hydrant location and fire department connection locations are NOT approved with this permit and will be reviewed at SDAP.
- 54. Automatic fire sprinklers will be required for this project. A fire alarm shall be installed to monitor the fire sprinkler system. Separate permits are required.
- 55. Piping for the underground portion of the fire sprinkler has not been reviewed and is not approved on this application. A separate fire code permit shall be submitted.
- 56. Where hydrants supply commercial or multi-family fire flows, a hydrant shall be placed between fifty (50) feet and one hundred fifty (150) feet from the protected building.
- 57. For buildings with automatic sprinkler systems, one on-site hydrant should be located within approximately 50 feet of the fire department connection(s)
- 58. Water line size and location, fire hydrants, fire department connections, and externally accessed riser rooms must be shown on SDAP plans. A letter of water availability indicating available fire flow from the water purveyor is required to be submitted to the Kitsap County Fire Marshal's office prior to the approval of any building permits.
- 59. A 20-foot unobstructed access road is required for dwellings here and after constructed on lots created by this land division. IFC 503 Amended by Kitsap County Code
- 60. Fire apparatus access roads are required and must be maintained in accordance with IFC 503 Amended by Kitsap County Code. Any proposed revision to these roads must

be submitted to, reviewed and approved by the Kitsap County Fire Marshal's Office. Access roads shall comply with the following:

- a. Unobstructed width of 20 feet and height of 13 feet 6 inches.
- b. Shall be designed and maintained to support a 60,000-pound fire apparatus and be provided with an all-weather driving surface.
- c. Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround.
- d. Inside turning radius shall be a minimum of 35 feet.
- e. Access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of the structure as measured by an approved route around the exterior of the structure or facility.
- f. Road shall not be more than 12% grade.

61. Based the proposed height, the applicant is required to comply with the Central Kitsap Fire District voluntary height mitigation impact fees for building over three stories.

62. Through the Site Development Activity Permit review process provide enhanced access for Fire District ladder trucks emergency site access.

g. Solid Waste

63. Prior to SDAP approval, applicant shall provide documentation from the solid waste/recycling service provider that their requirements for this project have been met. Waste Management Northwest can be reached at pnwcmsservices@wm.com or 1-800-592-9995; their website is <http://wmnorthwest.com/kitsap/index.html> .

64. The SDAP submittal shall show solid waste dumpster locations, method for securing the enclosure gates in an open position and pad sizes on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans. Provided area must accommodate a minimum 6-yard dumpster.

65. The SDAP submittal shall show that at least 150 square feet of exterior recyclable materials storage space for the project. Describe collection containers and show their locations, method for securing the enclosure gates in an open position and pad dimensions on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans.

66. If using a compactor, liquid wastes generated as a result of compaction must not discharge into the stormwater system per BKCBH Ordinance No. 1996-11, Section IV.2.a.

h. Kitsap Public Health District

67. Prior to final project approval the applicant shall submit to the County a copy of the letter of No Further Action from Washington Department of Ecology and can be certified as consistent with the State Voluntary Cleanup Program requirements.

Other Conditions

70. This project includes the construction of rock walls or other retaining facilities that either exceed four feet in height or sustain a surcharge. A separate building permit with an engineered design is required for such walls. This note shall be placed on the face of the final construction drawings.

71. Rock and retaining walls shall meet all applicable setback requirements of Vol. II, Chapter 9 of the Kitsap County Stormwater Drainage Manual.

72. A Hydraulic Project Approval (HPA) may be required. Prior to SDAP approval, the applicant shall submit an approved HPA from the Washington State Department of Fish and Wildlife (WDFW) or documentation from WDFW specifying that an HPA is not required.

Report prepared by:



Jeff N. Smith, Staff Planner / Project Lead

08/02/2022

Date

Report approved by:



Scott Diener, Department Manager / Supervisor

08/04/2022

Date

Attachments:

Attachment A – Project Site Plan

Attachment B – Environmental Map – BGE

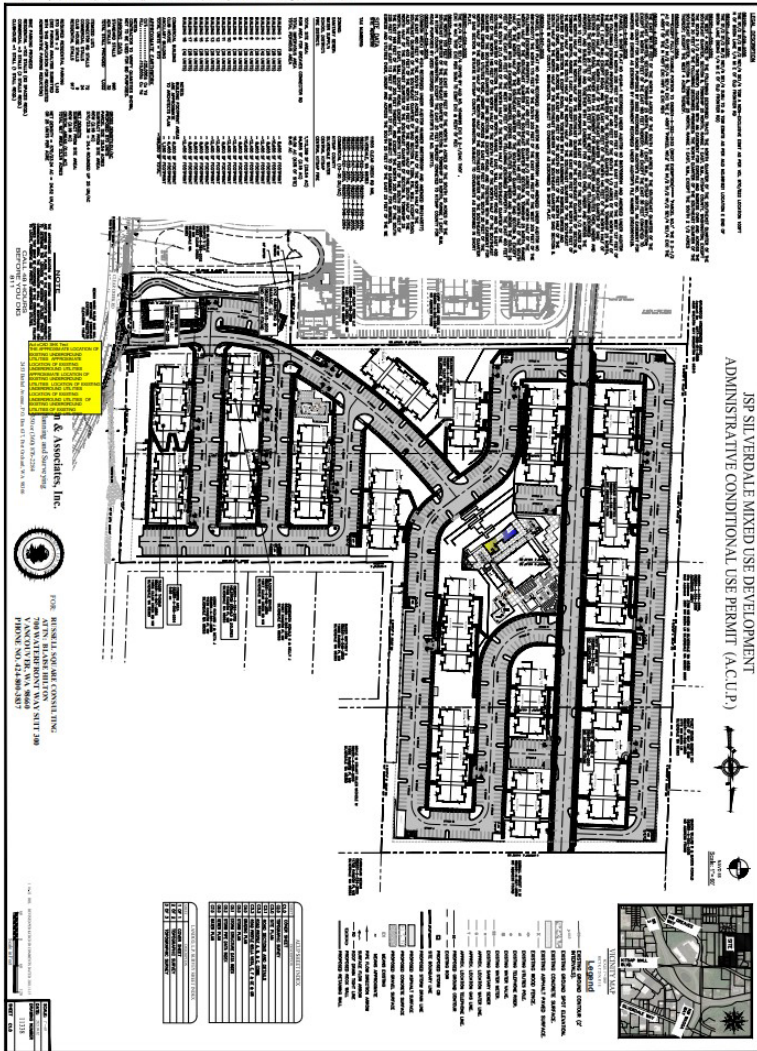
Attachment C—Building Architectural Elevations

Attachment D – Clean Up Site Plan

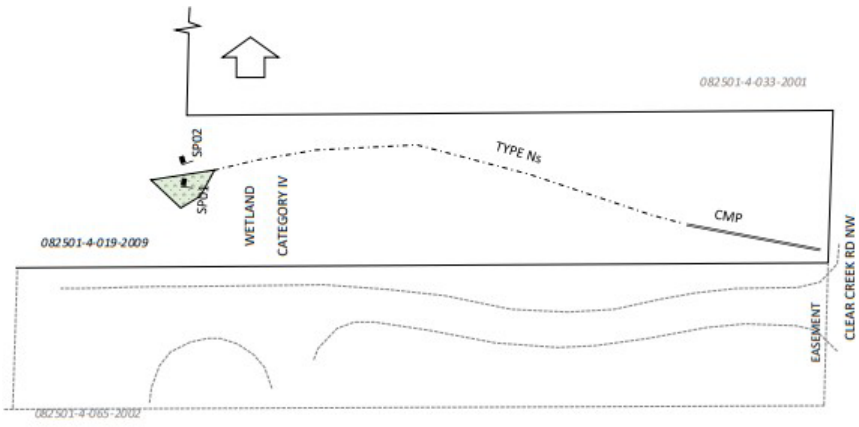
Attachment E – Zoning Map

CC: John Weatherly,
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Edward Coviello, EdwardC@KitsapTransit.com
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Jeff Smith

Site Plan - Attachment A



Attachment B – Environmental Map, BGE



DELINEATION

Attachment C – Building Architectural Elevations

APARTMENT BUILDING TYPE A1.1
EXTERIOR ELEVATIONS

