



Staff Report and Administrative Decision

Report Date: September 29, 2017

Application Complete Date: January 11, 2017 Application Submittal Date: January 11, 2017

To: Applicant/Owner:

Central Kitsap School District
Doug Newell, dougn@ckschools.org
Robin Shoemaker, robinsh@ckschools.org

Representative:

Richard Pickering,
Rice Fergus Architects, rpickering@rfmarch.com

Interested Parties and Parties of Record: None?

RE: Permit Number: 17 00129
Project Name: Barker Creek Community School
Type of Application: Administrative Conditional Use Permit

Decision Summary:

Type-II Decision, subject to conditions of approval

THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS APPEALED TO THE KITSAP COUNTY HEARING EXAMINER ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <http://www.kitsapgov.com/dcd/forms/DocumentLibrary/applications/Appeals.pdf>.

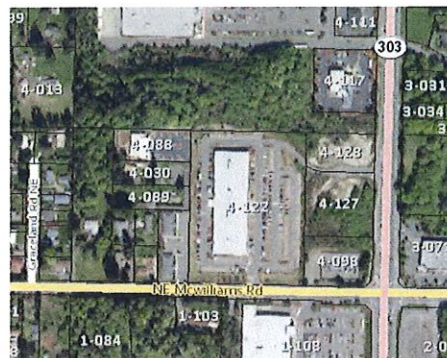
Project Request:

The proposal is to convert an existing 60,000 square-foot building to a Central Kitsap School District community school and District administrative offices. The school facility will include programs for students and families for Kindergarten thru 12th grade partnership program. The programs include a K-12 online academy and a classroom-based instruction program for grades 9-12. The proposed school will not change existing accesses, and will include the use of existing off-street parking, stormwater detention system, and landscaping. The proposed tenant improvement included the conversion of 30,000 square feet to an educational land use (20,000 square feet educational and 10,000 square foot office support). The interior remodel involves updating break rooms, lunch service, adding a restroom, interior non-load bearing walls, and workstations. The school and administrative offices will operate from 7:30 am to 4:30 pm Monday thru Friday and includes bus service.

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Project Location:

1400 NE McWilliams Road
Bremerton, WA 98311
within the Central Kitsap County



Assessor's Account #:

262501-4-122-2001

Applicant/Owner of Record:

Central Kitsap School District
9210 Silverdale Way NW
Silverdale, WA 98383

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 dated February 9, 2017. A Mitigated Determination of Nonsignificance (MDNS) was issued on September 7, 2017. SEPA noted the following information/SEPA mitigation conditions have been imposed and are listed under conditions 13 at the end of this report:

COMMENTS:

The SEPA comment period previously occurred concurrent with the Notice of Application dated February 9, 2017. There were no public comments received.

CONDITIONS AND PROJECT MITIGATION:

1. The application has been reviewed and will be conditioned to follow stormwater control pursuant to KCC Title 12 (Stormwater Control).
2. The Kitsap County Comprehensive Plan (revised in June of 2016) requires concurrence

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with the Transportation Element. The application has been reviewed for consistency with these elements, and requires the following, per the August 2017 Development Engineering staff and Kitsap County Public Works memorandum:

TRAFFIC AND RIGHT OF WAY MITIGATION:

The conditions, as listed below, are required pursuant to SEPA Substantive Authority (KCC 19.04.200.D):

1. Pedestrian access shall be constructed from State Highway 303, along the existing access easement, to the existing pedestrian facilities at the building. Review and construction of this pedestrian access shall be completed via the associated Tenant Improvement permit #17 00806.
2. Curb ramps at NE McWilliams Road and SR 303 accesses shall be improved to meet current ADA standards. See WSDOT Standard Plans F-40.16-03 for single direction curb ramps. This work requires a permit to work in the right of way through Kitsap County Public Works.
3. Pedestrian access shall be provided through one of the following methods:
 - a. Frontage improvements, consisting of vertical curb, gutter and sidewalk shall be constructed along McWilliams Road from the existing approach on McWilliams Road, easterly to the intersection of McWilliams Road and State Highway 303, or:
 - b. An alternative pedestrian path design that is subject to approval of the Department of Community Development and Public Works.

The SEPA appeal period expired September 21, 2017. No appeals were filed; therefore, the SEPA determination is final.

Physical Characteristics:

The subject property is rectangle shaped, gently slopes from the west to the east and is 6.90 acres (300,564 square feet) in size. The building site is located near the northwest corner of the intersection of State Highway 303 and NE McWilliams Road. The existing property includes an existing 60,000 square foot building, 480 off-street parking spaces, storm drainage facilities, driveway approaches, and landscaping constructed in 2001 for the call center.

Comprehensive Plan Designation and Zoning:

The property has an existing comprehensive plan designation and zoning of Commercial within Central Kitsap County Urban Growth Area. The intent of the zone is for commercial establishments, which serve the shopping, and service needs for large sections of the county and provides visitors services and accommodations for both destination and in route travelers.

Base/Maximum Density: 10 to 30 dwelling unit per acre

Minimum Lot Area	N/A
Minimum Lot Width	N/A
Minimum Lot Depth	N/A
Maximum Height	35 feet

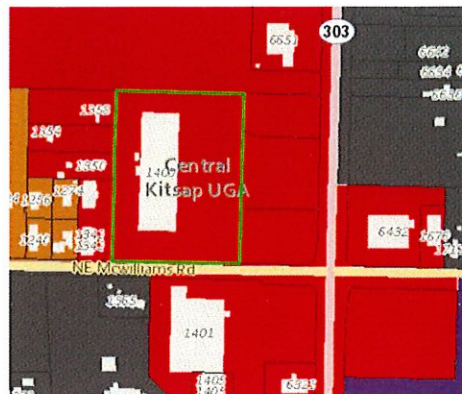
Standard Commercial Code Zoning Setbacks

Front	20 feet
Side	10 feet
Rear	10 feet

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Surrounding Land Use and Zoning:

The surrounding lots are zoned Commercial. The commercial property to the west contains a professional office complex, Wal-Mart owns the property to the north, and the properties to the east contain a vacant parcel, and a Puget Sound Energy substation.



Public Utilities and Services:

Water: North Perry Road Water District
Power: Puget Sound Energy
Sewer: Kitsap County Public Works
Police: Kitsap County Sheriff
Fire: Central Kitsap Fire and Rescue No. 1
Schools: Central Kitsap School District #401

Access:

The property has two access points, one driveway approach is located on the west side of State Highway 303 that is designated as a principal arterial and the other access is on the south side along SE McWilliams Road, which is designated as a minor arterial.

Policies and Regulations Applicable to the Subject Proposal:

The Growth Management Act (GMA) of the State of Washington, Revised Code 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

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

Land Use Element

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.

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Land Use Policy 17

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

Transportation Element

Transportation Goal 1

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

Transportation Policy 1

Coordinate a “safe routes to school” program with local school districts and prioritize non-motorized improvements and connectivity around schools.

Staff Comment: Consistent with the policy above, staff conditioned the project to ensure there were safe walking conditions from the Community School to State Highway 303 and shall completing the pedestrian connection along NE McWilliams Road.

Transportation Policy 3

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

Goal 9

Develop a system of non-motorized transportation facilities that are constructed primarily within the right-of-way of existing and proposed public streets or roads.

Transportation Policy 36

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

Kitsap County Code (KCC)

- Title 11 Road Standards
- Title 12 Storm Water Drainage
- 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

Background

The County approved the property for the McWilliams Retail Plaza that included a major retail store and two detached retail buildings for a gross area of 75,175 square feet in June of 1996. The project was revised on September 24, 1998 (File 99 1671), for a multiplex theater and two detached buildings for a total of 55,862 square feet. Later a 60,000-square foot Nextel call center was proposed and built, and associated off street parking, storm drainage facilities, and landscaping was constructed. The building is a one-story tilt-up concrete box on slab. The building has had minor interior work but no exterior work since its original construction. A small accessory structure used as employee smoking lounge was added to the east side of the property in 2004. The applicant is not proposing an increase to the footprint and height of the building. The proposal was not to change vehicular or pedestrian access to the site. There are six existing fire hydrants equally distributed around

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the perimeter of the project site. The existing landscaping was maintained and irrigated prior to the school District purchasing the property. The estimated average daily trips are 113 for employees, 40 trips for students, twice daily, totaling 153 trips and 7 buses twice daily. The school will occupy more than half the building. The remaining area will include District teaching and learning staff and associated training rooms.

Documents Consulted in the Analysis:

Applicant submittals:

<u>Document</u>	<u>Dated or date stamped</u>
Health District Review	February 2, 2017
Administrative Conditional Use Permit	January 11, 2017
Site Plan	April 24, 2017
Revised Site Plan	August 3, 2017

Staff communication:

<u>Document</u>	<u>Dated or date stamped</u>
Fire Marshall	January 24, 2017
Public Works Non-Motorized	August 2, 2017
Engineering	August 3, 2017
SEPA	September 7, 2017

Public Comments:

Pursuant to KCC Title 21, Land Use, and Development Procedures, the Department gave proper public notice for the Administrative Conditional Use Permit. The Department has not received written comments on the proposal. The District received comments from Puget Sound Energy related to sidewalk construction on McWilliams Road.

Land Use and Zoning Analysis:

Access, Roads and Traffic

Adequate access exists with an easement running east intersecting with State Highway 303, and via a direct access drive from NE McWilliams Road from the south.

Storm Drainage

The storm system is constructed and approved for stormwater to be routed from catch basins to a detention vault located underneath the off-street parking area. The storm drainage is then discharged to a designated bioswale for water quality treatment. Stormwater leaves the site and enters the Washington State Department of Transportation storm drainage system adjacent to the highway.

Kitsap Public Health District

The Kitsap Public Health District reviewed the project documents. The project will be served with potable water and sanitary sewer service and is consistent with state air quality standards for public health. The District does not have comments at this time.

Land Use and Zoning

KCC 17.420.030 Design Standards: The proposed school was reviewed through the following requirements, pursuant to KCC 17.420.030 Design Standards. Staff comments are in italics.

Building Height, Buffering, and Screening Modification: The director may increase or decrease

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landscaping, screening and setbacks to minimize conflicts.

Staff Comment: The County previously reviewed the development through land use regulations for compatibility when the property was zoned Highway-Tourist Commercial. Except for off-street parking, all school activities will occur within the building and not create additional impacts.

Exterior Lighting

If artificial outdoor lighting is necessary, the lighting should be arranged so that light is fully shielded from the side view, directed downward, and away from adjacent residential properties.

Staff Comment: Projects are required to comply with KCC Section KCC 17.105.110 Obnoxious Things. Not more than one-foot candle of light can leave the property line. The existing building, off-street parking, and lighting should already comply.

Screening of equipment, storage, and refuse areas

1. The roof-mounted HVAC equipment shall not be visible from abutting lots or roadways.

Staff Comment: The HVAC equipment located on the roof or refuse areas will not be visible from the surrounding roadways and from the adjacent the Urban Medium Residential zone.

2. Locate service areas, outdoor storage areas, and intrusive features away from neighboring properties.

Staff Comment: All activities will occur within the interior of the community school building and is consistent with the requirement above.

3. The project is required to comply with all county solid waste standards and provide concurrence from Waste Management as part of the Building Permit review process.

Staff Comment: The County reviewed the development proposal and verified that solid waste or recycling needs are addressed through the Building Permit.

Access and Circulation

4. Safe pedestrian access and handicap access shall be required on-site from public rights-of-way to minimize pedestrian and vehicular conflicts.

Applicant: During land use review, the school principal estimated that less than 20 students would use the existing sidewalks. The applicant's original request was for no changes for vehicular and pedestrian access to the site. Primary access is from McWilliams Road and secondary access is from SR-303.

Staff Comment: As a condition of the tenant improvement, the site plan was required to show pedestrian circulation around the majority of the building. Consistent with the County's safe routes to school policy, the applicant agreed to construct the remaining portion of the sidewalk along the north side of the driveway from State Highway 303 to the school. The intent is to use the driveway and discourage students from making dangerous mid-block crossings on NE McWilliams Road to the Safeway complex. An approximate 150-foot gap

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exists in the sidewalk along NE McWilliams Road due to Puget Sound Energy equipment. The condition is to work with Puget Sound Energy and Kitsap Public Works to improve the pedestrian connection along NE McWilliams Road between the school and State Highway 303.

5. Development is limited to one ingress /egress per 300 lineal feet along a public arterial. Small parcels that provide less than 200 feet of road frontage shall be limited to one parking lane and exit.

Staff Comment: *The existing development has established ingress and egress points on NE McWilliams Road and SR-303 approved during the previous land use approval for the McWilliams Retail Mall.*

6. Signs permitted according to KCC Chapter 17.510.

The applicant is required to apply for sign permits in accordance KCC Section 17.510 Signs.

Staff Comment: *Any new signs for the school shall not affect the sight distance and shall be consistent with the residential character for size, scale, and lighting.*

7. Off-street parking and loading per KCC Chapter 17.490.

The project is required to provide adequate off-street parking consistent with the standards in KCC Chapter 17.490 Off-street Parking and Loading. Pursuant to KCC 17.490.030 Numbered of required spaces, the ratio is 1-space per teacher and 1-space per ten students.

Applicant: The building will serve up to 250 students and employ 113 people (30 school employees and 83 administrative staff members served by 7 buses and 40 vehicle trips. The project includes 480 existing off-street parking. The analysis was based on 40,000 square feet of business use and 20,000 square feet of the educational use. A traffic survey was prepared in 2001 based on the previous more intensive land use requiring a secondary access. The number of proposed trips a day are significantly less than the previous land use.

Staff Comments: *The school will not operate similar to a traditional school. When parking for the Community technical school was calculated based on professional office, 10 accessible parking spaces, and 248 spaces are required; 480 are provided. The project is consistent with KCC Chapter 17.490 Off-Street Parking and Loading standards.*

8. Landscaping provided per KCC Chapter 17.500.

Kitsap County Code requires that a minimum of 15% of the total site area be landscaped to the standards in the titled section.

Applicant: Approximately 38% of the existing site is landscaped and includes irrigation system. The existing landscape islands have been mowed, trimmed, and pruned. The remainder of the site is either paved, or covered by the footprint of the existing structure.

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Staff Comment: The project site was landscaped per an earlier Kitsap County Code, which is generally consistent with current code. The preliminary site plan and landscaping complies with the intent of 17.500 Landscaping.

Setbacks

The School District's request does not include the expansion of the building footprint, or the off-street parking. The school will occupy an existing building and utilize existing off-street parking within the required setbacks as originally approved by the County.

Findings:

The department has reviewed the Administrative Conditional Use Permit application for the Barker Creek Community School against the requirements in KCC 17.420.030 Design Standards and satisfies the criteria set forth in KCC 17.540.040(A). Findings on each criterion are hereby made as follows:

1. As found above, the proposal is consistent with the Commercial designation of the Kitsap County Comprehensive Plan.

Staff Comments: Consistent with the Kitsap County Comprehensive Plan, the County conditioned the project to address safe routes to the school. The District installed a sidewalk along the north side of the driveway for pedestrian access to the school. The District is conditioned install sidewalk along McWilliams Road or an equivalent (separated path), approved by the County to address pedestrian safety

2. The proposal complies with applicable requirements for the commercial use set forth in Title 17 Kitsap County Code, assuming compliance with conditions of approval.
3. The proposal in the Commercial zone will not be materially detrimental to existing or future uses or property in the immediate vicinity; and
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.

Staff Comment: As proposed, the project will be compatible with the Commercial zoning, and physical characteristics of the development site.

Administrative Decision:

Based upon the above findings, for the Barker Creek Community School, the Department of Community Development hereby approves the Administrative Conditional Use Permit, subject to the following 23 conditions of approval:

Planning/Zoning

1. Landscaping shall be maintained in conformance with the requirements of Kitsap County Code (KCC) 17.500.
2. All signage design and locations (including exempt signs) shall comply with KCC 17.510, and be reviewed and approved by the Department of Community Development prior to

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installation. Signage will require a separate permit.

3. Land use approval is limited to the uses proposed by the applicant on the approved site plan and the SEPA Environmental Checklist. Any modifications or expansion of the project will be subject to further review pursuant to the requirements of the appropriate sections of the Kitsap County Code.
4. This Administrative Conditional Use Permit approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within three years of the Notice of Decision date or the resolution of any appeals.
5. 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.
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 by the Department and recorded at the applicant's expense. The applicant shall provide recorded copies of the Binder to the Department immediately after recording. The Binder shall be recorded within 30 days of notification from the Department that the Binder is ready to be recorded.

Health

7. The applicant shall comply with all applicable health requirements by the Kitsap Public Health District.

Fire

8. The applicant shall comply with all applicable fire safety requirements by the Kitsap County Fire Marshal's Office.

Development Services and Engineering

9. Development Services and Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. These comments are based on a review of the Administrative Conditional Use Permit application materials stamped received January 11, 2017 by Kitsap County Development Services and Engineering.
10. Development Services and Engineering accepts the concepts contained in this preliminary

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submittal and requires the following conditions as an element of the land use approval:

Stormwater

11. The owner shall be responsible for maintenance of the storm drainage facilities for this development. Before issuance of Occupancy Permits, the person or persons holding title to the subject property 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.
12. Provide documentation that the existing stormwater management facility has been adequately maintained.
13. If the project proposal is modified from that shown on the submitted site plan dated January 11, 2017, Development Services and Engineering will require additional review and potentially new conditions.

Traffic

14. With the required Tenant Improvement permit, 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.
15. Pedestrian access shall be constructed from State Highway 303, along the existing access easement, to the existing pedestrian facilities at the building. Review and construction of this pedestrian access shall be done via the associated Tenant Improvement permit #17 00806.
16. Curb ramps at NE McWilliams Road and SR 303 accesses shall be improved to meet current ADA standards. See WSDOT Standard Plans F-40.16-03 for single direction curb ramps. This work requires a permit to work in the County right-of-way through Kitsap County Public Works Department.
17. The existing road approach at NE McWilliams Road shall meet KCRS Figure 4-3. Minimum face of curb line radii shall be 35 feet.
18. Pedestrian access shall be provided through one of the following methods:
 - a. Frontage improvements, consisting of vertical curb, gutter and sidewalk shall be constructed along McWilliams Road from the existing approach on McWilliams Road, easterly to the intersection of McWilliams Road and State Hwy. 303; or,
 - b. An alternative pedestrian path design that is subject to approval of the Department of Community Development and Public Works.
19. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the building permit. The need for and scope of bonding will be determined at that time.

Wastewater

20. Kitsap County sanitary sewer currently serves the project parcel. The project will not have additional impacts on the sewer system.

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- 21. Kitsap County currently serves sanitary sewer service to the property. Any changes to the service will require approval from KCPW - Sewer Utility Division.
- 22. A gravity grease interceptor will be required if a commercial kitchen is installed with an automated dishwasher. The interceptor shall be sized using 2009 or newer Uniform Plumbing Code and approved by KCPW Sewer Utility Division prior to installation.

Solid Waste


- 23. Waste Management (360) 674-3166 shall be contacted for information on implementing the solid waste/recycling storage requirements influenced by the service provider for the project. With submittal of the required Tenant Improvement permit, documentation shall be provided from the solid waste/recycling service provider that their requirements for this project have been met.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.


The complete case file is available for review at the Department of Community Development (DCD); if you wish to view the case file or have other questions, please contact help@kitsap1.com or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.



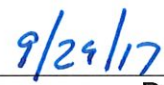
 Jeff Smith, Project Lead

 For

 Scott Diener, Development Services and
 Engineering Manager



 Date



 Date

CC: Interested Parties: NONE
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Jeff Smith
DCD File 17 00129
DCD Building Permit File 17 00806

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