



Staff Report and Administrative Decision

Report Date: May 18, 2017

Application Complete Date Feb. 15, 2017

Application Submittal Date: Feb. 15, 2017

To: Peter Braun, BM LLC, pbraun@orchard-foods.com |
Mark W. Eisses, PE patf@map-limited.com

Interested Parties and Parties of Record

RE: **Permit Number:** 17 00579

Project Name: Taco Bell St. Charles Retail Center - Admin CUP "Revision"

Type of Application: Type-II Administrative Decision

Decision Summary: The administrative approval of the St. Charles Retail Center Major Revision

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.

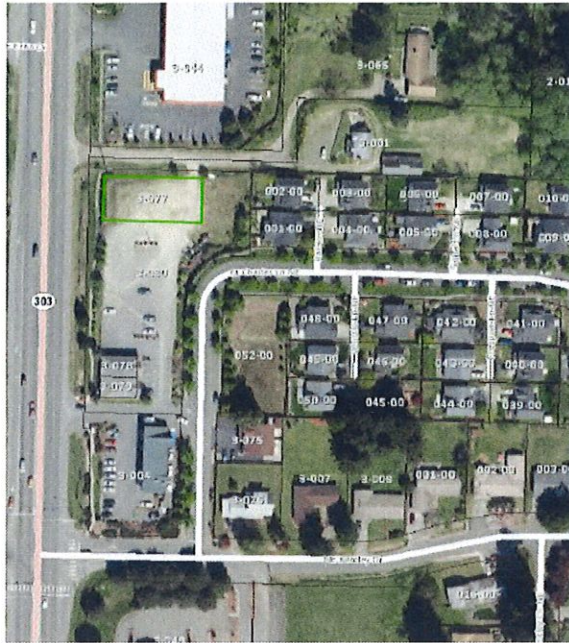
The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <http://www.kitsapgov.com/dcd/forms/DocumentLibrary/applications/Appeals.pdf>.

Project Request: The proposal is to develop the remaining Parcel A of the St. Charles Retail Center as a Taco Bell high turnover restaurant. The request is a major revision to the St. Charles Retail Hearing Examiner Site Plan Review, dated June 18, 2002. The applicant is incorporating noise mitigation throughout the building design and noise reduction features (i.e. sound barrier/fencing, landscape berm) to avoid impacts to the abutting the residential zone. Proposal also includes the review of other Type-II permits: 17 00580 Binding Site Plan Alteration and 17 00581 Site Development Activity Permit.

Project Location:

The subject property abuts State Highway 303 to the west and St. Charles Lane NE to the east. It is located approximately 160 feet north of NE Bentley Circle. The parcel is situated in Section-25, Township 25-North, and Range 1-East. The project is located in Commissioner District 3.

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Assessor's Account #:

252501-3-077-2009

252501-3-080-2004

Applicant/Owner of Record:

Peter Braun, BM LLC
109 Olding Road, Suite 200
Bremerton, WA 98312

Engineer/Representative:

Mark W. Eisses, PE
PO Box 720
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 27, 2017. A Determination of Nonsignificance (DNS) was issued on April 13, 2017. SEPA noted the following information/SEPA mitigation conditions have been imposed and are listed under

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conditions 2 at the end of this report:

The SEPA appeal period expired April 27, 2017. No appeals were filed; therefore, the SEPA determination is final.

COMMENTS:

The SEPA comment period occurred concurrent with the Notice of Application dated March 1, 2017 for the Administrative Conditional Use Permit (17 00579). The Department received comments from the Brownsville Station Community Association stating support for the revised project. Previous comments were received from neighbors and due to these comments. The project has revised the location of the drive-through and proposed new methods of screening. The adjacent neighbors are included in this noticing.

CONDITIONS:

The project revisions have been reviewed and will be conditioned to follow stormwater control pursuant to KCC Title 12.

PROJECT MITIGATION:

The Conditions, as listed below, are required pursuant to SEPA Substantive Authority (KCC 18.04.200.D):

1. Pursuant to section 18.04.200.D (6), and Referenced to KCC Title 17, and further analyzed under 17.105.110 Obnoxious Things.
In all zones, except as provided for elsewhere in this title, no use shall produce noise, smoke, dirt, dust, odor, vibration, heat, glare, toxic gas, or radiation which is materially deleterious to surrounding people, properties or uses. Lighting is to be directed away from adjoining properties. Not more than one-foot candle of illumination may leave the property boundaries.
KCC 17.500.027 B Screening Buffer
2. Required along the perimeters of multifamily residential (ten dwelling units an acre or more), commercial, and industrial/business center development abutting different uses and/or zones. The buffer shall provide sight-obscuring screening between different uses or zones and shall consist of:
 - a. Two offset rows of evergreen trees planted ten feet on center and ground cover; or
 - b. A six-foot screening fence and a single row of evergreen trees planted ten feet on center, and ground cover.

Physical Characteristics:

The subject property is 1.25 acres. It is relatively flat with a slight grade with stormwater draining from the east to the west. The property is currently occupied in the southern portion by a commercial building housing two fast food restaurants, Quizno's Subs and Taco del Mar. The northern portion of the property has been cleared and graded in preparation for the original Phase 2 of the St. Charles Retail project.

Comprehensive Plan Designation and Zoning:

The subject property has a comprehensive plan designation and a zoning of Commercial. The intent of the zone is to provide for commercial establishments that serve the shopping and service needs for large sections of the county and provides visitor services and accommodations for both destinations in-route travelers.

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The following are development standards:

Base/Maximum Density: 10 dwelling unit per acre
 Minimum Lot Area - N/A
 Minimum Lot Width - N/A
 Minimum Lot Depth - N/A
 Maximum Height = 45 feet

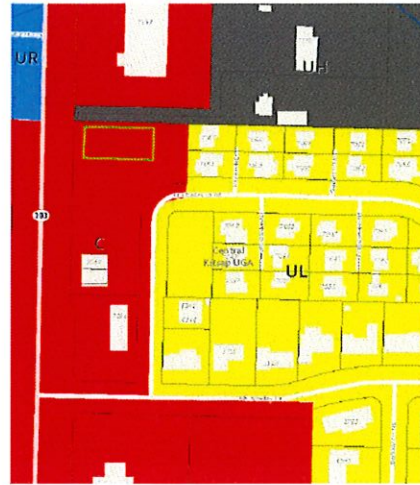
Standard Zoning Code Zoning Setbacks

Front = 20 feet

Side = 10 feet

Rear = 10 feet

(KCC 17.420.060 Footnotes #21 requires a 20-foot setback)



Surrounding Land Use and Zoning:

The surrounding zoning to the north, south, and west is Commercial and Urban Low Residential to the east. The property is located within the commercial corridor, which runs along State Highway 303, is surrounded on the north, south, and west by commercial establishments. Wal-Mart and several smaller businesses are located directly west across Highway 303. Brownsville Station, a residential subdivision is located to the east and Les Schwab Tire Center is located to the north of the subject property.

Public Utilities and Services:

Water: North Perry Water District
 Power: Puget Sound Energy
 Sewer: Kitsap County Public Works
 Police: Sheriff
 Fire: Central Kitsap Fire and Rescue, District #1
 Schools: Central Kitsap School District #401

Access:

The St. Charles Retail Center has multiple vehicular access points. The primary access is by a 30-foot shared access easement along the south property line that extends to Highway 303 and St. Charles Lane NE. Access to State Highway 303 is limited to the northbound lanes. Secondary access to the retail center is by a full movement intersection with a traffic signal at State Highway 303 and NE Bentley Drive. A new access easement along the north property line will provide another access point.

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

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development regulations have an opportunity to help shape the Comprehensive Plan that is then used to prepare development regulations.

General Land Use Goals and Policies

Kitsap County Comprehensive Plan, Adopted June 30, 2016

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

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 Goal 3.

Support more dense residential areas with access to transportation, urban amenities, goods and services, physical activity and healthy foods.

Land Use Policy 17

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

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

Kitsap County Code (KCC)

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

Michael Brown, FPH LLC. received land use approval by the Hearing Examiner on the property through a Site Plan Review on July 2, 2002 (File # 020523-011). The request was to construct an 8,040-square foot automotive transmission/engine repair building and 2,800 square foot sandwich shop, or similar fast food service with associated off-street parking. To mitigate noise, the Examiner required the service bays to face away the abutting residential properties, and not to allow a drive-up window. Later, the applicant received a Minor Site Plan Review approval for a revision to the previous decision to construct an 8,040 square-foot two-story office building on March 3, 2004 (File# 04 14786).

The current request is a major amendment to change the land use from professional office building to a high turnover (fast food) restaurant. The intent of the land use review is to amend the Hearing Examiner's conditions approval to allow for a drive-up window and mitigate potential noise and light impacts through land use and State Environmental Policy Act mitigation conditions.

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Documents Consulted in the Analysis:

Applicant submittals:

<u>Document</u>	<u>Dated or date stamped</u>
Kitsap Public Health District Review	April 4, 2017
Administrative Conditional Use Permit	February 15, 2017
Site Plan	February 15, 2017

Staff communication:

<u>Document</u>	<u>Dated or date stamped</u>
Fire Marshall	April 27, 2017
Engineering Comments	April 18, 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. To date, the Department has received written comments on the proposal from abutting property owners located on the east side of the project within the Brownsville Station housing development. As a response to the Notice of Application, the neighbors had concerns with the intensity of the Taco Bell restaurant abutting the residential neighborhood. The neighbors specifically had concerns with noise, and light from vehicles, and hours of operation up to 2:00 AM. The applicant redesigned the site plan because of a meeting with the homeowners association by changing the location of the drive-thru to the restaurant. Vehicle stacking will occur in the front and side against other commercial zoned properties. Dennis Wood, President, Larry Vancil, Vice President, and Jennifer Carr, Treasurer, submitted a letter dated November 29, 2016 in support of the revisions to the project layout. The neighbors will support the 2:00 AM closing if law enforcement is notified to discourage excessive noise by customers.

Land Use and Zoning Analysis:

Access, Roads and Traffic

There is an existing driveway approach from Saint Charles Lane NE, north of the intersection with NE Bentley Drive, which will remain. The applicant is proposing a second right-in and right-out to State Highway 303 approximately 300 feet north of the intersection with NE Bentley Drive. The Washington Department of Transportation has reviewed the proposal for the second highway access. The State supports the request as shown on the site plan. The County does not anticipate the Taco Bell restaurant will generate a substantial number of vehicle trips beyond what the site was approved for through previous land use review. Development Engineering has reviewed the project proposal and has issued conditions of preliminary approval, as set forth in a Memorandum from Candy Vickery to Jeff Smith and Peggy Bakalarski, dated April 18, 2017.

Storm Drainage

This project is vested to Kitsap County Code (KCC) Title 12 and the Kitsap County Stormwater Drainage Manual (KCSDM), effective 12/31/2016. The storm drainage Plans and Report submitted were incorrectly designed under KCC Title 12 and KCSDM effective 2/10/2010. This is not an issue for the on-site stormwater facilities, which were constructed through a previous Site Development Activity Permit associated with the southern portion of the retail center, and consists of a concrete drainage swale that captures sheet-flow. Storm drainage and roof runoff is conveyed to a biofiltration swale along the west side of the property and then to an infiltration

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facility. However, the current application proposes construction of an off-site access easement, triggering the need for additional stormwater mitigation. The required Site Development Activity Permit for the project shall be designed to the 12/31/2016 Code and Manual. Development Services and Engineering has reviewed the project proposal and has issued conditions of preliminary approval, as set forth in a Memorandum from Candy Vickery to Jeff Smith and Peggy Bakalarski, dated April 18, 2017.

Kitsap County Health District

Kitsap County Public works already serves the project site with sewer. A sewer clearance permit through the Kitsap Public Health is required for sewer properties.

KCC 17.420.030 Design Standards

The proposed the Taco Bell/St Charles Retail Center Major Revision 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 landscaping, screening and setbacks to minimize conflicts.

Staff Comment: To help maintain a functional screen along the west property line, the landscape plan shows proposed plantings and solid wood-panel fencing on a berm. The applicant is proposing a new six-foot solid wood panel fence with conifers planted 10 feet on center spacing adjacent to the west property line to help provide a functional screen. The screen should help reduce impacts from noise and lights from the restaurant activities. The proposal is consistent with KCC 17.500.027.B.1, which states that a solid wood panel fence is required to help provide screening until the vegetation is mature enough to provide a functional screen.

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: When exterior lighting is proposed on the building, and off-street parking lot, the applicant will need to comply with the standard in KCC 17.105; Not more than one candle foot of light can leave the property line and cutoff shields may be required to be installed to prevent spillover. The height of light standards and recessed fixtures will be required to help limit potential light impacts.

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 architectural elevations for the restaurant will be reviewed during Building Permit review to determine that the HVAC equipment will not be visible from the surrounding roadways and the residential zone.

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

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Staff Comment: Except for the drive-through, activities will occur within the interior of the restaurant building. The associated outside activities shall be screened from the adjacent residential property owners.

3. The project will be required to comply with all county solid waste standards and provide concurrence from Waste Management as part of the Site Development Activity Permit (SDAP) process.

Staff Comment: The County will review the development proposal and ensure that solid waste or recycling needs are being met through the Site Development Activity 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.

Staff Comment: The site plan will be required to show pedestrian circulation around the majority of the building, excluding the drive-thru, show pedestrian access between perimeter roadways, off-street parking and between other buildings within the retail center.

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: To provide better circulation, the applicant is proposing driveway ingress and egress on the north side of the property via an easement to SR-303 in addition to the existing approaches directly onto SR-303 consistent with the above requirements.

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 shall not impact 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.

The applicant is proposing 27 spaces off-street parking spaces for Taco Bell. The previous St. Charles Retail Center site plan approved 59 parking spaces and the revised site plan is proposing 63 spaces and stacking for 10 vehicles in the drive-through for Taco Bell, Taco del Mar, and Quiznos.

Staff Comments: The project is consistent with KCC Chapter 17.490 Off-Street Parking and Loading standards. Through the Building Permit review, the project will be conditioned to clearly mark accessible parking spaces consistent with ADA standards.

8. Landscaping provided per KCC Chapter 17.500.

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

Applicant: The project was originally approved for 26% (14,363 square feet) landscaping and the applicant is proposing is providing approximately 30% (16,602 square feet) of the project site in landscaping. Consistent with the requirements for landscape buffers, the applicant is proposing screening through a combination of landscaping and fencing on a berm to help mitigate commercial impacts on the abutting residential properties. The buffer includes a mix of plants including ground cover, shrubs, and trees.

KCC 17.500.027.B: The applicant provides a screening buffer along the north property line. The screening buffer includes a double row of evergreen trees and groundcover.

KCC 17.500.027.B.3: The applicant is proposing a screening buffer around the perimeter of the of the storm drainage facilities.

Staff Comment: Consistent with KCC 17.500.027, the applicant is proposing to screening buffer to mitigate noise and light. Through the Site Development Activity Permit, a landscaping plan will be required as well as a final design of the fence with materials. The preliminary site plan and landscaping complies with the intent of KCC 17.500 Landscaping.

KCC Chapter 10.28 Noise

The Department reviewed the project for consistency with the above noise standards, KCC Chapter 10.28.040 states the noise limitations at the east property line to be 57dBA. Short of preparing a noise study, the applicant is proposing a solid wood panel fencing, landscaping on a berm to buffer noise consistent with Chapter 10.28.

Findings:

The department has reviewed the Administrative Conditional Use Permit application for the St. Charles Retail major amendment 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.
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

Staff Comment: The largest potential impacts are traffic and noise. The applicant will implement measures to ensure the commercial use will not be detrimental to existing residential uses or property in the vicinity. The project is conditioned for storm drainage mitigation for construction of the off-site access easement.

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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. The off-street parking and installation of the landscape berm and fencing will mitigate potential impacts and help preserve the residential neighborhood character.

Administrative Decision:

Based upon the above findings, for the St. Charles Retail Center Taco Bell, the Department of Community Development hereby approves the Major Amendment to the Administrative Conditional Use Permit, subject to the following 38 conditions of approval:

Planning/Zoning

1. All Building permits will be subject to impact fees pursuant to Kitsap County Code.
2. Landscaping shall be maintained in conformance with the requirements of KCC 17.500.
3. Prior to acceptance of the Site Development Activity Permit, the final landscape plan shall include a fence design completed and landscape plan approved for screening prior to acceptance of the Site Development Activity Permit. The fencing, berm, and all landscaping shall be installed prior to Building Occupancy.
4. 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 installation. Signage will require a separate permit(s).
5. 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.
6. 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.
7. 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.
8. The recipient of any Administrative Conditional Use Permit shall file a Notice of Land Use

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Binder with the County Auditor prior to 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.

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

Kitsap Public Health District

10. The applicant shall adhere to all applicable Kitsap Public Health District requirements. A Sewered building clearance with binding water availability letter and sewer availability letter will be required prior to building permit.

Fire

11. Fire apparatus access roads are required and must be maintained. Any proposed revision to these roads must be submitted to, reviewed, and approved by the Kitsap County Fire Marshal's Office. IFC 503 Amended by Kitsap County. 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 25 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.

Development Engineering

General

12. 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

13. The information provided demonstrates this proposal is a "large project" as defined in KCC

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Title 12, and as such will require a Full Drainage Review Site Development Activity Permit (SDAP) from Development Services and Engineering.

14. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with KCC Title 12 effective at the time the ACUP Amendment application was deemed complete, February 15, 2017. 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.
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 ACUP Amendment application was deemed complete, February 15, 2017.
16. Provide documentation that the existing stormwater management facility has been adequately maintained.
17. If the project proposal is modified from that shown on the submitted site plan dated February 15, 2017, Development Services and Engineering will require additional review and potentially new conditions.

Traffic and Roads

18. 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.
19. All rights of access for adjoining properties currently in existence shall be preserved and documented on the face of the Binding Site Plan Alteration. Any amendment to the existing easement rights of adjoining property owners shall be properly executed and recorded prior to SDAP acceptance.
20. If any work occurs within County rights-of-way, the applicant shall obtain a permit to work in County right-of-way from Kitsap County Public Works.
21. The applicant shall obtain a General Permit from Washington State Department of Transportation for driveway construction on State Route 303 right-of-way. A copy of this permit shall be submitted prior to issuance of the required Site Development Activity Permit.
22. Applicant shall construct a right-in/right-out access to State Route 303, abutting the north property line, in compliance with Washington State Department of Transportation standards.
23. Sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
24. 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 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.

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25. Submit plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with state rights-of-way. Approaches shall be designed in accordance with current Washington State Department of Transportation standards.
26. The developer's engineer shall certify that there is adequate entering sight distance at the intersection of State Route 303 and the proposed right-in/right-out access. 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 Washington State Department of Transportation Design Manual, Section 1340.06, Driveway Sight Distance. The certification shall also note necessary measures to correct and maintain the minimum sight triangle.
27. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
28. Before SDAP acceptance, the applicant shall submit a set of drawings to the Washington State Department of Transportation for review. The applicant shall notify Development Services and Engineering in writing when the plans have been submitted to WSDOT. Development Services and Engineering shall coordinate with WSDOT to determine if WSDOT has any comments to the submittal, but responsibility for obtaining concurrence from WSDOT lies with the property owner.
29. Final plan approval will require documentation of WSDOT approval for impacts to and any required mitigation on State Highway 303. WSDOT point of contact is Dale Severson at (360) 357-2736:

Washington State Department of Transportation
Olympic Region Development Services Attn: Dale Severson
PO Box 47440
Olympia, WA 98504-7440

Survey

30. A Binding Site Plan Alteration, in compliance with Kitsap County Code 16.60.030, shall be submitted to and approved by Kitsap County Department of Community Development.
31. Prior to issuance of the Site Development Activity Permit, or prior to recording the Binding Site Plan Alteration, whichever occurs first, applicant shall submit a recorded easement for the proposed access to State Route 303. The easement document shall state that tax parcel #s 252501-3-077-2009, 252501-3-001-2000, and 252501-3-066-2002 shall have easement rights over the proposed access.

Solid Waste

32. Prior to SDAP approval, Waste Management (360) 674-3166 shall be contacted for information on implementing the solid waste/recycling storage requirements influenced by the service provider (e.g. dumpster size and location) for the project. Pay particular attention to the access requirements of collection trucks. Documentation shall be provided from the solid waste/recycling service provider that their requirements for this project have been met.
33. The SDAP submittal shall show solid waste dumpster location, method for securing the enclosure gates in an open position and pad sizes on the civil plans submitted for

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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.

34. 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.
35. 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.

Other

36. Construction of rock walls or other retaining facilities that exceed four feet in height shall require a building permit.
37. Rock and retaining walls shall meet all applicable setback requirements of KCSDM 9.4.4.


Environment Policy

38. Pursuant to section 18.04.200.D (6), and Referenced to KCC Title 17, and further analyzed under 17.105.110 Obnoxious Things.
 - A. In all zones, except as provided for elsewhere in this title, no use shall produce noise, smoke, dirt, dust, odor, vibration, heat, glare, toxic gas or radiation which is materially deleterious to surrounding people, properties or uses. Lighting is to be directed away from adjoining properties. Not more than one-foot candle of illumination may leave the property boundaries.
KCC 17.500.027 B Screening Buffer
 - B. Required along the perimeters of multifamily residential (ten dwelling units an acre or more), commercial, and industrial/business center development abutting different uses and/or zones. The buffer shall provide sight-obscuring screening between different uses or zones and shall consist of:
 - a. Two offset rows of evergreen trees planted ten feet on center and ground cover; or
 - b. A six-foot screening fence and a single row of evergreen trees planted ten feet on center, and ground cover.

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; 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.

Permit # 17 00579, St. Charles Retail Major Amendment
May 18, 2017



Jeff Smith, Project Lead

5/18/2017

Date



Scott Diener, Development Services and
Engineering Manager

5-18-17

Date

CC: Mile Hill Investors LLC – Peter Braun, pbraun@orchard-
foods.com

MAP LTD, patf@map-limited.com

Interested Parties:

Bernie Bavlin bnebalvin@gmail.com

Jennifer Carr mardaleetoo@comcast.net

Melissa Ellis Ellisjmj@msn.com

Brownsville Station HOA Board, 7031 Churchill Lane NE Bremerton, WA 98311

Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

DCD Staff Planner: Jeff Smith

DCD File 17 00579

DCD Building Permit File (##)

