

# APPROVED

## CITY OF BREMERTON

### PLANNING COMMISSION MINUTES OF VIRTUAL MEETING July 20, 2020

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#### CALL TO ORDER:

**Chair Wofford** called the regular meeting of the Bremerton Planning Commission to order at 5:30 p.m.

#### ROLL CALL

##### Commissioners Present

Chair Wofford  
Vice Chair Tift  
Commissioner Coughlin  
Commissioner Mosiman  
Commissioner Rich

##### Staff Present

Andrea Spencer, Director, Department of Community Development  
Allison Satter, Senior Planner, Department of Community Development  
Kelli Lambert, Senior Planner, Department of Community Development  
Isaac Gloor, Planner, Department of Community Development  
Sarah Lynam, DCD Project Assistant, Department of Community Development

##### Commissioners Excused

Commissioner Pedersen

##### Others Present

Lisa Grueter, Berk Consulting, Inc.  
Radhika Nair, Berk Consulting, Inc.

*Quorum Certified*

#### APPROVAL OF AGENDA

The agenda was accepted as presented.

#### APPROVAL OF MINUTES

**COMMISSIONER MOSIMAN MOVED TO APPROVE THE MINUTES OF JUNE 15, 2020. COMMISSIONER COUGHLIN SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

#### PUBLIC MEETING

**Call to the Public** (public comments on any item not on the agenda)

**Chair Wofford** asked if there were any comments from citizens. Seeing none, he closed the public portion of the meeting.

#### **Public Hearing: Subarea Plan and Planned Action Ordinance (PAO) for the Eastside Employment Center**

**Ms. Satter** reviewed that this a public hearing on proposed changes to the Bremerton Eastside Employment Center, also called the Harrison Hospital District. For those calling into the virtual meeting, she advised that the PowerPoint Presentation was available on the City's website at [www.bremertonwa.gov/eastsidecenter.com](http://www.bremertonwa.gov/eastsidecenter.com). The subject of the hearing is the draft Subarea Plan and draft Planned Action Ordinance (PAO), and the presentation will focus on the changes that have been made since the

last study session based on input received from the Planning Commission and the public. The purpose of this meeting is for the Commission to conduct a public hearing, consider the public testimony, and provide a recommendation to the City Council.

**Ms. Satter** recalled that at the study session, there was significant discussion about renaming the district to keep the legacy of Angie and Benjamin Harrison alive. The Commission recommended that the name be changed to Harrison Village. Since that time, the Mayor and Parks Director have expressed concern about losing the name of Sheridan Park, which is also special to the area. As a compromise, staff is suggesting that the area could be renamed Harrison Village at Sheridan Park. Once the Commission has recommended a name, all of the associated documents will be revised as appropriate.

**Ms. Satter** briefly reviewed that, in addition to the Planning Commission's public hearing and recommendation, the City Council will also conduct a public hearing before making a final decision. Staff's goal is to present the proposed subarea plan and PAO to the City Council, along with the Commission's recommendation, in September or early October. Final adoption by the City Council should occur shortly after.

**Ms. Satter** reviewed that the Planning Commission received the first draft of the subarea plan on March 6<sup>th</sup>, outlining the three alternatives that were evaluated in the draft Environmental Impact Statement (EIS). At that time, the Commission provided direction on a preferred land use concept. The draft subarea plan was updated per the Commission's direction and presented for a public hearing on June 15<sup>th</sup>. Following that hearing, the Planning Commission provided more direction and the subarea plan was further revised in preparation for the current public hearing.

**Radhika Nair, Berk Consulting, Inc.** recalled that, at the conclusion of the June 15<sup>th</sup> public hearing, the Commission indicated general support for the vision and guidance framework. They also indicated support for the proposed regulatory framework (i.e. overlay district, block frontage and street typologies, dimensional and development standards, parking requirements, open space standards, and incentive program). She said her presentation would focus on the changes made since the last hearing and information regarding the rationale for realigning Wheaton Way. She specifically noted the following:

- **Overlay Districts** – The earlier draft identified a higher Business and Occupation (B&O) Tax Exemption to encourage small businesses within the entrepreneurial overlay in the multi-use zone. However, the Licensing Division voiced concern that the program would be difficult to administer and have only limited benefits. The current draft eliminates the program, but it still promotes the City's existing small businesses in the multi-use zone.
- **Block Frontage and Street Typologies.** The earlier draft indicated further refinement of Callahan Drive to align with the SR-303 Project's preferred alternative. The current draft notes that, while the section shown might work for the short-term, the long-term option would likely include a different cross section with a non-motorized, 13-foot path on the northern side of the street.
- **Dimensional and Development Standards.** The current draft increases the height limit in the Center Residential High Zone (Harrison Hospital site) to 75 feet for sites over 1 acre. In addition, the amount of commercial area allowed was increased from 20,000 to 40,000 square feet. This is based on feedback from the Commission about the need to retain the flexibility that exists with the current zoning.
- **Wheaton Way Realignment:** Currently, lower Wheaton Way curves and creates a 5-point intersection at SR-303. The subarea plan envisions a more direct connection that links up with Spruce Avenue. From an economic standpoint, the realignment would create two sites with good visibility and development potential. From a traffic standpoint, it would correct an inefficient link in the City's system. Because right turns are not allowed from Wheaton Way onto Sheridan Road, a lot of traffic ends up on Cherry Avenue, which is a much smaller street. The proposed alignment would allow both left and right turns, making the system more efficient.
- **Floor Area Ratio (FAR).** FAR is a way to regulate bulk that offers flexibility of floor arrangement under controls that limit gross floor area. As long as developers stay within the maximum density allowed, the number of floors and how much area each floor occupies can vary. The subarea plan identifies a maximum FAR of 3, which is a typical limit used for high-density residential and mixed-use settings outside of downtowns. She shared photographs of existing development in the City to illustrate how the concept might play out in Bremerton. She noted that, typically,

parking space is not counted in the FAR. They were unable to find an existing building with a FAR of 3, but that is the maximum FAR and they don't expect that all development would reach that level.

**Ms. Nair** said that, once the subarea plan is adopted by the City Council, amendments to the Comprehensive Plan and Zoning Code will be needed to ensure consistency. For example, the Comprehensive Plan Land Use Map will need to be amended to replace the current Employment Center designation with a new designation called Subarea Plan. In addition, the goals and policies in the Land Use Element will need to be amended to refer to the subarea plan goals and policies.

**Ms. Grueter** reviewed that the PAO was updated to finalize the Preferred Alternative Growth Estimates to reflect the changes to height and commercial space limits in the Center Residential High zone. They also need to complete the State Environmental Policy Act (SEPA) mitigation for transportation, refine procedures based on input from the Public Works Department, and integrate the new name for the subarea. She reminded them that the purpose of the PAO is to facilitate growth that is consistent with the subarea plan. As discussed at the previous hearing, the thresholds by which development is reviewed under SEPA need to be amended so that the mitigation measures can be properly applied.

**Ms. Grueter** shared a bar chart to illustrate the anticipated growth in population, dwellings and jobs that is associated with each of the alternatives. With the Preferred Alternative, housing would be similar to the Residential Focus Alternative, and jobs would be similar to the existing situation. She noted that, since the last hearing, the number of residential units increased and the number of jobs changed as a result of changes to the formula. A consistency edit is needed on Page 56 of the subarea plan, which shows the numbers before accounting for the additional commercial floor area and height proposed for the Center Residential High zone. She also shared a graph showing estimated PM Peak Hour Vehicle Trips for each of the alternatives. The Preferred Alternative would be similar to the Employment Focus Alternative in terms of traffic trips.

**Ms. Grueter** advised that the final growth numbers are in, which means the mitigation fee can be finalized. The PAO identifies a number of multimodal transportation improvements for the subarea (See Map). The proposed per trip fee is based on the share of trips that will come from the new growth. The fee can be lowered based on a developer making frontage improvements on the major roadways.

**Ms. Grueter** summarized that, following the Planning Commission's recommendation, the final EIS will be completed and the draft Subarea Plan and PAO, along with Comprehensive Plan and Zoning Code changes, will be presented to the City Council.

Chair Wofford opened the public hearing and invited public comment.

**Brianna Sellick, Bremerton**, asked for clarification about the area where the height limit was increased, and **Ms. Satter** responded that the height limit was increased for the area around Harrison Hospital, which has been proposed for Center Residential High zoning. **Ms. Nair** added that the height limit was only increased for sites larger than one acre.

**Ms. Sellick** said her property was included in the Center Residential High zone, but the height increase would not apply because it is only 1/3 acre. She asked if the height increase would apply to the property where the water tower is currently located. **Ms. Grueter** shared a map to illustrate the location of the Harrison Hospital site and the Madrona Forest, which is outside of the study area. She noted that the proposed height increase is actually consistent with the height that is currently allowed for larger master-planned sites. **Ms. Sellick** asked if the intent is to encourage apartment development. **Ms. Grueter** said the current zoning allows both commercial and residential development, which means the uses can be mixed or developed separately. Attached residential units are already allowed, and the overlay identifies the area where residential attached development is particularly promoted. A specific amount of commercial development would also be allowed in this area. **Ms. Sellick** summarized that the majority of the anticipated apartment development will occur in the Multi-Use zone. She asked what the height limit would be in the Multi-Use zone. She noted that most of her property value is related to the view, which would be lost if a development greater than three stories was allowed next to her property. **Ms. Grueter** said development in the Multi-Use zone could be either residential or commercial. **Ms. Satter** added that the base height limit would be 35 feet, and the maximum height limit would be 65 feet. Currently, the maximum height allowed is 80 feet for residential and 50 feet for non-commercial uses. She said the property where the water reservoir is located is at the top of the Madrona Forest property, and the zoning would remain unchanged.

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**Ms. Sellick** asked if the City has any idea what will be developed on the Harrison Hospital property in the future. She asked that the height limit be reduced for the properties adjacent to her. If not, she said she may be interested in purchasing the lot adjacent to her. **Ms. Satter** said the Planning Commission could recommend a height reduction, but the subarea plan doesn't deal with property ownership or specific development plans. She noted that the maximum height limit would be 35 feet for the small area between Ash Place and Cherry Avenue, which would be zoned Residential Center Low. The Residential Center High zone would have a height limit of 75 feet for properties larger than 1 acre. Smaller properties would be limited to 65 feet in height, which equates to about 6 stories.

**Ms. Sellick** requested that the property directly adjacent to hers be identified as Center Residential Low rather than Multi-Use. **Ms. Satter** observed that the adjacent property is currently developed with an existing building and a parking lot. She voiced concern about changing the property to Center Residential Low. She noted that the Center Residential High zone is for strictly residential uses, and the Multi-Use zone allows for commercial, mixed-use, or residential development. As proposed, the existing building on the adjacent property could remain as is.

**Sally Hass** said she owns commercial property at 3231 Hemlock and residential property that borders Wheaton Way. She asked if the City knows anything about future plans for the Harrison Hospital site. **Chair Wofford** said the Planning Commission raised this question at the last hearing, and the future of the site is currently unknown. **Director Spencer** said the only thing they know for certain is that Harrison Hospital will vacate the site at some point. There have been discussions between the Mayor and hospital officials about leaving Bremerton in a place that is good for the community. There have been discussions about demolishing the building so the district can be renovated, but there have been no public commitments.

**Ms. Hass** voiced concern that she didn't receive a notice for the public hearing. She asked how she could make sure she receives notifications of future meetings. **Ms. Satter** provided her contact information ([allison.satter@ci.bremerton.wa.us.com](mailto:allison.satter@ci.bremerton.wa.us.com)).

**Wade Moberg, Bremerton**, asked if any consideration was given for making Wheaton Way a dead end at the parcel owned by Harrison Hospital. **Ms. Satter** agreed that the 5-point intersection is not the best situation, and it is not good to have an intersection within 50 feet of the existing interchange. The City recognizes that some changes are needed, and there have been a variety of discussions on the topic, including making Wheaton Way a dead end. However, this current study focused only on the realignment between Callahan Drive and Sheridan Road.

**Chair Wofford** closed the public hearing

**Commissioner Coughlin** asked about the area on the northeast corner of the intersection at Callahan Drive and Wheaton Way that is identified as Multi-Use, with a residential overlay. **Ms. Satter** said the property is currently developed with a commercial building. **Ms. Nair** said the thought was that allowing mixed-use development would ensure that development happens in a coordinated way. It is also important to allow some commercial components so that existing development does not become nonconforming.

**Commissioner Coughlin** said he was under the impression that the maximum FAR would be 3, but the table in Exhibit 13 identifies a FAR of 1.5. He recalled that the Commission's discussion at the last meeting was about increasing the FAR to 3. **Ms. Nair** suggested there is a typographical error because the maximum FAR should be 1.5. Because the sites are small and the height limits are fairly low, it is unlikely the FAR would reach a maximum of 3. **Commissioner Coughlin** asked the downside of raising the FAR to 3. **Ms. Nair** said there would be no downside to raising or even eliminating the maximum FAR because the height, setback and lot coverage requirements would naturally limit the FAR. **Ms. Satter** added that development in downtown Bremerton has a range of between 1.5 and 3 FAR. She said it is important for the properties to develop at the maximum footprint, but she agreed that height and setbacks will become the limiting factor. She expressed her belief that a 1.5 FAR would be appropriate for this subarea. **Ms. Nair** said it is more important to have a minimum FAR, and the maximum FAR could be eliminated. **Commissioner Coughlin** voiced concern that setting the maximum FAR too low might limit opportunities for affordable housing. **Ms. Satter** said that is staff's concern, as well. They want the area to redevelop to its full potential, and staff feels comfortable with the current proposal. However, they will monitor the situation and recommend a change if necessary.

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**Chair Wofford** commented that the recommended name of Harrison Village at Sheridan Park is too long. **Commissioner Coughlin** suggested they consider a hyphenated form, Harrison-Sheridan Village. **Director Spencer** said the Mayor was concerned about losing the Sheridan Park identity. She suggested that the Commission could direct staff to come up with additional options for the City Council to consider. **Commissioner Rich** said she is comfortable with staff taking the newly-flagged Sheridan consideration coupled with the Harrison Village vision and presenting suitable suggestions to the City Council. Both **Chair Wofford** and **Vice Chair Tift** commented that if a longer name is chosen, the public will likely shorten the name depending on how they typically think of the area. The Commissioners agreed to leave it up to staff to propose options for the City Council's consideration that capture the area's history.

**COMMISSIONER MOSIMAN MOVED THAT THE COMMISSION RECOMMEND THAT THE CITY COUNCIL ADOPT THE CENTER SUBAREA PLAN, AS SHOWN IN ATTACHMENT I, AND ASSOCIATED PLANNED ACTION ORDINANCE, AS SHOWN IN ATTACHMENT II, BASED ON THE FINDINGS AND CONCLUSIONS IN ATTACHMENT III, PROVIDED LAND USE ESTIMATES IN ATTACHMENT I MATCH THOSE IN ATTACHMENT II. COMMISSIONER COUGHLIN SECONDED THE MOTION, WHICH CARRIED UNANIMOUSLY.**

**Chair Wofford** closed the public hearing.

**Director Spencer** thanked the Commissioners for their unanimous vote. She also thanked the consultants, Ms. Grueter and Ms. Nair, for their hard work helping staff develop the plan. Ms. Satter did a great job with project management, as well. It was a lot of work, and everyone did a phenomenal job.

#### **Public Workshop: Zoning Code Amendments Adopting Boundary Line Adjustment (BLA) Ordinance**

**Ms. Lambert** presented the proposed Boundary Line Adjustment Ordinance, which would establish a new section in the Zoning Code. She explained that a BLA is a legal method to make minor adjustments to property lines between two legal lots. You can also aggregate lots into one parcel with a BLA, but a BLA can never create new lots or parcels. She shared diagrams to illustrate the types of BLAs.

**Ms. Lambert** explained that BLAs are commonly used to:

- Resolve boundary controversy between neighbors.
- Consolidate lots into a single parcel.
- Bring a lot into conformance with the zoning code.
- Allow additional development that complies with the zoning code.

**Ms. Lambert** further explained that BLAs cannot:

- Create a new lot.
- Create a new lot a lot without vehicular access
- Create a lot that is so constrained or encompassed by topography, critical areas, buffers, or shape that it would require a variance or exemption in order for a building site to be allowed.
- Create a lot that straddles multiple zones, multiple jurisdictions, or multiple overlay areas or subareas.
- Reduce the size of a lot so that it contains insufficient area and dimension to meet minimum zoning code.
- Reduce the building setbacks below standard.
- Increase an existing nonconformity.
- Impact current or future water supply, drainage or sewer disposal.
- Be inconsistent with the conditions or restrictions on a recorded plat.

**Ms. Lambert** said the state allows BLAs, and neighboring cities in Kitsap County (Port Orchard, Poulsbo, and Bainbridge Island) all have BLA ordinances. Kitsap County and Bremerton do not have BLA ordinances, and the City is looking to adopt an ordinance similar to those of the neighboring cities. At this time, a property owner in Bremerton can simply have the BLA recorded at the county auditor's office, and no City approval is required.

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**Ms. Lambert** said that, as proposed, BLAs would be a Type I Permit, which is the same type as a Building Permit (administrative decision with no public notice). In most cases, the applications will be straightforward and quick to review. An applicant would submit an application and pay the fees, and staff would review and provide a decision similar to a Building Permit decision. The permit would be conditioned that the documents must be recorded within one year.

**Ms. Lambert** commented that, because BLAs are not formally reviewed by the City at this time, they can result in nonconforming situations that property owners are unaware of, Problems with utilities can also come up, as well as violations of a Comprehensive Plan goal. Having a code in place will provide a framework for staff to review BLA applications consistently and ensure that future development meets the zoning and public works requirements.

**Ms. Lambert** invited the Commissioners to consider any public testimony and then provide direction to staff as they work to develop a draft BLA code and conduct public outreach. A draft amendment will be presented to the Commission for a public hearing and recommendation later in the year.

**Vice Chair Tift** expressed his belief that the City should have an ordinance in place to govern BLAs. He asked if it would be possible for a BLA to make an existing structure nonconforming. **Ms. Lambert** said staff would review each application to make sure that the resulting lots do not create any nonconforming situations.

**Commissioner Coughlin** asked if BLAs would require the consent of all affected property owners. **Ms. Lambert** answered that notarized signatures would be required from all affected property owners. **Commissioner Coughlin** said he also supports having a BLA ordinance in place.

**Chair Tift** commented that it is possible that the two parcels are owned by the same person, in which case, the line could be moved to the advantage of one property over another. **Ms. Lambert** agreed that is possible, but staff would make sure that both resulting lots are still buildable and that no nonconforming situations result from the final lot layout.

**Chair Wofford** said he also supports having a BLA ordinance in place. He said he anticipates a proposed amendment will come before the Commissioners for a public hearing and recommendation to the City Council before the end of the year. **Ms. Satter** said staff has reached out to the Kitsap Building Association to make sure that developers know of the proposed change. They have also reached out to the realtor group but haven't received a reply. She announced that staff will present amendments to the Shoreline Master Plan to the Commission in September, so the BLA ordinance will not likely come before the Commission until October or November.

## **BUSINESS MEETING**

### **Chair Report**

**Chair Wofford** reminded the Commissioners that their next meeting will be September 21<sup>st</sup>, and it will likely be held virtually. The August 17<sup>th</sup> meeting has been cancelled.

### **Director Report**

**Director Spencer** said the City is working hard to increase public outreach, and all Planning Commission meetings will be live on Bremerton Kitsap Access Television (BKAT) from this point forward. She was pleased that they had up to 12 attendees at this meeting. They heard last month that there is interest in continuing the virtual meeting option even when the Commission starts meeting again in person. Staff is currently considering options to continue the Zoom opportunity.

**Director Spencer** said the department is having another record-breaking year for permits, which is amazing given the pandemic and economic downturn. Staff is doing a great job working remotely to process all of the permits.

**Chair Wofford** said he appreciates that BKAT allows citizens to participate in local government. **Commissioner Mosiman** agreed with the City's desire to increase the public's ability to participate. However, having meetings in person should be a priority. When meeting virtually, it is sometimes difficult to replicate the informal comments that can occur in person. **Director**

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**Spencer** said the idea is that the Planning Commission would eventually meet in person again, but also offer a Zoom and BKAT option for people to participate from home if they want to.

**Old Business**

There was no old business.

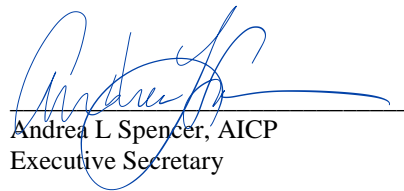
**New Business**

There was no new business.

**ADJOURNMENT**

The meeting was adjourned at 6:45 p.m.

Respectively Submitted by:



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Andrea L. Spencer, AICP  
Executive Secretary



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Nick Wofford, Chair  
Planning Commission

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