

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

In the Matter of the Application of NO. BP06-00047

East Park LLC
 For Approval of a Subdivision and
 Planned Unit Development
 FINDINGS, CONCLUSIONS,
 AND DECISION

SUMMARY

The Hearing Examiner decides that the request for approval of a Preliminary Plat to subdivide 48 acres of land into 454 single- and multifamily housing units, open space, and retail commercial space - to be developed in six phases over four years - meets the criteria of review and should be **APPROVED**, with conditions.

SUMMARY OF RECORD

Request:
 East Park LLC (Applicant) requests approval of a Preliminary Plat to subdivide 48 acres of land into 454 single- and multifamily housing units, open space, and retail commercial space, to be developed in six phases over four years. An additional 2.9 acres from the adjoining nature park would be added to the site for a total project area of 51 acres. The development would be located north and west of the intersection of Wheaton Way and Schley Boulevard.

Hearing Date:

The Hearing Examiner for the City of Bremerton held an open record hearing on the matter on May 22, 2006.

Testimony:

The following individuals presented testimony under oath at the open record hearing:

1. Joann Vidinhar, Planner
2. Dick Bruskrud, Mithun, Applicant Representative
3. Mrs. Travis

Exhibits:

The following exhibits were admitted into the record at the open record hearing:

- A. Department of Community Development Staff Report, with the following attachments:
 1. Application for preliminary plat, dated March 27, 2006
 2. East Park Project Narrative, dated March 27, 2006
 3. Vicinity map
 4. Homeowners' Agreement and Covenants, Conditions, and Restrictions
 5. Land American Transnation Subdivision Guarantee
 6. Environmental Checklist, dated March 24, 2006

7. a. East Park Sub-Area Plan
b. SEPA Mitigated Determination of Non-Significance (MDNS), dated January 4, 2006
8. Earth Solutions NW Geotechnical Engineering Study, dated July 7, 2005
9. Heath & Associates Traffic Impact Analysis, March 2006
10. WSE Engineering, Inc. Preliminary Storm Drainage Report, dated March 17, 2006
11. Site Plans dated March 24, 2006
12. Conditional Water and Sewer Availability Letter, dated April 4, 2006
13. Determination of Completeness, dated April 7, 2006
14. Affidavit of Mailing of Notice of Subdivision Application and SEPA determination, dated April 10, 2006
15. Affidavit of Publication of Notice of Subdivision Application and SEPA determination, dated April 11, 2006
16. SEPA Determination of Non-Significance (DNS), dated May 3, 2006
17. Notice to Washington Department of Ecology of SEPA threshold determination, dated May 3, 2006
18. Alkai Consultants Stream Assessment, dated May 12, 2006
19. Alkai Consultants Bald Eagle Management Plan, dated May 12, 2006
20. Notice of Public Hearing with Affidavits of Mailing, Posting, and Publication, dated May 3, 2006

Upon consideration of the testimony and exhibits admitted at the open record hearing, the Hearing Examiner enters the following Findings, Conclusions and Decision:

FINDINGS

1. The Applicant requests approval of a Preliminary Plat to subdivide 48 acres of land into 454 single- and multifamily housing units, open space, and retail commercial space, to be developed in six phases over four years. An additional 2.9 acres from the adjoining nature park would be added to the site for a total project area of 51 acres. The development would be located north and west of the intersection of Wheaton Way and Schley Boulevard Road. *Exhibit A, Staff Report, page 1; Attachment 1, Application.*
2. The subject property is the site of the former Defense Housing Project for the Puget Sound Naval Shipyard in Bremerton. The site consists of terraced open meadows vegetated with various grasses and mature trees. The property contains large areas of remaining impervious asphalt and concrete subsequent to the removal of military buildings. *Exhibit A, page 2; Attachment 2, Narrative.*

3. The densely wooded mature madrona groves of the East Park Nature Area about the site to the west and the forested slopes of the McDougal Creek drainage are adjacent to the east. Land uses to the north and east consist primarily of single- and multifamily residential development and the YMCA complex. Properties to the south have an Employment Center zoning designation and are developed with mixed uses including a cultural center, a doctor's

¹ The subject property is a portion of the southwest quarter and the southeast quarter of Section 12, Township 24 North, Range 1 East, W.M., known as tax parcel numbers 3936-031-001-0007 and 3936-031-001-0106. *Exhibit A, pages 1-2.*

office, art shops, general business uses, and single- and multifamily residential development. The Harrison Hospital Complex is located west of the site, along with associated retail and medical facilities, and some housing. *Exhibit A, page 2.*

4. On January 18, 2006, after extensive private-public communication and cooperation, the Bremerton City Council adopted the East Park Sub-Area Plan Comprehensive Plan Amendment, creating a Master Development zoning designation for the subject property.² The East Park Sub-Area Plan explicitly details proposed residential development, commercial development, open space, public ways, and other requirements for the Sub-Area Plan on November 23, 2005. Mitigation measures of the Sub-Area Plan MDNS pertain to: bald eagle habitat management; Wheaton Way/Schley Boulevard improvements; pro-rata share to TIP projects; Wildlife corridor planting; YMCA signage placement; and further study of proposed Homer Jones Drive. *Exhibit A, Attachments 7a and 7b.*

5. The proposed development would consist of six phases to be built out over four years. The phases are intended to follow the natural progression of utility and infrastructure installation and to incorporate several types of housing within each phase. The project would provide small townhome lofts, carriage units, condominiums, and traditional single-family residential units in a planned neighborhood intended to complement the character of the older, established neighborhoods in Bremerton. *Exhibit A, Attachment 2, Narrative.*

6. The East Park Sub Area Plan (the Plan) created development standards that control any development within the subject property. The Plan divided the neighborhood into different zones, each with specific design standards for: permitted uses; home types; building height; setbacks; open space requirements; road design; park and recreation; and preservation of environmentally significant areas. The Plan's zoning districts are generally explained below:³

Low Density: The Plan established approximately 7 acres of Low Density zoning for single-family residential development with a maximum density of 12 units per acre. The project's low density areas would include primarily larger single-family homes.

Medium Density: The Plan created approximately 14 acres of Medium Density zoning for single-family residential uses, including detached single family, accessory dwelling units, cluster development, and carriage units. The maximum density would be 25 dwelling units per acre. The Medium Density areas would include a mix of compatible types of single-family homes.

High Density: Approximately 10 acres were set aside for High Density single-family residential use, including: detached single family, accessory dwelling units, cluster

² The public process followed in drafting the proposed Comprehensive Plan Amendment adopting the East Park Sub-Area, which was more extensive than is typical of standard development, is detailed in the Sub-Area Plan. *Exhibit A, Attachment 7a, pages 21-37.*

³ The East Park zoning standards are paraphrased in these findings. The complete development regulations of the East Park Sub-Area Plan zoning districts are found in the record in Exhibit A, Attachment 7, pages 40-70.

development, carriage units, and attached single-family residences. The High Density zone would have a maximum density of 50 units per acre, including compatible attached dwelling unit types and buildings with live/work capacity.

Mixed Use Density: The Plan established approximately four acres of Mixed Use zoning, to include high density residential development combined with commercial development, as market dictates the need for such an arrangement. Commercial uses would be incorporated on the main floors of residential buildings.

Exhibit A, page 5; Attachment 2, Narrative.

7. The Low Density district allows a maximum building height of 35 feet and site coverage by structure of 60%. Low density lots must be a minimum of 3,600 square feet in area, with minimum dimensions of 50 by 60 feet. Setbacks required are five feet from streets, four feet from side lot lines, and ten feet from rear lot lines. Low density lots must provide two parking stalls. *Attachment 7a, page 43.*

8. The Medium Density district allows a maximum building height of 35 feet and site coverage by structure of 70%. Medium density lots must be between 1,700 and 2,000 square feet in area. Minimum lot width is 34 feet, and minimum lot depth ranges from 50 to 60 feet. Setbacks required are five feet from streets, four feet from side lot lines, and zero feet from alleys on rear lot lines. Medium density lots must provide two parking stalls. *Attachment 7a, page 46.* Clustered lots in the medium density district must have a four foot rear lot line setback and are required to provide one parking stall to be located no more than 150 feet from the dwelling unit. *Attachment 7a, page 48.*

9. The High Density District would allow several types of dwellings, each with its own standards. Single-family lots with carriage garages have a maximum building height of 35 feet and site coverage by structure of 80%. The minimum residential lot size is 2,500 square feet, with a minimum carriage lot size of 850 square feet. Minimum lot dimensions for residential lots are 46 feet (width) by 56 feet (depth), and for carriage lots are 32 feet (width) by 28 feet (depth). Setbacks for both types of lots are five feet from streets, four feet from side lot lines, and zero feet from the rear lot line abutting alleys. If residences and carriage units are not attached, they must be separated by at least four feet. *Attachment 7a, page 50.* Townhome lots with attached garages are allowed 40 feet maximum building height and 80% site coverage. The minimum lot area is 1,500 square feet. Required dimensions are 20 feet (width) by 78 feet (depth). Setbacks are five feet from streets, four feet from side lot lines (zero feet if attached to another unit), and zero feet to adjacent alleys in the rear. They must provide two parking stalls per unit. *Attachment 7a, page 51.* The high density district also allows townhome lots with basement garages; such lots have a minimum area of 600 square feet and must provide one parking stall per bedroom. *Attachment 7a, page 52.*

10. The Mixed Use District allows maximum building heights of 60 feet and up to 90% site coverage by structure. No setback from the street is required. The district requires one parking stall per bedroom for residential development. Stand-alone commercial buildings are not permitted; commercial development is allowed on the ground floor of multistory buildings. *Attachment 7a, page 54.*

11. The proposed site layout and lot design comply with the East Park Sub-Area Plan development standards for each district. *Exhibit A, page 10; Testimony of Ms. Vidinhar; Attachment 11, Site Plans.*

12. The City of Bremerton has identified a public need for the increase of parks and open space. The current required level of service for local park space is 1.48 acres per 1,000 residents, with an additional 2.21 acres of open space per 1,000 residents, for a total of 3.69 acres of local open areas per 1,000 residents. The proposed development, which is anticipated to house 1,100 people, would set aside 25% of the total site area in open space, exceeding the City's current requirements. *Exhibit A, Attachment 7a, page 55.* Approximately seven acres of the project would be designated as "conservation open space", to be left in its natural state, including portions of the site adjacent to the riparian corridor to the southeast and the madrona forest in the western portion of the site. Approximately four acres would be developed with "active open space", to include two parks of one acre each and open space corridors connecting the YMCA and the madrona forest to the entire development. The project would provide approximately one acre each of "passive open space" and "tree preservation open space". *Exhibit A, pages 5-6; Attachment 7a, pages 55-57.*

13. The Applicant submitted a Traffic Impact Analysis (TIA) prepared by Heath & Associates, revised in March 2006. TIA data projected 3,563 new vehicle trips per day would be generated by the development, including 343 PM peak hour trips. Based on level of service (LOS) calculations for roads that would be impacted by the development, the TIA concluded that traffic delays would be increased at several intersections in the vicinity, including Magnuson / Wheaton, State Route 303 / Sheridan, and Wheaton / Manette. In order to ensure that the traffic delays created by the project remain within acceptable levels, the TIA recommended that the Applicant should be required to implement the following mitigation measures:

- Construct an eastbound left turn lane with taper on Wheaton Way at Magnuson, and separate southbound left and right turn lanes on Magnuson at Wheaton Way;
- Provide pro-rata share contribution to area TIP projects directly impacted by the proposed development, including State Route 303 improvements, the southbound ramp to State Route 303 at Callahan Drive, and Wheaton Way improvements;
- Participate in Washington State Department of Transportation (WSDOT) projects that might be developed at the intersection of Wheaton Way and the Manette Bridge; and
- Ensure adequate sight distance at project access intersections.

Exhibit A, page 8; Attachment 9, page 17. The City Public Works Department reviewed and accepted the Applicant's TIA. Specific street improvement plans and traffic mitigation must be reviewed and approved prior to construction plan approval by the City Engineer. *Exhibit A, page 8; Testimony of Ms. Vidinhar.*

14. The project's circulation system was designed to maximize connectivity with an emphasis on slow vehicle and pedestrian access. Existing Schley Boulevard was retained to conserve existing utilities; it would be widened to provide parking on both sides. Internal streets were

designed in a grid system to provide multiple access paths to each residence. To preserve a pedestrian-oriented streetscape, alleys and "woonerfs" were included, providing for separation of garages and service access from pedestrian areas.⁴ Internal roads are designed as one-lane, two-way streets lined with trees and sidewalks. A unique feature of the internal road system is the "pedestrian green street section", a 40-foot pedestrian right-of-way located where a street would typically exist, which excludes vehicle access. As proposed, the pedestrian green street sections would connect the YMCA, internal parks, and internal open spaces, creating an open space access network. Street lighting would be required along all internal ways. A detailed street plan must be submitted and approved by the City Engineer. *Exhibit A, page 9; Attachment 7a, pages 60-71; Exhibit 11, Site Plans.*

15. The Applicant submitted a Preliminary Storm Drainage Report, prepared by Westsound Engineering, Inc., dated March 17, 2006. *Exhibit A, Attachment 10, A Level 1 Downstream Analysis* revealed several deficiencies in the existing stormwater infrastructure. Stormwater leaves the site by five routes through several significantly undersized outfalls that eventually discharge into the Port of Washington Narrows in Port Orchard Bay. The project would capture all stormwater runoff in open and closed channel structures, provide water quality treatment, and discharge directly via pipe outfall to the Port of Washington Narrows. Because permitting for the off-site outfall may be delayed beyond completion of Phase 1 of the proposed development, temporary detention facilities would be utilized; however, at full build out, stormwater management for the East Park project would not include detention facilities. Final stormwater drainage plans must be reviewed and approved by the City Engineer prior to final plat approval. *Exhibit A, page 8; Attachment 10, pages 4-6.*

16. The site has existing connections to Bremerton municipal water and sewer services. Existing water mains within the site are time-worn and would need to be replaced in order to serve the proposed development. City of Bremerton Public Works and Utilities submitted a Conditional Letter of Water and Sewer availability, dated April 4, 2006, stating that all mains must be brought to current standards and a looped system must be provided throughout the project to provide sufficient water flow and quality. *Exhibit A, Attachment 12.*

17. The site contains geologically hazardous areas as defined in the Bremerton Critical Area Ordinance (CAO). *Bremerton Municipal Code (BMC) 20.14.100.* The Applicant submitted a Geotechnical engineering study prepared by Earth Solutions NW on July 7, 2005. *Exhibit A, Attachment 8.* Data from the study revealed that the surface of the site contains extensive areas of fill related to previous development. The study concluded that the proposed residential structures could be adequately supported by native soils and structural fill, and that excavation to depths of two to three feet would be necessary in areas containing loose, unsuitable imported soils. The site contains steep slopes along parts of its western boundary. Each lot must be reviewed for steep slope setback requirements prior to building permit approval. The study included several geotechnical recommendations, which City Planning Staff recommended as conditions of permit approval. *Exhibit A, pages 7-8; Attachment 8; Testimony of Ms. Vidinhar; Testimony of Mr. Bruskrud.*

⁴ "Woonerf" is a Dutch term for a common space shared by pedestrians, cyclists, and low speed vehicles, designed to include plantings, curbs, and other obstacles to ensure low vehicle speeds. *Attachment 7a, page 66.*

18. The project includes a proposed wildlife corridor, which would also serve as a pedestrian path. The wildlife corridor would be a minimum 50-foot-wide public right-of-way crossing the site, connecting the riparian corridor to the east with the madrona forest in the western portion of the site. The Applicant proposes to plant the wildlife corridor with native vegetation to provide habitat and forage for wildlife. The corridor would also be developed with bioswales and infiltration space as part of the project's overall stormwater management system. A planting plan for the wildlife corridor must be approved prior to Phase II final plat approval. *Exhibit A, pages 7, 11; Attachment 7a, page 68; Testimony of Ms. Vidinhar.*

19. An inventoried bald eagle nest was located within 800 feet of the eastern portion of the site. The Applicant submitted a Bald Eagle Management plan, prepared by Alkai Consultants, dated received May 12, 1006. The project is not required to prepare a full bald eagle management plan, due to the fact that it does not require a DNR forest practice application; however, a plan has been developed for the East Park development due to the large land use change and the impact the project may have on eagles within the Manette Bald Eagle Territory.⁵ The inventoried eagle nest is found in a cottonwood tree located in the riparian corridor bordering the site's eastern boundary. A small percentage of the total project development would occur within an 800-foot radius of the identified nest. The forested portion of that small percentage would be retained in its natural state. Of the few trees that would require removal to accommodate the proposed development, no significant nest-site or perch trees were identified. The majority of the project's proposed construction zone has already been cleared. The proposed bald eagle management plan contains conditions proposed for the protection of bald eagles and their habitat, including:

- No-cut buffers containing potential large perch trees would be retained;
- Perch trees adjacent to buffers would be retained to the greatest extent possible;
- All identified leave trees would be marked prior to grading and clearing;
- Protection within 800 feet of a known active nest is not recommended during the breeding season (February 1 to August 15); and
- If eagles initiate a new nest site within a quarter mile of the site, disturbing activities shall be halted and the developer shall contact Washington Department of Fish and Wildlife (WDFW) to revise the eagle management plan.

The eagle management plan must be approved by WDFW prior to final plat submittal. *Exhibit A, pages 7, 11; Attachment 19; Testimony of Ms. Vidinhar.*

20. McDougal Creek is a fish-bearing stream south of the site, across Wheaton Way. The Applicant submitted a Stream Assessment prepared by Alkai Consultants, dated received May 12, 2006. According to the stream assessment, north of Wheaton way, McDougal Creek follows a riparian corridor through high levels of development and abuts the eastern boundary of the project site. The part of the stream abutting the site has been identified as a Type Np (Type II), which is a non-fish bearing habitat. This is due to several factors,

⁵ The Manette Bald Eagle Territory is located in Kitsap County along the shoreline of the Port Washington Narrows. *Attachment 19, page 4.*

including recent landslide activity, that have made the upper reaches of the creek impassable. Eventually, the stream feeds into the portion of McDougall Creek that is fish-bearing. Pursuant to the Bremerton Critical Area Ordinance, Type Np (Type II) streams that flow into fish-bearing streams require 50-foot no-disturb buffers. *BMC 20.14.220(b)(2)(B)(4)*. The stream assessment concluded that the proposed development would not negatively impact the stream if the following conditions were observed:

- No development within 50 feet of the creek;
- No vehicular activity within the 50-foot buffer; and
- No dumping or clearing within the 50-foot buffer.

Exhibit A, pages 7, 10; Attachment 18; Testimony of Ms. Vidinhar.

21. The proposed development would be served by the Bremerton School District (the District). Mountain View Middle School is located four blocks from the site and View Ridge Elementary is a short distance to the northwest. The District participated in the public process before adoption of the Comprehensive Plan Amendment creating the Sub-Area. The record contains no evidence of District comments regarding school impacts, current capacity of District facilities, or requests for impact fees. The project would provide adequate safe walking for students who walk to and from school. All internal streets would have lighted sidewalks. In addition, the site is currently served by two public transit stops, and a third stop is planned. *Exhibit A, Attachment 7a, pages 2, 9, 31, 32.*

22. The City was designated as lead agency for review of environmental impacts caused by the requested preliminary plat. The City considered an environmental checklist and the requirements of City ordinances prior to issuance of its threshold determination. The City Responsible Official determined that compliance with the conditions of MDNS approval for the Comprehensive Plan Amendment (summarized above in Finding no. 4 and in the record at Exhibit A, Attachment 7b) would address any significant adverse environmental impacts and. A Determination of Non-Significance (DNS) was issued on May 3, 2006. No appeal was filed. *Exhibit A, Attachment 16, DNS.*

23. The City provided adequate notice of application, notice of SEPA threshold determination, and notice of public hearing by mailing, publication, and posting on-site, consistent with the requirements of BMC 20.02.100-.110. *Exhibit A, Attachments 14, 15, 17, and 20; Testimony of Ms. Vidinhar.* There was public comment at the hearing urging sufficient protection for the inventoried bald eagle nest within 800 feet of the site. *Testimony of Mrs. Travis.* The City Planning Staff and the Applicant representative stated that the project would comply with all recommendations of the finally approved bald eagle management plan. *Testimony of Ms. Vidinhar; Testimony of Mr. Bruskrud.*

CONCLUSIONS

Jurisdiction Pursuant to Sections 2.13.070, 2.13.080 and 20.02.040 of the Bremerton Municipal Code (BMC), the Hearing Examiner has jurisdiction to hold open record pre-decision hearing on

preliminary plat applications and make a final decision on it following that hearing. The decision may be to approve, approve with conditions, or deny the application. BMC 2.13.110.

Criteria for Review – Preliminary Plat

The criteria for approval of a Preliminary Plat are found in Chapter 58.17 of the Revised Code of Washington.⁶ Pursuant to RCW 58.17.110(2), a Preliminary Plat application may not be approved unless:

- (a) Appropriate provisions are made for the public health, safety, and general welfare and for such open spaces, drainage ways, streets or roads, alleys, other public ways, transit stops, potable water supplies, sanitary wastes, parks and recreation, playgrounds, schools and school grounds and all other relevant facts, including sidewalks and other planning features that assure safe walking conditions for students who only walk to and from school; and

- (b) The public use and interest will be served by the platting of such subdivision and dedication.

Conclusions Based on Findings

1. With conditions, the project would make appropriate provisions for public health, safety, and general welfare. The project would provide more than the minimum

required open space, including large active recreation areas; green pedestrian rights-of-way protected from vehicle entry; a wildlife corridor; and conservation areas preserving existing forests. Downstream stormwater drainage would benefit from development of the project because it would replace several existing undersized discharge and outfall facilities. All runoff from new impervious surfaces would be collected, treated, and discharged consistent with City standards. Public ways consistent with the applicable Sub-Area Plan standards would be provided. All internal streets would be provided with street lighting and sidewalks on at least one side. Traffic impacts would be mitigated by construction of frontage improvements to Wheaton Way, Schley Boulevard, and other rights-of-way, as well as by contributions of pro-rata shares to current traffic improvement projects in the City. The City would provide sewer service and potable water. Conditions of approval would ensure that existing, outdated water mains are replaced and that adequate potable water and fire flow are provided. Adequate provision is made for the safe walking of students to and from schools. Transit service to the site exists. Findings Nos. 12, 13, 14, 15, 16, 17, 18, 19, and 21.

2. With conditions, the public use and interest will be served by the platting of the proposed subdivision. The project would redevelop abandoned land near the Port Washington Narrows, creating an integrated, pedestrian-friendly, mixed-use community with a unique identity that would provide a variety of housing types. The proposed lots would be consistent with the dimensional and other development standards of the Sub-Area Plan. Conditions of approval would ensure compliance with the CAO geologically hazardous areas standards. The existing madrona forest and other stands of significant trees would be retained in their natural state. The project would be required to comply

⁶ As of the date of this application, the City had not enacted a subdivision ordinance. Exhibit A, page 5.

with a bald eagle management plan approved by WDFW for the protection of eagles within the Manette Bald Eagle Territory. With conditions, the project would not have negative impacts on McDougal Creek. The project was reviewed for compliance with SEPA and a DNS was issued. Findings Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 19, 20, and 22.

DECISION

Based upon the preceding Findings and Conclusions, the Hearing Examiner decides that it is appropriate to **APPROVE** the request for a preliminary plat to subdivide 48 acres of land into 454 single- and multifamily housing units, open space, and retail commercial space as described in the application and final plans (*Exhibit A, Attachment 1, Application, Exhibit A, Attachment 11, Site Plans*), subject to the following conditions:

1. The development shall be consistent with the development standards established in the East Park Sub-Area Plan (Exhibit A, Attachment 7a), including but not limited to: dimensional and setback standards for each of the four zoning districts; open space requirements; and public ways requirements.
2. The development shall comply with the mitigation measures required in the November 23, 2005 MDNS issued for the Comprehensive Plan Amendment creating the East Park Sub-Area (Exhibit A, Attachment 7a) pertaining to the following: bald eagle habitat management; Wheaton Way/Schley Boulevard improvements; pro-rata share to TIP projects; Wildlife corridor planting; YMCA signage placement; and further study of proposed Homer Jones Drive.
3. The project shall comply with the geotechnical recommendations in the Earth Solutions NW Geological Engineering Study, dated July 7, 2005 (Exhibit A, Attachment 8), with one exception. The 25-foot minimum structural setback recommended on page 9 of the study is not required. Each lot shall be assessed for compliance with steep slope development standards in the Bremerton Critical Area Ordinance (BMC 20.14.100) prior to building permit approval.
4. Washington Department Fish and Wildlife must approve the Applicant's Bald Eagle Management Plan prior to final subdivision submittal.
5. A Wildlife Corridor Planting Plan shall be submitted to the Department for approval prior to Phase II of the Final Subdivision approval.
6. The project shall provide a 50-foot no-disturb buffer for McDougal Creek, consistent with BMC 20.14.220(b)(2)(B)(4).
7. Traffic mitigation and street improvement plans shall be submitted to the City Engineer for approval prior to Final Subdivision approval. At a minimum, mitigation shall be consistent with the recommendations in the Traffic Impact Analysis at Exhibit A, Attachment 9, page 17.

8. All frontage improvements along Wheaton Way shall comply with BMC 11.12.110. Detailed street improvement plans shall be submitted and approved by the City Engineer prior to Final Subdivision approval.

9. Pursuant to BMC Section 15.04, storm water quantity and quality mitigation shall be required. Detailed Storm Water Drainage Plans shall be submitted and approved by the City Engineer prior to Final Subdivision approval.

10. The subdivision shall comply with all conditions specified in the conditional water and sewer availability letter from the City of Bremerton Public Works and Utilities Department (Exhibit A, Attachment 12), including but not limited to installation of new water mains and a looped system throughout the development.

11. Pursuant to BMC 11.12.200, street lighting is required. A detailed street lighting plan shall be submitted and approved by the City Engineer prior to Final Subdivision approval.

12. The Applicant shall obtain addresses from Public Works, which shall be included on the final plat.

13. Some of the road width standards presented in the Sub-Area Plan are reductions in that required by the International Fire Code and the BMC. All residential structures within the project that are accessed from reduced width fire apparatus access roadways shall be equipped throughout with a fire sprinkler system.

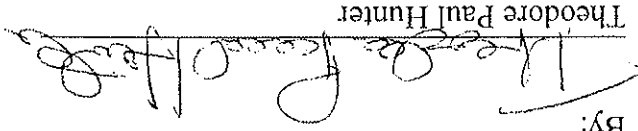
14. A Phasing Plan is required with the Final Subdivision submittal. Phasing to include site map and timetables indicating the anticipated time between initial site grubbing/grading activity and the completion of construction, including site stabilization and drainage improvements of that specific phase.

15. A final plat meeting applicable development standards and conditions shall be submitted to the City for approval within five years of the date of preliminary plat approval.

Decided this 2nd day of June 2006.

DRISCOLL & HUNTER
Hearing Examiners for the City of Bremerton

By:



Theodore Paul Hunter

