



Staff Report and Recommendation Hearing Examiner

Report Date: April 2, 2018
Hearing Date: April 9, 2018

Application Submittal Date: November 6, 2017
Application Complete Date: November 6, 2017

Applicant/Owner: Seaside Kingston, LLC, eric@element-residential.com
Project Representative/Engineer: NL Olson & Associates INC, nlolson2@nlolson.com

Permit Number: 17-04643 (Preliminary Plat); 17-04646 (Performance Based Development); 17-04647 (Administrative Conditional Use Permit)

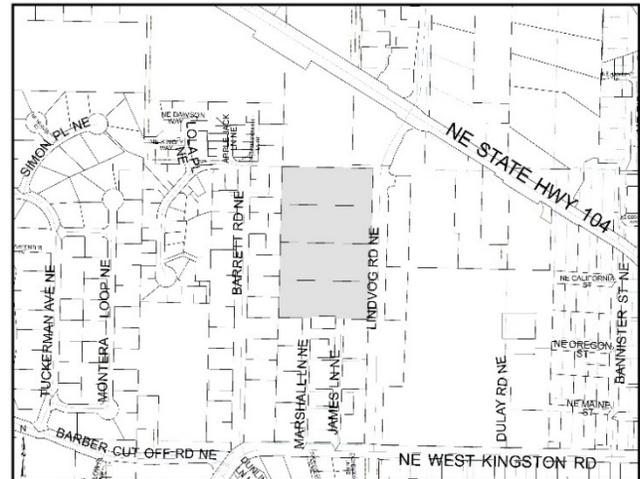
Project Name: Seaside at Kingston

Type of Application: Preliminary Plat; Performance Based Development; Administrative Conditional Use Permit

VICINITY MAP

Proposal Summary

The applicant proposes to subdivide four parcels totaling 7.08 acres into 140 zero-lot-line parcels ranging in size from 832 square feet to 1,092 square feet which will consist of 140 attached townhome-style residences in 14 buildings. The proposal also includes open space, recreational amenities, landscaping, access roads, sidewalks, curb, gutter, frontage improvements to Lindvog Road NE as well as stormwater treatment, detention control vaults and utilities.



Project Request

Seaside Kingston, LLC is requesting approval for a Preliminary Plat/Performance Based Development to create 140 lots and Administrative Conditional Use Permit approval to construct multi-family style housing on the newly created parcels.

Project Location

Lindvog Road NE
Kingston, WA 98346
Commissioner District #1

Assessor's Account

262702-4-079-2001
262702-4-080-2008
262702-4-081-2007
262702-4-082-2006

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Owner of Record

Nathan's Glen Three LLC
C/O Levi Holmes
3599 NW Carlton ST STE: 201
Silverdale, WA 98383

Applicant

Seaside at Kingston, LLC
12900 E 180th ST. STE: 200
Bothell, WA 98011

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 November 14, 2017 (Exhibit 20). A Mitigated Determination of Nonsignificance (MDNS) was issued on March 15, 2018 (Exhibit 33). SEPA noted the following mitigation conditions that have been imposed and are listed under the environmental conditions at the end of this report:

1. A transit stop will be provided at the northwest corner of State Highway 104 and Lindvog Road NE, including off-site improvements for pedestrian access to the stop, pending WSDOT approval. The access will be a 5-foot concrete or asphalt path that may be located up against the existing curb. An allowance for the planting strip is not required.

2. If WSDOT denies the transit stop location at a later date, or Kitsap Transit chooses to revise their condition to allow the transit stop in front of the development, then the offsite improvement will not be required. However, any transit improvements that would be required on the project frontage of Lindvog Road NE will be addressed with the Site Development Activity Permit submittal, along with demonstration of meeting off-site wetland buffers.

The SEPA appeal period expired March 29, 2018. No appeals were filed; therefore the SEPA Determination is final.

Physical Characteristics

The subject parcels total 7.08-acres in size. The most southerly lot (Lot 082) contains a single-family residence and detached garage built in 1957. These structures will be demolished prior to construction of the plat.

The lots are rectangular shaped and extend north to south along the west side of Lindvog Road NE. The lots slope gradually from the north side of the property to the south. Average grade along the length of the properties is approximately 5%.

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Around 2002 to 2003 the majority of the second growth trees were logged from the property. Today, the lots are vegetated with a mix of deciduous and coniferous trees and a typical shrub layer.

A large portion of the properties is covered with invasive Scotch Broom and Himalayan blackberry. Except for a small manmade pond at the northwest corner of the property, there are no critical areas present on-site. The man-made pond is likely fed by diverting water from the off-site wetland on the adjacent lot, and has been field flagged and professionally surveyed.

The entire site is in a mapped Category I Critical Aquifer Recharge Area (see Exhibit 41).

	Standard	Proposed
Zone: Commercial		
Minimum Density	10 (2.84 acres of net developable acreage x 10 = 28.4 or 28 required units)	140
Maximum Density	30 (7.08 acres x 30 = 212.4 or 212 maximum units)	
Minimum Lot Size	NA	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	NA	NA
Minimum Lot Depth	NA	NA
Maximum Height	35 feet	3 stories, <35-feet
Maximum Impervious Surface Coverage	85%	~196,240 or 64%
Maximum Lot Coverage	NA	NA

Comprehensive Plan Designation and Zoning

Applicable footnotes:

17.420.060.A.5 - The Design Standards for the Community of Kingston sets forth policies and regulations for properties within the downtown area of Kingston. All development within this area must be consistent with these standards. A copy of the Design Standards for the Community of Kingston may be referred to on the Kitsap County web page or at the department of community development front counter.

Staff Comment:

This application has been reviewed for compliance with the Design Standards for the Community of Kingston.

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Standard Setback for Zoning District

Yard	Standard	Proposed for Buildings	Proposed for Individual Lots/Units
Front (East)	20 feet	20 feet	0 feet
Side (South)	10 feet (20 feet when abutting residential)	20 feet (abuts residential)	0 feet
Side (North)	10-foot (20 feet when abutting residential)	10 feet	0 feet
Rear (West)	10-foot (20 feet when abutting residential)	20 feet (abuts residential)	0 feet

Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Undeveloped	Industrial (IND) & Commercial (C)
South	Single-family residential homes	Urban Medium (UM)
East	Skate-park, undeveloped commercial lots, commercial development	Commercial (C), Neighborhood Commercial (NC)
West	Single-family residential homes	Urban Low (UL)

Public Utilities and Services

	Provider
Water	Kitsap PUD #1
Power	Puget Sound Energy
Sewer	Kitsap County
Police	Kitsap County Sherriff
Fire	North Kitsap Fire & Rescue
School	North Kitsap School District #400

Access

Currently, the existing single-family residence accesses the site from James Lane NE to the south. As proposed, the new development will access from the east at 2 points along Lindvog Road NE, a paved, county-maintained public right-of-way. There are three internal access roads proposed for the development. Those internal roads will be privately maintained, however should the applicant or his successors or assigns choose to dedicate these roads to Kitsap County, it shall be subject to further review by Kitsap County Development Engineering. All improvements necessary to bring said roads to the then current Kitsap County standards shall be done at no expense to the County prior to being accepted into the Kitsap County road system for maintenance (see condition 53).

619 Division Street MS-36 Port Orchard, WA 98366-4682

(360) 337-5777 | www.kitsapgov.com/dcd

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Site Design

The applicant is proposing to develop the 7.08-acre site into 140 zero-lot-line parcels. Fourteen townhome style buildings will be constructed totaling approximately 103,040 square feet. The structures are three stories each and are designed using a mix of construction materials and architectural elements to achieve compliance with the Design Standards for the Community of Kingston. The buildings will range in size from 4,416 square-feet to 8,832 square feet containing between six and twelve units each.

The buildings orient front entries to the street front along Lindvog Road NE and face common and courtyard areas in other locations of the development. Garage openings are oriented to face each other and are located along the internal access roads.

The recreational open space is located in the middle of the development and includes amenities to enhance recreational opportunities for residents. Those amenities consist of age appropriate play equipment, picnic shelter, community barbeque area, patio with Adirondack chairs and sculptural element, and a wood-framed habitat viewing platform located in the northwest corner of the property. Covered bicycle parking is provided within the core of the development.

Common open space is located along the perimeter of the development and consists of required landscaping buffers enhanced with native vegetation, critical areas and their buffers and a potential trail connection and pedestrian access connection to James Lane NE.

Internal roads will be located throughout the development providing access and circulation to individual units. Curb, gutter and sidewalks will be constructed along internal streets and paved pedestrian access is provided throughout the development. Frontage improvements along Lindvog Road NE include a six-foot sidewalk, four-foot planting strip with street trees, street furniture and lighting.

Off-site improvements consist of a transit stop located at the northwest corner of State Highway 104 and Lindvog Road NE and a five-foot paved or asphalt pedestrian walkway extending north of the project boundary along the west side of Lindvog Road NE to the intersection with State Highway 104.

Parking is located along the internal access roads along the sides and rear of the development and includes a mix of 90-degree parking, parallel parking and compact parking spaces. The core of the development is reserved for recreational and pedestrian use.

Stormwater quantity and quality controls are provided from a combination of underground detention vaults, bio-retention cells, and infiltration reservoirs.

Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an

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opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted June 30, 2016

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

Land Use Goal 1 - Focus current and future planning on infill and redevelopment of existing Urban Growth Areas.

Land Use Policy 2

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

Land Use Policy 3

Address design variations in multifamily building design features and design variety through lot clustering, flexible setback requirements and mixed attached and detached housing types.

Land Use Policy 6

Where appropriate, encourage mixed use, high density uses, and Transit Oriented Development (TOD) to reduce reliance on the Single Occupancy Vehicle (SOV).

Land Use Policy 11

In accordance with Kitsap County Health District and Washington State requirements, require connection to a public sewer system for new or extensively remodeled development located within 200 feet of the public sewer system, and within an urban growth area.

Land Use Goal 2 - Promote health in the built environment.

Land Use Policy 12

Review spatial requirements and proximity as considerations when requiring new development to provide connectivity to existing trails, paths and sidewalks and seek locations and means to expand existing trail system.

Land Use Policy 14

Through development standards, encourage urban amenities such as open space, plazas, and pedestrian features in areas of more intensive development within 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 15

Link non-motorized planning requirements to land use planning decisions.

Housing and Human Services Goal 4 - Ensure that all people have fair and equal access to housing and services.

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Housing, Human Svcs Policy 11

Promote fair housing to ensure that all residents of Kitsap County have an equal and fair opportunity to obtain safe and sanitary housing suitable to their needs and financial resources, regardless of race, religion, gender, sexual orientation, age, national origin, family status, income, disability, or other protected class.

Housing and Human Services Goal 6 - Integrate affordable housing and human services planning with transportation, workforce development, and economic development efforts.

Housing, Human Svcs Policy 23

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

Transportation Goal 1 - Provide a safe and reliable multi-modal transportation system for people of all ages and abilities.

Transportation Policy 2

Approve site design that is supportive of transit services and its patrons.

Transportation Policy 3

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

Transportation Goal 9 - Develop a system of non-motorized transportation facilities that are constructed primarily within the right-of-way of existing and proposed public streets or roads.

Transportation Policy 35

Explicitly link land use and transportation planning decisions to non-motorized planning documents.

Transportation Policy 36

Maximize the opportunity for non-motorized travel, including development of corridors that are safe for all ages.

CapF and Utilities Goal 2 - Develop specific concurrency management standards for incorporation into the development review process to determine the precise requirements for the timing, funding and circumstances for the provision of concurrent services and facilities.

CapF and Utilities Policy 4

Ensure adequate infrastructure is in place for new development.

CapF and Utilities Goal 3 - Coordinate capital improvements with land development. Manage the land development process to ensure that all development receives public facility levels of service equal to, or greater than the adopted standards by implementing the schedule of capital improvements in the Capital Facilities Plan.

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CapF and Utilities Policy 8

In accordance with Kitsap County Health District and Washington State requirements, require connection to a public sewer system for new or extensively remodeled development located within 200 feet of the public sewer system, and within an urban growth area.

CapF and Utilities Goal 5 - Provide adequate public facilities to Urban Growth Areas.

CapF and Utilities Policy 16

Require urban-level sanitary sewer service or equivalent service in all Urban Growth Areas. Update county-owned and operated sewer facility plans to include, not only capacity demand and needs, but also future major collection or conveyance systems for the 2036 planning horizon (existing and projected).

Kingston Economic Development Goal 2 - Support the maintenance of local businesses.

Kingston Policy 6

Encourage compact residential development in the downtown core as defined by Urban Village Center and other relative commercial zones.

Kingston Policy 7

Encourage development that build projects compatible with Kingston's current design.

Kingston Parks, Trails and Open Space Goal 7 - Pursue the creation of a more walkable community by supporting development of pedestrian pathways, sidewalks and trails that connect people to places.

Kingston Policy 19

As feasible, support recommendations identified in the Kitsap County Non-Motorized Facility Plan.

Kingston Transportation Goal 12 - Work to improve safety for pedestrians, bicycles, and vehicles within the Kingston Urban Growth Area.

Kingston Policy 38

Encourage connectivity between developments.

Kingston Community Goal 14 - Formalize Kingston community identity.

Kingston Policy 45

Preserve the small town character of the Kingston Urban Growth Area in community planning and development.

Kingston Land Use Goal 16 - Apply Kingston Design Standards in the permitting process.

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

Code Reference	Subject
Title 11	Roads, Highways and Bridges
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 16	Land Division and Development
Title 17	Zoning
Chapter 18.04	State Environmental Policy Act (SEPA)
Title 19	Critical Areas Ordinance
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

Documents Consulted in the Analysis

A complete index of exhibits is located in the project file. To date, the index to the record consists of 52 Exhibits.

Exhibit #	Document	Date or date stamped
1	Project Application 17-04643, 17-04646, 17-04647	11/06/17
2	Supplemental Application – Preliminary Land Divisions 17-04643	11/06/17
3	Supplemental Application – Performance Based Development 17-04646	11/06/17
4	Supplemental Application – Admin. Conditional Use Permit 17-04647	11/06/17
5	Supplemental Application – Critical Area Shoreline Buffer Reduction/Variance 17-04643, 17-04646, 17-04647	11/06/17
6	SEPA Environmental Checklist 17-04643, 17-04646, 17-04647	11/06/17
7	Traffic Concurrency Test	11/06/17
8	Project Narrative	11/06/17
9	Parking Analysis	11/06/17
10	Site Plan	11/06/17
11	Floor Plan & Elevation Plan	11/06/17
12	Water Availability Letter	11/06/17
13	Sewer Availability Letter	11/06/17
14	Geotechnical Reports	11/06/17
15	Wetland Mitigation	11/06/17
16	Traffic Impact Analysis	11/06/17
17	Site Assessment & Planning Packet	11/06/17
18	Stormwater Worksheet	11/06/17
19	Engineered Drainage Analysis/Report	11/16/17
31	Landscaping Plan	03/09/18
32	Drainage Plan	03/09/18
36	Off-site Improvements Site Plan	03/15/18

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Staff Documentation

Memo from Development Services and Engineering

Dated

March 23, 2018

Public Outreach and Comments

Pursuant to Kitsap County Code Title 21, Land Use and Development Procedures, the Department provided proper notice to property owners within a radius of 800 feet of the property which is subject to the development proposal.

Additionally, a stand-alone community meeting organized by the District 1/North Kitsap County Commissioner was held in response to a request from the Kingston Citizens Advisory Council on January 23, 2018 at the Village Greens Community Center in Kingston. The applicant and project representatives introduced the community to the proposed project, took public comment under consideration and answered specific questions regarding the project, it's design and the intent of the development. County Staff were on hand to observe and listen to concerns/comments as well as answer questions regarding the permitting process and general project questions.

There were approximately 100 people in attendance at the meeting. Comments from that meeting as well as public comments received outside of that meeting have been summarized in the table below:

Issue Ref. No.	Summary of Concern (See corresponding responses in the next table)	Comment Letter Exhibit Reference No.
1	Sidewalks and pedestrian safety are concerns for the community. Children will need to walk from this development to Richard Gordon Elementary School on Barber Cut-Off Road. How will they get there safely?	CM, 47,
2	There are not enough buffers and screening	CM
3	Trail connection – Some feel it is important, others do not want it	CM, 21, 24
4	Parking is a concern. With a shortage of parking, residents will utilize the park and existing commercial parking areas or park on the street.	CM, 30, 34, 35, 47, 48
5	Green Space / Open Space / Amenities – 20-foot buffer around development creates the appearance of a dorm that is trying to avoid association with the existing neighborhood; lack of open space and imagination	CM, 27
6	Entrances from Lindvog Road NE only – Fire Department/Police Access is a concern if Lindvog Road NE were to be blocked	CM, 27, 34, 46
7	Infrastructure (Schools, Roads, Sewer, Water, Law Enforcement, Fire Department Equipment), Impact Fees	CM, 34, 46, 48
8	Homeowner's Association Management – Many HOA's become inactive and don't enforce rules	CM
9	Architecture, building and unit Layout (aging-in-place, no main floor bedroom), energy use	CM, 27, 34, 35, 46

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10	Traffic will increase. Traffic in Kingston is already an issue.	CM, 30, 34, 47
11	Homeless population mitigation / Affordable housing	CM
12	Internal Circulation – garbage and school bus	34
13	Environmental concerns (stormwater, wetlands, clearing, vehicle exhaust, pollution, noise, light, litter, stormwater run-off, tidelands)	22, 25
14	Too many homes. Density is too high.	48

CM = Community Meeting

Issue Ref. No.	Issue	Staff Response
1	Pedestrian Safety	<p>Concerns regarding pedestrian safety have been evaluated through compliance with applicable Kitsap County Codes (KCC) including KCC 16.24.040.C; 17.420.030.E; 17.420.037.A; Kingston Design Standards Chapter III.A.2 and through SEPA mitigation conditions.</p> <p>Sidewalks and pathways are implemented throughout the development to facilitate pedestrian access and safety. Pedestrian improvements along the project frontage of Lindvog Road NE include a six-foot paved sidewalk separated from the road by a planting strip. Additionally, an ADA compliant pedestrian walkway will be constructed connecting the proposed sidewalk along Lindvog Road NE to the signaled intersection at State Highway 104 and Lindvog Road NE.</p> <p>A pedestrian connection will be provided from the south property boundary to James Lane NE which will allow pedestrians to connect to the sidewalk at NE West Kingston Road via a much less traveled County right-of-way (James Lane NE) rather than walking south along Lindvog Road NE to NE West Kingston Road.</p>
2	Buffers and Screening	<p>The project as proposed complies with the requirements set forth in Kitsap County Code (KCC) 17.500.027.A.2 – Roadside and Setback Buffers; KCC 17.500.027.A.2 – Separation Buffers.</p> <p>The conceptual landscaping plan has been revised after staff review to include additional plantings, particularly along the south project boundary where buildings will be located within 20 feet of the property line and existing vegetation is sparse. A six-foot high solid board fence is required along the south property line, and has been incorporated into the conceptual landscape design.</p>

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		<p>The west property line will retain the majority of the existing vegetation due to the wetland and required buffer area. Mitigation plantings are required and shown.</p> <p>The property to the north is zoned industrial and commercial and is heavily wooded and undeveloped. The conceptual landscaping plan includes a mix of trees, shrubs and groundcover along the north property line. At the time of development of the industrial lot to the north, additional screening will be required of that property to screen any future incompatible uses from the abutting residential neighborhood.</p> <p>The project frontage along Lindvog Road NE will consist of front yard area. The proposed landscaping includes street trees, lawn, and entrance landscaping at each unit.</p>
3	Trail Connection	<p>There is an existing non-formalized community trail through the subject property connecting Lindvog Road NE to the parcels to the west. Some residents are in favor of the trail, while others are opposed to it as it connects to private property without formal easements or agreements.</p> <p>The Kingston Community Trails Plan is currently being considered for inclusion into the County Non-Motorized Facilities Plan (NMP). The NMP currently shows an “existing open trail” on the Kingston Map that crosses private property that may or may not be “open to the public”. Given that, staff recommended, and the Non-Motorized Facility Citizens Advisory Committee agreed, the trail graphic will be deleted and a “conceptual recreation trail” be added. Alignment is not specified and may require agreements with private property owner for access. This proposed action will be heard by the Planning Commission at a later date.</p> <p>Given the information noted above, the Kitsap County Non-Motorized Reviewer has conditioned the project for construction of a trail connection if an agreement is reached prior to final plat recording, or for reservation of trail alignments for future establishment of a trail. (See condition 4).</p>
4	Parking / Transit Oriented Development	<p>This project is considered a multi-family development. Kitsap County Code 17.490.030 requires 1.5 parking spaces per unit plus 0.5 per unit on-street or set aside parking. This equates to 210 parking spaces with an additional 70 spaces on-street or set aside for a total of 280 required spaces.</p>

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		<p>The development proposes a total of 238 parking spaces. 140 parking spaces are the single-car garages provided to each unit with an additional 98 spaces located around the perimeter of the development.</p> <p>Kitsap County Code (KCC) 17.490.030.A.1 allows for an administrative reduction of up to 25% to the amount of required off-street parking if a project proponent demonstrates that due the unusual nature of the proposed use, it is reasonable that the off-street parking required by this section exceeds any likely need, or that trip demand reduction programs or public transit availability serves to further reduce parking demand. The applicant is requesting a 15% reduction to the standard parking requirements.</p> <p>The following factors were reviewed in the request for parking reduction:</p> <ul style="list-style-type: none"> • The proposed Homeowner’s Association Covenants, Conditions and Restrictions (CC&R’s) will require residents to keep garages clear for vehicle parking (see condition 18). • The proposed CC&R’s will restrict the length of time and types of vehicles that can be parked in the “common parking” areas (see condition 17). • Kitsap Transit has been involved in the review process and has worked with the applicant to provide transit improvements as well as a paved pedestrian path to the new transit stop to facilitate commuters in getting to public transit safely. • Kitsap Transit offers a service called “Kingston Ride” which is a shared-ride service that operates by rider request only. Requesting a ride through this service is similar to Uber. The applicant has considered placing a covered waiting area along the project frontage of Lindvog Road NE to provide a place for residents to wait for this service. This is not a project requirement. • There is existing Washington State ferry service to Edmonds within walking distance of the development. • Kitsap Transit’s fast ferry service to downtown Seattle is scheduled to begin in Summer 2018. <p>Additionally, a grocery store, bank, post office, restaurants, parks, the marina and other services are located within walking distance. (See Exhibit #9).</p>
5	Green Space / Open Space / Amenities	The open space requirements for this project are driven by the Performance Based Development (PBD) standards

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		<p>KCC 17.450.040.B & C. The PBD standards require both common open space (15% of the gross acreage of the site or ~46,261 square feet) and recreational open space (5% of the gross acreage of the site or ~14,963 square feet, including active recreation amenities of 390 square feet for every 20 units or 7 total amenities equaling 2,730 square feet). These standards are more robust than the standard open space requirements for residential subdivisions which requires recreational open space of 170 square feet per unit which would have equated to ~23,800 square feet.</p> <p>As proposed the project consists of 47,706 square feet of common open space and 35,000 square feet of recreational open space, including 7 amenities. Proposed amenities include play equipment for 2 to 5-year-old children, play equipment for 6 to 12 year-old children, a BBQ area, two patios with seating, picnic shelter, and habitat view platform.</p> <p>Additionally, the Kingston Design Standards require increased pedestrian amenities/street furniture (1 per 100 feet of property frontage or 14 pieces of furniture). The project proposes 14 pieces of approved street furniture including lighting and benches.</p> <p>The buffer around the project development is driven by required zoning setbacks as well as landscaping requirements in Kitsap County Code (KCC). The perimeter areas can only count as open space if they are planted with native vegetation. The applicant has chosen native plantings for these areas, and therefore they count towards the total open space calculations.</p> <p>A table breaking out the open space requirements and how this project meets requirements is included in the analysis section later in this report.</p>
6	Access	<p>The project was evaluated for connectivity as required by KCC 17.420.037.B. Public Works has determined that connecting this large development to underdeveloped county rights-of-way is not appropriate. Lindvog Road NE is designated as a major collector and was designed for additional capacity.</p> <p>The Kitsap County Fire Marshal's Office has reviewed this application for compliance with applicable fire codes and has not required additional access other than what is proposed. Additionally, notice was sent to North Kitsap Fire & Rescue (NKFR). To date, no comments have been received from NKFR.</p>

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7	Infrastructure (Schools, Roads, Sewer, Water, Law Enforcement), Impact Fees	<p>Larger overall infrastructure planning occurs at the Comprehensive Plan and Capital Facilities Plan stage of the planning process. Development code addresses project specific infrastructure capacity.</p> <p>Water and sewer capacity/availability letters are required and were received from applicable providers at the time of project application.</p> <p>Public Works Traffic, Concurrency and Right-of-Way Divisions have reviewed this proposal and have determined that the existing access road is adequate for the development. Some upgrades (road approaches and frontage improvements) are required.</p> <p>Impact fees for roads and schools are collected at the time of building permit.</p>
8	Homeowner's Association Management	<p>County Code requires the establishment of a Homeowner's Association (HOA) for this project. Once established, the HOA is regulated by the State and the County lacks jurisdiction.</p>
9	Architecture, Building and Unit Layout (aging in place, no main floor bedroom), Energy Use	<p>Individual unit layout is not a regulated design element. Developers are given discretion to design the interior elements of homes or housing units in any way that fits their business model and target demographic.</p> <p>The overall building layout and design for this proposal are regulated in various sections within Kitsap County Code and by the Kingston Design Standards.</p> <p>The project has been reviewed for compliance with both Kitsap County Code and the Kingston Design Standards and has been deemed compliant with both.</p> <p>The preliminary building design includes building modulation, multiple steepened rooflines which incorporate single and stepped gable configurations. Windows vary in size and will incorporate integral grid patterns to simulate multi-pane windows. Each unit has a front porch/entry with transom windows above the entry doors and decorative wall mounted entry lights. Decorative moldings and brackets have been incorporated into the building design.</p> <p>The final building design will be reviewed at time of building permit and the project has been conditioned to comply with the architectural/building design requirements in the Kingston Design Standards, Chapter IV (See condition 16).</p>

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		Compliance with energy code requirements will be evaluated at the time of building permit.
10	Traffic	<p>The proposed development will increase traffic. The traffic impacts have been evaluated through review of the Traffic Impact Analysis (Exhibit #16) and completion of a Concurrency Test. The project was also reviewed for compliance with Kitsap County Code 20.04 "Transportation Facilities Concurrency Ordinance".</p> <p>A concurrency test was completed which resulted in an anticipated additional 840 average daily trips being generated by the development.</p> <p>Staff have determined that the proposed development does not exceed the concurrency thresholds for the County.</p> <p>The project has been conditioned with standard traffic conditions of approval. No additional traffic mitigation was required.</p>
11	Homeless Population Mitigation / Affordable Housing	Homeless population mitigation and affordable housing are not required elements of review criteria for this development proposal.
12	Internal Circulation – Garbage and School Bus	<p>The project has been conditioned for documentation that Waste Management requirements for waste disposal are met. (See condition 70).</p> <p>The North Kitsap School District was notified of the proposed project through the Notice of Application process. To date, no comments have been received.</p>
13	Environmental Concerns (Stormwater, Wetlands, Clearing, Vehicle Exhaust, Pollution, Noise, Light, Litter)	<p>This project has been reviewed for compliance with Kitsap County Code Title 12 "Stormwater", Title 18 "Environment" including the State Environmental Policy Act (SEPA) and Title 19 "Critical Areas", among others.</p> <p>This project complies, or has been conditioned to comply with all applicable regulations.</p> <p>The proposal includes stormwater treatment and detention control facilities. A combination of underground detention vaults, bio-retention and infiltration will be used to treat and control stormwater run-off.</p> <p>The wetlands were rated and flagged by a licensed biologist. The wetlands require a 50-foot buffer with an additional 15-foot building setback. The proposal includes a Critical Areas Buffer Reduction request of 25%. The buffer reduction request was reviewed by Environmental</p>

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		Staff and through the use of buffer averaging and mitigation plantings, the buffer has been administratively reduced to 40 feet, plus an additional 15-foot building setback. The buffer averaging and reduction request was needed to accommodate a portion of the existing/proposed trail and the roadway.
14	Density	<p>The project must meet minimum density requirements and shall not exceed maximum density requirements set forth in Kitsap County Code 17.420.050(B). The subject parcels are zoned Commercial and have a density range of 10-30 units per acre.</p> <p>Based on net developable acreage, the applicant was required to demonstrate a minimum of 28 units. The maximum number of units proposed could not have exceeded 212. The applicant is proposing 140 units or approximately 20 units per acre.</p>

Analyses

Planning/Zoning

This proposal was reviewed as a multifamily subdivision requiring an Administrative Conditional Use Permit, Preliminary Plat and Performance Based Development. The development was specifically reviewed for consistency with requirements in Kitsap County Code Title 16 “Land Division and Development”, (Chapter 16.04.080 General Requirements, 16.24.040 Urban Standards, 16.40 Subdivisions), Title 17 “Zoning” (Chapter 17.410.040(B) Allowed Uses, 17.420.030 Design Standards, 17.420.037 Single-family Subdivision/Development Standards, 17.420.050(B) Commercial, Industrial, Parks and Public Facilities Zones Density and Dimensions Table, 17.450 Performance Based Development, 17.470 Multifamily Development Design Criteria, Chapters 17.480.160 and 17.480.180 – 17.480.240, Chapter 17.540 Administrative Conditional Use Permit)

Kitsap County Code 16.04.080 Land Division and Development General Requirements

For all types of land segregations, appropriate provisions shall be made for the public health, safety and general welfare, including but not limited to: open spaces, drainage ways, streets or roads, alleys, other public ways, nonmotorized access, road and pedestrian connectivity, parking, transit stops, fire protection facilities, potable water supplies, sanitary sewage wastes, solid wastes, landscaping, parks and recreation, playgrounds, sites for schools and school grounds, sidewalks or other planning features that assure safe walking conditions for students who only walk to and from school. The public use and interest will be served by the proposed land segregation. The following general requirements shall be met for all land segregations proposed under this title. In addition, all specific requirements relevant to each individual type of land segregation are found in their respective chapters of this title.

- A. The proposed land segregation shall comply with the applicable provisions of the Kitsap County Comprehensive Plan and Kitsap County Code.

Staff Response:

This development proposal has been reviewed for compliance with applicable provisions
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of the Kitsap County Code and Kitsap County Comprehensive Plan. The development as conditioned is compliant with Code and the Comprehensive Plan.

- B. Adequacy of Access. Each lot within a land segregation shall have approved access to a street conforming to county road or access standards, unless an alternative standard has been approved by the director. To assure safe and adequate access, the director:
1. Shall require a developer to dedicate, establish, or deed right-of-way to the county for road purposes as a condition of approval of a land segregation, when to do so is reasonably necessary as a direct result of a proposed land segregation, for improvement, use or maintenance of the road system serving the development;

Staff Response:

No additional right-of-way dedication is required. Additionally, Lindvog Road NE is not on the County Transportation Improvement Program (TIP) for improvements.

2. Shall determine if road connectivity between the land segregation and adjacent properties is required. In cases where the dedication, establishment, or deeding of additional right-of-way cannot be reasonably required as a direct result of the proposed development but such right-of-way is necessary for future expansion of the public road system, the director shall require reservation of the area needed for right-of-way for future conveyance to the county. Building setbacks and all other zoning code requirements will be established with respect to the reservation line rather than the deeded, established, or dedicated right-of-way line. The area reserved for right-of-way may be donated to the county or will be purchased by the county through a county road project;

Staff Response:

Road connectivity options were reviewed by Staff. It was determined that connection to James Lane NE and/or Marshal Lane NE was not appropriate. Both James and Marshal Lanes are existing County rights-of-way, however they are underdeveloped to serve a development of this size, and the additional traffic would have a negative impact on the existing neighborhood. Lindvog Road NE is classified as a major collector and was constructed to accommodate a development of this size.

3. Shall be satisfied that the applicant has demonstrated sufficient access rights for the entire access route, where access to the segregation is gained via private easements;

Staff Response:

Access to this site is not gained via private easement. The development will access directly from a public right-of-way.

4. Shall require that newly established easements for access purposes not be contiguous to an existing access easement, unless there is no other feasible access point as determined by the director;

Staff Response:

Not applicable. The development will access directly from a public right-of-way.

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5. Shall require that off-site improvements be made to public or private streets, if needed to provide adequate access from the land segregation to a road acceptable to the director;

Staff Response:

Not applicable. Lindvog Road NE is considered an adequate access. Off-site pedestrian improvements are required and have been discussed later in this report under the heading "Safe Walking Conditions and under the heading 17.420.030 on Page 28.

6. May approve private streets, and may require that adequate provision is made for access to the private street to accommodate future segregations, where the county finds the following:
 - a. Vacant or underutilized land abuts the proposed land segregation or development; and
 - b. The location of said access easement is reasonable based upon the design needs for future streets; and
 - c. The establishment of said easement will further the extension of the street system within the urban growth area; and
 - d. The extension of the street system is reasonably foreseeable; and
 - e. The establishment of said easement furthers the goals and policies of the Comprehensive Plan;

Staff Response:

All roads within the development shall remain private (see condition 41). The proposed development abuts existing neighborhoods. Staff has determined that there are not vacant or underutilized abutting land that would benefit from future access through this development.

7. May limit direct access to certain streets and require on-site public or private streets in lieu of individual driveways, in accordance with the county road standards.

Staff Response:

All lots will access from interior roads only. This note shall appear on the face of the final plat (see condition 45).

- C. Safe Walking Conditions.
The applicant shall be required to provide information regarding pedestrian needs generated by the proposed land segregation. Where deemed necessary by the department, safe walkways shall be required.
1. School Children. In cases where a school is located within one mile of a land segregation and/or where it is likely the children will walk to school, safe walkways shall be required along roads interior to the land segregation and along existing roads fronting the site.

Staff Response:

Pedestrian pathways are proposed throughout the development to accommodate safe pedestrian access. The applicant is required to provide a six-foot sidewalk along the entire project frontage of Lindvog Road NE (see condition 43). A pedestrian pathway located along the south boundary of the development will allow access from the site to

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James Lane NE. This will allow children walking to Richard Gordon Elementary School to access the existing sidewalk along NE West Kingston Road without having to walk south along Lindvog Road NE where no sidewalk exists past the project frontage. Additionally, an off-site, paved, ADA compliant, pedestrian pathway is required north of the project boundary along Lindvog Road NE to the intersection of State Highway 104 (see condition 6).

2. Pedestrian Safety. Any land segregation within a UGA shall provide sidewalks along existing public roads fronting the subject property(ies). Residential segregations creating more than four lots in UGAs shall provide sidewalks internal to the segregation.

Staff Response:

See staff response comment above.

3. When sidewalks are required, they shall be constructed to comply with all applicable standards, including but not limited to county road standards and shall apply the federal American with Disabilities Act (ADA) standards for sidewalk ramps at all intersections, pedestrian crossings and transit stops.

Staff Response:

Sidewalks and sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act (ADA) per the Washington State Department of Transportation standard plans at the time of construction (see condition 44).

4. When reasonably necessary for public convenience, pedestrian ways may be required to connect to cul-de-sacs or to pass through unusually long or oddly shaped blocks.

Staff Response:

Not applicable. There are no cul-de-sacs or unusually long or oddly shaped blocks.

- D. Lot Configuration. The side lines of lots, as far as practicable, should run at right angles to the street upon which the lots face.

Staff Response:

All proposed lots run at right angles to the street in which the lots face.

- E. Homeowners' Associations. Land segregations of five or more lots within a UGA that propose roads and/or storm water facilities to be privately maintained shall form a homeowners' association, registered with the state of Washington. Conditions, covenants and restrictions (CCR) document shall address, at a minimum, ownership of and maintenance responsibilities for any private roads and any private storm water facilities. In rural zones where private roads and/or storm water facilities are proposed, road and storm facility maintenance agreements may suffice.

Staff Response:

Establishment of a homeowner's association (HOA) is required. Proof that the HOA is registered with the Secretary of State is required for submittal with the Final Plat application. Covenants, Conditions and Restrictions (CC&R) are also a required submittal item for the final plat. The HOA shall be responsible for maintenance of

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private roads and private storm facilities (see condition 36).

Kitsap County Code 16.04.040 Urban Standards

A. Access.

1. General.

- a. When accessing paved county right-of-way, the project approach shall be paved, per Chapter 4 of the Kitsap County Road Standards, as now or hereafter amended. When adjacent to or accessing Washington State Department of Transportation (WSDOT) right-of-way, WSDOT shall be provided the opportunity to review and comment on the proposed land segregation with respect to access.

Staff Response:

The project has been conditioned for compliance with the Kitsap County Road Standards for access and driveway approach (see condition 48).

- b. Appropriate drainage facilities to mitigate construction of roads shall be provided and constructed in accordance with Title 12, Storm Water Drainage, as now or hereafter amended.

Staff Response:

The project has been conditioned for compliance applicable stormwater requirements (see conditions 25-39).

- c. When accessing WSDOT right-of-way, the project approach shall meet WSDOT standards and WSDOT storm water requirements shall apply.

Staff Response:

Not applicable. The project is not accessing from a State right-of-way.

2. Private Roads. All private roads within single-family developments proposing more than four lots shall be in the form of separate access tracts and shall be constructed in compliance with the requirements of the fire marshal's office regarding emergency vehicle access. Private roads shall be cleared, grubbed, graded and paved, using permeable pavement where feasible in accordance with the Kitsap County Stormwater Design Manual.

Staff Response:

The project has been conditioned to comply with this requirement (see condition 21).

3. Public Rights-of-Way. For land segregations proposing more than four lots, dedication of right-of-way shall be required when a proposed road meets the criteria for classification as an arterial, collector or sub-collector in the KCRS. All road(s) shall be constructed in compliance with adopted Kitsap County Road Standards, as now or hereafter amended.

Staff Response:

Not applicable. The proposed roads do not meet the criteria for classification as an arterial, collector or sub-collector in the Kitsap County Road Standards.

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4. Shared Driveways. For the purposes of limiting access to county roads or reducing impervious surfaces, a shared driveway may be permitted for accessing up to two lots, where approved by the director. Each owner of the shared driveway shall have an appropriate easement to the use of the driveway. Maintenance responsibilities shall be specified within the recorded easement documents or on the face of the final plat. The maximum width for a shared driveway shall be twenty-four feet.

Staff Response:

Not applicable. No shared driveways are proposed.

- B. Public Transit Provisions. Land segregations shall provide for transit stops, shelters and/or space for said stops or shelters, as deemed necessary.

Staff Response:

Transit improvements are required (see condition 5).

- C. Nonmotorized Facilities.

1. Pedestrian Sidewalk Requirements.

- a. Sidewalks shall be required on both sides of all public or private streets that meet the criteria for classification as a principal or minor arterial, collector, local sub-collector or local minor road as determined under the Kitsap County Road Standards.
- b. Sidewalks shall be required on a minimum of one side of all public or private streets that meet the criteria for classification as local road, cul-de-sac or very low volume local road as determined under the Kitsap County Road Standards. Sidewalks may be required on both sides based upon site-specific conditions.
- c. Sidewalk design shall be consistent with all applicable standards, including but not limited to Kitsap County Road Standards, shall apply the Americans with Disabilities Act (ADA) standards for sidewalk ramps at all intersections, pedestrian crossings and transit stops and shall be a minimum of five feet wide.

Staff Response:

Pedestrian and sidewalk requirements are analyzed later in this report under the headings Kitsap County Code 17.420.030 Design Standards Page 28, 17.420.037 Single-family Subdivision/development standards Page 30 and 17.450.040.A Performance Based Development Access Parking & Circulation Pages 33-34.

- d. Where clustered mailboxes are proposed or required at the entrance and/or within the development, sidewalks shall be widened to meet required horizontal and vertical clear zones.

Staff Response:

Clustered mailboxes are proposed. The mailbox is centrally located with adjacent parking and is on a large paved pad that provides adequate horizontal and vertical clear zones.

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- e. Rolled curbs and thickened edge asphalt are prohibited, except where the sidewalk is separated from the street by at least five feet.

Staff Response:

Not applicable. Rolled curbs are not proposed or authorized.

2. Nonmotorized Trail Requirements. All development must be consistent with the Kitsap County Greenways, Bicycle Lane and Mosquito Fleet Trail Plan (Mosquito Fleet Trail Plan), as adopted. Where required by the Mosquito Fleet Trail Plan, a nonmotorized trail shall be provided. The trail shall be designed and built to the Mosquito Fleet Trail Plan standards for the required trail classification. Based upon topographic features, safety or other factors, provision of a trail may reduce the requirement for sidewalks.

Staff Response:

The proposed development has been reviewed by Staff for compliance with nonmotorized trail requirements. There is an existing non-formalized community trail through the subject property connecting Lindvog Road NE to the parcels to the west.

The Kingston Community Trails Plan is currently being considered for inclusion into the County Non-Motorized Facilities Plan (NMP). The NMP currently shows an "existing open trail" on the Kingston Map that crosses private property that may or may not be "open to the public". Given that staff recommended, and the Non-Motorized Facility Citizens Advisory Committee agreed, the trail graphic will be deleted and a "conceptual recreation trail" be added. Alignment is not specified and may require agreements with private property owner for access. This proposed action will be heard by the Planning Commission at a later date.

The Kitsap County Non-Motorized Reviewer has conditioned the project for construction of a trail connection if an agreement is reached prior to final plat recording, or for reservation of trail alignments for future establishment of a trail if the agreement is not in place by recording of the final plat (see condition 4).

3. Multipurpose Facilities. Where required by the Mosquito Fleet Trail Plan, multipurpose facilities, including but not limited to bicycle lanes shall be provided. All bicycle lanes shall be constructed to WSDOT standards at locations required by the Mosquito Fleet Trail Plan.

Staff Response:

There is an existing bicycle lane on Lindvog Road NE. No additional requirements apply.

D. Off-Street Parking.

1. Projects shall provide off-street parking consistent with the requirements of Chapter 17.490. Kitsap County encourages the use of low impact development (LID) techniques that conserve natural areas and minimize development impacts. Deviations from the off-street parking requirements set forth herein may be supported when LID techniques are employed without risk to the traveling public, critical infrastructure or maintenance operations.

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2. When calculating the required number of parking spaces, fractional parking space requirements shall be rounded up to the nearest whole number.
3. If the development includes set-aside parking areas, each area shall be limited to no more than ten spaces and shall be distributed throughout the development.

Staff Response:

Off-street parking requirements are analyzed later in this report under the heading Kitsap County Code 17.420.030 Design Standards Page 29 and under the heading Kitsap County Code 17.420.037 Single-family Subdivision/development standards Page 32.

- E. Fire Protection. Fire protection including fire hydrants, water supplies for firefighting and emergency vehicle access shall be provided in accordance with Title 14, the Kitsap County Building and Fire Code, and other applicable ordinances.

Staff Response:

The Kitsap County Fire Marshal's Office (KCFMO) has reviewed the proposed development and conditioned the project for compliance with all applicable Building and Fire Code requirements (see conditions 57-69).

F. Landscaping Requirements.

1. Landscaping shall be provided at all entrances to the project development consistent with the landscaping standards of Chapter 17.500.
2. Street trees, landscaping and storm water consistent with Titles 12 and 17 shall be provided along all public and private streets that meet the criteria for classification as a principal or minor arterial, collector or local sub-collector and local access roads as determined by the Kitsap County Road Standards. Street trees shall be located in the road right-of-way or access tract, or the front yards of individual lots or units. Street trees located on individual lots may be installed before final plat approval or before the certificate of occupancy for individual building permits. There shall be at least one tree per every twenty-five feet of road frontage. Trees shall be spaced no further apart than thirty-five feet. Street tree species shall be consistent with the Kitsap County Road Standards (KCRS) and shall be large canopy trees unless otherwise approved by the director for special mitigating circumstances. Maintenance of street trees and landscaping within county right-of-way is the responsibility of the fronting property owner(s).

Staff Response:

Landscaping and street tree requirements have been analyzed later in this report under the headings Kitsap County Code 17.420.030 Design Standards Page 27, Kitsap County Code 17.420.037 Single-family Subdivision/development standards Pages 31-32 and KCC 17.470 Multifamily Development Design Criteria Pages 39-40.

G. Utilities.

1. Water Supply and Sanitary Sewer System. Where an approved public water supply and/or an approved public sewer system is available to the land segregation project, connection thereto may be required upon the recommendation of the health officer or other Kitsap

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County requirements.

Staff Response:

Connection to public water and sewer is proposed and required.

2. Utility Easements. A ten-foot utility easement shall be located along those lot frontages within the land segregation project that abut private and public roads. This easement shall accommodate what is commonly referred to as broadband access.

Staff Response:

The project has been conditioned to provide ten feet on each side of the private road tracts for utility easements (see condition 21).

3. Utility Connectivity Requirements. Easements for future public utility extensions to abutting properties shall be required as a condition of application approval in cases where the county finds the following:
 - a. Vacant or underutilized land abuts the proposed land segregation or development; and
 - b. The location of said utility easement is reasonable based upon the design needs for future utility infrastructure; and
 - c. The establishment of said easement will further the extension of utility infrastructure within the urban growth area; and
 - d. The extension of utilities using the easement is foreseeable; and
 - e. The establishment of said easement furthers the goals and policies of the Comprehensive Plan.

Staff Response:

Utility connectivity requirements have been analyzed later in this report under the heading Kitsap County Code 17.420.037 Single-family Subdivision/development standards Page 31.

H. Recreation Requirements.

1. All land segregations (except those segregations proposed as a performance based development) of more than four lots within residential zoning designations or that include residential units and that result in lots of less than eight thousand square feet in size shall provide recreational open space at the following ratios:

Staff Response:

Not applicable, this project is proposed as a Performance Based Development (PBD).

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Definition and Use

Kitsap County Code 17.110.250 defines Dwelling, multiple-family as a building or portion thereof containing three or more dwelling units and designed for occupancy by three or more families.

Kitsap County Code 17.110.250 defines Dwelling, single-family attached as a single dwelling unit designed for occupancy by not more than one family and separated from adjacent units by one or more vertical walls where each dwelling includes adjacent dwelling-specific yard area within its ownership.

Staff Response:

Typically, multifamily is used to describe apartment homes rather than single-family units, however this proposal does not meet the definition of single-family attached as there is no dwelling-specific yard area included in its ownership. Therefore, this project is considered a multifamily use.

Dwelling, multifamily requires an Administrative Conditional Use Permit (ACUP) in the Kitsap County Code 17.410.040(B) Commercial Industrial, Parks and Public Facilities Zones table.

Staff Response:

This proposal includes a permit application for an Administrative Conditional Use Permit (17-04647) which the applicant has requested to combine with the Preliminary Plat and Performance Based Development applications pursuant to Kitsap County Code 21.04.180.

Kitsap County Code 17.420.030 Design Standards

- A. In addition to other standards and requirements imposed by this title, all uses except single-family detached dwellings, duplexes and uses located in the RW, FRL, or MRO zones shall comply with the provisions stated herein. Should a conflict arise between the requirements of this section and other requirements of this title, the most restrictive shall apply.
- B. Landscaping, Building Height, Buffering and Screening.
 1. The development must comply with Chapter 17.500 regarding landscaping standards.
 2. The director may require increased landscaping, screening and setbacks to minimize conflicts and improve compatibility with adjacent uses.
 3. The director may reduce landscaping, screening, and setback requirements:
 - a. Where the nature of established development on adjacent parcels partially or fully provides the screening and buffering which otherwise would be required;
 - b. Where the density of the proposed development is less than that permitted by the zone; or
 - c. Where topographical or other site conditions provide natural screening and buffering.
 4. A reduction in landscaping/screening requirements may be approved by the director in conjunction with a joint landscape screening proposal submitted by adjacent landowners for their combined boundaries or for an integrated project located within two or more zones.

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Landscaping Table

	Required	Proposed
Required Landscaping (Sq. Ft) 15% of Site	~46,261 square feet	~101,774
Required Buffer(s) 17.500.025		
North	Separation Buffer	Separation Buffer
South	Separation Buffer	Separation Buffer
East	Roadside and Setback Buffer	Roadside and Setback Buffer
West	Separation Buffer	Separation Buffer

Staff Response:

The project as proposed complies with the requirements set forth in Kitsap County Code (KCC) 17.500.027.A.2 – Roadside and Setback Buffers; KCC 17.500.027.A.2 – Separation Buffers.

A six-foot high solid board fence is required along the south property line, and has been incorporated into the conceptual landscape design.

The west property line will retain the majority of the existing vegetation due to the wetland and required buffer area. Mitigation plantings are required and shown.

The properties to the north are zoned industrial and commercial and are heavily wooded and undeveloped. The conceptual landscaping plan includes a mix of trees, shrubs and groundcover along the north property line. At the time of development of the industrial lot to the north, additional screening will be required of that property to screen any future incompatible uses from the abutting residential neighborhood.

- C. Exterior Lighting. In all zones, artificial outdoor lighting shall be arranged so that light is directed away from adjoining properties and so that no more than one foot candle of illumination leaves the property boundaries.

Staff Response:

The project is conditioned to comply with this requirement (see condition 8).

- D. Screening of Equipment, Storage, and Refuse Areas.

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

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Staff Response:

Not Applicable. No roof-mounted equipment is proposed.

2. Locate service areas, outdoor storage areas and other intrusive site features away from neighboring properties to reduce conflicts with adjacent uses. Building materials for use on the same premises may be stored on the parcel during the time that a valid building permit is in effect for construction;

Staff Response:

Not Applicable. No service areas are proposed.

3. Every parcel with a structure shall have a trash receptacle on the premises. The trash receptacle shall comply with adopted public works standards and be of sufficient size to accommodate the trash generated. All receptacles shall be screened on three sides with fencing and/or landscaping as determined appropriate by the director.

Staff Response:

Not Applicable. Each lot/unit will have its own trash service. No dumpsters are proposed.

E. Access and Circulation.

1. Pedestrian access shall be accommodated on-site from the public right-of-way, and throughout the site to minimize potential conflicts between pedestrian and vehicular circulation. Pedestrian paths must correspond with state and local codes for barrier-free access. Projects should also integrate walkways into the site plan leading to transit stops within one thousand two hundred feet of the site and incorporate transit stops within the site plan design as appropriate;

Staff Response:

The proposed development includes two private, connected roads which create adequate access throughout the site. Roads contain sidewalks along one side where appropriate. Where keeping sidewalks along the road would lead pedestrians in front of garage openings and cause potential pedestrian/vehicle conflicts, sidewalks are routed internally through the centrally located open space areas.

The project has been conditioned for an off-site pedestrian path running north from the project boundary along the west side of Lindvog Road NE to the intersection with State Highway 104 where Kitsap Transit has requested transit improvements.

All pedestrian pathways shall be ADA compliant (see condition 44).

2. Developments shall be limited to one ingress/egress per three hundred lineal feet along a public arterial. Small parcels that provide less than two hundred fifty feet of road frontage shall be limited to one parking lot entrance lane and one exit lane. Access points may be required at greater intervals as directed by the director of public works as demonstrated through a traffic analysis. Developments shall attempt to share access with adjoining parcels to minimize access points and potential conflicts from vehicles entering and exiting

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onto traveled roadways, unless deemed not feasible due to natural constraints such as critical areas or topographical relief, or existing development that precludes the ability to share access. Developments shall attempt to minimize vehicular movement conflicts with public roadways by use of connected frontage lanes.

Staff Response:

The development includes two access points from Lindvog Road NE. The access points are more than 300-feet apart.

F. Off-Street Parking. The development must comply with the off-street parking requirements prescribed by Chapter 17.490.

Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Multifamily (Condos/Townhomes /Apartments)	1.5 per unit + 0.5 per unit on street or set aside	210 + 70 on-street or set aside = 280	140 + 98 on-street or set aside = 238 (15% reduction requested)

Kitsap County Code 17.490.020.H.9 allows up to 30% of the required parking spaces to be compact. The applicant is proposing that 41 (17%) of the 238 spaces be compact.

Staff Response:

Kitsap County Code 17.490.030.A.1 allows for an administrative reduction of up to 25% to the amount of required off-street parking if a project proponent demonstrates that due to the unusual nature of the proposed use, it is reasonable that the off-street parking required by this section exceeds any likely need, or that trip demand reduction programs or public transit availability serves to further reduce parking demand.

The following factors were reviewed in the request for parking reduction:

- *The proposed Homeowner’s Association Covenants, Conditions and Restrictions (CC&R’s) will require residents to keep garages clear for vehicle parking (see condition 18).*
- *The proposed Homeowner’s Association Covenants, Conditions and Restrictions (CC&R’s) will restrict the length of time and types of vehicles that can be parked in the “common parking” areas (see condition 17).*
- *Kitsap Transit has been involved in the review process and has worked with the applicant to provide transit improvements as well as a paved pedestrian path to the new transit stop to facilitate commuters in getting to public transit safely.*
- *Kitsap Transit offers “Kingston Ride” a shared-ride service that operates by rider request only. Requesting a ride through this service is similar to Uber. The applicant has considered placing a covered waiting area along the project frontage to provide a place for residents to wait for this service. This is not a project requirement.*
- *There is existing Washington State ferry service to Edmonds within walking distance of the development.*

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- *Kitsap Transit's fast ferry service to downtown Seattle is scheduled to begin in Summer 2018.*

Additionally, a grocery store, bank, post office, restaurants, parks, the marina and other services are located within walking distance. (See Exhibit #9).

- G. Solid Waste. The development must comply with the guidelines set forth in the Kitsap County Comprehensive Solid Waste Plan.

Staff Response:

The project has been conditioned to comply with the requirements of Waste Management (see condition 70).

Kitsap County Code 17.420.037 Single-family Subdivision/development standards

A. Sidewalk Requirements.

1. Sidewalks shall be required on both sides of all public or private streets meeting the criteria for classification as a principal or minor arterial, collector, local subcollector or local minor roads as described by the Kitsap County road standards. Sidewalk design shall be developed consistent with the requirements of the Kitsap County road standards.

Staff Response:

Roads contain sidewalks along one side where appropriate. Where keeping sidewalks along the road would lead pedestrians in front of garage openings and cause potential pedestrian/vehicle conflicts, sidewalks are routed internally through the centrally located open space areas.

2. Sidewalks shall be required on a minimum of one side of all public or private streets meeting the criteria for classification as local road, cul-de-sac or very low volume local road as designated by the Kitsap County road standards or of similar traffic volume. Sidewalk design shall be developed consistent with the requirements of the Kitsap County road standards. The director may require sidewalks on both sides based upon site-specific conditions.

Staff Response:

See staff response above.

3. Rolled-curb sidewalks are prohibited, except where the sidewalk is separated from the street by a bioswale, other water quality treatment facility or landscaping berm.

Staff Response:

Not applicable. Rolled-curb sidewalks are not proposed or authorized.

- B. Public Street and Street Connectivity Requirements. Dedicating or deeding property for right-of-way or a portion thereof to the county for public streets within, or along the boundaries of all single-family subdivisions or developments, shall be required as a condition of application approval where the county demonstrates all of the following:

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1. Facts support that such dedication is reasonably necessary as a result of the impact created by the proposed development;
2. Such dedication will result in mitigation of the impact in the reasonably foreseeable future;
3. Connectivity to existing public right-of-way is feasible; and
4. One or more of the following circumstances are met:
 - a. A county transportation plan indicates the necessity of a new or additional right-of-way or portion thereof for street purposes;
 - b. The dedication is necessary to provide additions of right-of-way to existing county right-of-way to meet county road standards;
 - c. The dedication is necessary to extend or to complete the existing or future neighborhood street pattern;
 - d. The dedication is necessary to comply with county road standards and Kitsap County transportation plans;
 - e. The dedication is necessary to provide a public transportation system that supports future development of abutting property consistent with the Kitsap County Comprehensive Plan or Kitsap County zoning code.

Staff Response:

No additional right-of-way dedication is required. Additionally, Lindvog Road NE is not on the County Transportation Improvement Program (TIP) for improvements.

- C. Utility Connectivity Requirements. Dedication of easements for future public utility extensions to abutting or contiguous properties shall be required as a condition of application approval in cases where the county demonstrates the following:
1. Vacant or underutilized land abuts the proposed subdivision or development;
 2. The location is reasonable based upon the design needs for future utility infrastructure;
 3. The dedication may further the extension of utility infrastructure with the urban growth area; and
 4. The dedication furthers the goals and policies of the Comprehensive Plan.

Staff Response:

The development was reviewed for compliance with these requirements. It was determined that dedication for future public utility extensions is not required.

D. Landscaping Requirements.

1. A landscaped area will be provided at all entrances to the subdivision or development consistent with the landscaping standards of Chapter 17.500.
2. Street trees consistent with Chapter 17.500 shall be provided along all streets with the road classification of principal or minor arterial, collector, or local subcollector as determined by the Kitsap County road standards or of similar traffic volume. Street trees shall be located

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in the road right-of-way or the front yards of individual lots or units. Street trees located on individual lots may be installed before final plat approval or before the certificate of occupancy for individual building permits.

Staff Response:

Landscaping is required and is proposed at the entrances to the proposed development (see Exhibit #31).

Street trees are required and are proposed along the project frontage of Lindvog Road NE and throughout the development (see Exhibit #31).

E. Off-Street Parking.

1. Projects shall provide off-street parking consistent with the requirements of Chapter 17.490.

Staff Response:

Off-street parking requirements were previously analyzed under the Kitsap County Code 17.420.030 Design Standards section of the analysis Page 29.

2. All fractional parking spaces shall be rounded up to the nearest whole number.

Staff Response:

Not applicable. Calculations did not result in any fractional parking spaces.

3. If the development includes set-aside parking areas, each area shall not include more than ten spaces each and shall be in locations throughout the development.

Staff Response:

Set-aside parking areas were evaluated by staff. Parking areas are disbursed throughout the site to provide equal parking areas for all residents and visitors. There are three areas along the outer boundary of the development that include more than ten set-aside spaces (two with 14 stalls and one with 12 stalls). These parking areas directly abut landscaped areas and landscape islands are located appropriately throughout the parking areas. Parking areas are situated at the back of buildings around the outer boundary of the development. The three areas that include more than 10 parking stalls do not dominate the development and will not create the appearance of a large parking lot.

**Kitsap County Code 17.420.050(B) Commercial, Industrial, Parks and Public Facilities
Zones Density and Dimensions Table**

Staff Response:

The project as proposed meets the requirements set forth in this section. See the Comprehensive Plan Designation and Zoning table on Page 3 of this report for analysis and density calculations.

Kitsap County Code 17.450 Performance Based Development (PBD)

The purpose of a PBD is to allow flexibility in design and creative site planning, while providing for the orderly development of the county. A performance based development (PBD) is to allow

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for the use of lot clustering in order to preserve open space, encourage the creation of suitable buffers between differing types of development, facilitate the residential densities allowed by the zone, provide for increased efficiency in the layout of the streets, utilities and other public improvements and to encourage the use of low-impact development techniques and other creative designs for the development of land.

17.450.010:

Standard regulations that may be modified through the use of a PBD include:

- A. Lot size.
- B. Lot width and depth.
- C. Structure height (only within designated urban growth areas).
- D. Setbacks (front, side and rear yards).

Minimum and maximum densities and allowed uses authorized by the zone shall not be subject to modification through the use of a PBD.

Staff Response:

Consistent with the intent of project flexibility, the applicant is requesting to modify the standard setbacks for this zone. See the Standard Setback for Zoning District table on Page 4 of this report for setback requirements and proposed modifications.

The applicant is not proposing to modify minimum or maximum densities through the use of a PBD and therefore the project meets these criteria.

All buildings and parking areas will meet the standard setbacks for the Commercial zone. The applicant requests reduction of setbacks for individual units only. Each unit is considered a lot and therefore the setbacks for each unit must be reduced to allow them to connect to adjacent units to form multifamily buildings. Staff concludes that this request is consistent with the purpose of the Performance Based Development and therefore recommends approval of the reduced setbacks for individual lots.

17.450.030 Uses Permitted

Uses permitted in a PBD are those allowed in the underlying zone. The hearing examiner shall hold a public hearing and render a decision as set forth in Title 21.

Staff Response:

The proposed uses are allowed in the Commercial zone. This project is scheduled for public hearing before the Hearing Examiner in accordance with Kitsap County Code Title 21. The Hearing Examiner will hold a public hearing and render a decision. Therefore, the proposal meets or will meet these requirements.

17.450.040 Standards and requirements – Residential

A. Access, Parking and Circulation.

1. General. The PBD shall have adequate pedestrian and vehicle access and parking commensurate with the location, size, density and intensity of the proposed development. Vehicle access shall not be unduly detrimental to adjacent areas and shall take into consideration the anticipated traffic which the development may generate.

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Staff Response:

The proposed development includes a series of connected pedestrian pathways/sidewalks extending from the project frontage along Lindvog Road NE throughout the site to front entries of individual units, open-space, and parking areas. Vehicle access is proposed at two points along Lindvog Road NE a designated Major Collector. Access is not considered unduly detrimental to adjacent areas and anticipated traffic volumes have been reviewed and taken into consideration. The project has been conditioned for road capacity reservation (see condition 40).

2. Streets. Provide adequate road access, connected road network, safe pedestrian access, and emergency vehicle access.

Staff Response:

The proposed development includes two private, connected roads which create adequate access throughout the site. Roads contain sidewalks along one side where appropriate. Where keeping sidewalks along the road would lead pedestrians in front of garage openings and cause potential pedestrian/vehicle conflicts, sidewalks are routed internally through the centrally located open space areas. The Kitsap County Fire Marshal has reviewed the project for compliance with emergency vehicle access and has conditioned the project to comply with apparatus access requirements (see conditions 57-63).

3. Parking. The number of vehicular parking spaces shall be provided in accordance with Section 17.490.030. Vehicular parking may be provided either on street or off street within the PBD, provided the total number of available spaces is at least equal to the parking requirements specified in the parking and loading requirements.

Staff Response:

Parking is proposed both on-street and off-street and in individual garage units. Pursuant to Kitsap County Code 17.490.030.A.1, the applicant is proposing to reduce the required parking spaces by 25% or 42 spaces. Additional staff analysis of the parking requirements were included earlier in this report on Page 29.

4. Pedestrian Circulation. Adequate pedestrian circulation facilities shall be provided. These facilities shall be durable, serviceable, safe, convenient to the buildings and separated by curb or other means from the vehicle traffic facilities.

Staff Response:

As indicated above, the development proposal includes adequate pedestrian circulation facilities. The pedestrian facilities will be durable, serviceable, safe and are convenient to buildings and are separated by curb and/or other means from vehicle traffic.

B. Common Open Space.

No open area may be accepted as common open space within a performance based development, unless it meets the following requirements:

1. The location, shape, size, and character of the common open space is suitable for the performance based development, however in no case shall the common open space be less than fifteen percent of the gross acreage of the subject property(s). No area shall be

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calculated as common open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD;

Staff Response:

The location, shape, size and character of the common open space have been evaluated by Staff and have been deemed suitable for the proposed development. Common open space exceeds 15% of the site (see Open Space table on Page 37). No proposed common open space areas are less than 500 square feet.

2. The common open space is suitable for use as an amenity or recreational purpose, provided the use authorized is appropriate to the scale and character of the planned density, topography, and the number and type of dwellings provided;

Staff Response:

The existing neighborhood trail connection runs along the north property line within the common open space area. The trail connection may remain in its existing location, or may be moved along the west property line (also common open space) as allowed by code. A separate active, recreational open space area is required, and analyzed on Page 37.

3. Common open space may be improved for its intended use. Common open space containing critical areas may be enhanced consistent with the requirements of Title 19, Critical Areas Ordinance. Vegetation-based LID BMPs are permitted within common open space areas. The buildings, structures, and improvements to be permitted in the common open space are those appropriate to the uses which are authorized for the common open space; and

Staff Response:

Portions of the proposed open space areas will be enhanced consistent with the requirements of Title 19, Critical Areas Ordinance as mitigation for an administrative buffer reduction request. Other areas of the common open space will be enhanced with native vegetation and vegetation-based Low Impact Development Best Management Practices (LID BMP's) as allowed by code.

4. Land shown in the final development plan as common open space, and the landscaping and/or planting contained therein, shall be permanently maintained by and conveyed to one of the following:
 - a. An association of owners;
 - b. A public agency; or
 - c. A private nonprofit conservation trust.

Staff Response:

The common open space shall be permanently maintained and conveyed to one of the allowable entities noted above (see condition 22).

- C. Recreational Open Space.
All residential PBDs within urban zones shall provide a developed recreational area that meets the following requirements:

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1. A contiguous area that is a minimum of five percent of the gross acreage of the subject property(s) (excluding perimeter screening buffers, critical areas and critical area buffers). No area shall be calculated as recreational open space if less than five hundred square feet in size, except if the area provides a reasonable functional or aesthetic benefit to the residents of the PBD. Said area shall meet the following additional requirements:
 - a. Developed as an open grass field or a natural area (not inside perimeter buffers, critical areas or their buffers);
 - b. Owned in common and/or available for use by all residents of the PBD; and
 - c. A provision made by the covenants for perpetual maintenance.

Staff Response:

The development proposal includes a contiguous recreational open space area of greater than 5% (see Open Space Table on Page 37). No area is less than 500 square feet in size. The developed recreational area is developed as an open grass area, and is not located inside perimeter buffers or critical areas or their buffers. The recreational open space area will be owned in common and shall have a provision made for its perpetual maintenance (see condition 22).

2. A developed active recreation amenity(s) consistent with the number of units/lots contained within the PBD. Amenities shall be provided as follows:
 - a. Developments of zero to nineteen lots/units are not required to have such an amenity;

Staff Response:

Not applicable, this development contains more than 19 units.

- b. For developments with greater than nineteen lots or units, one amenity shall be provided for every twenty lots/units within the development. Required amenities shall be sized to accommodate three hundred ninety square feet per lot/unit;

Staff Response:

See Open Space Table on Page 37.

- c. Amenities shall be centrally located within the development in clearly visible areas on property suitable for such development. Amenities may be located in other areas of the development if directly linked with a regional trail system or other public park facility;

Staff Response:

Proposed amenities are centrally located within the development in clearly visible areas.

- d. Based upon topographical or site design characteristics of the subject property(s), amenities may be combined (while continuing to meet the overall square footage requirements established above) if the combination provides for increased benefit to all residents of the PBD;

Staff Response:

Not applicable. Amenities are not being combined.

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- e. Amenities may be located within, and be calculated towards, the recreational open space area if contiguous;
- f. An athletic field with a minimum size of one hundred twenty yards long and sixty yards wide or swimming pool shall count as two amenities;
- g. An equestrian development or similar theme community may be provided in lieu of other amenities;
- h. Owned in common and available for use by all residents of the PBD;
- i. The active recreational amenity(s) shall be located on five percent grade or less, except if a greater grade is necessary for the activities common to the amenity, e.g., skate park, trails; and
- j. Written provisions or agreement for perpetual maintenance by the homeowners' association or a public agency willing to assume ownership and maintenance.

Staff Response:

Not applicable. Amenities are not being combined. The development proposal includes over 5% of the gross acreage as recreational open space and provides for the appropriate number of recreational amenities (see Open Space Table below).

Open Space Table

Type of Open Space Required	Required	Proposed
Common Open Space	15% of gross acreage or ~46,261 square feet	47,706 square feet
Recreational Open Space	5% of gross acreage or ~14,963 square feet	35,000 square feet
Active Recreational Amenities	1 per 20 units $140/20 = 7$ at 390 square feet = 2,730	7 - Active amenities E-K are listed on Sheet L1.1 of the Landscaping Plan (Exhibit 31) ~3,325 square feet

- 3. In rural zones, common open space shall be no less than fifty percent of the total site area. All open space, other than those areas needed for utilities or other infrastructure, shall be retained in native vegetation unless the PBD specifically provides for an alternative use. PBDs in rural zones shall be exempt from the requirements for contiguous developed recreation space as contained in subsection (C)(1) of this section, but shall be subject to the active recreational area requirements of subsection (C)(2) of this section.

Staff Response:

Not applicable. This development is not in a rural area.

- 4. In order to promote creativity and innovation, these standards and criteria may be modified or substituted with other design concepts if so approved by the board of county commissioners.

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Staff Response:

Not applicable. The applicant is not seeking to substitute or modify recreational open space requirements.

Kitsap County Code 17.470 Multifamily Development Design Criteria

17.470.010 Purposes and intent:

The general purposes of these design criteria are as follows:

- A. To encourage better design and site planning.
- B. To ensure that new multifamily development is sensitive to the character of the surrounding neighborhoods.
- C. To enhance the built environment for pedestrians in higher-density areas.
- D. To provide for development of neighborhoods with attractive, well-connected streets, sidewalks, and trails that enable convenient, direct access to neighborhood centers, parks, and transit stops.
- E. To ensure adequate light, air, and readily accessible open space for multifamily development in order to maintain public health, safety and welfare.
- F. To ensure the compatibility of dissimilar adjoining land uses.
- G. To maintain or improve the character, appearance, and livability of established neighborhoods by protecting them from incompatible uses, excessive noise, illumination, loss of privacy, and similar significant impacts.
- H. To encourage creativity and flexibility in the design of multifamily developments in a manner that maximizes unique site attributes and is compatible with the character and intensity of adjoining land uses.

17.470.020 Applicability – How to use the design criteria:

A. Applicability.

- 1. The “requirements sections” in the following design criteria apply to each multifamily project requiring conditional use review under Chapter 17.540 or 17.550.

Staff Response:

This project requires an Administrative Conditional Use Permit under Chapter 17.540, therefore these requirements apply.

- 2. In addition to the requirements set forth in this chapter, the “requirements sections” set forth in Sections 17.480.160 and 17.480.180 to 17.480.240 shall apply to each multifamily project requiring review under subsection (A) of this section.

Staff Response:

This project requires an Administrative Conditional Use Permit under Chapter 17.540, therefore these requirements apply.

17.470.030 Multifamily site design – Orientation (UCR, UM and UH zones):

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

Staff Response:

Not applicable. This project is not located in the UCR, UM or UH zone.

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17.470.040 Fences and walls:

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

Staff Response:

The development proposal includes one fence which is located along the south property boundary to provide additional screening to neighboring residences. The frontage of the development is oriented towards Lindvog Road NE. No fences, walls or barriers are proposed that discourage the use of sidewalks and paths.

17.470.050 Recreation centers, mailboxes, site lighting, bus stops:

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

Staff Response:

The development includes a centrally located mailbox and play yard. Lighting shall be in accordance with the Design Standards for the Community of Kingston and is addressed later in this report. The required transit improvement is off-site and will be designed in accordance with Kitsap Transit requirements.

17.470.060 Grading and tree/vegetation retention:

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

Staff Response:

The development will retain a portion of the existing perimeter vegetation. The site has been cleared of significant trees due to past logging. The nature of the proposed development requires vegetation removal and grading of the entire site for the installation of required roads, storm systems, utilities, recreational open space areas and buildings.

17.470.070 Open space:

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

Staff Response:

The development includes open space. Open space requirements have been evaluated earlier in this report.

17.470.080 Landscape design:

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

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Staff Response:

The development includes additional landscaping and supporting elements such as trellises and site furniture (see Exhibit 31).

Kitsap County Code 17.480 Urban Village Center Design Criteria

Staff Response:

This project is not located in the Urban Village Center zone, however Kitsap County Code 17.470.020.A requires that Sections 17.480.160 and 17.480.180 to 17.480.240 be applied to all projects requiring Administrative Conditional Use.

17.480.160 Multifamily – Site design – Parking location and design:

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

Staff Response:

The proposed development orients buildings towards the common open space areas. Garages are located on streets that mimic alleys. Sidewalks are located within the open space areas to avoid conflicts with vehicles. Parking is located around the perimeter of the development and the rear or backside of buildings.

17.480.180 Multifamily – Site design – Screening:

- A. Requirement. Provide adequate screening for support facility needs associated with multifamily developments (UVC).

Staff Response:

There are no proposed support facilities. No screening is required.

17.480.190 Multifamily – Building design – Neighborhood scale:

- A. Requirement. Architectural scale of those portions of a multifamily building facing a neighborhood with a different scale shall use design techniques that minimize the contrast in scale (UVC).

Staff Response:

The proposed development does not “face” a neighborhood with a different scale. Existing neighborhoods developed with detached one and two-story homes are located to the west and south of the development. Those neighborhoods are separated from the project by existing and proposed vegetation and buffers.

17.480.200 Multifamily – Building design – Privacy:

- A. Requirement. Orient buildings to provide privacy, to the extent practical, both within the multifamily project and for the neighborhood (UVC)

Staff Response:

Buildings are off-set where possible and vary in size. The units are situated so that the backs of each building face each other with the fronts of the units oriented towards the common open space or the project frontage along Lindvog Road NE. The buildings are modulated and landscaping is used to provide further privacy.

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17.480.210 Multifamily – Building design – Facade, footprint, and roof articulation:

- A. Requirement. Avoid the barracks-like quality of flat walls and roofs by separations, changes in plane and height, and the inclusion of elements such as balconies, porches, arcades, dormers, and cross gables (UVC).

Staff Response:

Conceptual building design includes elements such as balconies, porches, dormers and articulated roof design. The building design also includes building modulation, multiple steepened rooflines which incorporate single and stepped gable configurations. Windows vary in size and will incorporate integral grid patterns to simulate multi-pane windows. Each unit has a front porch/entry with transom windows above the entry doors and decorative wall mounted entry lights. Decorative moldings and brackets have been incorporated into the building design.

The final building design will be reviewed at time of building permit and the project has been conditioned to comply with the architectural/building design requirements in the Kingston Design Standards, Chapter IV (See condition 16).

17.480.220 Multifamily – Building design – Entries:

- A. Requirement. Provide clearly defined building or courtyard entries that are well lighted, easily accessible, and satisfy the Washington State Barrier Free Regulations (UVC).

Staff Response:

As proposed, the development provides clearly defined entries to each unit with each unit having a paved pathway to the front entry. Each entry will be provided with a decorative wall-mount fixture providing the minimum required light levels. All sidewalks shall be comply the American's with Disabilities Act (ADA).

17.480.225 Building design – Windows:

- A. Requirement. Provide relief, detail, and variation on the facade by employing well-proportioned openings (as defined in the guideline in subsection (B)(1) of this section) that are designed to create shade and shadow detail.
- B. Guideline. Provide horizontal and vertical variation in windows. Bay and projecting windows are encouraged.
1. Use vertically proportioned windows that generally have a height one and one-half times their width;

Staff Response:

As proposed the windows of each unit do have a height of one and one-half times their width. During review of the project, the applicant was asked to consider other guidelines in this section including ground floor windows that have a greater vertical height than upper story windows (KCC 17.480.225.B.5). The applicant indicated that they have provided the desired window heights, however they are located on the 2nd story and are associated with the primary living space. The lower floor includes a bedroom facing the front of the buildings. Having a large window at ground level is not desirable from a privacy standpoint. Staff agrees that this satisfies the requirement and guideline given the layout of the units.

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17.480.230 Multifamily – Building design – Materials and colors:

- A. Requirement. Use exterior building materials that have texture or pattern and lend themselves to a high level of quality and detailing.

Staff Response:

The conceptual building design includes fiber cement products with varying patterns including shingle siding, lap siding, panel and batten sections painted in a contrasting tone. Colors include warm earth and wood tones of subtle tans, medium and dark warm grays and light cream colors. The project has been conditioned to comply with the Design Standards for the Community of Kingston (see condition 16).

17.480.240 Multifamily – Signs:

- A. Requirement. Minimize the amount of signage needed to identify the multifamily development (UVC). Signs shall conform to Chapter 17.510, Sign Code.

Staff Response:

Any proposed signage shall comply with the requirements in Kitsap County Code 17.510, Signs.

Frontage Improvements

Frontage improvements consisting of vertical curb, gutter, planting strip and six-foot sidewalk are required along the project frontage of Lindvog Road NE (see condition 43).

Off-site improvements include a transit improvement at the northwest corner of State Highway 104 and Lindvog Road NE. To facilitate safe pedestrian access to transit stops, the applicant shall construct a minimum five-foot paved or asphalt ADA compliant pedestrian path continuing north from the project boundary along the west side of Lindvog Road NE to the intersection of State Highway 104.

Additional frontage improvements, internal to the development, are addressed under multiple sections of the analysis earlier in this report.

Design Districts/Requirements

This project is located within the Lindvog Commercial Design District of the Design Standards for the Community of Kingston (KDS). The project was reviewed for compliance with all applicable sections of the KDS. Many of the requirements in the KDS are echoed throughout other relevant sections of Kitsap County Code (KCC), especially the Urban Village Commercial (UVC) (KCC 17.480) criteria analyzed earlier in this report. The UVC zone is only located in Kingston and the guidelines found there mimic those found in the KDS.

KDS Chapter II, Site Planning, focuses on commercial or multi-use buildings and not residential developments.

KDS Chapter III, Roads, Parking, Walkways and Amenities includes requirements incorporated into this design, specifically KDS Chapter II.A.2.(b) which requires six-foot sidewalks within the Lindvog Commercial District. Six-foot sidewalks have been incorporated into the project design and are required along Lindvog Road NE.

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Sidewalks are located within the County right-of-way as required and street trees shall be planted along the project frontage.

KDS Chapter III.B.2 acknowledges that the pedestrian-only ferry system will encourage the commuters and tourist traveling through the downtown to do so on foot or by transit shuttle from commuter lots. KDS Chapter III.B.2 parking, KDS Chapter III.B.3 bicycle and pedestrian circulation, and KDS Chapter III.B.4 coordination with transit stops guidelines within this chapter of the Kingston Design Standards (KDS) have been met through compliance with other applicable sections of Kitsap County Code and have been analyzed previously in this report.

KDS Chapter III.B.5 on-site pedestrian amenities and spaces requires street furniture at a ratio of two pieces for every 100 feet of property frontage. Fourteen pieces of furniture are required and proposed along Lindvog Road NE (two benches and 12 light standards).

KDS Chapter IV architectural/ building design have been evaluated throughout this report. The conceptual building designs are compliant with the specifications in this Chapter. The project has been conditioned to comply with the Design Standards for the Community of Kingston (see condition 16). Final building designs will be evaluated for compliance with these standards at the time of building permit.

Kingston Design Standards (KDS) Chapter V landscape design required elements have been incorporated into the conceptual landscaping plan (Exhibit #31). A final landscaping plan is required at the time of Site Development Activity Permit (SDAP) and has been conditioned to comply with the requirements in KDS Chapter V (see condition 10).

KDS Chapter VII lighting requirements have been evaluated. Conceptually the project proposal meets the lighting requirements. The project has been conditioned to provide lighting details at the time of SDAP. Lighting shall be compliant with the Kingston Design Standards, Chapter VII (see condition 8).

Development Engineering

This project meets the definition of a Large Project pursuant to Kitsap County Code Title 12, and required that the applicant submit preliminary drainage information. That information has been reviewed and evaluated by engineering staff. A memo dated March 23, 2018 from Development Services and Engineering finds the concept supportable in its approach to civil site development and includes conditions which have been incorporated into this report.

Environmental

This project has been reviewed for compliance with Kitsap County Code Title 18 "Environment" including the State Environmental Policy Act (SEPA) and Title 19 "Critical Areas".

This project complies, or has been conditioned to comply with all applicable regulations.

There is an on-site manmade wetland in the northwest corner of the property. The wetlands were rated and flagged by a licensed biologist. The wetlands require a 50-foot buffer with an additional 15-foot building setback.

This proposal includes a Critical Areas Buffer Reduction request of 25%. The buffer reduction request was reviewed by Environmental Staff and through the use of buffer averaging and

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mitigation plantings, the buffer has been administratively reduced to 40 feet, plus an additional 15-foot building setback. The buffer averaging and reduction request is needed to accommodate a portion of the existing/proposed trail and the roadway.

The properties lie within a Category I Critical Aquifer Recharge Designation, however the proposed use is not listed in Kitsap County Code Chapter 19.600.620 as having a potential threat to groundwater and therefore no additional conditions are required.

Traffic and Roads

An application for concurrency test was submitted with the project application and has been reviewed and approved by Public Works. They noted an estimated additional 840 Average Daily Trips (ADT) in Traffic Analysis Zone (TAZ) 18.

Other than as noted elsewhere in this report and included in the conditions section of this report no upgrades to existing roads has been required.

Traffic conditions have been placed on the project and are included later in this report (see conditions 40-53).

Fire Safety

The Kitsap County Fire Marshal's Office has reviewed the proposed development for compliance with Kitsap County Code Title 14. The project has been conditioned to comply with these requirements (see conditions 57-69) including fire flow, fire-hydrants and fire suppression systems.

Kitsap Public Health

This project will connect to public water and sewer. Kitsap County Public Health District has reviewed this project and conditioned it for the decommissioning of the existing well and septic system (see condition 72).

Review Authority

Performance Based Development:

The hearing examiner shall have the authority to recommend approval, approval with conditions, disapproval, or revoke performance based developments, subject to the provisions of this section. Changes in use of site area, or alteration of structures or uses classified as residential and commercial performance based developments, and existing prior to the effective date of this title, shall conform to all regulations pertaining to performance based developments. An application for PBD shall be accompanied by an application for subdivision, when applicable. The powers of the Hearing Examiner are at KCC, Chapter 2.10.

Preliminary Plat:

KCC 16.40.030, Preliminary Subdivisions: Preliminary subdivisions are classified as Type III applications under Chapter 21.04.

Section 21.04.080.G: The review authority shall conduct review of the project permit application in an open record pre-decision hearing.

Section 21.04.080.H: A decision shall be made within the timelines specified by this chapter and
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shall comply with the hearing examiner rules of procedure, as now or hereafter amended. Conditions of approval may be necessary to ensure the proposed development will comply with applicable law and to ensure the project permit would be consistent with the Comprehensive Plan.

Section 21.04.100, Review Authority Table lists the hearing examiner as the review authority for Preliminary Subdivisions.

Administrative Conditional Use Permit:

KCC 17.540.020.C: When an application is submitted together with another project permit application, the administrative conditional use permit shall be processed as set forth in Section 21.04.180.

Section 21.04.180.A: Applicants may request the department consolidate review for all project permit applications related to the same proposal to provide an integrated process and avoid duplication. Consolidated permit processing shall follow the review, approval process and time frame of the highest numbered permit type represented among the consolidated permits, except that processing may be halted as needed for lower permit types when waiting on higher type permit review steps or actions. Type IV is considered the highest and Type I is considered the lowest.

Findings

Performance Based Development (KCC 17.450.050):

In recommending approval of the preliminary development plans for a performance based development, conditionally or otherwise, the hearing examiner shall first make a finding that all of the following conditions exist:

- A. The design of the PBD meets the requirements of this section, other sections of the county code and the goals and policies of the Comprehensive Plan and the site is adequate in size and character to accommodate the proposed development;
- B. The design of the PBD is compatible with neighboring conforming land uses. An assessment of compatibility shall include, but not be limited to, the consideration of association with adjacent land uses and the proposed project's effects on existing views, traffic, blockage of sunlight, and noise production;
- C. If the development is phased, each phase of the proposed development shall meet the requirements of this chapter;
- D. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use;
- E. The proposed and/or existing public facilities and utilities are adequate to serve the project; and
- F. The establishment, maintenance, and/or conduct of the use for which the development plan review is sought will not, under the circumstances of the particular case, be detrimental to the health, safety or welfare of persons residing or working in a neighborhood of such use and will not, under the circumstances of the particular case, be detrimental to the public welfare, injurious to property or improvements in said neighborhood, or contrary to orderly development.
- G. Innovations and/or public benefits shall be commensurate with the code modifications proposed.

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Preliminary Plat (KCC Title 16):

The purpose of this title is to regulate the segregation of land and to promote the public health, safety and general welfare in accordance with standards established by the state and county to prevent the overcrowding of land; to lessen congestion in the streets and highways; to promote effective use of land; to promote safe and convenient travel by the public on streets and highways; to provide for adequate light and air; to facilitate adequate provision for water, sewerage, parks and recreation areas, open space areas, sidewalks, nonmotorized trails, sites for schools and school grounds and other public facilities and services; to provide for proper ingress and egress; to provide for the expeditious review and approval of proposed land segregations which conform to zoning standards and local plans and policies; to adequately provide for the housing and commercial needs of the citizens of the county; and to require uniform monumenting of land segregations and conveyancing by accurate legal description. The intent of this title is to carry out the goals and policies of the Kitsap County Comprehensive Plan, the Countywide Planning Policies and the laws of the state of Washington relating to land division.

Administrative Conditional Use Permit:

17.540.040 Decision criteria – Administrative conditional use permits.

- A. The department may approve, approve with conditions, or deny an administrative conditional use permit. Approval or approval with conditions may be granted only when all the following criteria are met:
 - 1. The proposal is consistent with the Comprehensive Plan;
 - 2. The proposal complies with applicable requirements for the use set forth in this code;
 - 3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity; and
 - 4. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.
- B. The department may impose conditions to ensure the approval criteria are met.
- C. If the approval criteria are not met or conditions cannot be imposed to ensure compliance with the approval criteria, the administrative conditional use permit shall be denied.

Recommendation:

Based upon the analysis above and the decision criteria found in Kitsap County Code Title 16, Chapter 17.450.050, and Chapter 17.540.040, the Department of Community Development has determined that all decision criteria have been met and recommends that the Performance Based Development, Preliminary Plat and Administrative Conditional Use Permit request for Seaside at Kingston be **approved**, subject to the following 75 conditions:

Planning/Zoning

- 1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
- 2. The decision set forth herein is based upon representations made and exhibits contained in the project applications 17-04646, 17-04646, and 17-04647. Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and

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potentially the Hearing Examiner.

3. 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.
4. This property currently serves as a trail connection to an existing, non-formalized, neighborhood trail. The Developer has agreed to provide a trail connection as part of their development proposal. At this time, the exact trail location cannot be finalized as the formal development of the trail is still ongoing. A trail connection shall be provided by the Developer at a location along the north property line, and/or along the west property line as agreed upon by the developer and Kitsap County prior to final plat approval. If at the time of final plat approval trail connection(s) to adjacent private property cannot be established, the developer will not be required to construct the trail as part of site development, but shall reserve easement(s) for the trail alignments within the plat for future establishment of a trail. The trail easement(s) shall be depicted on the face of the Final Plat. If the location of the trail easement(s) is not finalized at the time of recording the Final Plat, language to reserve the easement(s) in their general location shall be placed on the face of the Final Plat.
5. The applicant shall construct off-site transit improvements, subject to Kitsap Transit approval, at the northwest corner of State Highway 104 and Lindvog Road NE. All work within the State right-of-way is subject to Washington State Department of Transportation (WSDOT) permits and approval. At Site Development Activity Permit (SDAP) submittal, the applicant shall include the required transit improvements in their design for review. If the transit location on State Highway 104 is denied by WSDOT, then transit improvements shall be required on the project frontage of Lindvog Road NE and design for these improvements shall be included in the Site Development Activity Permit plans.
6. The applicant shall construct an off-site, 5-foot minimum, ADA compliant, paved or asphalt pedestrian path continuing north from the project frontage on the west side of Lindvog Rd. NE to the intersection of State Highway 104 and Lindvog Rd. NE to provide for safe pedestrian access to the required transit stop at the northwest corner of State Highway 104 and Lindvog Road NE. The path may be located up against the exiting curb. An allowance for the planting strip is not required.

If the transit improvement location on State Highway 104 is denied by WSDOT, then transit improvements shall be required on the project frontage of Lindvog Road NE and the off-site pedestrian path would not be required.

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7. Details/cut sheets for the proposed bicycle parking rack/ structure shall be provided with the SDAP submittal.
8. Artificial outdoor lighting shall be arranged so that the lighting is fully recessed or fully shielded from side view and directed downward and away from surrounding properties. No more than one foot-candle of illumination shall leave the property boundary. Lighting shall be the minimum necessary for safety purposes and be compatible with surrounding properties. Light standards (poles) shall comply with the Design Standards for the Community of Kingston Chapter VII .

Provide lighting details/cut sheets at Site Development Activity Permit (SDAP) submittal.

9. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.500. Landscaping shall be installed and inspected prior to requesting a final inspection, or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.
10. A final landscaping plan is required at the time of SDAP submittal.
 - a. The final landscaping plan shall comply with KCC 17.500 and the Design Standards for the Community of Kingston.
 - b. Final landscaping plan shall include automatic irrigation plans pursuant to KCC 17.500.020.K.
 - c. Final landscaping plan shall include required landscaping at entrances and street trees pursuant to KCC 16.24.040.F.1 & 2.
11. Any and all signage design and location (including exempt signs) shall comply with Kitsap County Code (KCC) 17.510, and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
12. The recipient of any administrative conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of and agreement to abide by the terms and conditions of the administrative conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared and recorded by the Department at the applicant's expense.
13. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code (KCC). Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the

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application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.

14. Pursuant to KCC Section 21.04.270 Duration of Decisions, Kitsap County's land use approval for the Preliminary Plat, Performance Based Development and Administrative Conditional Use Permit is valid for a period of up to five (5) years from the decision date of the preliminary plat consistent with RCW 58.17.140 and .170.
15. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.
16. At the time of building permit submittal, all structures shall comply with the requirements of the Design Standards for the Community of Kingston for architectural and building design (KDS Chapter IV).
17. CC&R's shall include restrictions on parking in the common parking areas. Such restrictions shall include limits on the number of days vehicles can be parked and limits on the types of vehicles that can be parked (no RV's, boats, etc.).
18. CC&R's shall include provisions that require the garages remain clear for vehicle parking at all times.
19. The project shall comply with all applicable requirements of the Design Standards for the Community of Kingston.

Survey:

20. A Final Short/Large Lot/Subdivision Plat shall be prepared by a licensed Land Surveyor in compliance with KCC Title 16.
21. All private roads shall be labeled as tracts and constructed in accordance to Fire Code requirements. Ten feet for utility easement shall be provided on each side of private road tracts.
22. All potential park areas, common open space, buffers and stormwater management areas shall be labeled as separate tracts. The ownership and maintenance responsibility shall be addressed on the face of the final plat, as well as in the CCRs.
23. Access to all lots shall be from roads within the proposed plat boundaries. A note to this effect shall be placed on the Final Plat.
24. The names of the roads in this land segregation shall be approved by Community Development prior to final subdivision approval.

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Development Engineering

Stormwater:

25. 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.
26. Approval of the preliminary plat shall not be construed to mean approval of the total number of lots or configuration of the lots and tracts. These parameters may be required to be revised for the final design to meet all requirements of Kitsap County Code Titles 11 and 12.
27. The information provided demonstrates this proposal is a Large Project as defined in Kitsap County Code Title 12, and as such will require a Site Development Activity Permit (SDAP) from Development Services and Engineering.
28. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 effective at the time the Preliminary Plat/Performance Based Development/Administrative Conditional Use Permit application was deemed complete, November 6, 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.
29. Any project that includes off site 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 Preliminary Plat/Performance Based Development/Administrative Conditional Use Permit application was deemed complete, November 6, 2017.
30. The site plan indicates that greater than 1 acre will be disturbed during construction. This threshold requires a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction permit from the State Department of Ecology. More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Josh Klimek at 360-407-7451, email joshklimek@ecy.wa.gov. This permit is required prior to issuance of the SDAP.
31. The Washington State Department of Ecology (Ecology) may require registration of the infiltration trench as a Underground Injection Control (UIC) well in accordance with the Underground Injection Control Program (Chapter 173-218 WAC). The applicant shall contact Ecology to determine if the facility is regulated under the UIC program.

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32. The design of the infiltration facilities shall be in accordance with Vol. II, Ch. 5.4 of the Kitsap County Stormwater Design Manual.
33. The infiltration facilities shall remain off line until the drainage areas are stabilized and the water quality treatment facility is adequately established. Temporary erosion and sedimentation ponds shall not be located over infiltration facilities.
34. During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection to verify that the facilities are installed in accordance with the design documents and that actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to Development Services and Engineering.
35. This project includes the construction of a detention vault, which requires a building permit issued by the Department of Community Development. A Structural Engineer, registered in the State of Washington, shall prepare the construction drawings. In addition, a geotechnical engineering analysis of the vault design is required. That analysis will be prepared by a Civil Engineer licensed in the State of Washington, knowledgeable in the practice of soils engineering and mechanics. The analysis will address the effects of groundwater infiltration, seepage, potential slip planes, and changes in soil bearing strength. The proposed facilities will be designed following the recommendations of the geotechnical analysis.
36. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of Occupancy Permits for this development, the person or persons holding title to the subject property for which the storm drainage facilities were required shall record a Declaration of Covenant that guarantees the County that the system will be properly maintained. Wording must be included in the covenant that will allow the County to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should County forces be required to do the work, the owner will be billed the maximum amount allowed by law.
37. Kitsap County will not be responsible for any damage to any private roads, tracts, and/or easement areas that may occur during routine maintenance activities and that in Kitsap County's judgment occur, in whole or in part, because of any construction materials or techniques, or any maintenance materials or techniques. This includes, but is not limited to, damage to pavement or vegetated areas caused by maintenance trucks.
38. The impervious area per lot accounted for in the overall drainage facilities installed shall be indicated on the face of the final plat, along with the following condition: Additional impervious surfaces created on an individual lot beyond the amount accounted for in the overall drainage facilities shall be mitigated in

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accordance with Kitsap County Code Title 12.

39. If the project proposal is modified from that shown on the submitted site plan dated March 12, 2018, Development Services and Engineering will require additional review and potentially new conditions.

Traffic and Roads:

40. 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.
41. The following note shall appear on the face of the final plat map. "All interior roads shall remain private."
42. All traffic control devices on public and private roads shall comply with the Manual on Uniform Traffic Control Devices as amended by the Washington Administrative Code. This is in accordance with 23 Code of Federal Regulations (CFR), Part 655.
43. Frontage improvements, consisting of vertical curb, gutter, planting strip and 6-foot sidewalk, are required for Lindvog Road NE, along the entire property frontage.
44. Sidewalks and sidewalk ramps shall conform to the current requirements of the Americans with Disabilities Act per WSDOT standard plans at the time of construction.
45. Access to all lots shall be from roads within the proposed plat boundaries. A note to this effect shall be placed on the Final Plat.
46. The property owners within the plat shall be responsible for maintenance of all landscaping within the existing and proposed right-of-way including any structures other than roadway, storm drainage facilities, and traffic signage. Maintenance shall include, but not be limited to, mowing of lawn areas. A note to this effect shall appear on the face of the final plat map and the accepted construction plans. In addition, Development Services and Engineering reserves the right to require that covenants be recorded to address special maintenance requirements depending on final design.
47. Provide surveyed cross-sections at 50-foot intervals along the parcel frontage on Lindvog Road NE. The cross-sections should show existing and proposed pavement, shoulders, ditches and slopes. The cross-sections should also depict centerline of pavement and right-of-way, the right-of-way lines, and easements. If the required transit stop is located at the intersection of Lindvog Road NE and State Highway 104, cross-sections shall be provided along the parcel frontage and continuing north along Lindvog Road NE to its intersection with State Highway 104.

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48. Submit plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Draft Kitsap County Road Standards Figures 4-3a or 4-3b (contact Kitsap County Public Works to obtain these Figures) or WSDOT Standard Plan F-80.10-04.
49. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
50. The developer's engineer shall certify that there is adequate entering sight distance at both intersections of Lindvog Road NE and Road A. Such certification shall note the minimum required sight distance, the actual sight distance provided, and a sight distance diagram showing the intersection geometry drawn to scale, topographic and landscaping features, and the sight triangle. The sight distance shall meet the requirements of the Kitsap County Road Standards. The certification shall also note necessary measures to correct and maintain the minimum sight triangle.
51. All work, equipment and materials for traffic signal and street lighting installations shall meet and be in compliance with all requirements of the Kitsap County Road Standards, Project Contract Provisions of Plans and Specifications accepted for construction by Kitsap County, MUTCD Manual on Uniform Traffic Control Devices, NEMA National Electrical Manufacturer's Association, NEC National Electrical Code, WSDOT Standard Specifications and Standard Plans, and the Occupational Safety and Health Administration (OSHA).
52. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the SDAP process. The need for and scope of bonding will be determined at that time.
53. All interior roads shall remain private as proposed by the applicant. Should the applicant or his successors or assigns choose to dedicate these roads to Kitsap County, it shall be subject to a further review by Kitsap County Development Engineering. All improvements necessary to bring said roads to the then current Kitsap County standards shall be done at no expense to the County prior to being accepted into the Kitsap County road system for maintenance. This note shall appear on the face of the final plat map.

Environmental

54. The wetland buffer shall be averaged per the site plans and wetland report (C3 Habitat Corp., dated 10/2017). A split-rail fence shall be maintained along the outer buffer edge with wetland buffer signs placed every 40 feet, and vegetation enhancement maintained as provided on the landscape plan. A performance bond is required for the mitigation planting.

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SEPA Conditions:

55. A transit stop will be provided at the northwest corner of State Highway 104 and Lindvog Road NE, including off-site improvements for pedestrian access to the stop, pending WSDOT approval. The access will be a 5-foot concrete or asphalt path that may be located up against the existing curb. An allowance for the planting strip is not required.
56. If WSDOT denies the transit stop location at a later date, or Kitsap Transit chooses to revise their condition to allow the transit stop in front of the development, then the offsite improvement will not be required. However, any transit improvements that would be required on the project frontage of Lindvog Road NE will be addressed with the Site Development Activity Permit submittal, along with demonstration of meeting off-site wetland buffers.

Fire Safety

57. 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:
 58. Unobstructed width of 20 feet and height of 13 feet 6 inches.
 59. Shall be designed and maintained to support a 60,000 pound fire apparatus and be provided with an all weather driving surface.
 60. Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround.
 61. Inside turning radius shall be a minimum of 25 feet (residential) 35 feet (commercial).
 62. 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.
 63. Road shall not be more than 12% grade.
 64. Water line size and location and the location of fire hydrants must be shown on SDAP plans. A letter of water availability indicating available fire flow from the water purveyor is required to be submitted to the Kitsap County Fire Marshal's office prior to the approval of any building permits.
 65. The minimum fire flow requirements for one and two family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes. One and two family dwellings 5000 square feet or greater are also required to provide water for fire protection in the amount of 500 gallons per minute. However, they may use fire protection credits as listed in Table B103.3 to meet fire flow requirements, provided the total fire protection credits equal to or exceed 500

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gallons per minute.

66. A Second fire department access is proposed and is required.
67. Proposed apartment is required to have a fire suppression system.
68. Hydrant placement can be reduced to every 600ft.
69. Fire flow will be determined when information concerning construction type is provided.

Solid Waste

70. 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.

Kitsap Public Health

71. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.
72. The existing well and septic system shall be decommissioned prior to final plat. BINDING water availability letters or a developers agreement for water is required prior to final plat.

Sewer and Water

73. Kitsap County sanitary sewer is available for the project. Applicant shall submit an "Application to Construct Sanitary Sewer."
74. Kitsap County sanitary sewer is available for the project. Applicant shall submit a complete set of sewer plans, profiles, and specifications designed in accordance with Kitsap County Public Works - Sewer Utility Division Standards and Regulations.
75. Sewer Availability Agreement account(s) must be kept current and in good standing through permit approval date.

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Report prepared by:



Holly Roberts, Staff Planner / Project Lead

4/2/2018

Date

Report approved by:



Shawn Alire, Development Services & Engineering Supervisor

4/2/2018

Date

Attachments:

Attachment A – Preliminary Plat Site Plan

Attachment B – Architectural Overview

CC: Applicant/Owner:

Seaside at Kingston, eric@element-residential.com

Nathan's Glen Three LLC, levi@jwjgroup.com

Engineer:

NL Olson & Associates, nlolson2@nlolson.com

Representative:

Gary Lindsay, gindseyinc@gmail.com

Interested Parties:

Michael & Mary Kulish, matozcomm@mkulish.com

Jane Mack, jane.mack73@gmail.com

Stanley Mack, mackstanleyj@gmail.com

Bruce Williams, bawilliams@centurytel.net

Marieta Szubski, marietta@windermere.com

David Bolin, david@dbolinco.com

Logan Hammon, logan.hammon@hotmail.com

Jim Dixon, docjimindix@hotmail.com

William & Julie Westwater, westwater@gmail.com

Jon Sole, jsole@writeso.com

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(360) 337-5777 | www.kitsapgov.com/dcd

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Connie Gordon, gordocon@hotmail.com
Dahlia Malin, dalmalin@comcast.net
John Barlow, john@jbarlow.net
Matt Keller, mkkellers@hotmail.com
Bill Paine, paine922@hotmail.com
Michael & Ingrid Schaper, ingridschaper@msn.com
Betsy Cooper, betsycooper1@gmail.com
Kelly Foley, kmfoley6@gmail.com
Morgan Kruse, morgankruse.mk@gmail.com
Dennis & Evelyn Trabant, gmatrabant@gmail.com
Patricia Morrissey, bstarre@gmail.com
James Leary, jlajpl@aol.com
Ruth Westergaard, westeruth@gmail.com
Jason Rhoads, JRHOADS@NK SCHOOL.ORG
Dan & Nancy Martin, danjmartin@icloud.com
Chris & Kathy B., hhkata7@hotmail.com
James A Kolhoff, PO Box 844, Kingston, WA
Janice Hill, PO Box 496 Kingston, WA
Kay Peiguss, kkpeig1939@yahoo.com
Rebecca Pirtle, rpirtle@co.kitsap.wa.us
James & Noel Leary, sandwalkn@yahoo.com
Dave Wetter, dwetter@mindspring.com
Beth Berglund, kcacchair@gmail.com
Catherine Hackett, cat000herine@hotmail.com
Troy & Suzanne Hermanson, tshermanson@comcast.net
Christy Dugan, sisdugan@gmail.com
Denise Giuntoli, denise@sinclair.net
Ed Coviello, EdwardC@KitsapTransit.com
Mark Libby, mklubby@earthlink.net
Jeff & M. Bowers, QCKitsap@gmail.com
Bob Hill, bobhill@centurytel.net
Jet Woelke, jetw@windermere.com
Bobbie Moore, elliottmoore@comcast.net
Alan Chessman, chesspeople@comcast.net
Walt Elliott, elliottmoore@comcast.net
Lisa & Mark Fritzer, lisafritzer01@gmail.com
Michael Crovitz, mdcrovitz@centurytel.net
Sandra Steele, steeleinc@silverlink.net
Amy Maule, wingscript@gmail.com
Stella Vakarcs, svakarcs@comcast.net
Mark & Lynn Freeman, markf53@msn.com
Marilyn Bode, lidenbode@aol.com
Carole Nelson, carole00@comcast.net
Mary Gleysteen, marygleysteen@gmail.com
Kris Libby, kristinelibby@mac.com
Dennis & Loriann Flanders, djdenniswhatever@hotmail.com
Bryan & Margaret Monroe, shasta77rio@me.com
Chris Jacobson & Patty Fliege, patty-chris@comcast.net
Chris Sheak, chrissheak@comcast.net

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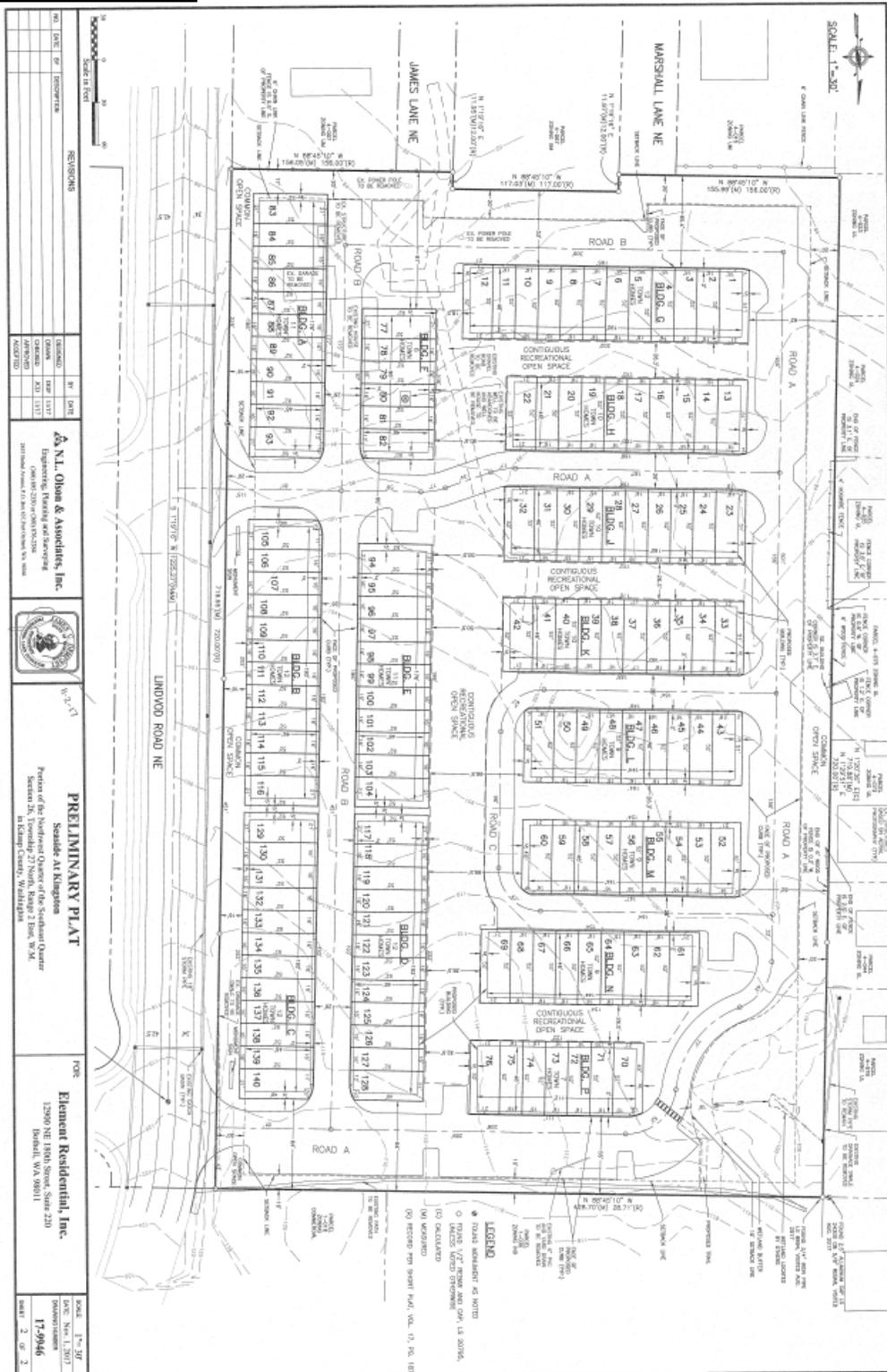
Misty McIntosh, misty.mcintosh@gmail.com
Ormela Abazi, oabazi@hotmail.com
Kathryn Thompson, kathryn078@icloud.com
Rick Eveleth, rickeveleth@comcast.net
Jack & Robin Lott, jlott@shuttlesmart.net
Jack & Svetlana Skalican, jlott@shuttlesmart.net
Terry Wagener, tewagener@q.com
Dave Muller, davemuller@windermere.com
Todd & Lorraine Thoroughman, lthoroughman@yahoo.com
Madelane Pieratt, madelane@comcast.net
Nancy Tietje, cpp27604@centurytel.net
Patrick Pearson, patrick051@centurytel.net
Robert Smaus & Iris Tees, robertsmaus@gmail.com

Kitsap County Health District, MS-30

Kitsap County Public Works Dept., MS-26

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Preliminary Plat Site Plan:



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Architectural Overview:



BACK PERSPECTIVE



FRONT PERSPECTIVE

PROJECT DATA:

PROJECT DESCRIPTION: CONSTRUCTION AND REPAIR OF EXISTING COMMERCIAL BUILDING TO BE USED AS A RESIDENTIAL DEVELOPMENT

EXISTING BUILDING NAME: SEASIDE AT KINGSTON

CONSTRUCTION TYPE: TYPE 3B

DATE: 10/15/17

DESIGNER: WATTENBERG ARCHITECTURE

CLIENT: SEASIDE AT KINGSTON, LLC

ADDRESS: 1 LIND VOG RD, KINGSTON, WA 98346

PERMITTING AGENCY: KINGSTON CITY

PROJECT NUMBER: 17-04643, 17-04646, 17-04647

DATE: 10/15/17

SCALE: 1/8" = 1'-0"

DATE: 10/15/17

DWELLING UNIT AREAS:

UNIT 1	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 2	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 3	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 4	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 5	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 6	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 7	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 8	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 9	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 10	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 11	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 12	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 13	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 14	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 15	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 16	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 17	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 18	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 19	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 20	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 21	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 22	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 23	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 24	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 25	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 26	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 27	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 28	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 29	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 30	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 31	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 32	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 33	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 34	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 35	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 36	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 37	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 38	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 39	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 40	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 41	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 42	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 43	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 44	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 45	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 46	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 47	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 48	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 49	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 50	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 51	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 52	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 53	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 54	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 55	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 56	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 57	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 58	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 59	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 60	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 61	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 62	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 63	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 64	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 65	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 66	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 67	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 68	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 69	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 70	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 71	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 72	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 73	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 74	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 75	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 76	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 77	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 78	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 79	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 80	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 81	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 82	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 83	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 84	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 85	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 86	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 87	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 88	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 89	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 90	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 91	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 92	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 93	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 94	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 95	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 96	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 97	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 98	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 99	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)
UNIT 100	1,820 SQ. FT. (1,780 SQ. FT. CONFORMANCE)

SEASIDE AT KINGSTON
LIND VOG ROAD, KINGSTON
Seaside Kingston, LLC

ARCHITECTURAL OVERVIEW





DATE: 10/15/17
SCALE: 1/8" = 1'-0"
SHEET NO: 24
TOTAL SHEETS: 28

PROJECT NO: 17-04643, 17-04646, 17-04647

DATE: 10/15/17

SCALE: 1/8" = 1'-0"

SHEET NO: 24

TOTAL SHEETS: 28