



CITY OF PORT ORCHARD
Public Works Department
Permit Center
216 Prospect Street, Port Orchard, WA 98366
Ph.: (360) 874-5533 • permitcenter@cityofportorchard.us

NOTICE OF DECISION

Issuance Date: August 15, 2022

Applicant: Northview Ridge Properties LLC
20160 Bue Rund Loop NE
Poulsbo, WA 98370

File Number(s): PW22-003, PW22-004

Project Name: Sinclair Ridge – McCormick Village Dr

Type of Application(s): Major Land Disturbing Activity Permit, Stormwater Drainage Permit

Assessor Parcel Number(s): 042301-3-011-2005

Site Location: North End of McCormick Village Dr

PROPOSAL:

Construction of a portion of the McCormick Village Drive, a public road within the City of Port Orchard, which connects SW Old Clifton Rd and the common boundary of the City of Port Orchard and the City of Bremerton.

DETERMINATION OF CONSISTENCY 20.24.090

Administrative applications are reviewed by the City to determine consistency between the proposed project and the applicable regulations and the Comprehensive Plan provisions. A determination of consistency shall consider the type of land use, the level of development, availability of infrastructure, and the character of development. The application shall be found to be consistent with the Comprehensive Plan, the provisions of Title 20, the Washington State Environmental Policy Act (SEPA), and the City's Design Standards.

PUBLIC COMMENT AND RESPONSE:

Notice of Application was issued March 1, 2022 with comment period running through March 15, 2022. The City sent a follow-up Notice of Application on March 11, 2022 with a comment period running through March 25, 2022 clarifying the scope and location of the project. The City received two comments during the comment period, which are summarized below.

Paula Blount, March 5, 2022:

Comment: Question regarding why the City of Port Orchard is permitting the project and not City of Bremerton and question regarding if the legal owner submitted the application.

Response: The project covered in this permit is for a small public roadway extension within the City of Port Orchard city limits to serve the future Sinclair Ridge Project located within the City of Bremerton and not for the Sinclair Ridge project itself. The City confirmed that the owner of the correct property owner authorized the submission of the permit.

Deborah Vedin, March 5, 2022:

Comment: The comment sent included additional information on the City of Bremerton permitting of the Sinclair Ridge project. The comment indicated that the extension road is labelled as public while discussing that the Sinclair Ridge decision had indicated that the road could not be a public road.

Response: The extension of the road connecting to the Sinclair Ridge project is to be located within a public right-of-way (McCormick Village Dr) which is to be dedicated by the City as part of the McCormick North Phase 3, Division 4 & 5 project. The Hearing Examiner Decision associated with the Sinclair Ridge project, that was provided in the comment, supports the new public road connection (previously known as Campus Parkway) between Old Clifton Road and the Sinclair Ridge Project as the decision included it as the only connection allowed to the development. The City of Port Orchard is not the permitting agency for the Sinclair Ridge project and is solely reviewing the small extension of roadway proposed within the City of Port Orchard city limits to the relevant local, state, and federal regulations and codes.

FINDINGS MADE BY THE PUBLIC WORKS DIRECTOR/CITY ENGINEER

1. Counter complete application for Land Disturbing Activity Permit and Storm Drainage Permit were submitted on January 19, 2022.
2. The application was determined to be technically complete on February 16, 2022.
3. A Notice of Application was issued March 1, 2022, with a two-week comment period that ended March 15, 2022.
4. The Notice of Application was properly noticed by mailing to surrounding property owners, publishing in the newspaper of record, and posting on the site.
5. The Notice of Application was re-issued March 11, 2022, with a two-week comment period that ended March 25, 2022.
6. Two comments were received in response to the Notice of Application and are summarized in the section above.
7. The City of Port Orchard determined that the project is exempt from a Capacity Reservation Certificate evaluation for water, sewer and transportation because is a roadway project.
8. The application is consistent with the Comprehensive Plan, the provisions of Title 20, the Washington State Environmental Policy Act (SEPA), and the City's Design Standards. The application is consistent with the criteria of approval as identified in this report.

Approved Documents:

- Geotechnical Report, stamped received January 19, 2022
- Storm Drainage Report, stamped received January 19, 2022
- Civil Plans, stamped received June 30, 2022

CONDITIONS OF APPROVAL

1. The decision set forth herein is based upon representations made and information submitted, including development plans and proposals, submitted to the Director. Any substantial change(s) or deviation(s) in such development plans, proposals, or conditions of approval imposed shall be subject to the approval of the Director, and may require additional permitting, public notification, and comment.

2. The authorization(s) granted herein is/are subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances are conditions precedent to the approvals granted and are continuing requirements of such approvals. By accepting this/these approvals, the applicant represents that the development and activity allowed will comply with such laws, regulations, and ordinances. If, during the term of the approvals granted, the developments and activities permitted do not comply with such laws, regulations or ordinances, the applicant agrees to promptly bring such developments or activities into compliance.
3. Upon approval of the application and issuance of the land disturbing activity permit, no work shall be done that is not provided for in the permit.
4. Applicable fees shall be paid prior to permit issuance.
5. The approved permit must be picked up within sixty (60) days of notification. If the permit is not picked up within 60 days of notification, it may be canceled by the director and become null and void. If the permit is canceled, the director shall notify the applicant by mail. Permit review fees are not refundable for a permit that is canceled due to a failure to pick up.
6. The land disturbing permit application expires as specified in POMC 20.140.090(4).
7. Per POMC 20.140.090(4), an issued land disturbing activity permit shall automatically expire or be extended when the building permit expires or is extended; or, if a building permit is not issued for the same site, the LDAP shall expire if the authorized work has not begun within 180 days from the date of permit issuance, or if work is abandoned for over 60 consecutive days, unless an extension has been granted. The applicant shall be responsible for notifying the director, in writing, if delays or unforeseen circumstances are impacting the start or continuation of the work. If the authorized work is continually performed, the permit shall expire one year from the date of issuance, unless a different time frame is specified on the permit, or an extension is granted. Up to two one-year extensions may be granted by the director for a land disturbing activity permit, provided the request is in compliance with provisions found in POMC 20.140.090(5).
8. Per POMC 20.150.150, an issued stormwater drainage permit shall expire three years from the date of issuance if the permitted work has not yet commenced. If construction has begun and is continuing, the property owner or permit applicant may request an extension in writing to the director prior to expiration. Inspections performed and approved within every 360 days is evidence that work has commenced and is continuing. The director may grant a one-time extension not to exceed two additional years.
9. Engineering or Architecture: Any changes in proposed construction shall be reviewed by the engineer or architect of record and submitted in writing to the City of Port Orchard Public Works Department prior to any revised construction. All engineering and/or architectural documents are a part of the approved set of plans, shall remain attached thereto, and become a part of the public record at the City. If documents are removed, or changes are made without approval from the architect or engineer and the Public Works Department, approval and occupancy will not be granted.
10. The contractor is responsible to provide the required temporary traffic control per the MUTCD.

11. Clearing limits shall be marked on-site prior to any land clearing. Clearing limits shall be the minimum necessary to construct and install all facilities. Every effort shall be made to disturb as little of the existing natural vegetation in order to retain the maximum vegetation possible. Please call the Planning Department to schedule your inspection at (360)874-5533.
12. Erosion and sedimentation control devices shall be installed in accordance with best management practices. Provide gravel construction entrance mat and other appropriate BMPs as required. Protect all exposed soils. Contact Port Orchard Permit Center to schedule an inspection by calling (360) 874-5533.
13. Cover and properly locate stockpiles.(1) Earth stockpiles should be set back at least 50 feet from downslope drainage features (e.g. channels, catch basins, detention ponds, pavement, stream banks, critical drainage areas); (2) Stockpiles should be located on the uphill side of the excavated area wherever possible so that they can act as diversions; (3) Earth stockpiles should not be placed on pavement without implementation of a procedure to prevent sediment transport; (4) Earth stockpiles should be completely covered or otherwise stabilized with an appropriate BMP on a daily basis during winter months and within 30 days during dry seasons; (5) The bottom of the stockpile should be circled with an interceptor swale and/or Filter Fabric Fence to catch sediment-laden runoff from the stockpile.
14. It is the responsibility of the Contactor to schedule all paving operation inspections for approval.
15. Submittal of a recorded (with the Kitsap County Auditor) Maintenance Covenant for maintenance of erosion and sedimentation control facilities located on the project site which gives the City of Port Orchard the right to inspect the facilities and guarantees the City that the facilities will be properly maintained (enclosed).
16. Erosion and sedimentation control devices shall be installed in accordance with best management practices. Provide appropriate gravel entrance mat. Protection of all exposed soils is required. Installation and inspection is required prior to any work commencing on-site. The contractor is responsible for continued maintenance during and after construction.
17. The required drainage facilities must be inspected and approved by the City of Port Orchard Public Works Department prior to the final inspection.
18. The engineer shall provide certification to the City that the drainage conveyance pipes and structures were installed in compliance with the accepted plans.
19. The owner/applicant shall provide certification to the City of Port Orchard that the drainage conveyance pipes and structures were cleaned prior to final site inspection.
20. Submit soil compaction testing reports when complete to the City of Port Orchard Assistant Engineer.
21. Permanent stabilization and restoration of the project site. Final replanting may be delayed to the appropriate season, provided that temporary soil stabilization measures are in place and financial security is provided to assure the completion of work.
22. Completion, to the satisfaction of City of Port Orchard Public Works Department, of all work indicated on the plans.

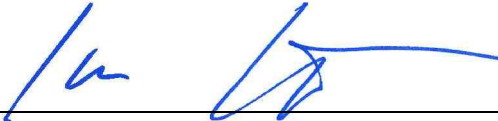
23. The Contractor must keep track of any field changes which will be turned over to the engineer of record to use in preparation of the as-built drawings for the project. The owner must submit the as-built plan set drawings to the Permit Center for the City's review and approval prior to submitting the final copies. Once approved, submit as-built plans to the Permit Center consisting of one paper copy and an electronic copy of both DWG and vector-converted PDF digital drawings.

DECISION

A Type II permit action is reviewed and considered in accordance with the procedures for such actions as set forth in Subtitle II of POMC Title 20 and applicable chapters.

The request to extend a public roadway, as described and set forth in this report and decision, is hereby approved subject to the conditions of approval listed above.

ORDERED this 15th day of August, 2022.



Ian Smith, PE, Civil Engineer II, on behalf of
K. Chris Hammer, P.E.
Public Works Director/City Engineer

The effective date of approval for this request is August 29, 2022, provided no appeal is filed.

APPEAL PROCEDURES

PLEASE NOTE: This approval is subject to a 14-day appeal period per POMC Chapter 20.22.040.

APPEAL PERIOD CLOSES: August 29, 2022 at 4:00 PM.

APPEAL TO HEARING EXAMINER: Pursuant to Section 20.22.040 of the *Port Orchard Municipal Code*, a party of record may file an appeal within fourteen (14) days after the issuance of the Notice of Decision.

DISTRIBUTION

Full Decision transmitted this 15th day of August, 2022 by email and first-class mail to:

Northview Ridge Properties LLC, 20160 Bue Rund Loop NE, Poulsbo, WA 98370,
craig.steepy@centurycommunities.com

Contour Engineering LLC, PO Box 949, Gig Harbor, WA 98335, jeremy.haug@contourengineeringllc.com

Full Decision transmitted to Parties of Record by either email or first-class mail as noted:

Paula Blount, paulau17@hotmail.com (email)

Deborah Vedin, seenagoddess@hotmail.com (email)

CONTACT INFORMATION

For additional information concerning this permit please contact:

Contact Name, Title
Public Works Department
216 Prospect Street
Port Orchard, WA 98366
360-876-4991