MITIGATED DETERMINATION OF NON-SIGNIFICANCE (MDNS) FOR FOREST SONG LAND DISTURBING ACTIVITY PERMIT, STORM DRAINAGE PERMIT, AND ADMINISTRATIVE BUILDING HEIGHT VARIANCE

DESCRIPTION OF PROPOSAL: This proposal is for the construction of a multifamily apartment complex consisting of eight residential buildings and one common building. Each residential building has 24 units, totaling 192 residential units. The project site is approximately 9.91 acres located in the R3 zoning designation of the City of Port Orchard. Primary access is proposed from Melcher Street and from Hill Avenue. The site is served by public water and sewer. There are critical area features identified on the site; a stream and steep slopes, which have been evaluated in special reports submitted by the applicant and reviewed by the Lead Agency and buffers from development are provided. A 3.5' building height variance from the maximum allowed building height of 35' is requested for 7 of the 8 buildings.

PROPONENT: Oakridge Homes, Jeff Serven, 5401 32nd Ave, Suite 100, Gig Harbor WA 98335

LOCATION OF PROPOSAL: North of Melcher St W and West of Sherman Ave, Nearest road intersection: Sherman Ave and Melcher St W; Hill Ave and Melcher St W; parcel number 352401-2-023-2005

LEAD AGENCY: City of Port Orchard

DETERMINATION: This is a Phased Review under WAC 197-11-060(5(b)). Preliminary review under SEPA was completed to evaluate only the clearing and grading of the site and an MDNS was issued issued on July 3, 2020. This is the second and final phase of this project and additional information has been provided by the applicant under application to the Lead Agency. The lead agency for this proposal has determined that this Phase of the project does not have a probable significant adverse impact on the environment, as conditioned. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2(c)). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

CONDITIONS:

- 1) Temporary impacts to the Stream Z buffer associated with the installation of a stormwater outfall shall be limited to the minimum extent necessary and will be fully restored once installation of the stormwater pipe and outfall are complete.
- 2) Mitigation for the 168 square feet of permanent Stream Z buffer impacts associated with the stormwater outfall shall be compensated with 6,595 square feet of buffer enhancements as specified in the November 2023 Wetland and Fish and Wildlife Assessment and Buffer Mitigation Plan.
- 3) As specified in the November 2023 Wetland and Fish and Wildlife Assessment and Buffer Mitigation Plan, the owner of the site shall keep the site free from non-native invasive vegetation, trash, and yard waste.

This Mitigated Determination of Non-Significance (MDNS) is issued February 16, 2024 under WAC 197-11-350 as a Phased Review consistent with WAC 197-11-060(5(b)). The lead agency will not act on this proposal for 14 days from the date of issuance. Comments must be submitted no later than 4:30 p.m., on March 1, 2024, 14 days from the date of this notice.

APPEAL PERIOD: Pursuant to RCW 43.21C, any person wishing to appeal this determination may file such an appeal within 14 days from the date of issuance. You should be prepared to make specific factual objections. There is a fee to appeal this determination.

APPEAL DEADLINE: March 1, 2024 at 4:30pm.

RESPONSIBLE OFFICIAL: Nicholas Bond, AICP, Director of Community Development, 216 Prospect Street, Port Orchard, WA 98366, (360) 874-5533

SIGNATURE:

2/13/2024