



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

COMPLIANCE NOTATION REPORT

Date: January 24, 2018
To: Gary R. Christensen, AICP
Planning and Community Development Director
From: Olivia Sontag
Planner
Request: Recommendation to the City Council
Project: Rolling Sunrise Final Subdivision
File Number: PLN18840 FSUB
Location: 10723 Sunrise Drive NE
Applicant: Blackwood Holdings VI, LLC
15620 Hwy 99, Suite 17
Lynnwood, WA 98087

The Rolling Sunrise Preliminary Subdivision (PLN 50319 SPT) was approved by the Hearing Examiner on September 21, 2015, subject to the conditions listed below. As annotated in bold font, the conditions are satisfied and final subdivision approval is recommended.

SEPA CONDITIONS:

1. A Storm Water Pollution Prevention Plan (SWPPP) for the proposed development shall be provided for City review and approval in accordance with BIMC 15.20. The plans must be approved, the improvements constructed (or a construction bond provided if applicable), and an acceptable final inspection obtained prior to final subdivision application. The design submittal shall incorporate all proposed subdivision improvements including complete civil plans, grading and erosion control plans, roadway plan and profile, storm drainage facilities and drainage report, and shall be prepared by a professional engineer currently licensed in the State of Washington.

A Storm Water Pollution Prevention Plan was prepared in accordance with BIMC 15.20. It was submitted, reviewed and approved as part of the plat utility permit (PU50526) for the project. The plat utility permit was approved on August 9, 2017 and a bond for the improvements has been submitted and approved by the City.



2. The site is greater than one acre in size, therefore prior to construction activities, the applicant shall apply for a Construction Stormwater General Permit (NPDES) through the Washington State Department of Ecology.

As determined by the City's Public Works Development Engineer, an NPDES permit is not required as there will be no drainage to waters of the State.

3. The limits of clearing and grading shall be clearly marked in the field and inspected by the City of Bainbridge Island prior to beginning any clearing or grading on site.

The plat utility permit (PU50526) for the project includes a condition and requires an inspection for the limits of clearing and grading prior to clearing or grading on site. Field inspections were approved by the City's Public Works Construction Inspector.

4. No construction activities, storage of materials or vehicles, or soil stockpiling shall take place within any designated open space except for the following activities:
 - a) Installation of the water main
 - b) Construction of a pedestrian trail
 - c) Moving the off-site manufactured homes to lots 5, 6 and 7

This item is noted in the Open Space Management Plan.

5. On site mobile fueling from temporary tanks is prohibited unless the applicant provides and is granted approval for a Permit and Best Management Plan that addresses proposed location, duration, containment, training, vandalism and cleanup. (Reference 1. Uniform Fire Code 7904.5.4.2.7 and 2. Department of Ecology, Stormwater Management Manual, August 2001, see Volume IV "Source Control BMPs for Mobile Fueling of Vehicles and Heavy Equipment".) (Chapter 173-304 WAC)

This item is listed as a condition on the final plat. (Condition 5, Sheet 3 of 6)

6. The contractor is required to stop work and immediately notify the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.

The contractor shall stop work if any historical or archaeological artifacts are uncovered. This item is listed as a condition on the final plat. (Condition 6, Sheet 3 of 6)



7. To mitigate impacts on air quality during earth moving activities, contractors should conform to Puget Sound Air Pollution Control Agency Regulations which insure that reasonable precautions are taken to avoid dust emissions.

The contractors shall conform to Puget Sound Air Pollution Control Agency Regulations.

8. To mitigate potential impacts on air quality, cleared vegetation shall be removed from the site, processed by chipper or processed using other methods of disposal that does not require burning.

Cleared vegetation is being removed from the site and processed by chipper.

9. To mitigate potential off-site glare, any street lighting within the subdivision shall meet the outdoor lighting standards of BIMC 18.15.040, including general standards (D) & figures of acceptable shielding and direction of outdoor lighting fixtures (F).

Street lighting within the subdivision shall meet the outdoor lighting standards of BIMC 18.15.040.

10. To mitigate impacts to area residences, construction activities shall meet the requirements of BIMC 16.16.025 including a) it shall be prohibited between the hours of 7:00p.m. and 7:00a.m. on weekdays that do not constitute legal holidays, b) it shall be prohibited before 9:00a.m. and after 6:00p.m. on Saturdays that do not constitute legal holidays and c) it shall be prohibited on Sundays and all legal holidays except that work on the inside of an enclosed structure may occur between the hours of 10:00 a.m. and 4:00 p.m. A noise variance shall be required for any deviation from these time limitations.

Construction activities shall meet the requirements of BIMC 16.16.025.

11. The proposed trail connection shall be located within the easement depicted on the preliminary plat and development to a minimum width of 4 feet. A homeowners association shall be established for the maintenance and liability of the trail unless another entity assumes maintenance and liability of the trail.

The plat utility permit (PU50526) for the project includes a condition requiring the trail to be located within the easement and be a minimum width of 4 (four) feet. A Trail Maintenance Agreement has been submitted and shall be recorded with the final plat. A note referencing the Trail Maintenance Agreement and the associated Auditor's File Number shall be shown on the final plat. (Note 7, Sheet 3 of 6)



12. To mitigate temporary impacts to the open space area, the developer shall provide a replanting plan to the Department of Planning and Community Development prior to any work within the open space area. The plan shall identify the trees and ground cover to be removed and include a replanting plan for the disturbed area. The replanting plan shall include a combination of native trees and ground cover.

The plat utility permit (PU50526) for the project includes a condition requiring a replanting plan for any disturbed vegetation within the open space, including for the trail. A replanting plan shall be provided prior to any work within the open space area. This item is noted in the Open Space Management Plan.

13. Any non-exempt tree harvesting shall require the appropriate Forest Practices Permit from the Department of Natural Resources (DNR).

The applicant has obtained an approved Forest Practices Application (FPA #2419892) from the Department of Natural Resources. Conditions of approval include meeting the City's permit requirements, open space, and SEPA conditions as stated in the MDNS. The City is responsible for enforcing these conditions. Due to conversion activities, DNR does not require reforestation.

NON-SEPA CONDITIONS

14. The following table indicating the required setbacks and lot coverage shall be recorded on the face of the final plat.

	Minimum
Building to Building	10 feet
Building to exterior subdivision boundary	15 feet
Building to internal street	15 feet
Building to Trail or Open Space	Minimum 10 feet
Maximum Lot Coverage per Lot	4,258 square feet

The setbacks and lot coverage are shown on the final plat. (Sheet 3 of 6)

15. The final plat submittal shall include street names, the location of any traffic regulatory signs and approved mailbox locations from the United States Postal Service. The applicant is responsible for street names signs in accordance with the Manual on Uniform Traffic Control Devices and City requirements.

This item has been complied with and the location of the items are shown on the final plat. (Sheet 3 of 6)



16. An approved Open Space Management Plan shall be recorded with the final plat that indicates the maintenance and allowed uses within each of the open space tracts.

The Open Space Management Plan indicates maintenance and allowed uses and is in compliance with BIMC 17.12.030. The Open Space Management Plan shall be recorded with the final plat. A note referencing the Open Space Management Plan and the associated Auditor's File Number shall be shown on the final plat. (Note 6, Sheet 3 of 6)

17. Open space easements or covenants shall be recorded together with the land division and represented on the final plat and title.

This item shall be complied with at the time of recording. A note referencing the Open Space Management Plan and the associated Auditor's File Number shall be shown on the final plat. (Note 6, Sheet 3 of 6)

18. Prior to final plat approval, the applicant shall install one sign on lot 1 and fencing on lots 2-7 along the appropriate open space boundaries. In accordance with BIMC 17.28.020.37, the signs shall be a minimum of 64 square inches and made of metal, hard plastic or engraved wood. In accordance with BIMC 17.28.020.30, low impact fencing includes two-or-three tier split rail not exceeding five feet in height, four-inch by four-inch wooden posts with two or three strands of cable in between, or other fencing with similar visual, barrier, and access characteristics as determined by the Director.

The plat utility permit (PU50526) for the project includes a condition and requires inspections for the installation of the signs and fencing. The signs and fencing have been installed and verified by the City's Public Works Construction Inspector.

19. Prior to final plat submittal, all lot corners shall be staked with three-quarter inch galvanized iron pipe and locator stakes, or other approved method. All property corners and right-of-way centerlines shall be monumented, including the center of the cul-de-sac. A survey of the property must be completed and submitted with the final plat application.

All lot corners have been staked with three-quarter-inch iron pipe. The final short plat was reviewed and approved by the City's Public Works Survey Program Manager.

20. A plat certificate shall be provided with the final plat application.

A plat certificate was included with the final plat submittal.



21. School impact fees may be required. If school impact fees are in effect at the time of submittal for the final plat, the applicant shall pay one half of the impact fees for the 7 single family units. The remaining half of the fees shall be paid at the time of building permit issuance for the single-family units. If the fees are in effect at the time of building permit submittal rather than subdivision submittal, then each applicant applying for a single-family residential building permit shall pay the full impact fee prior to building permit issuance. The pertinent condition shall be provided on the face of the plat.

This item is listed as a condition on the final plat. (Condition 1, Sheet 3 of 6)

22. All on-site storm water facilities shall remain privately owned and maintained. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Annual inspection and maintenance reports shall be provided to the City. A Declaration of Covenant for storm water system operation and maintenance will be required to be recorded before final plat submittal. The approved language for the Declaration of Covenant is found in BIMC Chapter 15.21.

A bond has been submitted and approved by the City for the on-site storm water facilities. The City maintains a template of the Declaration of Covenant for storm water system operation and maintenance and is required to be signed and recorded prior to release of the bond.

23. Prior to final subdivision submittal, the applicant shall provide for review and approval by the City a plan and profile for water connections.

These plans were submitted, reviewed and approved as part of the plat utility permit (PU50526) for the project. The plat utility permit was approved on August 9, 2017.

24. Prior to final subdivision submittal, water lines, including meters to each property, shall be installed or an assurance device shall be provided.

A bond has been submitted and approved by the City for these items.

25. Public and private improvements, facilities, and infrastructure on and off the site that are required for the subdivision shall be completed, have final inspection and approval prior to final subdivision submittal. Approval of public facilities will be shown by a formal letter of acceptance from the City Engineer. A surety device acceptable to the City may be used (in lieu of physical completion) to secure and provide for the completion of necessary facilities which are not considered by the City to be life, health, or safety related items. Any such surety device shall be in place prior to final plat submittal, shall enumerate in detail the items being assured and shall



require that all such items be completed and approved by the City within one year of the date of final plat approval. While lots created by the recording of the final plat may be sold, no occupancy of any structure will be allowed until the required improvements are formally accepted by the City. Additionally, a prominent note on the face of the final plat drawing shall state:

"The lots created by this plat are subject to conditions of an assurance device for the completion of certain necessary facilities. Building permits may not be issued or occupancy granted until such necessary facilities are completed and approved by the City of Bainbridge Island. All purchasers shall satisfy themselves as to the status of completion of the necessary facilities."

A bond has been submitted and approved by the City for these items. This item is noted on the final plat. (Note on Completion Bonding, Sheet 3 of 6)

26. Prior to any construction activities on individual lots, the applicant shall obtain the appropriate permits from the City, including but not limited to building, clearing, and/or grading permit. This note shall be listed on the face of the final plat.

This item is listed as a condition on the final plat. (Condition 2, Sheet 3 of 6)

27. As-built civil construction plans will be provided by the applicant prior to final subdivision approval.

These plans were submitted, reviewed and approved as part of the plat utility permit (PU50526) for the project. The plat utility permit was approved on August 9, 2017.

28. At the time of building permit application for the individual lots, demonstration of compliance with applicable stormwater management requirements shall be required in accordance with BIMC 15.20. The following note shall be placed on the face of the final plat:

"Onsite infiltration of 100% of stormwater is required for each lot, the feasibility of which shall be demonstrated at building permit review. A rain garden or equivalent infiltration facility meeting the applicable requirements of the state Department of Ecology's Stormwater Management Manual for Western Washington will need to be constructed. A future rain garden area has been prospectively identified for each lot, which area may be reduced, enlarged or relocated pursuant to City review based on a determination of site-specific lot infiltration requirements."

A bond for the improvements has been submitted and approved by the City. This item is listed as a condition on the final plat. (Condition 3, Sheet 3 of 6)



29. The developer's engineer shall certify that there is adequate entering sight distance at the site entrances and within the access driveways. 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 COBI Design and Construction Standards.

These plans were submitted, reviewed and approved as part of the plat utility permit (PU50526) for the project. The plat utility permit was approved on August 9, 2017.

30. Transportation facilities shall be reviewed and approved by fire officials during the civil construction design.

These plans were submitted, reviewed and approved by the Fire Marshal as part of the plat utility permit (PU50526) for the project. The plat utility permit was approved on August 9, 2017.

31. It shall be the responsibility of the applicant to verify the adequacy of the proposed water main to meet fire flow requirements pursuant to the City of Bainbridge Island Municipal Code 13.10.065. Fire flow requirements to neighboring property must be maintained. Plans and calculations showing how this level of pressure will be maintained and will be provided to the City.

The applicant provided a letter from KPUD verifying the adequacy of the proposed water main to meet fire flow requirements. Per comments from the Fire Marshal, fire hydrants are required to be installed and tested prior to the start of building construction.

32. The applicant and the water service provider, Kitsap PUD, shall verify that the proposed water main extension provides for future extension to other properties within the service area.

The applicant provided a letter from KPUD stating that the proposed 8" diameter water main extension is situated to allow a future intertie to the water main in Hyla Ave.

33. A right-of-way (ROW) construction permit will be required prior to any construction activities within the ROW. The ROW permit will be subject to separate conditions and bonding requirements. The plans submittal for clearing and grading approval shall include a designation of adequate areas for staging, storing and parking onsite all equipment and vehicles associated with plat construction. No offsite parking of equipment or vehicles shall be permitted except on private property specifically leased for such purpose.



A right-of-way construction permit will be obtained prior to any construction activities within the right-of-way. This item is listed as a condition on the final plat. (Condition 7, Sheet 3 of 6)

34. A binding Water Availability Commitment is required prior to building permit issuance.

A binding Water Availability Commitment will be obtained prior to building permit issuance. This item is listed as a condition on the final plat. (Condition 8, Sheet 3 of 6)

35. The following note shall be placed on the face of the final plat:

“Prior to issuance of a building permit for residential construction on any lot, the adequacy of available fire and emergency response facilities and services shall be reviewed by the fire marshal, who may require installation of building sprinklers, upgraded fire walls or other safety measures.”

This item is listed as a condition on the final plat. (Condition 4, Sheet 3 of 6)

36. Before final plat approval, road improvements and maintenance activities shall be completed onsite and along the site access routes on Sunrise Drive north to Albertson Road and Hyla Avenue south to Manitou Beach Drive sufficient to comply with Table 7.2 of the City’s “Design and Construction Standards and Specifications” as elaborated in the City Engineer’s 2-21-97 revised roadway standards memo pertaining to providing “minimally adequate” access via a substandard public roadway (exhibit 14). This shall include at least the following:

- a) Prior to site work the applicant shall clear vegetation from the site access points at Hyla Avenue and Sunset Drive out 170 feet along the sides of the roadways to achieve over the entire distance a minimum of 12 feet of driving width and 13.5 feet of overhead clearance. Each 170-foot offsite terminus shall be measured and remain clearly marked for the duration of project construction. Inspection and approval by the City must be completed before further work may commence.
- b) The applicant shall maintain a sight distance clearance of 170 feet along the access roadways for the duration of plat construction activities. Monthly inspection reports shall be provided by the applicant to the City documenting that the sight distance is being maintained.
- c) The signage recommended by the Heath & Associates report dated May 26, 2015, (exhibit 23) shall be installed prior to commencement of site work.

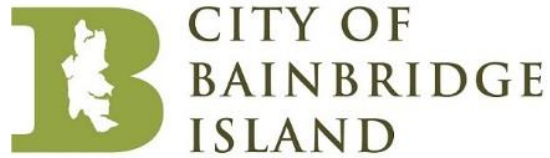


- d) A turnout meeting COBI Standard Detail 7-067 shall be installed on Sunrise Drive. Location and design of the turnout will be included in the plat utility application submitted after preliminary subdivision approval. Any turnout location will be reviewed by the City and the City's transportation engineering consultant to ensure that it meets sight distance and safety requirements along Sunset Drive while taking into account the need to minimize impacts to adjacent properties to the maximum extent practicable. The turnout shall be installed prior to submittal of any site building permit application and verification of such installation provided with the first building permit application.

A bond for the improvements has been submitted and approved by the City. A Road Maintenance Agreement for lots 1, 2, 3, and 4, and another Road Maintenance Agreement for lots 5, 6, and 7 has been submitted and shall be recorded with the final plat. A note referencing the Road Maintenance Agreement and the associated Auditor's File Number shall be shown on the final plat. The plat utility permit (PU50526) for the project includes conditions and requires inspections for these items. Item d) is listed as a condition on the final plat. (Note 8 & Condition 9, Sheet 3 of 6)

37. Storm water management plans for the plat shall comply with Minimum Requirements #1 through #10 of the state Department of Ecology's 2005 Stormwater Management Manual for Western Washington ("the DOE Manual"). Prior to engineering plan submittal, a geotechnical assessment of site subsurface conditions shall be performed to determine the infiltration rate of the native sandy loam soils, the soil depths to less permeable layers that will not support infiltration, and winter groundwater levels. These values shall be modeled in conjunction with the total impervious surfaces projected for ultimate development of the entire site to determine site infiltration facilities requirements, consistent with DOE Manual standards. Plans shall be revised, as necessary, to assure that flows will receive required water quality treatment and facilities are provided capable of infiltrating 100% of site runoff in a manner compliant with Minimum Requirement #7 of the DOE Manual. Infiltration facility setbacks to septic drainfields shall comply with health department requirements. Each lot shall be designed and sized in the final plans to accommodate, and the final plans shall depict, a required septic drainfield area, a building envelope meeting City dimensional standards and a rain garden space. Unless review of the geotechnical assessment established a different dimension, each lot rain garden shall be presumptively sized at 400 square feet based on an assumption of 2000 square feet of residential roof area and 1000 square feet of driveway. Lot lines, access drive locations and open space boundaries may be adjusted to meet these requirements.

These plans were submitted, reviewed and approved as part of the plat utility permit (PU50526) for the project. The plat utility permit was approved on August 9, 2017. A bond for the improvements has been submitted and approved by the City.



38. Storm water review for each individual lot shall be performed at residential building permit issuance. The following note shall be placed on the face of the final plat:

“Onsite infiltration of 100% of stormwater is required for each lot, which shall be demonstrated at building permit review. A rain garden or equivalent infiltration facility meeting the applicable requirements of the state Department of Ecology’s Stormwater Management Manual for Western Washington will need to be constructed. A future rain garden area has been prospectively identified for each lot, which area may be reduced, enlarged or relocated pursuant to City review based on a determination of site-specific infiltration requirements.”

This item is listed as a condition on the final plat. (Condition 3, Sheet 3 of 6)