



## KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

614 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682  
(360) 337-7181 FAX (360) 337-4925 HOME PAGE - [www.kitsapgov.com/dcd/](http://www.kitsapgov.com/dcd/)

Larry Keeton, Director

### REVISED NOTICE OF ADMINISTRATIVE DECISION

April 9, 2009

To: Interested Parties and Parties of Record

RE: Project Name: St. Anthony's Episcopal Church Expansion  
Application: Administrative Conditional Use Permit  
File Number: 07 50229 (172501-3-023-2004)

Enclosed is the Administrative Decision issued by the Kitsap County Department of Community Development (DCD) for the above referenced application.

**THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS APPEALED TO THE KITSAP COUNTY HEARING EXAMINER BEFORE THE CLOSE OF BUSINESS ON APRIL 23, 2009.**

Pursuant to the Kitsap County Land Use and Development Procedures, an appeal may be filed objecting to the Department's Decision. An appeal must be made in writing, and received by the Department of Community Development (DCD). At the time of filing the appeal, the appellant shall pay the sum of five hundred dollars (\$500.00). This fee is non-refundable and subject to change. Make check payable to Kitsap County Department of Community Development (DCD).

The written appeal shall be made on, or attached to, an appeal form provided by DCD, and shall contain the following information.

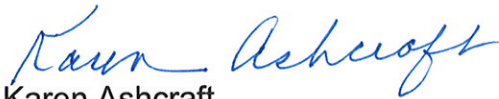
1. The project name, project applicant, application type, and file number designated by the County;
2. The name, address, and signature of each appellant. If multiple parties file a single appeal, the appeal document shall designate, in writing, one party as the contact representative for all contact with the DCD Director and the Office of the Hearing Examiner. All contact between the County and the appellants regarding the appeal, including notices, shall be through this contact representative; and
3. A written statement of the specific aspect(s) of the Decision and/or SEPA determination being appealed, the reasons why each is in error as a matter of fact or law, and the evidence relied upon to prove the error

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The complete application file will be available for review at the Department of  
Community Development, Monday through Friday, except holidays, from 8:15  
a.m. to 4:15 p.m.

If you have questions, please contact me at (360) 337-4487 or Dennis Oost at  
(360) 337-5777.

Sincerely,



Karen Ashcraft  
Clerk of the Hearing Examiner

C: John Stockwell, St. Anthony's Church, PO Box 2307, Bremerton, WA  
98310  
Diocese of Olympia Church of St. Anthony's of Egypt, PO Box 12126,  
Seattle, WA 98102

Interested Parties:

Gene Sherrad, 14378 Sandy Hook RD, Poulsbo, WA 98370  
DH Briant & Associates, 755 Winslow WY E, Suite 208, Bainbridge Island,  
WA 98110



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Director: Larry Keeton

# STAFF REPORT

Revised 4/9/09

## Administrative Conditional Use Decision

**Date:** April 9, 2009

**Application Date:** July 18, 2008

**Project:** St. Anthony's Episcopal Church Expansion

**Type of Application:** Administrative Conditional use Permit

**Planning File Number:** 07 50229

### Request Summary:

The scope of the project is to renovate and expand the existing church structure in 2 phases. The existing parking lot will also be expanded in 2 phases. The finished structure will be 2 stories and approximately 33 feet in height. The expansion will house a worship area that will seat 180, a social gathering area space with a kitchen, an educational classroom, and offices for church staff.

The Review Authority will be Kitsap County, consistent with Title 21 of the Kitsap County Code (KCC). The County will review the application for consistency with the requirements of KCC Section 17.355, Commercial Zones, to see if the applicant has demonstrated the development satisfies height, lot, sign, parking, and landscaping requirements. Also the KCC chapter 17.420 decision criteria for ACUP's.

**Decision Summary:** Recommend Approval, subject to conditions.

### Project Location:

That portion of the south half of the north half of the northeast quarter of the southwest quarter of section 17 lying westerly of the west line of frontier road except for US Naval Right of way as conveyed by Deed recorded under auditor's number 410523.

This description is the parcel located approximately 600' north of the intersection of Old Frontier Road with NW Anderson Hill Road.

**Assessor's Account #:** 172501-3-023-2004

### Applicant:

John Stockwell  
St. Anthony's Church

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PO Box 2307  
Bremerton, WA 98310

### Owner of Record:

Diocese of Olympia Church of St. Anthony's of Egypt  
PO Box 12126  
Seattle WA 98102

### Project Representative and Engineer:

D.H. Briant & Associates  
755 Winslow Way East, Suite 208  
Bainbridge Island, WA 98110

### State Environmental Policy Act (SEPA) Status:

The DNS was issued after using the optional DNS process in WAC 197-11-355. The determination was issued on January 7th, 2009 and the appeal period ended January 21, 2009. There is no further comment period on the DNS.

### COMMENTS / MITIGATION:

The SEPA comment period previously occurred concurrent with the Notice of Application dated September 18, 2008. Pursuant to SEPA Substantive Authority (KCC 18.04.200.D.3), the following traffic mitigation is required, as detailed in item 17 of the November 12, 2008 Kitsap County Development Engineering Memorandum:

1. Road frontage improvements consisting of curb, gutter, and sidewalk shall be constructed on the entire east property line fronting Old Frontier Road NW.

### **Addendum Note: the preceding condition is replaced with the following clarifying condition:**

**1. Should a County Road Improvement District (CRID) for the construction of road improvements be formed, which includes this property within the CRID boundary, the owners of this property shall be obligated to participate. A covenant shall be recorded before building permit final inspection indicating participation in such future CRID.**

### Site Characteristics:

The 4.56 acre parcel slopes from west to east. The steeper slopes are on the western site of the parcel at about 50% and transitions to gentle rolling slopes on the eastern half. Soils are composed of brown to reddish brown sand and silty sand with varying amounts of gravel.

### Existing Zoning and Comprehensive Plan Designation:

The subject property is zoned Highway Tourist Commercial (HTC). These centers are intended to provide for those commercial establishments, which require large sites. This

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zone serves the shopping and service needs for large sections of the county and provides visitor services and accommodations for both destination and en route travelers. Places of Worship are also subject to Use table footnote #12.

Minimum Density = 10-dwelling units/acre  
Maximum Density = 30-dwelling units/acre

Minimum Setbacks = 20-feet front yard  
= 30-feet side yard, per footnote #12  
= 30-feet rear yard, per footnote #12.

### **Surrounding Land Use and Zoning:**

Contiguous surrounding properties are also zoned HTC. Land use on the northern and southern boundary is currently undeveloped parcels. To the west is the Rail ROW for the US Navy Bangor Line. To the east is the ROW for State Highway Route 3 NW.

### **Public Utilities and Services:**

Water: Silverdale Water District  
Power: Puget Sound Energy  
Sewer: Kitsap County Public Works – Wastewater Division  
Police: Kitsap County Sheriff  
Fire: Central Kitsap Fire Protection District  
Schools: Central Kitsap School District

### **Transportation:**

Road frontage improvements along Old Frontier Road NW are being conditioned.

### **Stormwater and Off-Street Parking:**

Stormwater quantity and quality mitigation is required and a system of underground conveyance pipes and catch basins will direct stormwater to an on-site detention pond that provides both dead storage for water quality and detention storage for water quantity control. Road frontage improvements along Old Frontier Road NW are being conditioned.

Based on zoning code a facility of this nature requires 1 parking space for every four seats or 8’ of bench length in the worship nave. Based on a proposed 180 seats, the code requirement is 45 parking spaces. There are currently 63 standard spaces and 2 HC spaces. At the completion of the renovation phases there will be 109 standard spaces and 5 HC spaces.

### **Policies and Regulations Applicable to the Subject Proposal:**

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### Kitsap County Code

*Stormwater Drainage, Title 12*

*Kitsap County Zoning Code, Title 17, (May 14, 2007)*

Section 110 Definitions

Section 355 Highway Tourist Commercial

Section 382 Density and Dimensions

Section 385 Landscaping

Section 400 Land Use Review

Section 400.040 Appeal

Section 430 Other Provisions

Section 435 Off-Street Parking and Loading

Section 445 Signs

*Kitsap County Land Use and Development Procedures Title 21, (May 18, 1998)*

*Kitsap County Comprehensive Plan (December 11<sup>th</sup>, 2006)*

### **Public Comment:**

To date, the County has received one public comment from a neighboring parcel owner who wanted to receive notices and decisions.

### **Analysis:**

#### Sewage Disposal

Public sewer has been proposed for this project.

#### Access

Access to the site is off Old Frontier Road.

#### Sidewalks

A sidewalk is proposed along Old Frontier Road frontage.

#### Traffic

With 109 standard parking spaces and 5 Handicap spaces proposed there would be sufficient parking on the site for the proposed expansions. Road approach and frontage improvements are also proposed.

The Department has reviewed the church expansion and found the project consistent with Comprehensive Plan policies and the implementation regulations in the KCC Title 17 Zoning and consistent with the HTC zoning designation.

Kitsap County Health District:

Recommends preliminary approval with conditions. A memo dated July 13, 2007 specifies the required conditions.

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County Development Engineering/      Recommends approval in a memo dated November 12<sup>th</sup>, 2008, subject to conditions.

County Fire Prevention Bureau:      South Kitsap Fire and Rescue recommends preliminary approval with conditions.

### Findings:

Staff has reviewed the St Anthony's Church Expansion application against the requirements in the Kitsap County Code and found the project consistent. The following are findings for the proposed project:

1. Kitsap County DCD has review authority for this ACUP application per *Kitsap County Code* (KCC) 16.12, 17.421, 17.355
2. The proposed development/use is one permitted within the subject zoning designation and complies with all of the applicable provisions of this Ordinance and all other applicable regulations.
3. The proposed development would be harmonious and compatible with existing and future developments within the land use designation and general area.
4. The subject site is physically suitable for the type, density and intensity of the use being proposed.
5. Appropriate provisions have been made for the public health, safety and general welfare for open spaces, drainage ways, streets or roads, alleys and other public right-of-ways, transit stops, potable water supply, sanitary waste, parks and recreation, playgrounds, schools and all other relevant facts, including: sidewalks or other planning features that ensure safe walking conditions for students who walk to and from school.
6. The location, size, design and operating characteristics of the proposed development/use would not be detrimental to the public interest, health, safety, or welfare of the County.
7. The church expansion, as conditioned below, incorporates appropriate provisions for the public health, safety, and general welfare, as required by RCW 58.17.110(2) and KCC, Section 16.12.160.

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### **Recommendation:**

Based upon the above findings, it is recommended that the St Anthony's Church Expansion and Administrative Conditional Use Permit request be **approved**, subject to the following conditions:

### **Land Use Conditions:**

1. All Building permits on these lots will be subject to impact fees pursuant to Kitsap County Code.
2. Landscaping, as shown on plans submitted, shall be installed prior to occupancy permit issuance.
3. Land use approval is limited to the uses proposed by the applicant on the recommended site plan and the SEPA Environmental Checklist. Any modifications or expansion of the project will be subject to further review pursuant to the requirements of the appropriate sections of the Kitsap County Code.
4. Pursuant to KCC 21.04, land use approval is valid for a period of up to three (3) years from the decision date.

**Development Engineering has reviewed the above land use proposal and finds the concept supportable in its approach to civil site development. A site evaluation was conducted on November 5, 2007. These comments are based on a review of the Preliminary Drainage Report and Preliminary Engineering Plans stamped received August 20, 2008 to Kitsap County Development Engineering.**

**Development Engineering accepts the concepts contained in this preliminary submittal and requires the following conditions as an element of the land use approval:**

### GENERAL

5. 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.

### STORMWATER

6. The information provided demonstrates this proposal is a *Major Development* as defined in Kitsap County Code Title 12, and as such will require a Site Development Activity Permit (SDAP) from Development Engineering.
7. Stormwater quantity control, quality treatment, and erosion and sedimentation control shall be designed in accordance with Kitsap County Code Title 12 or as amended at the time of SDAP application. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The fees and

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submittal requirements shall be in accordance with Kitsap County Ordinances in effect at the time of SDAP application.

8. Should the proponent propose phasing of the project, a phasing plan shall be submitted to Development Engineering for review and approval. The phasing plan shall, as a minimum, address the following items:

Time tables indicating the anticipated time between initial site grubbing/grading activity and the completion of construction, including site stabilization of that specific phase.

The extent of drainage improvements to be installed during the various phases.

9. The water quality BMP shall be sized to provide treatment of the post-developed peak flow rate from the 6-month, 24-hour storm event per the KCSDM Section 6.2.
10. 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 or as amended at the time of SDAP application.
11. All retention facilities shall be a minimum of 200 feet from any slope steeper than 30%. This distance may be reduced based on a geotechnical engineering report. 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.
12. 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.
13. 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.
14. The impervious area accounted for in the overall drainage facilities installed shall be indicated on the face of the final design. Additional impervious surfaces created on an individual lot beyond the amount accounted for in the overall

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drainage facilities shall be mitigated in accordance with Kitsap County Code Title 12.

### TRAFFIC AND ROADS

15. At Building Permit application, submit (KCPW Form 1601) for issuance of a Concurrency Certificate, as required by KCC Section 20.04.030 Transportation Concurrency.
16. Private driveway approaches to existing County roads shall be reviewed and approved by Development Engineering.
17. Construction of handicap access facilities within existing or proposed County right-of-way shall conform to the requirements of the Americans with Disabilities Act.
18. Provide surveyed cross-sections at 50-foot intervals on Old Frontier Road NW. 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.
19. 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 Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Please denote the design vehicle on the plan set if different than the Kitsap County design vehicle. Existing approaches may need to be improved to meet current standards.
20. Wheelchair ramps shall be provided on both sides of the site approach. Include on the plan set curb ramp details that meet the requirements of the Americans with Disabilities Act per WSDOT Standard Plan F-40 cement concrete sidewalk and approach details.
21. Should a County Road Improvement District (CRID) for the construction of road improvements be formed, which includes this property within the CRID boundary, the owners of this property shall be obligated to participate. A covenant shall be recorded before building permit final inspection indicating participation in such future CRID.
22. Any required sidewalk shall be constructed prior to roadway paving. This note shall appear on the face of the final construction drawings.
23. Any work within the County right-of-way shall require a permit to perform work on County right-of-way 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 (or building permit if no SDAP is required). The need for and scope of bonding will be determined at that time.

### WASTEWATER

24. Kitsap County sanitary sewer is available for the project. Applicant needs to submit a complete set of sewer plan, profiles, and specifications designed in accordance with KCPW - Wastewater Division Standards and Regulations.

### SOLID WASTE

25. Prior to SDAP approval, Waste Management (360) 674-3166 shall be contacted for information on implementing the solid waste/recycling storage requirements

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influenced by the service provider (e.g. dumpster size and location) for the project. Pay particular attention to the access requirements of collection trucks. Provide documentation from the solid waste/recycling service provider that their requirements for this project have been met.

26. The SDAP submittal shall show solid waste dumpster location, method for securing the enclosure gates in an open position and pad sizes on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans. Provided area must accommodate a minimum 6-yard dumpster.
27. The SDAP submittal shall show that at least 150 square feet of exterior recyclable materials storage space for the project. Describe collection containers and show their locations, method for securing the enclosure gates in an open position and pad dimensions on the civil plans submitted for approval. Details of the enclosure, including interior dimensions, building materials and lighting must be included with the civil plans prior to final approval. These details may be architectural drawings attached to the civil plans.

### OTHER

28. Construction of rock walls or other retaining facilities that exceed four feet in height shall require a building permit.
29. Rock and retaining walls shall meet all applicable setback requirements of KCSDM 4.7.5.

**The Health District has reviewed the above referenced project and recommends preliminary plat approval subject to the following conditions:**

30. Silverdale Water District will provide water to this site.
31. Sewer will be provided to this site by Kitsap County.
32. A Building Clearance for Sewered Properties is required prior to building permit issuance.

**The Fire Marshal’s Office has reviewed the above project for fire protection purposes and approves the project with conditions.**

33. The project must adhere to all stated Fire Marshall conditions that are requested during SDAP review.
34. During pre-application meeting it was stated that the building will have a fire suppression system. A fire alarm system is required.
35. Provide turning radius of 35 feet inside diameter and 55 feet outside radius with in parking lot, lot entrance and lot exit.
36. At least one hydrant is required on site. Hydrant shall be within 50 and 150 feet from building and fire department connection.
37. Fire flow is required for any structures and is based on total floor area, area beneath the eaves, and the type of construction. The fire flow may be reduced with higher type building construction or with the addition of an automatic sprinkler system. The

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Fire Flow System shall meet all requirements of Kitsap County Building and Fire Code.

38. Proof of fire flow availability from the water purveyor is required to be submitted to the Kitsap County Fire Marshal's Office prior to building construction.

cc: John Stockwell, St. Anthony's Church, PO Box 2307, Bremerton, WA 98310  
Diocese of Olympia Church of St. Anthony's of Egypt, PO Box 12126, Seattle WA 98102

**Interested Parties**

D.H. Briant & Associates, 755 Winslow Way East, Suite 208, Bainbridge Island, WA 98110  
Gene Sherrad, 14378 Sandy Hook RD, Poulsbo, WA 98370

Bremerton-Kitsap County Health District, MS-30  
Kitsap County Development Engineering / Public Works  
DCD Staff Planner Dennis Oost  
DCD Code Enforcement  
DCD File  
DCD Building Permit File  
DCD Fire Marshall