



## **KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT**

619 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

# **ERLANDS POINT MONTESSORI – RESPONSE TO SEPA APPEAL**

## **RECOMMENDATION TO THE HEARING EXAMINER**

**Hearing Date:** February 12, 2008      **Staff SEPA Planner:** David Greetham

**Project Name:** Erlands Point Montessori School – Conditional Use Permit

**Type of Action:** Appeal of SEPA Determination of Nonsignificance (DNS)

**Land Use File No.:** 07 48263

**Appellants:**

Amy Campbell, representing:  
Amy and Jack Campbell  
Timothy Miron  
Doug and Katherine Fairweather  
Paul Ofsthun

**Project Applicant:**

William and Jennifer Bailey

**Background Summary:**

A SEPA DNS was issued for the Erlands Point Montessori School Conditional Use Permit on January 17, 2008 (exhibit 31). A timely appeal of the SEPA determination was submitted by appellant representative Amy Campbell on January 31, 2008 (exhibit 40).

Primary appeal issues relate to increased traffic, traffic safety relative to sight distance on the abutting easement road, and noise impacts.

**Summary of issues raised by appellants, relevant County or State code, and the department’s response are summarized in the following table:**

<b>Issues raised by appellants:</b>	<b>Relevant Code:</b>	<b>Department Response:</b>
<p>1. <i>Increased traffic will occur during drop off and pick up times, resulting in safety issues including:</i></p> <p><i>a) Dyes Inlet will become a one way lane due to parking on side of road;</i></p> <p><i>b) emergency vehicle access will be restricted;</i></p> <p><i>c) site distance will be limited at nearby Linden Lane/Dyes Inlet Road intersection;</i></p> <p><i>d) impacts to children who walk and bike on existing roadway due to lack of sidewalks; and</i></p> <p><i>e) impacts to residents trying to enter or exit private driveways in the immediate vicinity.</i></p>	<p><i>WAC 197-11-330(1) (c) (Consideration of mitigation measures which an agency or applicant will implement)</i></p> <p><i>KCC 17.435.030D (Parking for Places of Public Assembly, Preschool nursery, Kindergarten, Daycare)</i></p>	<p>Consideration was given to applicable zoning code requirements, including the provision for one parking space per three children on site. The project conforms to the required parking ratio through provision of parking for 8 vehicles for a maximum of 20 students.</p> <p>During the SEPA review, staff considered that increased traffic will occur on Dyes Inlet Road during drop off and pick up times. However, it was assumed that not all cars will arrive at the exact same time. The slightly staggered arrival time in combination with the provision for off street parking will serve to reduce anticipated traffic impacts on surrounding streets to a moderate level.</p> <p>With regard to emergency vehicle access, Central Kitsap Fire and Rescue has reviewed the proposal, and recommends conditions of approval (exhibit 9).</p>
<p>2. <i>Site distance limitations at the egress point onto the abutting private easement road will result in traffic safety issues.</i></p>	<p><i>KCC 17.435.020 (General Provisions)</i></p>	<p>Appellants have indicated that the underlying landowner may deny the applicant the right to install the proposed safety mirror at the egress point onto the private easement road. The SEPA official has not received verification of such a denial from the underlying landowner. Should a mirror not be allowed, the applicant has alternatives available, including the option to place a “caution” sign on the applicant’s parcel prior to exit onto the easement road.</p>

<p>3. Noise impacts due to increased vehicle traffic, doors slamming, children yelling/talking/playing, and general school noise.</p>	<p>KCC 17.381.060.1.a(5) (appellant reference - see discussion)</p>	<p>The appellant has incorrectly applied KCC 17.381.060.B.1.a(5), which is a noise standard applicable to Home Businesses. The proposed Montessori School is not defined as a Home Business under KCC Title 17, and is therefore not regulated by said code citation.</p> <p>However, the underlying issue of noise impacts is acknowledged, and must be considered during the review process. The SEPA determination states that moderate noise impacts will occur to the surrounding vicinity, primarily during drop off and pick up times. Such noise impacts would occur during the daytime hours between 9 A.M. and 3 P.M.</p> <p>In response to concerns about general noise throughout the remainder of the school day, the applicant has stated that the children will be inside during school hours, and has no plans for an outside recess time.</p>
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**Conclusion:**

While several items listed in the appeal do have the potential to result in moderate adverse impacts, it is staff’s opinion that appellants have not demonstrated that such impacts, individually or in combination, will result in probable *significant* adverse environmental impacts pursuant to the threshold determination process at WAC 197-11-330.

**Recommendation:**

Based on the above analysis, the Department recommends that the SEPA appeal be **DENIED**. Additionally, it is recommended that the applicant be conditioned to provide alternative “caution” signage at the egress point should the traffic safety mirror not be installed as currently proposed.

- cc: Appellants
- DCD File
- Hearing Examiner
- Clerk of Hearing Examiner
- DCD Staff Planner: Dennis Oost