



KITSAP COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT

619 DIVISION STREET MS-36, PORT ORCHARD WASHINGTON 98366-4682 Larry Keeton, Director
(360) 337-5777 FAX (360) 337-4415 HOME PAGE - www.kitsapgov.com/dcd/



NOTICE OF ADMINISTRATIVE DECISION

June 17, 2016

TO: Interested Parties and Parties of Record
RE: Project Name: Value Glass
Application: Administrative Conditional Use Permit
Permit Number: #16 00722

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 ON OR BEFORE 14 DAYS FROM THE DATE OF DECISION PER KITSAP COUNTY CODE 21.04.290.

The written appeal shall be made on, or attached to, an appeal form found on DCD's website: <http://www.kitsapgov.com/dcd/forms/DocumentLibrary/applications/Appeals.pdf>.

Please note affected property owners may request a change in valuation for property tax purposes, notwithstanding any program of revaluation. Please contact the Assessor's Office at 360-337-5777 to determine if a change in valuation is applicable due to the issued Decision.

The complete case file is available for review at the Department of Community Development; if you wish to view the case file or have other questions, please contact Constance Blackburn at cblackburn@co.kitsap.wa.us or (360) 337-5777. Please note DCD is open Monday to Thursday from 8:00am to 4:00pm and on Friday from 9:00am to 1:00pm except holidays.

Cc Applicant and/or Rep:
Value Glass: service@kitsapvalueglass.com
Russel Findlay: r.e.findlay@gmail.com

Cc Interested Parties:
None



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

LARRY KEETON, DIRECTOR

STAFF REPORT and ADMINISTRATIVE DECISION

Decision Date: June 17, 2016

Application Complete Date: February 25, 2016

Project: Value Glass

Project Summary:

The Director of the Department of Community Development has reviewed the request to establish a glass retail and service business as well as a caretaker's dwelling. The .29-acre parcel is currently developed with a commercial building, zoned Mixed Use (MU) and located at 3228 Perry Avenue NE in Bremerton. The property is served by public water and an on-site sewage system.

Decision Summary:

The commercial glass business and caretaker's dwelling for Value Glass Administrative Conditional Use Permit is approved, subject to 19 conditions.

Application Number: 16 00722

Type of Application: Administrative Conditional Use Permit (ACUP)

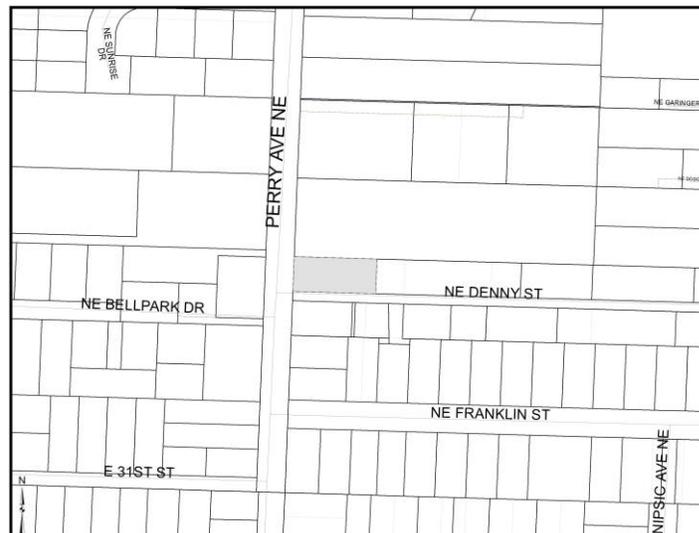
Request:

The applicant is requesting an Administrative Conditional Use Permit for a glass business that provides glass, supplies and services to automotive, residential and commercial customers, as well as a caretaker's dwelling. They plan to open a sales showroom for various glass products such as glass shower surrounds and custom items. Currently the applicants' operates a mobile glass repair business and a majority of the business will remain mobile.

Project Location:

3228 Perry Avenue NE
Bremerton, WA 98310
Central Kitsap County
Commissioner District 3

Assessor's Account #:
012401-4-045-2005



Applicant:

Amanda Joy McMahan and Charles Franklin Groves
24473 Johnson Road NW
Poulsbo, WA 98370

Owner of Record:

Russell Findlay
2777 Jefferson Street, Suite 202
Carlsbad, CA 92008

SEPA Status:

The project is SEPA Exempt per WAC 197-11-800(6); it is considered a minor project.

Physical Characteristics:

The property is developed with a commercial building to the west of center and a greenhouse at the east property line on the north half. Parking is on the west side of the commercial building next to Perry Avenue. To the east of the commercial building is lawn and some deciduous trees south of the greenhouse along the east property line. The property slopes from the west downward to the east, which are designated as moderate hazard areas on the county's critical area map.

Comprehensive Plan and Zoning Designations:

The Comprehensive Plan designation and the Zoning designation is Mixed Use (MU). The MU zone specifies the following standards:

Minimum Density	10 dwelling units per acre (not applicable to request)
Base/Maximum Density	30 dwelling units per acre
Maximum Height	35 feet
Maximum Impervious Surface Coverage	85%
Maximum Lot Coverage	Not Applicable

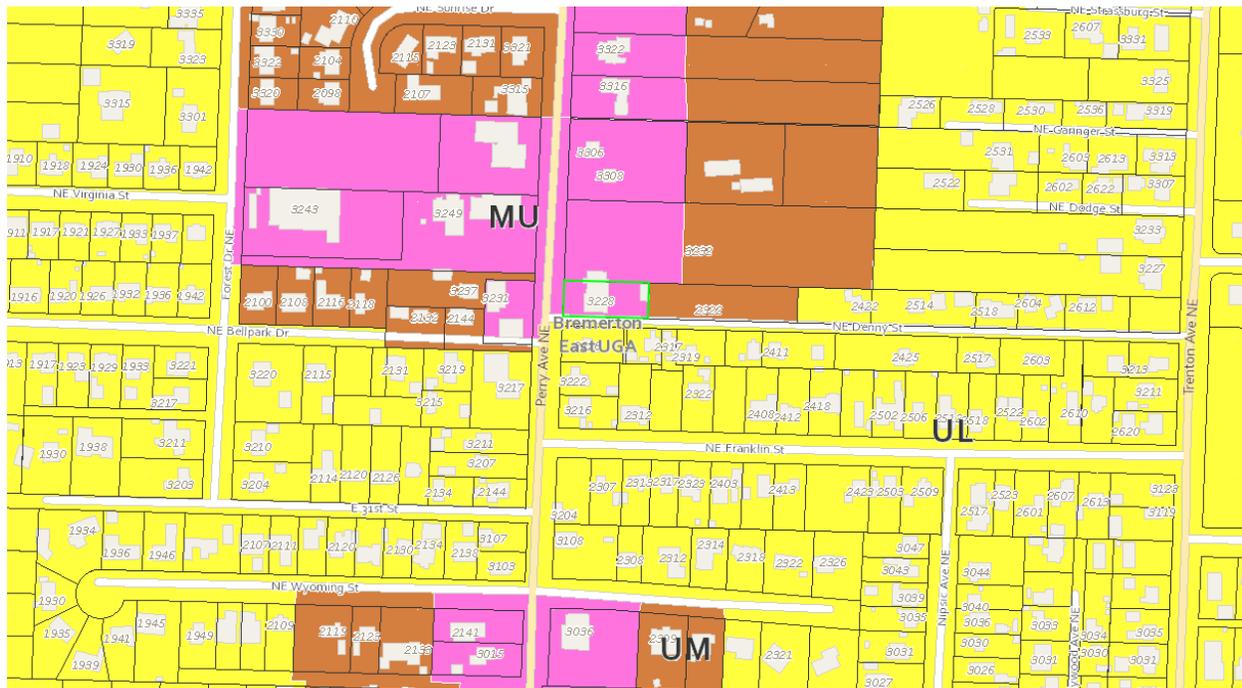
Setbacks (not applicable to existing structures)

Minimum Front	10 feet
Maximum Front	20 feet
Side*	10 feet (20 feet abutting a residential zone)
Rear*	10 feet (20 feet abutting a residential zone)

*The south side yard and the rear or east property line abuts a residential zone. Any new construction or expansion would be required to comply with the 20-foot setback requirement (refer to the zoning map below).

Surrounding Land Use and Zoning:

There is a mix of commercial, including a gas station, restaurants, offices and automobile repair, and single-family residential development within the area. The abutting property to the north is zoned MU, to the east is zoned Urban Medium Residential (UM) and to the south is zoned Urban Low Residential (UL). Across Perry Avenue to the west is a mix of MU, UM and UL.



Zoning Map

Public Utilities and Services:

- Water: North Perry Water District
- Power: Puget Sound Energy
- Sewer: on-site septic system
- Police: Kitsap County Sheriff
- Fire: Fire Protection District No. 1
- Schools: Bremerton School District #100

Policies and Regulations Applicable to the Subject Proposal:

Kitsap County Comprehensive Plan
 Adopted December 11, 2006 (Amended December 2012)

Kitsap County Code (KCC)

- Title 13 Water and Sewers
- Title 14 Buildings and Construction
- Title 17 Zoning
- Title 19 Critical Areas Ordinance
- Chapter 20.04 Transportation Facilities Concurrency Ordinance
- Chapter 21.04 Land Use and Development Procedures

Documents Consulted in the Analysis:

Applicant submittals:

Document
 Administrative CUP Application

Dated or date stamped
 February 24, 2016

<u>Document</u>	<u>Dated or date stamped</u>
Environmental (SEPA) Checklist	February 24, 2016
Landscape Plan	February 24, 2016
Site Plan	February 24, 2016

Staff communication:

<u>Document</u>	<u>Dated or date stamped</u>
Health District Email	February 22, 2016
Dev. Services & Engineering Memo	March 23, 2016

Public comments:

No comments received to date.

Analysis:

Land Use and Zoning

The subject property is developed with a commercial building to be used as a glass retail, showroom, office and service repair business, as well as provide a residential component for the business owners that will serve as a caretaker's dwelling for the business. The closest like uses in the KCC Allowed Uses Table KCC 17.381.040(B) is General retail merchandise stores and General office and management services – both less than 4,000 square feet; and the use designated as Caretaker's dwelling. An Administrative Conditional Use Permit (ACUP) is required for all 3 uses specified and there are no applicable footnotes.

The proposed uses don't perfectly fit all of the corresponding definitions, but are most closely aligned to those indicated, as a result an ACUP is required for the proposed activities. The KCC defines the different uses as follows:

17.110.301 General merchandise stores.

"General merchandise stores" means stores that sell a wide variety of grocery and non-grocery items, including, but not limited to: fresh foods; packaged foods for preparation and consumption in the home; household supplies; consumer electronics; hardware; apparel; and sporting goods.

17.110.302 General office and management services.

"General office and management services" means the offices of real estate agencies, advertising agencies, mailing services and postal substations, employment agencies, insurance agencies, management and consulting firms, accountants, attorneys, security brokers, architects, surveyors, tax preparation services, computer software development, and other similar business services. This term also includes the administrative offices for businesses whose primary activity may be a non-office use conducted elsewhere. This definition excludes engineering and construction firms and financial, banking, mortgage and title institutions.

17.110.150 Caretaker's dwelling.

"Caretaker's dwelling" means a single-family residence accessory to a commercial or industrial use intended for the purposes of providing supervision, maintenance or security of the property.

A majority of the owners' glass business is mobile and the owners travel to their customers' locations. The commercial building will serve as an office for the mobile activities. Retail and showroom activities will also occur on-site. The owners plan to occupy the caretaker's dwelling in order to provide on-site security.

The total building square footage is listed as 3,883 square feet. The garage workshop is specified at 1,419 square feet, office and future showroom at 1,333 square feet and the basement caretaker's dwelling will occupy 1,131 square feet. According to the Assessor's records the building was constructed in 1956.

The proposed business hours are Monday through Friday, 7:00 AM to 6:00 PM, and Saturday and Sunday, 8:00 AM to 5:00 PM.

Critical Areas

The only known critical areas on the property are moderate hazard areas. No new construction or exterior expansion is proposed; only an interior remodel is planned. As a result, no critical area requirements or compliance is expected.

Water

Public water is provided to the site by the North Perry Water District.

Sewage Treatment

The Health District has reviewed the request and indicated by an email dated 02.22.2016 that the project request is okay. There is also a Health Officer Decision dated 03.10.2016 indicating the Health District has reviewed the land use and the applicant's proposal match their records. The Health District has approved the applicant's request with no specific conditions.

Stormwater

The project as proposed creates no new or replaced impervious surfaces. As a result, stormwater mitigation is not required for this project.

Fire Flow

Fire flow is not required for the land use or ACUP application. A commercial building permit is required for the business and to create the caretaker's dwelling. Fire flow will be reevaluated at that time. The commercial building permit will be required to comply with all code requirements.

Access and Roads

Access to the site is via Perry Avenue, a paved county road classified as an urban minor arterial.

Traffic

Traffic is expected to increase but at a low volume for the proposed uses and less than the previous occupant, which was a gift and espresso shop. The applicant anticipates a maximum of 8 cars per day to the location. A majority of the glass-related business activities are mobile and occur at the customer's location. Only 1 or 2 customer at the most are expected at the same time.

Parking

Based on the applicant's request for a glass retail and service business, that use most closely aligns with "shops and stores for sales, service or repair of automobile, machinery and plumbing, hearing, electrical and building supplies at KCC 17.435.030. Off-street parking for that use specifies 1 space per 600 square feet of gross floor area. The business portion is 2,752 square feet, which would require 5 spaces (2,752 square feet ÷ 600 square feet/space = 4.58 or 5 spaces). The caretaker's dwelling would apply the single-family requirement listed or 2 spaces. Therefore, a total of 7 spaces are specified by code. Given the anticipated use, low volume of customers and some customer visits will be scheduled by appointment, the 6 spaces, 5 at the front of the building and 1 towards the back of the building on the south side along the fence, are considered adequate. In addition, an owner will often be off-site working during store hours and only park there when the business is closed. Parking at this site is historic and given the building location, existing drainfield and other features this site doesn't comply with parking being located outside of required setbacks. Parking is considered non-conforming and allowed to continue in the configuration specified.

Landscaping

Over 15% of the site is landscaped. The majority of the landscaping is on the east side of the building and is typical of residential landscaping with grass and a few trees and shrubs. There are two landscape beds in front of the building and 2 street trees will need to be added to improve the streetscape view. Additional shrubs and groundcover within the landscape beds may be required in order to comply with KCC 17.385 Landscaping. A landscape plan showing the required street trees, and existing as well as any additional plants, will be required with the commercial building permit.

Lighting

No lighting has been proposed. Any new lighting shall be the minimum necessary for safety and security purposes and be compatible with the surrounding commercial and residential uses.

Signage

No signage has been proposed. Signage will be required to comply with KCC 17.446 Sign Code, or future code in effect at the time of a complete sign permit application.

Agency Recommendations

Development Services and Engineering recommends approval of this project with 19 conditions. Kitsap County Health District recommends approval with no conditions.

Findings:

1. The Director has review authority for this Administrative Conditional Use Permit application under the KCC, Sections 17.420.020 and 21.04.100.
2. The proposal is consistent with the comprehensive plan.
3. The proposal complies with or will comply with requirements of Title 17 and complies with or will comply with all of the other applicable provisions of the KCC and all other applicable regulations, including all applicable development standards and design guidelines, through the imposed conditions outlined in this report.
4. The proposal will not be materially detrimental to existing or future uses or property in the immediate vicinity.
5. The proposal is compatible with and incorporates specific features, conditions, or revisions that ensure it responds appropriately to the existing character, appearance, quality or development, and physical characteristics of the subject property and the immediate vicinity.

Decision:

Based upon the above findings, the Administrative Conditional Use Permit request for Value Glass is approved, subject to the following 19 conditions:

Development Services and Engineering

Planning/Zoning

1. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
2. This permit shall comply with all Kitsap Public Health District regulations and conditions of approval.
3. No outside storage is allowed.
4. All parking shall occur within the property boundaries. Parking shall be reconfigured if any parking spaces or areas causes a vehicle to extend beyond the property line.
5. A landscape plan consistent with the requirements of Kitsap County Code (KCC) 17.385 shall be submitted with the commercial building permit. The final landscape plan shall show at least 2 street trees near the front of the building in the existing landscape beds, as well as existing landscaping and any planned new shrubs and groundcover.
6. Landscaping shall be installed and maintained in conformance with the requirements of Kitsap County Code (KCC) 17.385. Landscaping shall be installed and inspected

prior to requesting a final inspection, or guaranteed by means of an assignment of funds or bonded in the amount of 150 percent of the cost of installation.

7. Any and all signage design and location (including exempt signs) shall comply with Kitsap County Code (KCC) 17.446, and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
8. Artificial outdoor lighting shall be arranged so that the lighting is fully recessed or fully shielded from side view and directed downward and away from surrounding properties. No more than one foot-candle of illumination shall leave the property boundary. Lighting shall be the minimum necessary for safety purposes and be compatible with surrounding properties.
9. The recipient of any administrative conditional use permit shall file a Notice of Land Use Binder with the county auditor prior to any of the following: initiation of any further site work, issuance of any development/construction permits by the county, or occupancy/use of the subject property or buildings thereon for the use or activity authorized. The Notice of Land Use Binder shall serve both as an acknowledgment of and agreement to abide by the terms and conditions of the administrative conditional use permit and as a notice to prospective purchasers of the existence of the permit. The Binder shall be prepared by the Department and recorded at the applicant's expense. The applicant shall provide recorded copies of the Binder to the Department immediately after recording. The Binder shall be recorded within 30 days of notification from the Department that the Binder is ready to be recorded.
10. This Administrative Conditional Use Permit shall automatically become void if no commercial building permit application to establish Value Glass and the caretaker's dwelling is accepted as complete by the Department of Community Development within three years of the Notice of Decision date or the resolution of any appeals.
11. The uses of the subject property are limited to the uses proposed by the applicant and any other uses will be subject to further review pursuant to the requirements of the Kitsap County Code (KCC). Unless in conflict with the conditions stated and/or any regulations, all terms and specifications of the Administrative Conditional Use Permit application shall be binding conditions of approval. Approval of this project shall not, and is not, to be construed as approval for more extensive or other utilization of the subject property.
12. The authorization granted herein is subject to all applicable federal, state, and local laws, regulations, and ordinances. Compliance with such laws, regulations, and ordinances is a condition to the approvals granted and is a continuing requirement of such approvals. By accepting this/these approvals, the applicant represents that the development and activities allowed will comply with such laws, regulations, and ordinances. If, during the term of the approval granted, the development and activities permitted do not comply with such laws, regulations, or ordinances, the applicant agrees to promptly bring such development or activities into compliance.

13. The decision set forth herein is based upon representations made and exhibits contained in the project application permit 16 00722. Any change(s) or deviation(s) in such plans, proposals, or conditions of approval imposed shall be subject to further review and approval of the County and potentially the Hearing Examiner.
14. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.

Solid Waste

15. The solid waste service provider, Waste Management (360) 674-3166, shall be contacted for information on implementing the service provider's solid waste/recycling storage requirements for the proposed activity. Indicate method of waste disposal on the final plans. Documentation shall be provided by the solid waste/recycling service provider that their requirements for this project have been met. The required information shall be submitted with the commercial building permit application.

Stormwater

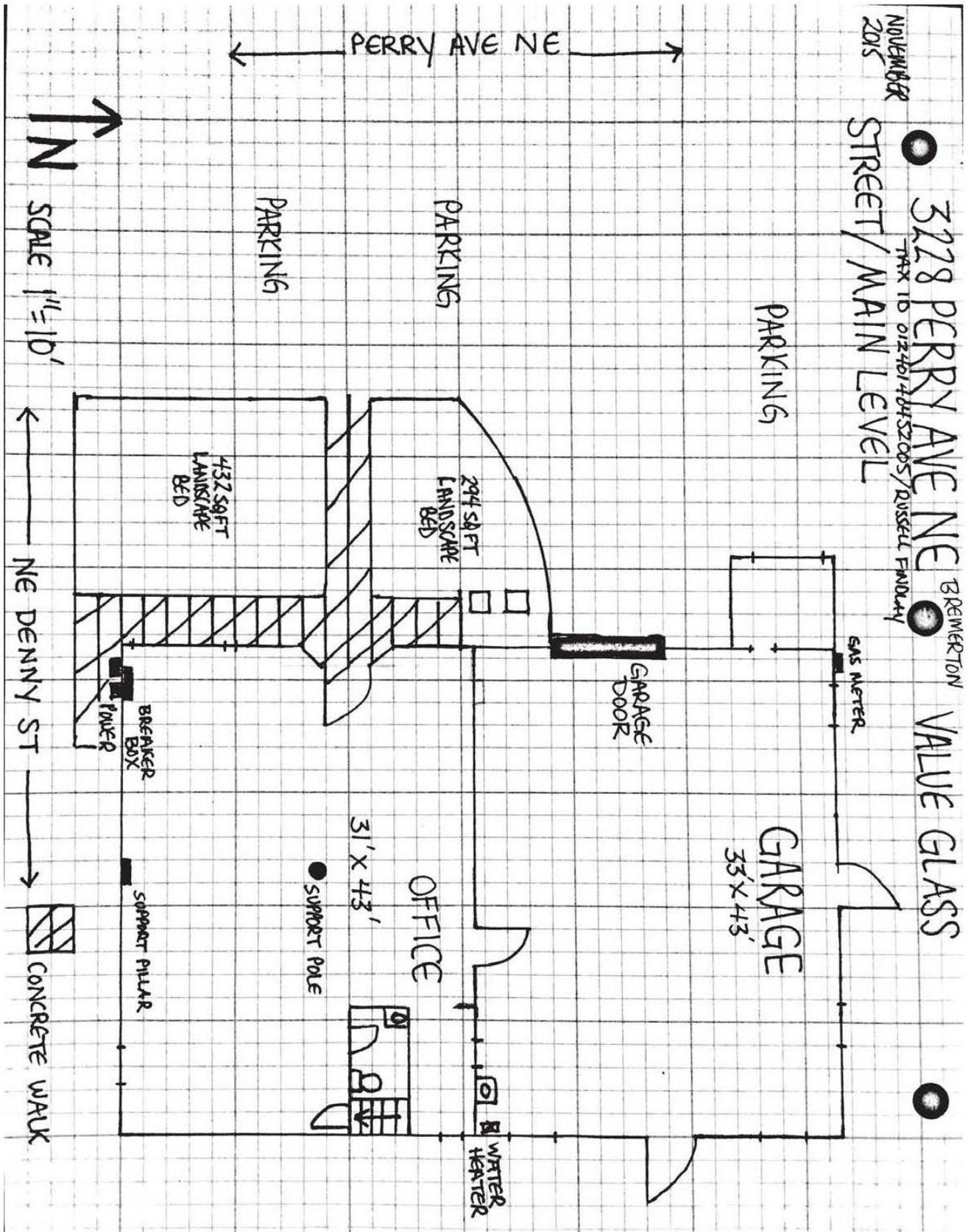
16. If the project proposal is modified from that shown on the submitted site plan dated February 24, 2016, Development Services and Engineering will require additional review and potentially new conditions.

Traffic/Roads

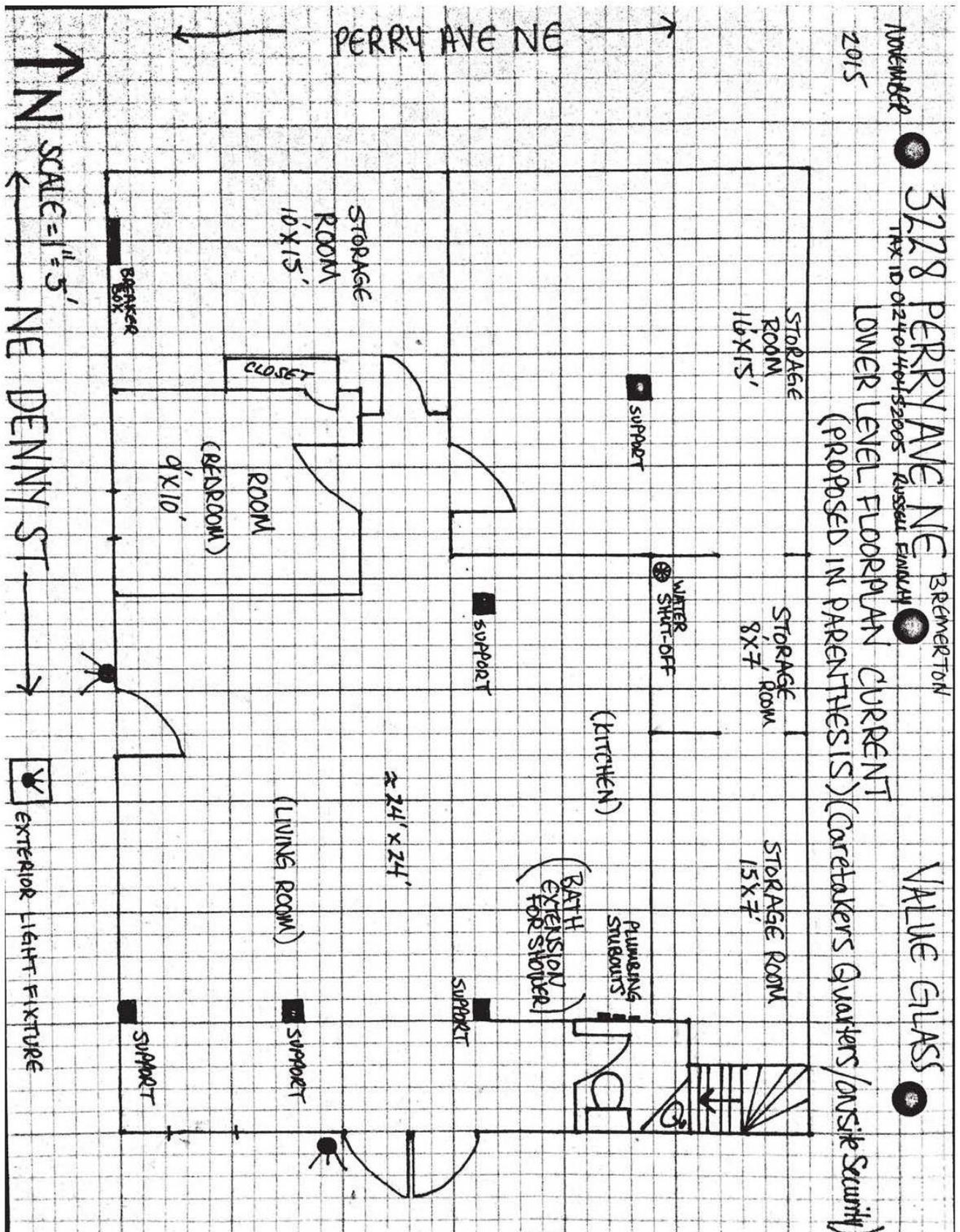
17. With the building permit application, submit plans for construction of the road approach between the edge of existing pavement and the right-of-way line at all intersections with county rights-of-way. Approaches shall be designed in accordance with the Kitsap County Road Standards as established in Chapter 11.22 of the Kitsap County Code. Existing approaches may need to be improved to meet current standards.
18. Any work within the County right-of-way shall require a Public Works permit and possibly a maintenance or performance bond. This application to perform work in the right-of-way shall be submitted as part of the building permit. The need for and scope of bonding will be determined at that time.
19. The solid waste service provider, Waste Management (360) 674-3166, shall be contacted for information on implementing the service provider's solid waste/recycling storage requirements for the proposed activity. Indicate method of waste disposal on the final plans. Documentation shall be provided by the solid waste/recycling service provider that their requirements for this project have been met. The required information shall be submitted with the commercial building permit application.

c: Value Glass, service@kitsapvalueglass.com
Findlay Russell, r.e.findlay@gmail.com
Interested Parties: none identified to date
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Meg Sands
DCD Code Compliance
DCD File 16 00722
DCD Building Permit File
DCD Development Engineering
DCD Fire Marshal

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Floor Plan - 1st floor



Floor Plan – Basement

NOVEMBER
2015

3228 PERRY AVE

Bremerton

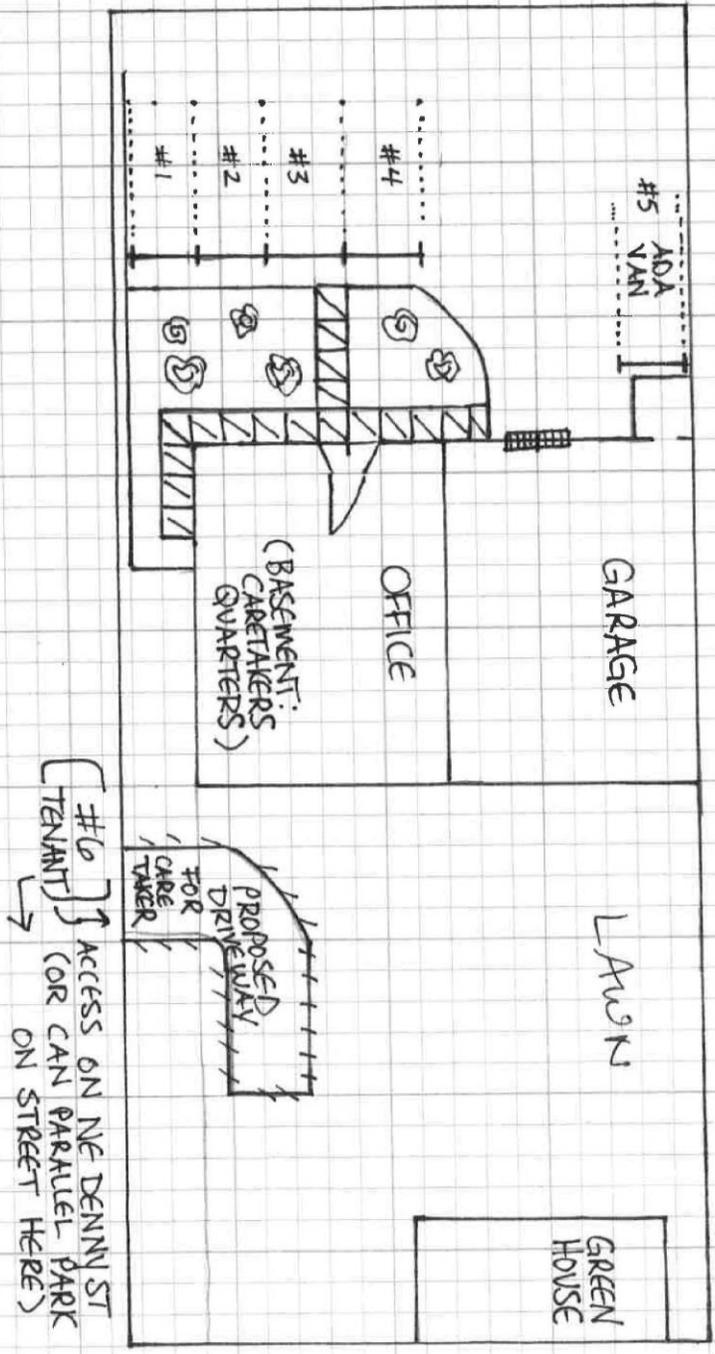
TAX ID # 01240140452005
RUSSELL FINDLATH

VALUE GLASS

PARKING

PARKING
AND
LANDSCAPE
PLAN

↑ N
SCALE 1" = 20'



RECEIVED

FEB 24 2016
KITSAP COUNTY
COMMUNITY DEVELOPMENT

16 00722