



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

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# **STAFF REPORT and ADMINISTRATIVE REVISION DECISION TO A CONDITIONAL USE PERMIT**

**Decision Date:** June 24, 2016

**Application Complete Date:** April 25, 2016

## **Project: Kitsap Community Resources (KCR) West Hills Preschool**

### **Project Summary:**

The Department of Community Development has reviewed the request for a minor revision to the original West Hills STEM (Science, Technology, Engineering, and Math) Academy Addition Conditional Use Permit in order to construct a new 2-story, 5,697 square foot preschool for Kitsap Community Resources (KCR) Head Start/Early Childhood Education and Assistance Program (ECEAP).

The Hearing Examiner approved the West Hills STEM Academy Addition under Conditional Use Permit 13 01010, subject to 42 conditions. The Notice of Decision was issued July 16, 2013. The original request was to expand West Hills Elementary School and construct a 10,171 square foot addition under Commercial Building Permit 13 02168 for Bremerton School District-West Hills STEM Academy Addition and a new bus lane along Preble Street. The request also included adding 8<sup>th</sup> grade to the school. The existing school was 46,206 square feet and serves Pre-Kindergarten through 7<sup>th</sup> grade. The student population was approximately 450 students and the STEM addition would add approximately 120 students for a potential student body totaling 570. There was no proposed change to existing off-street parking, which comprised 3 separate parking lots with a total capacity of 114 spaces.

This revision request is in order to construct a 2-story, 5,697 square foot preschool to serve the same student capacity as the existing classrooms or approximately 36 children, 2 classrooms for 18 children each. There is no anticipated change in the total number of students as cited above. This is to provide a permanent facility rather than utilize existing portable buildings and to provide a better instructional environment for the preschool students. The applicant has not requested any change to conditions and all conditions of the original project still apply and additional conditions are necessary for the new preschool.

The 16.37-acre irregular shaped parcel is zoned Urban Low Residential (UL) and the preschool address is 3791 W Loxie Eagans Boulevard in Bremerton. It is the same

parcel as the West Hills Elementary School and West Hills STEM Academy Addition at 520 South National Avenue in Bremerton. The site is served by public sewer and water.

**Decision Summary:** Request approved, subject to 19 conditions.

**Application Number:** 16 01711

**Type of Application:** Conditional Use Permit – Minor Revision

**Revision Request:** The applicant’s proposed revision is to add a 2-story, 5,697 square foot preschool (main floor 2,768 square feet, basement 2,929 square feet) to serve the same student capacity as the existing school classrooms or approximately 36 children, 2 classrooms for 18 children each. There is no anticipated change in the total number of students at the preschool or elementary school as a result of the proposed addition.

**Project Location:**

3791 W Loxie Eagans Blvd.  
Bremerton, Washington  
South Kitsap County  
Commissioner District 2

**Assessor's Account #:**

222401-2-110-2004

**Applicant/Owner of Record:**

West Hills Elementary School  
520 South National Avenue  
Bremerton, WA 98312

**Project Representative:**

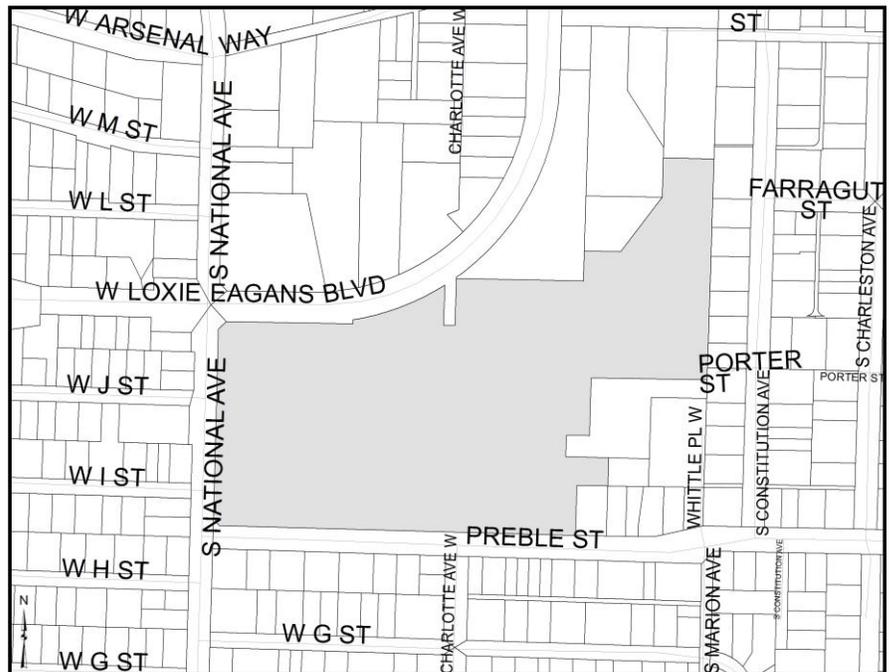
Mark Kuhlman, P.E.  
Team 4 Engineering  
5819 NE Minder Road  
Poulsbo, WA 98370

**Architect:**

Matthew Coates  
Coates Design Architecture  
900 Winslow Way E, Suite 210  
Bainbridge Island, WA 98110

**SEPA Status:**

This project is below any threshold to trigger a new SEPA determination. The proposed revision to the Conditional Use Permit falls within the original threshold SEPA determination, which was a Determination of Nonsignificance (DNS) issued May 23, 2013. SEPA noted the following comment: *The proposal will be conditioned for*



stormwater control per KCC title 12. The SEPA appeal period expired June 6, 2013. No appeals were filed; therefore, the SEPA determination was final.

**Comprehensive Plan Designation and Zoning:**

The Comprehensive Plan and Zoning designations have not changed. The Comprehensive Plan designation is predominately Public Facility with a small area of Urban Low-Density Residential and the Zoning designation is Urban Low Residential (UL).

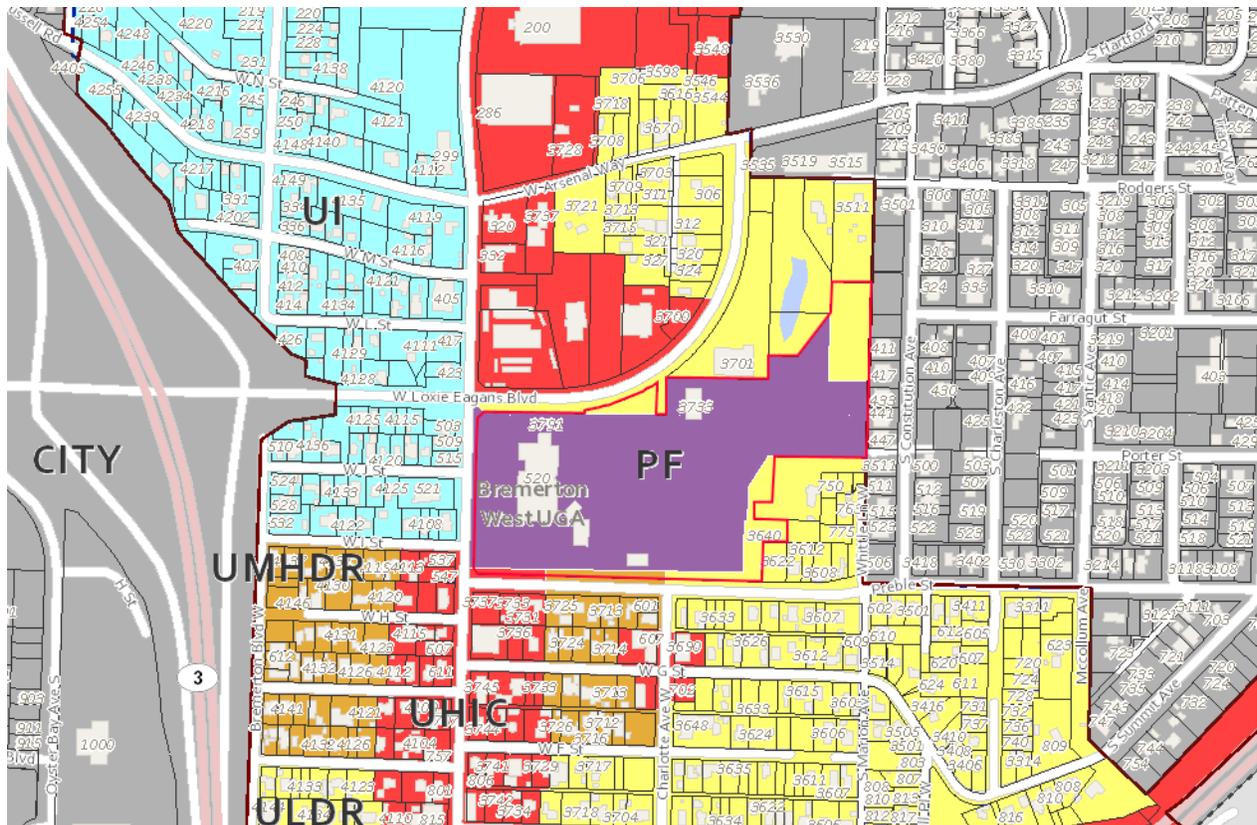
Minimum Density = 5 dwelling units/acre (not applicable, application is for a preschool)  
Base/Maximum Density = 9 dwelling units/acre

Minimum Lot Area = 2,400 square feet  
Minimum Lot Width = 40 feet  
Minimum Lot Depth = 60 feet

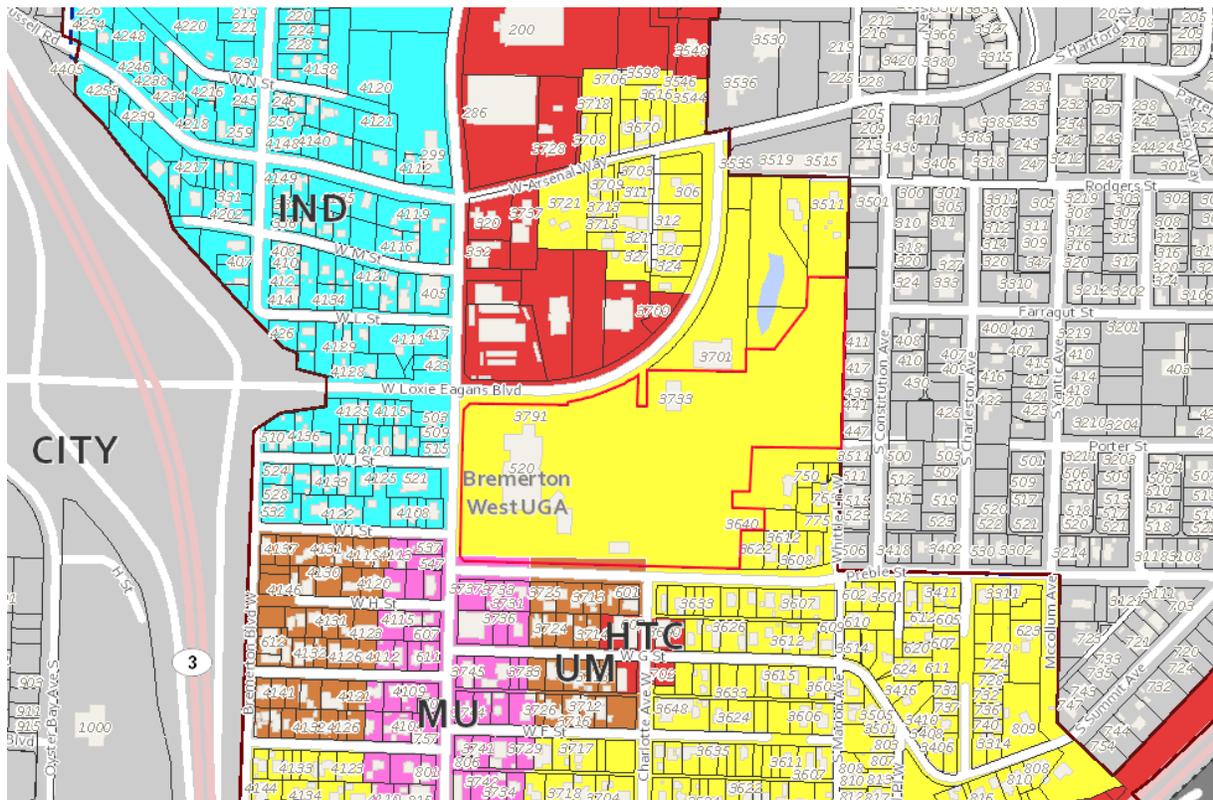
**Minimum UL Setbacks**

Front = 20 feet for garage or carport, 10 feet for habitable area (3 fronts: Loxie Eagans Boulevard to the north, National Avenue to the west, and Preble Street to the south)  
Side = 5 feet

Maximum Height = 35 feet  
Maximum Impervious Surface Coverage Not Applicable



Comprehensive Plan Map



Zoning Map

**Documents Consulted in the Analysis:**

**Applicant submittals:**

| <u>Document</u>                | <u>Dated or date stamped</u> |
|--------------------------------|------------------------------|
| CUP Revision Application       | April 25, 2016               |
| Drainage Report                | April 25, 2016               |
| Environmental (SEPA) Checklist | April 25, 2016               |
| Geotechnical Report            | March 5, 2013                |
| Landscape Plan (revised)       | June 22, 2016                |
| Narrative                      | April 25, 2016               |
| Site Plan                      | April 25, 2016               |

**Staff communication:**

| <u>Document</u>              | <u>Dated or date stamped</u> |
|------------------------------|------------------------------|
| Development Engineering Memo | June 22, 2016                |
| Health District Email        | June 17, 2016                |

**Public comments:**

No comments received to date.

**Analysis:**Land Use and Zoning

A CUP Revision – Minor applies to the request to add a new preschool building to the existing West Hills Elementary School because it was not identified in the original West Hills STEM Academy Addition under CUP 13 01010.

Per *Kitsap County Code* (KCC) 17.381.040.A, the use table indicates private or public schools require a Conditional Use Permit in the Urban Low Residential (UL) zone and is subject to footnote 20.

Private or Public Schools

Schools are subject to footnote 20 in KCC 17.381.050.A, which stipulates *Site plans for public schools shall include an area identified and set aside for the future placement of a minimum of four portable classroom units. The area set aside may not be counted towards meeting required landscaping or parking requirements.* The West Hills STEM Academy Addition project previously complied with this requirement.

The existing KCR Head Start/ECEAP program at the West Hills STEM Elementary School is currently split between the main school building, 1 classroom with 20 children, and existing portable classroom building, 1 classroom with 16 children. The new KCR preschool will serve the same student capacity as the existing classrooms. The new building will have 2 classrooms, which will serve 18 children each.

Setbacks

The preschool addition, as proposed complies with the UL zone's 10-foot front yard setback to habitable area along the north property line, Loxie Eagans Boulevard. The building is over 150 feet from all other property lines.

Stormwater

Proposed storm improvements include stormwater drainage piping, catch basins, and an in-ground stormwater detention facility. All flows from the proposed rooftops will be routed directly to the stormwater detention facility. Flows from any pollution generating surfaces such as driveways, walkways, et cetera will be routed through a BayFilter System device for water quality treatment prior to reaching the detention facility. The detention facility's outfall will connect to an existing stormwater system located on school grounds.

Off-Street Parking and On-Street Parking

The required parking is nearly the same as that calculated when the site was evaluated for the West Hills STEM Academy Addition. There is virtually no change in the total student body, number of employees or teaching staff as a result of the current proposal. There may be 1 or 2 more classrooms, but the parking needs are not any greater. The total number of needed parking spaces calculated for the original STEM project was 108 and this project calculated 109 parking spaces. The STEM project total of off-street parking provided was calculated at 114 spaces. There was also 7 parallel on-street parking spaces along National Avenue for an overall total of 121 parking spaces. The preschool parking analysis shows an overall total of 120 off-street parking spaces and the same 7 parallel on-street parking spaces for an overall total of 127 parking spaces. The 6 additional spaces is due to the

striping of a parking lot, which improved the overall parking layout adjacent to the Annex building (Montessori Program) located in the old South Kitsap Fire and Rescue station #19 building. This project proposal will convert an existing space into a new ADA parking space near the main building. The available off-street parking exceeds the required total.

#### Landscaping/Streetscape

The site significantly exceeds the 15% minimum landscaping requirement, however additional trees are required between the proposed preschool building and the adjacent roadway – Loxie Eagans Boulevard. Existing street trees will be removed as part of the building construction. As a result, additional street trees are required. A revised landscape plan was submitted that complies with Kitsap County Code 17.385 Landscaping. The revised landscape plan was approved. It is the same revised landscape plan that was submitted as part of the commercial building permit 16 01416, which was approved.

#### Agency Recommendations

Development Services and Engineering recommends approval of this project with 10 conditions. Fire Marshal recommends approval with 5 conditions. Public Works Sewer Utility Division recommends approval with 2 conditions. Kitsap County Health District recommends approval with conditions.

#### **Revision of Hearing Examiner's Conditional Use Permits:**

*KCC 17.421.040 Revision of hearing examiner conditional use permits.*

*A. Revision of a hearing examiner conditional use permit or conditions of permit approval is permitted as follows:*

*1. Minor Revisions. Minor revisions may be permitted by the department. No revision in points of vehicular access to the property shall be approved without prior written concurrence of the director of the department of public works. Minor revisions shall be processed as a Type I application.*

*A "minor" revision means any proposed change which does not involve substantial alteration of the character of the prior approval, including dimensional or gross floor area increases of less than ten percent.*

#### **Staff Comment:**

The Department of Community Development has determined the proposed two-story, 5,697 square foot preschool addition falls within the definition of a minor revision and shall be processed and permitted by the department. The preschool will be under 9.5% of the existing West Hills Elementary School's gross floor area (5,697 square feet ÷ 60,377 square feet = 9.44%). The existing elementary school and West Hills STEM academy addition is a total of 56,377 square feet plus an existing 1,000 square foot portable and existing 3,000 square foot Annex building (Montessori Program) that equals a total school building area of 60,377 square feet. The proposed preschool is less than 10% of gross floor area of the total school building square footage (60,377 square feet gross floor area X 10% = 6,038 square feet). The preschool will serve existing children at West Hills Elementary School and

ongoing education related activities, and will provide improved building facilities for the education of children and students.

All conditions of approval issued by the Hearing Examiner still apply and additional conditions are needed to address the proposed new preschool.

**Findings of the Hearing Examiner and Department of Community Development:**

1. The Director has review authority for this Conditional Use Permit – Minor Revision application under the KCC, Sections 17.421.040 and 21.04.100.
2. The findings of the Hearing Examiner still substantially apply. Therefore, the Hearing Examiner’s findings are applicable and incorporated into this decision.

**Conditional Use Permit – Minor Revision Decision:**

The Department of Community Development reviewed the requested minor revision in accordance with KCC 17.421.040 and approves the request to add a new 2-story, 5,697 square foot preschool for Kitsap Community Resources (KCR) Head Start/Early Childhood Education and Assistance Program (ECEAP), subject to the 19 conditions listed below.

**Conditional Use Permit – Minor Revision Conditions:**

1. All 42 conditions of the Hearing Examiner Decision for 13 01010 West Hills STEM Academy Addition Conditional Use Permit (Hearing Case Number 130627-011) outlined in the Notice of Decision dated July 16, 2013 still apply and are hereby incorporated by reference.

Development Services and Engineering

2. All required permits shall be obtained prior to commencement of land clearing, construction and/or occupancy.
3. 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.
4. Landscaping shall be installed consistent with the approved landscape plan stamped received 06.22.2016 and signed approved 06.22.2016.
5. All site development shall comply with the conditions of Site Development Activity Permit #16 01710, as issued.
6. The conditional use permit – minor revision will require an additional land use binder. The recipient of any 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 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. The Binder shall be recorded within 30 days of the final land use decision and notice from the Department that the Binder is ready to be recorded.

7. This conditional use permit – minor revision approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within three years of the date of this decision and the expiration of any appeals.
8. 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*. Unless in conflict with the conditions stated above and/or any regulations, all terms and specifications of the 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.
9. 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.
10. The decision set forth herein is based upon representations made and exhibits contained in the project application 16 01711. Any substantial 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.
11. Any violation of the conditions of approval shall be grounds to initiate revocation of this Conditional Use Permit – Minor Revision.

#### Fire Marshal

12. Fire apparatus access roads shall comply with the International Fire Code (IFC) 503 as amended by Kitsap County and shall be maintained. Any proposed revision to these roads shall be submitted to, reviewed, and approved by the Kitsap County Fire Marshal's Office. Access roads shall comply with the following:
  - a. Roads shall have an unobstructed width of 20 feet and height of 13 feet 6 inches.
  - b. Roads shall be designed and maintained to support a 60,000 pound fire apparatus and be provided with an all weather driving surface.
  - c. Dead end access roads exceeding 150 feet in length shall be provided with an approved turnaround.

- d. All inside turning radiuses shall be a minimum of 25 feet.
  - e. Access roads shall extend to within 150 feet of all portions of the exterior walls of the first story of the structure as measured by an approved route around the exterior of the structure or facility.
  - f. Roads shall not be more than 12% grade.
13. Fire flow shall comply with the International Fire Code (IFC) 508.5 as amended by Kitsap County. Fire flow shall be 3375 gallons per minute (gpm) at 20 pounds per square inch (psi) for a minimum of 2 hours for the project. This is based on the proposed building coverage of 62,056 square feet and constructed of Type VB construction. This calculation includes a 50% reduction for fire sprinklers. Any changes to the structure will shall require a recalculation of fire flow.
14. A letter of water availability indicating available fire flow from the water purveyor shall be submitted to the Kitsap County Fire Marshal's office prior to the approval of any building permits.
15. Fire hydrants shall comply with the International Fire Code (IFC) 508.5 as amended by Kitsap County. A minimum of 4 hydrants shall be provided and placed no more than 400 feet from each other, or up to 600 feet when protected by a fire sprinkler system for a commercial building. One hydrant shall be within 50 feet of the fire department connection (FDC).
16. A separate fire code permit shall be submitted for the piping for the underground portion of the fire sprinkler.

Kitsap County Public Works – Sewer Utility Division

17. Kitsap County sanitary sewer shall be provided for the project. The applicant shall submit an "Application to Construct Sanitary Sewer" to KCPW Sewer Utility Division.
18. Kitsap County currently serves sanitary sewer service to the property. Any changes to the service shall require approval from KCPW - Sewer Utility Division.

Health District

19. This permit shall comply with all Kitsap Public Health District regulations and
- a. Prior to final building permit approval, the applicant shall have a qualified professional engineer design and approve of the installation of a methane and vapor intrusion mitigation system into the pre-school building to address the soil vapor contaminants as identified in the Krazan & Associates Limited Subsurface Assessment Report dated September 8, 2014. The engineer of record shall prepare a statement that the system was installed according to the approved plan; OR

- b. Prior to the final building permit approval, a qualified professional engineer shall provide to the Health District and Department of Community Development, a statement that methane and/or vapor intrusion mitigation is not necessary for this project.

**This Administrative Decision is issued on June 24, 2016. This Decision of the Kitsap County Department of Community Development may be appealed to the Kitsap County Hearing Examiner pursuant to KCC 21.04.290. Appeals must be filed with the Department of Community Development by the close of business on July 8, 2016.**

c: Applicant/Owner: West Hills Elementary, 520 South National Avenue, Bremerton, WA 98312  
Bremerton School District 100C, garth.steedman@bremertonschools.org  
Bremerton School District 100C, 134 N Marion Ave, Bremerton, WA 98312  
Project Representative & Engineer: Ron Cleaver, ron@team4eng.com, and  
Berni Kenworthy, berni@team4eng.com  
Architect: Bob Miller-Rhees, bob@coatesdesign.com  
Interested Parties: Kurt Wiest, kwiest@bremertonhousing.org  
Kitsap County Health District, MS-30  
Kitsap County Public Works Dept., MS-26  
DCD Staff Planner: Meg Sands  
DCD Code Compliance  
DCD File 16 01711  
DCD SDAP File 16 01710  
DCD Building Permit File 16 01416  
DCD Development Engineering  
DCD Fire Marshal

