



Notice of Administrative Decision

Date: 11/29/2021

To: PPR KITSAP MALL LLC, eleedham@starwoodretail.com
JASON RITTER, jritter@rfmarch.com
Interested Parties and Parties of Record

RE: **Permit Number:** 21-03156
Project Name: Church Alive - Administrative Conditional Use Permit
Type of Application: Administrative Conditional Use Permit

The Kitsap County Department of Community Development has **APPROVED** the land use application for **Permit 21-03156: Church Alive - Administrative Conditional Use Permit – Administrative Conditional Use Permit**, subject to the conditions outlined in this Notice and included Staff Report.

THE DECISION OF THE DEPARTMENT IS FINAL, UNLESS TIMELY 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: <https://www.cognitofirms.com/KitsapCounty1/RequiredPermitQuestionnaireAppealObjectionOfAnAdministrativeDecision>.

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 help@kitsap1.com 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: Interested Parties:
None
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Roxanne Robles
Church Alive Ministries; Samuelfalana@msn.com
Parks
Navy

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DSE
Kitsap Transit
Central Kitsap Fire District
Central Kitsap School District
Puget Sound Energy
WATER DIST - SILVERDALE
Point No Point Treaty Council
Suquamish Tribe
Port Gamble S'Klallam Tribe
Squaxin Island Tribe
Puyallup Tribe
WA Dept of Fish & Wildlife
WA Dept of Transportation/Aviation
WA State Dept of Ecology-SEPA
WA State Dept of Ecology-Wetland Review
WA State Dept of Transportation



Administrative Staff Report

Report Date: November 19, 2021

Application Submittal Date: June 23, 2021

Application Complete Date: June 23, 2021

Project Name: Church Alive - Administrative Conditional Use Permit

Type of Application: Administrative Conditional Use Permit

Permit Number: 21-03156

Project Location

10315 Silverdale Way NW
Silverdale, WA
Commissioner District 3 (South)

Assessor's Account

162501-2-088-2009

Applicant/Owner of Record

PPR Kitsap Mall LLC
PO Box 847
Carlsbad, CA 92018

Decision Summary

Approved subject to conditions listed under section 13 of this report.



1. Background

The Kitsap Mall is a large retail facility in Silverdale at the north end of Dyes Inlet. The mall was constructed between 1987 and 1988 with more than 70 retail spaces. The unit in question, Suite K01, is located in the north portion of the mall, immediately west of the northeast entrance. The suite was vacated when Church Alive signed a lease agreement with the Kitsap Mall, and was previously occupied by a model railroad museum.

2. Project Request

The applicant is proposing to renovate an existing 4,220-square-foot retail space (Suite K01) within the Kitsap Mall to create a church with new plumbing, non-load-bearing walls, and new finishes. Places of worship within the Regional Center (RC) zoning require an Administrative Conditional Use Permit (ACUP).

3. SEPA (State Environmental Policy Act)

This project is SEPA Exempt under KCC 18.04 State Environmental Policy Act.

4. Physical Characteristics

The subject site is Suite K01 within the Kitsap Mall. The mall parcel is 12.24 acres, and the mall structures total more than 530,000 square feet. The parcel was developed over a branch of Clear Creek with retail structures and surface parking lots in the late 1980s and is generally flat, sloping gently south towards Dyes Inlet.

Table 1 - Comprehensive Plan Designation and Zoning

Comprehensive Plan: Urban High Density Commercial Zone: Regional Center (RC)	Standard	Proposed
Minimum Density	10 DU/acre	10 DU/acre
Maximum Density	30-60 DU/acre	30-60 DU/acre
Minimum Lot Size	NA	NA
Maximum Lot Size	NA	NA
Minimum Lot Width	NA	NA
Minimum Lot Depth	NA	NA
Maximum Height	55-85 feet	55-85 feet
Maximum Impervious Surface Coverage	85%	85%
Maximum Lot Coverage	NA	NA

Table 2 - Setback for Zoning District

	Standard	Proposed
Front	20 feet	20 feet
Side	10 feet	10 feet
Side	10 feet	10 feet
Rear	10 feet	10 feet

Staff Comment: The proposal is for a suite within an existing mall and setbacks do not apply.

Table 3 - Surrounding Land Use and Zoning

Surrounding Property	Land Use	Zoning
North	Regional center	Regional Center (RC)
South	Regional center	Regional Center (RC)
East	Regional center	Regional Center (RC)
West	Regional center	Regional Center (RC)

Zoning Map

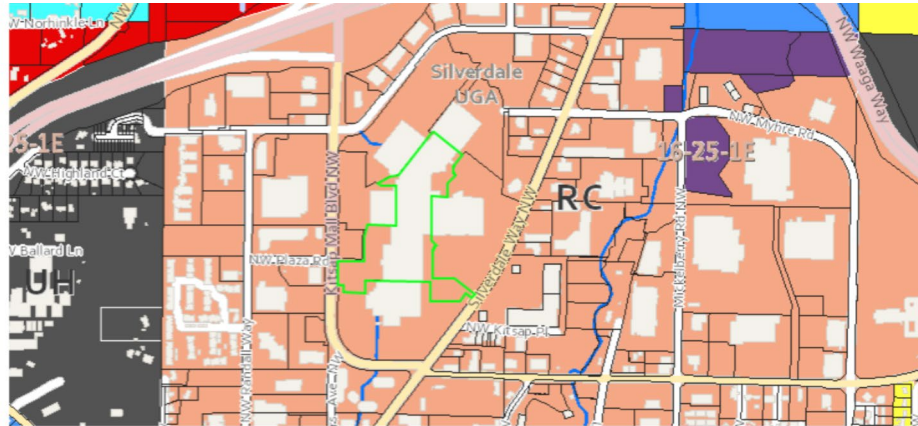


Table 4 - Public Utilities and Services

	Provider
Water	Silverdale Water
Power	Puget Sound Energy
Sewer	Kitsap County Public Works
Police	Kitsap County Sheriff
Fire	Central Kitsap Fire and Rescue
School	Central Kitsap School District #400

5. Access

Access will be the mall's access, as Suite K01 is within the mall structure. Access is from Silverdale Way NW and driveways within the mall property. Suite K01 is accessed from the northeast mall entrance.

6. Site Design

The site will not change as the request is for a tenant improvement of an existing retail space.

7. Policies and Regulations Applicable to the Subject Proposal

The Growth Management Act of the State of Washington, RCW 36.70A, requires that the County adopt a Comprehensive Plan, and then implement that plan by adopting development regulations. The development regulations must be consistent with the Comprehensive Plan. The Comprehensive Plan process includes public involvement as required by law, so that those who are impacted by development regulations have an opportunity to help shape the Comprehensive Plan which is then used to prepare development regulations.

Kitsap County Comprehensive Plan, adopted June 30, 2016 and amended April 27, 2020.

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The following Comprehensive Plan goals and policies are most relevant to this application:

Land Use Goal 1: Focus current and future planning on infill and redevelopment of existing Urban Growth Areas.

Land Use Policy 2: Support innovative, high quality infill development and redevelopment in existing developed areas within the Urban Growth Areas.

Land Use Policy 7: Facilitate mixed use development in commercial designations.

Land Use Policy 17: Support compact commercial areas in order to encourage pedestrian and non-motorized travel and transit use.

The County's development regulations are contained within the Kitsap County Code. The following development regulations are most relevant to this application:

Code Reference	Subject
Title 12	Storm Water Drainage
Title 13	Water and Sewers
Title 14	Buildings and Construction
Title 17	Zoning
Title 19	Critical Areas Ordinance
Chapter 18.04	State Environmental Policy Act (SEPA)
Chapter 20.04	Transportation Facilities Concurrency Ordinance
Chapter 21.04	Land Use and Development Procedures

8. Documents Consulted in the Analysis

<u>Applicant Submittals</u>	<u>Dated or date stamped</u>
Required Permit Questionnaire	June 4, 2021
Church Alive Aerial Photograph	June 22, 2021
Permit Set v2	May 25, 2021
Parking Analysis Worksheet	June 4, 2021
<u>Staff Communication</u>	<u>Dated</u>
None	N/A

9. Public Outreach and Comments

The department sent a Notice of Application on September 1, 2021 and the public comment period remained open for 14 days, as required in the land use permit procedures outlined in Title 21 of the Kitsap County Code. No comments were received.

10. Analysis

a. Planning/Zoning

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The proposal meets all Title 17 density, dimension, and design standards. The request can be approved if the conditions of the administrative conditional use permit process in 17.540.040 are met. The applicant has demonstrated that the proposal meets all criteria, as follows:

1. The proposal is consistent with the Comprehensive Plan.

Applicant Response: The Kitsap Mall is looking to occupy a vacant space in their mall and Church Alive Ministries is willing to invest in the space and this community.

Staff Comment: The request is for a place of worship, which is permitted in the RC zone with an ACUP. The proposal is consistent with the Comprehensive Plan.

2. The proposal complies with applicable requirements for the use set forth in this code.

Applicant Response: There is ample parking for the church services. The area of the vacant storefront is of an adequate size that the church can fit its current members plus have a little room for growth. The space will become their own versus having to rent the boardroom at a local hotel.

Staff Comment: The proposed improvements to the existing mall suite constitute a tenant improvement, requiring a separate permit. The proposal is compliant with land use regulations in KCC 17.250, 17.410.044, 17.420.058 and 17.490.030.

3. The proposal is not materially detrimental to existing or future uses or property in the immediate vicinity.

Applicant Response: Currently there is no church facility in the mall. The Church Alive ministers feel that this space will provide convenient access to those current church members and provide convenient access to those in the mall that wish to attend services. Because this is a respectable church trying to occupy this space, there is little chance of disturbing the neighboring retail establishments.

Staff Comment: The request is for a place of worship within an existing mall suite. The proposed use is not expected to be materially detrimental to existing or future uses or property in the immediate vicinity.

4. 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.

Applicant Response: The Kitsap mall has a variety of storefront designs throughout to reflect the issues inside. This new space will comply with the requirements set forth by the mall to comply with their appearance requirements while still giving the Church enough identity. Privacy films will be applied to the windows in strategic locations to provide needed privacy for office space.

Staff Comment: The request is for a place of worship within an existing mall suite. Tenant improvements will require a separate building permit and will be internal to the greater mall structure. The proposal is compatible with the subject property and immediate vicinity.

b. Lighting

The request is for a land use action and is not subject to the design standards of 17.420.030.C.

c. Off-Street Parking

Places of worship require one (1) off-street parking space per four (4) seats or 8 feet of bench length in the main auditorium per 17.490.030. The submitted park analysis worksheet demonstrates that the proposal meets this requirement.

Table 5 - Parking Table

Use Identified in 17.490.030	Standard	Required Spaces	Proposed Spaces/Existing Spaces
Place of Worship	1 per 4 seats or 8 feet of bench length in the main auditorium	20	350
Total	N/A	20	350

d. Signage

No signage is proposed.

e. Landscaping

The request is for a land use action resulting in a tenant re-use and is not subject to the design standards of 17.420.030.

Table 6 - Landscaping Table

Not Applicable

f. Frontage Improvements

No frontage improvements are proposed or required.

g. Design Districts/Requirements

The subject site is located within the Silverdale Design District, but since it is within the existing mall structure it is not subject to the Design District design standards.

h. Development Engineering/Stormwater

Development Engineering and Stormwater Review will be conducted with the associated building permit (#21-01972). No comments at this time.

i. Environmental

No comments at this time.

j. Access, Traffic and Roads

No adverse impacts to traffic or roads are likely as the proposal is a tenant of the Kitsap Mall which has abundant parking. The Church requires 20 parking spaces, and the adjacent parking lot has 350. Access to the parcel is by way of Silverdale Way NW and internal driveways.

k. Fire Safety

Automatic fire sprinklers will be required for this project. A fire alarm shall be installed to monitor the fire sprinkler system. Separate permits are required. Further review will be completed with the associated building permit (#21-01972).

l. Solid Waste

No comments at this time.

m. Water/Sewer

The subject property will be serviced by Silverdale Water for water and public sewer by Kitsap County Public Works. The applicant provided bills from both utilities to demonstrate they are connected to public utilities.

n. Kitsap Public Health District

No comments at this time.

11. Review Authority

The Director has review authority for this Administrative Conditional Use Permit application under KCC 21.04.100. The Kitsap County Commissioners have determined that this application requires review and approval of the Director. The Director may approve, approve with conditions, or deny this application.

12. Findings

The Department of Community Development has determined that this application meets all four administrative conditional use permit criteria as outlined at KCC 17.540.040 Decision criteria - Administrative conditional use permits. The criteria are detailed above in Section 10 Analysis.

13. Decision

Based upon the analysis above and the decision criteria found in KCC 17.560.010, the Department of Community Development recommends that the Administrative Conditional Use Permit request for Church Alive (21-01356) be approved, subject to the following 9 conditions:

a. 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. Any and all signage design and location (including exempt signs) shall comply with Kitsap County Code (KCC) 17.510 and be reviewed and approved by the Department of Community Development prior to installation. Signage may require a separate permit.
4. 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 and recorded by the Department at the applicant's expense.
5. 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 KCC. Unless in conflict with the conditions stated 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.
6. The decision set forth herein is based upon representations made and exhibits contained in the project application (#21-03156). 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.
7. 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.

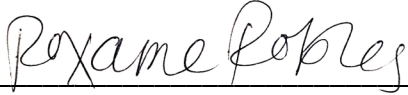
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8. The Administrative Conditional Use Permit approval shall automatically become void if no development permit application is accepted as complete by the Department of Community Development within four years of the Notice of Decision date or the resolution of any appeals.
9. Any violation of the conditions of approval shall be grounds to initiate revocation of this Administrative Conditional Use Permit.

b. Development Engineering and Environmental

No comments at this time.

Report prepared by:



Roxanne Robles, Staff Planner / Project Lead

November 2, 2021
Date

Report approved by:



Scott Diener, Manager, DSE

November 2, 2021
Date

Attachments:

Attachment A – Site Plan

Attachment B - Zoning Map

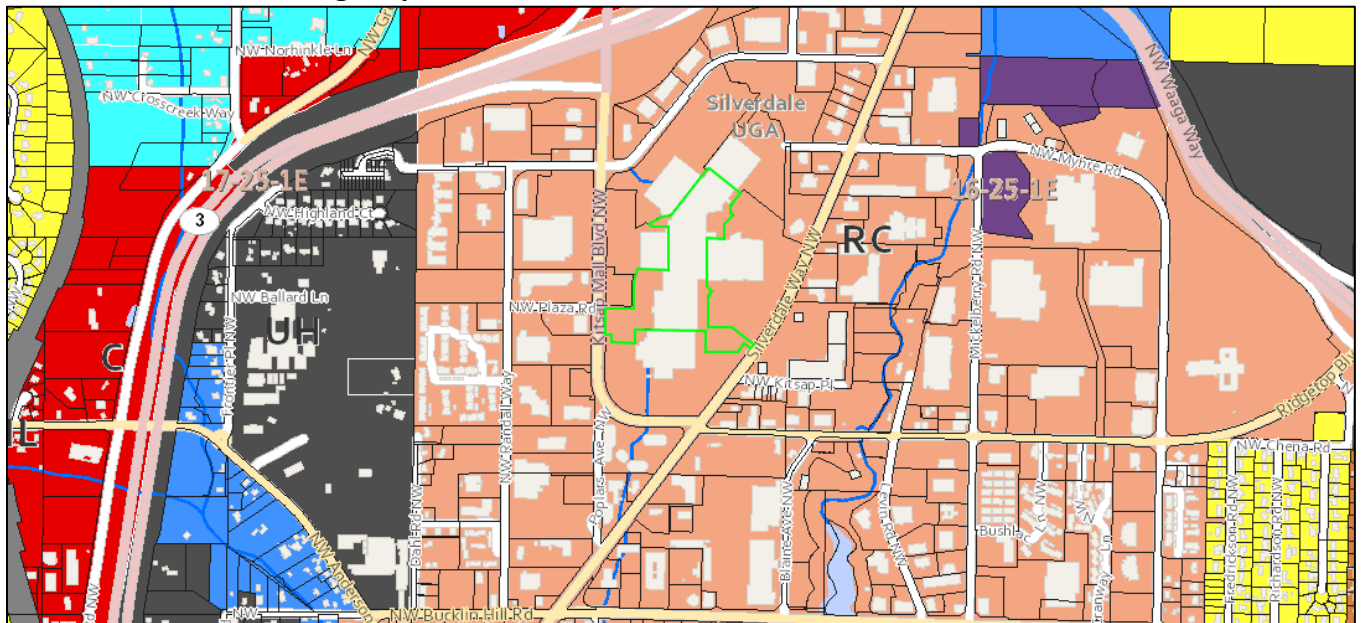
CC: Applicant/Owner: PPR Kitsap Mall, LLC
Authorized Agent: Jason Ritter
Kitsap County Health District, MS-30
Kitsap County Public Works Dept., MS-26
DCD Staff Planner: Roxanne Robles

Site Plan

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Attachment B - Zoning Map



Surrounding: Urban High Density Residential & Regional Center