



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/

Cindy Baker, Director

NOTICE OF ADMINISTRATIVE DECISION

January 5, 2005

To: Interested Parties and Parties of Record

RE: Project Name: Natte Latte Espresso Stand Relocation
Application: Minor Site Plan Review
File Number: **LIS# 04 19926** (332401-3-002-2000)

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 JANUARY 20, 2005. PLEASE NOTE: THE COURTHOUSE WILL BE CLOSED ON JANUARY 17, 2005.

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 two hundred dollars (\$200.00). 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.

Notice of Administrative Decision – Natte Latte Espresso Stand Relocation – Minor Site Plan Review

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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 4:00 p.m.

If you have questions, please contact me at (360) 337-4487 or Rick McNicholas at (360) 337-7153.

Sincerely,

Karen Ashcraft
Clerk of the Examiner

C: Mary Keller, PO Box 3057, Bremerton, WA 98310
John cloud, 14160 E SR 106, Belfair, WA 98528

Interested Parties:
(None)



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Cindy Baker, Director

STAFF REPORT and DECISION MINOR SITE PLAN REVIEW Approval with Conditions

Date: January 4, 2005

Application Date: November 16, 2004

PROJECT: Natte Latte Espresso Stand Relocation

APPLICATION NUMBER: 04 19926

REQUEST:

The applicant proposes to move an existing espresso stand (Natte Latte) to the "Gorst Center" site at 3062 State Highway 16. The proposal includes placement of the existing structure on the existing blacktop driveway and use existing parking and restrooms for employees.

PROJECT LOCATION:

The subject property is located between Highway 16 to the west and Sinclair Inlet to the north and east, in the area of Gorst. The parcel is situated in Section 33, Township 24North, Range 1East. The project is located in Commissioner District 2.

ASSESSOR'S ACCOUNT #: 332401-3-002-2000

APPLICANT

Mary Keller
PO Box 3057
Bremerton WA 98310

OWNER:

John Cloud
14160 E. SR 106
Belfair WA 98528

SEPA STATUS:

Pursuant to WAC 197-11-800, the Department has determined that the proposal is SEPA exempt.

PHYSICAL CHARACTERISTICS:

The subject parcel is 1.5 acres and is a long narrow rectangular shaped parcel, with the long axis running north and south. It is currently occupied by two commercial buildings totaling 16,960 square feet separated into approximately 21 units in sizes ranging from 640 to 1200 square feet each. Most of the parcel is covered by buildings and a blacktop parking area. The parcel extends out into the Sinclair Inlet shoreline area.

The espresso stand is proposed to be located in the blacktop area in front of the commercial buildings.

The Kitsap County Code Title 17.355.020 specifies that in the HTC Zone an espresso stand requires a Site Plan Review Permit. In this case, a Minor Site Plan Review (MSPR) may be granted because it fits the definition under 17.410.040.C Minor Site Plan Review. *Building or structure alterations, remodels, and installations of minor accessory structures which do not involve a change in use of the property which may conflict with the provisions of this title, may be reviewed through a “minor review” process...*

EXISTING ZONING

The subject parcel is zoned Highway Tourist Commercial (HTC).

Minimum Lot Area	=	No minimum lot area
Minimum Lot Width	=	None
Minimum Lot Depth	=	None

Minimum Setbacks	20 feet front yard
	10 feet side or rear yard - abutting a commercially zoned property
	20 feet side or rear yard - abutting a residentially zoned property

COMPREHENSIVE PLAN AND ZONING DESIGNATION:

Highway Tourist Commercial.

SURROUNDING LAND USE AND ZONING:

Properties to the west and south are also zoned HTC. The property to the east is an 8-acre county owned park (Sinclair Inlet Wildlife Viewing Area). The northern boundary of the property is on the Sinclair Inlet Shoreline.

PUBLIC UTILITIES AND SERVICES

Water:	City of Bremerton
Power:	Puget Sound Energy
Sewer:	Private On Site Sewage System
Police:	Kitsap County Sheriff
Fire:	Fire District #7
Schools:	South Kitsap District #402

TRANSPORTATION:

Automobile access to the site is provided by two accesses to Highway 16. Access to Highway 16 is limited to the northbound lanes. Staff has concerns for the safety of the site for ingress/egress of customer traffic. The traffic engineers from the Washington Department of Transportation have reviewed this proposal and have provided six conditions of approval to improve safety at the road approach. These are included in this decision. One of the conditions required by WSDOT is that the applicant constructs a 100-foot right turn deceleration lane for traffic entering the site.

LANDSCAPING

The existing front yard landscaping is in poor condition and limits site distance leaving the proposed espresso stand location. The applicant proposes to remove the existing landscaping and replace it with low growing shrubs and groundcover.

POLICIES AND REGULATIONS APPLICABLE TO THE SUBJECT PROPOSAL:

The proposed development has been reviewed for compliance with the following policies and regulations:

Kitsap County Comprehensive Plan (May 7, 1998)

LU-16: All commercial development shall be subject to special development standards relating to setbacks, landscaping, physical buffers, screening, access, signs, building heights and design review.

Kitsap County Zoning Code Title 17.355 Commercial Zones (February 15, 1999)

Title 17.355.020 Commercial Use Table states that to develop an espresso stand on this existing commercial operation in the Highway Tourist Commercial Zone, a Site Plan Review (SPR) is required.

Title 17.410.040C. Minor Site Plan Review states that building or structure alterations, remodels, and installation of minor accessory structures which do not involve a change in use of the property which may conflict with the provisions of this Zoning Code may be reviewed through a “Minor Review” process, to minimize processing time and expedite final approval.

This proposal is to install an espresso stand, which is considered by the Department to be a minor accessory structure.

Title 17.410.040.B Standards:

1. All uses shall be conducted within a completely enclosed structure. Limited outside uses; (e.g. patio dining areas and nursery sales limited to plants and trees) shall be the subject of a Site Plan Review;
This standard does not entirely pertain to the nature of the espresso stand, because the applicant will indeed conduct all of the activity between the coffee stand and the drive-up customers.
2. All roof-mounted air conditioning or heating equipment, vents, ducts, or other equipment shall not be visible from any abutting lot, or any public street, or right-of-way as feasible. This shall be accomplished through the use of parapet roof extensions, or screened in a manner, which is architecturally integrated with the main structures.
Any air conditioning and heating units will be enclosed in structures that provide complete screening of the machinery.
3. Locate service areas, outdoor storage areas and other intrusive site features away from neighboring properties to reduce conflicts with adjacent uses. There shall be no visible storage of motor vehicles. Building materials for use on the same premises may be stored on the parcel during the time that valid building permit is in effect for construction.
The espresso operation will not store any items outside.
4. Every parcel with a structure shall have a trash receptacle on the premises.
As a condition of approval the espresso stand will provide solid waste collection as prescribed by the solid waste provider, Waste Management, Inc.
5. Pedestrian access shall be accommodated on-site from the public right-of-way, and throughout the site to minimize potential conflicts between pedestrian and vehicular circulation. Pedestrian paths must correspond with State and local codes for barrier-free access.

The project site plan does not include installation of sidewalks or paths on the road

frontages. Pedestrian access will be primarily on the road shoulders.

6. Developments shall be limited to one ingress/egress per 300 lineal feet along a public arterial. Developments shall attempt to share access with adjoining parcels to minimize access points and potential conflicts from vehicles entering and exiting onto traveled roadways, unless deemed not feasible due to natural constraints such as critical areas or topographic relief, or existing development that precludes the ability to share access.

The applicant will use the existing ingress and egress on to Highway 16 that is currently being used by the Gorst Center commercial operations. The Washington Department of Transportation requires the property owner to separate ingress and egress, to avoid potential conflict between vehicles moving in opposing directions. The owner must add a right turn lane at least 100 feet long before the ingress driveway to the proposed site.

ANALYSIS:

Kitsap County Development Engineering: A memorandum dated December 1, 2004 notes that DE finds the concept supportable in its approach to civil site development.

Kitsap County Fire Marshal: In a memorandum dated December 14, 2004, the KCFMO recommends approval with conditions.

Washington Dept. of Transportation: An email dated September 21, 2004, from the state highway department recommends approval with 6 conditions.

Public Input: None

CONCLUSIONS:

The proposed use is one permitted within the Highway Tourist Commercial zoning designation and complies with all of the applicable provisions of the Zoning Ordinance and all other applicable regulations, including prescribed development/performance standards and all applicable development standards and design guidelines.

The proposed development is harmonious and compatible with existing and future developments within the land use designation and general area.

The subject site is physically suitable for the type, density and intensity of the use being proposed.

Appropriate provisions have been made for the public health, safety and general welfare for, drainage ways, streets, roads and sidewalks, alleys and other public right-of-ways, transit stops, potable water supply, sanitary waste, and all other relevant concerns. The Washington State Department of Transportation engineers have provided a recommendation for approval with six conditions to improve the safety of the access to HWY 16.

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. Again, the Washington State Department of Transportation engineers have provided a recommendation for approval with six conditions to improve the safety of the access to HWY 16.

DECISION:

Based upon the above findings, the Minor Site Plan Review is approved for the Natte Latte Espresso Stand Relocation, subject to the following Conditions of Approval:

1. The Minor Site Plan Review is for installing an espresso stand on the existing commercial property known as The Gorst Center. Only coffee and associated prepared foods shall be served. No indoor service will be permitted. No other land use is implied with this approval.
2. Fire apparatus access roads shall be provided and maintained width of twenty feet when any portion of the facility or any portion of an exterior wall of the building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building or facility.
3. East entrance will be restricted to Right-in, west entrance restricted to Right-out.
4. Construct 100 foot Right Turn Taper for the right-in entrance, per WSDOT Manual Figure 910-13.
5. Remove the vegetation looking east, to clear the line of site.
6. Remove holly bush in the landscape island to clear the line of site for the right-out exiting vehicles.
7. Complete and submit Application for Access Connection Permit along with \$500 fee.
8. Work on site preparation for installation of the road improvements shall not start until the WSDOT Access Connection Permit is approved.
9. A building permit is required before occupying the building. An inspection by the Kitsap County Fire Marshal's Office is required before the business may be occupied by employees and before the business may open to the public.
10. The applicant shall replace the existing front yard landscaping with low growing shrubs and groundcover per Kitsap County Code 17.385 Landscaping.
11. All exterior lighting shall be shielded in a manner, which ensures that no more than one-foot candle of light shall leave the property.
12. A Sign permit must be obtained for each of the signs proposed unless the only sign proposed is a replacement of the face of an existing sign.
13. At Building Permit application, submit KCPW Form 1601 for issuance of a Concurrency Certificate.
14. The espresso stand shall provide solid waste collection as prescribed by the solid waste provider, Waste Management, Inc.
15. The applicant must obtain a Commercial Building Clearance from the Kitsap County Health District prior to receiving the Certificate of Occupancy.

16. The Minor Site Plan Review shall be valid for a period of three years from the date of the approval, during which time a complete application for a building permit meeting all the legal requirements and conditions of approval shall be made. If an application for a permit or a request for an extension is not made within this timeframe the Minor Site Plan Review shall be invalid.

DISTRIBUTION:

Applicant:

Mary Keller
PO Box 3057
Bremerton WA 98310

Representative:

John Cloud
14160 E. SR 106
Belfair WA 98528

Kitsap County Health District, Tom Wiggins, MS-30
DCD - Development Engineering MS 26 – Bill Edwards
DCD Staff Planner - Rick McNicholas
DCD Building Permit File
Kitsap County Fire Marshal's Office
Kitsap County Fire District #7

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