



Cathy Wolfe
District One
Diane Oberquell
District Two
Robert N. Macleod
District Three

HEARING EXAMINER

**BEFORE THE HEARING EXAMINER
FOR THURSTON COUNTY**

In the Matter of the Application of)	NO. 2005100553
)	
)	Gospel Outreach Addition
)	
Gospel Outreach)	FINDINGS, CONCLUSIONS,
)	AND DECISION
For a Special Use Permit.)	
_____)	

SUMMARY OF DECISION

A Special Use Permit for construction of a 3,935 square foot classroom/multi purpose addition to an existing church and school established at 1925 NE South Bay Road within the Olympia Urban Growth Area is **GRANTED**, subject to conditions.

SUMMARY OF RECORD

Request

Edward A Wiltsie, P.E. on behalf of Gospel Outreach (Applicant), requests approval of a Special Use Permit (SUPT) for construction of a 3,935 square foot classroom/multi purpose addition to an existing church and school established at 1925 NE South Bay Road within the Olympia Urban Growth Area in Olympia, Washington.

Hearing Date

The Thurston County Hearing Examiner conducted an open record public hearing on the request on April 3, 2006.

Testimony

At the open record public hearing, the following individuals presented testimony under oath:

Gayle Zeller, Thurston County Community Development Services Associate Planner
2000 Lakeridge Drive SW, Olympia, Washington 98502 (360) 786-5490/FAX (360) 754-2939

Scott Davis, Thurston County Roads and Transportation Services
Glen Martucci, Applicant Representative and Project Manager
Dave Wilson
Dave Waters
John Swanzy
Edward Wiltsie

Exhibits

At the open record public hearing, the following exhibits were admitted into the record:

EXHIBIT 1 Development Services Planning & Environmental Section Report including the following attachments:

- Attachment a Notice of Public Hearing
- Attachment b Parcel Map
- Attachment c Zoning/Jurisdiction Map
- Attachment d Special Use Permit Application submitted April 13, 2005
- Attachment e Site Plan dated March 17, 2006, pages 1 and 2
- Attachment f Landscape Plan dated March 17, 2006
- Attachment g Floor Plan for 3,935 Square Foot Classroom Addition
- Attachment h Floor Plan for Existing 5,000 Worship Area
- Attachment i Floor Plan for Existing 1,800 Multi-functional Structure
- Attachment j Gospel Outreach Cost Estimate for Classroom Addition
- Attachment k 2006/2005 Assessment for Parcel No. 11807230300
- Attachment l October 24, 2005 Comment Memorandum from John Ward, Thurston County Public Health and Social Services Department
- Attachment m March 16, 2006 Preliminary Approval Recommendation Memorandum from Jack King, Roads and Transportation Services Department
- Attachment n City of Olympia Correspondence dated June 22, 2005

- Attachment o Comment Letter From Washington Department of Ecology dated April 21, 2005
- Attachment p Comment Letter from Erica Van Lierop dated April 17, 2005
- Attachment q Rendering of Gospel Outreach – School Addition Front Entry View, Pages 1 and 2
- Attachment r Photographs 1 - 7
- Attachment s Aerial of the Site

EXHIBIT 2 Floor Plan

EXHIBIT 3 Site Plan

EXHIBIT 4 Landscape Plan

Upon consideration of the testimony and exhibits submitted, the Hearing Examiner enters the following Findings, Conclusions, and Decision:

FINDINGS

1. The Applicant requests approval of an SUPT for construction of a 3,935 square foot classroom/multi purpose addition to an existing church and school established at 1925 NE South Bay Road within the Olympia Urban Growth Area in Olympia, Washington.¹ *Exhibit 1, Attachment d, Application; Testimony of Ms. Zeller.*
2. The subject property is developed with two existing structures. The larger of the two is a 5,000 square foot multipurpose building, used primarily for Sunday meeting services and school activities. The smaller 1,800 square foot structure contains an office and two classrooms. The existing facilities are used for parent/teacher meetings, school classes, occasional weddings, music practice, and recitals. The private school serves 60 students with seven full time and four part time faculty members. Hours of operation at the combined facility are from 8:30 am to 3:00 pm Monday through Friday for the school, and from 9:00 am to 12:00 pm on Sunday for the church. *Exhibit 1, Attachments e, f, h i, and s; Testimony of Ms. Zeller; Exhibit 1, Staff Report, page 4.* On-site parking for the existing use is located next to a one-acre parcel owned by the Applicant adjacent to the west. The Applicant's adjacent parcel is undeveloped and heavily vegetated, which provides visual and noise buffering for adjacent uses. *Exhibit 1, Staff Report, page 4.*

¹ The subject property is a portion of Parcel B, BLA-0943, situate in Section 7, Township 18, Range 1 West.; also known as Tax Parcel No. 11807230300. *Exhibit 1, Attachment d, Application.*

3. The existing 2,500 square foot church was approved and developed in 1981. In 1983, an amendment was approved allowing expansion of the facilities to 9,000 square feet; however, only 6,800 square feet were developed. The unbuilt portion of the approved 1983 addition has expired. The Applicant anticipates a 15% increase in church enrollment and is now prepared to proceed with expansion. *Exhibit 1, Staff Report, page 2.*
4. The proposed development would add a 3,945 square foot structure between the two existing building on-site, connecting them. The addition would provide four classrooms, a nursery, an office, a kitchen, and bathrooms. It would displace a portion of an existing parking area. *Exhibit 1, Staff Report, page 2.*
5. Surrounding properties are zoned R4 and R4-8 and are within the Olympia UGA. Adjacent land uses include rural single-family residential development on lots ranging from 0.5 to 1.5 acres. The Applicant owns an adjacent one-acre parcel to the west and a three-acre parcel to the north. Church members own the majority of surrounding properties. *Exhibit 1, Staff Report, pages 2, 4; Exhibit 1, Attachment r, photographs.*
6. The two-acre subject property is located in a Residential Four Units Per Acre (R4) zoning in the Olympia Urban Growth Area. *Exhibit 1, Staff Report, pages 1-2.* The intent of the R4 zoning district includes: the maintenance or improvement of the character, appearance, and livability of established neighborhoods by protecting them from incompatible uses and significant nuisances; establishing a compact growth pattern to efficiently use the remaining developable land; enabling cost effective extension and maintenance of utilities, streets, and mass transit; minimizing the potential for significant flooding; ensuring the compatibility of dissimilar adjoining land uses; and protecting the character of historic structures and areas. *Thurston County Code (TCC) 23.04.020.*
7. The Olympia UGA zoning regulations contain use specific provisions for both churches and schools. In a R4 zoning district, churches must be located within 100 feet of an arterial or larger street, and within three hundred feet of a school or park. Churches in the R4 zone must be on lots of at least 20,000 square feet. *TCC 23.04.060(21).* Schools in an R4 district must be sited on lots with at least one acre in area per 100 students, and the site must be large enough to accommodate all required features, including outdoor play areas. At least two square feet of open space for every one square foot of classroom and the open space must be developed with recreational improvements. School buildings must contain at least 80 square feet of gross floor area per student. Both churches and schools must be screened from adjacent residential uses. *TCC 23.04.060(27).*
8. After completion of the addition, the school would have approximately 5,735 gross square feet of floor area, and would accommodate a total enrollment of 71 students. Current enrollment is 60 students. With the addition, the school would have a total of approximately 3,400 square feet of classrooms. Materials submitted by the Applicant do not verify the amount of existing or proposed outdoor recreation area to demonstrate compliance with the two square feet of outdoor recreation for every foot of classroom standard. *Exhibit 1, Staff Report, page 7; TCC 23.04.060(27).* With conditions, the addition to the existing

church/school facility would satisfy applicable development standards. *Exhibit 1, Staff Report, page 3; Testimony of Ms. Zeller.*

9. The property has access from NE South Bay Road, which is an arterial. *Exhibit 3, Site Plan.* The Development Review Section of the Thurston County Roads and Transportation Services Department reviewed the proposed addition and recommended approval with conditions. *Exhibit 1, Attachment m.*
10. The zoning code contains parking requirements for churches and schools. Places of worship must provide one parking space for every four seats. Schools must provide one parking space per classroom, one space per office, and one space for every four high school students. *TCC 23.38.100.* The existing church has 200 seats and requires at least 50 parking spaces. With the addition, the school will have six classrooms, two offices, and approximately 23 high school students. After expansion, the facilities would require 65 parking spaces. The project would have 58 parking spaces once the addition is completed. The County requested that an additional seven parking spaces be provided. *Exhibit 1, Staff Report, page 8; Testimony of Ms. Zeller.* The Applicant objected to the requirement of seven additional parking spaces, stating that the church and school do not operate simultaneously. The church parking spaces would be available for use during school hours. More than adequate parking exists for the school use. The Applicant proposes to restripe the existing parking area in order to add two parking spaces, which would provide a total of 60 spaces for the finished project. *Testimony of Mr. Wilson.*
11. Sight-obscuring screening is required along the perimeter of church parking areas that are adjacent to residential zones. *TCC 23.04.060(21).* The parking area for the existing church abuts residentially zoned land. *Exhibit 3, Site Plan.* Alterations of a structure or use that involve improvements equal to or greater than fifty percent of the assessed property valuation require the developer to bring the site's landscaping up to current standards. *TCC 23.36.040.* The subject property is currently assessed at \$675,500.00. *Exhibit 1, Attachment k.* The estimated cost of the proposed addition is \$332,000.00. *Exhibit 1, Attachment j.* The Applicant is not required to provide landscaping improvements pursuant to *TCC 23.36.040* because of the addition; however, school sites are required to be screened from residential uses. *TCC 23.04.060(27)(d).* There is a single-family residence adjacent to the northeast. *Exhibit 3, Site Plan.* The proposal includes installation of Type III landscaping screen around the existing structures and proposed addition. *Exhibit 1, Staff Report, page 6.*
12. The subject property was previously served by on-site septic and an on-site well. The septic system was abandoned consistent with State and County requirements. Existing structures on-site have been connected to City of Olympia sewer service. The City provided a letter of sewer availability for the addition. The Applicant must furnish proof of approved sewer connections prior to occupancy permit issuance. *Exhibit 1, Attachment l.*

13. There is an existing well on-site. The Applicant proposes to connect the existing structures and the addition to City of Olympia water service. The City provided a letter of water availability. The on-site well must be decommissioned per Washington State Department of Ecology standards prior to building permit issuance. Proof of approved water service connection must be provided prior to occupancy permit issuance. *Exhibit 1, Attachment l.*
14. To address stormwater runoff requirements resulting from the new roof, the Applicant proposes to install a 20- by 55-foot drywell system to serve new and existing impervious surfaces throughout the site. The Thurston County Roads and Transportation Services Department reviewed the proposed stormwater management improvements and recommended preliminary approval with conditions. *Exhibit 1, Staff Report, page 8; Exhibit 1, Attachment m.*
15. The proposed classroom addition would be subject to design review for compliance with design guidelines in an administrative process prior to building permit issuance. *Exhibit 1, Staff Report, page 8.*
16. Thurston County review agencies reviewed the proposed addition. Agency comments were incorporated into the County Planning Staff's project analysis. All comments recommended approval, subject to conditions that would ensure compliance with applicable development standards. County Planning Staff recommend project approval with conditions. Planning Staff opined that, as conditioned, the project would be consistent with the Comprehensive Plan and all applicable regulations. The Applicant agreed to the condition. *Exhibit 1, Staff Report, page 9; Testimony of Ms. Zeller; Testimony of Mr. Martucci.*
17. The County received one public comment letter from a concerned area resident advocating the installation of a crosswalk on South Bay Road for the protection of school children. *Exhibit 1, Attachment p, Van Lierop letter.* County Planning Staff recommended that the Applicant be required to contact the County regarding installation of signage on the Applicant's property for a crosswalk to be installed by the County. *Exhibit 1, Staff Report, page 11.*
18. Pursuant to the State Environmental Policy Act (SEPA), Thurston County acted as lead agency for the review of environmental impacts resulting from the project. The County determined that the proposal is categorically exempt from SEPA review. *Exhibit 1, Staff Report, page 3; TCC 17.09.055(D).*
19. Written notice of the public hearing was sent to all property owners within 300 feet of the site, published in The Olympian, and posted on site on or before March 21, 2006, at least ten days prior to the hearing. *Exhibit 1, Attachment a.*

CONCLUSIONS

Jurisdiction:

The Hearing Examiner has jurisdiction to decide this Special Use Permit application under Sections 2.06.010 and 20.54.015 of the Thurston County Code, and Sections 35.63.130 and 36.70.970 of the Revised Code of Washington.

Criteria for Review:

The Hearing Examiner may approve an application for a Special Use Permit only if the following general standards set forth in TCC 22.54.040 are satisfied:

1. Plans, Regulations, Laws. The proposed use at the specified location shall comply with the Thurston County Comprehensive Plan and all applicable federal, state, regional, and Thurston County laws or plans.
2. Underlying Zoning District. The proposed use shall comply with the general purpose and intent of the applicable zoning district regulations and sub-area plans. Open space, lot, setback and bulk requirements shall be no less than that specified for the zoning district in which the proposed use is located.
3. Location. No application for a special use shall be approved unless a specific finding is made that the proposed special use is appropriate in the location for which it is proposed. This finding shall be based on the following criteria:
 - a. Impact. The proposed use shall not result in substantial or undue adverse effects on adjacent property, neighborhood character, natural environment, traffic conditions, parking, public property or facilities, or other matters affecting the public health, safety and welfare.
 - b. Services. The use will be adequately served by and will not impose an undue burden on any of the improvements, facilities, utilities, or services existing or planned to serve the area.

TCC 20.54.040.

Conclusions Based on Findings

1. **As conditioned, the proposed addition would comply with all known federal, state, regional, and Thurston County laws and regulations, including the requirements of the underlying R4 zoning district.** The proposed school addition, enhanced with landscaped screening, is an allowed use in the R4 district subject to SUPT approval. The proposed addition would serve the anticipated increased membership of the existing Church. With conditions, the project would be consistent with the Comprehensive Plan and the development standards of the underlying zoning district. *Findings Nos. 3, 6, 7, 11, and 16.*

2. **As conditioned, the additional classrooms and office space would be appropriate in the proposed location and would not adversely impact adjacent property, neighborhood character, local utilities or roads, or the public health, safety, and welfare.** No adverse impacts to the neighborhood were identified in the record. The proposed addition would enhance services provided by the existing church and private school facility. Additional landscaping and improved stormwater management facilities would benefit adjacent residential development. Adequate parking would be provided for the additional facilities. With conditions, the Applicant would coordinate with Thurston County regarding installation of signage for a crosswalk along the school's frontage on South Bay Road. *Findings Nos. 2, 4, 10, 11, 14, and 17.*
3. **The addition would be adequately served by and would not impose an undue burden on any of the improvements, facilities, utilities, or services existing or planned to serve the area.** A condition of approval would ensure that the existing on-site well is properly decommissioned consistent with State standards. City of Olympia indicated that water and sewer service are available to the proposed addition. *Findings Nos. 12 and 13.*

DECISION

The request for approval of a Special Use Permit to allow construction of a 3,935 square foot classroom/multi purpose addition to an existing church and school at 1925 NE South Bay Road within the Olympia Urban Growth Area in Olympia, Washington is **GRANTED**, subject to the following conditions:

The following Health Code related conditions shall be satisfied:

- A. The existing well on the subject property shall be decommissioned per Washington State Department of Ecology standards by a licensed well driller prior to occupancy permit issuance for the addition. A copy of the well driller's decommissioning report (well log) must be provided to the Environmental Health Department.
- B. Prior to issuance of occupancy permits for any new buildings, written confirmation must be submitted from the City of Olympia that all water and sewer extensions and connections have been completed and finally approved from the City.
- C. All parking areas that are located within 100 feet of the offsite well to the west of the subject property shall be designed and constructed such that stormwater runoff is directed away from the wellhead and outside the 100-foot sanitary control radius for the well. This requirement must be confirmed during the review of the final engineered drainage plans and at the time of installation inspection.
- D. Stormwater infiltration facilities and buildings are not allowed within the 100-foot sanitary control radius that extends onto this property from the offsite well that is located to the west of the property.

- E. Prior to occupancy permit issuance for the classroom addition, the Applicant's site development plans shall be reviewed and approved by the Food & Environmental Services Program of the Environmental Health Department. A pre-opening inspection for the classroom addition must also be satisfactorily completed by the Food & Environmental Services Program prior to final occupancy approval.

The following Roads and Transportation Department related conditions shall be satisfied:

- F. The stormwater management system shall conform to the 1994 Thurston County Drainage Design and Erosion Control Manual and Title 15.05, Thurston County Code.
- G. The proposed grading or site work shall comply with Appendix J of the International Building Code, Title 14.37 of the Thurston County Code, and the 1994 Drainage Design and Erosion Control Manual.
- H. SUPT approval does not relieve the Applicant from compliance with all other local, state and/or federal approvals, permits, and/or laws necessary to conduct the development activity for which this permit is issued. Any additional permits and/or approvals shall be the responsibility of the Applicant.

The following Development Services Department related conditions shall be satisfied:

- I. The equivalent of two square feet of outdoor play area (open or covered) shall be provided for every one square foot of floor area devoted to the classrooms. The outdoor play area must be a minimum 20 feet wide. The Applicant shall submit a revised site plan depicting the required outdoor play area prior to building permit issuance. Play area improvements must be installed or constructed prior to occupancy permit issuance.
- J. The Applicant shall submit a revised site plan depicting a total of parking stalls prior to permit issuance. Improvements for the parking area must be completed prior to occupancy permit issuance.
- K. Prior to certificate of occupancy, the Applicant must contact Thurston County Roads and Transportation Services regarding installation of signage designating a school crossing. A written determination from the Department shall set forth the number and location of signs.
- L. Lighting shall be designed and shall function in a manner that shields direct light from adjoining streets and properties
- M. The Applicant shall maintain all landscape and planting areas in a healthy condition and replace any dead or dying vegetation.
- N. The Applicant shall be responsible for pruning vegetation which interferes with pedestrians and bicyclists and that obstructs vehicle clear vision triangles.

- O. All development on the site shall be in substantial compliance with the approved site plan and with the development standards of the R4 zoning district. Any expansion or alteration of this use beyond that initially approved by the Hearing Examiner for this project will require approval of a new or amended Special Use Permit. The Development Services Department would determine if any proposed amendment is substantial enough to require Hearing Examiner approval.

DECIDED this 17th day of April 2006.

Driscoll & Hunter
Thurston County Hearing Examiners
By:

James M. Driscoll