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# HEARING EXAMINER AGENDA

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*August 10, 2015*



**OAK HARBOR HEARING EXAMINER**  
**August 10, 2015**  
**10:00 A.M.**

**Oak Harbor City Council Chambers**  
**865 SE Barrington Drive**  
**Oak Harbor, WA 98277**

## **AGENDA**

**1. Call to Order**

**2. Island Vineyard Community Church – CUP 15-04**

The Hearing Examiner will consider a conditional use permit application submitted by Andi Yenna for Island Vineyard Community Church proposing to use 1080 SE Pioneer Way for church related use. The church proposes to use an existing 2,000 square foot commercial space as a meeting hall and shared parking spaces associated with the building. The current proposal is to accommodate approximately 74 seats. The proposal includes two classrooms for children's church. The property is zoned CBD, Central Business District and the proposed church is permitted as a conditional use in this district. The property location is at 1080 SE Pioneer Way, S7585-00-00024-1.

**3. Adjourn**

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# **STAFF REPORT**

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*Vineyard Community Church*  
*CUP 15-04*

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**Island Vineyard Church  
Case No. CUP-15-04  
Staff Report to Hearing Examiner**

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**APPLICATION:**

The Island Vineyard Church proposes to use an existing approximately 3,400-square foot commercial space as a meeting hall for church services and related activities.

**PRELIMINARY INFORMATION:**

**Applicant:** Island Vineyard Church, 555 SE Regatta Drive, Oak Harbor, WA 98277

**Property Owner:** Prosperity Investments Family LP, 1582 Scenic Heights Road, Oak Harbor, WA 98277

**Address of proposal:** 1080 SE Pioneer Way, Oak Harbor, WA 98277

**Parcel Number:** S7585-00-00024-1

**Comprehensive Plan Designation:** Central Business District

**Zoning Designation:** CBD, Central Business District

**Application Presented for Action:**

Conditional Use Application (CUP-15-04) - Review Process III

**Attachments:**

Exhibit 1	Conditional Use Application and Applicant Narrative
Exhibit 2	Vicinity and Aerial Map
Exhibit 3	Zoning Map
Exhibit 4	City Department requirements
Exhibit 5	Public Noticing Documents
Exhibit 6	Public comment received

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**BACKGROUND and PROJECT DESCRIPTION:**

The existing building was previously occupied by Island Cleaners and Crossfit Oak Harbor and has been vacant for a short period of time. The property owner has consented to allow the applicant to pursue a Conditional Use Permit to operate the church in this location. The applicant proposes to occupy the space, using various rooms in the building for church-related activities. A main sanctuary area is proposed for an approximately 1174-square foot space on the west end of the building and other spaces will be used for classrooms, a fellowship room, kitchen and restrooms.

The total square footage is approximately 3400 square feet. Seventy-four seats will be placed in the sanctuary space and twenty will be available in the fellowship room. The sanctuary space and fellowship room would not be used at the same time, meaning the maximum number of people in the building at any given time would be limited by the number of seats available in the sanctuary, not the combined seating of that room and others.

Currently, the congregation typically numbers about 45, with a maximum attendance at a single service of approximately 65. The church anticipates expansion of those numbers and plans to add services to accommodate additional congregants, rather than increasing seating.

There is no requirement for on-site parking for the CBD zone district. The OHMC sets a ratio of one parking space per four seats for churches with on-site parking. The proposed seating capacity of 74 would require 19 parking spaces at maximum usage if on-site parking were required.

The applicant notes there are 14 parking spaces on site in the parking lot to the south of the building. Staff is comfortable with counting 11 of those spaces, as several on the east end are not the full required depth for a parking space and usage of those spaces may block the entrance to the lot. Numerous parking spaces are available on Pioneer Way and on Jensen Street. Parking on site on Sunday should not impact the existing business – a dental office – which operates by appointment.

Parking in the alley to the north of the building should be limited and tightly controlled – apartments that are a part of this mixed-use building use spaces in the alley for tenants and Police Chief Ed Green has advised that the alleyway shall not be blocked at any time.

***Conditional Use Permit Application***

The subject parcel is currently zoned Central Business District (CBD). The site’s proposed use is not specifically listed under OHMC 19.20.315 *Conditional uses permitted*, but a decision issued by the Hearing Examiner in 2006 stated that a church use can be “considered similar to uses permitted or conditionally permitted and normally located in the central business district,” as stated within that section.

Following OHMC 18.20.250(2)(b), the review of applications for conditional uses are Review Process III actions. Such actions are subject to an open record public hearing before the Oak Harbor Hearing Examiner, followed by a final decision by the Examiner.

**SITE GEOGRAPHY**

The subject building is located straddling two parcels immediately south of Smith Park between SE Midway Boulevard and SE Jensen Street. Currently developed with a two-story commercial and paved parking lot, the parcel slopes downward from north to south. Land uses abutting the site include the following:

	<b>Existing Land Use</b>	<b>Zoning</b>
<b>North:</b>	Park	PF, Public Facilities
<b>South:</b>	Commercial	CBD, Central Business District
<b>East:</b>	Residential	R-4, Multiple-Family Residential
<b>West:</b>	Commercial	CBD, Central Business District

**SEPA**

The proposed project does not meet the threshold for SEPA review.

**LEGAL NOTICE:**

A Notice of Public Hearing and notice to neighboring property owners were mailed and posted on June 19, 2015. The Notice of Application was advertised on June 20, 2015.

**PUBLIC COMMENTS:**

The City received one comment on this application regarding an existing sign located near the building. The sign is located on City property at Smith Park and that issue is being followed up on separately as it is not related to the Conditional Use.

**CONDITIONAL USE REVIEW**

The Oak Harbor Municipal Code 19.67 Conditional Uses, states that a conditional use permit shall be granted if certain criteria are met. The following is an analysis of the conditional use criteria:

**1. All special conditions for the particular use are met.**

No special conditions are established within the CBD, Central Business District zoning district for churches or similar structures. The Hearing Examiner may establish conditions of approval as provided for by OHMC 19.67.050.

**2. It does not have a significant, adverse environmental impact resulting in excessive noise, light and glare or soil erosion on adjacent property.**

No negative environmental impacts are expected from the proposed use. Construction activity will be limited to the interior of the building. Beyond construction, the use of the property should not generate excess noise or other environmental impacts. Any noise concerns related to outdoors activities that may occur on the property shall be addressed by Chapter 6.56 of the Oak Harbor Municipal Code.

The use of the building will be of limited land use impact to neighboring parcels due to the primary usage being on Sundays. Weekday meetings will be generally smaller events such as classes and other group gatherings.

Significant changes to the exterior of the building or the land itself are not proposed at this time.

**3. It is provided with adequate parking.**

There are no requirements for on-site parking in the CBD zone district, however, there are currently there are 11 full-sized parking spaces on site for use of the entire property. Using the parking ratio set forth in OHMC 19.44.100, the proposed number of seats would use 19 parking spaces. On-street parking is available in several locations nearby on SE Pioneer Way and SE Jensen Street and the alley to the north of the building.

**4. It is served with adequate public streets, public utilities and facilities.**

The applicant will be required to apply for a building permit for work on the structure. Transportation Concurrency will be required with the application.

Existing and proposed fixtures need to be recalculated to determine if existing water service can meet proposed demands. The applicant will be required to complete a cross connection control questionnaire to determine the required backflow prevention measures required.

The Police Department did note that the alley serving the north side of the building shall not be blocked at any time. Further, the alley serves as parking for tenants of the apartment units in the building. Therefore, alley parking for the church shall be limited to the space to the west of the entrance door, in a parallel configuration.

**5. It otherwise meets the purpose of the district in which it is to be placed.**

The listed purpose of the CBD zone district is to “preserve and enhance the unique harbor location of the city’s heritage with the character of the traditional center of social, cultural and retail activity.” This use meets that purpose by providing a location for social and cultural activity within the Central Business District.

**6. It meets the goals and policies of the Oak Harbor Comprehensive Plan.**

The proposed use will generally bring more people to the historic downtown of Oak Harbor and protect undeveloped land by the re-use of an existing commercial building in a developed urban area. Specifically, the project is also consistent with the following Comprehensive Plan Goals and Policies below.

Land Use Element:

Goal 1.f – Support revitalization efforts of downtown Oak Harbor and other neighborhoods through implementation of adopted plans and programs.

Goal 8 – To ensure that the location, situation, configuration, and relationship of the varied land uses within the UGA are consistent and compatible.

Goal 15 – To establish and maintain sufficient land within the City of Oak Harbor zoned to ensure a wide range of public and quasi public services to meet community needs.

Goal 19 – To create and maintain a balanced community that mixes residential use and non-residential uses in a way that promotes environmental quality and community aesthetics.

Transporation Element:

Goal 4.c – Encourage land use development patterns that reduce the demand for increased capacity on roadways.

**RECOMMENDED ACTION:**

Staff recommends that the Hearing Examiner conduct the public hearing and approve CUP-15-04 subject to the following conditions:

1. The project shall be in general conformance with the narrative and application materials submitted by the applicant dated June 5, 2015, as attached in Exhibit 1 and abide by conditions and requirements set forth within this report.
2. Scheduled church related gatherings and services shall be limited to off-peak business

hours such as evening and Sundays. Unscheduled and infrequent events such as funerals should be timed so as not to create traffic or parking problems.

3. Applicant shall apply for and receive any required building permits before commencement of construction activity.
4. Traffic Concurrency is required for this project.
5. Water Cross Connection Control Questionnaire is required for this project.
6. The alley serving the north side of the building shall not be blocked at any time. Parking for the church shall be parallel to the alley and not occupy any space to the east of the church entrance. Congregants shall be notified of this requirement through a newsletter or similar correspondence or signage on the building.
7. The applicant shall comply with Fire Department regulations as attached in Exhibit 4.
8. The conditional use shall not be transferable to a subsequent user unless specifically authorized by the hearing examiner who finds it appropriate and a permit authorizing the transferability is on record with the Island County auditor.
9. The conditional use permit must be acted on within one year of the date of granting. Otherwise the conditional use permit shall expire and be null and void.
10. The conditional use permit applies only to the property for which the application is made.

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# **EXHIBIT 1**

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*Conditional Use Application  
and  
Applicant Narrative*

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**RECEIVED**

JUN 05 2015

CITY OF OAK HARBOR  
Development Services Department

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**Proposed Conditional Use Application for  
Island Cleaners Building by Island Vineyard  
Community Church**

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June 1<sup>st</sup>, 2015

By Island Vineyard Community Church

## **Table of Contents**

Application Form (City of Oak Harbor, Development Services Department)

Application Fee

Critical Areas

Proposed Conditional Use Plan

Narrative

Legal Description

Mailing List and Map of Properties within 300 Feet



City of Oak Harbor  
 Development Services Department  
 865 SE Barrington Drive, Oak Harbor, WA 98277  
<http://www.oakharbor.org>

Phone: 360-279-4510  
 Fax: 360-279-4519

RECEIVED

JUN 05 2015

CITY OF OAK HARBOR  
 Development Services Department

**Development Application**

**Project Information**

Project Name: Island Vineyard Community Church Relocation

Project Address: 1080 SE Pioneer Way

Description of Work: Church relocation

Assessor Parcel Number(s): ~~333815~~ 57585-00-00024-1

Land Area (sq. ft. or acres): 0.0964 ac. Zoning District: CBD

What is the Project Valuation (best guess, if necessary) \$ 10,000.00

**Applicant Information**

Applicant Name: Island Vineyard Community Church

Address: 555 SE Regatta Dr.

City/State: Oak Harbor, Wa Zip: 98277 Phone/Fax: 360-679-6346

Email: office@islandvineyard.org

Applicant's Interest to Property\* (check one):

Owner  Owner's Agent  Lessee  Contractor  Licensed Architect  Licensed Engineer

Other (specify) \_\_\_\_\_

Primary Contact (if other than applicant)

Name: Andi Yenna

Address: 11086 SE 4th Ave

City/State: Oak Harbor, Wa Zip: 98277 Phone/Fax: 360-679-6346

Email: andi-yenna@yahoo.com

Property Owner(s) (if other than applicant)

Name: Rick (Prosperity Investments Family LP)

Address: 1582 Seenic Heights RD

City/State: Oak Harbor, Wa Zip: 98277 Phone/Fax: \_\_\_\_\_

Email: \_\_\_\_\_

\*Documentation demonstrating authorization to sign applications on behalf of the Owner(s) is required.

**All Persons/Firms having an ownership interest in the property:**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

**Architect / Engineer:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone/Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Architect / Engineer:**

Name: \_\_\_\_\_ Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone/Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Contractor:**

Name of Business: See Attached

Contact Person: \_\_\_\_\_

Email: \_\_\_\_\_

Address: \_\_\_\_\_

City/State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone/Fax: \_\_\_\_\_

WA State Contractors License: \_\_\_\_\_ Exp. \_\_\_\_\_

City of Oak Harbor Business License: \_\_\_\_\_

**Authorization**

I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct, and complete.

[Signature]  
Applicant Signature\*

6/1/15  
Date

\*Documentation demonstrating authorization to sign applications on behalf of the Owner(s) is required.

**Permit Type** (check all that apply)

- Building  
  Land Use  
  Engineering  
  Grading Only  
  Land Clearing Only  
  Demolition Only  
 Residential Construction  
  Commercial Construction

**Please Note:** Additional applications or supplementary pages may apply to your project.

**Permits Requested** (check all that apply)

<input type="checkbox"/> Accessory Dwelling Unit	<input type="checkbox"/> Grading	<input type="checkbox"/> Site Plan – Type I, II, IV
<input type="checkbox"/> Binding Site Plan	<input type="checkbox"/> Land Clearing	<input type="checkbox"/> Short Plat
<input type="checkbox"/> Boundary Line Adjustment	<input type="checkbox"/> Lot Combination	<input type="checkbox"/> Shoreline Substantial Development
<input type="checkbox"/> Civil Plan Review	<input type="checkbox"/> Pre-Application	<input type="checkbox"/> Transportation Concurrency
<input type="checkbox"/> Conditional Use - Consolidated	<input type="checkbox"/> Preliminary PRD	<input type="checkbox"/> Simple Variance - Consolidated
<input type="checkbox"/> Conditional Use - Simple	<input type="checkbox"/> Preliminary Plat	<input type="checkbox"/> Variance - Simple
<input type="checkbox"/> Final Plat	<input type="checkbox"/> SEPA Review	<input type="checkbox"/> Zoning Code Text Amendment

Are you requesting to process the applications individually per OHMC 18.20.360(1)?

Yes    No

**Project Details** (fill in all applicable sections)

**Ground Disturbance:**  Yes    No If yes, completes the following questions:

Is disturbance greater than 100 cubic yards?  Yes    No

Type of equipment to be used \_\_\_\_\_

Total cubic yards of excavation \_\_\_\_\_ Total cubic yards of fill \_\_\_\_\_

**Critical Areas:**

Does the site contain a critical area as defined in OHMC 20.12.030(2)  Yes    No    Unknown

If yes, please state critical area type(s) \_\_\_\_\_

**Shoreline Development:**

Is construction planned within 200 feet of ordinary high water?  Yes    No    Unknown

**Floodplain:**

Is the project site /property/or portions of the property within a floodplain?  Yes    No    Unknown

**Project Details (fill in all applicable sections)**

**Stormwater:**

Will the completed project result in 2,000 or more square feet of impervious surface?  Yes  No  Unknown

Total replaced new and impervious surface (in sq. ft) \_\_\_\_\_

What is the stormwater facility type(s) proposed to be used for the project? \_\_\_\_\_

**Land Clearing:**  Yes  No If yes, complete the following questions:

Percentage of land to be cleared \_\_\_\_\_ Types of vegetation to be removed \_\_\_\_\_

Garry Oaks on the property?  Yes  No Estimated date of clearing \_\_\_\_\_

Type of equipment to be used \_\_\_\_\_

**Transportation Concurrency:**

Licensed Traffic Engineer \_\_\_\_\_ Phone \_\_\_\_\_ Email \_\_\_\_\_

Total length of public streets \_\_\_\_\_ Total length of private streets \_\_\_\_\_

Existing property use \_\_\_\_\_

**Land Use Data:**

Sq ft of new construction 0

Existing property use Commercial

Proposed Property Use Assembly A3

Housing Type Proposed \_\_\_\_\_

Proposed Number of Buildings \_\_\_\_\_

Number of Existing Dwelling Units \_\_\_\_\_

Number of Proposed Dwelling Units \_\_\_\_\_

Number of Existing Parking Spaces 12+

Number of New Parking Spaces \_\_\_\_\_

Number of Existing Lots \_\_\_\_\_

Number of New Lots Proposed \_\_\_\_\_

Proposed Density \_\_\_\_\_

**List of Contractors:**

**Name of Business:** Northwest Concrete

**Contact Person:** Dennis Gwin

**Email:** d.gwin@frontier.com

**Address:** PO BX 54

**City/State/Zip:** Conway, WA 98238

**Phone:** 360-445-3626

360-333-2903

**WA State Contractors License:** NORTHCD963KM

**Expiration date:** 5/14/2016

**City of Oak Harbor Business License:**

**Name of Business:** Scottie's Plumbing & Repair

**Contact Person:** Scottie Piper

**Email:** scottiesplumbing@hotmail.com

**Address:** 40 NE Midway Blvd, Suite 101

**City/State/Zip:** Oak Harbor, WA 98277

**Phone:** 360-675-1402

**WA State Contractors License:** SCOTTPR895N2

**Expiration date:** 8/30/15

**City of Oak Harbor Business License:** bl-001640

## **Proposed Conditional Use Plan**

**RECEIVED**  
JUN 05 2015  
CITY OF OAK HARBOR  
Development Services Department

Island Vineyard Community Church is in process of leasing a new facility and wishes to occupy the former Island Cleaners building for use as a church.

Address: 1080 SE Pioneer Way  
Oak Harbor, WA 98277

Parcel #: S7585-00-00024-1

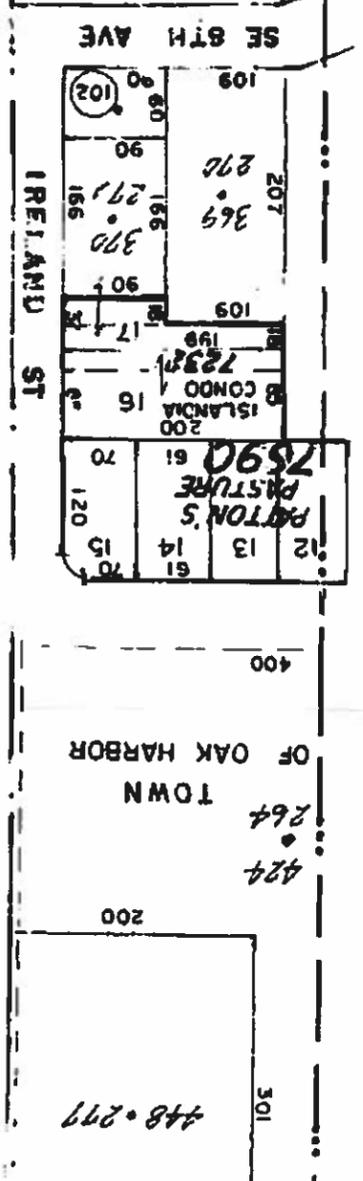
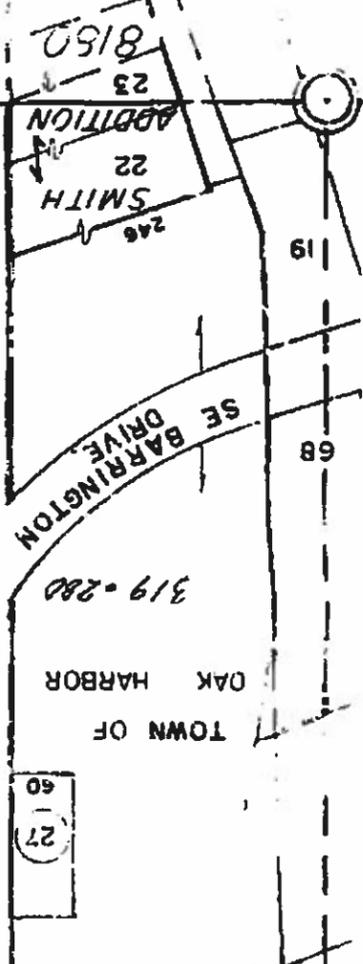
Existing Zoning: Central Business District

The location of existing property lines are displayed on the following Island County plat map of the Smith ADD located in Oak Harbor. There are no proposed changes to the property lines.

The location of the existing building is shown on the following Google Map as is the existing parking, curbs, streets, alley, onsite parking and landscaping. There are no proposed changes. The following pictures further clarify the existing 14 parking spaces. The parking space dimensions are 9'X17.' There are also 10 additional public parking spaces on the street and parking available in the alley.

The total lot area is 7405 square feet.

The building dimensions are 30' X 110' and the building height is 12'7".



The building floor plan is attached along with all changes proposed. Details of the worship seating area and the resulting aisles are shown. The seating will accommodate 74 comfortable chairs. The proposed worship team area is shown as well as a sound booth to enclose all the sound system equipment is also shown with an occupancy of 1. There will be two classrooms for children's church. We will also be constructing 2 ADA compliant bathrooms and a kitchenette. The fellowship area will be furnished with tables and chairs and the seating arrangement will not exceed that of the worship area.

Details of the Island Vineyard congregation size, our attendance history and the adequacy of the building and its parking for our use is included in the NARRATIVE section.



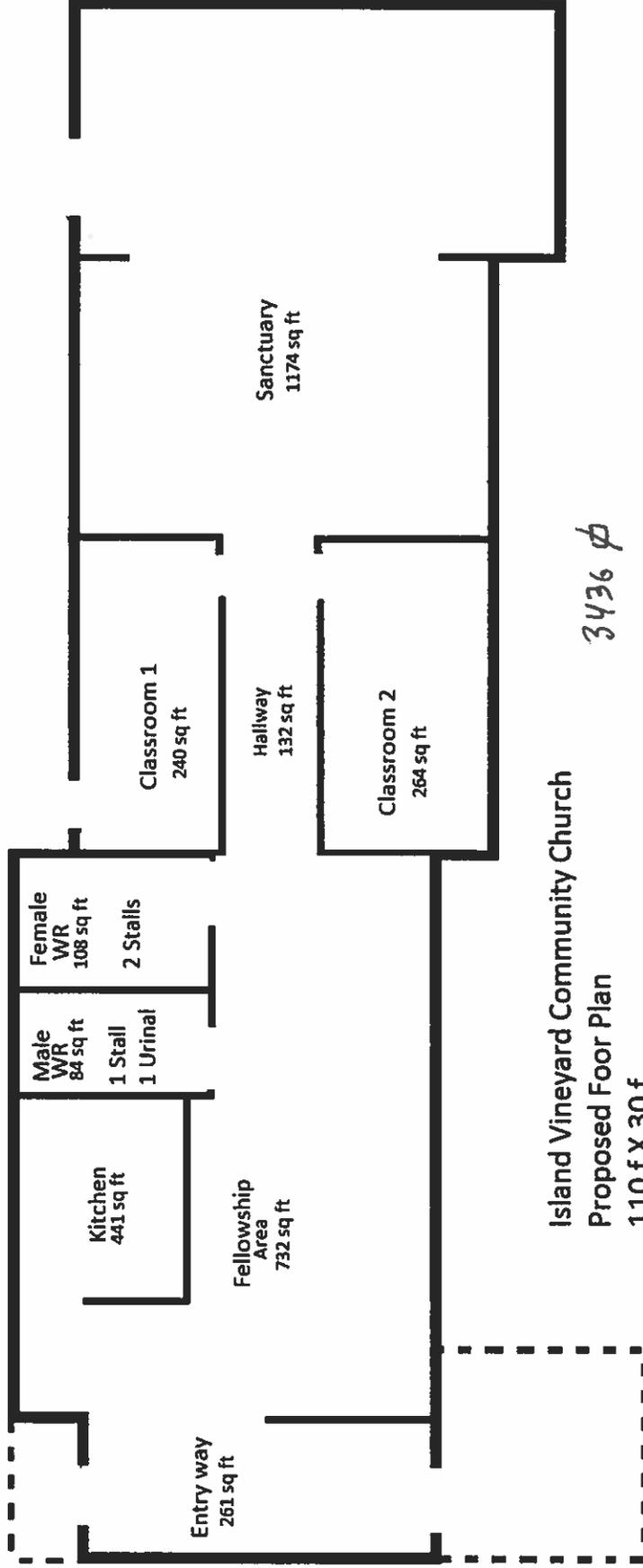
Google Earth View.



Side facing Pioneer Way



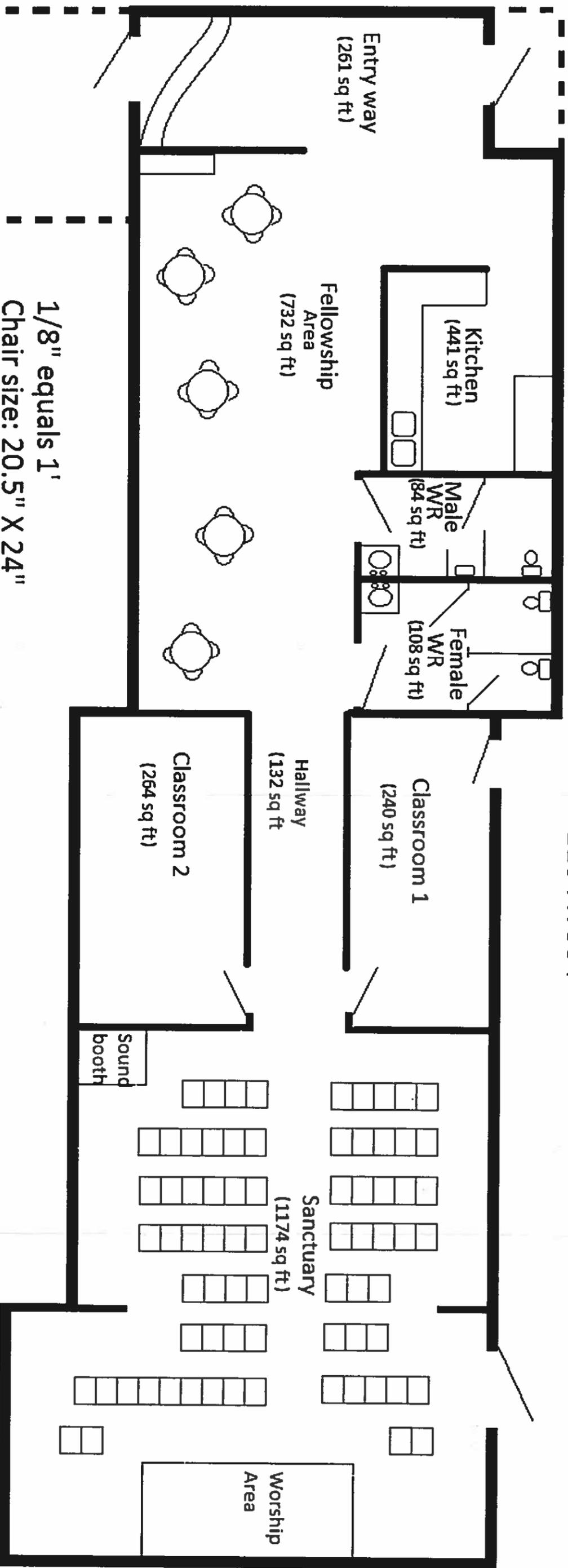
Side facing Alley



Island Vineyard Community Church  
Proposed Floor Plan  
110 f X 30 f

3436  $\phi$

**Island Vineyard Community Church**  
**Proposed Floor Plan**  
**110 f X 30 f**



1/8" equals 1'  
 Chair size: 20.5" X 24"  
 Distance between chairs 20"  
 74 Seats in Sanctuary  
 20 seats in Fellowship  
 area

## **Narrative**

**Background:** Island Vineyard Community Church is member of Vineyard USA. As a corporate entity, we have been members of the Oak Harbor community for over 5 years (currently at 555 SE Regatta Dr.). Our current membership is approximately 45 members who comprise a broad range of backgrounds and is active in the community: current and retired members of the military, information technologies engineers and architects, loan officers, contractors, technical specialist, chaplains and international diplomats. We are very active in the Oak Harbor community and have hosted a highly anticipated free community wide Easter egg hunt each year for the last 6 years. We also partner with both DSHS and The Garage of Blessings to reach out to the underprivileged, at-risk and marginalized members of our community. We are currently in the process of leasing the former Island Cleaners building at 1080 SE Pioneer Way, Oak Harbor, to be used as our place of worship and service to the community, and this Conditional Use Application is a critical element of that process.

Our anticipated maximum demand on use of the facility is for 1 worship service on Sunday morning following a teaching period. In 2014, our average Sunday attendance has been 35. The corresponding number for maximum number of attendees for that service is 45. On certain Sundays we have larger than average numbers, specifically Easter. Last year our attendance for this service was 65. Our strategy is to add services to accommodate the anticipated growth. For example if anticipated Easter service were to approach the maximum available seating for a single service, we would offer two services.

It is expected that major portions of the building will not be continuously occupied at the same time worship serves are being conducted. For example: The kitchen, bathrooms, classrooms and fellowship area might be in use during a portion of the worship service, but all occupiers are expected to return to their seats in the worship area for the conclusion of the service. Therefore, the maximum seating in the worship area is the controlling factor for the maximum building occupancy at any service. We anticipate that there could be special occasions (weddings, funerals), at which the available worship space might not be adequate for the

anticipated attendance; on those occasions we have made preliminary inquiries about using other facilities, and have received “in principle” agreements to do so (subject to case-by-case scheduling). In general, however, we believe we have adequate on-site parking to meet our anticipated “maximum demand” usage.

There are also normally scheduled weekday events, teachings, fellowship and outreach, but in no case will those numbers exceed available on-site parking. We anticipate that there will be several times during the year when major community events restrict access to Pioneer Way. This property is accessible from other avenues such as Jensen or Midway. On those occasions we expect to use the rear entrance and parking as well as street parking exclusively, and to provide transportation from remote parking areas.

#### 1. Special Conditions of the Property

There are no special conditions defined for the anticipated use of the property as a church.

#### 2. Adverse environmental impact in excessive noise, light, glare or soil erosion

There are no adverse environmental impacts anticipated.

#### 3. Is adequate parking provided?

See narrative. There is adequate on-site parking (currently 14 designated spaces as well as alley and street parking) for anticipated use.

#### 4. Are there adequate public streets, utilities and facilities?

Yes. Front and rear access to the building allows access from both Pioneer Way and the Alley behind the building. Adequate utilities (electric, gas, water, sewer, etcetera) exist on-site from previous owners usage.

5. Does it otherwise meet the purpose of the district in which it is placed?

While the anticipated use of the property is not considered one of the Principal Permitted Uses of properties considered in the Central Business District plan, there are several permitted uses that closely align with the functions our church would perform. Among those are: (19) Conference center, and (54) Theater. We anticipate, because of on-site parking and weekend nature of our principal services, that we would have an equal or lesser impact than those permitted uses.

6. Does it meet the goals and policies of The Oak Harbor Comprehensive Plan?

We believe that our plan satisfies the following City of Oak Harbor policies and goals in these ways:

Goal:

1.f: Turning the unoccupied Island Cleaners building into a church that supports revitalization of the downtown area.

4.a: Encourages city Beautification – We anticipate making significant improvements to the exterior appearance of the building.

6: Development of the church will provide indoor opportunities and facilities for youth, adults and families.

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Legal Description:

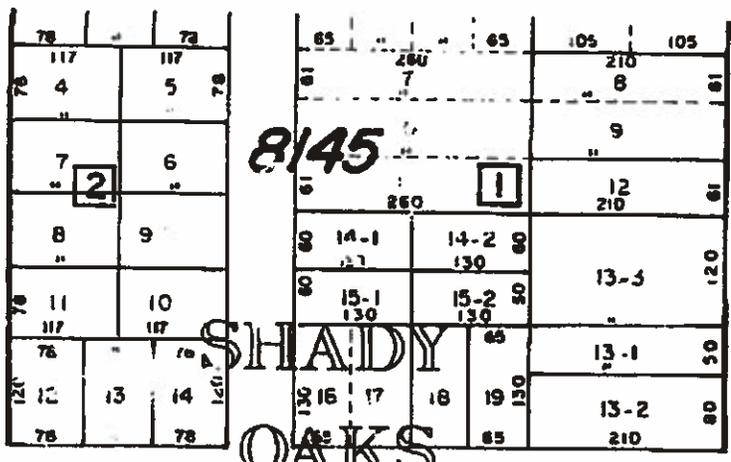
OAK HARBOR N70' LOT 24

## Map of Property Within 300'

Following is the map of properties within 300' of any part of the Island Cleaners property.

448-277

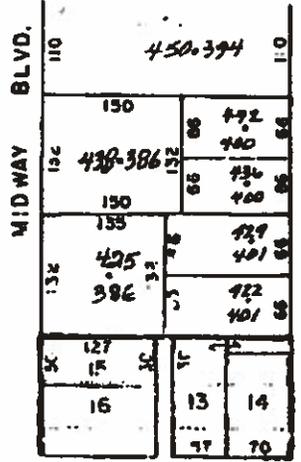
424  
264  
TOWN  
OF OAK HARBOR



8145

SHADY  
OAKS

SE 6TH AVE



MIDWAY BLVD.

MAYLOR

450-394

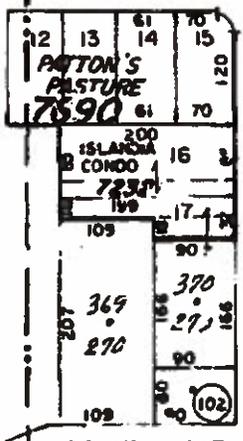
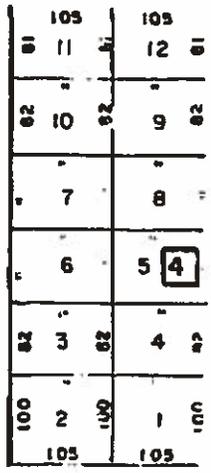
439-386

425  
386

472  
400

479  
401

472  
401



## Mailing List

Following is the mailing list of all properties within 300 feet of any part of the Island Cleaners property.

PROPERTY ID	GEOGRAPHIC ID	ADDRESS	OWNER/S	ADDRESS	CITY	STATE	ZIP
334141	S7585-00-00058-0	1091 SE PIONEER WAY	VILLAREAL, GILBERT	2515 POND VALLE DR	OAKLAND	MI	48363
334114	S7585-00-00051-0	980 SE PIONEER WAY	COFFEE GROUNDS LLC	PO BX 309	CLINTON	WA	98236
334105	S7585-00-00049-0	1047 SE JENSEN	LYNETTE LEAF TRUSTEE	PO BX 67	LOPEZ ISLAND	WA	98261
334098	S7585-00-00048-0	1050 SE IRELAND ST	UNITED METHODIST CHURCH	1050 SE IRELAND ST	OAK HARBOR	WA	98277
3960002	S8180-00-00006-0	1050 SE IRELAND ST	UNITED METHODIST CHURCH	1050 SE IRELAND ST	OAK HARBOR	WA	98277
674880	S8180-00-00010-0	1050 SE IRELAND ST	UNITED METHODIST CHURCH	1050 SE IRELAND ST	OAK HARBOR	WA	98277
395977	S8180-00-00001-0	940 SE PIONEER WAY	BEEDELE, KELLEY HOING	1581 NE 1 <sup>ST</sup> AVE	OAK HARBOR	WA	98277
334089	S7585-00-00046-0	961 SE JENSEN	GLUTH, BRADLEY S.	28606 STATE ROUTE 20	OAK HARBOR	WA	98277
334070	S7585-00-00045-0	931 SE JENSEN	SAUCIER, DAVID J	931 SE JENSEN	OAK HARBOR	WA	98277
727299	S7585-00-00044-0	901 SE JENSEN	BRADY, MICHAEL	901 SE JENSEN	OAK HARBOR	WA	98277
333847	S7585-00-00019-0	MIDWAY AVE	CITY OF OAK HARBOR	865 SE BARRINGTON DR	OAK HARBOR	WA	98277
333856	S7585-00-00023-0	1055 SE MIDWAY	WHIDBEY ISLAND REAL ESTATE	791 SE BARRINGTON DRIVE	OAK HARBOR	WA	98277
333927	S7585-00-00027-0	1048 SE PIONEER WAY	PROSPERITY INVESTMENTS FAMILY LP	1582 SCENIC HEIGHTS RD	OAK HARBOR	WA	98277
333883	S7585-00-00025-0	1036 SE PIONEER WAY	PROSPERITY INVESTMENTS FAMILY LP	1582 SCENIC HEIGHTS RD	OAK HARBOR	WA	98277
333749	S7585-00-00005-0	920 SE MIDWAY AVE	TALUSAN, EDUARDO	2031 GILMORE COURT	RICHMOND	BC	V6X3S8
333730	S7585-00-00004-0	950 SE MIDWAY AVE	PFALTZGRAFF TRUST, DEBRA E.	1414 MOKULUA DR	KAILUA	HI	96734
333721	S7585-00-00003-0	980 SE MIDWAY AVE	MITCHEL, DONNA J	2864 HUNT RD	OAK HARBOR	WA	98277
727271	S7585-00-00001-0	1134 SE PIONEER WAY	MAYLOR, DENNIS	2460 SW CAPITAL DR	OAK HARBOR	WA	98277

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# **EXHIBIT 2**

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*Vicinity Map  
and  
Aerial Map*

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# **EXHIBIT 3**

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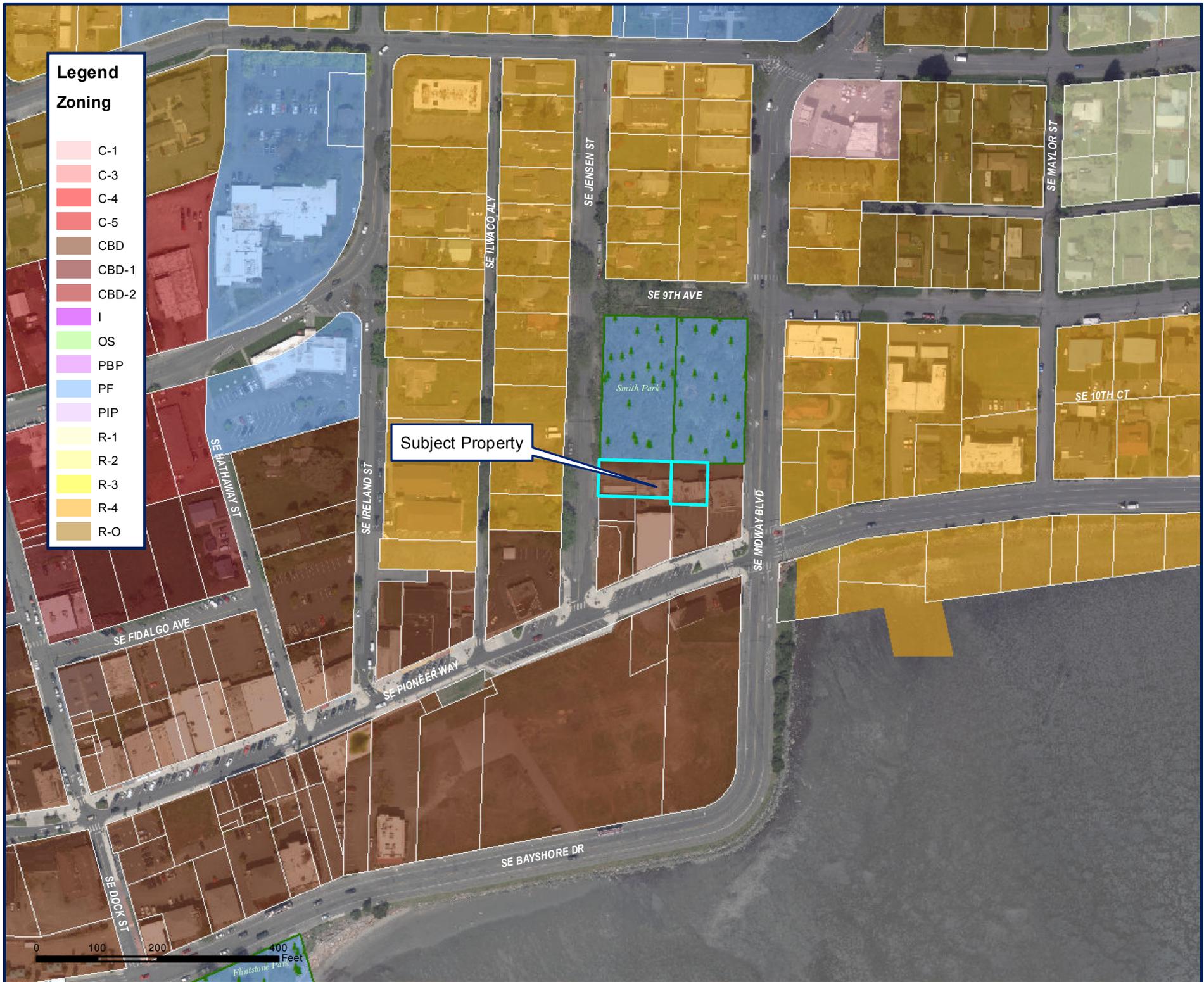
*Zoning Map*

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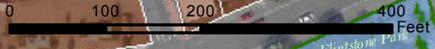


**Legend  
Zoning**

- C-1
- C-3
- C-4
- C-5
- CBD
- CBD-1
- CBD-2
- I
- OS
- PBP
- PF
- PIP
- R-1
- R-2
- R-3
- R-4
- R-O



Subject Property



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# **EXHIBIT 4**

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*City Department  
Requirements*

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**Ray Lindenburg**

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**From:** Brad Gluth  
**Sent:** Monday, July 06, 2015 3:40 PM  
**To:** Lisa Bebee  
**Cc:** Ray Lindenburg  
**Subject:** Island Vineyard Community Church - CUP Comments

Here are Engineering and PW's comments for the Island Vineyard Community Church CUP.

Brad

# **Engineering Review Comments For Island Vineyard Community Church**

(Conditional Use)  
CUP-15-04

## **Review comments for June 05, 2015 CUP submittal**

1. Transportation Concurrency is required prior to issuance of a building permit. A traffic study may be required as part of the application for concurrency. Depending upon trip generation and distribution, a level of service (LOS) analysis may be required as part of the study. If a LOS analysis is necessary, the City Engineering Division may provide guidance regarding specific intersections that will need to be examined. OHMC 11.32.030
2. Prior to issuance of an occupancy permit, applicant shall complete a water cross connection control questionnaire and have a cross connection inspection performed. The questionnaire is available in the Development Services Department at City Hall. OHMC 13.13

## **Ray Lindenburg**

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**From:** Lisa Bebee  
**Sent:** Wednesday, June 24, 2015 4:55 PM  
**To:** Ray Lindenburg  
**Subject:** cup-15-04 island vineyard community church

Ray-

Ed Green – Police department comment for Island Vineyard Community Church CUP-15-04

The Alley may not be blocked at any time.

Thank you-  
Lisa Bebee  
Permit Coordinator  
Development Services Department  
[www.oakharbor.org](http://www.oakharbor.org)  
(360) 279-4510  
fax (360) 279-4519

6/23/2015

**Fire Department Comments, Island Vineyard Community Church, 1080 SE Pioneer Way**

**8.05.020 Existing buildings.**

(1) Existing buildings which are substantially remodeled or rehabilitated or change occupancy group classification shall be required to comply with fire protection features specified in this chapter.

**8.05.070 Automatic fire detection system requirements.**

(1) Section 907 of the International Fire Code shall be used as a guide for the installation, inspection, and maintenance of an acceptable minimum automatic fire-detection system when such system is required by this section, one copy of which is to be filed in the office of the city clerk, and by reference made a part of this chapter as if fully set out herein.

(2) When approved by the fire code official, and not otherwise required by the building or fire codes, an approved automatic sprinkler system may be substituted for an automatic fire detection system required herein.

(3) Commercial buildings exceeding 2,500 square feet gross floor area shall be equipped, as a minimum, with an automatic and/or manual fire detection system (throughout) that shall alert all occupants of the building when fire is detected and shall transmit an alarm for fire to a U.L. listed and approved monitoring station. (Ord. 1661 § 6, 2013; Ord. 1379 § 8, 2004).

***Provide two sets of fire alarm plans to the Fire Department for review and approval.***

**IFC Section 506 Key Boxes**

Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes; the *fire code official* is authorized to require a key box to be installed in an *approved* location. The key box shall be of an *approved* type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the *fire code official*.

***Install a KNOX key box; contact the Oak Harbor Fire Department for a KNOX Box order form.***

**IFC 906.1 Portable Fire Extinguishers**

Portable fire extinguishers shall be installed in the following locations.

1. Sanctuary – Size 2A 10BC rating, near the exterior exit door.
2. Fellowship area – Size 2A 10BC rating, near the entryway.
3. Kitchen – applicant must provide additional information on type of cooking operations and appliances to be installed. Commercial hood with an automatic fire extinguishing system will be required if cooking involves vegetable or animal oils and fats.

**IFC 1004.3 Posting of occupant load.**

Every room or space that is an assembly occupancy shall have the *occupant load* of the room or space posted in a conspicuous place, near the main *exit* or *exit access doorway* from the room or space. Posted signs shall be of an *approved* legible permanent design and shall be maintained by the owner or authorized agent.

***Contact the Building Department for calculation of occupant load.***

**IFC 1006 Means of Egress Illumination**

**1006.1 Illumination required.**

The *means of egress*, including the *exit discharge*, shall be illuminated at all times the building space served by the *means of egress* is occupied.

***Install illuminated exit signs over required exit doors; install emergency battery backup lights in the Fellowship Hall and Sanctuary.***

**IFC 1001 Means of Egress, Exits**

***Contact the Building Department for building exit requirements.***

***Contact Mike Buxton, Oak Harbor Fire Department if you have any questions 360-279-4702***

## Ray Lindenburg

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**From:** Lisa Bebee  
**Sent:** Tuesday, July 14, 2015 9:04 AM  
**To:** Ray Lindenburg  
**Subject:** FW: Island vineyard cup

Please see below.

He just provided this comment.

Thank you-  
Lisa Bebee  
Permit Coordinator  
Development Services Department  
[www.oakharbor.org](http://www.oakharbor.org)  
(360) 279-4510  
fax (360) 279-4519

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**From:** David Anderson  
**Sent:** Tuesday, July 14, 2015 9:03 AM  
**To:** Lisa Bebee  
**Subject:** RE: Island vineyard cup

A permit is required for any alterations or improvements.  
This would trigger a traffic concurrency application.

No other comments at this time.

*David Anderson*, ACO, CBO

Building Official  
(360) 279-4517  
[danderson@oakharbor.org](mailto:danderson@oakharbor.org)

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**From:** Lisa Bebee  
**Sent:** Tuesday, July 14, 2015 8:11 AM  
**To:** David Anderson  
**Subject:** Island vineyard cup

Dave  
Will you have comments for Island Vineyard church?

Thank you-  
Lisa Bebee  
Permit Coordinator  
Development Services Department  
[www.oakharbor.org](http://www.oakharbor.org)  
(360) 279-4510  
fax (360) 279-4519

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# **EXHIBIT 5**

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*Public Noticing  
Documents*

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**NOTICE OF PUBLIC HEARING BEFORE  
HEARING EXAMINER**

**HE #08-10-15**

Notice is hereby given that a public hearing will be held before the City of Oak Harbor Hearing Examiner in the Council Chambers at City Hall on August 10, 2015 at 10:00 a.m., to consider the following item:

**WORD OF EVERLASTING LIFE AND FAITH CHURCH – CUP-15-03**

The Hearing Examiner will consider a conditional use permit application submitted by Andi Yenna for Island Vineyard Community Church proposing to use 1080 SE Pioneer Way for church related use. The church proposes to use an existing 2,000 square foot commercial space as a meeting hall and shared parking spaces associated with the building. The current proposal is to accommodate approximately 74 seats. The proposal includes two classrooms for children's church. The property is zoned CBD, Central Business District and the proposed church is permitted as a conditional use in this district. The property location is at 1080 SE Pioneer Way, S7585-00-00024-1.

Anyone wishing to comment on the above items or provide other relevant information may do so in writing or appear in person before the Hearing Examiner at the time and place of said public hearing. After obtaining public input and considering the matter, the Hearing Examiner may approve or deny the proposed application. As part of the approval, conditions or limitations may be imposed.

For additional information, you may contact the City Department of Development Services in City Hall or call (360) 279-4512.

Katherine D. Gifford  
Recording Secretary

Published: Whidbey News Times  
July 25, 2015

**CERTIFICATION OF POSTING  
PUBLIC HEARING NOTICES**

Oak Harbor Hearing Examiner  
865 SE Barrington Drive  
Oak Harbor, Washington 98277

I, Katherine Gifford, certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

On the 22nd day of July, 2015 I provided written notice to the Whidbey News Times Legals (legals@soundpublishing.com); and

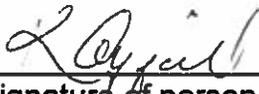
On the 22nd day of July, 2015, I did post 3 notices (a copy of which is attached hereto and by reference made a part hereof) at the following locations:

1&2)           Oak Harbor City Hall  
                  865 SE Barrington Drive  
                  Oak Harbor, WA 98277

3)               Library  
                  1000 East Regatta Drive  
                  Oak Harbor, WA 98277

advertising a public hearing for CUP 15-04 before the Oak Harbor Hearing Examiner on August 10, 2015

Executed this 22nd day of July, 2015, in Oak Harbor, Washington.

  
\_\_\_\_\_  
(Signature of person posting)

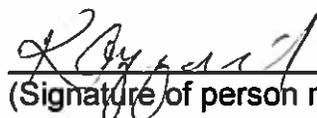
**CERTIFICATION OF MAILING  
NOTICE TO ADJACENT PROPERTY OWNERS**

I, Katherine D. Gifford, certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

That on the 22nd day of July, 2015, I deposited in the U.S. mail, postage prepaid, a copy of the Notice of Public Hearing before the Oak Harbor Hearing Examiner for CUP 15-04 (a copy of which is attached hereto and by reference made a part hereof) to the following property owners:

(see attached)

Executed this 22nd day of July, 2015, in Oak Harbor, Washington.

  
\_\_\_\_\_  
(Signature of person mailing)

✓  
Gilbert Villareal  
2515 Pond Valle Drive  
Oakland, MI 48363

✓  
Coffee Ground LLC  
PO Box 309  
Clinton, WA 98236

✓  
Lynette Leaf Turstee  
PO Box 67  
Lopez Island, WA 98261

✓  
United Methodist Church  
1050 SE Ireland Street  
Oak Harbor, WA 98277

✓  
Kelley Beedle  
1581 NE 1<sup>st</sup> Ave  
Oak Harbor, WA 98277

✓  
Bradley Gluth  
28606 SR 20  
Oak Harbor, WA 98277

✓  
David Saucier  
931 SE Jensen  
Oak Harbor, WA 98277

✓  
Michael Brady  
901 SE Jensen  
Oak Harbor, WA 98277

✓  
City of Oak Harbor  
865 SE Barrington Drive  
Oak Harbor, WA 98277

✓  
Whidbey Island Real Estate  
791 SE Barrington Drive  
Oak Harbor, WA 98277

✓  
Prosperity Investments Family LP  
1582 Scenic Heights Rd  
Oak Harbor, WA 98277

✓  
Eduardo Talusan  
2031 Gilmore Court  
Richmond, BC V6X3S8

✓  
Debra E Pfaltzgraff Tust  
1414 Mokulua Drive  
Kailua, HI 96734

✓  
Donna Mitchel  
2864 Hunt Rd  
Oak Harbor, WA 98277

✓  
Dennis Maylor  
2460 SW Capital Drive  
Oak Harbor, WA 98277

✓  
Wire-Skinner and Severns  
1802 SW Beeksma Dr  
Oak Harbor, WA 98277



July 22, 2015

**NOTICE TO ADJACENT PROPERTY OWNERS OF PUBLIC HEARING  
OAK HARBOR HEARING EXAMINER**

Notice is hereby given that a public hearing will be held before the City of Oak Harbor Hearing Examiner in the Council Chambers at City Hall, 865 SE Barrington Drive, on August 10, 2015 at 10:00 a.m., or as soon thereafter as possible following any preceding items, to consider the following item:

**ISLAND VINEYARD COMMUNITY CHURCH – CUP 15-04**

The Hearing Examiner will consider a conditional use permit application submitted by Andi Yenna for Island Vineyard Community Church proposing to use 1080 SE Pioneer Way for church related use. The church proposes to use an existing 2,000 square foot commercial space as a meeting hall and shared parking spaces associated with the building. The current proposal is to accommodate approximately 74 seats. The proposal includes two classrooms for children's church. The property is zoned CBD, Central Business District and the proposed church is permitted as a conditional use in this district. The property location is at 1080 SE Pioneer Way, S7585-00-00024-1.

Anyone wishing to comment on the above items or provide other relevant information may do so in writing or appear in person before the Hearing Examiner at the time and place of said public hearing. After obtaining public input and considering the matter, the Hearing Examiner may approve or deny the proposed application. As part of the approval, conditions or limitations may be imposed.

For additional information, you may contact the City Department of Development Services in City Hall or call (360) 279-4512.

All meetings of the Hearing Examiner are open to the public.

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# **EXHIBIT 6**

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*Public Comments*

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## Ray Lindenburg

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**From:** Renninger <blrenninger@comcast.net>  
**Sent:** Saturday, July 18, 2015 8:05 PM  
**To:** Ray Lindenburg  
**Subject:** Proposal for Island Vineyard Church

Dear Mr. Lindenburg,

I am writing to you re: Application # CUP-1504 at 1080 SE Pioneer Way. I would like to have part of the conditional use review look at the removal of the old "Island Cleaners" sign at the southeast corner of Smith Park, which advertises for Island Cleaners.

There is an electrical line that goes from a mast on the north side of the building to said sign. There is a currently an appliance for a flat sign on the south side of the building which had to have gone through a city permitting process.

Here is the wording in the City Municipal Code below. I believe the old Island Cleaners sign fits the definition of an abandoned sign.

### 19.36.020 Definitions.



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(1) "Abandoned sign" means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

Thank you for your attention to this old sign. I look forward to hearing from you.

Sincerely,

Laura Renninger  
730 SE Maylor St.  
Oak Harbor, WA 98277  
cell 360-929-7447

August 3, 2015

To Whom It May Concern,

I am writing regarding Application #CUP-1504 at 1080 SE Pioneer Way.

The old "Island Cleaners" sign, which currently stands on City of Oak Harbor Property in Smith Park but is attached to 1080 SE Pioneer Way, should be required to be removed from city park property as a condition of this application's approval. Since I will be unable to attend the public hearing on August 10<sup>th</sup> for this property, I request that my letter be read and submitted as public record.

An electrical line to the building at 1080 SE Pioneer Way connects the old "Island Cleaners" sign at the southeast corner of Smith Park. This sign is unmaintained, unsafe, and represents a safety hazard to the public in a city park. The sign is a significant legal liability to the city and is a danger to the public being next to a sidewalk on a busy street. The condition of the sign has been deteriorating. (Photo on page two). After talking to City staff, it is clear that this sign meets the definition of an abandoned sign as outlined in Oak Harbor Municipal Code:

**19.36.020**

(1) "Abandoned sign" means a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product, or activity, and/or for which no legal owner can be found.

The owner of the building currently has a sign affixed to the face of the Pioneer Way building, which meets the needs of the business. Additionally, no private business should ever be allowed to have a permanent advertising sign located inside a city park.

This application should NOT be approved until a plan has been negotiated for the removal of the unsafe sign for the safety of our community and to protect the city from legal liability.

Thank you.

Sincerely,

Laura Renninger, Oak Harbor

