
HEARING EXAMINER AGENDA

July 11, 2016



OAK HARBOR HEARING EXAMINER
July 11, 2016 - 10:00 A.M.

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

AGENDA

1. **Call to Order**

2. **Church of Christ Conditional Use Permit – CUP 16-02**
The Hearing Examiner will consider a conditional use permit application proposing to use 791 SE Fidalgo Avenue, Unit 103 for church related use. The church proposes to use an existing 1,050 square foot commercial space as a meeting hall and shared parking spaces associated with the building. The current proposal is to accommodate approximately 25 members. The proposal includes adult and children's church functions.

3. **Adjourn**

STAFF REPORT

Church of Christ
CUP 16-02

**Church of Christ
Case No. CUP-16-02
Staff Report to Hearing Examiner**

APPLICATION:

The Church of Christ proposes to use an existing approximately 1,050-square foot commercial space as a meeting hall for church services and related activities. The proposal would accommodate approximately 25 members and include adult and children's services.

PRELIMINARY INFORMATION:

Applicant: Von Torres, Church of Christ, 1181 NW Kathleen Drive, Oak Harbor, WA 98277

Property Owner: Harborside Village, PO Box 2249, Oak Harbor, WA 98277

Address of proposal: 791 SE Fidalgo Ave, Oak Harbor, WA 98277

Parcel Number: R13202-241-2700

Comprehensive Plan Designation: Central Business District

Zoning Designation: CBD, Central Business District

Application Presented for Action:

Conditional Use Application (CUP-16-02) - 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
-

BACKGROUND and PROJECT DESCRIPTION:

The existing building is currently occupied by a mix of office and retail uses and is part of the larger Harborside Village complex. 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 approximately 1,050 square foot space, utilizing the area for Adult Worship Services twice per week (Wednesday evening and Sunday morning) and Children's Worship Service on Sundays. There are approximately 25 members of the church at this time. Additional use of the space will include choir practice following the Adult Worship Services and various Bible studies and general organizational meetings.

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 aforementioned church membership would require approximately 7 parking spaces at maximum usage if on-site parking were required. The parking lot located on site should easily be able to accommodate that level of use on evenings and Sundays. Significant on-street parking is available nearby as well.

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 between SE Pioneer Way and SE Fidalgo Avenue. SE Hathaway Street intersects on the east side. 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:

	Existing Land Use	Zoning
North:	Vacant	CBD-1, Central Business District
South:	Commercial	CBD, Central Business District
East:	Commercial	CBD, Central Business District
West:	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 22, 2016. The Notice of Application was advertised on May 25, 2016.

PUBLIC COMMENTS:

The City received no comment on this application.

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. No construction activity is proposed. The use of the property should not generate excess noise or other environmental impacts. Any noise concerns related to 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 weekday evenings and Sundays.

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 40 parking spaces on site for use of the Harborside Village complex. Using the parking ratio set forth in OHMC 19.44.100, the proposed number of congregants would use 7 parking spaces. On-street parking is available in several locations nearby on SE Pioneer Way, SE Fidalgo Avenue and SE Hathaway Street.

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

Because the applicant has not indicated a need for a building permit, Transportation Concurrency will not be required with the application. Any future work that requires a building permit may precipitate a need for a concurrency review, however.

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-16-02 subject to the following conditions:

1. The project shall be in general conformance with the narrative and application materials submitted by the applicant dated May 19, 2016, 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. Traffic Concurrency may be required if a building permit is needed.
4. The applicant shall provide a fire extinguisher as with any new occupancy. The maximum occupant load for the space is 49 people.
5. 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.
6. 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.
7. The conditional use permit applies only to the property for which the application is made.

EXHIBIT 1

*Conditional Use Application
and
Applicant Narrative*



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

MAY 19 2016

CITY OF OAK HARBOR
 Development Services Department

Development Application

Project Information

Project Name: CHURCH OF CHRIST

Project Address: 791 SE FIDALGO AVE #103, OAK HARBOR, WA 98277

Description of Work: CHURCH ACTIVITIES AT ABOVE ADDRESS

Assessor Parcel Number(s): R13202-241-2700

Land Area (sq. ft. or acres): 1050 sq ft Zoning District: COMMERCIAL

What is the Project Valuation (best guess, if necessary) \$ N/A

Applicant Information

Applicant Name: VON TORRES

Address: 1181 NW KATHLEEN DR

City/State: OAK HARBOR, WA Zip: 98277 Phone/Fax: 425-750-8004

Email: vc4tees@gmail.com

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: N/A

Address: _____

City/State: _____ Zip: _____ Phone/Fax: _____

Email: _____

Property Owner(s) (if other than applicant)

Name: HARBORSIDE VILLAGE (POC: KRISTI JENSEN)

Address: P.O. BOX 2249

City/State: OAK HARBOR, WA Zip: 98277 Phone/Fax: 360-929-0707

Email: kristijensen@windermere.com

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

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

Name: N/A Phone: _____
Name: _____ Phone: _____
Name: _____ Phone: _____

Architect / Engineer:

Name: N/A Address: _____
City/State: _____ Zip: _____ Phone/Fax: _____
Email: _____

Architect / Engineer:

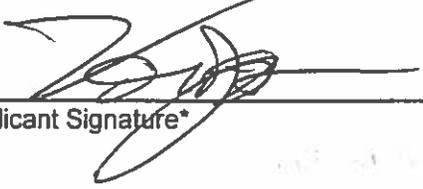
Name: N/A Address: _____
City/State: _____ Zip: _____ Phone/Fax: _____
Email: _____

Contractor:

Name of Business: N/A
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.


Applicant Signature*

18 MAY 16
Date

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 checked="" 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
<input type="checkbox"/> Other		

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

Project Details (fill in all applicable sections)

Floodplain:

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

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 _____

Landscape: Yes No If yes, complete the following questions:

Is the project lot larger than 1.5 acres in size? Yes No If yes, what is the total acres _____

Will this project use drought tolerant plant choices? Yes No

Will an irrigation system be installed? Yes No

Transportation Concurrency:

Licensed Traffic Engineer N/A Phone _____ Email _____

Total length of public streets _____ Total length of private streets _____

Existing property use _____

Land Use Data:

Sq ft of new construction N/A Existing property use _____

Proposed Property Use _____ Housing Type Proposed _____

Proposed Number of Buildings _____ Number of Existing Dwelling Units _____

Number of Proposed Dwelling Units _____ Number of Existing Parking Spaces _____

Number of New Parking Spaces _____ Number of Existing Lots _____

Number of New Lots Proposed _____ Proposed Density _____



CITY OF OAK HARBOR
Development Services Department

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MAY 19 2016

CITY OF OAK HARBOR
Development Services Department

Critical Area Identification Form

Project Name (if applicable):

N/A

Associated Application(s):

DEVELOPMENT APPLICATION / CONDITIONAL-USE

Brief Description of Proposal:

N/A

APPLICANT NAME/CONTACT PERSON (or legal representative): VON TORRES	Address: 1181 NW KATHLEEN DR OAK HARBOR, WA 98277
E-mail Address: vc4tees@gmail.com	Phone and Fax: 425-750-8004
PROPERTY OWNER NAME (list multiple owners on a separate sheet): HARBORSIDE VILLAGE	Address: P.O. BOX 2249 OAK HARBOR, WA 98277
E-mail Address: kristijensen@windermere.com	Phone and Fax: 360-929-0707

AUTHORIZATION:

The undersigned hereby certifies that the property affected by this application is in the exclusive ownership of the applicant or that the applicant has submitted the application with the consent of all owners of the affected property. In addition, the undersigned hereby certifies that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request.

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

Authorized Signature

12 MAY 16
Date

Staff use only below this line

Yes	No		Critical Area Report Needed?
<input type="checkbox"/>	<input type="checkbox"/>	Wetland	_____
<input type="checkbox"/>	<input type="checkbox"/>	Fish and Wildlife Habitat Conservation Area	_____
<input type="checkbox"/>	<input type="checkbox"/>	Geologically Sensitive Area	_____
<input type="checkbox"/>	<input type="checkbox"/>	Frequently Flooded Area	_____
<input type="checkbox"/>	<input type="checkbox"/>	Critical Aquifer Recharge Area	_____

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MAY 19 2016

CITY OF OAK HARBOR
Development Services Department**NARRATIVE**

1. The Iglesia ni Cristo (INC) or Church of Christ is a Christian religion whose primary purpose is to worship the Almighty God based on His teachings as taught by the Lord Jesus Christ and as recorded in the Bible. The Church of Christ is a church for everyone who will heed the call of God and embrace its faith — regardless of his or her nationality, cultural background, social standing, economic status, and educational attainment.

2. The Iglesia Ni Cristo re-emerged in the Far East country of the Philippines under the administration of brother Felix Y. Manalo in July 27, 1914. The Church began its world-wide expansion to over 100 countries when it first reached the Far West in Honolulu, Hawaii on July 27, 1968. The Church continues to grow and comprises of over 110 nationalities throughout the world. The Church also uses mass media for missionary works in spreading its message of hope to a broader audience. The Pasugo: God's Message, the monthly official magazine of the Church, carries mainly religious articles and Church news and features. DZEM (954 kHz) broadcast programs that discuss Bible teachings. These programs are aired by about 60 other radio stations all over the Philippines and several more in the USA and Australia. GEM TV-49, as well as major cable stations in the Philippines and some channels in the US Direct TV ch 2068, telecast the Church's religious programs featuring biblical teachings. Live streaming and video on demand of Iglesia ni Cristo Programming is available at www.incmedia.org.

Enclosure 4

3. The Church and its members are involved in much of the community and accomplish outreach programs to show appreciation to the many professionals (e.g. Teachers, Police Officers, Fire Fighters, etc.) who are a part of the community. The Iglesia Ni Cristo's "Aid to Humanity" project is aimed to assist the many people affected in natural calamities throughout the world.

4. The Iglesia Ni Cristo would like to continue in sharing our faith and edifying the members residing in the Oak Harbor area. We intend to occupy and utilize the office space located at 791 SE Fidalgo Ave #103, Oak Harbor in the Harborview Village (Old Town Mall). The 1050 square foot space in the aforementioned location will accommodate the intended uses and needs of the INC members. We currently do not intend to modify/remodel any standing structures currently at the location. We intend to hold Church activities (listed below) to enhance the faith of the **25 members** of the church in the Oak Harbor area and share our faith to the community of Oak Harbor:

- A. Adult Worship Services (AWS)- Conducted twice a week; one mid-week worship service (**Wednesday at 8:00pm**) and one weekend worship service (**Sunday at 9:00am**). Each AWS will include choir singing (approximately 30 minutes total within a two hour period) and a lesson taught by a Minister/Evangelical Worker (approx. 30-45 minutes).
- B. Children's Worship Service (CWS)- Conducted weekly in conjunction with the AWS on the weekend (**Sunday at 11:00am**). Each CWS will include choir singing (approx. 20 minutes total within a 45-60 minute period)

and a lesson taught by a Sunday School Teacher/Minister (approx 15-30 minutes).

- C. Choir practices will be conducted twice a week after AWS on Wednesdays and Sundays.
- D. Weekly INC Leadership caucus and monthly Christian Family Organization meetings and gatherings will take place for the edification and propagation mission of the Church.
- E. Bible Studies/Lessons will be conducted at various times throughout the week.
- F. The INC Leadership may accomplish other specific activities that will be conducted to help in the local community, provide aid to humanity, outreach programs, and other Christian-based activities.

EXHIBIT 2

*Vicinity Map
and
Aerial Map*



EXHIBIT 3

Zoning Map



EXHIBIT 4

*City Department
Requirements*

Ray Lindenburg

From: Lisa Bebee
Sent: Thursday, June 23, 2016 10:29 AM
To: Ray Lindenburg
Subject: FW: Church of Christ - CUP Engineering/PW Review Comments

Thank you,
Lisa Bebee
Permit Coordinator
Development Services Department
(360) 279-4510
Fax (360) 279-4519

From: Brad Gluth
Sent: Friday, June 17, 2016 1:46 PM
To: Lisa Bebee <lbebee@oakharbor.org>
Cc: Ray Lindenburg <rlindenburg@oakharbor.org>; Joe Stowell <jstowell@oakharbor.org>
Subject: Church of Christ - CUP Engineering/PW Review Comments

Engineering Review Comments For Church of Christ

(Conditional Use)
CUP-15-02

Review comments for May 19, 2016 CUP submittal

1) Engineering has no comments. *(No building permit is being sought and the use times are outside of the Peak PM hour that is considered for trip generation.)*

No virus found in this message.
Checked by AVG - www.avg.com
Version: 2016.0.7640 / Virus Database: 4604/12438 - Release Date: 06/17/16

Ray Lindenburg

From: Lisa Bebee
Sent: Thursday, June 23, 2016 8:24 AM
To: Ray Lindenburg
Subject: church of christ

Ray

Building has a comment for Church of Christ

1. Limit occupancy to 49 people maximum.

Thank you,
Lisa Bebee
Permit Coordinator
Development Services Department
(360) 279-4510
Fax (360) 279-4519

Ray Lindenburg

From: Lisa Bebee
Sent: Thursday, June 23, 2016 10:22 AM
To: Ray Lindenburg
Subject: FW: Church of Christ cup

Same comment as building

Thank you,
Lisa Bebee
Permit Coordinator
Development Services Department
(360) 279-4510
Fax (360) 279-4519

From: Ray Merrill
Sent: Thursday, June 23, 2016 10:20 AM
To: Lisa Bebee <lbebee@oakharbor.org>
Subject: FW: Church of Christ cup

Hi

Here is mike's reply

Ray

From: Mike Buxton
Sent: Thursday, June 23, 2016 10:19 AM
To: Ray Merrill
Subject: Re: Church of Christ cup

It was unknown if they could occupy that space, if so they only needed a fire extinguisher same as any other new occupancy. The space will not support a church with an occupant load of more than 49, Cody and I had discussed that earlier

Sent from my Verizon Wireless 4G LTE DROID

Ray Merrill <rmerrill@oakharbor.org> wrote:

Hi

I don't see that Mike had any comments for the CUP.

Ray

From: Lisa Bebee
Sent: Thursday, June 23, 2016 8:27 AM
To: Mike Buxton

Cc: Ray Merrill

Subject: Church of Christ cup

Did you have any comments on Church of Christ conditional use application?

Thank you,

Lisa Bebec

Permit Coordinator

Development Services Department

(360) 279-4510

Fax (360) 279-4519

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2016.0.7640 / Virus Database: 4613/12479 - Release Date: 06/23/16

EXHIBIT 5

*Public Noticing
Documents*

NOTICE OF APPLICATION

APPLICATION: Conditional Use CUP-16-02

Church of Christ

Church of Christ submitted a conditional use permit application proposing to use 791 SE Pioneer Way, Unit 103 for church related use. The church proposes to use an existing 1,050 square foot commercial space as a meeting hall and shared parking spaces associated with the building. The current proposal is to accommodate approximately 25 members. The proposal includes adult and children's church. The application was submitted on May 19, 2016 by Mr. Von Torres for Church of Christ and determined complete for processing on May 20, 2016. The property location is at 791 SE Fidalgo Avenue, Unit 103. Public comment period will run May 25 through June 8, 2016.

The plans have been circulated to City staff for review and comments. Plans for the proposal are available for review at the City of Oak Harbor's Development Services Department, located in City Hall. For more information, please call (360) 279-4510.

PROJECT LOCATION: Application CUP-16-02 is located at 791 SE Fidalgo Avenue, Unit 103.

PUBLIC COMMENT PERIOD: To make written comments on this proposal, please mail or hand deliver specific comments to: City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277, no later than **5:00 p.m. on June 8, 2016**. If you have questions regarding this proposal, please contact the Development Services Department at (360) 279-4510, between 8:00 a.m. and 5:00 p.m.

ENVIRONMENTAL DOCUMENTS AND/OR STUDIES APPLICABLE TO THIS PROJECT: N/A

PUBLIC HEARING REQUIRED: This application will be scheduled for a public hearing before the Hearing Examiner. The notice of public hearing will be mailed when the date and time has been established for the hearing.

To receive notification of the decision on this proposal, please send a self-addressed, stamped envelope and request a Notification of Decision for application CUP-16-02 from the City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277.

Lisa Bebee
Permit Coordinator

Published: Whidbey News Times
Date: May 25, 2016

May 24, 2016

**NOTICE TO ADJACENT PROPERTY OWNERS
NOTICE OF APPLICATION**

APPLICATION: Conditional Use CUP-16-02 Church of Christ

Church of Christ submitted a conditional use permit application proposing to use 791 SE Fidalgo Avenue, Unit 103 for church related use. The church proposes to use an existing 1,050 square foot commercial space as a meeting hall and shared parking spaces associated with the building. The current proposal is to accommodate approximately 25 members. The proposal includes adult and children's church functions. The application was submitted on May 19, 2016 by Mr. Von Torres for Church of Christ and determined complete for processing on May 20, 2016. The property location is at 791 SE Fidalgo Avenue, Unit 103, R13202-241-2700. Public comment period will run May 25 through June 8, 2016.

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PUBLIC COMMENT PERIOD: To make written comments on this proposal, please mail or hand deliver specific comments to: City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277, **no later than 5:00 p.m. on June 8, 2016**. If you have questions regarding this proposal, please contact the Development Services Department at (360) 279-4510, between 8:00 a.m. and 5:00 p.m.

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ENVIRONMENTAL DOCUMENTS AND/OR STUDIES APPLICABLE TO THIS PROJECT: N/A

To receive notification of the decision on this proposal, please send a self-addressed, stamped envelope and request a Notification of Decision for application CUP-16-02 from the City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277.

Aikido Kenjutsu Jodo
710 SE Fidalgo Ave
Oak Harbor, WA 98277

Allure Salon & Spa
841 SE Pioneer Way
Oak Harbor, WA 98277

Baby N Me
790 SE Pioneer Way
Oak Harbor, WA 98277

Bayside Tattoo
749 SE Fidalgo Ave #101
Oak Harbor, WA 98277

Bayview Embroidery & Print
890 SE Pioneer Way #101
Oak Harbor, WA 98277

Captured Moments Photography
910 SE Pioneer Way #2
Oak Harbor, WA 98277

Collage
861 SE Pioneer Way #2
Oak Harbor, WA 98277

CreAda Styles & Cutz
890 SE Bayshore Dr #3
Oak Harbor, WA 98277

Credit Bureau of Island County
1175 SE Ireland St #201
Oak Harbor, WA 98277

DAHL Photography & Frames
715 SE Fidalgo Ave #104B
Oak Harbor, WA 98277

Diva Lounge Salon
791 SE Fidalgo Ave #202
Oak Harbor, WA 98277

Express Yourself Coffee Bar
860 SE Pioneer Way
Oak Harbor, WA 98277

Fantasia Dance and Motion Boutique
770 SE Pioneer Way
Oak Harbor, WA 98277

Gary Oak Gallery
830 SE Pioneer Way #101
Oak Harbor, WA 98277

Gizmo Skate Shop
830 SE Pioneer Way #105
Oak Harbor, WA 98277

Go Realty
860 SE Bayshore Dr
Oak Harbor, WA 98277

Heartbeat Safety Center
715 SE Fidalgo Ave
Oak Harbor, WA 98277

Indulge Spa & Salon
910 SE Pioneer Way #1
Oak Harbor, WA 98277

Island Custom Upholstery & Perfect Fit
729 SE Fidalgo Ave
Oak Harbor, WA 98277

Just Because Gifts
810 SE Pioneer Way #101
Oak Harbor, WA 98277

Lotus Tea Bar & Studios
710 SE Fidalgo Ave
Oak Harbor, WA 98277

Mr. Music
861 SE Pioneer Way #101
Oak Harbor, WA 98277

North Whidbey Help House
1091 SE Hathaway St
Oak Harbor, WA 98277

Oak Tree Antiques
860 SE Pioneer Way #103
Oak Harbor, WA 98277

Off the Hook
880 SE Pioneer Way
Oak Harbor, WA 98277

Paint Your World
860 SE Pioneer Way
Oak Harbor, WA 98277

Popsies
851 SE Pioneer Way
Oak Harbor, WA 98277

Purple Moon
830 Se Pioneer Way #109
Oak Harbor, WA 98277

Red Boutique
851 SE Pioneer Way #102
Oak Harbor, WA 98277

Salon Lux
780 SE Pioneer Way
Oak Harbor, WA 98277

Salon Nostra
715 SE Fidalgo Ave #202
Oak Harbor, WA 98277

Salon Seven
715 SE Fidalgo Ave
Oak Harbor, WA 98277

Steve Richardson Insurance
860 SE Bayshore Dr
Oak Harbor, WA 98277

Sweet Rice Thai Cuisine
885 SE Pioneer Way
Oak Harbor, WA 98277

Tamayo's Restaurant
800 SE Pioneer Way
Oak Harbor, WA 98277

The Jewelry Gallery
830 SE Pioneer Way
Oak Harbor, WA 98277

The Terrace Wine Bar
791 SE Fidalgo Ave
Oak Harbor, WA 98277

Whidbey Beer Works
710 SE Fidalgo Ave #103
Oak Harbor, WA 98277

Whidbey Inspiration
810 SE Pioneer Way
Oak Harbor, WA 98277

Whidbey Wild Bird Store
860 SE Pioneer Way
Oak Harbor, WA 98277

Wind & Tide Bookshop
790 SE Pioneer Way
Oak Harbor, WA 98277

Youth Dynamics
830 SE Pioneer Way
Oak Harbor, WA 98277

**CERTIFICATION OF POSTING
NOTICE OF APPLICATION**

Office of the City Administrator
865 SE Barrington Drive
Oak Harbor, WA 98277

I, Lisa Bebee, hereby certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

That on the 24th day of May 2016, 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) City Library
 1000 E Regatta Drive
 Oak Harbor, WA 98277

advertising a Notice of Application CUP-16-00002

Executed this 24th day of May, 2016 in Oak Harbor, Washington.


(Signature of person posting)

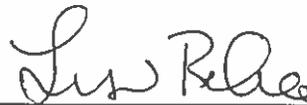
**CERTIFICATION OF MAILING
NOTICE TO ADJACENT PROPERTY OWNERS**

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

That on the 24th day of May, 2016, I deposited in the U.S. mail, postage prepaid, a copy of the Notice to Adjacent Property Owners for Conditional Use CUP-16-00002 a copy of which is attached hereto and by reference made a part hereof) to the following property owners:

(see attached)

Executed this 24th day of May, 2016 in Oak Harbor, Washington.



(Signature of person mailing)

AFFIDAVIT OF POSTING

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

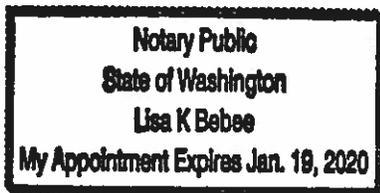
I, VON TORRES, hereby certify that I did, on the 24th day of MAY, 2016 post 1 notice(s), a copy of which is hereunto attached, marked "Exhibit", and by the reference made a part thereof, at the following location(s):

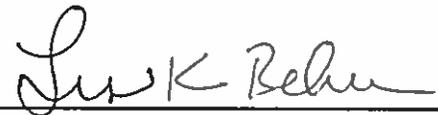
- 1. 791 SE Fidalgo Avenue, R13202-241-2700

advertising a Notice of Application for Conditional Use Application (CUP-16-00002).


(Signature of person posting)

SIGNED AND ATTESTED to before me this 24th day of May, 2016 by Von Torres.




Notary Public
Print Name Lisa K Bebee
Notary Public in and for the State of Washington, Oak Harbor City/County
Commission expires Jan 19, 2020

MAILING LIST AND MAP

<u>Business Name</u>	<u>Address</u>
1. Aikido Kenjutsu Jodo	710 SE Fidalgo Ave, Oak Harbor, WA
2. Allure Salon & Spa	841 SE Pioneer Way, Oak Harbor, WA
3. Baby-N-Me Children's Boutique	790 SE Pioneer Way, Oak Harbor, WA
4. Bayside Tattoo	749 SE Fidalgo Ave #101, Oak Harbor, WA
5. Bayview Embroidery & Print	890 SE Pioneer Way # 101, Oak Harbor
6. Captured Moments Photography	910 SE Pioneer Way #2, Oak Harbor, WA
7. Collage	861 SE Pioneer Way Ste 2, Oak Harbor, WA
8. CreAda Styles & Cutz	890 SE Bayshore Dr #3, Oak Harbor, WA
9. Credit Bureau of Island County	1175 SE Ireland St #201, Oak Harbor, WA
10. DAHL Photography & Frames	715 SE Fidalgo Ave, Ste 104B, Oak Harbor,
11. Diva Lounge Salon	791 SE Fidalgo Ave #202, Oak Harbor, WA
12. Express Yourself Coffee Bar	860 SE Pioneer Way, Oak Harbor, WA
13. Fantasia Dance and Motion Boutique	770 SE Pioneer Way, Oak Harbor, WA
14. Garry Oak Gallery	830 SE Pioneer Way # 101, Oak Harbor
15. Gizmo Skate Shop	830 SE Pioneer Way #105, Oak Harbor, WA
16. Go Realty	860 Southeast Bayshore Drive, Oak Harbor
17. Heartbeat Safety Center	715 E Fidalgo Ave, Oak Harbor, WA
18. Indulge Spa & Salon	910 SE Pioneer Way #1, Oak Harbor, WA
19. Island Custom Upholstery & Perfect Fit	729 SE Fidalgo Ave, Oak Harbor, WA
20. Just Because Gifts	810 SE Pioneer Way #101, Oak Harbor, WA
21. Lotus Tea Bar & Studios	710 SE Fidalgo Ave, Oak Harbor, WA
22. Mr. Music	861 SE Pioneer Way # 101, Oak Harbor
23. North Whidbey Help House	1091 SE Hathaway St, Oak Harbor, WA
24. Oak Tree Antiques	860 SE Pioneer Way # 103, Oak Harbor
25. Off the Hook	880 SE Pioneer Way, Oak Harbor, WA
26. Paint Your World	860 SE Pioneer Way, Oak Harbor, WA
27. Popsies	851 SE Pioneer Way, Oak Harbor, WA
28. Purple Moon	830 SE Pioneer Way # 109, Oak Harbor
29. Red Boutique	851 SE Pioneer Way, Ste 102, Oak Harbor
30. Salon Lux	780 SE Pioneer Way, Oak Harbor, WA
31. Salon Nostra	715 SE Fidalgo Ave #202, Oak Harbor, WA
32. Salon Seven	715 SE Fidalgo Ave, Oak Harbor, WA
33. Steve Richardson Insurance	860 SE Bayshore Dr, Oak Harbor, WA
34. Sweet Rice Thai Cuisine	885 SE Pioneer Way, Oak Harbor, WA
35. Tamayo's Restaurant	800 SE Pioneer Way, Oak Harbor, WA
36. The Jewelry Gallery	830 SE Pioneer Way, Oak Harbor, WA
37. The Terrace Wine Bar	791 SE Fidalgo Ave, Oak Harbor, WA
38. Whidbey Beer Works	710 SE Fidalgo Ave # 103, Oak Harbor, WA
39. Whidbey Inspiration	810 SE Pioneer Way, Oak Harbor, WA
40. Whidbey Wild Bird Store	860 SE Pioneer Way, Oak Harbor, WA
41. Wind & Tide Bookshop	790 SE Pioneer Way, Oak Harbor, WA
42. Youth Dynamics	830 SE Pioneer Way, Oak Harbor, WA

Enclosure 6

MAILING LIST AND MAP

<u>Business Name</u>	<u>Address</u>
1. Aikido Kenjutsu Jodo	710 SE Fidalgo Ave, Oak Harbor, WA
2. Allure Salon & Spa	841 SE Pioneer Way, Oak Harbor, WA
3. Baby-N-Me Children's Boutique	790 SE Pioneer Way, Oak Harbor, WA
4. Bayside Tattoo	749 SE Fidalgo Ave #101, Oak Harbor, WA
5. Bayview Embroidery & Print	890 SE Pioneer Way # 101, Oak Harbor
6. Captured Moments Photography	910 SE Pioneer Way #2, Oak Harbor, WA
7. Collage	861 SE Pioneer Way Ste 2, Oak Harbor, WA
8. CreAda Styles & Cutz	890 SE Bayshore Dr #3, Oak Harbor, WA
9. Credit Bureau of Island County	1175 SE Ireland St #201, Oak Harbor, WA
10. DAHL Photography & Frames	715 SE Fidalgo Ave, Ste 104B, Oak Harbor,
11. Diva Lounge Salon	791 SE Fidalgo Ave #202, Oak Harbor, WA
12. Express Yourself Coffee Bar	860 SE Pioneer Way, Oak Harbor, WA
13. Fantasia Dance and Motion Boutique	770 SE Pioneer Way, Oak Harbor, WA
14. Garry Oak Gallery	830 SE Pioneer Way # 101, Oak Harbor
15. Gizmo Skate Shop	830 SE Pioneer Way #105, Oak Harbor, WA
16. Go Realty	860 Southeast Bayshore Drive, Oak Harbor
17. Heartbeat Safety Center	715 E Fidalgo Ave, Oak Harbor, WA
18. Indulge Spa & Salon	910 SE Pioneer Way #1, Oak Harbor, WA
19. Island Custom Upholstery & Perfect Fit	729 SE Fidalgo Ave, Oak Harbor, WA
20. Just Because Gifts	810 SE Pioneer Way #101, Oak Harbor, WA
21. Lotus Tea Bar & Studios	710 SE Fidalgo Ave, Oak Harbor, WA
22. Mr. Music	861 SE Pioneer Way # 101, Oak Harbor
23. North Whidbey Help House	1091 SE Hathaway St, Oak Harbor, WA
24. Oak Tree Antiques	860 SE Pioneer Way # 103, Oak Harbor
25. Off the Hook	880 SE Pioneer Way, Oak Harbor, WA
26. Paint Your World	860 SE Pioneer Way, Oak Harbor, WA
27. Popsies	851 SE Pioneer Way, Oak Harbor, WA
28. Purple Moon	830 SE Pioneer Way # 109, Oak Harbor
29. Red Boutique	851 SE Pioneer Way, Ste 102, Oak Harbor
30. Salon Lux	780 SE Pioneer Way, Oak Harbor, WA
31. Salon Nostra	715 SE Fidalgo Ave #202, Oak Harbor, WA
32. Salon Seven	715 SE Fidalgo Ave, Oak Harbor, WA
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35. Tamayo's Restaurant	800 SE Pioneer Way, Oak Harbor, WA
36. The Jewelry Gallery	830 SE Pioneer Way, Oak Harbor, WA
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38. Whidbey Beer Works	710 SE Fidalgo Ave # 103, Oak Harbor, WA
39. Whidbey Inspiration	810 SE Pioneer Way, Oak Harbor, WA
40. Whidbey Wild Bird Store	860 SE Pioneer Way, Oak Harbor, WA
41. Wind & Tide Bookshop	790 SE Pioneer Way, Oak Harbor, WA
42. Youth Dynamics	830 SE Pioneer Way, Oak Harbor, WA

Enclosure 6



830	21
830	20
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930	14
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1000	10
1050	9
1050	7
1090	6
1091	6
1091	5
910	4
910	3
930	2
940	1

This sketch is furnished for information purposes only to assist in property location with reference to streets and other parcels. It is not guaranteed as accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

IS-103339

**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 22 nd day of June, 2016, 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 16-02 (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 June, 2016, in Oak Harbor, Washington.



(Signature of person mailing)

Aikido Kenjutsu Jodo
710 SE Fidalgo Ave
Oak Harbor, WA 98277

Allure Salon & Spa
841 SE Pioneer Way
Oak Harbor, WA 98277

Baby N Me
790 SE Pioneer Way
Oak Harbor, WA 98277

Bayside Tattoo
749 SE Fidalgo Ave #101
Oak Harbor, WA 98277

Bayview Embroidery & Print
890 SE Pioneer Way #101
Oak Harbor, WA 98277

Captured Moments Photography
910 SE Pioneer Way #2
Oak Harbor, WA 98277

Collage
861 SE Pioneer Way #2
Oak Harbor, WA 98277

CreAda Styles & Cutz
890 SE Bayshore Dr #3
Oak Harbor, WA 98277

Credit Bureau of Island County
1175 SE Ireland St #201
Oak Harbor, WA 98277

DAHL Photography & Frames
715 SE Fidalgo Ave #104B
Oak Harbor, WA 98277

Diva Lounge Salon
791 SE Fidalgo Ave #202
Oak Harbor, WA 98277

Express Yourself Coffee Bar
860 SE Pioneer Way
Oak Harbor, WA 98277

Fantasia Dance and Motion Boutique
770 SE Pioneer Way
Oak Harbor, WA 98277

Gary Oak Gallery
830 SE Pioneer Way #101
Oak Harbor, WA 98277

Gizmo Skate Shop
830 SE Pioneer Way #105
Oak Harbor, WA 98277

Go Realty
860 SE Bayshore Dr
Oak Harbor, WA 98277

Heartbeat Safety Center
715 SE Fidalgo Ave
Oak Harbor, WA 98277

Indulge Spa & Salon
910 SE Pioneer Way #1
Oak Harbor, WA 98277

Island Custom Upholstery & Perfect Fit
729 SE Fidalgo Ave
Oak Harbor, WA 98277

Just Because Gifts
810 SE Pioneer Way #101
Oak Harbor, WA 98277

Lotus Tea Bar & Studios
710 SE Fidalgo Ave
Oak Harbor, WA 98277

Mr. Music
861 SE Pioneer Way #101
Oak Harbor, WA 98277

North Whidbey Help House
1091 SE Hathaway St
Oak Harbor, WA 98277

Oak Tree Antiques
860 SE Pioneer Way #103
Oak Harbor, WA 98277

Off the Hook
880 SE Pioneer Way
Oak Harbor, WA 98277

Paint Your World
860 SE Pioneer Way
Oak Harbor, WA 98277

Popsies
851 SE Pioneer Way
Oak Harbor, WA 98277

Purple Moon
830 Se Pioneer Way #109
Oak Harbor, WA 98277

Red Boutique
851 SE Pioneer Way #102
Oak Harbor, WA 98277

Salon Lux
780 SE Pioneer Way
Oak Harbor, WA 98277

Salon Nostra
715 SE Fidalgo Ave #202
Oak Harbor, WA 98277

Salon Seven
715 SE Fidalgo Ave
Oak Harbor, WA 98277

Steve Richardson Insurance
860 SE Bayshore Dr
Oak Harbor, WA 98277

Sweet Rice Thai Cuisine
885 SE Pioneer Way
Oak Harbor, WA 98277

Tamayo's Restaurant
800 SE Pioneer Way
Oak Harbor, WA 98277

The Jewelry Gallery
830 SE Pioneer Way
Oak Harbor, WA 98277

The Terrace Wine Bar
791 SE Fidalgo Ave
Oak Harbor, WA 98277

Whidbey Beer Works
710 SE Fidalgo Ave #103
Oak Harbor, WA 98277

Whidbey Inspiration
810 SE Pioneer Way
Oak Harbor, WA 98277

Whidbey Wild Bird Store
860 SE Pioneer Way
Oak Harbor, WA 98277

Wind & Tide Bookshop
790 SE Pioneer Way
Oak Harbor, WA 98277

Youth Dynamics
830 SE Pioneer Way
Oak Harbor, WA 98277



June 22, 2016

**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 July 11, 2016 at 10:00 a.m., or as soon thereafter as possible following any preceding items, to consider the following item:

Church of Christ Conditional Use Permit – CUP 16-02

The Hearing Examiner will consider a conditional use permit application proposing to use 791 SE Fidalgo Avenue, Unit 103 for church related use. The church proposes to use an existing 1,050 square foot commercial space as a meeting hall and shared parking spaces associated with the building. The current proposal is to accommodate approximately 25 members. The proposal includes adult and children's church functions.

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.

**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 June, 2016 I provided written notice to the Whidbey News Times Legals (legals@soundpublishing.com); and

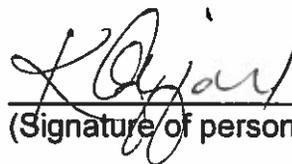
On the 22nd day of June, 2016, I did post 3 notices (a copy of which is attached hereto and by reference made a part hereof) at the following locations:

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 Conditional Use Permit CUP 16-02 before the Oak Harbor Hearing Examiner on July 11, 2016

Executed this 22nd day of June, 2016, in Oak Harbor, Washington.



(Signature of person posting)

**NOTICE OF PUBLIC HEARING BEFORE
HEARING EXAMINER**

HE 07-11-16

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 July 11, 2016 at 10:00 a.m., or as soon thereafter as possible following any preceding items, to consider the following item:

Church of Christ Conditional Use Permit – CUP 16-02

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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.

Kathy Gifford
Development Services
Admin Assistant
Posted on June 22, 2016

POSTED: City Hall Bulletin Boards
Sno-Isle Library Bulletin Board
www.oakharbor.org

EMAILED legals@soundpublishing.com

Remove: July 12, 2016