

**STAFF REPORT
CONDITIONAL USE PERMIT FOR LANY'S BEAUTY ACADEMY
(CUP-20-01)**

TO: City of Wenatchee Hearing Examiner
FROM: City of Wenatchee Community Development Department
RE: Public hearing for CUP-20-01
DATE: May 19, 2020

1. REQUESTED ACTION

Requested Action: Conduct a public hearing on an application for a Conditional Use Permit submitted by Forte Architects to allow the operation of an institute of higher education in an existing building at the property located at 420 Douglas Street, and identified by Assessor's Parcel No.: 22-20-10-590-016.

2. SITE INFORMATION

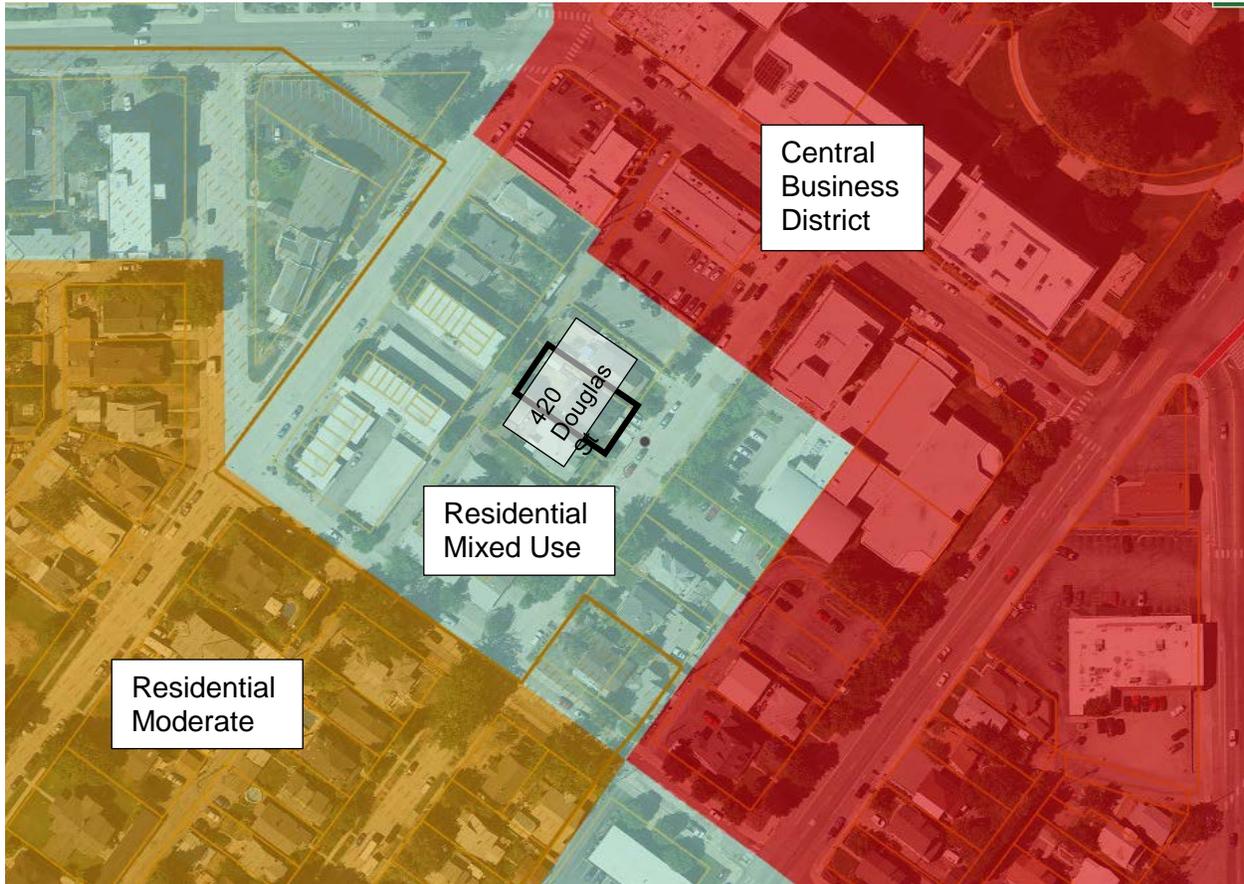
Applicant: Forte Architects
Owner: Lany and Lany Alvarez
Location: 420 Douglas Street and identified by Assessor's Parcel No.: 22-20-10-590-016
Zoning District: Residential Mixed Use (RMU)
Comp. Plan Designation: Residential Mixed Use (RMU)

Project Description: The City of Wenatchee received a Conditional Use Permit (CUP) application from Lany's Beauty Academy to operate a small cosmetology school in the existing building at 420 Douglas Street. The building was previously used as a single-family residence with a home-occupation, a one-chair hair salon business. The proposal is to convert the residence into a Beauty Academy and separate commercial salon space, both operated by the property owner, Lany Alvarez. The Beauty Academy will have a maximum capacity of six students and one full time employee (the property owner) and both businesses will operate primarily within standard business hours of 8:00am to 5:00pm. A building permit for interior improvements for the commercial salon portion has been submitted to the City of Wenatchee and is currently under review and pending additional information under permit number BPC-20-038. BPC-20-038 addresses landscape compliance and minor site improvements for parking. A separate commercial building permit for the remainder of the interior space to be used for the Beauty Academy is required prior to construction.

The proposed use meets the definition of "an institute of higher education," as described in WCC Chapter 10.08, Definitions. Institutes of higher education require a Conditional Use Permit in the Residential Mixed-Use zoning district. The application materials are included as Attachment A.

Site Characteristics and Surrounding Properties: The property is within the Residential Mixed Use (RMU) zoning district. There are no applicable overlays. The property is located at 420 Douglas Street, and accessed from Douglas Street as well as from an alley behind the property. Sidewalks along Douglas Street provide pedestrian access. The site is bordered by residential homes on both sides. Other land uses in the neighborhood and RMU zoning district include single family residences, multifamily housing, Chelan County administrative buildings, S.

Luke's Episcopal Church, Christopher House Group Home, and Columbia Valley Community Health, among others.



Site Permitting History:

Previously this property had a CUP approved in 2007 for a home occupation business, under CUP-07-01. The home occupation was a one-chair hair salon, and the property owners resided at the home full time. Once the property owners moved out of the home the home occupation business license was no longer valid and the structure is now being converted from a single-family dwelling to a commercial space. In 2007, after the approval of CUP-07-01 for the home occupation, a plumbing and building permit was issued for two hairwash sinks for the home occupation business under permit numbers PL07-3 and BP07-07.

The property owners also applied for residential building permits in 2018 to replace an existing deck cover (BPR-18-098) and for a family room addition (BPR-18-098). During final inspections of those permits, a code enforcement case CR-19-1067 and stop work order was initiated on 10/30/2019 for work beyond the scope of these permits. Unpermitted work included interior improvements for the conversion of the residential space to a Beauty Academy. The property owners are working to obtain after the fact permits and appropriate approval including this CUP. Currently an after the fact building permit is under review for the commercial salon space under permit # BPC-20-038. Previous unpermitted work in the Beauty Academy space of nail stations and hair sinks is shown in the demolition plan of BPC-20-038. Work included in BPC-20-038 consists of interior improvements to convert the area that was formerly a home-occupation

salon to a space usable as a commercial salon. Landscaping and parking improvements are required as part of the building permit, and largely consists of existing landscaping on site. Pending approval of the school CUP, owners will submit a building permit for conversion of the Beauty Academy space. The building permit submittal for the Beauty Academy space will include interior improvements including various types of nail stations and hairwash sinks in an appropriate number to support a maximum capacity of six students at any given time. The submittal of a commercial building permit has been included as a condition of approval for this CUP.

3. APPLICABLE POLICIES AND DEVELOPMENT REGULATIONS

The proposed action is subject to land use policies and provisions of the City of Wenatchee Urban Area Comprehensive Plan and zoning and development regulations of the Wenatchee City Code.

Wenatchee Urban Area Comprehensive Plan

In addition to the general goals and policies of the Growth Management Act and Wenatchee Urban Area Comprehensive Plan which state growth shall take place where adequate public facilities exist and are able to serve existing and future growth, the following goals and policies are relevant to this application:

Land Use/ Urban Growth Area Element

Goal 3. Arterial Corridors – Provide opportunities for infill, redevelopment and neighborhood services along the city 's arterial corridors that traverse residential neighborhoods

Policy 1. New services, conveniences, and or gathering places will be supported in an existing neighborhood that lacks such facilities, provided they meet performance and architectural standards respecting the neighborhood's positive characteristics, level of activity, and parking and traffic conditions.

Goal 12. Residential Development – Promote increasingly attractive neighborhoods with convenient access to services.

Policy 6. New non-residential development in existing neighborhoods should be designed (landscaping and building design) and operated (traffic, noise, lighting, hours) to be compatible with the existing neighborhood. Compatibility for design can take the form of guidelines which objectively define a range of acceptable neighborhood non-residential building types and architectural details.

Economic Development Element

Goal ED 2: Expand and improve educational facilities and opportunities to increase skilled labor, research, basic and higher education.

Policy 2: Work with local K-12 schools, Wenatchee Valley College, job training programs and other organizations to expand and strengthen career and technical education opportunities.

Policy 3: Support and partner with higher education, skills training programs, to increase post-secondary education attainment.

Wenatchee City Code

Wenatchee City Code sections which apply to this project are described below. Table 2, in Section 5, provides a detailed summary of the proposed project's consistency with the applicable standards.

Definitions and District Use Chart

Wenatchee City Code (WCC) Section 10.08.080"l", defines an 'institution of higher education" to mean:

"Institution of higher education" means a public or private university, community college, technical college, and/or vocational and other educational institution beyond high school."

WCC Section 10.10.020, District Use Chart, requires a Conditional Use Permit for institutes of higher education in the RMU zoning district.

Development Standards

WCC Chapter 10.20, Residential Mixed Use and Section 10.46.020, Residential development chart address development standards for the subject zoning district. Parking requirements are provided in WCC Chapter 10.60 and landscaping is addressed in WCC Chapter 10.62.

Conditional Use Permit Requirements and Criteria

All conditional use permit applications must meet the general requirements in WCC 10.65.050 and be evaluated by WCC 10.65.060 "General Criteria." The project is also subject to specific conditional use permit criteria for institutes of higher education, provided in WCC Section 10.65.170

Shorelines, Resource Lands and Critical Areas

The subject site is outside of the 200' shoreline jurisdiction and is not identified within the current critical area maps used by the City. Additionally, the following specific provisions of WCC Section 10.65.170 Institution of higher education, are applicable.

4. PUBLIC NOTICE AND ENVIRONMENTAL REVIEW

Table 1. Procedural Steps and Dates

Application Submitted:	March 16, 2020
Determination of Completeness:	March 19, 2020
Notice of Application:	Notice was mailed to property owners/taxpayers within 350 feet of the subject property, posted on the subject property, and referred to relevant agencies on March 23, 2020
Notice of Public Hearing:	Notice was mailed to property owners/taxpayers within 350 feet of the subject property on May 13, 2020 and published in the Wenatchee World newspaper on May 15, 2020.
Public Hearing:	The public hearing is scheduled for May 26, 2020 at 3:00p.m. at Wenatchee City Hall, Council Chambers, 301 Yakima Street, Wenatchee, WA.

The public and relevant agencies have been given an opportunity to comment on the proposal. Comments have been included as Attachment B.

Public Comments: One public comment was received from the property owner at 416 Douglas stating concern about the fence on the north property line.

Agency Comments: No agency comments were received.

Environmental Review includes State Environmental Policy Act (SEPA): The application is categorically exempt from the State Environmental Policy Act (SEPA), pursuant to WAC 197-11-800(6)(b)(i), which exempts land use decisions for activities conducted within an existing building.

5. PROJECT ANALYSIS

In review of this proposal it is important to consider the goals and policies of the Comprehensive Plan, applicable codes, public and agency comments, any identified environmental concerns, and state and federal requirements. Identified below is planning staff’s analysis and consistency review for the subject application.

Comprehensive Plan consistency analysis:

Land Use/ Urban Growth Area Element - This application proposes the use of a building that was previously a residential dwelling as a small cosmetology school, which meets the definition of an institute of higher education. The subject property is located in a mixed-use zoning district, surrounded by single family dwellings, multifamily dwellings, and commercial land uses. The Comprehensive Plan encourages infill, redevelopment and neighborhood services along the city’s arterial corridors that traverse residential neighborhoods. This particular property is in a mixed-use zoning district that is between a residential zoning district (Residential Moderate) and a commercial zoning district (Central Business District). As such, it is an appropriate place for a commercial salon and institute for higher education. The proposed use should be compatible with the neighborhood and surrounding uses. In this case, the operations of the beauty academy are proposed to be primarily during daytime hours, during the week. The majority of the parking is provided in the rear of the building and accessed from the alley, and will have appropriate screening pursuant to WCC 10.20(4)(b), which requires a sight-obscuring fence or hedge along the side property lines. There is adequate space for parking, as parking for the beauty academy and hair salon is provided in accordance with WCC 10.60, Off-Street Parking. No exterior building modifications are proposed, and the structure retains the appearance of a single-family residence, which enhances compatibility with the residential mixed-use neighborhood. Street frontage landscaping is provided pursuant to WCC 10.62.090.

Economic Development Element - The Economic development element goal 2, policy 3 encourages skills training programs with the aim to increase post-secondary education attainment. As a cosmetology school, the Beauty Academy is a post-secondary education establishment, and will provide vocational skills and career training.

Wenatchee City Code consistency analysis:

Table 2, below, provides a detailed summary of the applicable development standards and consistency of the proposed project.

Table 2. Consistency with Applicable Development Standards

WCC Chapter 10.20 Residential Mixed Use			
Applicable Standard	Required	Proposed	Complies?
RMU Off-street parking	Parking that is accessed by a side	3 parking spaces are accessed by the alley,	Yes

	street or an alley may be provided at 80 percent of the requirement.	one space in front of the garage is provided in the front.	
	For parking areas of less than six cars, a sight-obscuring fence or hedge shall be provided along the side property lines of the parking area at the maximum height allowed in a residential zone	Existing fencing satisfies this requirement and shall be shown on the site and landscape plan of the building permit submittal.	Yes
	All required parking shall be improved with a durable, dustless surface of asphalt, concrete, or grass-crete and adequately drained.	Rear parking area will be improved with grasscrete	Yes
WCC Chapter 10.60, Parking			
Applicable Standard	Required	Proposed	Complies?
Parking spaces	2 parking spaces High school, vocational and college: 1 space per 3 students and FTE. (6 students + FTE = 2 spaces)	4 spaces total for property not including the garage 2 for Beauty Academy (6 students) 2 for commercial salon (270 square feet)	Yes
WCC Chapter 10.62, Landscaping			
Applicable Standard	Required	Proposed	Complies?
Street frontage	Six-foot wide (average) area of landscaping along the street right of way	Existing street frontage planting area of sufficient size and planting materials to satisfy this requirement	Yes

Conditional Use Permit Requirements and Criteria

The general criteria for conditional use permits in WCC Section 10.65.060 requires that the proposal is compatible with adjacent uses and will protect the character of the surrounding area, will not result in the creation of nuisances to the public and/or nearby properties and existing uses, and will not result in undue adverse impacts affecting the public health, safety, and welfare. The property is located within the Residential Mixed-Use zoning district, and surrounding properties are a mix of residential and commercial. The proposed use is compatible with the mixed-use character of the surrounding neighborhood. The structure will retain the

appearance of a single-family residence from the exterior, and the limited number of students will not create a nuisance to the public or nearby properties.

The project is also subject to specific conditional use permit criteria for institutes of higher education, provided in WCC Section 10.65.170 Institution of higher education:

(1) Off-street parking shall be provided as prescribed in Chapter 10.60 WCC;
Project compliance: Parking shall be provided as prescribed in WCC Chapter 10.60. Two parking spaces are provided for the Beauty Academy, and a total of four parking spaces provided on site.

(2) Minimum Setback Distance.

(a) Street: same as required in the underlying zoning district;

(b) Rear and side: same as required in the underlying zoning district, plus one-half foot for each foot by which the building height exceeds 20 feet where a rear or side yard adjoins an RF, RS, RL or RM district;

(3) Maximum building height, RS, RL and RM: 40 feet. Other districts: same as the height limitation of the zoning district for other buildings;

Project compliance: the proposed use is within an existing structure, and complies with the setback and height limitations in RMU.

(4) All bus loading areas shall be located off the public right-of-way;

Project compliance: no bus loading areas are needed or proposed. Any students wishing to use public transit may access Link Bus routes #5, #7 or #24 at the transit stop located 0.1 miles away at Washington St and Orondo Ave.

(5) Landscaping and Screening. The development shall comply with Chapter 10.62 WCC, Landscaping Standards, as amended;

Project compliance: Proposed landscaping meets the Landscaping Standards in WCC 10.62.090. The only applicable landscape standard is street frontage landscaping, and existing landscaping within the front yard meets this requirement.

(6) Architectural Scale. New nonresidential buildings in the RS, RL, RM, and RH zoning districts shall meet WCC 10.48.270. Deviations to these standards may be considered where the applicant can demonstrate that the change or deviation in design is either necessary due to the inherent function of the facility, and/or the change provides for equal or greater compatibility with the character of the surrounding neighborhood. Consideration of such a deviation shall include an informal design review workshop recommendation of the planning commission, where input from the surrounding neighborhood shall be solicited, and incorporated in staff analysis before the hearing examiner.

Project compliance: Not applicable: proposed use is within an existing structure in the RMU zoning district.

V. RECOMMENDATION

As conditioned below, this application does not appear to be detrimental to the general public health, safety or welfare and meets the basic intent and criteria associated with Title 10 of the Wenatchee City Code. Staff recommends **approval** of CUP-20-01 subject to the following findings of fact, conclusions of law, and suggested conditions:

This recommendation is based on the following findings of fact:

1. An application was submitted by Forte Architects on behalf of the property owners Lany and Luis Alvarez, on March 16, 2020 for a Conditional Use Permit to allow the operation of an institute of higher education in an existing building at the property located at 420 Douglas Street (APN: 22-20-10-590-016)
2. The application has been processed as a Type III quasi-judicial review for conditional use permits pursuant to WCC Section 13.09.050; a public hearing is required for the application and is scheduled to occur on May 26, 2020.
3. The subject property is located within the Residential Mixed Use (RMU) zoning district
4. The Wenatchee Urban Area Comprehensive Plan land use designation is RMU.
5. Institutes of higher education are permitted as a Conditional Use in the RMU.
6. The applicant is Forte Architects.
7. The property owners are Lany and Luis Alvarez.
8. The proposal is consistent with the goals and policies of the Wenatchee Urban Area Comprehensive Plan.
9. The proposal is consistent with the provisions of Wenatchee City Code Title 10, Zoning.
10. The application is categorically exempt from the State Environmental Policy Act (SEPA), pursuant to WAC 197-11-800(6)(b)(i), which exempts land use decisions for activities conducted within an existing building.
11. No outside agency comments were received.
12. A public comment was received from the property owners at 416 Douglas Street requesting that the location of the fence and property line be verified.
13. Donald Nelson on behalf of City of Wenatchee Public Works stated no comments.
14. A comment was received from Chris Hanson on behalf of City of Wenatchee Building Division stating that applicants must obtain a commercial building permit & certificate of occupancy for a change of use from a single-family residence to a commercial salon. BPC-20-038 for the commercial salon is under review and pending additional information, and an additional commercial building permit will be submitted for the Beauty Academy space following CUP approval.
15. The conditional use permit supersedes CUP-07-01 and shall run with the land and is transferable to future property owners.
16. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

This recommendation is based upon the following suggested conclusions:

1. The City of Wenatchee Hearing Examiner has been granted the authority to render this decision pursuant to WCC 1.09.070.

2. As conditioned, the proposal is consistent with the intent, purposes, and regulations of the Wenatchee City Code and Comprehensive Plan.
3. As conditioned, this proposal meets the general and specific conditional use criteria for WCC Section 10.65.170, Institutes of Higher Education
4. The conditional use permit will run with the land.
5. As conditioned, this proposal is consistent with applicable federal and state laws and regulations.
6. Comments from the reviewing agencies have been considered and addressed where appropriate.
7. As conditioned, the proposal will not be significantly detrimental to the public health, safety and welfare; diminish the value of nearby property or improvements; or disturb persons in the use of property unless the conditional use is a public necessity.
8. As conditioned, the proposal has been designed to minimize adverse effects on neighboring properties, to include at minimum the effects of lighting, transportation, noise, odor, dust, and appearance.
9. The conditions of approval are the minimum necessary to ensure the proposal will comply with all applicable laws and regulations.
10. All conditions place upon the proposed use are conditions that are measurable and can be enforced and monitored.
11. Public use and interests will be served by approval of this proposal.
12. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

This recommendation is based upon the following suggested Conditions of Approval:

1. The project shall proceed in substantial conformance with the plans and application materials on file and submitted on March 16 2020, except as amended by the conditions herein. Any amendment or change to the project which may substantially modify the site plan, affect the overall project character, or increase the site capacity will require an amendment to this Conditional Use Permit.
2. A commercial building permit is required to be submitted and approved by the City prior to interior improvements and operation of the Beauty Academy.
3. Applicant must maintain a valid business license for the operation of the Beauty Academy and commercial salon.
4. Student capacity shall be limited to six students at any one time based on the availability of parking spaces provided.
5. The applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
6. The property owner shall maintain compliance with the standards of WCC Title 10, Zoning and conditions of the conditional use permit at all times. Violation of the terms of the permit and/or requirements of the WCC not expressly modified by the permit shall be processed as a violation pursuant to WCC Chapter 13.13, Enforcement and Penalties.

Attachments:

- A. Application materials
- B. Public comment letter
- C. Board of Adjustment minutes and conditions of approval for CUP-07-01

MAR 16 2020



City of Wenatchee

Department of Community and Economic Development

Planning Division

1350 McKittrick Street, Suite A

Wenatchee, WA 98801

(509) 888-3200

LAND DEVELOPMENT PERMIT APPLICATION

Date Stamp

Accepted By: LL

Receipt No. PL 20-00009

File No. CUP-20-01

TYPE OF PERMIT YOU ARE APPLYING FOR:

Major Subdivision Short Plat Binding Site Plan Variance

Final Plat Final Short Plat Final Binding Site Plan Conditional Use

Plat/Binding Site Plan Alteration Plat/Binding Site Plan Vacation Planned Development

In addition to this form, submit all applicable items on the corresponding checklist for a complete application.

GENERAL INFORMATION

Applicant: Forte Architects

Mailing Address: 240 N Wenatchee Ave

Contact No.: (509) 293-5566

E-mail Address: lenka@fortearchitects.com

Property Owner(s): Lany and Luis Alvarez

*If different than applicant

Mailing Address: 420 Douglas Street

Contact No.: (509) 264-2540

E-mail Address: alvarezlany@gmail.com

If there is more than one property owner, submit the supplemental additional owner(s) and authorization form.

Complete section if an agent is acting for the applicant or owner during the permit process:

Authorized Agent: Forte Architects

Mailing Address: 240 N Wenatchee Ave

Contact No.: (509) 293-5566

E-mail Address: alvarezlany@gmail.com

Surveyor: McNeill & Co.

Washington Registration #: _____

Contact No.: (509) 884-6563

E-mail Address: brian@mcneillsurveys.com

Engineer: _____

Washington Registration #: _____

Contact No.: _____

E-mail Address: _____

Please indicate who should receive correspondence and notices:

Applicant
 Surveyor

Owner
 Engineer

Authorized Agent

PROPERTY INFORMATION

Street Address(es): 420 Douglas Street

Parcel No(s): 53957

Abbreviated Legal Description: GREAT NORTHERN AMENDED BLOCK 20 LOT 10-11 0.1400 ACRES

Total site size in acres: .14

Zoning District Designation: _____

Overlay District: _____

Comprehensive Plan Designation: _____

Shoreline Environmental Designation: _____

Wildland-Urban Interface: _____

Critical Areas: _____

ACKNOWLEDGEMENTS AND SIGNATURES

I (We) acknowledge that:

1. The information, plans, maps and other materials submitted on and with this application are, to the best of my/our knowledge, a true and accurate representation of this proposal;
2. This application shall be subject to all additions to and changes in the laws, regulations and ordinances applicable to the proposed development until a determination of completeness has been made pursuant to Chapter 13.07 Wenatchee City Code;
3. City of Wenatchee does not guarantee success of this permit application, and/or the issuance of an affirmative notice of action. The City's assistance to the applicant(s)/owner(s) does not preclude the need to address impacts raised by the public or by other federal, state or local agencies;
4. In the event of any legal proceeding to challenge this application, any environmental determination or any other aspect of the proposed development, the Applicant(s)/Owner(s) shall be solely responsible to defend such challenge and pay all court costs and attorney's fees necessary for such defense;
5. If the Applicant is not the owner of the real property which is the subject of the permit application, this application and acknowledgment shall also be executed by each owner;
6. All persons executing this acknowledgment in a representative capacity shall be personally liable and hereby personally guarantee payment of all fees, expenses and costs required by this application.
7. If the applicant(s), representative(s) and/or owner(s) fail to respond to a request by the Department to submit necessary application materials identified in a Notice of Incomplete Application within 60 days will result in a null and void application, with no refund of the filing fees.
8. This application does not constitute approval of the proposed development activity and it is acknowledged that additional permit applications and approvals may be necessary to conduct specific activities.
10. During the review of this application, it may be necessary for staff to make one or more site visits. By signing this application form, you are giving permission for these visits. If it is rental property, the owner hereby agrees to notify tenants of possible site visits.

Date: 3/16/2020 Applicant Signature: Linda Harmela

Date: 3/16/202 Agent Signature: Linda Harmela

Date: 3-15-2020 Owner Signature: [Signature]

1956 – Lany’s Salon
420 Douglas Street, Wenatchee, WA 98801
Project Narrative

The project will consist of documentation of work that has been done previously for approximately 1,600 gross square feet of a Beauty school and Salon located at 420 Douglas Street. The program consists of converting a previously residential home into a commercially compliant structure. There are two independently functioning spaces on the main floor, the Salon and Beauty School. Both meet the current code requirements of accessibility. The basement and loft levels will be kept as a private space and will not be accessible to the public. No work was done in these areas. The Salon space consists of approximately 270 square feet and includes a single hair wash station, styling station, small reception area, and accessible restroom. The Beauty school, consisting of approximately 1,330 square feet, separated from the Salon by a door, includes 10 styling stations, 8 nail stations, 5 hair wash stations, a small kitchenette/break area and an accessible restroom. The Salon and Beauty School are accessible from the public right-of-way. The accessible ramp provides spaces from the public right-of-way to at least 60% of the entrances. 80% of the required parking is located in the alley and 20% is located off Douglas Street.

1956 – Lany’s Salon
420 Douglas Street
Stormwater Memo

The sources of runoff are limited to stormwater from rooftops and hard surfaces. Pervious surfaces have been added to help with drainage, compared to the existing conditions. Grasscrete will also be added to the parking area to allow to natural stormwater drainage. It is unlikely that waste materials will enter ground or surface water as a result of the proposed site change for the project. The proposed site also does not alter or otherwise affect drainage patterns within the site.



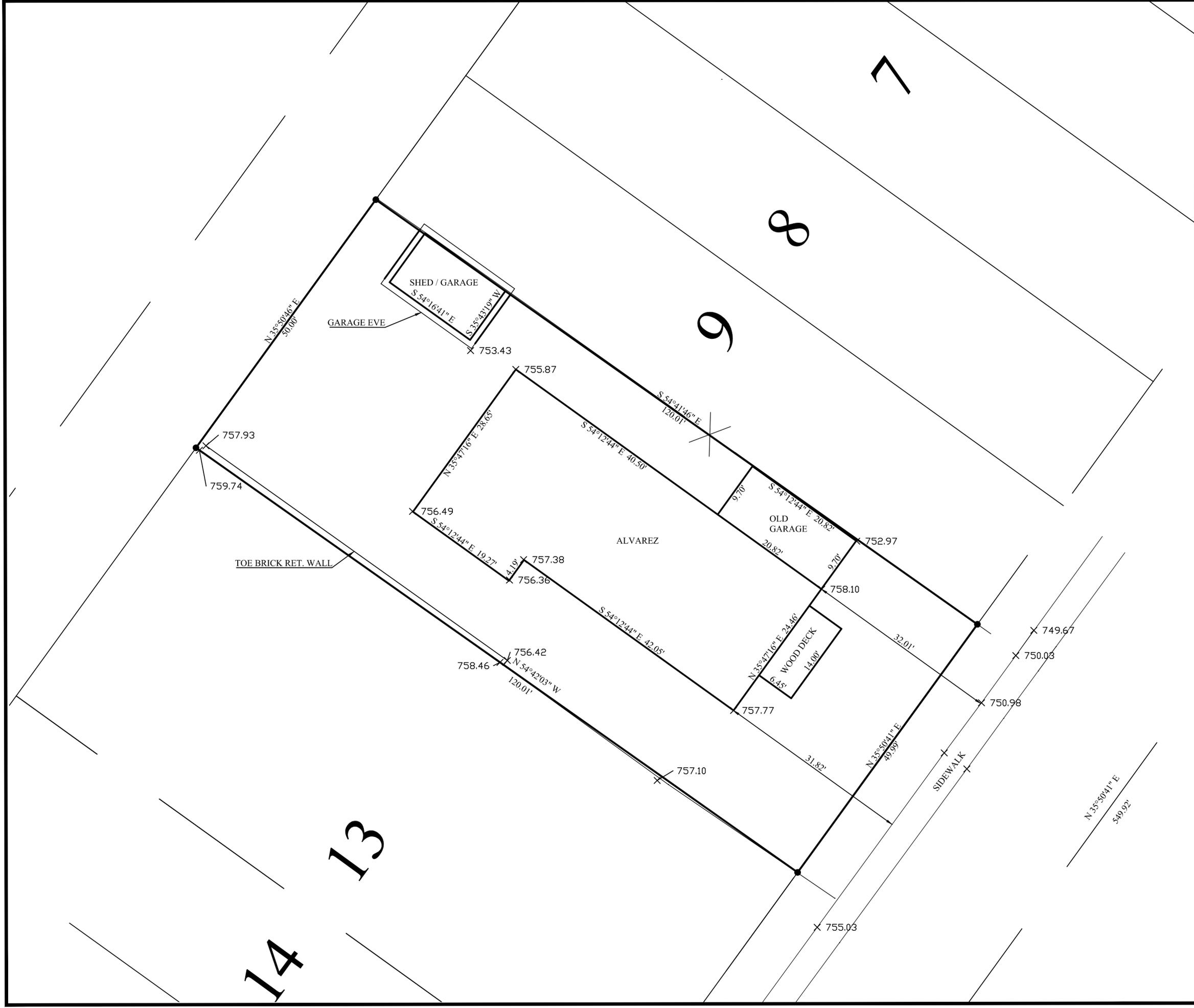
McNeill & Co.
LAND SURVEYORS
410 Erika Ln Wenatchee WA 98801
509-884-6563 McNeillSurveys.com



TOPO SURVEY FOR ALVAREZ
LOTS 8 & 9, BLOCK 20, AMENDED GREAT NORTHERN PLAT
NE 1/4 NW 1/4 SEC. 10, TOWNSHIP 22 N, RANGE 20 E, W.M.
CITY OF WENATCHEE, CHELAN COUNTY, WASHINGTON

PROJ. NO. 20003

Sheet 1 of 1



From: [ana cortes](#)
To: [Lexine Long](#)
Subject: CUP-20-01/420 Douglas st
Date: Wednesday, March 25, 2020 11:09:08 AM

CAUTION: This email originated from outside of the City of Wenatchee. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Lexine Long,

On behalf of my parents Manuel and Rocio Rivas owners of 416 Douglas st, please take in to consideration the comments and pictures listed below.

As you can see in the picture below the property has been marked with a bright pink dot to demonstrate where the property lots divide. However some issues have come up since they have been remodeling the interior and exterior of the home. The property owners at 420 Douglas st. Have been spoken to in regards to a fence that has been moved. The female owner has been very disrespectful and indicates that the steak is where the property divide however as you can see on the picture below a bright pink dot has been marked as otherwise.



The picture below shows a new fence that was put up prior to the dot and post Marking the property lines being placed. The owners were told to stop work and hire somebody to find a property line first, however they ignored our request. The fence was moved a foot past the original fence that was once up the original post has been covered with wood boxes on their side of the fence. In addition the bottom of the fence it's not fully blocking the bottom allowing for our dog to possibly be in their property if not covered properly. In addition the fence that was put up it's practically touching the porch and we did tell

them that snow accumulates and we would not be responsible if the fence gets damage.



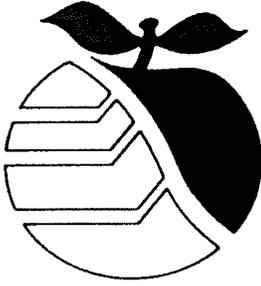
Below you can see where the fence was put in two different positions the one by the yellow post had an old fence that was originally there. As you can see there is a pink post as well where the property divides and can see the fence was placed a foot into the property so it could be straight to their liking.



We do not wish to stop a process of converting the home into a business good for them. We only asked if the fences moved back to its original location and that there is no gap below the fence. If the fence is actually in the correct location we only ask for a certified letter from the surveyor as proof and want to be submitted with the city as record.

We do also want to point out that with the county business there is already limited space for parking. We have had our driveway blocked multiple times and have needed to call the tow truck to have vehicles removed. With the business going next-door we can only imagine that there will be less parking than there already is.

Best regards,
The Rivas Family.
Sent from my iPhone



CITY OF WENATCHEE

DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION (509) 664-3389

NOTICE OF DECISION

FILE # CUP 2007-1

On March 6, 2007 the WENATCHEE Board of Adjustment **approved** the above referenced application that proposed a home occupation.

These decisions may be appealed by filing the appropriate documents with the Chelan County Superior Court, within 21 days of the date of the decision.

Please contact Chris Hanson, Plan Review Specialist, at the Department of Planning and Development, 664-3391, with any questions.

The following conditions apply to the approval of this conditional use permit:

CONDITIONS:

1. That all minimum conditions as established for a home occupation by the Wenatchee Zoning Code, #3070, be continually maintained.
2. Incorporate an 18'x18' parking area (2 spaces) as shown on aerial photo.
3. Sunset Clause has been imposed. If the owner moves from the property permit will expire.

FINDINGS:

1. The subject property is located in the Residential R-3 zoning district within the City of Wenatchee.
2. A complete application was submitted in accordance with Wenatchee Zoning Ordinance, at least thirty- (30) days prior to the Board of Adjustment hearing.
3. Appropriate notice of application and public hearing was sent in accordance with Wenatchee Zoning Ordinance #3070.
4. In accordance with the State Environmental Policy Act (SEPA), an Environmental Checklist was submitted with the application materials and reviewed by staff.

CONCLUSIONS:

1. The Residential, High Density (R-3) zoning district allows home occupations as a conditional use.
2. The application conforms to the requirements for a home occupation as detailed in the Wenatchee Zoning Ordinance #3070.
3. The SEPA Environmental Checklist for this project has been evaluated and a determination of environmental non-significance was issued on January 25, 2007.

4. The granting of said Conditional Use Permit, as conditioned, will not be unduly detrimental to the purpose of the Comp Plan or to adjacent and surrounding properties.

Respectfully Submitted,
WENATCHEE BOARD OF ADJUSTMENT

Chris Hanson
Plan Review Specialist

HOME OCCUPATION
Salon
420 Douglas

SUMMARY OF REQUEST

Description of Request: The applicant proposes to use a portion of an existing single-family residence for a salon.

Staff Analysis: Application meets minimum Zoning Ordinance requirements with conditions.

GENERAL INFORMATION

Applicant: Lany Camacho
420 Douglas
Wenatchee, WA 98801

Location and/or legal description: 420 Douglas

Existing Zoning: Residential, High Density (R-3)

Comprehensive Plan Designation: Residential, High Density (R-3)

Resource Lands and Critical Areas: N/A

SEPA: Based on the Environmental Checklist submitted with the application materials, a determination of environmental non-significance for this project was issued on January 25, 2007, the findings and conclusions resulting from this determination process have been included as a part of the record.

Enabling Codes: Wenatchee Zoning Ordinance #3070, Section VII/B/3/e.

Notice: Notice of Application and Hearing was sent by mail to property owners within 300' of the subject property on January 26, 2007.

Hearings: The Wenatchee Board of Adjustment will hold an open record decision making hearing on February 27, 2007 at 4:00 P.M. at Wenatchee City Hall, 129 South Chelan Street. Decisions made by the Board of Adjustment are final and may be appealed by Writ of Review to the Chelan County Superior Court by filing within twenty-one (21) days of the Boards decision.

FINDINGS OF FACT:

Site Description: The subject property is located in the center of the 400 block of Douglas. The property is approximately 5,945 square feet and is improved with a single-family residence.

Site History: The site area was platted in 1892 in Kittitas County. Records do not show when the residence was built, but has had misc. permits taken out over the years.

Zoning: 420 Douglas is located in the R-3 zoning district.

The Wenatchee Zoning Ordinance provides the following minimum conditions for home occupations in the R-1 zoning district:

Any Conditional Use shall meet the dimensional requirements of the zone in which it is located, Section IX.A (Off-street Parking) of the Zoning Ordinance, as well as the requirements listed below:

1. Applicable districts: RS, R-1, R-2 and R-3
2. Minimum conditions:
 - a. The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes with not more than fifty (50) percent of the floor area of one floor being used in the active conduct of the home occupation. Detached accessory structures shall not be used for a home occupation.
 - b. No structural alterations shall be allowed except when otherwise required by law.
 - c. No persons other than residents of the structure and one (1) outside employee may be employed in the home occupation.
 - d. There shall be no change in the outside appearance of the building or premise or other visible evidence of the conduct of such home occupation other than one (1) sign not exceeding six (6) square feet in area, non-illuminated, and mounted on the building.
 - e. There shall be no window display and no sample commodities displayed outside of the building.
 - f. The home occupation shall not be operated in such a fashion as to generate greater traffic volume than would normally be expected in a residential setting.
 - g. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference or causes fluctuations in line voltage off the premises.
 - h. No equipment or employees shall be dispatched from the residential premises, except the owner and owner's vehicle.

Adjacent land uses: Land uses in the near vicinity are residential, commercial, Public facility buildings. The property to the adjacent to the west of 420 Douglas is zoned commercial.

Referral Agency Comments

None

ANALYSIS

The proposal, as submitted, meets the standards imposed by the zoning ordinance for a Home Occupation.

Any Conditional Use shall meet the dimensional requirements of the zone in which it is located and Section IX.A (Off-street Parking) of the Wenatchee Zoning Ordinance:

The conditional use does not propose any changes to the existing dimensions of the lot, density, building height, lot coverage, or setbacks.

Off-street parking standards for a home occupation are per Board of Adjustment requirements. Parking standards for a single family residence are 2 spaces per dwelling unit.

1. Applicable districts: RS, R-1, R-2 and R-3

1018 Idaho is located in the R-3 district.

2. Minimum conditions:

a. The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes with not more than fifty (50) percent of the floor area of one floor being used in the active conduct of the home occupation. Detached accessory structures shall not be used for a home occupation.

One room is being used for the business less than 50% of the floor area.

b. No structural alterations shall be allowed except when otherwise required by law.

No structural changes are proposed. Permits have been issued for 2 shampoo sinks

- c. No persons other than residents of the structure and one (1) outside employee may be employed in the home occupation.**

The applicant does not state she will have an employee.

- d. There shall be no change in the outside appearance of the building or premise or other visible evidence of the conduct of such home occupation other than one (1) sign not exceeding six (6) square feet in area, non-illuminated, and mounted on the building.**

The application does not include the addition of a sign or other change in outside appearance. Any signage will follow the allowed by zoning

- e. There shall be no window display and no sample commodities displayed outside of the building.**

No window displays or sample commodities are proposed to be displayed outside of the building.

- f. The home occupation shall not be operated in such a fashion as to generate greater traffic volume than would normally be expected in a residential setting.**

According to the applicant, she will serve up to 2 persons at time.

- g. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference or causes fluctuations in line voltage off the premises.**

There should be no additional off-site impacts.

- h. No equipment or employees shall be dispatched from the residential premises, except the owner and owner's vehicle.**

The proposed home occupation does not include additional employees that could be dispatched from the residence.

CONDITIONS:

1. That all minimum conditions as established for a home occupation by the Wenatchee Zoning Code, #3070, be continually maintained.
2. Incorporate an 18'x18' parking area (2 spaces) as shown on aerial photo.

FINDINGS:

1. The subject property is located in the Residential R-3 zoning district within the City of Wenatchee.
2. A complete application was submitted in accordance with Wenatchee Zoning Ordinance, at least thirty- (30) days prior to the Board of Adjustment hearing.
3. Appropriate notice of application and public hearing was sent in accordance with Wenatchee Zoning Ordinance #3070.
4. In accordance with the State Environmental Policy Act (SEPA), an Environmental Checklist was submitted with the application materials and reviewed by staff.

CONCLUSIONS:

1. The Residential, High Density (R-3) zoning district allows home occupations as a conditional use.
2. The application conforms to the requirements for a home occupation as detailed in the Wenatchee Zoning Ordinance #3070.
3. The SEPA Environmental Checklist for this project has been evaluated and a determination of environmental non-significance was issued on January 25, 2007.
4. The granting of said Conditional Use Permit, as conditioned, will not be unduly detrimental to the purpose of the Comp Plan or to adjacent and surrounding properties.

Respectfully Submitted,
WENATCHEE BOARD OF ADJUSTMENT

Chris Hanson
Plan Review Specialist