



Community Development Department
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**STAFF REPORT
CONDITIONAL USE PERMIT FOR A MINISTRY BUILDING
AT GRACE CITY CHURCH
(CUP-24-04)**

TO: City of Wenatchee Hearing Examiner
FROM: City of Wenatchee Community Development Department
RE: Public hearing for CUP-24-04
DATE: July 12, 2024

1. REQUESTED ACTION

Conduct a public hearing on an application for a Conditional Use Permit for a new ministry building at Grace City Church, located at 277 Melody Lane and identified by APN 23-20-21-860-025.

2. SITE INFORMATION

Applicant / Owner: Grace City Church
Location: 277 Melody Lane and identified by APN 23-20-21-860-025
Zoning District: Residential Moderate (RM)
Comp. Plan Designation: RM

A. Project Description

The City of Wenatchee received a Conditional Use Permit (CUP) application to supersede CUP-22-02, for a new ministry building at Grace City Church, located at 277 Melody Lane. CUP-22-02 was approved by the Hearing Examiner on August 3, 2022 and amended by an agreed order filed by the Chelan County Superior Court on December 5, 2022.

This application proposes to increase the size of the ministry building from 12,000 square feet to 22,000 square feet. The building will be used for ministry activities, including Sunday school, prayer groups, Bible studies, corporate worship, conferences, evening classes (e.g., parenting, finances, marriage), youth groups, and pastoral offices. The proposed use meets the definition of "Place of Worship" in Wenatchee City Code Chapter 10.08 and requires a CUP in the Residential Moderate (RM) zoning district.

Attachment A, application materials, provides additional detail and plans for the modular buildings.

B. Project Background

A Conditional Use Permit application for a place of worship was processed by Chelan County in 2015 under CUP-2015-001. In 2017, the property was annexed into City of Wenatchee. Several building permits have been issued since annexation, including:

- A commercial building permit for the main church sanctuary and administration building issued in 2019 (BPC-18-198)
- A commercial building permit for the wedding chapel on the north parcel issued in 2019 (BPC-19-003)
- A commercial building permit for a storage building issued in 2021 (BPC-21-043), with a subsequent change of use issued in 2022 (BPC-21-179) for use of the building as a multi-purpose building

An additional Conditional Use Permit application for a day care in the main building was issued in 2022 under CUP-21-09.

Also in 2022, Grace City Church submitted an application (CUP-22-02) to construct a new 12,000 square foot building to be used as a children's training area. CUP-22-02 was approved with conditions by the Hearing Examiner on August 3, 2022. After a request for reconsideration and an appeal, the decision was amended by an agreed order filed by the Chelan County Superior Court on December 5, 2022 (No. 22-2-00726-04).

The current application (CUP-24-04) proposes to supersede CUP-22-02 and increase the size of the proposed new building from 12,000 square feet to 22,000 square feet. The application describes that the building will be used for ministry activities, including Sunday school, prayer groups, Bible studies, corporate worship, conferences, evening classes (e.g., parenting, finances, marriage), youth groups, and pastoral offices.

The application for a Conditional Use Permit was received on February 29, 2024. The application was determined complete on March 5, 2024 pursuant to Wenatchee City Code (WCC) Section 13.07.050. The application vested on the date a complete application was submitted and reviewed under the codes, regulations and other laws in effect on the date of vesting (WCC Section 13.07.050).

The notice of application and public hearing was distributed on March 21, 2024 and there was a public comment period through April 4, 2024. A notice of additional information was issued by staff on April 30, 2024, requesting clarification on the size of the proposed ministry building, revisions addressing the roof design (as required for nonresidential buildings in a residential district), and a complete Traffic Impact Analysis. A resubmittal was provided by the applicant on June 11, 2024, was reviewed by staff and no additional information was requested. The notice of public hearing was distributed on July 9, 2024 and the hearing is scheduled for July 23, 2024.

C. Site Characteristics

The property is located within the Residential Moderate (RM) zoning district. The project site is 10.14 acres, between the three parcels owned by Grace City Church. The parcel with the main church building where the new building will also be located is 4.21 acres. In addition to the main church building, there is a separate wedding chapel building and a multi-purpose building. The property has access at two points from Melody Lane.

D. Surrounding Properties

North: Residential and agricultural uses, within the Residential Moderate (RM) zoning district

East: Residential uses and light commercial uses, within the RM and North Wenatchee Business District (NWBD)

South: Vacant land and right-of-way (US Highway 2)

West: Residential uses, within the RM

Figure 1. Aerial image and zoning districts of proposed project area

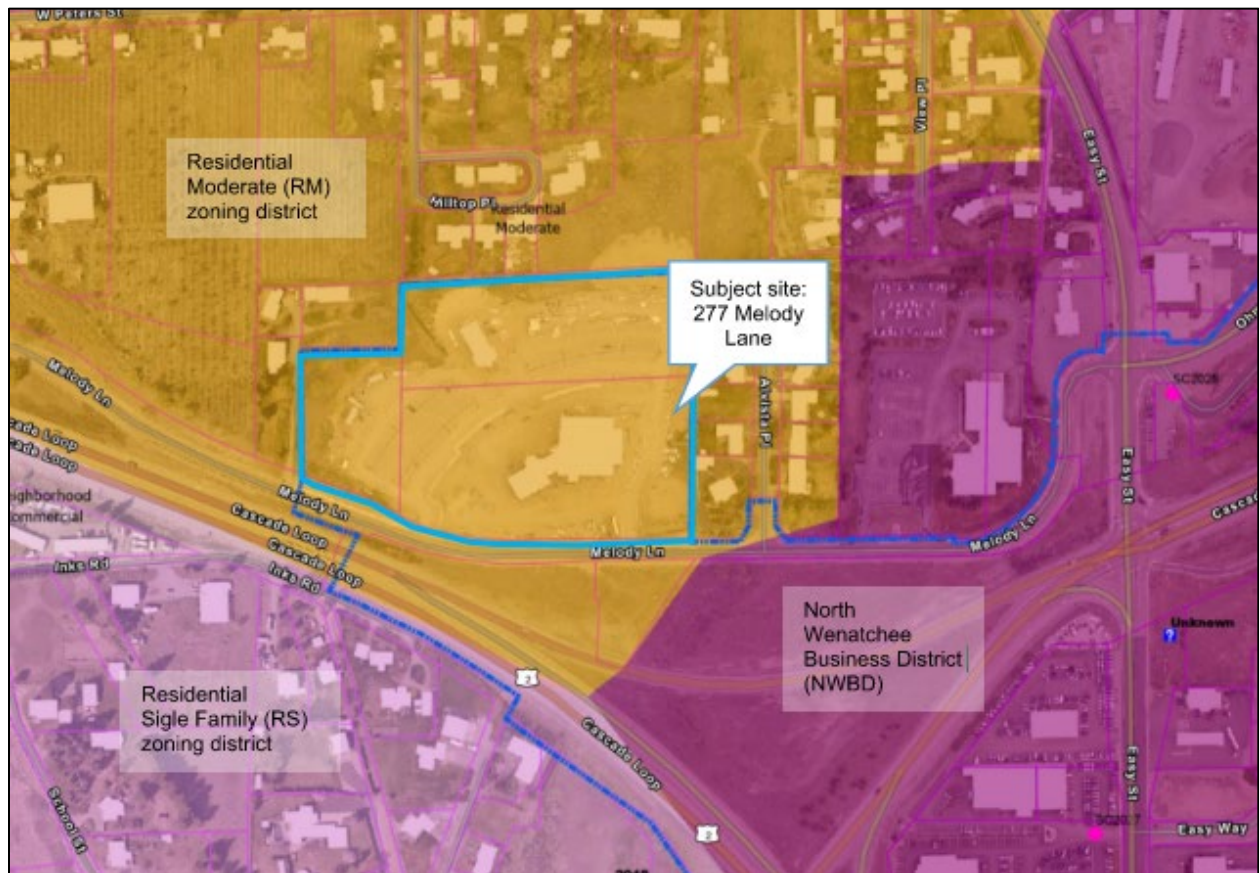
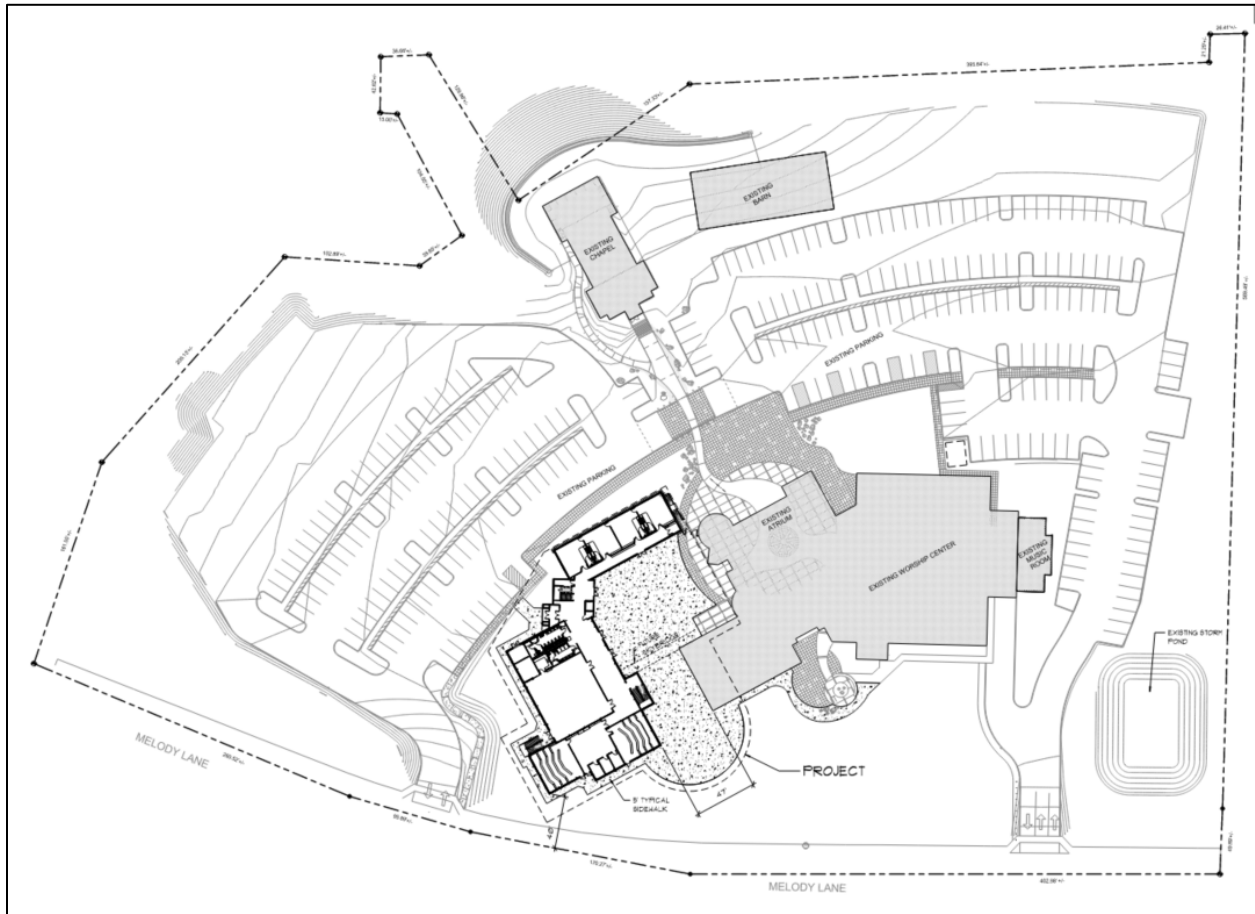


Figure 2. Proposed site plan for new ministry building



3. COMPLIANCE ANALYSIS OF APPLICABLE POLICIES AND 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.

A. 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 15. Neighborhoods – Utilize neighborhood planning as a way to tailor the comprehensive plan and implement it in areas that reflect the neighborhood's history, character, current conditions, needs, values, vision and goals.

Policy 4: New non-residential development in existing residential neighborhoods should be designed (landscaping and building design) and operated (traffic, noise, lighting, hours) to be compatible with the existing neighborhood.

Project compliance: The proposed project, a ministry building at the existing Grace City Church, is considered non-residential development in an existing residential neighborhood. The project is within the Residential Moderate (RM) land use designation, which allows for a range of residential development types and compatible uses. The ministry building, with ancillary uses proposed to support the use of the property as a place of worship (WCC Section 10.08.115), shall utilize design standards for non-residential development in the RM zoning district.

Operations (traffic, noise, lighting, hours) will be consistent with current service operations and with the criteria for places of worship in residential neighborhoods (WCC Section 10.65.080):

Traffic. A Traffic Impact Analysis (TIA) has been prepared pursuant to WCC Section 13.32.090. There is not an anticipated increase in site capacity, and therefore there is no increase in parking demand or traffic impacts as a result of the new ministry building, as it is presented in the application. Site capacity, as related to parking and traffic, is determined by the number of seats in the main assembly area(s), as provided for in WCC Section 10.60.080, Off-street parking requirements. The new building does not increase the capacity of the church (or main assembly areas) during regular service times. However, given the substantial increase in square footage on the site, and the potential for future uses of the building, the City requested that a Traffic Impact Analysis (TIA) be completed.

The Engineering Division report (Attachment C) determines that study intersections identified in the TIA currently meet an acceptable Level of Service as outlined in the City of Wenatchee Comprehensive Plan. If, in the future, the ministry building is converted to another use such as an area where primary or regular services are held, a new Conditional Use Permit will be required. Condition of Approval #10 requires mitigation for traffic impacts should the use of the building increase site capacity for service and / or increase the size of the assembly area.

Noise. Noise is regulated by WCC Chapter 6A.40, Public disturbance noises. Examples of public disturbance noises are loud and raucous noises made by horns or sirens (except those as required by law), continuous sounds created by audio sound systems or band sessions heard by a distance of 50 feet or more from property, yelling or shouting on city streets between hours of 11:00pm to 7:00am, etc. (WCC Section 6A.40.030). The activities proposed in the application for the ministry building do not indicate that the use of the property as described will create public disturbance noises. In the case that any public disturbance noises were created, they would be subject to penalties, pursuant to WCC Section 6A.40.050.

Lighting. The Wenatchee City Code does not have any lighting standards that apply to non-residential uses; however, lighting could be considered a nuisance where it creates a direct glare or impact off site. The building permit will be reviewed for any exterior lighting that may create a direct glare or impact off site.

Hours. Grace City Church’s existing buildings and operations have been permitted by CUP-2015-001 (Chelan County) and CUP-21-09. The primary church services are offered on Thursday evening and throughout the day on Sunday. The ministry building, while adding square footage to the site, does not expand the primary service capacity and does not modify the previously approved use of the property for a place of worship and child day care center. As such, the hours of operation are not modified by this application.

Land Use / Urban Growth Area Element, Implementation Table

<p>Residential Moderate</p>	<p>Primary Uses:</p> <ul style="list-style-type: none"> ▪ Entire range of housing choices <p>Secondary Uses:</p> <ul style="list-style-type: none"> ▪ Accessory Dwelling Units ▪ Agricultural uses ▪ Home based business 	<ul style="list-style-type: none"> ▪ Moderate density residential development suitable to a variety of housing choices, subject to appropriate design and development standards for neighborhood compatibility. ▪ <u>Density:</u> Up to 20 units per acre ▪ <u>Height:</u> 35ft
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Project compliance: The Residential Moderate land use designation primarily supports residential uses, with other uses such as schools, churches, and parks allowed by Conditional Use Permit. The purpose of the Conditional Use Permit process is to require additional review to ensure compatibility with the surrounding area. Where a use may be found to be compatible, conditions may be imposed to protect neighborhood interests from any potential adverse impacts.

Primary areas of concern with non-residential development are often traffic, parking, and noise. The applicants have submitted the necessary design materials and a Traffic Impact Analysis, to demonstrate conformance with Wenatchee City Code requirements. These materials have been reviewed by the Community Development and Public Works Departments, and staff have determined that the ministry building does not change or expand capacity of the approved use of the site as a place of worship. This use, as proposed in the application and as conditioned, is compatible with surrounding properties and does not create any adverse impacts on adjacent properties.

B. Wenatchee City Code Title 10, Zoning

Wenatchee City Code (WCC) sections which apply to this project are described below.

WCC Chapters 10.08 and 10.10, Definitions and District Use Chart

Wenatchee City Code (WCC) Section 10.08.115, “P,” defines “place of worship” to mean:

“Place of worship” means a structure, group of structures, or portion thereof which is utilized for the purpose of conducting religious worship, services, or ceremonies. A place of worship may contain facilities such as a sanctuary or chapel, assembly rooms, offices, kitchen, parsonage, or multi-purpose room. Uses including, but not limited to, schools, dwelling units except parsonages, and child day care facilities shall not be considered incidental to the primary use, but may be allowed subject to other provisions of this title.

WCC Section 10.10.020, District Use Chart, requires a Conditional Use Permit for places of worship in the RM zoning district.

Project compliance: Grace City Church, including the new ministry building, meets the definition of a place of worship and requires a Conditional Use Permit (CUP) in the RM zoning district. The applicant and property owner have submitted a complete application for a CUP in conformance with WCC Chapter 10.65, Conditional Uses, and following the procedural requirements for quasi-judicial review in conformance with WCC Section 13.09.050, Type III quasi-judicial review of applications.

WCC Chapters 10.46, 10.60, and 10.62, Development Standards,

The proposed development is subject to the development standards of the RM zoning district, as described in WCC Section 10.46.020, Residential district development chart. The application is also subject to WCC Chapter 10.60, Off-Street Parking. The subject property has existing landscaping to satisfy street frontage, perimeter, and parking lot landscaping requirements, and a conceptual landscape plan has been provided to address façade buffer landscaping, pursuant to Chapter 10.62, Landscaping Standards.

Table 1, below, provides a detailed summary of the applicable development standards and consistency of the proposed project.

Table 1. Consistency with applicable development standards

WCC Chapter 10.46.020, Residential District Development Chart			
Applicable Standard	Required	Proposed	Complies?
Street setback	15 feet	≥ 40 feet from Melody Lane	Yes
Side setback	5 feet, 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	≥ 100 feet from east and west property lines	Yes
Rear setback	15 feet, 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	≥ 200 feet from north property line	Yes
Maximum height	40 feet	40 feet	Yes
Maximum lot coverage	55 percent	≤ 55 percent	Yes

WCC Chapter 10.60, Off-Street Parking			
Applicable Standard	Required	Proposed	Complies?
Parking spaces	237 parking spaces 1 space per 3 seats of the main assembly area(s)	270 parking spaces	Yes

WCC Section 10.48.270, Architectural design standards for nonresidential buildings

The architectural design standards apply to nonresidential structures when another section of code, such as the zoning district/overlay or conditional use permit criteria, requires that the structure meet the standards in this section. Proposed nonresidential structures for which this section applies shall be designed to comply with the building articulation, horizontal building modulation, and roof form design standards. The intent is to reduce the scale of structures and to incorporate architectural design features to increase visual interest.

Project compliance: The applicant has submitted a conceptual site plan and elevation drawings for the new ministry building. The building articulation, horizontal building modulation, and roof form design standards have been satisfied with these drawings. Staff recommends a condition of approval (#9) to confirm compliance with the architectural design standards at the time of building permit review.

WCC Section 10.65.050, General Requirements

All conditional use permit applications must comply with the general requirements in WCC 10.65.050. The city shall determine whether the conditional use permit will run with the land or be personal. If the conditional use is personal, the permit is nontransferable to other persons. The city may require the permit to be recorded with the county auditor as a covenant on the property.

The applicant has the burden of demonstrating that the proposed use is consistent with the following review criteria, provided in WCC 10.65.060:

- (1) *All requirements of a specified use can be satisfied;*
- (2) *The requirements of the zoning district within which the lot is located can be met;*
- (3) *All applicable requirements and regulations found within the WCC, as amended, can be satisfied;*
- (4) *The proposal is compatible with adjacent uses and will protect the character of the surrounding area;*
- (5) *The proposal will not result in the creation of nuisances to the public and/or nearby properties and existing uses;*
- (6) *The proposed use will not result in undue adverse impacts affecting the public health, safety, and welfare; and*
- (7) *The proposed use is consistent and compatible with the comprehensive plan and any implementing regulation.*

Project compliance: Grace City Church's existing buildings and operations have been permitted by CUP-2015-001 (Chelan County) and CUP-21-09. The ministry building, while adding square footage to the site, does not expand the primary service capacity and does not modify the previously approved use of the property for a place of worship and child day care center. The applicants have submitted the necessary design materials and a Traffic Impact Analysis, to demonstrate conformance with Wenatchee City Code requirements. These materials have been reviewed by the Community Development and Public Works Departments, and staff have determined that the ministry building does not change or expand capacity of the approved use of the site as a place of worship. This use, as proposed in the application and as conditioned, is compatible with surrounding properties and does not create any adverse impacts on adjacent properties

This application and subsequent building permit are subject to all provisions of the Wenatchee City Code. Staff recommends in the conditions of approval that the conditional use permit run with the land, as do the existing Conditional Use Permits (CUP 2015-001 and CUP-21-09), as allowed by WCC Section 10.65.050(1) (Condition of Approval #4).

WCC Section 10.65.080, Auditoriums, neighborhood centers, and places of worship

The project is also subject to specific conditional use permit criteria for places of worship, provided in WCC Section 10.65.080:

- (1) 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 maximum building height as shown on the proposed plans do not exceed 40 feet.

- (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;

Project compliance: Setbacks as shown on the proposed plans exceed the minimum street setback of 15 feet in the RM zoning district. The property adjoins an RM district and, as shown, exceeds the minimum rear and side setbacks, adjusted for a building height of 40 feet.

- (3) Auditoriums in residential zoning districts must be accessory to another nonresidential use such as a school, neighborhood center, or institution of higher education. A separate conditional use permit is not required for this use but if a new auditorium is proposed, it must be included in the review of the CUP for that property;

Project compliance: This criterion does not apply.

- (4) Landscaping and Screening. Off-street parking shall comply with Chapter 10.62 WCC, Landscaping Standards, as amended; and

Project compliance: The subject property has existing landscaping to satisfy street frontage, perimeter, and parking lot landscaping requirements, and a conceptual landscape plan has been provided to address façade buffer landscaping, pursuant to Chapter 10.62, Landscaping Standards.

- (5) Architectural Scale. New nonresidential buildings in the RF, 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: The applicant has submitted a conceptual site plan and elevation drawings for the new ministry building. The building articulation, horizontal building modulation, and roof form design standards have been satisfied with these drawings. Staff recommends a condition of approval (#9) to confirm compliance with the architectural design standards at the time of building permit review.

C. Wenatchee City Code Title 12, Environmental Protection

Project compliance: The subject site is outside of the 200' shoreline jurisdiction. The site is within the erosion hazard critical area in the maps used by the City and a geotechnical report may be required with the building permit.

4. ENVIRONMENTAL REVIEW

The proposed development is subject to the State Environmental Policy Act (SEPA) pursuant to WAC 197-11-800(1)(c) and WWC Section 12.04.030(2)(a)(i), as a related action to a commercial project that exceeds 12,000 square feet and 40 parking spaces. The City has reviewed the proposed project for probable adverse environmental impacts and issued a determination of non-significance (DNS) on July 12, 2024.

5. PUBLIC NOTICE

A. Procedural Steps

Table 2. Procedural steps and dates

Application Submitted:	February 29, 2024
Determination of Completeness:	March 5, 2024
Notice of Application:	Notice was mailed to property owners/taxpayers, as shown on the records of the county assessor, within 350 feet of the subject property, posted on the subject property, and referred to relevant agencies on March 21, 2024.
Notice of Public Hearing:	Notice was mailed to property owners/taxpayers, as shown on the records of the county assessor, within 350 feet of the subject property and referred to relevant agencies on July 9, 2024 and published in the Wenatchee World newspaper on July 11, 2024.
Public Hearing:	The public hearing is scheduled for July 23, 2024 at 3:00p.m. at Wenatchee City Hall, Council Chambers, 301 Yakima Street, Wenatchee, WA.

B. Public Comments

The public, staff, and relevant agencies have been given an opportunity to comment on the proposal. Comments received are included herein:

- A public comment was received from Mr. James Ethier, 311 Hilltop Place, dated April 4, 2024. The letter describes a concern that the proposed use of the new building will be for a school. Another stated concern is the Church's past history with nuisance noises.
- Engineering Division report, dated July 11, 2024. Engineering staff analyzed the application, including the TIA, and the report summarizes current utility and traffic conditions and their findings. They have suggested a condition of approval (#10) to address any future change of use of the ministry building in accordance with the guidance in the TIA.

6. 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-24-04 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 on February 29, 2024, and amended on June 11, 2024, as provided in Attachment A, for a new ministry building at Grace City Church, located at 277 Melody Lane and identified by APN 23-20-21-860-025.

2. The Applicant and property owner is Grace City Church.
3. 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 July 23, 2024.
4. The application was determined complete on March 5, 2024 and appropriate notice of the application was issued on March 21, 2024.
5. The notice of public hearing was issued on July 9, 2024. The Wenatchee World published the notice on July 11, 2024.
6. The Wenatchee Urban Area Comprehensive Plan land use designation is Residential Moderate.
7. The subject property is located within the Residential Moderate zoning district.
8. The subject use meets the definition of “place of worship” as defined in WCC Chapter 10.08 and is permitted as a Conditional Use in the Residential Moderate zoning district as allowed by WCC Section 10.10.020.
9. The proposal is consistent with the goals and policies of the Wenatchee Urban Area Comprehensive Plan’s Land Use / Urban Growth Area Element. The property is within the Residential Moderate (RM) land use designation, which allows for a range of residential development types and compatible uses, such as schools, churches, and parks. The ministry building at the existing Grace City Church is proposed to provide ancillary uses to support the use of the property as a place of worship. As described in the application narrative, the building will be used for ministry activities, including Sunday school, prayer groups, Bible studies, corporate worship, conferences, evening classes (e.g., parenting, finances, marriage), youth groups, and pastoral offices.
10. The Land Use / Urban Growth Area Element policies for neighborhoods state that operations (traffic, noise, lighting, hours) for nonresidential development shall be compatible with existing residential neighborhoods.
 - Traffic. A Traffic Impact Analysis (TIA) was prepared by the Applicant pursuant to WCC Section 13.32.090. There is not an anticipated increase in site capacity, and therefore there is no anticipated increase in parking demand or traffic impacts as a result of the new ministry building, as it is presented in the application. Site capacity, as related to parking and traffic, is determined by the number of seats in the main assembly area(s), as provided for in WCC Section 10.60.080, Off-street parking requirements. The new building does not increase the capacity of the church (or main assembly areas) during regular service times. However, given the substantial increase in square footage on the site, the City requested that a Traffic Impact Analysis (TIA) be completed. The Engineering Division report dated July 11, 2024 determined that study intersections identified in the TIA currently meet an acceptable Level of Service as outlined in the City of Wenatchee Comprehensive Plan. The new ministry building, based on the application materials received, does not increase capacity of the church during service times and no mitigations are required.

- Noise. Noise is regulated by WCC Chapter 6A.40, Public disturbance noises. The activities proposed in the application for the ministry building do not indicate that the use of the property as described will create public disturbance noises. In the case that any public disturbance noises were created, they would be subject to penalties, pursuant to WCC Section 6A.40.050.
 - Lighting. The Wenatchee City Code does not have any lighting standards that apply to non-residential uses; however, lighting could be considered a nuisance where it creates a direct glare or impact off site. The building permit will be reviewed for any exterior lighting that may create a direct glare or impact off site.
 - Hours. Grace City Church's existing buildings and operations have been permitted by CUP-2015-001 (Chelan County) and CUP-21-09. The ministry building, while adding square footage to the site, does not expand the primary service capacity and does not modify the previously approved use of the property for a place of worship and child day care center. As such, the hours of operation are not modified by this application.
11. The proposal is consistent with the provisions of Wenatchee City Code Title 10, Zoning. The proposed use, a ministry building, meets the definition of "place of worship" as defined in WCC 10.08.115 and is permitted as a Conditional Use in the RM as allowed by WCC 10.10.020. The building meets all applicable development standards, including setbacks, height, and lot coverage. WCC Section 10.65.080(1) authorizes places of worship to build up to a maximum height of 40 feet.
 12. New nonresidential buildings in the RF, RS, RL, RM, and RH zoning districts shall meet WCC 10.48.270, Architectural design standards for new nonresidential buildings. The applicant submitted a conceptual site plan and elevation drawings for the new ministry building. The building articulation, horizontal building modulation, and roof form design standards have been satisfied with these drawings.
 13. The proposal meets the general conditional use permit criteria in WCC Section 10.65.060 and specific conditional use criteria for places of worship in WCC Section 10.65.080. Grace City Church's existing buildings and operations have been permitted by CUP-2015-001 (Chelan County) and CUP-21-09. The ministry building, while adding square footage to the site, does not expand the primary service capacity and does not modify the previously approved use of the property for a place of worship and child day care center. The Applicants have submitted the necessary design materials and a Traffic Impact Analysis, to demonstrate conformance with Wenatchee City Code requirements. These materials have been reviewed by the Community Development and Public Works Departments, and staff have determined that the ministry building does not change or expand capacity of the approved use of the site as a place of worship. This use, as proposed in the application and as conditioned, is compatible with surrounding properties and does not create any adverse impacts on adjacent properties
 14. The City shall determine whether the conditional use permit will run with the land or be personal, pursuant to WCC Section 10.65.050(1). Staff recommends that the conditional use permit run with the land, as do the existing Conditional Use Permits (CUP 2015-001 and CUP-21-09), as allowed by the Wenatchee City Code.

15. The proposed development is subject to the State Environmental Policy Act (SEPA) pursuant to WAC 197-11-800(1)(c) and WWC Section 12.04.030(2)(a)(i), as a related action to a commercial project that exceeds 12,000 square feet and 40 parking spaces. The City has reviewed the proposed project for probable adverse environmental impacts and issued a determination of non-significance (DNS) on July 12, 2024.
16. The public and relevant agencies were given an opportunity to comment on the proposal. One public comment from Mr. James Ethier was received and the Engineering Division provided a report.
17. The Wenatchee Hearing Examiner conducted a public hearing on July 23, 2024.
18. 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, this proposal is consistent with applicable federal and state laws and regulations.
3. As conditioned, the proposal is consistent with the intent, purposes, and regulations of the Wenatchee Urban Area Comprehensive Plan and Wenatchee City Code.
4. As conditioned, this proposal meets the general conditional use permit criteria in WCC Section 10.65.060 and specific conditional use criteria for WCC Section 10.65.080, Auditoriums, neighborhood centers, and places of worship.
5. The conditional use permit will run with the land.
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 placed 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 provided in Attachment A, except as amended by the conditions herein. Approval is for a new ministry building at Grace City Church, approximately 22,000 square feet in size. Any future phases of development and 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. The ministry building shall not be used for the Church's primary or regular religious services or for any use identified in WCC Chapter 10.65 as requiring a Conditional Use Permit until such time that all necessary permits have been obtained and such time that parking requirements and traffic mitigations have been reviewed, completed, and approved by the City.
3. This application supersedes CUP-22-02.
4. The conditional use permit shall run with the land and is only applicable to the property described in the application materials and Finding of Fact #1.
5. Substantive changes or alterations to the approval are not authorized. Substantive changes or alterations to the approved project shall be reviewed and approved by the City of Wenatchee and all agencies with jurisdiction prior to commencement of any related work.
6. Pursuant to WCC 10.65.050(2), the conditional use permit must be acted upon within three years from the date of approval or the permit shall expire. The holder of the permit may request an extension of time before the expiration date and the director may grant one extension of time of up to one year past the original expiration date.
7. The Applicant is responsible for compliance with all applicable local, state and federal rules and regulations, and must obtain all appropriate permits and approvals.
8. Prior to any construction activities authorized by this permit, the Applicant shall submit for and obtain all required local permits including, but not limited to, a commercial building permit and land surface modification permit.
9. The commercial building permit shall demonstrate compliance with all city codes and regulation including but not limited to WCC Section 10.48.270, Architectural design standards for nonresidential buildings.
10. Prior to issuance of any certificate of occupancy, the Applicant shall implement conditions of approval as provided in the Engineering Division Report, dated July 11, 2024.
 - a. Should the use of the building increase site capacity for service and / or increase the size of the assembly area, the proposed mitigation of a right turn pocket shall be installed.
11. 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, dated February 29, 2024 and as amended by materials received June 11, 2024
- B. Determination of Nonsignificance, dated July 12, 2024
- C. Public and Agency Comments