



City of Stevenson

Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371
Stevenson, Washington 98648

TO: Planning Commission
FROM: Ben Shumaker
DATE: August 8th, 2022
SUBJECT: Conditional Use Permit – Transfer of Ownership of Existing Salon Building (CUP2022-02)

Introduction

The Stevenson Planning Commission is requested to review an application for continued use of a building as a salon following the sale of the building. The salon was authorized by the Planning Commission in 2011 as a "Professional Office (Salon)" through Conditional Use Permit #2011-02. Condition #1 of the permit limited its validity to the applicant, which was the owner. The proposal is located at 421 SW Rock Creek Drive (Tax Lot 02-07-01-1-0-1601). Pending an interpretation to be made earlier tonight, the Planning Commission can review and approve "Personal Services" as a Conditional Use Permit.

Recommended Action

Staff recommends approval of the proposal based on the findings of fact and conditions of approval in Attachment 1.

Guiding City Policies

Zoning Code

SMC Table 17.15.040-1 Residential Districts Use Table (Abbreviated)

Use	R1	R2	R3	MHR	SR
General Sales or Service Uses					
Personal Services			C*		C
Recreational Services					
*Pending					

SMC 17.39.020 Conditional Use Permit Review

- A. The Planning Commission shall review all applications for conditional use permits.
- B. In granting a conditional use request, the Planning Commission may attach to the conditional use permit such reasonable requirements as will ensure that the development in its proposed location:
 1. Will not endanger the public health or safety;
 2. Will not substantially reduce the value of adjoining or abutting property;
 3. Will be in harmony with the area in which it is located; and
 4. Will be in conformity with the Comprehensive Plan, transportation plan, or other plan officially adopted by the Council.
- C. At least one public hearing shall be held for each complete conditional use permit application. Notice shall be given as provided in this title. To ensure adequate time for public notice, a complete application must be received at least 20 days before a hearing will be held.
- D. The Planning Commission shall reach a decision to approve or deny a conditional use request within 30 days of the last public hearing deemed necessary by the Planning Commission for the relevant application.
- E. The Planning Commission may attach reasonable conditions to a permit, including but not limited to, the term of a permit's duration and the need for periodic review to ensure that the terms of a permit are being met.

SMC Table 17.12.030 Administration Commensurate with Comprehensive Plan

It shall be the duty of the Planning Commission, Board of Adjustment, City Council and zoning administrator to interpret and/or administer the provisions of this title in such a way as to carry out the intent and purpose of the Comprehensive Plan. Where zoning regulations are not clear, or where there are inconsistencies within this title, the comprehensive Plan shall be referred to for interpretation and guidance.

2013 Stevenson Comprehensive Plan

1-Community & Schools

- 1.12 Develop and enhance cultural opportunities.
 - 1.12-3 Install public art in key locations throughout the City, especially along the Columbia River waterfront.
- 1.17 Provide a clean, visually attractive community.
 - 1.17-1 Facilitate and support activities to beautify the community, such as a Community Beautification Day.

2-Urban Development

- 2.12 Facilitate and encourage the use of innovative building types and land development patterns that encourage conservation of energy and other resources.
- 2.14 Ensure development review processes are prompt, predictable, open, and uncomplicated.
- 2.15 Minimize the impacts of abutting conflicting land uses by subjecting the more intensive land use or the site being developed to special site development standards.

3-Housing

- 3.8 Review all development proposals for compatibility with surrounding established residential areas. Policies related to land use, transportation, public facilities, and utilities should seek to maintain and enhance the quality of these areas.

5-Business & Industry

- 5.1 Establish an economic program and strategy to support development of a healthy, diversified economy which will provide local employment and support for businesses and services.
- 5.3 Establish strategies to retain and grow existing businesses.

Proposal Background



Site Characteristics

Owner/Applicant: John & Brenda Wolf/ Matt Tackett
Purpose: To continue use of property as a salon after transfer of ownership
Location: 421 SW Rock Creek Drive
Lot size: ~7,000 sq ft

	Zoning	Land Use
Subject Property	R3 Multi-Family Residential	Mixed Use- Salon/Residential
North	R3	Single Family Residential
South	R3	Multi-Family Residential, Single Family Residential
East	R3	Single Family Residential
West	R3	Single Family Residential

Photos from 2011



Overview

A change of ownership is proposed for a property whereon a Conditional Use Permit had been issued for a "Professional Office (Salon)". The City's past involvement in this space has been heavy. The Conditional Use Permit limited its validity to the current owner. The applicants are requesting to allow the current tenant to continue after a prospective change in ownership. The current Conditional Use Permit was issued in 2011 which allowed for intensification of a salon use based on a 2007 Planning Commission action to alter a 2005 Conditional Use Permit for a Professional Office at this location.

Community Input

Notice was sent to nearby property owners and posted at 3 locations near the project site and published in the *Skamania County Pioneer*. As of this writing no verbal or written comments or questions have been received.

Alternatives

1. Deny this request based on its inability to meet the criteria of SMC 17.39.
2. Approve Conditional Use Permit 2022-02 as proposed with the specific conditions of approval as determined tonight.
3. Take some other course of action as a Commission.

Prepared by,

Ben Shumaker

Attachments

1. Draft CUP2022-02
2. Application (14)



City of Stevenson

Planning Department

(509)427-5970

7121 E Loop Road, PO Box 371
Stevenson, Washington 98648

Conditional Use Permit #2022-02

PROponent:	Matt Tackett
LOCAtion:	421 SW Rock Creek Drive (Tax Lot #02-07-01-1-0-1601-00)
DECISION DATE:	August 8 th , 2022
REVIEW DATE:	The first Planning Commission meeting in October, 2024.
PURPOSE:	As provided by SMC 17.39 and SMC 17.15, this Conditional Use Permit allows a Personal Services use on the first floor of the existing building.

Findings of Fact:

1. The Planning Commission has reviewed this application for a Conditional Use Permit after a duly advertised public hearing on August 8th, 2022.
2. The applicant has paid the required application fees.
3. The proposal allows for continuance of a long-standing use of the subject property which has been subject to conditions and remained in harmony with the neighborhood.

Conditions of Approval

1. This Conditional Use Permit shall be valid only for the applicant at the location above.
2. Noncompliance with the conditions of this permit shall render this Conditional Use Permit invalid.
3. No outdoor speakers shall be installed in conjunction with this conditional use proposal.
4. Individual signs related to this proposal shall be limited to that allowed in SMC 17.15.
5. The use shall retain at least seven (7) off-street parking spaces in compliance with SMC 17.42.
6. The proposal shall be subject to periodic review by the Planning Commission to ensure the terms of this permit are being met, determine whether changes to these terms are warranted, and to verify satisfactory longevity of the proposal.

Conclusions of Law

Based on these findings and conditions, the Planning Commission is satisfied that this Conditional Use proposal:

1. Will not endanger the public health or safety;
2. Will not substantially reduce the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is located; and

4. Will be in conformity with the comprehensive plan, transportation plan, or other plan officially adopted by the council.

THIS CONDITIONAL USE PERMIT (**CUP2022-02**) FOR:

**A Personal Services use
on the first floor of a building in the R3 Multi-Family District Installation
at 421 SW Rock Creek Drive, Tax Lot # 02-07-01-1-0-1601.**

IS HEREBY ISSUED.

For the Planning Commission:

Date

DRAFT

JUN 21 2022

Tracking Number: _____

CONDITIONAL USE PERMIT APPLICATION



PO Box 371 Stevenson, Washington 98648

Phone: (509)427-5970 Fax: (509)427-8202

Applicant/Contact: Matt Tackett
Mailing Address: 6242 SW Burlingame Ave. Portland, OR 97239
Phone: 503.385.5585 **Fax:** N/A
E-Mail Address (Optional): tackett20@gmail.com

Property Owner: John and Brenda Wolf
Mailing Address: 1190 Multnomah Rd. Hood River, OR 97031
Phone: _____ **Fax:** _____

If There are Additional Property Owners, Please Attach Additional Pages and Signatures as Necessary

Property Address (Or Nearest Intersection): 421 SW Rock Creek Dr. Stevenson, WA 98648

Tax Parcel Number: 02070110160100 **Zoning:** R-3
Lot Size: .14 acres **Current Use of Property:** Hair Salon

Brief Narrative of Request: Applicant is purchasing property and is willing to retain the tenant in the salon as requested by current property owner. Applicant requests use of current property owners required submittal documents / information currently on file for CUP approval.

Water Supply Source: public **Sewage Disposal Method:** public sewer

I/we hereby provide written authorization for the City to reasonably access to the subject property to examine the proposal and carry out the administrative duties of the Stevenson Municipal Code.

I/we hereby certify my/our awareness that application fees are non-refundable, there is no guarantee that a permit will be issued, and that any permit issued as a result of this application may be revoked if at any time in the future it is determined that the statements in support of this application are false or misleading.

Incomplete applications will not be accepted. • Please ensure that all submittals are included

Signature of Applicant: *Matt Tackett* **Date:** May 26, 2022 | 22:03 P
DocuSigned by: 81AAD3194E354BB...

Signature of Property Owner: *John and Brenda Wolf* **Date:** 5/27/2022 | 11:39
DocuSigned by: 6CCEBD869B534DA... DocuSigned by: 6CCEBD869B534DA...

For Official Use Only:
Date Application Received _____ **Date Application Complete** _____



SUBMIT TO:
City Hall
7121 NE Loop Road

Conditional Use Permit

JUN 21 2022

Submittal Requirements

Initial:

A Conditional Use is a use listed as conditional in the relevant zoning district and permitted only after review as provided in SMC 17.39. A Conditional Use Permit is a permit issued by the Planning Commission that authorizes the recipient to make use of property in accordance with the requirements of SMC 17- Zoning as well as any additional requirements imposed by the Planning Commission.

Applications for a Conditional Use Permit are subject to review by the Planning Commission. In granting a Conditional Use Permit, the Planning Commission must find that the development in its proposed location:

1. Will not endanger the public health or safety;
2. Will not substantially reduce the value of adjoining or abutting property;
3. Will be in harmony with the area in which it is located; and
4. Will be in conformity with the Comprehensive Plan, transportation plan, or other plan officially adopted by the Council.

The following information is required for all Conditional Use Permit Applications. Applications without the required information will not be accepted. Site plans are to be prepared by a qualified professional, submitted on 8½"x11" or 11"x17" paper, and drawn to a standard engineering scale (e.g. 1"=10', 1"=20', ¾"=1', etc.).

- Application Fee (Amount: _____ Date: _____ Receipt #: _____)
- Completed and Signed Conditional Use Permit Application
- Copies of the Property Title or Other Proof of Ownership
- Descriptions of Any Existing Restrictive Covenants or Conditions
- Two (2) Copies of a Site Plan, Clearly Showing the Following:
 - The Location and Dimensions of All Existing and Proposed Structures
 - A Floor Plan of the Structure Housing the Proposed Conditional Use
 - A North Arrow and Scale
 - The Location and Dimensions of Any Drainfields, Public Utilities, Easements, Rights-of-Way or Streets within or Adjacent to Any Affected Lot
 - The Location and Dimensions of All Parking Areas
- A Narrative Discussing How the Proposal Meets the Four Criteria Described Above
- A List of the Names and Mailing Addresses of All Property Owners Within 300 Feet of the Subject Property (Obtainable Through the Skamania County Assessor's Office)
- Any Information Associated with Proposals Reviewed under SMC 17.39
- Any Other Information Requested by the Planning Director to Aid the Planning Commission in Evaluating the Conditional Use Permit Application

JLW BFW

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Legal Description of adjusted Wolf parcel (PARCEL 02070110160100)

That parcel described in Quit Claim Deed filed under Auditor file number 2010175623 and known as Tax Parcel Number 02070110160100 and located in Section 1, Township 2 North, Range 7 East, Willamette Meridian, City of Stevenson, Skamania County, Washington;

'A tract of land in the Northwest quarter of the Northeast quarter of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the County of Skamania, State of Washington described as follows:

Beginning at a point 542.2 feet South of a rock marking the intersection of the West line of the Shepard D.L.C., with the North line of Section 1, Township 2 North, Range 7 East Willamette Meridian, said point being the intersection of the West line of the said Shepard D.L.C. with the North line of Second Street in the Town of Stevenson; thence Westerly along the North line of Second Street 610 feet to the True Point of Beginning; thence North 100 feet; thence East 63 feet; thence South 100 feet to the North line of Second Street; thence West 63 feet to the True Point of Beginning.'

AND WITH the following described tract:

A parcel of land in Government Lot 9 of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, in the City of Stevenson, Skamania County, State of Washington;

Beginning at the most Southwest corner of Lot 1 of the John and Brenda Short Plat recorded in Auditor File Number 2007-166988;

Thence South 88°23'50" East, a distance of 43.00 feet;
thence North 00°50'52" East, a distance of 10.29 feet;
thence North 88°23'50" West, a distance of 43.00 feet;
thence South 00°50'52" West, a distance of 10.29 feet to the Point of Beginning.

Containing 442 square feet, more or less.

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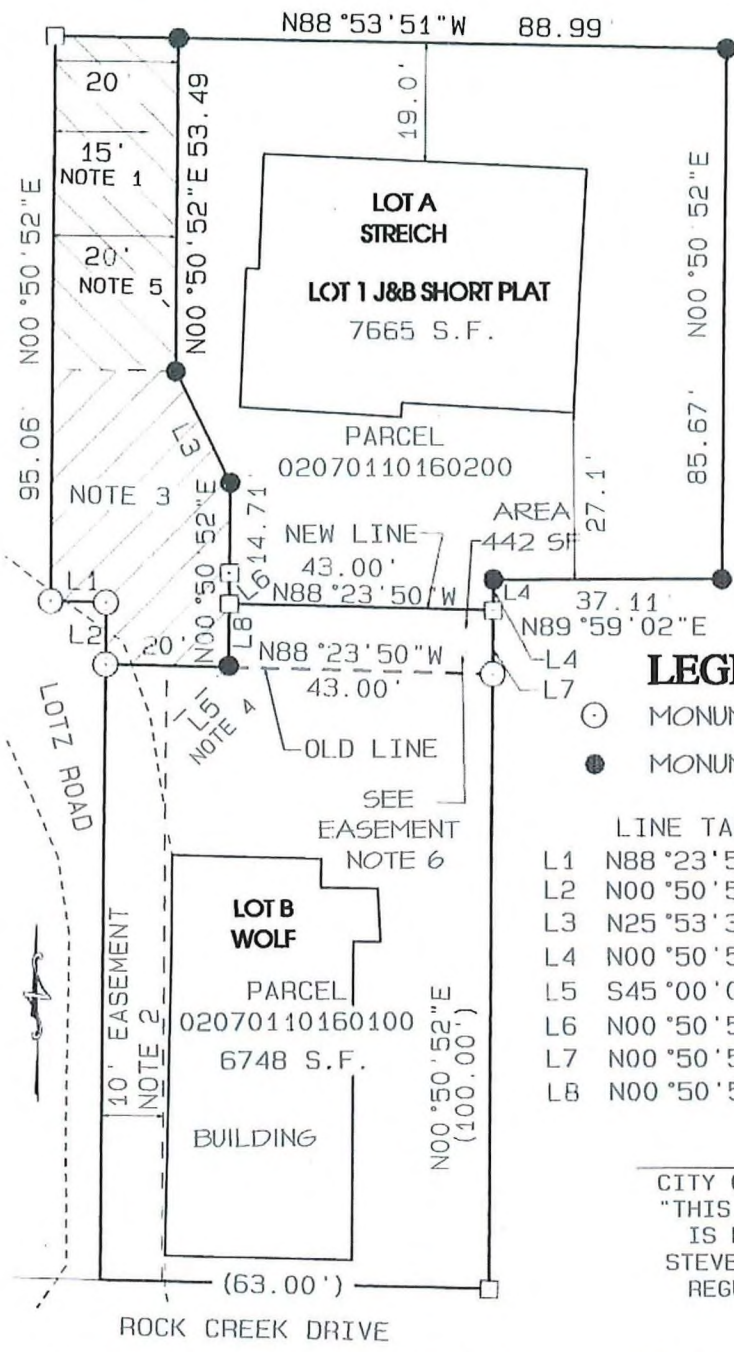


EXHIBIT B
 BOUNDARY LINE ADJUSTMENT
 PLOT PLAN
 IN LOT 1 AND 2 OF THE
 JOHN AND BRENDA SHORT PLAT
 AND TAX PARCEL 02070110160100
 GOV'T LOT 9, SEC. 1,
 T.2N., R.7E., W.M.
 CITY OF STEVENSON, WASHINGTON

SITE ADDRESS:
 427 LOTZ ROAD

OWNER:
 JEFFREY & LINDSAY STREICH
 3160 NE BRYCE STREET
 PORTLAND, OR 97212

LEGEND

- MONUMENT OF RECORD
- MONUMENT AS PER AF 2007166643

LINE TABLE

L1	N88°23'50"W	9.00'
L2	N00°50'52"E	10.00'
L3	N25°53'36"W	20.00'
L4	N00°50'52"E	5.00'
L5	S45°00'00"W	14.39'
L6	N00°50'52"E	5.00'
L7	N00°50'52"E	10.29'
LB	N00°50'52"E	10.29'

CITY OF STEVENSON ADMINISTRATOR
 "THIS BOUNDARY LINE ADJUSTMENT
 IS EXEMPT FROM THE CITY OF
 STEVENSON AND STATE PLATTING
 REGULATIONS AS PROVIDED IN
 RCW 58.17.040 (6) "

AS PER JOHN AND BRENDA SHORT PLAT:
 1. A 15' ACCESS AND UTILITY EASEMENT IS
 DEDICATED TO THE CITY OF STEVENSON:
 2. A 10' EASEMENT INGRESS, EGRESS AND
 UTILITY EASEMENT IS DEDICATED TO THE
 CITY OF STEVENSON.
 3. HATCHED AREA IS AN ACCESS AND
 UTILITY EASEMENT IN FAVOR OF LOT 1.
 4. ACCESS AND UTILITY EASEMENT IN
 FAVOR OF LOT 1 OVER TAX PARCEL
 02070110160100.

OTHER EASEMENTS:
 5. ACCESS AND UTILITY EASEMENT IN
 FAVOR OF LOT 1 OVER LOT 2 - AFN
 20190007192.
 6. ACCESS EASEMENT TO BE RETAINED FOR
 LOT 1 OF JOHN & BRENDA SHORT PLAT AND
 TAX PARCEL 02070110160000 OVER
 ADJUSTED AREA.

SCALE
 1" = 30'



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FIRPTA CERTIFICATION

The Foreign Investment in Real Property Tax Act ("FIRPTA"), 26 U.S.C. 1445, provides that a buyer of a U.S. real property interest must withhold tax if Seller is a foreign person, unless one of the exceptions in the Act applies. The following will inform Buyer and Closing Agent whether tax withholding is required.

Note: The above law applies to foreign corporations, partnerships, trusts, estates and other foreign entities, as well as to foreign individuals. If Seller is a corporation, partnership, trust, estate or other entity, the terms "I" and "my" as used below means the corporation or other entity. A "real property interest" includes full or part ownership of land and/or improvements thereon; leaseholds; options to acquire any of the foregoing; and an interest in foreign corporations, partnerships, trusts or other entities holding U.S. real estate.

SELLER CERTIFICATION. Seller hereby certifies the following:

PROPERTY. I am the Seller of real property at:

421 SW Rock Creek Drive Stevenson WA 98648
Address City State Zip

or (if no street address) legally described on the attached.

CITIZENSHIP STATUS. I AM AM NOT a non-resident alien (or a foreign corporation, foreign partnership, foreign trust, foreign estate or other foreign business entity) for purposes of U.S. income taxation.

TAXPAYER I.D. NUMBER.

My U.S. taxpayer identification number (e.g. social security number) is _____
(Tax I.D. number to be provided by Seller at Closing)

ADDRESS.

My home address is **1190 Multnomah Rd. Hood River OR 97031**
Address City State Zip

Under penalties of perjury, I declare that I have examined this Certification and to the best of my knowledge and belief it is true, correct and complete. I understand that this Certification may be disclosed to the Internal Revenue Service ("IRS") and that any false statement I have made here could be punished by fine, imprisonment, or both.

DocuSigned by:
John Wolf
5-2-22
Seller: John Wolf Date

DocuSigned by:
John Wolf
5-2-22
Seller: John Wolf Date

BUYER CERTIFICATION (Only applicable if Seller is a non-resident alien).

If Seller is a non-resident alien, and has not obtained a release from the IRS, then Closing Agent must withhold 15% of the amount realized from the sale and pay it to the IRS, unless Buyer certifies that the selected statement below is correct:

Amount Realized (\$300,000 or less) and Family Residence = No Tax. (a) I certify that the total price that I am to pay for the property, including liabilities assumed and all other consideration to Seller, does not exceed \$300,000; and (b) I certify that I or a member of my family* have definite plans to reside on the property for at least 50% of the time that the property is used by any person during each of the first two twelve month periods following the date of this sale. If Buyer certifies these statements, there is no tax.

Amount Realized (more than \$300,000, but not exceeding \$1,000,000) and Family Residence = 10% Tax. (a) I certify that the total price that I am to pay for the property, including liabilities assumed and all other consideration to Seller, exceeds \$300,000, but does not exceed \$1,000,000; and (b) I certify that I or a member of my family* have definite plans to reside on the property for at least 50% of the time that the property is used by any person during each of the first two twelve month periods following the date of this sale. If Buyer certifies these statements, then Closing Agent must withhold 10% of the amount realized from the sale and pay it to the IRS.

* (Defined in 11 U.S.C. 267(c)(4). It includes brothers, sisters, spouse, ancestors and lineal descendants).

Under penalties of perjury, I declare that I have examined this Certification and to the best of my knowledge and belief both statements are true, correct and complete. I understand that this Certification may be disclosed to the IRS and that any false statement I have made here could be punished by fine, imprisonment, or both.

Buyer _____ Date _____ Buyer _____ Date _____

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Site Plan

421 SW Rock Creek Drive

2022 Site Plan CUP App. Tackett-nelson

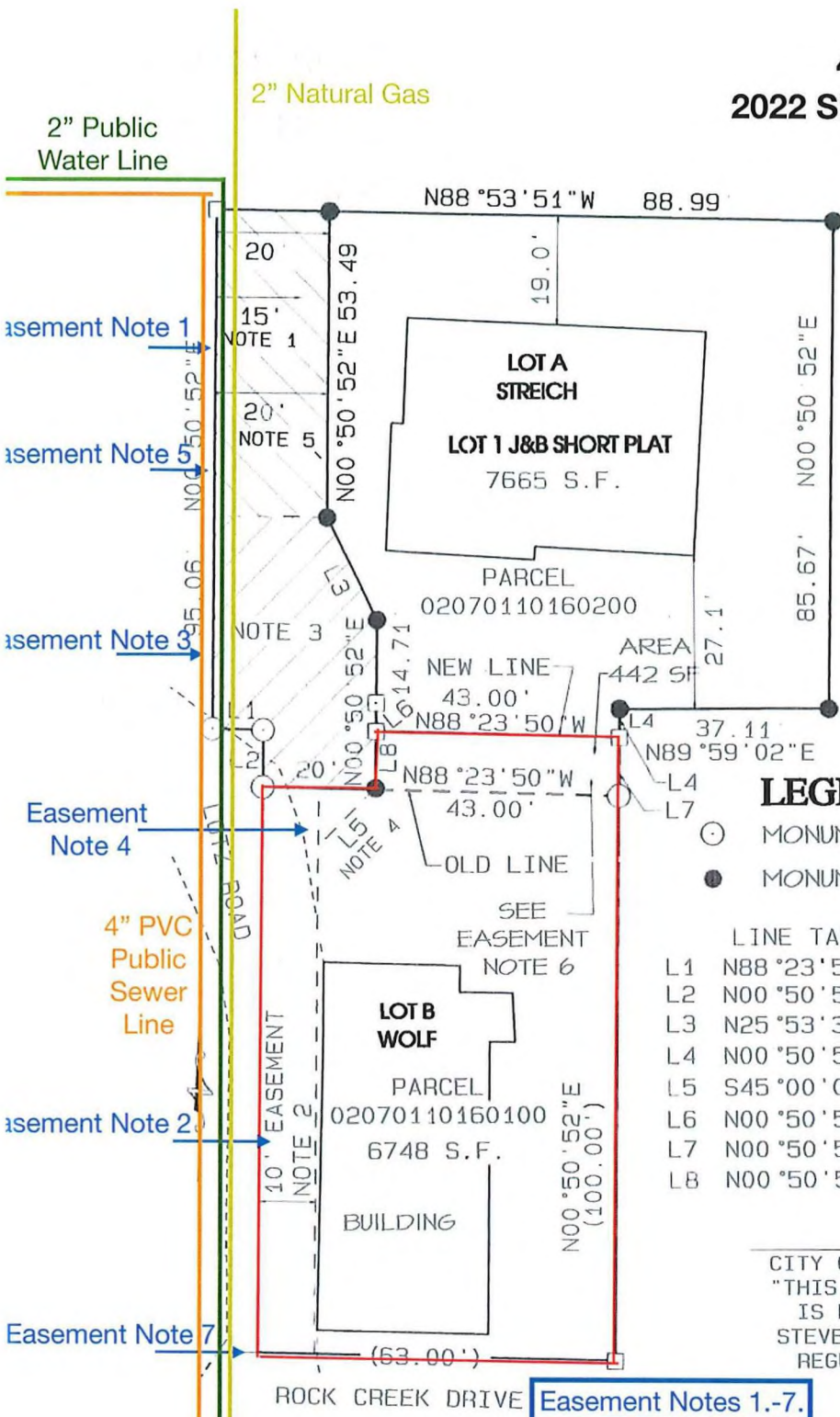


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SITE ADDRESS:
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- ⊙ MONUMENT OF RECORD
- MONUMENT AS PER AF 2007166643

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 3. HATCHED AREA IS AN ACCESS AND UTILITY EASEMENT IN FAVOR OF LOT 1.
 4. ACCESS AND UTILITY EASEMENT IN FAVOR OF LOT 1 OVER TAX PARCEL 02070110160100.

OTHER EASEMENTS:
 5. ACCESS AND UTILITY EASEMENT IN FAVOR OF LOT 1 OVER LOT 2 - AFN 2019000792.
 6. ACCESS EASEMENT TO BE RETAINED FOR LOT 1 OF JOHN & BRENDA SHORT PLAT AND TAX PARCEL 02070110160000 OVER ADJUSTED AREA.

7. Sidewalk Easement

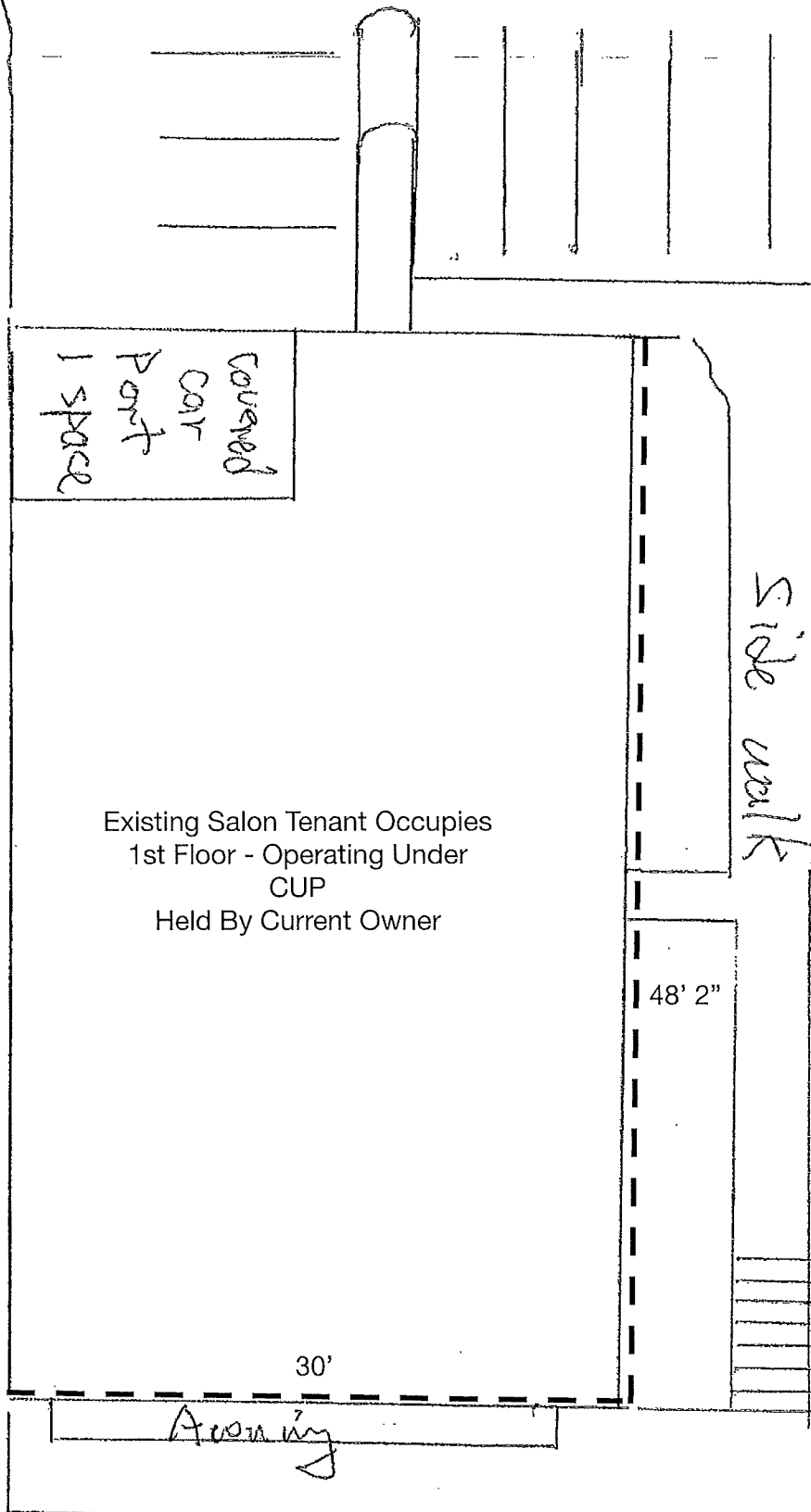
SCALE
 1" = 30'

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Lot 2107 Rd



Lot Line

Rock Creek

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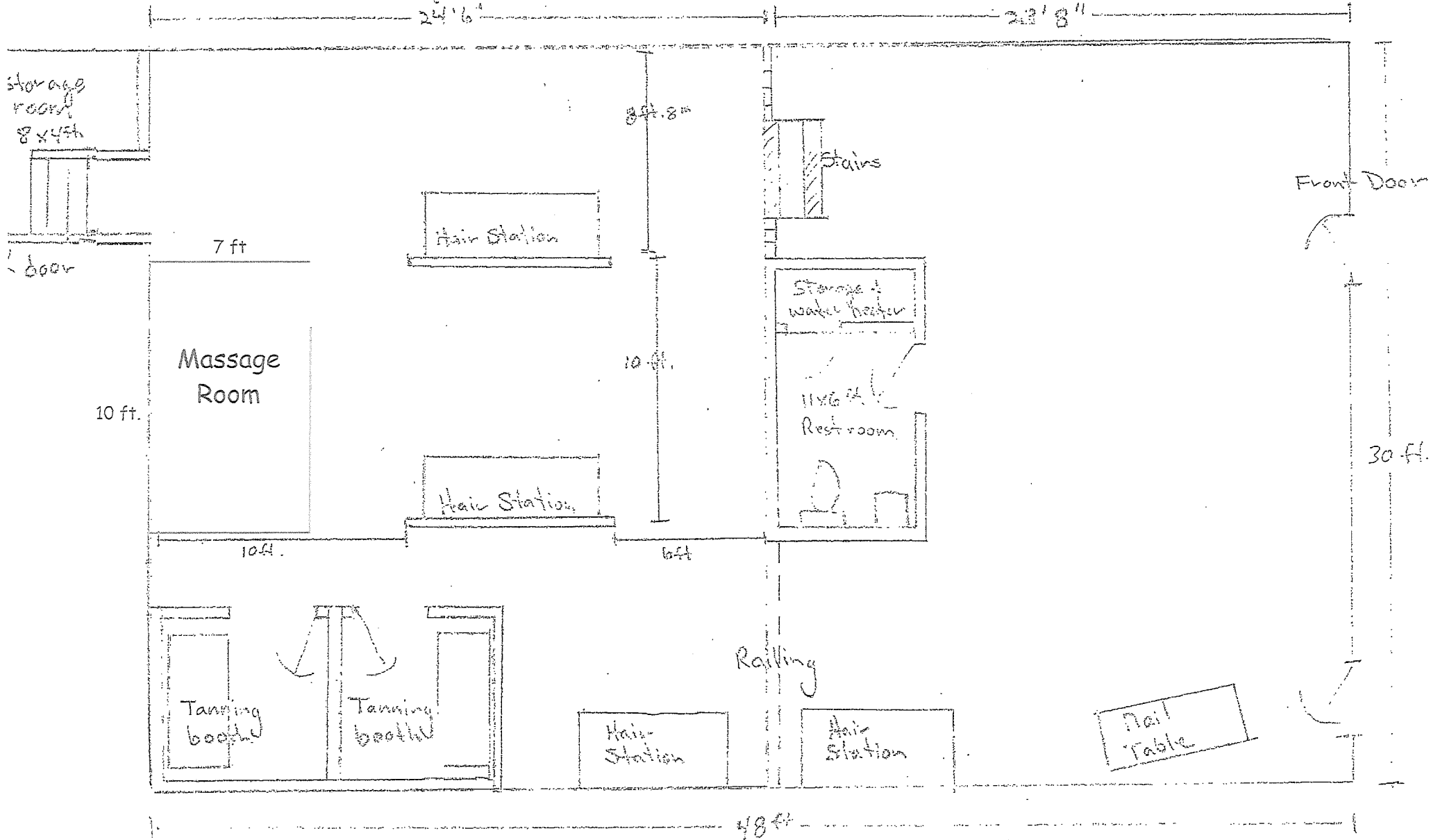
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421 SW Rock Creek Dr. Stevenson, WA 1st Floor Floor Plan - 2022

Total sq. ft. 1500

Interior dimensions



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JUN 21 2022

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CUP Narrative - 421 SW Rock Creek Dr., Stevenson, WA Conditional Use Permit Application, June 2022. - Tackett-Nelson

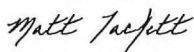
A Narrative Discussing How the Proposal Meets these Four Criteria

- 1. Will not endanger the public health or safety;*
- 2. Will not substantially reduce the value of adjoining or abutting property;*
- 3. Will be in harmony with the area in which it is located; and*
- 4. Will be in conformity with the Comprehensive Plan, transportation plan, or other plan officially adopted by the Council.*

Before addressing the criteria of the conditional use permit It is worth noting this property has an approved CUP in place. I am in the process of purchasing the property and have agreed to retain the tenants, one of which operates a salon on the first floor. The continuation of use as a salon does not endanger the public, rather it enhances the community offering salon services and contributing to the local economy. The salon is not a nuisance to the neighbors and has not reduced the value of adjoining properties. I'm been told the building was originally used commercially as a milk storage facility. This is pertinent as the building appears commercial in nature and is on a corner lot of active street, it fits in with the neighborhood and does not stand out. It is in harmony with the surrounding area due to it's close proximity to downtown and the fact that the building itself houses both the salon and 2 apartments above so it is not just a stand alone business in a fully residential area. The use of the first floor as a salon currently conforms with the plans adopted by the Council and will continue to do so as no changes will be made other than ownership of the real estate and holder of the CUP.

Thank you for taking the time to review this application.

Kind Regards, Matt Tackett

DocuSigned by:

81AAD3194E354BB...

Jun 15, 2022 | 20:02 PDT

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City of Stevenson
 PO Box 371
 Stevenson, WA 98648
 (509) 427-5970

Tackett Matt
 6242 SW Burlingame Ave
 Portland, OR, 97239

Account Information			
Cust #:	1501		
Date:	07/07/2022	Due:	08/06/2022
Invoice #:	700		
For:	Permit Deposits		
Permit:	CS2022-02		

Item	Taxed	Quantity	Amount	Total
Permit Deposit	N	1.0000	600.00	600.00
CUP2022-02, Matt Tackett, 421 SW Rock Creek Cr			Non Taxed:	600.00
			Taxed:	0.00
			Tax @ 0.00%:	0.00
			Payments:	0.00
			Total:	600.00

Receipt: 10769 07/07/2022
Acct #: 1501
City Of Stevenson
7121 E. Loop Rd.
PO Box 371
Stevenson, WA 98648
(509) 427-5970

Tackett Matt
6242 SW Burlingame Ave
Portland, OR 97239

Building Permits
Memo: CUP2022-02, Matt Tackett, 421
SW Rock Creek Dr
Inv#: 700 Amt Paid: 600.00
CUP2022-02, Matt Tackett, 421 SW
Rock Creek Cr

Non Taxed Amt:	<u>600.00</u>
Total:	600.00
CC: 176647842PT	<u>600.00</u>
Ttl Tendered:	600.00
Change:	0.00

Issued By: Anders Sorestad
07/07/2022 15:18:19

City of Stevenson

Notice of Public Hearing

The Stevenson Planning Commission will hold a public hearing to review the following issue:

Conditional Use Proposal: Prospective purchasers of 421 SW Rock Creek Drive (02-07-01-1-0-1601) are requesting the Planning Commission allow continued use of the property as a salon. The current use was permitted by the Planning Commission in 2011 as a “Professional Office (Salon)” and limited the permit to the current owner.



These proposals are subject to review and approval by the Planning Commission as conditional uses and according to the criteria of SMC 17.39.145.

The public hearing is scheduled for 6:00pm on Monday, Aug 8, 2022.

Attendance is possible in person at City Hall, 7121 E Loop Road, Stevenson, WA, via conference call: +1-346-248-7799 (ID# 856 3738-8112), and via webinar:

<https://us02web.zoom.us/j/85637388112>.

Your attendance, comments, and inquiries are cordially invited. The proposal is available for public review at City Hall or online: www.ci.stevenson.wa.us.

City Hall is accessible to people with disabilities. Please call at least 24 hours in advance at (509) 427-5970 (TDD: 1-800-833-6388) if you require special accommodations, including handicap accessibility or interpreter services, to attend the hearing.

Publish Jul 27 & Aug 3, 2022

Mercy Properties Washington I, LLC
1600 Boradway, Suite 2000
Denver, CO 80202

Host
PO Box 311
Stevenson, WA 98648

McKenzie
PO Box 130
North Bonneville, WA 98639

Grossman
PO Box 284
Stevenson, WA 98648

Shaw
PO Box 322
Stevenson, WA 98648

Gray
1600-B SW Dash Point Road #2048
Federal Way, WA 98023

Allen & Nicholas
PO Box 250
Stevenson, WA 98648

Arp
PO Box 1413
Stevenson, WA 98648

A&J Property Mgmt, LLC
PO Box 789
Stevenson, WA 98648

Stembridge
PO Box 1356
Stevenson, WA 98648

Keene
50776 Dike Rd Slip #3A
Scappoose, OR 97056

Duckor-Nakakihra Trust
1916 Carquinez Avenue
Richmond, CA 94085

Wolf
1190 Multnomah Road
Hood River, OR 97031

Cox Family Trust
PO Box 886
Lewisburg, WV 24901

Watts
PO Box 298
Stevenson, WA 98648

Mariscal & Ortiz
PO Box 273
Stevenson, WA 98648

Thomas
PO Box 1092
Stevenson, WA 98648

Johnson
PO Box 721
Stevenson, WA 98648

Conn
PO Box 543
Carson, WA 98610

Buono Viaggio Trust
811 South Kihei Rd #4E
Kihei, HI 96753

Holzer & Elliott
PO Box 1304
Stevenson, WA 98648

Hood & Carlson
PO Box 614
Stevenson, WA 98648

Birkenfeld
PO Box 530
Carson, WA 98610

Martin & Stettler
PO Box 1003
Stevenson, WA 98648

Allen & Nicholas
PO Box 467
Stevenson, WA 98648

Barber Revocable Trust
312 Loop Road
Stevenson, WA 98648

Strandemo
PO Box 451
Stevenson, WA 98648

Risjord
PO Box 391
Stevenson, WA 98648



CITY OF STEVENSON

7121 E Loop Road, PO Box 371, Stevenson, WA 98648

Conditional Use Permit #2011-02

ISSUED TO: John & Brenda Wolf
LOCATION: 421 SW Rock Creek Drive, (Tax Lot #02-07-01-10-1601)
EFFECTIVE DATE: September 12th, 2011
REVIEW DATE: The first Planning Commission in October, 2012
PURPOSE: As provided by SMC 17.39, SMC 17.22.020.Q, and a the precedents set by CUP07-14 and a Planning Commission interpretation on 06/11/07 this Conditional Use Permit application for a professional office (salon) is approved at 421 SW Rock Creek Drive based on the following Findings of Fact and subject to the following conditions.

Findings of Fact:

1. The Planning Commission has reviewed this application for a Conditional Use Permit.
2. The Planning Commission advertised and held a public hearing on September 12th, 2011, however an error by the *Skamania County Pioneer* omitted the second required publication. A second notice, to be published on September 14th, reminds the public of their opportunity to comment on the State Environmental Policy Act (SEPA) threshold determination.
3. Conditional Use Permit 05-01 was issued to John & Brenda Wolf for a professional office at this site on July 11, 2005. The primary condition of the permit was identification of a no parking zone at the intersection of Lotz Road and Rock Creek Drive.
4. A Planning Commission interpretation of CUP 05-01 was made on June 11th, 2007 that allowed a salon to occupy the space approved for a professional office. The interpretation loosely restricted the use to two (2) hair chairs, one (1) tanning booth, and one (1) nail technician for a maximum of three (3) employees. The proponents were informed that exceeding this amount would require a new conditional use permit review.
5. Conditional Use Permit 07-014 was issued to Gary & Jessie Daubenspeck (Salon Bella) for a professional office (salon) on October 4th, 2007. Conditions of the permit limited the number of "styling professionals" to four (4), required eight (8) off-street parking spaces, and limited signage to two (2) square feet.
6. The Planning Commission is satisfied that, as conditioned, this Conditional Use:
 - a. Will not endanger the public health or safety;
 - b. Will not substantially reduce the value of adjoining or abutting property;
 - c. Will be in harmony with the area in which it is located; and
 - d. Will be in conformity with the comprehensive plan, transportation plan, or other plan officially adopted by the council.
7. The applicant has paid the required application fees.
8. The condition requiring a no parking area along Rock Creek Drive imposed by CUP 05-01 is in place and renewed periodically by the Public Works Department.
9. One verbal public comment has requested that outdoor music not be allowed in this neighborhood setting.
10. The applicant has not requested signage that exceeds the twelve (12) square foot limit discussed in SMC 17.22.020.T and 17.22.145.A. 2 & 3
11. Additional conditions may be imposed as a result of the SEPA process to mitigate any probable significant adverse impacts to the environment.

12. SMC 17.42.030 requires all new uses to provide adequate parking.
13. This conditional use permit allows new and intensified uses.
14. The conditions imposed below are proportionate to the applicant's proposal and the impacts identified in these findings.
15. Combustibles used in the operation of a salon pose a potential safety hazard to the upstairs residents of this structure.

Conditions of Approval

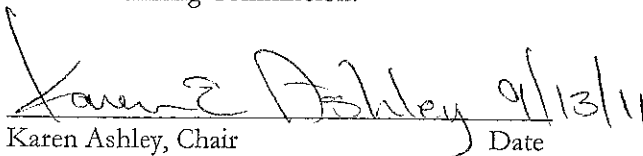
1. This Conditional Use Permit shall be valid only for the applicant at the address above.
2. The effective date of this permit shall be delayed until after the final SEPA comment period has concluded.
3. Noncompliance with the conditions of this permit or any SEPA mitigation measures associated with this proposal shall render this Conditional Use Permit invalid.
4. No outdoor speakers shall be installed in conjunction with this conditional use proposal.
5. Individual signs related to this proposal shall be limited to that allowed in SMC 17.22.145.A.2.
6. The salon use shall be limited to the four (4) hair stations, two (2) tanning booths, and one (1) nail table.
7. The new use shall provide at least seven (7) off-street parking spaces in compliance with SMC 17.42.030, 17.42.040, and 17.42.090.J.
8. Prior to occupancy by the salon, the space shall be inspected for fire safety by the City Building Inspector and any deficiencies shall be addressed.

THIS CONDITIONAL USE PERMIT (CUP2011-02) FOR:

A professional office (salon) in the R3-Multi-Family Residential District, at 421 SW Rock Creek Drive, Stevenson, WA

IS HEREBY APPROVED.

For the Planning Commission:


Karen Ashley, Chair Date 9/13/11