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DATE: October 3, 2018

MEETING DATE: October 15, 2018

TO: BENTON COUNTY HEARINGS EXAMINER

FROM: CLARK A. POSEY, ASSISTANT PLANNING MANAGER 
BENTON COUNTY PLANNING DEPARTMENT

RE: CONDITIONAL USE PERMIT: CUP 2013-011

**APPLICANT/
PROPERTY
OWNER:** PROSSER COMMUNITY CHURCH
5305 HICKS ROAD
GRANDVIEW, WA 98930
Contact: Pastor, Rod Stutzman

EXTENSION REQUEST FOR ADDITIONAL TIME TO FINISH PROJECT

The applicant is requesting approval of a Conditional Use Permit for the operation of a church with the addition of a 10,000-square foot pre-engineered metal building to be used as a multi-purpose room. A request letter from Pastor Rod Stutzman is attached to this memo which describes the progress of the project and why they need additional time.

This is a pre-existing Special Use Permit which was originally approved for a nursing home facility. The original applicant and owner have released all interest of the property as a nursing home and the property has been vacant for some time. The new owner submitted a new conditional use permit application to use the property as a Church facility and construct a new multi-purpose building of 10,000 sq. ft. This property was the old Walnut Grove Nursing Home.

BACKGROUND

Site Location: 5305 Hicks Rd Grandview, WA 98930 in the Southwest Quarter of the Northeast Quarter of Section 31, Township 9 North, Range 24 East, W.M. on Lot 1 of Short Plat 1522.

Land Use: The site is currently developed with a single-family dwelling and an accessory building with the surrounding areas being a mixture of residential dwellings and agricultural uses.

Zoning: The site and surrounding properties are zoned Rural Lands 5.

Applicant needs additional time to complete conditions, a fire destroyed part of the area that was under renovation, and one of the reasons for the delayed completion.

FINDINGS OF FACT from 11/7/2013

Based on the application and information received the planning staff makes the following findings.

1. The site is located at 5305 Hicks Rd Grandview, WA 98930 in the Southwest Quarter of the Northeast Quarter of Section 31, Township 9 North, Range 24 East, W.M. on Lot 1 of Short Plat 1522.

2. The applicant is requesting approval of a Conditional Use Permit for the operation of a Church and multi-purpose building on 5.25 acres.
3. The application for CUP 13-11 was submitted to Benton County on September 18, 2013 and was deemed complete for processing on September 19, 2013.
4. The notice for the Benton County Board of Adjustment Open Record Hearing for application CUP 13-11 was published on September 22, 2013 in the Tri-City Herald and mailed to property owners of record within 300 feet of the outer boundaries of the parcel. The Open Record Hearing is scheduled for November 7, 2013.
5. A Determination of Non-Significance (DNS) was determined and issued for EA 13-23 on October 11, 2013.
6. The site is currently developed with two (2) single-family residential buildings on the property.
7. The Benton County Comprehensive Plan designates the site and surrounding areas as "Rural Lands 5".
8. The surrounding areas are developed with residential structures and agricultural uses so the proposed use as shown in the application would not hinder or discourage the development of permitted uses on neighboring properties in the Rural Lands 5 Zone.
9. The Benton-Franklin Health District comments are noted below and are attached to this memo:
 - (1) In accordance with the Existing Septic System evaluation that was approved by this office for this property, the proposed multipurpose building shall not have its own individual on-site septic system. The users of this building must utilize the bathrooms located in the existing building directly east of the proposed multipurpose building. The existing building has its own on-site septic system that was approved to service the congregation utilizing the proposed new building.
 - (2) The maximum number of individuals/attendees that can utilize the on-site septic system, which serves the existing building (Under Permit #1740), is 275 persons per day. This number includes any and all church attendees, individuals participating in bible study, etc.
10. The Benton County Building Department comment that building permits will be required.
11. The existing building is currently vacant. The facility was a nursing home with a fully operable sprinkler and fire detection system, prior to the building being vacated.

The following are the original list of conditions of approval.

CONDITIONS OF APPROVAL

1. The applicant shall not conduct any of the activities within the scope of Conditional Use Permit CUP 13-11 until the applicant is in compliance with the following conditions. The applicant shall notify the Benton County Planning Department in writing when the conditions set forth herein have been completed. The Planning Department shall not issue the conditional use permit until

those conditions have been met. The conditional use permit shall not become effective until issued by the Planning Department.

2. If the conditions of approval have not been met and the Planning Department does not issue the conditional use permit within one (1) year from the time the Board of Adjustment conditionally approved the conditional use permit then the Board of Adjustment may declare its approval null and void at a regular Board of Adjustment meeting. Prior to doing so, the applicant shall be notified in writing at the applicant's last known address at least twelve (12) days in advance of the upcoming Board of Adjustment meeting.

3. The Benton County Fire Marshal has the following requirements:

a. The new addition will be required to be fully sprinkled, and the existing fire protection systems and hydrants will need to be tested by personnel certified by the State Fire Marshal's Office.

b. The new sprinkler system is to be designed and installed by personnel certified by the State Fire Marshal's Office. A letter from the installing company shall be sent to the County Fire Marshal stating the system was installed in accordance to the National Fire Protection Association 13.

c. The system shall have its own inspectors test valve located at the remote end of the system.

d. The County Fire Marshal shall witness the hydrostatic test and main drain test for the new system.

e. Fire extinguishers locations will be inspected by the County Fire Marshal prior to the final inspection.

4. For zoning restrictions, all of the activities must be contained to the areas located within the site plan submitted with the application of Conditional Use Permit CUP 13-11.

5. That the applicant continues to comply with the Benton Franklin Health District codes and regulations and any changes or modifications to the original submitted plan must be approved by the Health District and verification provided to the Benton County Planning Department.

PLEASE NOTE:

In accordance with the existing Septic System Evaluation that was approved by the Health District for this property, the proposed multipurpose building shall not have its own individual on-site system. The users of this building must utilize the bathrooms located in the existing building directly east of the multipurpose building. The existing building has its own on-site septic system that was approved to service the congregation utilizing the proposed building.

The maximum number of individuals or attendees allowed to utilize the on-site septic system that serves the existing building (under permit# 1740), is 275 persons per day. This number includes any and all church attendees or individuals participating in bible study, etc. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 13-11 is in effect. The maximum occupancy for the facility is 275.

6. No parking within any part of the road right of way will be allowed. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 13-11 is in effect.

7. That any proposed outdoor lighting associated with this conditional use permit is deflected downward to avoid unnecessary glare on neighboring parcels. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 13-11 is in effect.

8. That the property owner and the proprietor(s) of the business shall comply with all the requirements of the Benton County Building Department, the Benton County Fire Marshal, the Benton-Franklin District Health Department, and all other local, state and federal regulations pertinent to the conditional use permit pursued. The requirements of or permission granted by the Board of Adjustment shall not be construed as an exemption from such regulations.

9. The Benton County Planning Department, Benton County Building Department, the Benton County Fire Marshal and the Benton-Franklin District Health District must approve any changes or modifications to the original submitted application. The applicant shall continue to meet all such requirements while Conditional Use Permit CUP 13-11 is in effect.

10. Any and all approaches onto Hicks Road must be paved to meet County Standard Plan 96-05 for Multi-Use and Commercial access.

The Planning Department would support an extension of one year.