



**STAFF REPORT**  
**HEARING EXAMINER CONDITIONAL USE PERMIT *for***  
**CHURCH USE OF SINGLE-FAMILY ZONED PROPERTY**

**A. SUMMARY AND PURPOSE OF REQUEST**

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**DATE OF REPORT:** October 9, 2013

**PROJECT/FILE NUMBER:** PL13-072

**PROJECT PLANNER:** Rebecca Lowell, Senior Planner

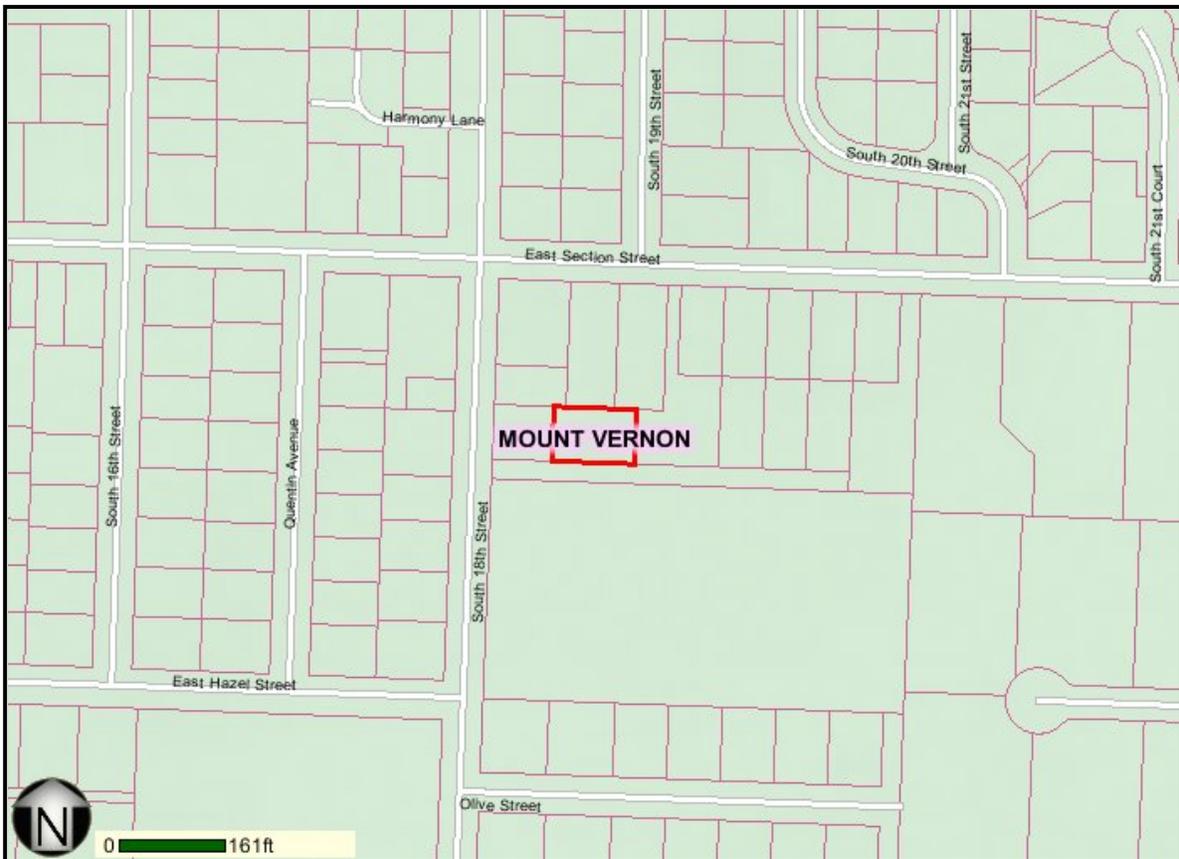
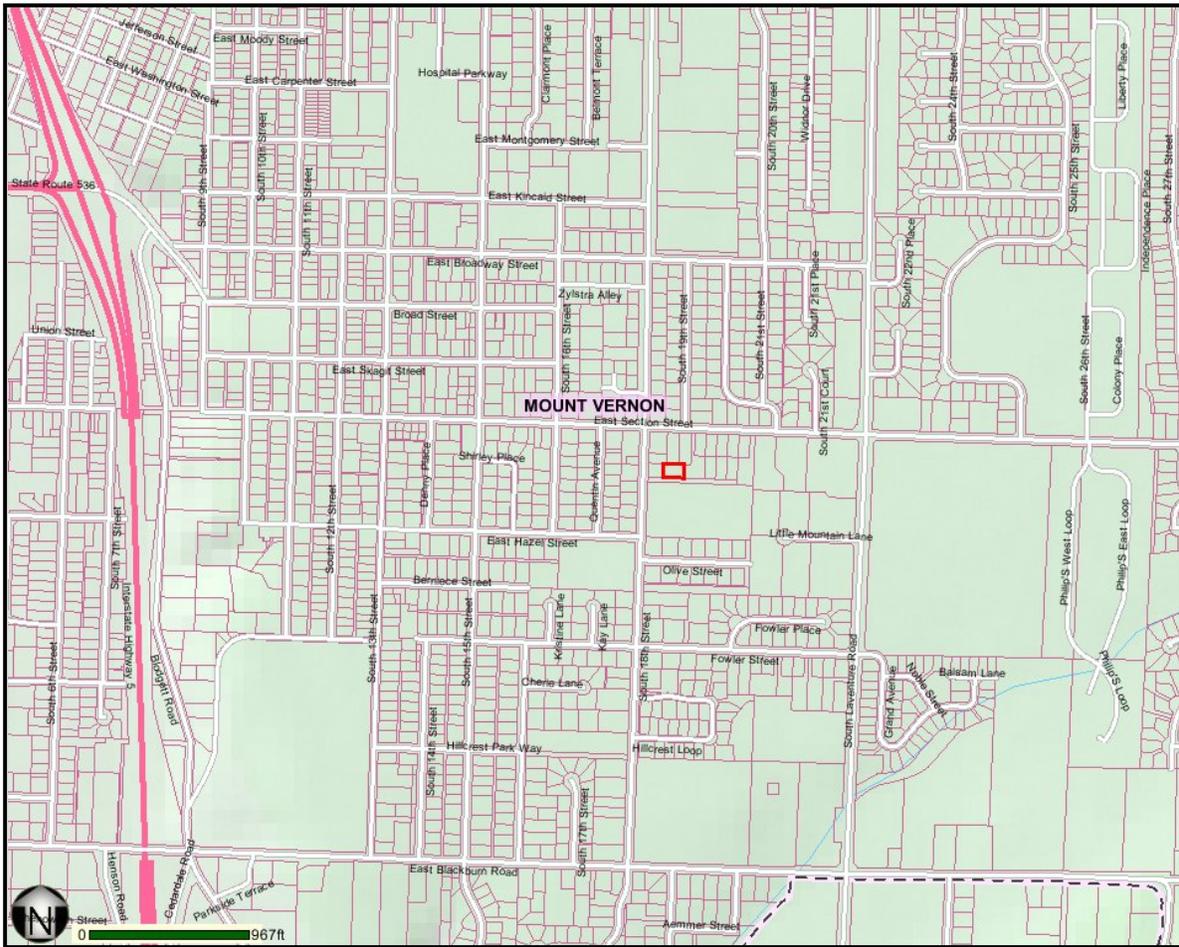
**APPLICANT:** Children of the Valley, 1318 South 18<sup>th</sup> Street, Mount Vernon, WA (360) 424-9399 – Contact: John Hansted (COV Co-Chair).

**OWNER:** Bethany Covenant Church (same address and phone number as listed above under the ‘applicant’).

**PROJECT DESCRIPTION:** The applicant is seeking approval of a Conditional Use Permit to place two portable buildings that would house three classrooms on the subject site that is described below. The proposed buildings will total 2,688 square feet, four parking stalls will be created, and a landscape buffer will be planted along the north and east property lines.

**PROJECT LOCATION:** The subject property is located at 1272-B South 18<sup>th</sup> Street in Mount Vernon, the Skagit County Assessor identifies the site as parcel: P28216, it is located on the east side of South 18<sup>th</sup> Street, between Section and Fowler Streets, and is within a portion of Section 29, Township 34 North, Range 04 East, WM in Skagit County, Washington.

Below are two maps that show the location of the subject site outlined in red; however, please keep in mind that these maps are to be used only in the context of this staff report to locate the subject site. The property lines shown on these maps are approximate.



## B. EXHIBIT LIST

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- Exhibit 1:** Children of the Valley Conditional Use Permit file, File No. PL13-072  
**Exhibit 2:** Memo from Ana Chesterfield dated October 4, 2013 with Engineering Comments  
**Exhibit 3:** Traffic Concurrency Evaluation Report dated October 4, 2013 from Ana Chesterfield  
**Exhibit 4:** Master Land Use Application, Site Plans & Project Narrative submitted by the Applicants

## C. GENERAL INFORMATION

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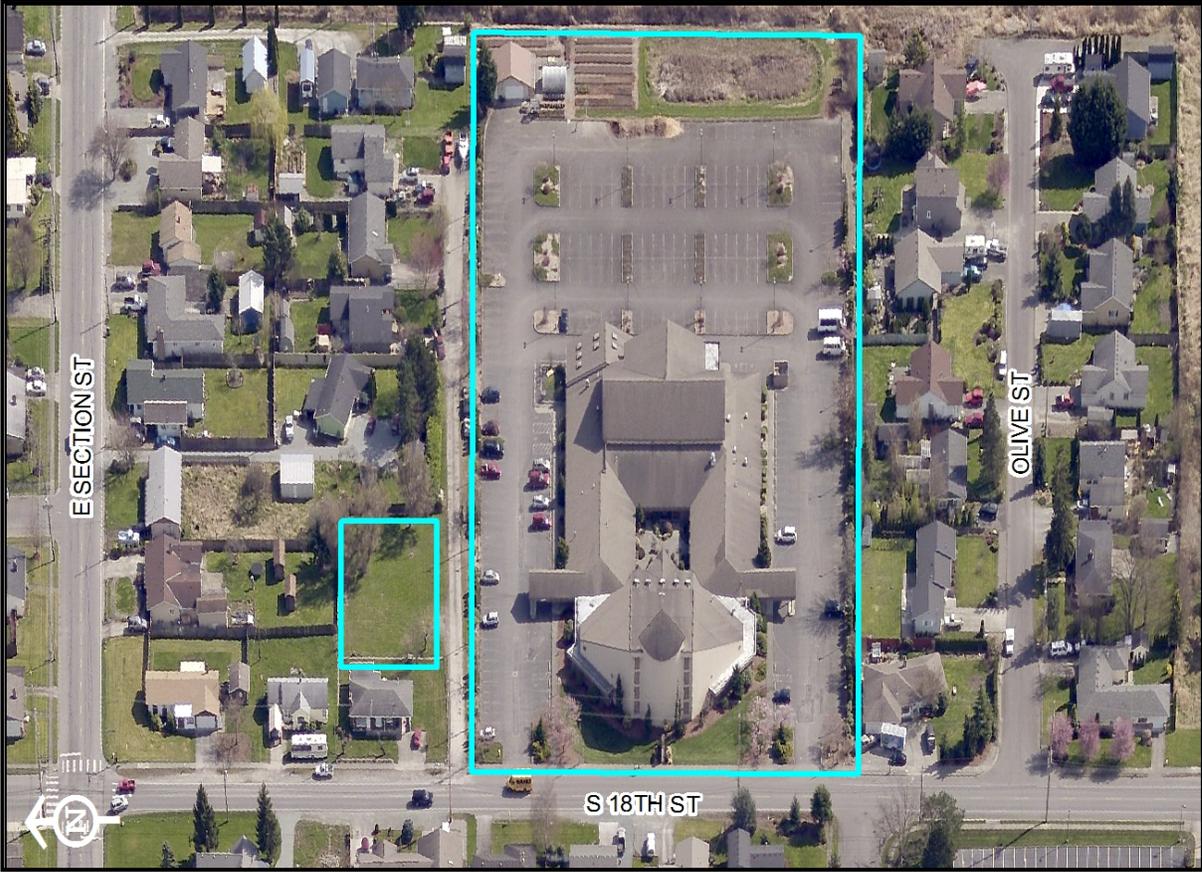
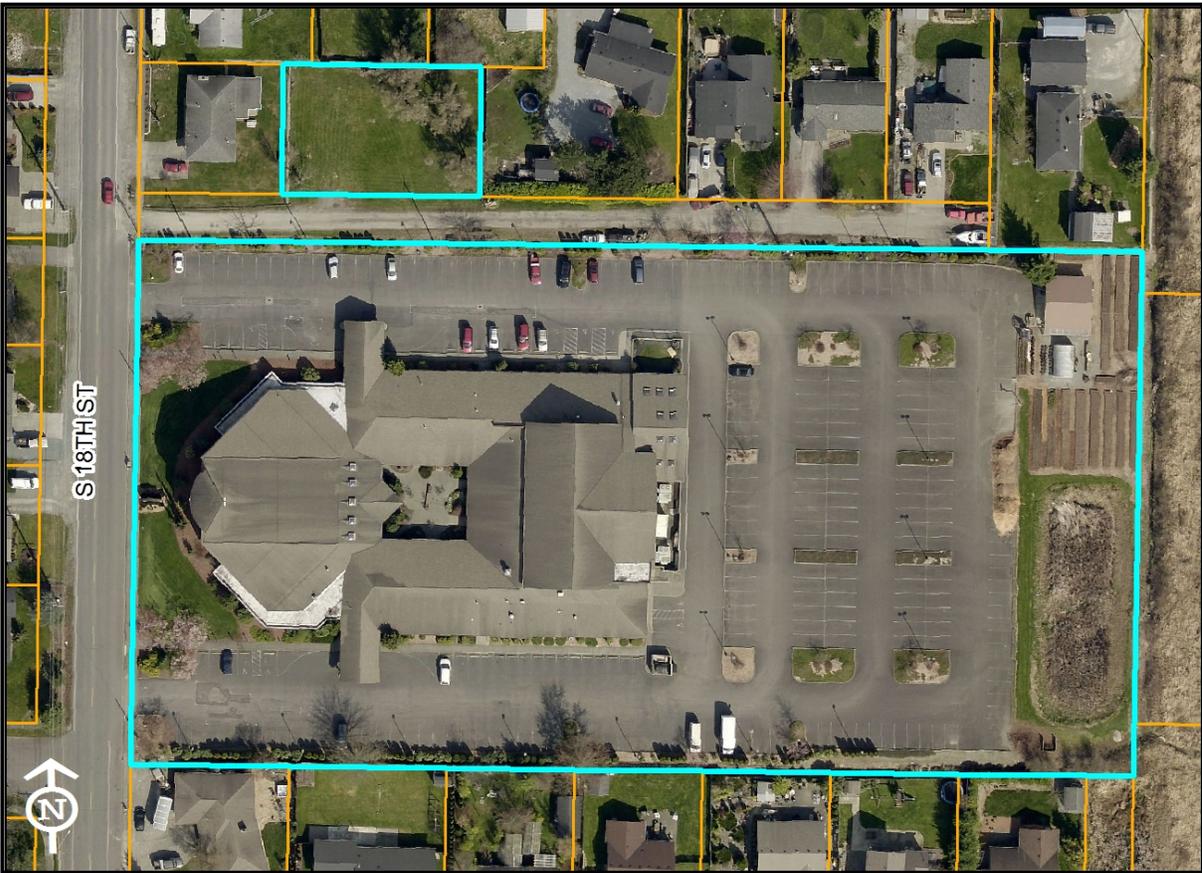
- Zoning Designation:** Single-Family Detached Residential (R-1, 5.0) District
- Comprehensive Plan Designation:** High Density Single-Family (SF-HI)
- Existing Site Use:** Vacant
- Neighborhood characteristics:**
- North:** Single-Family residential lot.
  - East:** Single-Family residential lot.
  - South:** Existing gravel access road that abuts the parking lot of Bethany Covenant Church.
  - West:** Single-Family residential lot owned by Bethany Covenant Church.

Below is an aerial map of the subject site. The site boundaries are roughly approximated in red. This map is presented for informational purposes regarding the surrounding land uses only.

- Access:** The vehicular access will be off of the existing private access road located immediately to the south of the subject site.

- Site Area:** The area of the lot is  $\pm .26$  of an acre; or  $11,721 \pm$  square feet.

Below are two aerial maps that have the subject site and Bethany Covenant Church outlined in blue. Similar to the vicinity maps above, these vicinity maps are to be used only in the context of this staff report to illustrate the existing condition of the site and the surrounding land uses. The property lines shown on these maps are approximate.



## **D. APPLICABLE SECTIONS OF THE MOUNT VERNON MUNICIPAL CODE (MVMC)**

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### **Title 14: Land Use and Development**

- Chapter 14.05 Administration of Development Regulations

### **Title 16: Subdivisions**

- Chapter 16.16 Design Standards for Non-arterial Streets
- Chapter 16.36 Boundary Line Adjustment

### **Title 17: Zoning**

- Chapter 17.06 Definitions
- Chapter 17.15 'R-1' Single-Family Detached Residential District
- Chapter 17.30 Public (P) Zoning District
- Chapter 17.84 Parking
- Chapter 17.93 Landscaping
- Chapter 17.108 Conditional Use Permits

## **E. APPLICABLE SECTIONS OF THE MOUNT VERNON COMPREHENSIVE PLAN**

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- Land Use Element

## **F. DEPARTMENT ANALYSIS**

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### **Background:**

Bethany Covenant Church was completed, and has operated as a church in its current location since 1987. In 2010 the Church purchased the subject site; and in 2012 they also purchased its westerly abutting property addressed as 1272 South 18<sup>th</sup> Street.

Children of the Valley (COV) Afterschool Program was created in 2006 and since this time has operated out of Bethany Covenant Church. The applicant states that they wish to move their program to adjacent property that the Church owns due to other church program expanding and needing the classroom space that COV is currently using.

### **Process:**

Mount Vernon Municipal Code (MVMC) Chapter 14.05 contains permit specific procedural requirements for, in part, the City's Zoning code, Title 17. With regard to the subject proposal, the zoning code and Chapter 14.05 (looked at together) require that the proposed Church use be process as a Type III, Conditional Use Permit, approved by the Hearing Examiner with an appeal opportunity to the City Council. Following are the applicable sections of Chapter 14.05 relating to this land use action:

**14.05.060 Permit classification table.**

Land Use Permit/Action	Permit Type					
	I	II	III	IV	V	VI
Conditional Use Permit			X			

**14.05.050 Permit types.**

*B. Permit Types.*

*3. Type III – Hearing Examiner Review with Public Hearing. Type III applications are those applications that require an open record hearing before the hearing examiner and for which the hearing examiner makes the final decision. For all applications except variances, the hearing examiner decision may be appealed in a closed record appeal to the city council. Appeals for variances go to superior court, except appeals of hearing examiner shoreline variance decisions go to the city council.*

Following is a list of the procedural steps completed by the applicant as part of this land use process:

- October 23, 2012 the applicant met with City staff at a pre-application meeting to ascertain City requirements to allow the subject project to proceed.
- July 31, 2013 an application for a Boundary Line Adjustment (BLA) and Conditional Use Permit (CUP) was submitted to the City.
- August 7, 2013 staff deemed the July 31<sup>st</sup> submittal technically incomplete for further processing and sent a letter to the applicant outlining the additional materials needed for a technically complete application.
- August 13, 2013 the applicant submitted new materials for the subject application; and on August 22, 2013 staff deemed the previously submitted materials technically complete for processing.
- August 27, 2013 staff issued a Notice of Application. This Notice was mailed to those property owners within 300 feet of the subject site on August 27, 2013 and was published in the Skagit Valley Herald on August 29, 2013. The applicant posted a land use sign on the subject site on August 29, 2013.
- September 23, 2013 a Notice of Public Hearing was mailed to those property owners within 300 feet of the subject site and this same notice was published in the classified section of the Skagit Valley Herald on September 26, 2013.

No written or verbal comments have been received by the City in response to the Notice of Application or the Notice of Public Hearing that have been distributed from the public or interested agencies.

**Environmental Review:**

Minor new construction under WAC 197-11-900(1)(b), of commercial buildings 12,000 square feet in size or less are categorically exempt from the threshold determination and the Environmental Impact Statement Requirements of SEPA [MVMC 15.06.095(A)(1)].

This categorical exemption language applies to all licenses required to undertake the construction; which in this case would include the subject Conditional Use Permit (CUP).

**Consistency with Development Regulations:**

MVMC Chapters 17.15 (Single-Family Residential), 17.06 (Definitions), 17.30 (Public Zone), 17.84 (Parking), and 17.93 (Landscaping) all apply to the subject development.

Following is an analysis of the applicable provisions from each of these Chapters of the MVMC.

**Chapter 17.15 (Single-Family Residential Zone)** – the proposed use has been determined to be a ‘Church’ use; which is allowed with a Conditional Use Permit in MVMC 17.15.050. Following is the code language for this use and the definition of ‘Church’ found within Chapter 17.06.

*17.15.050 Conditional uses*

*A. Churches; provided, that their principal access is from a secondary arterial street or greater and they shall conform to all the development standards and requirements of the public (P) zone and concurrent with approval the city shall require both the comprehensive plan and zoning designations to be changed to public (P) during the city’s next comprehensive plan amendment cycle.*

*17.06.030 C definitions.*

*“Church” means a building or structure, or groups of buildings or structures, which by design and construction are primarily intended for the conducting of organized religious services and accessory uses associated therewith.*

**MVMC Chapter 17.30 (Public Zone)** – MVMC 17.15.050 states that church uses shall conform to the development standards of the Public zone; which is codified as Chapter 17.30. Following are the requirements found in this chapter with regard to setbacks and building height. This Chapter of the code refers an applicant to Chapter 17.84 to find Parking and 17.93 to find Landscaping requirements.

***17.30.060 Setbacks.***

*Minimum setback requirements are as follows:*

*A. Front yard: 10 feet. Buildings on corner lots and through lots shall observe the minimum setback on both streets. For properties that front on an arterial, the minimum setback from the right-of-way shall be 25 feet. The community and economic development and public works directors can through a Type I decision process administratively reduce, for good cause shown, this setback.*

*B. Side and rear yards: none, except along any property line adjoining a residentially zoned district, with no intervening street or alley, there shall be a setback of 20 feet*

**17.30.080 Building height.**

*Maximum building height in the P district shall be four stories, but not more than 50 feet. Building height in excess of four stories or 50 feet may be approved through the conditional use process. Uninhabitable portions of structures such as a church spire, fleche, campanile or high nave, a dome and lantern or a clock tower may be permitted to exceed the height limit; provided, such appurtenances are not intended as advertising devices.*

The proposed structures have more than a ten (10) foot front yard setback; and has a 20-foot east side and rear (north) setbacks, because these areas adjoin residentially zoned districts with no intervening street or alley. However, to meet the required 20-foot setback for the west side yard the applicant will be completing a Boundary Line Adjustment.

**MVMC Chapter 17.84 (Parking)** – MVMC 17.84.020 requires that off-street parking be provided for all land uses. When a proposed land use is not specifically referenced within this code staff makes a determination of which factor fits the proposed use and applies that factor. This chapter of the code also outlines the dimensional requirements for new parking spaces, the number and size of ADA spaces, and also contains paving requirements for new parking spaces and the access ways to the parking spaces. The applicable regulations summarized in this paragraph follow:

**17.84.020 Parking requirements generally.**

*A. Reservation and designation of an area for off-street parking facilities shall be required for all land uses in accordance with the standards and requirements of this chapter. Where existing buildings do not now meet these requirements, off-street parking shall be provided as required herein for the entire structure when proposals for enlarging or increasing capacity of that building or use are made.*

**17.84.030 Number of Parking spaces required.**

*G. Educational Activities:*

*5. Nursery schools and day care centers: one parking space for each employee plus loading and unloading areas;*

**17.84.060 Parking space requirements.**

*The first parking space of off-street parking shall meet the van accessible size requirements of MVMC [17.84.066](#)(B). Additional accessible parking shall meet the requirements of Table No. 1 (MVMC [17.84.065](#)) and MVMC [17.84.065](#) and [17.84.066](#). All other off-street parking spaces shall meet the requirements shown in the following table:*

Parking Area Dimensions							
A	B	C	D		E	F	
Parking Angle	Stall Width	Stall Depth	Aisle Width		Curb Length per Car	Unit Width	
			1-Way Traffic	2-Way Traffic		1-Way Traffic	2-Way Traffic
90°	8.0*	16.0*	23.0	24.0	8.0*	56.0*	57.0**
	9.0	19.0			9.0	61.0	62.0

\* For use with compact cars only.

\*\* Any bays which contain combined compact and normal spaces.

Allowable compact spaces = 25 percent.

Required accessible spaces = per IBC Section 1106.

**17.84.065 Accessible parking facilities.**

A. General. For other than International Building Code (IBC) occupancy Group R-1 and R-2 apartment buildings, where parking lots or garage facilities are provided, accessible parking spaces shall be provided in accordance with Table No. 1. This section shall be construed so as to be consistent with Chapter 19.27 RCW and WAC Title 51. In the event of a conflict between this section and other applicable state statute or state administrative regulation, then in that event the most restrictive statute, regulation, or ordinance shall apply.

**Table 1  
Number of Accessible Parking Spaces**

<b>Total Parking Spaces in Lot or Garage</b>	<b>Minimum Required Number of Accessible Spaces</b>
1 – 25	1

**17.84.066 Design and construction.**

A. General. Where accessible parking spaces are required by this chapter, they shall be designed and constructed in accordance with this section. This section shall be construed so as to be consistent with Chapter 19.27 RCW and WAC Title 51. In the event of a conflict between this section and other applicable state statute or state administrative regulation, then in that event the most restrictive statute, regulation, or ordinance shall apply.

*B. Size. Parking spaces shall be not less than 96 inches (2,440 mm) in width and shall have an adjacent access aisle not less than 60 inches (1,525 mm) in width. Van-accessible parking spaces shall have an adjacent access aisle not less than 96 inches (2,440 mm) in width.*

**17.84.070 Access for parking spaces.**

*Each off-street parking space shall be accessible from a street or alley. All of the streets and alleys that provide access to a site shall be paved. The circulation pattern of the parking lot shall be designed so that no maneuvering needs to take place on a city street (alleys may be used; provided, that safety considerations are met). No off-street parking facility for four or more spaces shall be designed so that vehicles must back across a sidewalk in order to gain access to a street or alley. Where an off-street parking facility does not abut a public or private street, alley or access easement, there shall be provided an access drive not less than 24 feet in width for two-way traffic, or where separated, one-way access drives are proposed, each shall not be less than 12 feet in width. In addition, the requirements of RCW 27.69.080 concerning fire lanes shall also be met.*

The applicant proposes three (3) parking spaces for the proposed use plus one ADA, handicap accessible, space on the project site. The applicant has stated in their project narrative that they have five (5) staff. However, the applicant has told staff that the existing parking areas that abut the subject site where the existing Bethany Covenant Church is will be available for parking, should it be necessary. Since the hours of operation of the proposed use do not coincide with the Church's busiest, most parking intensive, days/times (being on the weekends) staff is satisfied with the four (4) parking spaces provided.

All of the 90-degree parking spaces dimensionally meet code, and the applicant will be paving the parking area and the private road that extends along the south side of the side connecting to South 18<sup>th</sup> Street.

**MVMC Chapter 17.93 (Landscaping)** – This Chapter of the MVMC requires landscaping along street frontages (defined as both public and private streets), an overall amount of landscaping on a site, and screening requirements. The requirements specific to the proposed development follow:

**17.93.020 General site landscaping**

*D. Planting areas along street frontages will be mandatory except for driveways and pedestrian walks within the property. Trees shall be planted at a maximum of 30 feet apart in such planting areas, with shrubs installed to attain coverage of at least 60 percent of the landscape area within two years. Ground covers shall also be installed to cover no less than 40 percent of the area not covered by the trees or shrubs. Variations in the planting of trees may be approved by the community and economic development director.*

2. The planting strip shall be a minimum of 15 feet wide in the R-2, R-3, and R-4 zoning districts. The planting strip may be reduced to a minimum of 10 feet in the P, H-D, R-O and P-O, LC, C-2, C-3, C-4, and C-L zoning districts and to a minimum of five feet in the M-1 and M-2 zoning districts. Averaging shall be encouraged to promote variation of design.

**Percent of Gross Site  
Area to Be  
Landscaped**

P, H-D, R-O, P-O      15%

**17.93.040 Screening requirements.**

*In order to reduce the incompatible characteristics of abutting properties with different land use classifications or uses, the following standards shall apply. The community and economic development director may also require these standards to buffer incompatible uses even if the land use classification is the same; and may waive these requirements if the actual development on abutting properties is similar in nature, i.e., two abutting commercial developments, thus not requiring screening. This type of landscaping will be installed in planting strips on the interior property lines according to the following schedule. These requirements shall be in addition to other requirements of this chapter, therefore the amount of overall landscaping may exceed the minimum stated in [MVMC 17.93.020](#).*

*A. Type I screening is intended to create a visual separation between incompatible uses. Minimum width shall be 10 feet; however, a reduction may be approved by the community and economic development director with the concurrence of the adjacent property owner. Type I screening requirements are as follows: Landscaping shall be made up of evergreen trees planted at a maximum of 15 feet on center. Use of deciduous trees is also encouraged to add seasonal and textural variation. Up to 25 percent of required evergreen trees may be deciduous trees instead. Medium-sized shrubs (three to five feet maturity height) and ground cover plants shall be added at a density to form an effective barrier to cover 85 percent of the ground surfacing and horizontal separation within two years. Type I landscaping shall incorporate the use of either earth-berming or a six-foot-high (reduced in the front yard setback area) sight-screening fence. If the earth-berming alternative is chosen, medium-sized shrubs shall be spaced at a maximum of four and one-half feet on center. If the fence option is selected, maximum spacing shall be six feet on center. Type I screening is required when the following land use districts abut:*

<b>1. District in Which Development Is Proposed</b>	<b>District to Be Screened</b>
R-2, R-3, R-4, MHP, P, R-O, P-O, HD	All "R" zones, including MHP

The overall percentage of landscaping on this site is sixty-three percent (63%), far in excess of the fifteen percent (15%) that is required in Public zones.

The applicant will need to revise their landscaping plans to include a minimum 10-foot wide landscaping strip along the south side of the site that abuts the existing private road; and this area will need to be planted with a minimum of two (2), 2-inch caliper street trees and shrubs installed such that they will cover no less than a six (6) foot wide area within this 10-foot planting strip in two (2) years (i.e., the referenced 60% coverage).

The required landscape screen as shown on the submitted site plans complies with the above-referenced screening requirements.

**Consistency with Conditional Use Criteria:**

MVMC 17.108.030 provides criteria that the Hearing Examiner is to consider, along with all other relevant information, in making a decision on Conditional Use Permit applications.

**A. The proposal is compatible with the Comprehensive Plan for the City.**

By complying with the zoning regulations that allow a church use in a single-family residential zone (with a Conditional Use Permit) the project proposal also demonstrates compliance with the City's Comprehensive Plan. The rationale for this statement follows.

The City's Comprehensive Plan provides general framework within which the City's development regulations are created and administered. With regard to the subject application, the Land Use Element of the Comprehensive Plan outlines the zoning regulations associated with all of the Comprehensive Plan designations within the City. The subject site has a Comprehensive Plan designation of High Density Single Family (SF-HI) and an associated, implementing zoning designation, codified in Chapter 17.15 of the Mount Vernon Municipal Code (MVMC). This chapter of the MVMC allows church uses with the approval of a CUP.

In addition, the following supporting Objective and Policy that speak specifically to public and religious uses are both found within the Land Use Element of the Comprehensive Plan:

**Objective LU-54.1** Balance residential, commercial, industrial and *public* land uses within the City.

**Policy LU-54.1.5** Integrate non-residential uses such as parks, social and *religious uses*, where appropriate, into residential neighborhoods to create communities that have a full range of public facilities and services. These non-residential uses shall be sited, designed, and scaled to be compatible with the existing residential character.

**B. The proposal shall be compatible with the surrounding neighborhood.**

The surrounding neighborhood is residential in nature with the exception of the existing Bethany Covenant Church. The proposed classrooms will be compatible with the surrounding neighborhood because they should not create impacts beyond what another residential structure in this same location would. In addition, the proposed use is far less intense than the existing Bethany Covenant Church.

**C. The surrounding neighborhood would not be negatively impacted by the size, arrangement or architectural design of the proposed use.**

As stated above, the surrounding neighborhood is comprised of residential dwelling units with the exception of the adjoining Bethany Covenant Church located immediately to the south of the subject site. The existing homes surrounding and abutting the site (south of East Section and east of South 18<sup>th</sup>) are all single-story homes with building footprints ranging between approximately 800 s.f. to a little over 1,200 s.f. in size.

The western most proposed modular structure that will be placed on the subject site will be approximately 1,820 s.f. in size and the eastern most proposed structure will be approximately 870 s.f. in size. Therefore, the size of the proposed structures fits within the range of what exists in the surrounding neighborhood.

With the installation of the required landscaping on the subject site the residential character of the proposed structures will also be enhanced.

**D. Traffic patterns are not severely impacted.**

Traffic patterns will not be severely impacted by the proposed use; and in fact, the incremental increase in traffic from the proposed use will be minimal. Please see the attached **Exhibit 3** that contains the traffic concurrency review completed for the proposed use. This review documents that an additional 2.89 traffic trips will be generated during the City's identified P.M. peak hour (4 p.m. to 6 p.m.).

**E. Public facilities are available to serve the proposed development.**

Public facilities are available to serve the proposed development.

Specifically, South 18<sup>th</sup> Street (a City identified arterial roadway) exists to the west of the subject site; and is the public roadway that will be traveled to access the site. Public sanitary sewer and potable water exists within South 18<sup>th</sup> Street as does natural gas, and overhead power lines.

There is also an existing public storm drainage system located within South 18<sup>th</sup> Street. Stormwater from the proposed new impervious surfaces will be directed to a new catch basin that will be installed just west of the subject site. Once the stormwater reaches the new catchbasin it will be discharged to the existing storm sewer system in 18<sup>th</sup> Street that drains south to Hazel Street and continues west in the City's storm sewers.

**F. The proposal has no materially detrimental effects on neighboring properties due to excessive noise, lighting or other interference with the peaceful use and possession of said neighboring properties.**

Staff asserts that the proposed use of the subject site will have no detrimental effects on the surrounding properties; and that any effects would be comparable to those that a residential dwelling unit would produce.

The City's municipal code regulates both noise and lighting impacts and the subject site will be subject to these requirements.

During the comment period in which the Notice of Application was routed no comments from the neighboring properties were received by the Community & Economic Development Department that would indicate that the neighborhood might be concerned about potential impacts from the proposed use.

**G. The proposal has been designed to minimize adverse effects on neighboring properties.**

The subject proposal has been designed to minimize adverse effects on neighboring properties by complying with the City's development regulations that are designed to minimize such impacts. Specifically, the applicant will be paving the existing private road to serve the proposed buildings. This paving will mitigate dust and noise impacts associated with vehicular travel through gravel. Additionally, the applicant will be installing a landscape buffer along the north and east sides of the subject site, which will enhance the aesthetics of the proposed development and will also buffer potential noise and light coming from the site.

**H. Landscaping materials are provided in sufficient quantities and locations to screen objectionable views, break up large parking areas and present an aesthetically attractive appearance.**

A Type I landscaping screen will be provided, consistent with MVMC 17.93.040(A), along both the north and east property lines of the subject site. This screen will consist of a 10-foot wide area planted with evergreen trees at 15 feet on center, shrubs, and ground cover plants planted at a density to form an effective barrier to cover 85 percent of the ground surfacing and horizontal separation within two years. This screen shall also include a six-foot-high fence.

In addition to the landscape screen outlined in a paragraph above the applicant will be required to install a minimum 10-foot wide landscaping strip along the south side of the site. Areas that landscaping, parking, walkways and buildings are not located will be planted with grass.

The combination of the landscape screening and the landscaping proposed across the remainder of the site provides more than sufficient quantities and locations to screen the proposed structures, to break up the proposed four (4) parking spots and to overall create an aesthetically attractive appearance.

**Staff Review Comments:**

Representatives from various City departments have reviewed the application materials to identify and address site plan issues from the proposed development.

Comments have been received with regard to the CUP and BLA from the Engineering Services Manager, Ana Chesterfield. These comments are attached to this report, labeled as **Exhibits 2 and 3**. There were no other comments from City staff.

**G. CONDITIONS RECOMMENDED TO HEARING EXAMINER:**

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Upon review of the materials submitted to-date, staff suggests that the requested CUP have the following conditions placed on it:

1. The Boundary Line Adjustment (BLA), that has been submitted in preliminary form, be finalized and recorded before a Fill & Grade Permit is issued for site development. The BLA is necessary so that the subject site is able to comply with the required 20-foot side yard setback on its west side.
2. That a shared parking easement be recorded to benefit the subject site. This ensures that the subject parcel will be able to remain code compliant, with regard to the number of off-street parking spaces, should the ownership of the subject parcel ever change.
3. That the items requested in Ana Chesterfield’s correspondence, attached labeled as **Exhibits 2 and 3**, be complied with.
4. That the landscaping plans be revised to include a minimum 10-foot wide landscaping strip that complies with MVMC 17.93.020(D).
5. Documents, whether they are historic or created following the submittal of the subject CUP, need to be submitted to the City to show that the applicant has the legal right to: 1) extend utilities, 2) use for parking spaces, and 3) to use for access the existing private road that extends from South 18<sup>th</sup> along the south property line of the subject site. The only materials that have been submitted to staff to-date are the Joint Maintenance Agreement (A.F.#9106110063) and the Record of Survey (A.F. #9101040030); and from these documents staff concludes that the subject site only has an easement for “ingress and egress” over and across this private road.
6. The following is not a condition of approval per se; however, staff would like to remind the applicant that the subject approval is for a CUP only and that Fill & Grade, Building, and Right-of-Way permits will all need to be submitted and approved before any work commences on the site should the CUP be granted.

**H. RECOMMENDATION TO THE HEARING EXAMINER:**

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That the Conditional Use Permit application for the **Children of the Valley, Project File No. PL13-072** be **APPROVED** subject to compliance with the Mount Vernon Municipal Code and the conditions listed above under the “Conditions Recommended to Hearing Examiner” section of this report.

**TRANSMITTED** this 9<sup>th</sup> day of October, 2013 to the applicant and the Hearing Examiner.