

CITY OF OAK HARBOR
HEARING EXAMINER

RE: Conditional Use Permit) CUP-14-01
Application for)
)
Grace By The Sea Anglican Church) FINDINGS OF FACT,
) CONCLUSIONS OF LAW,
) AND DECISION

SUMMARY OF APPLICATION AND DECISION

Application: The Applicant proposes to convert an existing 5,000 square foot commercial building into a church facility, which will include a 1750-square foot worship space with seating for up to 100 persons, a 1,260 square foot fellowship hall and associated office, nursery, restroom and support facility rooms.

Decision: The Hearing Examiner for the City of Oak Harbor hereby grants approval for the requested Conditional Use Permit, subject to the Conditions of Approval recommended by the Development Services Department of the City of Oak Harbor.

FINDINGS OF FACT

INTRODUCTION

The following Findings of Fact and Conclusions of Law are based upon consideration of the exhibits admitted herein and evidence presented at the public hearing.

I.

Applicant: Grace By The Sea Anglican Church

Property Owner: YMCA, 7405 Alban Station Court No. B215, Springfield, Virginia 22150

Address of Proposal: 540 SE Pioneer Way
Oak Harbor, WA 98277

Parcel Number: R13202-232-1770

Comprehensive Plan Designation: Central Business District

Zoning Designation: Central Business District [CBD]

Application Presented for Action:
Conditional Use Permit (CUP-14-01), Review Process III

Legal Notices: Published: Notice of Public Hearing, November 1, 2014
Notice of Application, October 15, 2014

Mailed Notice of Application 300-foot radius October 14, 2014

Posted on subject property: Notice of Application, October 14, 2014

Hearing Date: November 17, 2014

Parties of Record:

Raymond Orritt, Representative
Grace By The Sea Anglican Church
PO Box 1800
Oak Harbor, WA 98277

Ray Lindenburg, Associate Planner
Development Services Department

Exhibits:

- 1 Staff Report with attached Exhibits
 - 1-1 Conditional Use Application and Applicant Narrative
 - 1-2 Vicinity and Aerial Maps
 - 1-3 Zoning Map
 - 1-4 Fire Department Requirements
 - 1-5 Public Noticing Documents
 - 1-6 Letter of Support for proposal, dated November 12, 2014

II.

The Development Services Department of the City of Oak Harbor recommended approval of the requested Conditional Use Permit, subject to conditions. The Findings of

Fact and Conclusions of Law of the Department are set forth in a Staff Report, Exhibit No.1, dated November 17, 2014, a copy of which is attached hereto and incorporated herein by this reference.

The Findings of Fact set forth by Staff in the Staff Report are supported by the record as a whole. The Applicant's representative indicated that there were no factual inaccuracies in the Staff Report. There was one written comment letter supporting the church and no opposition to the proposal.

III.

Any Conclusion of Law which is deemed a Finding of Fact is hereby adopted as such. Based on the foregoing Findings of Fact, now are entered the following

CONCLUSIONS OF LAW

I.

The Hearing Examiner concurs in the Conclusions of Law reached by Staff in the Staff Report and with Staff's Recommendation that the Conditional Use Permit Approval is consistent with the Conditional Use Criteria of OHMC 19.67. Subject to the Conditions of Approval attached to the granting of this permit, the proposal is consistent with the Conditional Use Criteria. A Conditional Use Permit should be granted, subject to conditions.

II.

Any Finding of Fact deemed to be a Conclusion of Law is hereby adopted as such. Based on the foregoing Findings of Fact and Conclusions of Law, now is entered the following

DECISION

The Hearing Examiner for the City of Oak Harbor hereby grants Conditional Use Permit Approval to Grace By The Sea Anglican Church to convert an existing 5000-square foot

commercial building into a church facility at 540 SE Pioneer Way, Oak Harbor, WA, parcel R13202-232-1770, subject to the following Conditions of Approval:

1. The project shall be in general conformance with the narrative and application materials, Exhibit 1-1 in the Hearing Examiner file, and abide by conditions and requirements set forth within the Staff Report, a copy of which is attached hereto.
2. Scheduled church related gatherings and services shall be limited to off-peak business hours such as evenings and Sundays. Unscheduled and infrequent events such as funerals should be timed so as not to create traffic or parking problems.
3. Limited expansions or modifications to the area for the purposes of establishing additional accessory uses can be requested through a Type II administrative review process. Expansions and modifications to the existing area (such as additional suites within the complex) to accommodate larger gatherings for services shall be a Type III review process.
4. The Applicant shall apply for and receive any required tenant improvement building permits before commencement of construction activity.
5. The Applicant shall comply with Fire Department regulations [see Exhibit 1-4 in the Hearing Examiner file].
6. Parking shall be provided on-site or through agreements with neighboring private property owners. Any agreements shall be made in writing and a copy provided to the City to be placed in the Conditional Use Permit file. Should City Staff be made aware of parking overflow problems, the Applicant may be required to submit a plan to the City to rectify such issues.
7. A "one-way" sign shall be installed at each exit onto Pioneer Way to guide traffic in the proper direction. Such sign(s) should be installed in coordination with the City Public Works Department.
8. The Conditional Use Permit shall not be transferable to a subsequent user unless specifically authorized by the Hearing Examiner who finds it appropriate and a permit authorizing the transferability is on record with the Island County Auditor.
9. The Conditional Use Permit must be acted on within one year of the date of granting. Otherwise the Conditional Use Permit shall expire and be null and void.
10. The Conditional Use Permit applies only to the property for which the application is made.

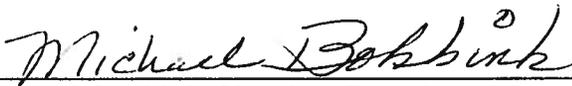
NOTICE

This approval is subject to all of the above-stated conditions. Failure to comply with them may be cause for enforcement action pursuant to OHMC 19.100. Complaints regarding a violation of the conditions of this permit should be filed with the City of Oak Harbor Development Services Department.

NOTICE OF APPEAL PROCEDURES FROM FINAL DECISIONS OF

This decision of the Hearing Examiner for the City of Oak Harbor is final ten days after the issuance of this decision unless it is appealed to the Island County Superior Court within ten days of the issuance of this decision, pursuant to 30.70C R.C.W.

DATED this 18th day of November 2014.



Michael Bobbink, Hearing Examiner

GRACE BY THE SEA ANGLICAN CHURCH
Case No. CUP-14-01
Staff Report to Hearing Examiner

APPLICATION:

The Grace by the Sea Anglican Church proposes to use an existing 5,000 square foot commercial space as a 100-seat meeting hall for church services and related activities. Currently, 29 parking spaces are associated with the building.

PRELIMINARY INFORMATION:

Applicant: Grace by the Sea Anglican Church, PO Box 1800, Oak Harbor, WA 98277

Property Owner: YMCA, 7405 Alban Station Court #B215, Springfield, VA 22150

Address of proposal: 540 SE Pioneer Way, Oak Harbor, WA 98277

Parcel Number: R13202-232-1770

Comprehensive Plan Designation: Central Business District

Zoning Designation: CBD, Central Business District

Application Presented for Action:

Conditional Use Application (CUP-14-01) - Review Process III

Attachments:

Exhibit 1	Conditional Use Application and Applicant Narrative
Exhibit 2	Vicinity and Aerial Map
Exhibit 3	Zoning Map
Exhibit 4	Fire Department requirements
Exhibit 5	Public Noticing Documents

BACKGROUND:

The existing building located on the property was previously used as a YMCA. Recently, the YMCA has vacated the building and placed the property on the market for sale. Grace by the Sea Anglican Church is in negotiations with the property owner to purchase the site with the intention of relocating. The YMCA, as the current property owner, has given permission to the Church to pursue a Conditional Use Permit to hold their services and associated activities on the site.

Conditional Use Permit Application

The subject parcel is currently zoned Central Business District (CBD). The site's proposed use is not specifically listed under OHMC 19.20.315 *Conditional uses*

permitted, but a decision issued by the Hearing Examiner in 2006 stated that a church use can be “considered similar to uses permitted or conditionally permitted and normally located in the central business district,” as stated within that section.

Following OHMC 18.20.250(2)(b), the review of applications for conditional uses are Review Process III actions. Such actions are subject to an open record public hearing before the Oak Harbor Hearing Examiner, followed by a final decision by the Examiner.

PROJECT DESCRIPTION

The proposed project will convert an existing 5000-square foot commercial building into a church facility, which will include a 1750-square foot worship space with seating for up to 100 persons, a 1260-square foot fellowship hall and associated office, nursery, restroom and support facility rooms.

29 parking spaces are currently identified on site. Those spaces are all delineated with painted stripes on asphalt surface and do not require relocation of vehicles or special movements to access.

The use of the facility is expected to consist of two Sunday morning services with a teaching period in between, normally scheduled weekday activities and special occasions such as weddings and funerals. Average attendance for the Sunday services has been 14 for the early service and 51 for the late service. Holidays such as Easter generally draw more attendees, but the applicant anticipates that parking will be adequate on site to accommodate all planned events.

SITE GEOGRAPHY

The subject property is a 0.80 acre parcel located between SE Pioneer Way and SE Barrington Drive, west of Ely Street. Currently developed with a 5000-square foot building and paved parking lot, the parcel slopes slightly downward from north to south. Land uses abutting the site include the following:

	Existing Land Use	Zoning
North:	Multi-Family Residential	CBD-1, Central Business District
South:	Undeveloped	CBD, Central Business District
East:	Commercial	CBD, Central Business District
West:	Commercial	CBD, Central Business District

SEPA

The proposed project does not meet the threshold for SEPA review.

LEGAL NOTICE:

A Notice of Application was advertised on October 15, 2014 and Notice of Public Hearing was advertised on November 1, 2014, both in the Whidbey News Times. Notice to neighboring property owners within a 300-foot radius of the property were mailed on

October 14, 2014 and a notice was posted on the subject property on October 14, 2014.

The public hearing to consider CUP-14-01 is scheduled for November 17, 2014 at 10:00 a.m.

PUBLIC COMMENTS:

The City has received no public comments as of the date of this staff report.

CONDITIONAL USE REVIEW

The Oak Harbor Municipal Code 19.67 Conditional Uses, states that a conditional use permit shall be granted if certain criteria are met. The following is an analysis of the conditional use criteria:

1. All special conditions for the particular use are met.

No special conditions are established within the CBD, Central Business District zoning district for churches or similar structures. The Hearing Examiner may establish conditions of approval as provided for by OHMC 19.67.050.

2. It does not have a significant, adverse environmental impact resulting in excessive noise, light and glare or soil erosion on adjacent property.

No negative impacts are expected from the proposed use. Most construction activity will be limited to the interior of the building in the early stages. Beyond construction, the use of the property should not generate excess noise or other environmental impacts. Any noise concerns related to outdoors activities that may occur on the property shall be addressed by Chapter 6.56 of the Oak Harbor Municipal Code.

The use of the building will be of limited impact to neighboring parcels due to the primary usage being on Sundays. Parking will be contained on site and any traffic and overflow parking will be minimal and not create significant issues on the lightly-traveled weekend periods. Weekday gatherings will be significantly smaller events such as classes and other group gatherings.

Significant changes to the exterior of the building or the land itself are not proposed at this time.

3. It is provided with adequate parking.

Currently, there are 29 marked parking spaces on site for 100 seats within the building. As stated in the application materials, the maximum attendance for Sunday services has been less than that maximum number. The expectation of the applicant and staff is that many attendees to Sunday services will be carpooling.

Required parking for church uses is one parking space per four seats according to

OHMC 19.44.100 – therefore, the minimum required would be 25 spaces.

Parking concerns have been addressed by the applicant in a submitted addendum (Exhibit 1). Several options to expand parking are given within – including receiving permission for off-site parking on private property, adding a service, and better equalizing attendance at services.

4. It is served with adequate public streets, public utilities and facilities.

The applicant will be required to apply for a building permit for work on the structure. Transportation Concurrency will be required with the application.

Existing and proposed fixtures need to be recalculated to determine if existing water service can meet proposed demands. The applicant will be required to fill out a cross connection control questionnaire to determine the required backflow prevention measures required.

5. It otherwise meets the purpose of the district in which it is to be placed.

The listed purpose of the CBD zone district is to “preserve and enhance the unique harbor location of the city’s heritage with the character of the traditional center of social, cultural and retail activity.” This use meets that purpose by providing a location for social and cultural activity within the Central Business District.

6. It meets the goals and policies of the Oak Harbor Comprehensive Plan.

The proposed use will generally bring more people to the historic downtown of Oak Harbor and protect undeveloped land by the re-use of an existing commercial building in a developed urban area. Specifically, the project is also consistent with the following Comprehensive Plan Goals and Policies below.

Land Use Element:

Goal 1.f – Support revitalization efforts of downtown Oak Harbor and other neighborhoods through implementation of adopted plans and programs.

Goal 8 – To ensure that the location, situation, configuration, and relationship of the varied land uses within the UGA are consistent and compatible.

Goal 15 – To establish and maintain sufficient land within the City of Oak Harbor zoned to ensure a wide range of public and quasi public services to meet community needs.

Goal 19 – To create and maintain a balanced community that mixes

residential use and non-residential uses in a way that promotes environmental quality and community aesthetics.

Transporation Element:

Goal 4.c – Encourage land use development patterns that reduce the demand for increased capacity on roadways.

RECOMMENDED ACTION:

Staff recommends that the Hearing Examiner conduct the public hearing and approve CUP-14-01 subject to the following conditions:

1. The project shall be in general conformance with the narrative and application materials submitted by the applicant as attached in Exhibit 1 and abide by conditions and requirements set forth within this report.
2. Scheduled church related gatherings and services shall be limited to off-peak business hours such as evening and Sundays. Unscheduled and infrequent events such as funerals should be timed so as not to created traffic or parking problems.
3. Limited expansions or modifications to the area for the purposes of establishing additional accessory uses can be requested through a Type II administrative review process. Expansions and modifications to the existing area (such as additional suites within the complex) to accommodate larger gatherings for services shall be a Type III review process.
4. Applicant shall apply for and receive any required tenant improvement building permits before commencement of construction activity.
5. The applicant shall comply with Fire Department regulations as attached in Exhibit 4.
6. Parking shall be provided on-site or through agreements with neighboring private property owners. Any agreements shall be made in writing and a copy provided to the City to be placed in the Conditional Use Permit file. Should City staff be made aware of parking overflow problems, the applicant may be required to submit a plan to the City to rectify such issues.
7. A “one-way” sign shall be installed at each exit onto Pioneer Way to guide traffic in the proper direction. Such sign(s) should be installed in coordination with the City Public Works Department.
8. The conditional use shall not be transferable to a subsequent user unless specifically authorized by the hearing examiner who finds it appropriate and a

permit authorizing the transferability is on record with the Island County auditor.

9. The conditional use permit must be acted on within one year of the date of granting. Otherwise the conditional use permit shall expire and be null and void.
10. The conditional use permit applies only to the property for which the application is made.

**Conditional Use
Application
and
Application Narrative**

EXHIBIT 1-1

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SEP 15 2014

CITY OF OAK HARBOR
Development Services Department



PROPOSED CONDITIONAL USE
APPLICATION
FOR YMCA BUILDING
BY GRACE BY THE SEA
ANGLICAN CHURCH.



SEPTEMBER 15, 2014
GRACE BY THE SEA ANGLICAN CHURCH

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DEP'T

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CRITICAL AREAS

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MAILING LIST AND MAP OF PROPERTIES WITHIN 300 FEET.

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Application Form

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Project Name: Grace By The Sea Anglican Church

Type(s) of Application: Conditional Use Permit

Description of Proposal:
Use of YMCA Building as a Church

APPLICANT NAME/CONTACT PERSON (or legal representative): Rev. Roger Vehorn	Address: PO Box 1800 Oak Harbor, WA 98277
E-mail Address: roger.vehorn@gmail.com	Phone and Fax: 425-760-8272
PROPERTY OWNER NAME (list multiple owners on a separate sheet): YMCA	Address: 7405 Alban Station Court, B215 Springfield, VA 22150
E-mail Address: www.asymca.org	Phone and Fax: 703-455-3986 Fax 703-455-2181
ENGINEER/SURVEYOR None	Address:
E-mail Address:	Phone and Fax:
PROJECT SITE INFORMATION (address/location): 540 SE Pioneer Way Oak Harbor, WA.98277	Comp. Plan Designation
Zoning: CBD	Parcel Number(s): R13202-232-1770
Legal Description (attach separate sheet):	Acreage of Original Parcel(s): .79 Acres
Section/Township/Range: 02/32/1E	Total Square Footage of Proposed Building or Number of Units: 5000

AUTHORIZATION:

The undersigned hereby certifies that this application has been made with the consent of the lawful property owner(s) and that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request.

I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct and complete.

Authorized Signature

Date

9/15/14



ARMED SERVICES YMCA

FOR YOUTH DEVELOPMENT®
FOR HEALTHY LIVING
FOR SOCIAL RESPONSIBILITY

September 10, 2014

City of Oak Harbor
Development Services
865 SE Barrington Dr.
Oak Harbor, WA 98277

Dear Joan,

As the current owner, the Armed Services YMCA hereby authorizes Grace by the Sea Anglican Church to submit an application for a Conditional Use Permit for the ASYMCA property located at 540 SE Pioneer Way in Oak Harbor, WA 98277.

If there are any questions, please contact the undersigned at 703-455-3986, ext. 102.

Sincerely,

Tom Landwermeyer
BG, USA (Ret)
COO, Armed Services YMCA

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ARMED SERVICES YMCA

7405 Alban Station Court, B215, Springfield, VA 22150 P 703.455.3985 F 703.455.2181 www.asymca.org

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Critical Area Identification Form

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Project Name (if applicable): Grace By The Sea Anglican Church

Associated Application(s): Conditional Use Permit

Brief Description of Proposal:

Use of YMCA Building as a church

APPLICANT NAME/CONTACT PERSON <small>(or legal representative):</small> Rev Roger Vehorn	Address: PO Box 1800 Oak Harbor, WA 98277
E-mail Address: roger.vehorn@gmail.com	Phone and Fax: 425-760-8272
PROPERTY OWNER NAME <small>(list multiple owners on a separate sheet):</small> YMCA	Address: 7405 Alban Station Court B215 Springfield, VA 22150
E-mail Address: www.asymca.org	Phone and Fax: 703-455-3986 FAX 703-455-2181

AUTHORIZATION:

The undersigned hereby certifies that the property affected by this application is in the exclusive ownership of the applicant or that the applicant has submitted the application with the consent of all owners of the affected property. In addition, the undersigned hereby certifies that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request.

I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct and complete.

Authorized Signature: *Roger Vehorn*

Date: 9/15/14

Staff use only below this line

Yes	No		Critical Area Report Needed?
<input type="checkbox"/>	<input type="checkbox"/>	Wetland	
<input type="checkbox"/>	<input type="checkbox"/>	Fish and Wildlife Habitat Conservation Area	
<input type="checkbox"/>	<input type="checkbox"/>	Geologically Sensitive Area	
<input type="checkbox"/>	<input type="checkbox"/>	Frequently Flooded Area	
<input type="checkbox"/>	<input type="checkbox"/>	Critical Aquifer Recharge Area	

PROPOSED CONDITIONAL USE PLAN

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Development Services Department

Grace by the Sea Anglican Church is in the process of purchasing and wishes to occupy the former YMCA building for use as a church.

Address: 540 SE Pioneer Way

Oak Harbor, WA 98277

Parcel # R13202-232-1770

Existing Zoning: Central Business District

The location of existing property lines are as displayed on the following Island County plat map of the SUMNER D.L.C. located in Oak Harbor. There are no proposed changes to the property lines.

The location of the existing building is shown on the following Google Map as is the existing parking, curbs, streets, driveway, on-site parking and landscaping. There are no proposed changes. The following pictures further clarify the existing 29 parking spaces including the handicap parking space. The parking space dimensions are 9' x 20' and the handicap space includes a hash-marked section for off-loading wheel chairs.

The total lot area is 34,300 square feet.

The building dimensions are 50' x 100' and the building height is 12' 6".

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Development Services Department



The building floor plan is attached and there are no changes proposed. Detail of the worship seating area and the resulting aisles are shown with dotted lines. The seating area will accommodate 100 comfortable chairs. The altar area is shown. Existing partitioned rooms are designated for use such as kitchen, nursery, office, etc. The fellowship area will be furnished with tables and chairs and the seating arrangement will not exceed that of the worship area.

Details of the Grace by the Sea congregation size, our attendance history and the adequacy of the building and its parking for our use is included in the NARRATIVE section.

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Google Earth View.



Front View

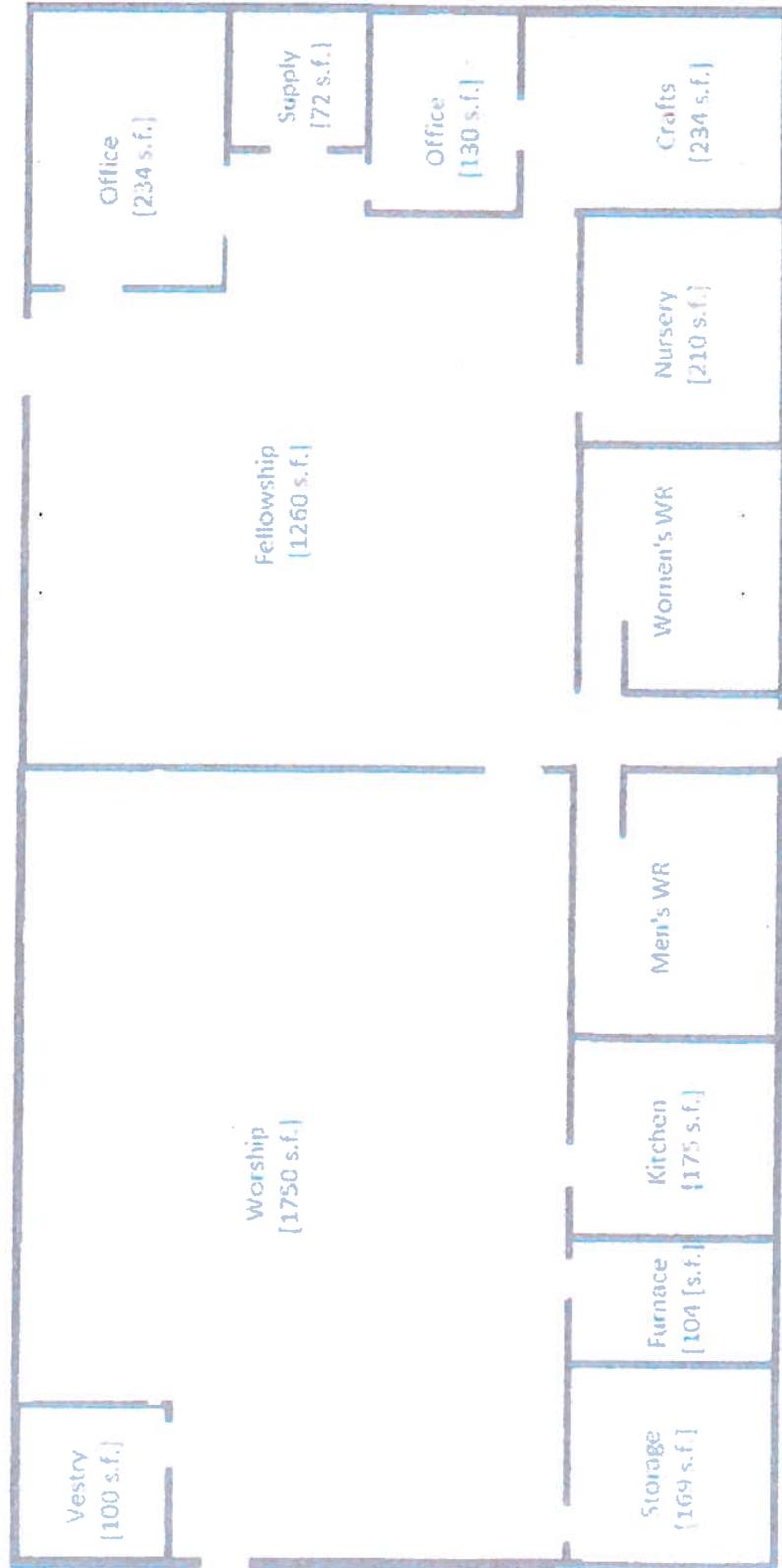
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Rear View

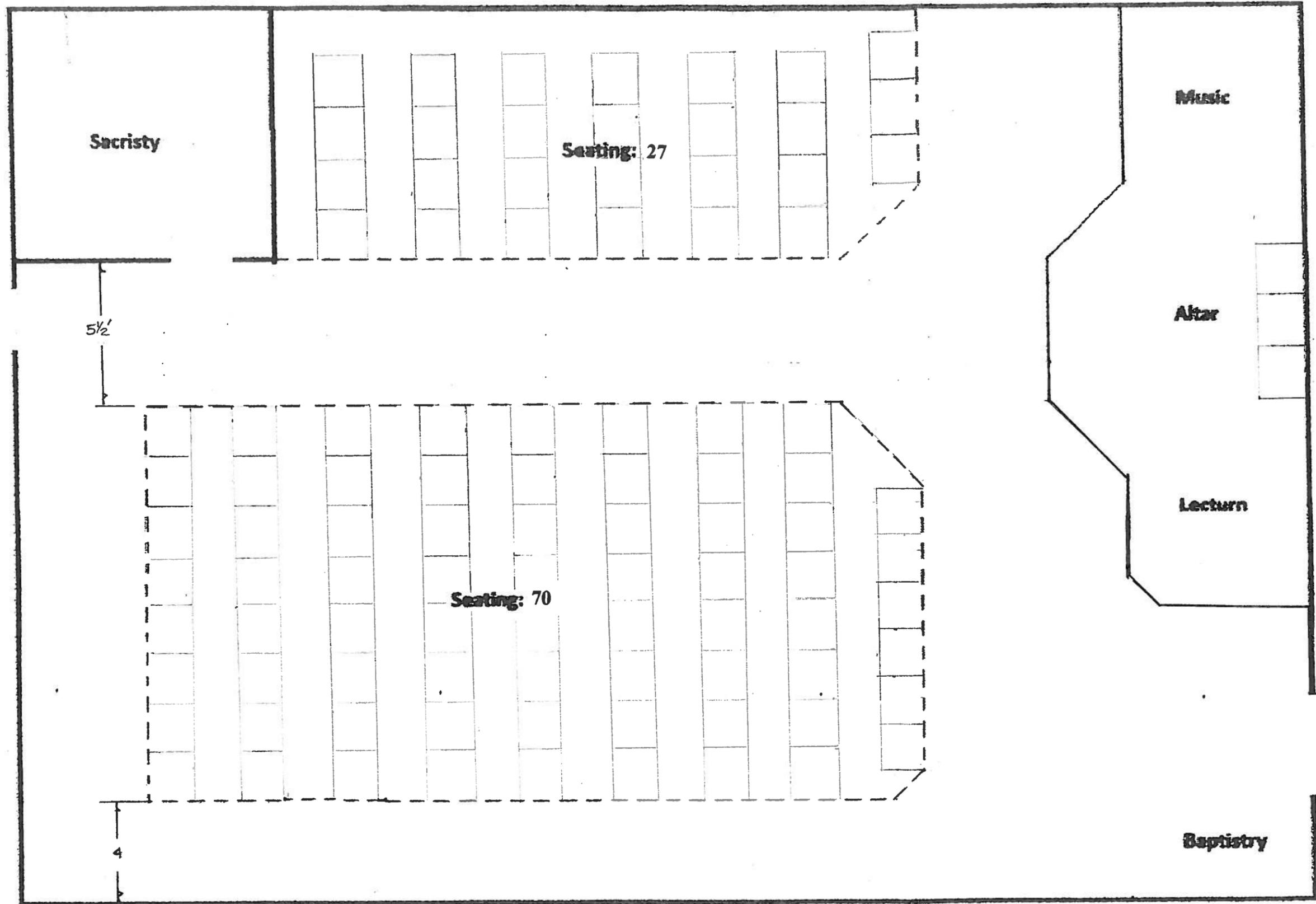
GRACE BY THE SEA

100 f X 50 f



Floor Plan.

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Scale: $\frac{1}{4}"$ equals 1'
 Chair Size: $22\frac{1}{2} \times 22\frac{1}{2}$
 Distance Between Chairs: 21"
 Total Seating Indicated: 100

Floor Plan for the Worship Area of Grace By The Sea Anglican Church

Narrative

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Development Services

Background: Grace by the Sea is an Anglican Church in the Diocese of Cascadia of the Anglican Church in North America. As a corporate entity, we have been members of the Oak Harbor community for almost 60 years (at 555 Regatta Dr.), first as St. Stephen's Episcopal Church, then as St. Stephen's Anglican Church and finally as Grace by the Sea. We currently have approximately 115 members who comprise a reasonable cross section of the Oak Harbor populace. Many in our congregation are retired. Our current membership is comprised of a broad range of backgrounds, and is active in the community: current and retired military members (including both senior officer and senior enlisted), doctors, lawyers, realtors, small business owners, and the Island County Sheriff. We are currently in the process of purchasing the former Armed Forces YMCA at 540 SE Pioneer Way, Oak Harbor, to be used as our place of worship and service in the community, and this Conditional Use Application is a critical element of that process.

Our anticipated maximum demand on use of the facility is for 2 worship services on Sunday mornings, bracketing a teaching period. In 2014, our average Sunday attendance has been 14 for the early service and 51 for the late service. The corresponding numbers for the *maximum* number of attendees at those services this year were 20 and 60. On certain Sundays this year we have had a single service; as an example, there were 89 attendees at the Easter service – our maximum this year. In prior years (2012/2013), those corresponding numbers were 115 and 118. Our strategy is to add services at different times to accommodate anticipated growth. For example: if anticipated Easter attendance approached the maximum available seating for a single service, we would offer two services.

It is expected that major portions of the building will not be continuously occupied at the same time worship services are being conducted. For example: offices, the kitchen, utility areas, classrooms, bathrooms, and the fellowship area, might be in use during a portion of the worship service, but all occupiers are expected to return to their seats in the worship area for the conclusion of the service. Therefore, the maximum seating in the worship area is the controlling factor for the maximum building occupancy at any service. We anticipate that there could be special occasions (weddings, funerals), at which the available worship space might not be adequate for the anticipated attendance; on those occasions we have made preliminary inquiries about using other facilities, and have received "in principle" agreements to do so (subject to case-by-case scheduling). In general, however, we believe we have adequate on-site parking to meet our anticipated "maximum demand" usage.

There are also normally scheduled weekday services, teachings, fellowship, and outreach and church office activities, but in no case will those numbers exceed available on-site parking. We anticipate that there will be several times during the year when major community events restrict access to Pioneer Way. On those occasions, we expect to use the rear entrance and parking spaces exclusively, and to provide transportation from remote parking areas.

1. Special Conditions of the property

There are no special conditions defined for the anticipated use of the property as a church.

2. Adverse environmental impact resulting in excessive noise, light, glare or soil erosion
There are no adverse environmental impacts anticipated.

3. Is adequate parking provided?

See Narrative. There is adequate on-site parking (currently 29 spaces) for the anticipated use.

4. Are there adequate public streets, utilities and facilities?

Yes. Front and rear access to building allows access from both Pioneer and Barrington.
Adequate utilities (electric, gas, water, sewer, etcetera) exist on-site from previous owners usage.

5. Does it otherwise meet the purpose of the district in which it is placed?

While the anticipated use of the property is not considered one of the Principal Permitted Uses of properties considered in the Central Business District plan, there are several permitted uses that closely align with the functions our church would perform. Among those are: (19) Conference center, and (54) Theater. We anticipate, because of on-site parking and weekend nature of our principal services, that we would have an equal or lesser impact than those permitted uses.

6. Does it meet the goals and policies of The Oak Harbor Comprehensive Plan?

We believe that our plan satisfies the following City of Oak Harbor policies and goals in these ways:

Goal:

1.f: Turning the unoccupied ex-YMCA into a church supports revitalization of the downtown area.

4.a: Encourage city Beautification - We anticipate making significant improvements to the exterior appearance of the building.

6: Development of the church will provide indoor opportunities and facilities for youth, adults and families.

Legal Description: 68 SUMNER DC - BG 1147.9'W & 191.71'S OF IP 33'N SWCR TAFT DC
N16*W477.7' M/L TO ST N73*E30' S16*E242.6' M/L TO SLN TR DESC 92D713 N73*E 59.7' TO
SECR TR 92D713 S NWCR TR 55D181 N73*E43.55' NECR TR 55D181 S16*E135' M/L TO ST
S83*W135.15' TPB

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MAP OF PROPERTY WITHIN 300'

Following is the map of properties within 300 feet of any part of the YMCA property.

PATTON'S
WOODLAWN
ESTATE
7705
CASTLE PARK CT

366-194
362-170
OHSP 6-90
348
176
344
Loi ?
Loi ?

366-205
300' surrounding

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SE 8TH AVE

ESTSIDE
ADD.
6575
OHSP 6-94
318
152
310
154
235
312-130
326-132
327-148
320-160

OHSP 2-91
ADD.
OHSP 6-89
OHSP 7057
GREEN GABLES
OHSP 1-83
OHSP 1-83
OHSP 2-91

RAYVIEW WEST
CONDOS
6092

SEA VIEW
CONDOS
8136

ELY S
OHSP 6-89
OHSP 6-89

SE BARRINGT
ADD.

SUMNER
RESERVE A
CITY BEACH ST

D.L.C.
OHSP 2-91
OHSP 2-91
OHSP 2-91
OHSP 2-91

FIDALGO AVE
OHSP 2-91
OHSP 2-91
OHSP 2-91

WEST PIONEER WAY
OHSP 3-91

RESERVE B
OHSP 3-91
OHSP 3-91
OHSP 3-91

Town of Oak Harbor

BAYSHORE DR.

6381 Pt

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MAILING LIST

Following is the mailing list of all properties within 300 feet of any part of the YMCA property.

PROPERTIES WITHIN 300 FEET OF 540 SE PIONEER DRIVE						
PROPERTY ID	GEOGRAPHIC ID	ADDRESS	OWNER/S	ADDRESS	CITY	STATE ZIP
213537	S6565-00-00058-2	530 SE BARRINGTON DR	ADAMSON, SUSAN K	530 SE BARRINGTON DR	OAK HARBOR	WA 98277
253157	S6565-00-00058-2	530 SE BARRINGTON DR	ADAMSON, SUSAN K	530 SE BARRINGTON DR	OAK HARBOR	WA 98277
11016	R13202-230-1520	430 SE PIONEER WAY	AHA INVESTMENTS LLC	4839 GLENWOOD AVE	EVERETT	WA 98203
11025	R13202-230-1650	490 SE PIONEER WAY	AHA INVESTMENTS LLC	4839 GLENWOOD AVE	EVERETT	WA 98203
11258	R13202-250-1400	3229 SE CITY BEACH ST	AHA INVESTMENTS LLC	4839 GLENWOOD AVE	EVERETT	WA 98203
11285	R13202-253-1490	425 SE BARRINGTON DR	AHA INVESTMENTS LLC	4839 GLENWOOD AVE	EVERETT	WA 98203
253148	S6565-00-00058-1	1020 SE ELY ST	ALKIRE, KATHRYN B	1020 SE ELY ST	OAK HARBOR	WA 98277
806834	S7594-00-00000-0	OAK TOWN COTTAGES	ANDERSON, CHRISTIAN A / LISA C/O ANDERSON ENTERPRISES	3157 GOLDIE RD SUITE 201	OAK HARBOR	WA 98277
806830	S7594-00-00000-0	OAK TOWN COTTAGES	ANDERSON, CHRISTIAN A / LISA C/O ANDERSON ENTERPRISES	3157 GOLDIE RD SUITE 201	OAK HARBOR	WA 98277
806832	S7594-00-00000-0	OAK TOWN COTTAGES	ANDERSON, CHRISTIAN A / LISA C/O ANDERSON ENTERPRISES	3157 GOLDIE RD SUITE 201	OAK HARBOR	WA 98277
806831	S7594-00-00000-0	OAK TOWN COTTAGES	ANDERSON, CHRISTIAN A / LISA C/O ANDERSON ENTERPRISES	3157 GOLDIE RD SUITE 201	OAK HARBOR	WA 98277
11230	R13202-247-1820	1191 SE ELY ST	ANDERSON, MICHAEL	PO BOX 7176	GUNNISON	CO 81230
252096	S6565-00-00B09-0	SE PIONEER WAY	BEEKSMA WILLIAM MASSY, EDWARD C ROBERT L SEBO, JUNE HA	41 NE MIDWAY BLV SUITE 101	OAK HARBOR	WA 98277
252149	S6565-00-00B14-0	SE PIONEER WAY	BEEKSMA WILLIAM MASSY, EDWARD C ROBERT L SEBO, JUNE HA	41 NE MIDWAY BLV SUITE 101	OAK HARBOR	WA 98277
10990	R13202-229-1900	1281 SE ELY ST	BETTNER, DONALD E ANGELINA L BETTNER	998 RIDGEWAY DR	OAK HARBOR	WA 98277
11187	R13202-240-1840	1261 SE ELY ST	BETTNER, DONALD E ANGELINA L BETTNER	998 RIDGEWAY DR	OAK HARBOR	WA 98277
696456	R13202-228-2050	SE PIONEER WAY	CHO, JAMES & DIANA	1919 S COLLEGE ST	SEATTLE	WA 98144
696496	R13202-228-2050	SE PIONEER WAY	CHO, JAMES & DIANA	1919 S COLLEGE ST	SEATTLE	WA 98144
696465	R13202-235-2140	630 SE PIONEER WAY	CHO, JAMES & DIANA	1919 S COLLEGE ST	SEATTLE	WA 98144
11123	R13202-235-2150	670 SE PIONEER WAY	COLLANTES EFUEL JOSE, KATHLEEN S. BRAD MASSERMAN	1253 CANTERBURY LANE	OAK HARBOR	WA 98277
11150	R13202-238-2060	635 SE FIDALGO AVE	COLLANTES EFUEL, KATHLEEN COLLANTES	1253 CANTERBURY LANE	OAK HARBOR	WA 98277
806833	S7594-00-0000A-0	230 SE PIONEER	COUG HOLDINGS LLC	CEDAR RIDGE	OAK HARBOR	WA 98277
802642	S6565-00-00052-2	1080 SE CITY BEACH ST	EARNHART, HOWARD M LINDA J EARNHART	PO BOX 806	OAK HARBOR	WA 98277
253166	S6565-00-00059-0	570 SE BARRINGTON DR	FEDERAL NATIONAL MORTGAGE ASSOCIATION	650043 BOX	DALLAS	TX 75265
696474	R13202-227-2160	650 SE PIONEER WAY	GROSZEK, STANLEY / JOSEFA J	650 SE PIONEER WAY	OAK HARBOR	WA 98277
11141	R13202-228-1980	611 SE FIDALGO AVE	HARRINGTON, DAVID, MARGARET J HARRINGTON	PO BOX 1770	OAK HARBOR	WA 98277
252951	S6565-00-00033-0	1190 SE ELY ST	JOLENE LLC	461 SE MIDWAY BLVD	OAK HARBOR	WA 98277
252201	S6565-00-00B20-0	SE PIONEER WAY	JORDANO, ROBERT J, JORDANO LYNETTE A	12249 ISLAND CITY DRIVE	HENDERSON	NV 89044
252229	S6565-00-00B22-0	601 SE PIONEER WAY	MASSY, WILLIAM, ROBERT SEBO, JUNE HAIG, EDWARD BEEKSMA	41 NE MIDWAY BLV SUITE 101	OAK HARBOR	WA 98277
639848	S6565-00-00055-1	460 SE BARRINGTON DR	MCKEEHAN, FRANK E	PO BOX 2171	MOUNT VERNON	WA 98273
253120	S6565-00-00056-0	476 SE BARRINGTON DR	OVE ET AL STEVEN C C/O WARREN OVE	396 SW THORNBERRY DR	OAK HARBOR	WA 98277
11515	R13202-300-1600	953 SE ELY ST	PETERSON UNDIV 50%INT, LAURA ROSE	6000 S CARVER ST	SEATTLE	WA 98118
11034	R13202-230-1700	520 SE PIONEER WAY	PROSPERITY INVESTMENTS FLP	1582 SCENIC HEIGHTS RD	OAK HARBOR	WA 98277
11294	R13202-253-1600	455 SE BARRINGTON DR	SANDPEBBLE LLC	PO BOX 308	COUPEVILLE	WA 98239
252960	S6565-00-00034-0	SE BARRINGTON ST	SKAGIT STATE BANK	PO BOX 285	BURLINGTON	WA 98233
232979	S6565-00-00035-0	SE BARRINGTON	SKAGIT STATE BANK	PO BOX 285	BURLINGTON	WA 98233
252979	S6565-00-00035-0	SE BARRINGTON ST	SKAGIT STATE BANK	PO BOX 285	BURLINGTON	WA 98233
699839	S6565-00-00054-1	440 SE BARRINGTON DR	STAAF FAMILY LLC	1810 DRIFWOOD WAY	COUPEVILLE	WA 98239
517275	R13202-260-1820	1131 SE ELY ST	STILTZ, JACK C /KATHY J	1131 SE ELY ST #101	OAK HARBOR	WA 98277
252069	S6565-00-00B06-0	415 SE PIONEER WAY	THE KING COMPANY c/o RICK SCHUTTE	415 SE PIONEER WAY	OAK HARBOR	WA 98277
252210	S6565-00-00B21-0	451 SE PIONEER WAY	THE KING COMPANY c/o RICK SCHUTTE	515 SE PIONEER WAY	OAK HARBOR	WA 98277
252942	S6565-00-00030-0	656 SE BAYSHORE DR	THE SEBO FAMILY LLC, c/o ROBERT SEBO	PO BOX 764	OAK HARBOR	WA 98277
253102	S6565-00-00053-0	420 SE BARRINGTON DR	VANDERVOET, LESLIE R	2320 NE GOLDIE ST	OAK HARBOR	WA 98277
253139	S6565-00-00057-0	1021 SE ELY ST	WINDER, FRED L	490 SE BARRINGTON DR	OAK HARBOR	WA 98277

This listing will be provided in an Excel format on a thumb drive.

RECIEVED

OCT 28 2014

**CITY OF OAK HARBOR
DEVELOPMENT SERVICES DEPARTMENT**

ADDENDUM

**PROPOSED CONDITIONAL USE
APPLICATION
FOR YMCA BUILDING
BY GRACE BY THE SEA
ANGLICAN CHURCH**

OCTOBER 28, 2014

PARKING VERSUS GROWTH

(Re: Grace by the Sea Anglican Church CUP Application dated September 15, 2014)

Our growth has been negative since the late 1980's. In addition the 2007 separation from the Episcopal Church caused about a 25% drop in that year. So we've decreased from about 150 average attendance 25 years ago to our present average attendance in the second service of 51. It has been stable for 2 years which would give statistical hope for the future. If we continue to decline our challenge will not be finding parking but something much more severe. So we look forward to growth of our church body and having a parking challenge. And we, as a spirited congregation, have much more than statistical hope for growth.

If we grow (or better, as we grow) how will we provide for our parking needs?

First, we can carpool and increase the number of persons per car.

Second, we can better equalize the attendance at the first and second services. It now averages 14 for the first service and 51 for the second service.

Third, we can add a service.

Fourth, we can increase our on-site parking. We see a modest increase of 3 spaces by adopting a simple parking protocol. We see 4 more spaces by spending money to extend the rear surfaced parking area to the east by 12 feet and relocating the north fence of the play area. (We have rejected a suggestion to add 10 spaces by utilizing part of the 30 foot entrance and exit to Barrington. We have serious doubts that it would be legally possible and we have no doubt that it would be ill received as it would interfere with the Sunday parking of our neighbors to the north. We instead will grant permission, in writing, for their ingress and egress use of the full 30 feet provided there is no blocking of our use.)

And fifth, we can get permission to use off-site parking. We recognize two components of off-site parking. First, that which we can get permission to use without costs and that which would have costs. Since, as we have explained, our congregation is small and it follows that we have very limited resources. (Our number of multi millionaires is a not hard to count). That incentivizes us to seek parking without costs. We have approached our neighbor to the west (Lincare) and have received verbal permission for Sunday (they are closed) use of their

parking provided we do not block their van/truck that is used for occasional Sunday deliveries. They have 3 spaces in front and 2 spaces in the back. We have also approached our neighbor once removed to the east (China Harbor) and have received verbal permission for Sunday morning parking (they don't open until 2PM). They have 18 spaces but we plan to use 12.

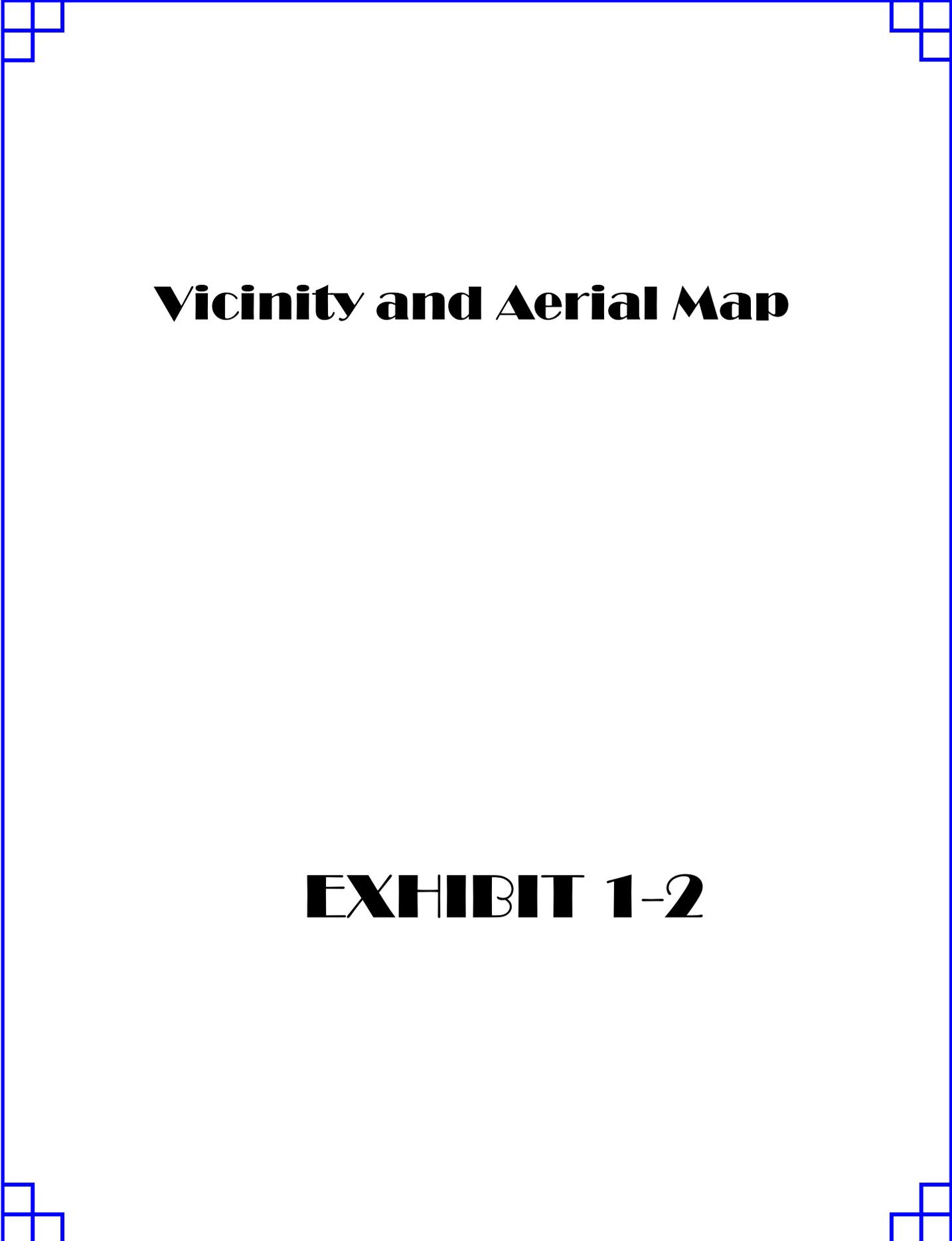
In seeking off-site parking we have approached the business owners not the property owners. The business owners (we believe) have exclusive occupancy rights and are in a position to grant parking privileges to others. However they are in no position to encumber the property with such privileges. The property owners are not in position to grant the privileges (without permission from the business owners) and, even if so obtained, the property owners would almost certainly encumber the property only for the duration of the existing lease which is the practical result of approaching the business owners directly.

So, let us recap the parking challenge to this point. We have 29 on-site spaces. We can park 3 more cars on site without costs. Now we are at 32. That's all we presently need based on our attendance. With our neighbor's permissions we have 5 plus 12 additional spaces bringing the total to 49. Now we have some parking for reasonable growth. Spending some money to add parking on-site would raise our total to 54 spaces. We would then have more than enough parking to accommodate the expected seating capacity of our worship space. And this is without implementing additional carpooling, people changing services, or adding another service.

There are other properties within 500 feet of the YMCA that have parking spaces (one with approximately 30 spaces not presently in use and the other with 65 spaces of shared use) that we might be able to get permission to use but they, while within the allowable distance, are further than those we have approached hence less desirable to our congregation.

We recognize that the world, including the CBD of Oak Harbor, changes. Property may sell, business owners can decide to open on Sunday morning, construction of permitted use on properties can dramatically change the use of the public parking on Sunday mornings and our growth rate may be higher than we can imagine. It is also true that if we were to grow too big we would have to change locations. All this could present challenges to our church. The last few years have proven to

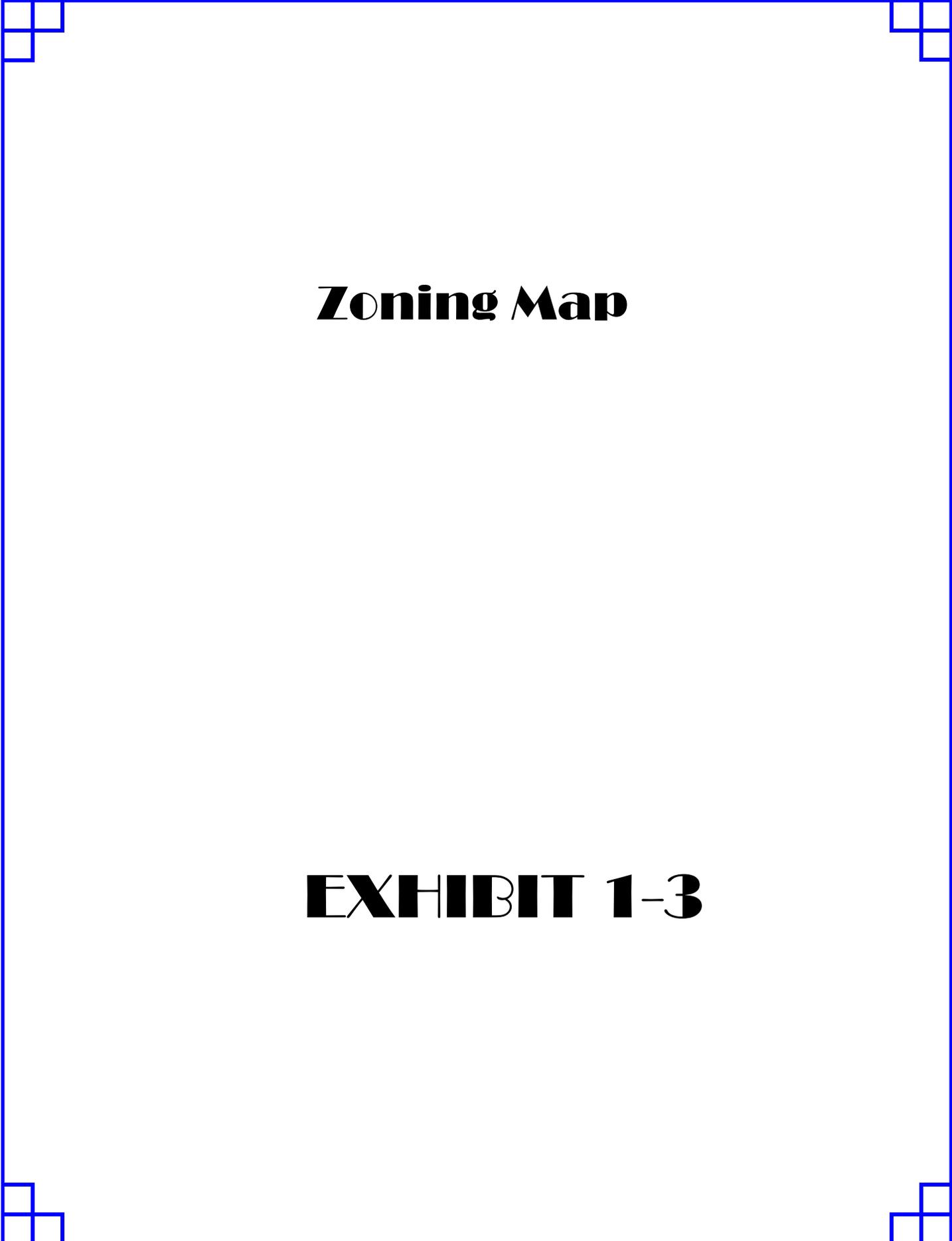
us that we have energy that belies our ages and, if there are obstacles to overcome, we can and will persevere.



Vicinity and Aerial Map

EXHIBIT 1-2

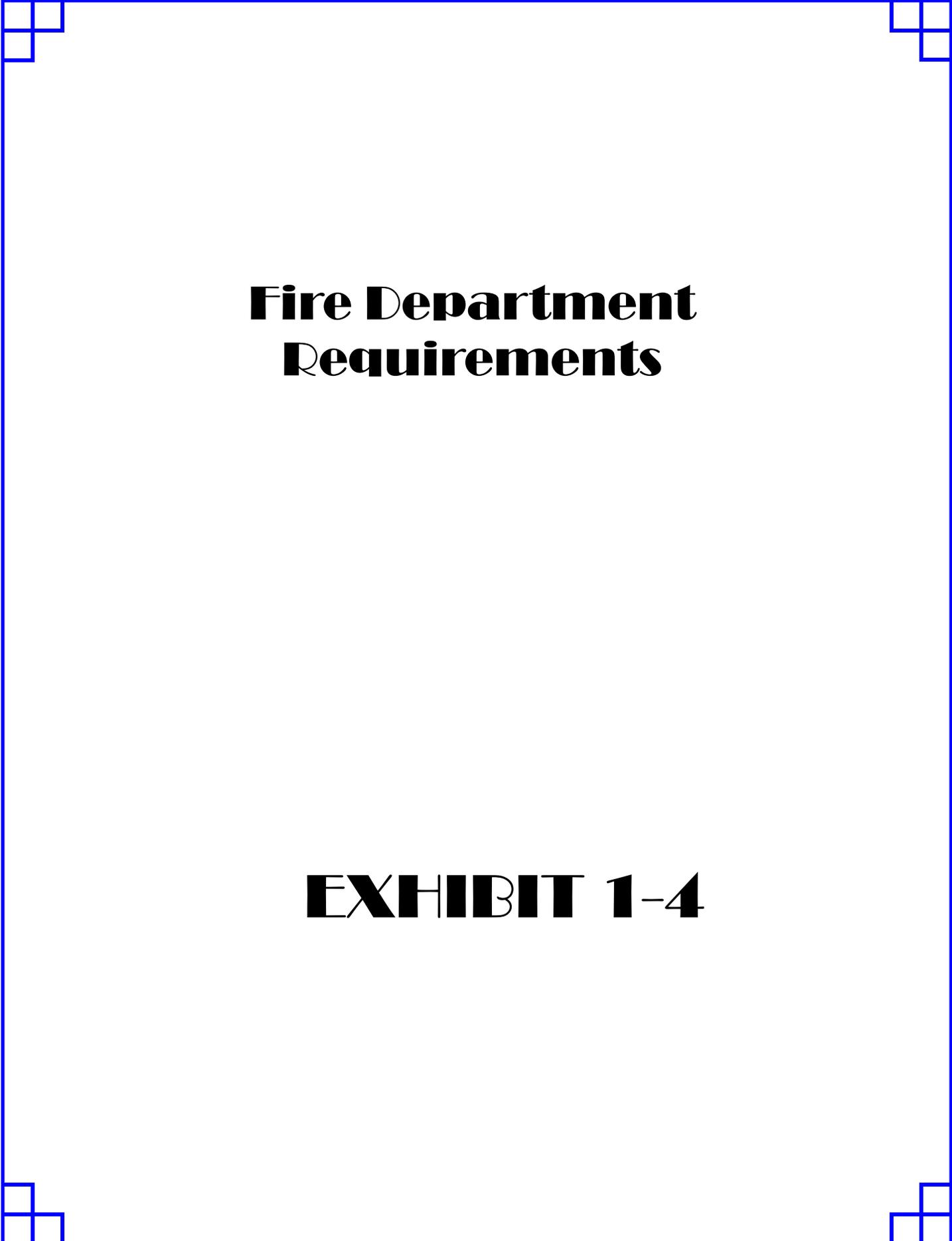




Zoning Map

EXHIBIT 1-3





Fire Department Requirements

EXHIBIT 1-4

10/21/2014

To: David Anderson Building Official, Lisa Bebee Permit Coordinator.

RE: Fire Department Requirements for 540 SE Pioneer, Grace by the Sea Church

1. IFC 506.2 Key box maintenance.

The operator of the building shall immediately notify the *fire code official* and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

Provide the fire department with current building access keys to place in the fire department KNOX box.

2. IFC 907.8.5 Maintenance, inspection and testing.

The building *owner* shall be responsible to maintain the fire and life safety systems in an operable condition at all times. Service personnel shall meet the qualification requirements of NFPA 72 for maintaining, inspecting and testing such systems. A written record shall be maintained and shall be made available to the *fire code official*.

The fire alarm system must be tested and certified by a fire alarm technician. The fire alarm system is required to be monitored.

3. IFC 604.2.3 Exit signs.

Emergency power shall be provided for *exit* signs in accordance with Section 1011.6.3.
IFC 604.2.4 means of egress illumination.

Emergency power shall be provided for *means of egress* illumination in accordance with Section 1006.3.

Ensure the exit signs and emergency exit lighting is adequate and is in working condition, contact the building department for requirements.

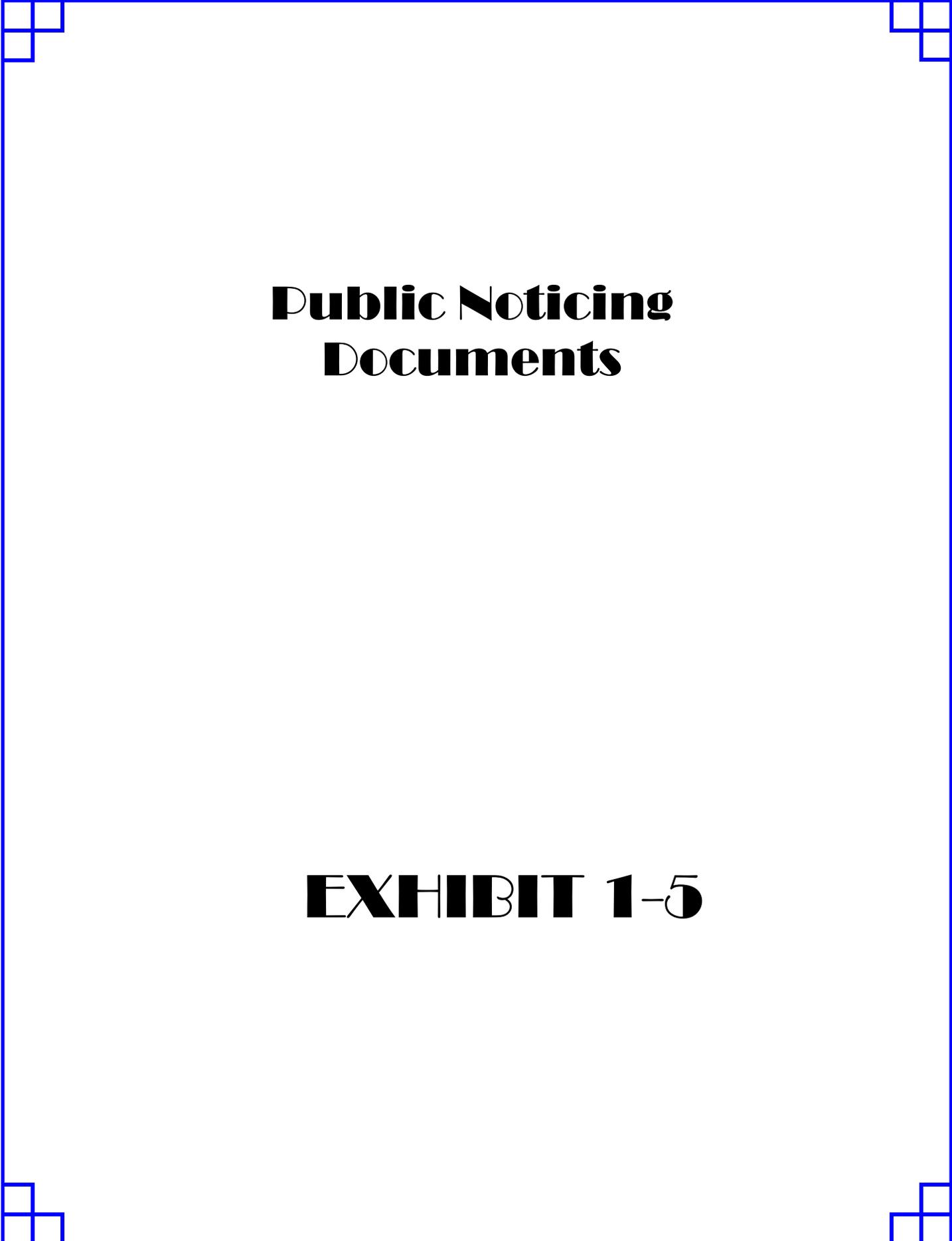
Contact the building department to assess the building egress requirements.

4. IFC 1004.3 Posting of occupant load.

Every room or space that is assembly occupancy shall have the *occupant load* of the room or space posted in a conspicuous place, near the main *exit* or *exit access doorway* from the room or space. Posted signs shall be of an *approved* legible permanent design and shall be maintained by the owner or authorized agent.

Contact the building department for calculating the maximum occupant load.

If you have any questions or need assistance contact; Mike Buxton Fire Marshal. 360-279-4702



**Public Noticing
Documents**

EXHIBIT 1-5

**CERTIFICATION OF POSTING
PUBLIC HEARING NOTICES**

Oak Harbor Hearing Examiner
865 SE Barrington Drive
Oak Harbor, Washington 98277

I, Katherine Gifford, certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

On the 28th day of October 2014, I provided written notice to the Whidbey News Times Legals (legals@soundpublishing.com); and

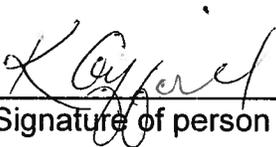
On the 28th day of October, 2014, I did post 3 notices (a copy of which is attached hereto and by reference made a part hereof) at the following locations:

1&2) Oak Harbor City Hall
 865 SE Barrington Drive
 Oak Harbor, WA 98277

3) Library
 1000 East Regatta Drive
 Oak Harbor, WA 98277

advertising a public hearing for Grace by the Sea Anglican Church -CUP#14-00001
before the Oak Harbor Hearing Examiner on November 17, 2014

Executed this 28th day of October, 2014, in Oak Harbor,
Washington.



(Signature of person posting)

**NOTICE OF PUBLIC HEARING BEFORE
HEARING EXAMINER**

HE #11-17-14

Notice is hereby given that a public hearing will be held before the City of Oak Harbor Hearing Examiner in the Council Chambers at City Hall on November 17, 2014 at 10:00 a.m., or as soon thereafter as possible following any preceding items, to consider the following item:

Grace by the Sea Anglican Church –CUP#14-00001

The Hearing Examiner will consider a conditional use permit submitted by Rev. Roger Vehorn proposing to use 540 SE Pioneer Way for church related use. The church proposes to use an existing 5, 000 square foot space as a meeting hall and 29 parking spaces associated with the building. The current proposal is to accommodate approximately 100 seats. The Hearing Examiner will make a final decision on this matter.

Anyone wishing to comment on the above items or provide other relevant information may do so in writing or appear in person before the Hearing Examiner at the time and place of said public hearing. After obtaining public input and considering the matter, the Hearing Examiner may approve or deny the proposed application. As part of the approval, conditions or limitations may be imposed.

For additional information, you may contact the City Department of Development Services in City Hall or call (360) 279-4512.

Katherine D. Gifford
Recording Secretary

Published: Whidbey News Times
November 1, 2014

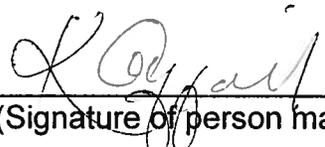
**CERTIFICATION OF MAILING
NOTICE TO ADJACENT PROPERTY OWNERS**

I, Katherine D. Gifford, certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

That on the 28th day of October, 2014, I deposited in the U.S. mail, postage prepaid, a copy of the Notice of Public Hearing before the Oak Harbor Hearing Examiner for Grace by the Sea Anglican Church -CUP#14-00001 (a copy of which is attached hereto and by reference made a part hereof) to the following property owners:

(see attached)

Executed this 28th day of October, 2014, in Oak Harbor, Washington.



(Signature of person mailing)



October 28, 2014

**NOTICE TO ADJACENT PROPERTY OWNERS OF PUBLIC HEARING
OAK HARBOR HEARING EXAMINER**

Notice is hereby given that a public hearing will be held before the City of Oak Harbor Hearing Examiner in the Council Chambers at City Hall, 865 SE Barrington Drive, on November 17, 2014 at 10:00 a.m., or as soon thereafter as possible following any preceding items, to consider the following item:

Grace by the Sea Anglican Church –CUP#14-00001

The Hearing Examiner will consider a conditional use permit submitted by Rev. Roger Vehorn proposing to use 540 SE Pioneer Way for church related use. The church proposes to use an existing 5, 000 square foot space as a meeting hall and 29 parking spaces associated with the building. The current proposal is to accommodate approximately 100 seats. The Hearing Examiner will make a final decision on this matter.

Anyone wishing to comment on the above items or provide other relevant information may do so in writing or appear in person before the Hearing Examiner at the time and place of said public hearing. After obtaining public input and considering the matter, the Hearing Examiner may approve or deny the proposed application. As part of the approval, conditions or limitations may be imposed.

For additional information, you may contact the City Department of Development Services in City Hall or call (360) 279-4512.

All meetings of the Hearing Examiner are open to the public.



Fred Winder
490 SE Barrington Dr
Oak Harbor, WA 98277

Donald Bettner
Angelina Bettner
998 Ridgeway Dr
Oak Harbor, WA 98277

The King Company
c/o Rick Schutte
415 SE Pioneer Way
Oak Harbor, WA 98277

Susan Adamson
530 SE Barrington Dr
Oak Harbor, WA 98277

AHA Investments LLC
4839 Glenwood Ave
Everett, WA 98203

Kathryn Alkire
1020 SE Ely St
Oak Harbor, WA 98277

Christian Anderson
Lisa Anderson
3157 Goldie St #201
Oak Harbor, WA 98277

Beeksma, Massey, Sebo
41 NE Midway Blvd #101
Oak Harbor, WA 98277

Diana & James Cho
1919 S College St
Seattle, WA 98144

Eifuel & Kathy Collantes
Brad Masserman
1253 Canterbury Lane
Oak Harbor, WA 98277

Coug Holdings LLC
Cedar Ridge
230 SE Pioneer Way
Oak Harbor, WA 98277

Howard & Linda Earnhart
PO Box 806
Oak Harbor, WA 98277

Federal National Mortgage Assoc
PO Box 650043
Dallas, TX 75265

Stanley & Josefa Groszek
650 SE Pioneer Way
Oak Harbor, WA 98277

David & Margaret Harrington
PO Box 1770
Oak Harbor, WA 98277

Jolene LLC
461 SE Midway Blvd
Oak Harbor, WA 98277

Robert & Lynette Jordano
12249 Island City Dr
Henderson, NV 89044

Frank Mckeenan
PO Box 2171
Mount Vernon, WA 98273

Steven Ove
Warren Ove
396 SW Thornberry Dr
Oak Harbor, WA 98277

Laura Peterson
6000 S Carver St
Seattle, WA 98118

Prosperity Investments FLP
1582 Scenic Heights Rd
Oak Harbor, WA 98277

Sandpebble LLC
PO Box 308
Coupeville, WA 98239

Skagit State Bank
PO Box 285
Burlington, WA 98233

Staaf Family LLC
1810 Driftwood Way
Coupeville, WA 98239

Jack Stiltz
1131 SE Ely St #101
Oak Harbor, WA 98277

SEBO Family LLC
c/o Robert Sebo
PO Box 764
Oak Harbor, WA 98277

Leslie Vandervoet
2320 NE Goldie St
Oak Harbor, WA 98277



**Letter of Support for
proposal
dated
November 12, 2014**

EXHIBIT 1-6

November 12 2014

Kathleen S Collantes
1253 Canterbury Lane
Oak Harbor, WA 98277

City of Oak Harbor Hearing Examiner
865 SE Barrington Drive
Oak Harbor, WA 98277

To Whom It May Concern:

My husband and I own commercial property at 635 SE Fidalgo and 670 SE Pioneer Way. We are the former owners of Angelo's Caffé that was located on Pioneer Way. I am on the executive board of the Downtown Merchants Association (DTMA); I have recently been nominated to the board of directors for the Oak Harbor Music Festival; I serve on several adhoc committees to market and grow our small community; and I am a member of the Greater Oak Harbor Chamber of Commerce. Currently, I work as a Real Estate Broker specializing in commercial and residential real estate sales. For almost two years, I have been working diligently to drive shops, restaurants, and service organizations to downtown in an attempt to reverse the decline our property values and businesses have suffered due to the recent economic depression. I have seen first-hand the negative effects of our waning downtown.

Speaking on behalf of my husband and myself, we welcome Grace by the Sea Anglican Church to the downtown community. We find the members of the congregation to be very much open to ways to help our community. They want to support local businesses and participate in local events as an integral part of the community. During the search for a new location and subsequent selection of the YMCA building, I personally got to know some of the congregation better and have heard first-hand of ways they plan to use their new home base for the betterment of our downtown community, Oak Harbor and its citizens. From the prospective as a business owner and building owner, I see much benefit to Grace by the Sea becoming an integral part of this downtown.

Grace by the Sea has already taken steps to become a contributing member of downtown by attending the recent DTMA meeting as a prospective member. Their Choir volunteered to provide music during the community Tree Lighting on December 6. And as a board member of the DTMA, I am excited to have members who are willing participate in events, whether they are merchants, service providers, building owners, or members at large. These events, when successful and well attended, benefit everyone.

In closing, we are fortunate to have Grace by the Sea Anglican Church as part of our downtown community. We ask that you approve this conditional use permit.

Sincerely,

Kathy Collantes