

City of Colville

ZONING BOARD OF ADJUSTMENT

August 4, 2014

9:00 a.m. – City Hall

MINUTES

The Colville Zoning Board of Adjustment met on Monday, August 4, 2014, in the Council Room at City Hall. Chairman Chris Montgomery called the meeting to order at 9:00 a.m. with a quorum present.

MEMBERS PRESENT: Daron Tate, Pearl Mance, and Chris Montgomery. MEMBERS ABSENT: Two vacancies exist. STAFF PRESENT: Building Official Bob Cleaver and Municipal Services Administrator Eric Durpos OTHERS PRESENT: Ryan Warner, Dave Hewes, Tim Baris, David Honeycutt, and Kelly Keenan. RECORDING SECRETARY: Susan Davis.

MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting of April 24, 2013 had been distributed to each member prior to the meeting. Pearl Mance moved and Daron Tate seconded the motion to approve the minutes as written. Roll Call Vote: Pearl Mance – yes; Chris Montgomery – yes; Daron Tate – yes. Motion carried unanimously.

PUBLIC HEARING

Subject: Conditional Use Permit Application #01-14

Applicant: Hewes Marine Company, Inc.

Location: 2600 N. Highway

Request: Application to allow for the expansion of the Hewescraft aluminum boat manufacturing facility, in the C-3 (General Business) District, pursuant to Table 17.12.070 and Chapters 17.84 of the Colville Zoning Ordinance. The phased project would include expanding the existing manufacturing plant by approximately 15,000 sq. ft. and an additional approximately 3,000 sq. ft. for storage, unloading, and load-out area.

Chairman Chris Montgomery convened the scheduled public hearing to consider a request for a conditional use permit by Hewes Marine Company, Inc. The Chairman reviewed the request and outlined the hearing procedure. None of the Board members had a conflict of interest with the appearance of fairness requirements. There were no objections from the audience to any of the Board members participating in the hearing process. Chairman Montgomery asked if any Board members had engaged in communications with either proponents or opponents outside the hearing on the issue to be heard and there were none. The Chairman declared the public hearing open and requested the staff report.

Administrative Secretary Susan Davis presented the staff report, which had been distributed to each Board member and the applicant prior to the meeting (attached hereto and made a part of these minutes). She explained that David Honeycutt and Tim Baris submitted an application for the proposed expansion of the existing Hewescraft aluminum boat manufacturing facility in the C-3 (General Business) District. The property is located at 2600 N. Highway, on the northwest end of Colville and northeast of the

## ZONING BOARD OF ADJUSTMENT

August 4, 2014

Page 2

junction of US Highway 395 and Williams Lake Road. Boat manufacturing is classified as Light Manufacturing, which is a conditional use in the C-3 District. A conditional use permit is required per Colville Zoning Ordinance Chapter 17.84, subject to the development standards in Chapter 17.36 and the operational standards for commercial and industrial uses described in Chapter 17.64.160.

Hewes Marine Company has been manufacturing boats at the current location since 1988. The 11.5 acre parcel was annexed to the city in February 2006.

Ms. Davis explained that through this application, the applicant is proposing a phased expansion project, which includes:

- Phase 1 – 10,000 sq. ft. addition from the current reception area located on the west side and about center, 150 feet to the north to meet up with the northwest corner of the current sheeting warehouse located at the northern most portion of the facility. This section will be used to expand the manufacturing of the boats. Also, a 3,000 sq. ft. addition will extend north 60 feet x 50 feet from the current sheeting warehouse located at the north end of the building. This section will be used for aluminum storage and unloading.
- Phase 2 – 5,000 sq. ft. addition to the north end of the Phase 1 expansion. This section will be used for manufacturing and boat load out.

According to the applicant's submittal, this proposed expansion will enable Hewes Marine Company to increase production of its aluminum boats to meet a growing demand and provide additional employment opportunities in the community.

Ms. Davis reviewed the staff analysis and site evaluation pointing out that the existing facility occupies approximately 41,000 square feet of the site, including several accessory buildings and two mobile units. Land use in the surrounding area includes the Soil Conservation District office and vacant land to the north; US Highway 395, railroad tracts, and vacant land to the west; a six-unit apartment complex and a single family dwelling to the south and undeveloped residential land to the east as shown on the attached Land Use & Zoning Map.

The purpose of the C-3 (General Business) District is to serve commercial business uses that are accessed primarily by automobile. There is no minimum lot size. There are no limitations to the building height. Maximum lot coverage is 100%; however setback standards apply to new structures that are built adjacent to an existing residential use.

The main access onto the site is Tara Drive, located east of the intersection of US Highway 395 and Williams Lake Road. Tara Drive will be required to be paved east from Williams Lake Road to the east entrance of the lower parking area.

There are no curbs or sidewalks located in the vicinity of the site. The development of curbs and sidewalks are only required along those streets identified as school walk routes, arterial and collector streets, and within the C-2 (Central Business) District. The Public Works Department or city designee may make an exception if it is determined that the construction of curbs and sidewalks is not feasible.

## ZONING BOARD OF ADJUSTMENT

August 4, 2014

Page 3

The Comprehensive Plan recognizes that there have been recent discussions about the possibility of providing a non-motorized trail between Kettle Falls and Colville, in proximity to US Highway 395 right-of-way. The trail would accommodate both pedestrian and bicycle traffic. The project has also been considered and planned for in the Regional Transportation Plan (RTP) as a project that should be pursued as funding is available.

The existing facility is served by graveled parking areas in both the lower and upper portions of the property providing a minimum of 81 spaces. Thirty-three (33) new parking spaces will be developed on-site to accommodate the proposed expansion. Twenty-three (23) parking spaces are required for Phase 1 and 10 parking spaces are required for Phase 2. On-site lighting will be shielded in such a manner that it will not create off-site impacts. The applicant proposes to screen and landscape open areas on the site with grass, shrubs, and trees. The site is adequately served by city water and sewer, electricity and natural gas. Four (4) fire hydrants are available to accommodate fire fighting. The applicant proposes to install a fire suppression system throughout the entire facility. Approximately 1.5 acres will be covered with impervious surfaces after project construction. No net gain of impervious surface is expected as a result of this expansion proposal. The existing retention pond and drainage swales are functioning as designed. Native vegetation is in place which acts as bio-filtration so water quality is not decreased as a result of this project. The proposed expansion will provide approximately 23 new jobs for the community.

Ms. Davis advised that an environmental checklist was submitted on June 20, 2014 and was processed pursuant to WAC 197-11. A Notice of Application/SEPA Review was prepared and distributed as required using the optional DNS process. A Determination of Nonsignificance (DNS) was issued following the required 14-day public comment period. The Washington State Department of Ecology (DOE) submitted comments which were attached to the staff report. In response to DOE's comments the applicant completed an Industrial User survey and the City of Colville Public Works Department determined that the proposed expansion project does not contribute any additional pollutants into the waste stream. Therefore, the applicant does not qualify as a significant industrial user and no discharge permit would be required.

Public notification was provided as required by the Colville Zoning Ordinance. A letter of support from Stevens County Soil Conservation District, submitted on August 1, 2014 was presented to the Board (Exhibit VIII).

Conditional use permits are Type III applications, which are quasi-judicial reviews before the Zoning Board of Adjustment. As a conditional use a determination by the Board can be made to assure that the use is so designed and so used that it will not have a detrimental effect upon surrounding properties and that the use is consistent with the Zoning Ordinance and Comprehensive Plan.

Ms. Davis presented the following suggested findings of fact for Board consideration:

### FINDINGS FOR CONDITIONAL USE PERMIT

1. *The project is consistent with the City of Colville Comprehensive Plan and meets the requirements and intent of the Colville Zoning and Land Division Ordinances, including the type of land use, the density/intensity of development, and the protection of critical areas, if applicable.*

## ZONING BOARD OF ADJUSTMENT

August 4, 2014

Page 4

Boat manufacturing is classified as light manufacturing, which is conditionally permitted in the C-3 District with proper mitigation. The Comprehensive Plan supports this type of use in goals stated in the Land Use Element, Section H. One goal is to create a balanced community that mixes residential and economic uses in a way that maintains environmental quality and the beauty of the area. Another goal encourages the diversification of Colville's economy and increase job opportunities by promoting and encouraging light, non-polluting industrial and manufacturing uses in nonresidential areas. The proposed expansion project will provide an estimated 23 additional jobs. By complying with the conditions of approval, the project is consistent with the requirements and intent of the Colville Zoning Ordinance regarding the type of land use and the intensity of the development. Critical areas are not affected by this proposal. The project meets this criterion.

2. *The project will not be unduly detrimental to the use of properties in the project vicinity.*

The boat manufacturing facility has been in existence since 1988. The hours of operation are from 6:00 a.m. – 3:30 p.m., Monday through Friday, with a majority of their operations contained within the buildings. Any on-site lighting will be properly shielded in such a manner that it will not create off-site impacts. Proper landscaping will provide adequate screening and buffering from adjacent uses. The surrounding properties are commercial use or vacant land, with the exception of the apartment complex located southwest of the site, which is not adjoining the expansion area. The proposed expansion may be accommodated on this site without creating any undue impact on the surrounding properties, provided the applicant complies with the conditions of approval in this request. The project can meet this criterion.

3. *The project makes adequate provision for access and circulation, water supply, storm drainage, sanitary sewage disposal, emergency services, and environmental protection.*

The project provides for adequate access and circulation. The main entrance to the facility and upper parking area is off of Tara Drive, which will be required to be paved. There are no curbs and sidewalks in the vicinity. A future Kettle Falls to Colville Non-Motorized Trail is being proposed across the frontage of Hewes Marine. Waiving the requirement for curbs and sidewalks on US Highway 395 for this expansion project would allow for these facilities to be incorporated into the final design of the trail plan. When the new plan is in place, construction of these facilities would be more attainable when specific funding opportunities arise. There is sufficient area on-site for 114 parking spaces to accommodate full build-out (81 existing, 33 proposed). Pursuant to Chapter 17.72 of the Colville Zoning Ordinance, the development of 33 parking spaces will be required with this expansion project. A plan of the proposed parking area must be approved by the Building Official prior to the issuance of building permits. Water and sewer facilities are in place and serve the site. Fire hydrants have been installed in the vicinity of the project site. An existing retention pond and drainage swales adequately serve the site. Emergency services are provided locally. The overall project, as proposed, minimizes any impacts to the environment.

4. *The project adequately mitigates impacts identified through the SEPA review process, if applicable.*

The City of Colville reviewed the proposal for adverse environmental impacts on June 24, 2014. No impacts were identified that required mitigation during the SEPA review. A Notice of Application/SEPA Review was processed using the optional DNS process. A Determination of Nonsignificance (DNS) was

## ZONING BOARD OF ADJUSTMENT

August 4, 2014

Page 5

issued on July 18, 2014 following the public comment period. The Washington State Department of Ecology submitted comments pertaining to the expansion which requires adherence to their Water Quality Program. Authorization would be required for any waste discharge or pollutants that may impact the quality of state waters. Appropriate mitigations have been identified through the SEPA review process and incorporated within the conditions of approval.

5. *The project is beneficial to the public health, safety, and welfare, is in the public interest, and is generally compatible with adjacent properties and other property in the district.*

The applicant's proposal will be designed to meet current codes, including the installation of a fire suppression system in the entire facility. The exterior of the proposed additions will be metal roofing and siding to closely match the current exterior of the facility, ensuring that the additions will be as compatible with the surrounding area as the original facility. Approval of this request will further Colville's goal to diversify the local economy and increase job opportunities by promoting light, non-polluting industries. By complying with the conditions of approval, this proposal is beneficial to the public health, safety and welfare and is in the public interest.

### CONDITIONS OF APPROVAL

Staff recommended approval of Conditional Use Permit Application #01-14 based on the findings outlined in the report and subject to the following conditions:

1. The development of 33 on-site parking spaces shall be required to accommodate the proposed expansion of the existing facility. The required parking spaces shall be paved and maintained in accordance with Chapter 17.72 of the Colville Zoning Ordinance. Prior to the issuance of a building permit, the applicant shall submit a parking plan to the Building Official for review and approval.
2. Tara Drive is a city street which serves as the main access road for this facility. Tara Drive shall be paved 28 feet wide east from Williams Lake Road a distance of 275 feet to the east entrance of the lower parking lot. Applicant shall be required to verify property lines and existing right-of-way to facilitate proper road alignment.
3. The applicant shall comply with the landscape and screening standards in Chapter 17.64.100 of the Colville Zoning Ordinance.
4. The applicant shall comply with Colville Zoning Ordinance, Chapter 17.64.160, Operational standards for commercial and industrial uses, to provide appropriate buffering for adjacent properties from noise, pollution, heat, glare, and vibration created by their operations. On-site lighting shall be shielded in such a manner that it will not create off-site impacts.
5. Future construction plans shall be reviewed and approved by the Building Official and a building permit issued prior to project construction.
6. A fire suppression system shall be provided in compliance with the International Fire Code and as approved by the Building Official and Fire Chief.

## ZONING BOARD OF ADJUSTMENT

August 4, 2014

Page 6

7. The applicant shall comply with the Washington State Department of Ecology standards, including, but not limited to, those outlined in their July 15, 2014 comment letter.
8. The conditional use permit shall expire August 4, 2015, unless a building permit has been issued and substantial construction has taken place or the use has commenced. However, a written request for up to a one (1) year extension submitted prior to the expiration date may be approved by the Administrative Official if the Administrative Official finds that the facts on which the conditional use permit was approved have not changed substantially.

At this time, Chairman Montgomery questioned the need for condition #7 since it appears that the Department of Ecology's concern has been satisfied and no waste discharge permit would be required.

No other comments or petitions were received relative to the issue being heard. The Chairman opened the public hearing at 9:25 a.m. and asked for comments from the applicant.

Tom Baris, representing Hewes Marine Company, advised that he had no further comments to add.

Kelly Keenan, 1190 Serene Dr., Kettle Falls, WA, advised that he and Dan Leighton own the property adjacent to the east, zoned R-1-S. He stated that they support the proposed expansion project. He brought up a question concerning future access from Tara Drive to their property which the Board felt was outside of its review authority. It was recommended that Mr. Keenan coordinate with City staff and Hewes at the time of future development of the R-1-S property.

Chris Montgomery requested further clarification from Municipal Services Administrator Eric Durpos relative to his comments about the proposed non-motorized trail. Mr. Durpos explained that his recommendation would be not to require sidewalks until the City can give Hewes Marine definitive direction on what to build and where it should be placed. He expressed concern about requiring a sidewalk and then having to tear it out if they don't fit in with the future trail plan. He suggested at the time future development warrants connecting a sidewalk or the construction of a trail, the City could negotiate with the Hewes on necessary improvements. The applicant concurred and indicated they are agreeable with whatever decision is made in the future to avoid the expense of installing something and then having to take it out.

Mr. Montgomery asked if the required parking spaces have to be paved with asphalt. Building Official Bob Cleaver confirmed that asphalt is required as well the delineation of the parking spaces according to the Zoning Ordinance. It was his opinion that there is adequate area on the site to accommodate 114 parking spaces for total build-out of the facility. He advised that the applicant is required to submit a parking plan for review and approval showing where they want to develop their paved parking.

Daron Tate requested clarification regarding the proposed fire suppression system. Mr. Cleaver advised that currently the facility only has a dry chemical system in the paint booths. As a result of past expansions in Stevens County, they were allowed to construct fire walls in the building. By installing a new fire suppression system throughout the entire facility, it will allow them to remove the existing fire walls and give them much more open space.

## ZONING BOARD OF ADJUSTMENT

August 4, 2014

Page 7

As there was no further public comment, the Chairman closed the public testimony portion of the hearing at 9:54 a.m. and opened it to Board discussion and voting.

The Board reviewed and discussed the staff's suggested findings and conditions of approval. Mr. Montgomery felt that the recommendation by Mr. Durpos to negotiate curb/sidewalk or trail improvements in the future was reasonable and suggested that endorsement from the Board could be stated in condition #2. He suggested the following language be added to condition #2 to state, "The requirement for curbs and sidewalks on US Highway 395 for this expansion project would allow for these facilities to be incorporated into the final design of the trail plan. The Public Works Department or city designee may make an exception if it is determined that the construction of curbs and sidewalks is not feasible. Municipal Services Administrator Eric Durpos has recommended that the implementation of curbs/sidewalks be delayed until determined to be feasible and the Board of Adjustment concurs with the recommendation." Mr. Montgomery suggested that condition #7 be deleted and condition #8 be renumbered. There were no objections to the proposed modifications.

Chris Montgomery moved that the Board approve Conditional Use Permit #01-14 based on the findings outlined in the staff report on Pages 4 & 5, items #1 through #5 and adopt the conditions of approval on Pages 5 & 6, conditions #1 through #7, as amended. Daron Tate seconded the motion. Roll Call: Pearl Mance – yes; Chris Montgomery – yes; Daron Tate – yes. Motion passed unanimously.

COMMUNICATIONS & PUBLIC PRESENTATIONS: There were none.

OLD BUSINESS: There was no Old Business to be presented.

NEW BUSINESS:

A. Vacancies on the Board.

Administrative Secretary Susan Davis advised that there are currently two vacancies on the Board. She noted that establishing a quorum of three can sometimes be difficult when trying to schedule a meeting. The Board members were asked to talk with potential candidates and encourage them to apply for the positions. Susan stated that city residency is not required for Board membership.

REPORTS: There were no reports.

ADJOURNMENT

As there was no further business, Pearl Mance moved and Daron Tate seconded the motion to adjourn. The meeting was adjourned at 10:00 a.m.