

City of Colville

ZONING BOARD OF ADJUSTMENT

July 20, 2009

9:00 a.m. – City Hall

MINUTES

The Colville Zoning Board of Adjustment met on Monday, July 20, 2009, 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: Diana Raines, George Tate, Sandra Wilma, Chris Montgomery, and Ned Swanson. STAFF PRESENT: Director of Building & Planning Jim Lapinski and Assistant Planner Melinda Lee. Building Official Bob Cleaver arrived upon request during the hearing. OTHERS PRESENT: Jeff Wolfe, Todd Isaac, Clayton Allen. RECORDING SECRETARY: Susan Davis.

MINUTES OF PREVIOUS MEETING

The minutes of the previous meeting of February 20, 2008 had been distributed to each member prior to the meeting. Sandra Wilma asked if a revised site plan for the new dialysis center had been provided to the Board as requested on Page 6 of the February 20th minutes. Melinda Lee indicated that she would provide the information. Diana Raines moved and Sandra Wilma seconded the motion to approve the minutes as presented. Roll Call: Ned Swanson – abstained; Sandra Wilma – yes; Chris Montgomery – yes; George Tate – yes; Diana Raines – yes. Motion passed.

PUBLIC HEARING

Subject: Conditional Use Permit Application #1-09
Applicant: Colville School District #115
Location: 640 N. Hofstetter Street
Request: Application to allow for the placement of a 28' x 32' portable classroom at Hofstetter School, in the R-1 (Single Family Residential) District, pursuant to the Colville Zoning Ordinance

Chairman Chris Montgomery convened the scheduled public hearing to consider a request for a conditional use permit by Colville School District #115. Chairman Montgomery requested the staff report.

Assistant Planner Melinda Lee presented the staff report, which had been distributed to each Board member and the applicant prior to the meeting (copy on file). Copies of the staff report were available to the public. Ms. Lee explained that Jeff Wolfe, representing Colville School District #115, submitted an application for a conditional use permit to allow for the placement of a 28' x 32' (896 sq. ft.) portable classroom at Hofstetter School. The campus is located at 640 N. Hofstetter Street, in the R-1 (Single Family Residential) District. Schools are conditionally allowed in the R-1 District; a new conditional use permit is required for the expansion of the facility.

Ms. Lee pointed out that Hofstetter School currently services the 1st through 3rd grades. Due to changes in student populations, the Colville School District is doing some restructuring of their facilities. Their

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intent is to move the kindergarten classes from Aster School to Hofstetter School and move some 3rd grade classes to Fort Colville School. The new portable classroom will be used as a resource room and for extra-curricular activities. The structure will not be connected to water and sewer services.

An analysis and evaluation of the 8.23-acre site was presented which identified existing site conditions and adjacent land uses. The portable building will be located in the west portion of the existing basketball courts, south of the main building in compliance with minimum development standards. The site is adequately served with public and private utilities. A total of 89 parking spaces are currently provided on the west and north sides of the property. The student drop-off and pick-up areas are contained within the property. No additional parking is required because 17 excess parking spaces were provided as a result of a 1991 renovation project.

An environmental checklist was completed and submitted pursuant to WAC 197-11. A Notice of Application and SEPA Review was prepared June 26, 2009 and a Determination of Non-Significance (DNS) issued on July 15, 2009.

Public notification was provided as required by the Colville Zoning Ordinance. A comment was received from Matt Schantz, R.S. Environmental Health Supervisor II. He commented that a school plan review for health and safety will be required by the NE Tri-County Health District for this project. A complete set of building specifications must be submitted to them for review.

Based on the conditional use permit criteria in Chapter 17.84 of the Zoning Ordinance, Ms. Lee presented the following findings of fact for Board consideration.

Findings of Fact:

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

As stated in the Goals and Policies in the Land Use Element of the Comprehensive Plan, Section II.G, we should:

- Continue Colville's role as a service, retail, governmental, medical, and educational center.
- Manage growth to conserve and enhance environmental quality, to utilize community facilities and services in an efficient and sound manner, to coincide with modernization and provision of infrastructure, and to promote a productive economy.

This proposal would accommodate the restructuring of uses at existing school facilities. The Kindergarten classes will be moved from Aster School into existing 3rd grade classrooms within the main building at Hofstetter School. The portable building will be utilized as a resource room and for extra-curricular activities for the student body. This will allow the classes to remain within the main building, close to existing services. As such, this continues our role as an educational center by managing growth in an efficient and sound manner. It also promotes a productive economy by retaining extra-curricular activities within our community.

The existing school facility already has established parking and traffic circulation patterns for student pick-up and drop-off. Since there will be an exchange of students, Kindergarten students replacing 3rd grade students, there should be no increase of traffic volume.

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Based on our off-street parking standards, elementary schools require 2 parking spaces for each teaching station. However, additional parking will not be required by this proposal since the renovation project in 1991 provided an excess of 17 parking spaces. There are existing sidewalks and bicycle lanes along Hofstetter Street, Madison Street, 6th Avenue, and 7th Avenue to accommodate pedestrian and bicycle traffic.

This property is adjoining the Fish Hatchery site; however, the location of the proposed new building is greater than 300 feet from the nearest wetland.

There are not any critical areas within the vicinity of this proposal.

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

The existing school has been in operation for a number of years, undergoing an extensive remodel in 1991 under Conditional Use Permit #7-91. The residences in the area are accustomed to the traffic patterns associated with a school campus. The proposed new building will be used primarily during the regular school schedule, with student drop-off from 7:00 a.m. to 8:00 a.m. and pick-up from 2:00 p.m. to 3:00 p.m., utilizing existing buses for transportation. It is not anticipated that there will be an increase of student population that would trigger an increase in vehicle traffic.

The proposal will be contained within the property.

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

The access will not be affected and will continue to be off of Hofstetter Street and 7th Avenue. The drop-off and pick-up areas are contained within the property; designating the area along Hofstetter Street for private vehicles and the area along 7th Avenue for buses.

The new portable building will be a “dry building,” requiring no water/sewer hookup; there will be no regular classes located in this building. There is existing electrical service, storm drainage, and emergency services.

There are no environmental impacts noted from this project.

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

The City of Colville reviewed the proposed project for adverse environmental impacts on June 23, 2009. A Determination of Non-Significance (DNS) was issued, along with the Notice of Application and SEPA Review, on June 26, 2009. It was published in a newspaper of general circulation on July 1, 2009. The comment due date was July 15, 2009. Only one comment was received; it was from Northeast Tri-County Health District regarding their requirements for a school plan review.

5. The project is beneficial to the public health, safety and welfare and is in the public interest.

The new building will provide additional space that will be dedicated to public education by accommodating the restructuring of the school district’s student body. When it is properly sited, it will not create adverse impacts to the public’s health and safety, and it will be beneficial to welfare of area

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students and the community. It is in the public interest to provide sufficient space for educational activities.

Melinda Lee advised that staff concludes that the applicant has satisfied the conditional use criteria and therefore recommends approval of this request subject to the following conditions:

CONDITIONS OF APPROVAL:

- 1) There will be no off-site glare created from the outside lighting on the new building.
- 2) This conditional use approval shall expire July 20, 2010, unless a building permit has been issued and substantial construction has taken place or the use has commenced. A written request for up to one (1) year extension may be approved by the Administrative Official if the Administrative Official finds the facts on which the Conditional Use Permit was approved have not changed substantially.
- 3) If the use authorized under a Conditional Use Permit ceases or is interrupted for six (6) consecutive months or more, then a new Conditional Use Permit will be required.

Regarding fire sprinkler systems within school buildings, Ms. Lee advised that the Building Code does not require a sprinkler system in the new building based on building size and occupant load.

At this time, Mr. Montgomery reviewed the hearing procedure. He asked if any of the Board members had an interest in the matter being heard which would be in conflict with the appearance of fairness requirements. Ned Swanson advised that one of his grandchildren attends Hofstetter School. There were no objections to any of the Board members participating in the hearing process. None of the Board members had engaged in communications with either proponents or opponents outside the hearing on the issue to be heard. The public hearing was declared open.

Ned Swanson requested clarification from staff regarding authorization of a conditional use permit. Melinda Lee confirmed that if the permit is approved and the use is established within one year, no further validation is required. The Temporary Use Permit time limit does not pertain to this proposal, which is being processed as a Conditional Use Permit per Section 17.84.040.B of the Zoning Ordinance.

Diana Raines questioned whether staff responded to the comment from NE Tri-County Health District. Melinda reported that she advised the School District that they would have to contact the Health District for direction. Jeff Wolfe, Facilities Director, confirmed that structural plans will be provided as requested for review and approval.

Ms. Raines questioned whether handicap access will be provided and asked how many doors the proposed building will have. Mr. Wolfe responded that a ramp will be provided and one door will be located on the north side of the building. The windows are proposed to be egress windows.

Sandra Wilma questioned whether there are any provisions for "dry buildings" with no water and sewer connections. Ms. Lee responded that during staff review, the Building Official made no indication that services would be necessary for the type of use proposed for this facility. Regular classrooms will be inside the main building. The proposed building will be used for extra-curricular activities.

Chairman Montgomery asked for any petitions or communications.

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Clayton Allen, Principal, Fort Colville School, explained that there will be three classes of 3rd graders at Hofstetter School and two classes of 3rd graders at Fort Colville School. The portable building at Fort Colville School will be used as a computer lab with one teacher. Students will be rotated through at 35 minute intervals. If a student needs to use the bathroom they just walk through an enclosed space from the new portable to the main building. The portable at Fort Colville School will have two doors. Mr. Allen advised that all fire codes will be complied with.

Diana Raines requested clarification regarding the placement of the portable buildings. Jeff Wolfe explained that the sod will be scraped from the sites; footings will be poured; the units will be set on blocks and then skirted. He advised that they are not planning a breezeway right now at Hofstetter School but will address that with the Building Official.

At this time, Building Official Bob Cleaver responded to the Board's concerns regarding provisions for "dry buildings". It was Mr. Cleaver's opinion that adequate sanitary services are provided in the main buildings. If a student needed to use the bathroom they wouldn't be traveling any farther from the portable than they would from a classroom. He stated the distance between the portables and the main buildings is relatively close and does not warrant the extension of services.

George Tate questioned whether the portable building will extend into the fire lane. Bob Cleaver advised that although he has not seen the final plan, he will ensure that adequate access for emergency vehicles is provided. He indicated that a minimum 12 ft. wide lane would provide adequate space for any vehicle.

Ms. Wilma asked if there is a maximum occupant load for the portables. Mr. Cleaver stated the portables must comply with the International Building Code Table based on a defined use.

Diana Raines asked whether the portable building will be used after school hours for extra curricular activities. Jeff Wolfe confirmed that the building would be used during school hours only.

Relative to fire safety, Mr. Cleaver explained that the Building Codes reference the NFPA standard for fire extinguishers. He generally asks the applicant to contact Oxarc or General Fire and they will assess the buildings and apply that standard and provide the amount of fire extinguishers needed. There will be a requirement for at least one fire extinguisher in each "area" of the portables. Mr. Wolfe confirmed that the portables will be connected to the main building fire warning systems. Extinguishers will be provided and they will have an emergency evacuation plan.

Saundra Wilma asked if there is a requirement for more than one exit door. Bob Cleaver responded that it depends on the occupant load of the building. Generally consideration is given to two exits when the occupant load exceeds 50. Bob advised that there is no requirement for egress windows. He further pointed out that portable buildings are inspected at the factory by the Department of Labor & Industries for code compliance. At the time the buildings are placed, the Building Department will ensure that the foundations are engineered and the buildings are used per the design.

Ms. Wilma questioned how emergency vehicles would access the site. Mr. Wolfe provided clarification and explained that emergency access can be provided even with a breezeway. He confirmed that he had budgeted for a covered walkway if the Board were to decide one is required. Bob Cleaver indicated if the Board required a covered walkway, the Fire Chief would have to approve the location and the design would need to be reviewed and approved by the Building Department. He felt that the fire lane was provided by design and would not be required today if there were no problems accessing the site. He felt it would be unlikely that a fire truck would use the lane because it is too close to the building.

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In response to a question, Jeff Wolfe advised that two of the basketball courts will be abandoned by taking the hoops down but not removed to accommodate placement of the portable building. He felt a covered walkway would not impact the use of the remaining two basketball courts.

Director of Building & Planning Jim Lapinski indicated that staff reviewed the proposal and discussed a covered or enclosed walkway in relation to the separation of buildings and the fire access lane. The staff has no objection to a covered walkway if designed properly.

Discussion followed relative to the term "portable". Chris Montgomery felt that term is used because the building is brought in on wheels and put on a foundation. Once it is approved, there is no limit on how long it can be there. Bob Cleaver explained there is no requirement for each classroom. Regardless of whether the areas are called classrooms, resource rooms, etc., it is an educational occupancy. It is a distinction without a difference and the review would be the same no matter what it is called.

Diana Raines raised concerns regarding safety of the children at that school due to their ages. If there is a Special Ed class in the portable, she was concerned about someone in a wheelchair, for instance, getting out in an emergency. Jeff Wolfe responded that Special Ed classes are conducted in the main building – but any issues that come up will be addressed.

The Chairman asked to hear from anyone wishing to speak for or against the request being heard. Seeing and hearing no one, the public portion of the hearing was closed.

Further discussion followed on the suggested findings and conditions of approval. Mr. Montgomery felt that an additional condition could be included to address the comment from NE Tri-County Health District. Chris Montgomery suggested that a new condition be added stating "A school plan review must be completed and any recommendation as a result thereof shall be complied with unless the Zoning Board of Adjustment is consulted." There were no objections to including the suggested language.

Brief discussion followed relative to a covered walkway. Saundra Wilma supported a condition to require a covered walkway to accommodate students during inclement weather for safe access to sanitary facilities. Mr. Montgomery suggested an additional condition stating "A covered walkway shall be provided from the portable classroom to the main building so long as it is approved by the Fire Chief as not interfering with fire suppression." There were no objections to the suggested language. Bob Cleaver confirmed that any such structure would have to meet Building Codes. The Department of Labor & Industries would allow the attachment of flashing without a permit.

Chris Montgomery moved that the Board approve Conditional Use Permit #1-09 and adopt the findings and conditions of approval as set forth in the staff report, as hereby amended:

Findings of Fact:

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

Adopted as written.

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

Adopted as written.

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

The access will not be affected and will continue to be off of Hofstetter Street and 7th Avenue. The drop-off and pick-up areas are contained within the property; designating the area along Hofstetter Street for private vehicles and the area along 7th Avenue for buses.

The new portable building will be a “dry building,” requiring no water/sewer hookup. There is existing electrical service, storm drainage, and emergency services. The Building Code does not require an “on-site” sprinkler system for this size of building.

There are no environmental impacts noted from this project.

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

The City of Colville reviewed the proposed project for adverse environmental impacts on June 23, 2009. A Determination of Non-Significance (DNS) was issued, along with the Notice of Application and SEPA Review, on June 26, 2009. It was published in a newspaper of general circulation on July 1, 2009. The comment due date was July 15, 2009. Only one comment was received; it was from Northeast Tri-County Health District regarding their requirements for a school plan review. A school plan review should be completed by the School District and submitted to the Health District.

5. *The project is beneficial to the public health, safety and welfare and is in the public interest.*

Adopted as written.

CONDITIONS OF APPROVAL:

- 1) There will be no off-site glare created from the outside lighting on the new building.
- 2) The school plan review must be completed and any recommendations as a result thereof shall be complied with unless the Zoning Board of Adjustment is consulted.
- 3) A covered walkway shall be provided from the portable classroom to the main building so long as it is approved by the Fire Chief as not interfering with fire suppression.
- 4) This conditional use approval shall expire July 20, 2010, unless a building permit has been issued and substantial construction has taken place or the use has commenced. A written request for up to one (1) year extension may be approved by the Administrative Official if the Administrative Official finds the facts on which the Conditional Use Permit was approved have not changed substantially.
- 5) If the use authorized under a Conditional Use Permit ceases or is interrupted for six (6) consecutive months or more, then a new Conditional Use Permit will be required.

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Diana Raines seconded the motion. Roll Call: Ned Swanson – yes; Sandra Wilma – yes; Chris Montgomery – yes; George Tate – yes; Diana Raines – yes. Motion passed.

PUBLIC HEARING

Subject: Conditional Use Permit Application #2-09

Applicant: Colville School District #115

Location: 1212 E. Ivy Avenue

Request: Application to allow for the placement of a 28' x 64' portable classroom at Fort Colville School, in the R-1 (Single Family Residential) District, pursuant to the Colville Zoning Ordinance

Chairman Chris Montgomery convened the scheduled public hearing to consider a request for a conditional use permit by Colville School District #115. The Chairman reviewed the hearing procedure. He asked if any of the Board members had an interest in the matter being heard which would be in conflict with the appearance of fairness requirements. There were no objections to any of the Board members participating in the hearing process. None of the Board members had engaged in communications with either proponents or opponents outside the hearing on the issue to be heard. Chairman noted that the previous comments from Fort Colville School District Principal Clayton Allen would be considered during this review. He referenced an additional communication which had been received from Carter Timmerman, WSDOT, Aviation Division (copy on file). The public hearing was declared open. Chairman Montgomery requested the staff report.

Assistant Planner Melinda Lee presented the staff report, which had been distributed to each Board member and the applicant prior to the meeting (copy on file). Copies of the staff report were available to the public. Ms. Lee explained that Jeff Wolfe, representing Colville School District #115, submitted an application for a conditional use permit to allow for the placement of a 28' x 64' (1792 sq. ft.) portable classroom at Fort Colville School. The campus is located at 1212 E. Ivy Avenue, in the R-1 (Single Family Residential) District. Schools are conditionally allowed in the R-1 District; a new conditional use permit is required for the expansion of the facility.

Fort Colville School currently services the 4th through 6th grades. The Colville School District proposes to install the portable building to accommodate the relocation of two 3rd grade classes from Hofstetter School. The building will be used for the relocation of the computer lab from the main building and for additional storage. No water and sewer services are proposed to be connected.

An analysis and evaluation of the 11.16-acre site was presented which identified existing site conditions and adjacent land uses. The portable unit will be located on the north side of the main building, west of the main entrance, in compliance with minimum development standards. The site is adequately served with public and private utilities. The student drop-off and pick-up area is contained within the property. A total of 47 parking spaces were provided when the school was built under Conditional Use Permit #6-81. No additional parking is required; however, the applicant has demonstrated that three additional compact spaces can be provided for this expansion, if deemed necessary.

An environmental checklist was completed and submitted pursuant to WAC 197-11. A Notice of Application and SEPA Review was prepared June 26, 2009 and a Determination of Non-Significance (DNS) issued on July 15, 2009.

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Public notification was provided as required by the Zoning Ordinance. A comment was received from Matt Schantz, R.S. Environmental Health Supervisor II. He commented that a school plan review for health and safety will be required by the NE Tri-County Health District for this project. A complete set of building specifications must be submitted to them for review. Melinda Lee referenced a belated comment from Carter Timmerman, WSDOT, Aviation Division, which was distributed to each member (copy on file). Mr. Timmerman expressed concern about the proposed building being located within an Aircraft Safety Zone. She pointed out the Fort Colville School site lies outside the City's Airport Landing Overlay District.

Based on the conditional use permit criteria outlined in Chapter 17.84 of the Zoning Ordinance, Ms. Lee presented the following 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 Ordinance, including the type of land use, and the density/intensity of the development, and the protection of critical areas, if applicable.*

As stated in the Goals and Policies in the Land Use Element of the Comprehensive Plan, Section II.G, we should:

- Continue Colville's role as a service, retail, governmental, medical, and educational center.
- Manage growth to conserve and enhance environmental quality, to utilize community facilities and services in an efficient and sound manner, to coincide with modernization and provision of infrastructure, and to promote a productive economy.

This proposal would provide the ability to accommodate the restructuring of use at existing school facilities. The portable classroom will be utilized as a computer lab and/or additional storage, to allow the new 3rd grade classes to be located within the main building, close to existing services. As such, this continues our role as an educational center by managing growth in an efficient and sound manner.

The existing school facility has established parking and traffic circulation patterns for student pick-up and drop-off. Transportation for the new students would be provided by the existing bus service and additional traffic from personal vehicles. Based on our off-street parking standards, elementary schools require 2 parking spaces for each teaching station. Four additional spaces would typically be required; however, 14 additional spaces were provided when the school was originally constructed. Even though the school has an excess of parking, they are proposing to provide 3 additional parallel parking spaces on the west side of the property off of Crestview Drive.

There is an underground, intermittent stream within the Fort Colville School property. The proposed new building is greater than 200 feet from this stream; therefore, it does not require special analysis.

There are not any critical areas within the vicinity of this proposal.

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

The existing school was approved under Conditional Use Permit #6-81. The residences in the area are accustomed to the traffic patterns associated with a school campus. The proposed expansion will be used during the regular school schedule, with student drop-off from 7:00 a.m. to 8:00 a.m. and pick-up from

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2:00 p.m. to 3:00 p.m. Due to the utilization of existing buses for transportation, it is not anticipated that the increased student population will create a substantial increase in vehicle traffic.

The proposal will be contained within the property, including additional off-street parking.

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

The expansion to the school facility will utilize existing access off of Ivy Avenue. The student drop-off and pick-up areas are contained within the property, forming a loop extending from the main entrance back to Ivy Avenue to the east.

The new portable building will be a “dry building,” requiring no water/sewer hookup and will not be used as a regular classroom. There is existing electrical service, storm drainage, and emergency services.

There are no environmental impacts noted from this project.

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

The City of Colville reviewed the proposed project for adverse environmental impacts on June 23, 2009. A Determination of Non-Significance (DNS) was issued, along with the Notice of Application and SEPA Review on June 26, 2009. It was published in a newspaper of general circulation on July 1, 2009. The comment due date was July 15, 2009.

Northeast Tri-County Health District commented regarding their requirements for a school plan review and WSDOT, Aviation Division commented regarding the proximity of the school site to the Aircraft Safety Zones.

5. *The project is beneficial to the public health, safety and welfare and is in the public interest.*

This expansion will provide additional space dedicated to public education by accommodating the restructuring of the school district’s student body and for extra storage capacity. When it is properly sited, it will not create adverse impacts to the public’s health and safety, and it will be beneficial to welfare of area students and the community. It is in the public interest to provide sufficient space for educational activities.

Ms. Lee advised that staff concludes that the applicant has satisfied the conditional use criteria and therefore recommends approval of this request subject to the following conditions:

CONDITIONS OF APPROVAL:

- 1) There will be no off-site glare created from the outside lighting on the new building.
- 2) This conditional use approval shall expire July 20, 2010, unless a building permit has been issued and substantial construction has taken place or the use has commenced. A written request for up to one (1) year extension may be approved by the Administrative Official if the Administrative Official finds the facts on which the Conditional Use Permit was approved have not changed substantially.

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- 3) If the use authorized under a Conditional Use Permit ceases or is interrupted for six (6) consecutive months or more, then a new Conditional Use Permit will be required.

In response to Mr. Timmerman's comment, Jim Lapinski explained that Fort Colville School is an established use beyond the Airport Landing Overlay District, which is regulated by the Zoning Ordinance. It was his opinion that no probable adverse impact has been identified as a result of this proposal. He presented an additional comment from Mr. Timmerman recommending that the structure be located as far away as possible from the extended runway center line as shown on an attached photo (copy on file).

Sandra Wilma expressed a concern about the sentence that references a "dry building" requiring no water/sewer hookup and will not be used as a regular classroom. Melinda Lee explained that she misunderstood that the portable couldn't be used as a classroom if not connected to services. Based on the testimony, that does not appear to be the case. Chris Montgomery recommended that that sentence about "dry building" be stricken from the staff report. Based on discussion, it was his feeling that the Board understands that there is no difference in the distinction.

Chris Montgomery commented that it was his understanding that the City of Colville has had some discussions about relocating the airport. He felt additional language should be added to address Mr. Timmerman's comments. Mr. Montgomery suggested that the following language be added to Finding #5 "The proposed portable classroom lies within the Aircraft Accident Safety Zone diagram of WSDOT, Aviation Division. The proposed portable classroom does not lie in the direct flight path of aircraft taking off and landing but it is within the Traffic Pattern Zone and on the fringe of the Inner Turning Zone. No significant change of use is occurring and no additional harm will occur by allowing the portable classroom." There were no objections to including the proposed language.

Relative to storm water runoff, Ned Swanson pointed out the subject site slopes primarily to the west and somewhat to the north. He suggested the installation of a gutter or French drain to the main system on the north side of the portable building to maintain on-site drainage. He stated the south side of the portable is covered by the existing system. Jeff Wolfe was receptive to Mr. Swanson's suggestion and indicated it would be very easy to install something there.

Regarding Principal Clayton Allen's earlier comments about a covered breezeway between the portable and the main building, Chris Montgomery questioned how roof runoff would be impacted by the existing drainage. Mr. Wolfe explained that their plan is to incorporate an engineered breezeway to connect the two buildings. There will be snow breaks added to the existing roof. The runoff will not interfere with the main building. Bob Cleaver indicated that the concept was acceptable. He explained that the City Public Works Department would review the drainage plan for adequacy. Mr. Montgomery suggested adding a condition stating "A covered walkway shall be provided from the portable classroom to the main building. Snow breaks shall be installed on the existing building. A drainage system shall be incorporated into the portable classroom for the north side drainage to tie into the existing drainage system." There were no objections to the proposed language.

Chairman Montgomery asked if there were any other petitions or communications. None were presented.

Hearing no other comments, the Chairman closed the public portion of the hearing.

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Chris Montgomery moved that the Board approve Conditional Use Permit #2-09 and adopt the findings and conditions of approval as set forth in the staff report, as hereby amended:

Findings of Fact:

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

Adopted as written.

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

Adopted as written.

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

The expansion to the school facility will utilize existing access off of Ivy Avenue. The student drop-off and pick-up areas are contained within the property, forming a loop extending from the main entrance back to Ivy Avenue to the east.

The new portable building will be a “dry building,” requiring no water/sewer hookup. There is existing electrical service, storm drainage, and emergency services. The Building Code does not require an “on-site” sprinkler system for this size of building.

There are no environmental impacts noted from this project.

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

The City of Colville reviewed the proposed project for adverse environmental impacts on June 23, 2009. A Determination of Non-Significance (DNS) was issued, along with the Notice of Application and SEPA Review on June 26, 2009. It was published in a newspaper of general circulation on July 1, 2009. The comment due date was July 15, 2009. A school plan review should be completed by the School District and submitted to the Health District.

5) *The project is beneficial to the public health, safety and welfare and is in the public interest.*

This expansion will provide additional space dedicated to public education by accommodating the restructuring of the school district’s student body and for extra storage capacity. When it is properly sited, it will not create adverse impacts to the public’s health and safety, and it will be beneficial to welfare of area students and the community. It is in the public interest to provide sufficient space for educational activities.

The proposed portable classroom lies within the Aircraft Accident Safety Zone diagram of the WSDOT, Aviation Division. The proposed portable classroom does not lie within the direct flight path of aircraft taking off and landing, but is within the Traffic Pattern Zone and on the fringe of the Inner Turning Zone.

Possible relocation of the Colville Airport is currently being considered by the City of Colville. No

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significant change in use is occurring and no additional harm will occur by allowing the portable classroom.

CONDITIONS OF APPROVAL:

- 1) There will be no off-site glare created from the outside lighting on the new building.
- 2) A school plan review must be completed and any recommendations as a result thereof shall be complied with unless the Zoning Board of Adjustment is consulted.
- 3) A covered walkway shall be provided for the portable classroom to the main building. Snow breaks shall be placed on the existing building. The drainage system on the portable classroom shall be incorporated and tie into the existing drainage system for the main building to handle the drainage from the north side of the portable classroom.
- 4) This conditional use approval shall expire July 20, 2010, unless a building permit has been issued and substantial construction has taken place or the use has commenced. A written request for up to one (1) year extension may be approved by the Administrative Official if the Administrative Official finds the facts on which the Conditional Use Permit was approved have not changed substantially.
- 5) If the use authorized under a Conditional Use Permit ceases or is interrupted for six (6) consecutive months or more, then a new Conditional Use Permit will be required.

Consistent with previous discussion, Chris Montgomery also recommended that staff revise Page 1 of the staff report by striking the sentence "Since there will be no water and sewer connections, the new building will not be used for regular classrooms" because that is inconsistent with the testimony presented here today.

Ned Swanson seconded the motion. Roll Call: Ned Swanson – yes; Sandra Wilma - yes; Chris Montgomery – yes; George Tate – yes; Diana Raines – yes. Motion passed.

COMMUNICATIONS & PUBLIC PRESENTATIONS:

Jim Lapinski thanked the School District representatives for their participation in the hearing process.

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

NEW BUSINESS: There was no New Business to be presented.

REPORTS:

Mr. Lapinski advised that a completed variance application has been submitted, which will require a public hearing. Board members will be contacted regarding a hearing date.

ADJOURNMENT

As there was no further business, Sandra Wilma moved and the motion was seconded to adjourn the meeting. There were no objections and the meeting was adjourned at 11:25 a.m.