

NOTICE OF DECISION

BEFORE THE SKAGIT COUNTY HEARING EXAMINER

Applicant: Conway School District #317
Attn: Ken Axelson
19710 State Route 534
Mount Vernon, WA 98274

Agent: Kirk Robinson
The Robinson Company
101 Steward St., Suite 925
Seattle, WA 98101

Request/File No: Special Use Permit. PL13-0024

Location: Conway School, 19710 State Route 534, within a portion of
NW1/4 and NE1/4 NE1/4 Sec 20, T33N, R4E., W.M.

Land Use Designation: Rural Intermediate (RI)

Summary of Proposal: To add a new entry lobby and expand the gym in Building 1000.
The gym expansion will enlarge the existing stage by about 900
square feet. During construction a temporary portable will be
used.

SEPA Compliance: Determination of Non-Significance (DNS) issued April 23, 2013.
No appeals.

Public Hearing: June 12, 2013. Testimony by County Staff, School District, and
engineer. No public testimony. Planning and Development
Services (PDS) recommended approval.

Decision/Date: Approval subject to condition; June 17, 2013.

Reconsideration/Appeal: A Request for Reconsideration may be filed with PDS within 10
days of this decision. The Decision may be appealed to the Board
of County Commissioners by filing an appeal with PDS within 14
days of the date of decision or decision on reconsideration, if
applicable.

Online Text: The entire decision can be viewed at:
[www.skagitcounty.net/hearing examiner](http://www.skagitcounty.net/hearing_examiner)

FINDINGS OF FACT

1. Conway School District #317 (applicant) seeks a Special Use Permit for additions to the Conway School.
2. The school is located at 19710 State Route 534, approximately .5 mile east of the Conway exit off of I-5. It is within a portion of NW1/4 and NE1/4NE1/4 Sec. 20, T33N, R4E, W.M. The parcel numbers are: P16977, P16969, P16958, P16959, P16960.
3. The zoning of the site is Rural Intermediate (RI). The property is neither in a Flood Hazard Zone, nor located within 500 feet of designated natural resource land.
4. The site is 13.8 acres in size, roughly square in shape, with an irregular eastern boundary. The school serves students in kindergarten through the 8th grade in five separate classroom buildings: three in the middle of the property and two in the eastern portion. Overall there are more than 3,000 square feet of gross floor area. Currently there are 435 students and 35 adult staff members.
5. In addition to classrooms, the site contains playfields, covered plays areas, asphalt and gravel parking areas and a maintenance building. The property is served by public water and an onsite septic system.
6. The neighboring properties are developed with single family residences or are undeveloped.
7. The additions will be made to the northeast corner and east of Building 1000 which is the building closest to the highway. The new entry way will measure approximately 24 feet by 22 feet. The expansion to the gym stage will be about 20 feet by 80 feet. The entry is about 66 feet from the front (north) property line. The gym addition will be about 100 feet from the front property line. The additions will be considerably farther from the other property lines.
8. A temporary classroom will be brought in to accommodate the second grade class during construction. It will be located south of the existing maintenance building approximately 200 feet from the nearest property line (the south). Water and bathrooms will be available to the portable.
9. As a result of the project overall impervious surface on site will increase by 3,880 square feet. Access locations, parking and traffic circulation for the site will not be changed. Parking for staff, buses, and the public are presently adequate and will not be affected.
10. A landscaping plan has been submitted. It consists largely of accent plantings around the additions. The planting will be used to highlight the new entrance.
11. Water runoff will be routed to the existing drainage system. The project engineer advised that the project will not require Stormwater General Permit under the NPDES system.

12. The application was submitted on February 26, 2013 and deemed complete on March 26, 2013. A Notice of Development Application was properly posted, published and mailed to nearby property owners. No comments were received.

13. A Determination of Non-significance (DNS), under the State Environmental Policy Act (SEPA) was issued on April 23, 2013. The DNS was not appealed.

14. The application was circulated to the various County departments. None had objections. Their suggestions are reflected in conditions of approval. Critical areas staff noted that this location was approved per a previous permit -- PL12-0316.

15. The Staff Report analyzed the application for special use approval under the criteria of SCC 14.16.900(1)(b)(v). The Staff concluded that, as conditioned, the project will be consistent with the applicable criteria. The Hearing Examiner concurs with this analysis and adopts the same. The Staff Report is by this reference incorporated herein as though fully set forth.

16. This is a use which has been ongoing in the neighborhood for 75 years. Except for some minor construction disruption, the proposed changes will not substantially impact other uses or users in the vicinity.

17. Any conclusion herein which may be deemed a finding is hereby adopted as such.

CONCLUSIONS OF LAW

1. The Hearing Examiner has jurisdiction over the subject matter of this proceeding. SCC 14.06.050(b)(ii).

2. Notice of the hearing and of the application was properly given as required by law.

3. The requirements of SEPA have been met.

4. Public uses as defined under SCC 14.04.020 include schools, and "major" public uses are "public facilities that include 3,000 or more square feet of gross floor area or that utilize 3 or more full time employees." Accordingly, the subject school is a major public use.

5. As Staff interprets current County code provisions, major public uses or expansions thereof in a Rural Intermediate zone require a Hearing Examiner Special Use Permit. SCC 14.16.300.

6. The proposal, as conditioned, meets the criteria for Special Use Permit approval. SCC 14.16.900(1)(b)(v).

7. Any finding herein which may be deemed a conclusion is hereby adopted as such.

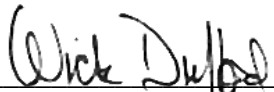
CONDITIONS

1. The project shall be carried out as described in the application materials, except as the same may be modified by these conditions.
2. The applicant shall obtain all other required permits and approvals and shall abide by the conditions of same.
3. The building shall comply with the International Fire Code (IFC) (2009).
4. A current Public Utility District water availability letter shall be submitted with the building permit application. Any water service requirements shall be completed and accepted by the PUD.
5. The applicant shall comply with all applicable state and local regulations, including but not limited to, Chapter 173-60 (noise), SCC 14.16.840 (noise, vibration and light), Chapters 173-210A and 173-200 (surface and ground water quality). Ventilation shall not be addressed by open doors and windows.
6. Prior to issuance of the building permit, all outstanding planning review fees shall be paid in full.
7. Within 30 days after any change in ownership of the property, PDS shall be notified of the change by a letter to the Planning Director referencing Permit No. PL 13-0024.
8. Per SCC 14.16.900(3), the applicant shall comply with the annual certification process, acknowledging compliance with the original permit approval and conditions in writing.
9. The special use permit shall be void if work is not started within two (2) years of the date of this order or if the use is abandoned for a period of one (1) year.
10. The applicant shall submit a copy of this decision with the building permit application.
11. Failure to comply with any condition may result in permit revocation.

DECISION

The requested Special Use Permit (PL13-0024) is approved, subject to the conditions set forth above.

DONE, this 18th day of June, 2013



Wick Dufford, Hearing Examiner

Transmitted to Applicant, June 18, 2013

See Notice of Decision, Page 1, for Appeal information.