

**Notice of Approval of
CONDITIONAL USE PERMIT**

Applicant: JGA Enterprises, LLC
(John and Glenda Aldana)
841 Mayberry Street
Forks, WA 98331
D.B.A. West End Taproom Tip & Sip

**Location of
Property:** 70 West A Street

**Legal
Description**

Property: Lots 12-14, Block 2 of the Townsite of Forks, see Volume 2 of Plates, Page 93, of Howard's located within the SE ¼ of the NW ¼ of the N ¼ of Sec. 9, T 28 N, R 13 W, W.M., Clallam County. Tax Id. Parcel 132809500285.

Project

Description: JGA Enterprises is seeking to convert an existing 1,200 sq. ft. building into the "West End Taproom Tip and Sip" which would be a retail business specializing in craft beers, craft ciders, wine tastes, retail beer, cider, wine and non-alcoholic beverages. Service would also include a food menu of appetizer plates, soups, Paninis, and retail food snacks.

Property has city water, city sewer, and electrical provided by the PUD. Further, off-street parking is located to the south of building and across from the building in a grassed parking area pursuant to a private agreement between the applicant and neighboring land owner.

Lead Agency Rod Fleck, City Attorney/Planner
City of Forks
500 East Division
Forks, Washington 98331

Notice is hereby given that the above referenced Applicant was granted a conditional use permit for the use described in the project description. The Forks Zoning Code requires a conditional use permit for bar or tavern and this proposal is closest to the identified land use. *See* FMC 17.10.475.

A copy of the findings, the determination and decision of the Forks Planning Commission on awarding this permit is attached and incorporated herein by reference. However, only the Notice of Approval is being printed in the Forks Forum. A copy of those findings, determinations and the decision can be obtained from the City Attorney/Planner. It will be mailed to all attendees, and all receiving a mailed copy of this notice pursuant to the Zoning Code. It will also be published on the City's website at www.forkswashington.org

APPEAL PROCESS

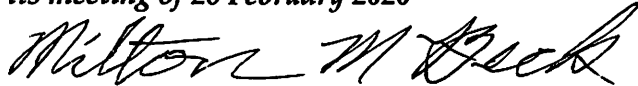
The Forks Planning Commission shall report to the City Council its findings regarding an application for a conditional use permit within fifteen (15) days of its decision. Any affected party, including a member of the City Council may appeal the decision to the City Council within fifteen (15) days of the date the report of the Forks Planning Commission is issued to the City Council.

The appeal shall be filed in writing with the city clerk on forms established for this purpose. Once a hearing time is established proper notification shall be given concerning time, place and purpose of such a hearing and shall be in conformance with FMC 17.135, *et al.* Upon receipt of the appeal the city clerk shall publicize and schedule a public hearing by the council.

The City Council within twenty-one (21) days of the close of the hearing shall affirm, reverse, remand, or modify (including attaching additional conditions) the decision of the Forks Planning Commission.

Individuals needing a copy of the application materials, the determinations of the Commission, or requiring additional information regarding this notice should contact Rod Fleck, City Attorney/Planner at 360/374-5412, ext. 245 or at 500 East Division, Forks, WA 98331.

Dated ____ February 2020 pursuant to the authorization and direction of the Forks Planning Commission at its meeting of 26 February 2020

A handwritten signature in black ink, appearing to read "Milton M Beck". The signature is written in a cursive style with a large initial "M".

Milton Beck
Chair, Forks Planning Commission

Findings, Determinations and Decision
On the Conditional Use Application of
West End Taproom Tip and Sip
70 West A Street
Forks, Washington

I. Findings.

- A. The City received a conditional use application on 28 Jan 2020 for consideration at the Forks Planning Commission meeting of 26 Feb 2020. The application came from John and Glenda Aldana, doing business as JGA Enterprises, LLC.

The property in question is zoned high density commercial. The proposal sought a permit to convert an existing 1,200 sq. ft. building into the “West End Taproom Tip and Sip which would be a retail business specializing in craft beers, craft ciders, wine tastes, retail beer, cider, wine and non-alcoholic beverages. Service would also include a food menu of appetizer plates, soups, Paninis, and retail food snacks.

Property has city water, city sewer, and electrical provided by the PUD. Further, off-street parking is located to the south of building and across from the building in a grassed parking area pursuant to a private agreement between the applicant and neighboring land owner.

- B. Applicant also provided the required State Environmental Policy Act (SEPA) checklist for this operation due to the “conditional use permit” being considered a major land use action triggering concurrent SEPA review.
- C. SEPA review resulted in a mitigated determination of non-significance (SEPA MDNS) with eleven stated requirements for mitigation. Notice of the MDNS was sent to the SEPA Register, WSDOT, Quileute Natural Resources, and a unit within the Department of Ecology. There was no appeal of the SEPA MDNS. DOE provided comments associated with actions expected of a developer and those were provided to the applicant. The mitigation requirements imposed were:
1. Proponent will be required to obtain a Conditional Use Permit from the Forks Planning Commission, which is scheduled to hear that request at a public meeting on 26 Feb 2020 for which notice has already been published.
 2. Proponent’s contractor will be required to immediately notify the City if their contractor, any subcontractors, or employees of either discover or unearth any archaeological resource(s) or human remains. Notification protocol shall include the City of Forks (Forks Police Department and City Attorney’s Office), the Quileute Tribal Council, and DAHP. Said protocol shall include stop work provisions, as well as penalty provisions if not followed by the contractor and/or their subcontractors.
 3. All stormwater drainage must be constructed to ensure that:
 - a. it is kept on site;
 - b. if applicable, any installed dry wells or similar devices may need to be registered in accordance with the Department of Ecology’s injection well registration requirements; and,

- c. any new drainage system should be reviewed by the Building Inspector prior to construction.
 4. Access to the off street private parking area associated with the private owners' agreement may require a no-cost driveway permit from the City's building inspector.
 5. Any remodeling of the interior of the building may require a building permit from the City's building department and compliance with the International Building Code as adopted by the City.
 6. Exterior lighting of all improvements will be installed in such a way to ensure that lighting is directed downward and remains primarily on-site.
 7. Any signage will require a sign permit from the City of Forks and the proponents can work with the City Planner to obtain that low cost permit.
- F. Notice of the receipt of the conditional use application, public hearing notice, and SEPA MDNS were sent to all registered property owners located within 500 feet of the property site identified by the applicant.
- G. These items were also published in the Forks Forum.
- H. The Planning Commission met on Wednesday, 26 Feb 2020. Commissioners Weekes, D. Beck and M. Beck were in attendance. Commissioners Brown and Northcut were excused.
- I. John and Glenda Aldana were in attendance, along with Fleck.
- J. Commissioner M. Beck agreed to act as the chair for the meeting. Meeting commenced at 5:16 p.m.
- K. Agenda was adopted on by unanimous consent.
- L. The public hearing on the application started with Fleck giving the staff report and the mitigation found within the MDNS. The City had only received comments from the Washington Department of Ecology and it was determined that those comments did not change the MDNS. Following the staff report, the Commissioners noted that it was "a pretty straight forward proposal" and that they had no questions.
- M. The applicants waived their presentation.
- N. With no other comments, the public hearing was closed.

II. Determinations. Based upon the above findings, the Commission made the following determinations:

- A. On a motion by Weekes, seconded by D. Beck, it was determined that the materials and information provided was adequate to make a decision on the proposed application.
- B. On a motion by D. Beck, seconded by Weekes, it was agreed to incorporate the SEPA mitigation items into any approved permit.
- C. On a motion by Weekes, seconded by D. Beck, the Commission approved the permit unanimously.
- D. On a motion by Weekes, seconded by D. Beck, the Commission authorized the Chair M. Beck to sign the approval and that would account for the meeting minutes.

III. Decision.

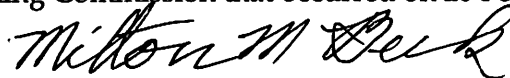
Based upon the above findings and determinations, the Forks Planning Commission decided by unanimous vote that the Conditional Use Permit Application be granted pursuant to the conditions noted in Section II above.

Pursuant to the Forks Zoning Code, specifically that section regarding appeals, notice of the decision shall be provided to the City of Forks City Council, participants in the hearing, and those who have already received notice of the permit. Said notice shall provide information regarding the process of appeal. Staff was authorized to prepare the necessary paperwork reflecting the Commissioners' decision.

Commissioner M. Beck was authorized to sign the decision based upon his determining that the documents adequately reflect the activities of the Commission during the meeting in question. Commissioner Northcut made a motion providing such authorization with a second by Commissioner D. Beck. Motion passed unanimously.

It was further agreed that the signed document would serve as the Commissions meeting minutes. Commissioner Northcut made this motion which was seconded by Commissioner M. Beck and which was passed unanimously.¹

Signed this 25 Feb 2020 and in so signing certifying that the above reflects the proceedings of the Forks Planning Commission that occurred on 26 Feb 2020.



Milton Beck
Chairman - Forks Planning Commission

¹ Fleck noted that the City will receive an Ecology grant to hire a consultant to develop the shoreline management plan implementation ordinance that would adopt the County's SMP. No other business came before the Planning Commission on this date and on a motion by D. Beck, seconded by Weekes, the meeting was adjourned.