



Community Development Department

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CITY OF CHELAN STAFF REPORT

IN THE MATTER OF)	STAFF RECOMMENDATION,
Stevens Marina Redevelopment)	CONDITIONS OF APPROVAL,
SSDP2024-05 / SEPA2024-07)	FINDINGS OF FACT, AND
)	CONCLUSIONS OF LAW

Applicant: Stevens Landing LLC, Konnar Stevens
Agent: Ryan Walker, Pacific Engineering & Design
Location: 1320 W. Woodin Ave, Chelan, WA 98816
Parcel No. 272214494090, 272214494010, 272214420050

Proposal: An application for a Shoreline Substantial Development Permit (SSDP) to redevelop the existing water vessel rental facility. The existing marina will be redeveloped to a launch dock and a new marina off the eastern point of the property, accessed from a new trail. The redeveloped marina will extend a total of 250' out into the lake and will be an addition of 2,246 sq ft (in addition to the existing 2,826 sq ft), for a total of 5,072 sq ft of overwater coverage. A new ADA restroom and office will also be constructed. The application seeks a shoreline setback reduction of 5 feet by implementing a native vegetation enhancement plan which includes an additional 110 sq ft of mitigation plantings adjacent to the OHWM.

STAFF RECOMMENDATION

Based upon the findings of fact and conclusions of law presented below, staff recommends the application submitted for a Shoreline Substantial Development Permit be **Approved**, subject to the listed conditions of approval.

DATED THIS 11th day of April, 2025

Monica Libbey, Senior Planner

CONDITIONS OF APPROVAL

All conditions imposed by this decision shall be binding on the applicant, which includes the owner or owners of the properties, heirs, assigns, and successors.

1. In order to comply with zoning minimum setback distances, a boundary line adjustment should be completed prior to the issuance of any building permit.
2. During building permit review, the project must meet all City of Chelan development standards, including, but not limited to, parking, access, fire flow, and sewer and water GFCs for connections.
3. Any off-street parking required for this project that is located on a separate property shall comply with applicable Parking Standards of the City of Chelan Development Standards Manual.
4. Prior to the issuance of any building permits, the project shall receive a FERC order of approval.
5. Final construction approval will be withheld until the City is provided with a valid Chelan County PUD License for this project.
6. Due to the property's proximity to a known contaminated site, if contamination is discovered, it shall be reported to Ecology's Central Regional Office. Contaminated soils or water may require special handling and/or disposal to protect site workers, visitors, public health, or the environment.
7. The applicant shall fully comply with the City of Chelan Shoreline Master Program (CSMP).
8. **CSMP 4.1.2(B) Uncovered Archaeological Resources.** Developers and property owners shall immediately stop work and notify the City, DAHP, and affected Indian tribes if archaeological resources are uncovered during excavation in order to discuss and agree upon appropriate next steps consistent with the State's Inadvertent Discovery Plan.
9. Establish the on-site public access easement and install signage as required by the existing SSDP2016-02 conditions of approval. **CSMP 4.3.2(J)(1):** The trail shall be connected to the future Lakeside Trail, and shall be improved to a minimum 5-foot-wide paved surface, with a 1-foot clear area on each side of the paved surface.
10. **CSMP 4.4.3(F)(3):** Prior to issuance of a certificate of occupancy or final inspection, the applicant shall provide a final as-built plan of any completed improvements authorized or required for a reduced shoreline setback.
11. **CSMP 4.4.3(F)(4):** Applicants who obtain approval for a reduction in the setback must record the final approved setback and corresponding conditions, including maintenance of the conditions throughout the life of the development and changes in ownership, in a form acceptable to the City and recorded with the County Auditor.
12. **CSMP 5.2.2(C) Required permits.** Projects involving in-water work must obtain all applicable state and federal permits or approvals, including, but not limited to, those from the U.S. Army Corps of Engineers, Ecology, Washington Department of Fish and Wildlife, Washington Department of Natural Resources, and/or Chelan County Public Utility District.

13. **CSMP 5.2.2(U) State-owned aquatic lands.** Proposals on state-owned aquatic lands shall be consistent with the Washington Department of Natural Resources Aquatic Land Management standards (WAC 332-30, RCW 79.105).
14. **CSMP 5.5.3(A)(4):** The two fuel floats are approved to be 10 feet wide.
15. **CSMP 5.9.2(G) Erosion control.** A temporary erosion and sediment control (TESC) plan, including BMPs, consistent with the Stormwater Management Manual for Eastern Washington, or the most recent adopted stormwater manual, shall be provided for all proposed fill and excavation activities, and shall be approved with the building permit application. Disturbed areas shall be immediately protected from erosion using weed-free straw, mulches, hydroseed, or similar methods and revegetated, as applicable.
16. **CSMP 7.10(B) Commencement.** Construction activities shall be commenced within two years of the effective date of this Shoreline Substantial Development Permit. Commencement means taking the action on the shoreline project for which the permit was granted shall begin. For example, beginning actual construction or entering into binding agreements or contractual obligations to undertake a program of actual construction. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed with a complete extension application submittal before the expiration date and notice of the proposed extension is given to parties of record on the Shoreline Substantial Development Permit and to Ecology.
17. **CSMP 7.10(C) Termination.** Authorization to conduct development activities shall terminate five years after the effective date of this Shoreline Substantial Development Permit. However, the City may authorize a single extension for a period not to exceed one year based on reasonable factors, if a request for extension has been filed before the expiration date and notice of the proposed extension is given to parties of record on the Shoreline Substantial Development Permit and to Ecology.
18. **CSMP 7.10(D) Effective date.** The effective date of this Shoreline Substantial Development Permit shall be the date of receipt (by Ecology) as provided in RCW 90.58.140(6). The permit time periods in subsections B and C of this section do not include the time during which a use or activity was not actually pursued due to pending administrative appeals or legal actions or due to the need to obtain any other government permits and approvals for the development that authorize the development to proceed, including all reasonably related administrative or legal actions on any such permits or approvals. The applicant shall be responsible for informing the City of the pendency of other permit applications filed with agencies other than the City and of any related administrative and legal actions on any permit or approval. If no notice of the pendency of other permits or approvals is given by the applicant to the City prior to the date of the last action by the City to grant permits and approvals necessary to authorize the development to proceed, including administrative and legal actions of the City, and actions under other City development regulations, the date of the last action by the City shall be the effective date.
19. **CSMP 7.11(A) Amortization to begin construction.** Construction pursuant to the permit shall not begin and is not authorized until twenty-one (21) days from the date of receipt with Ecology as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within twenty-one (21) days from the date of receipt of the decision, except as provided in RCW 90.58.140 (5)(a) and (b). The date of receipt for a Substantial Development Permit means that date the applicant receives written notice from Ecology that it has received the decision.

FINDINGS

1. This request is for a Shoreline Substantial Development Permit (SSDP) to redevelop the existing boating facility and construct an addition, as well as develop a new ADA restroom, an office, access trail, and improve existing public access. The existing commercial marina will be redeveloped to a launch dock and a new marina off the eastern point of the property. The redeveloped marina will extend a total of 250' out into the lake and will be an addition of 2,246 sq ft (in addition to the existing 2,826 sq ft), for a total of 5,072 sq ft of overwater coverage. The application seeks a shoreline setback reduction of 5 feet by implementing a native vegetation enhancement plan which includes an additional 110 sq ft of mitigation plantings adjacent to the OHWM.
2. The subject property is 1320 W. Woodin Ave, Chelan, WA 98816. Parcel Numbers: 272214494090, 272214494010, 272214420050
3. The owner/applicant is Stevens Landing LLC, c/o Konnar Stevens, 177 Stevens Orchard Lane, Manson, WA 98831.
4. The authorized agent is Ryan Walker, Pacific Engineering & Design, 200 S. Columbia St, Suite 300, Wenatchee, WA 98801.
5. The application was submitted on August 7, 2024 and determined complete on August 13, 2024.
6. Submitted application materials are as follows:
 - 6.1. JARPA Form signed 7/25/24
 - 6.2. SEPA Checklist prepared July 24, 2024
 - 6.3. CSMP Technical Memorandum, dated July 25, 2024
 - 6.4. Stevens Marina Plan Set, updated 2/11/2025
 - 6.5. Trip Generation and Parking Demand Analysis Memorandum, dated November 25, 2024
 - 6.6. Lease Agreement for 1237 W. Woodin Ave, effective May 1, 2022
7. A Notice of Application and preliminary SEPA Determination (ODNS) was issued on September 4, 2024, with a 30-day comment period ending on October 4, 2024. Notice was posted on site, mailed to the latest recorded real property owners within 300 feet of the project boundary, published in the Lake Chelan Mirror newspaper, posted on the Washington State Department of Ecology SEPA Register, and referred by email to affected agencies.
8. Comments were received from the following agencies:
 - 8.1. Thomas Tupling, City of Chelan Public Works
 - 8.2. Becky Jaspers, Chelan County PUD
 - 8.3. NC Review, Washington State Department of Transportation
 - 8.4. Toxics Cleanup Program, Washington State Department of Ecology
 - 8.5. Monica Libbey, City of Chelan Planning
9. Public comments were received from the following individual:
 - 9.1. Erik Ask
10. The proposed project does not meet the criteria of the standard land use article under Chelan PUD's FERC License and therefore requires Chelan PUD to obtain FERC approval prior to issuing a permit for the proposed project. Chelan PUD will need to file an application of Non-Project Use and Occupancy of Project Lands and Waters with FERC for the proposed project once all required permits are received and following a 30-day consultation period.

11. The proposed action is adjacent to a known contaminated site, Green Bulk Plant, Facility/Site ID 4086, Cleanup Site ID 12258. Contaminants may be present at the site of the proposed action.
12. The City of Chelan is the lead agency for the State Environmental Policy Act (SEPA).
13. A SEPA Determination of Non-Significance (DNS) was issued on March 19, 2025, utilizing the optional process, pursuant to WAC 197-11-355.
14. As described in the JARPA Form, much of the property is commercially developed with an existing boating facility and parking lot. The shoreline is protected by existing rock armoring with the exception of the existing concrete launch ramp near the west property line.
15. The subject property is located in the Waterfront Commercial (C-W) Zoning District.
16. Minimum setback distances in the C-W Zone are 25 feet for the front yard, 0 feet in the rear yard, and 5 feet for side yards.
17. This decision is written under the guidance and information from the City of Chelan Shoreline Master Program (CSMP), with an effective date of May 23, 2022.
18. The City of Chelan Shoreline Master Program (CSMP) identifies the Shoreline Environment Designation as High Intensity for the portion of the project that is landward of the ordinary high water mark (OHWM) and Aquatic for the portion of the project located waterward of the OHWM.
19. Pursuant to CSMP 7.5.1, a Shoreline Substantial Development Permit is required for this development.
20. The following sections of the CSMP specifically apply to the proposal:
 - 20.1. 3 Shoreline Jurisdiction and Environment Designations
 - 20.2. 4.1 Archaeological and Historic Resources
 - 20.3. 4.2 Ecological Protection and Critical Areas
 - 20.4. 4.3 Public Access
 - 20.5. 4.4 Vegetation Conservation and Shoreline Setbacks
 - 20.6. 4.5 Water Quality, Stormwater and Nonpoint Pollution
 - 20.7. 5.1 General Upland Shoreline Modification and Use Regulations
 - 20.8. 5.2 General Aquatic Shoreline Modification and Use Regulations
 - 20.9. 5.5 Boating Facilities and Private Moorage Structures
 - 20.10. 5.7 Commercial Development
 - 20.11. 5.9 Fill and Excavation
 - 20.12. 5.13 Recreational Development
 - 20.13. 5.19 Redevelopment, Repair, and Maintenance
21. The existing and proposed use is legally established and may be maintained, repaired, and operated.
22. Pursuant to CSMP 5.19.2(C), SMP standards shall apply to redevelopment of a property as follows:
 1. The Shoreline Administrator shall determine the extent of compliance with SMP provisions.
 2. The required provisions shall be related to and in proportion to the proposal.
23. CSMP Table 3-1, Shoreline Use and Modification Matrix for the City of Chelan, lists Water-dependent Commercial Uses as permitted in the High Intensity environment designation, and lists Marina as permitted in the Aquatic environment.

24. Lake Chelan is a shoreline of statewide significance.
25. Project uses are consistent with preferred uses on shorelines of statewide significance in accordance with RCW 90.58.020.
26. No known cultural resources are present within the vicinity of the project site.
27. Pursuant to CSMP 4.2.2, mitigation sequencing has been applied to the proposal. No adverse impacts to shoreline ecological functions will remain after applying the second and fifth mitigation sequencing priorities.
 - 27.1. The project entails an increase of approximately 2,246 square feet of new overwater coverage. Compensatory mitigation will be accomplished by installing grated surfacing. Additional compensatory mitigation is proposed via native vegetation plantings adjacent to the OHWM for a total of 1,125.5 sq. ft.
 - 27.2. The reduced shoreline buffer will be mitigated by planting an additional 110 sq ft of native riparian vegetation.
28. The project is consistent with the Shoreline Public Access Plan.
 - 28.1. CSMP 4.3.2(D)(3)(b) requires commercial and industrial uses to incorporate shoreline public access. The amount of needed public access shall be based on the development's impacts to shoreline resources and values (providing access or restricting access including visual access to the shoreline).
 - 28.2. The proposed project includes the improvement of the existing 5 ft public access easement with the addition of a gravel surface from its connection at the highway/south property line to the shoreline.
29. CSMP Table 4.4-1 establishes setbacks to be measured landward in a horizontal direction perpendicular to the ordinary high water line of Lake Chelan.
 - 29.1. In the High Intensity Environment Designation, the standard setback is 20' and the reduced setback with performance standards is 10'.
 - 29.2. The application requests a reduced setback of 5' for the restroom and office building, through the use of Option 4, with a native vegetation enhancement plan in the shoreline setback.
 - 29.3. The buffer reduction will be mitigated by planting an additional 110 square feet of native riparian vegetation on the west side of the peninsula, including 2 trees and 6 shrubs.
 - 29.4. Pursuant to CSMP 4.4.2(G); those portions of water-dependent development that requires improvements adjacent to water's edge, landscaping with approved species, and trails in conformance with Public Access design guidelines may be permitted in shoreline setbacks.
 - 29.5. A marina is defined as a public or private water-dependent wet moorage facility for pleasure craft and/or commercial craft where goods, moorage or services related to boating may be sold commercially or provided for a fee, e.g. yacht club, etc.
 - 29.6. Proposed landscaping consists of native vegetation with approved species.
 - 29.7. The improved public access trail and proposed marina access trail comply with applicable standards listed under CSMP 4.3.2(J)(1).
30. The project results in a decrease of impervious surfaces and the existing parking lot has associated stormwater bioswales where it is detained on site.
31. The project has been designed such that it complies with applicable General Upland Shoreline Modification and Use Regulations, CSMP 5.1.2.
32. The project has been designed such that it complies with applicable General Aquatic Shoreline Modification and Use Regulations, CSMP 5.2.2.

33. CSMP Table 5.5-1. All private and public boating facilities shall be no larger than the minimum size necessary to accommodate the anticipated demand. Specifically, the amount of overwater coverage, the size and number of in-water structures, the waterward length of the facility. Specific sizing of all private and public boating facility components shall be based on the results of the analyses conducted under Subsection E, Submittal Requirements.
- 33.1. The applicant provided an assessment of demand for expanded boating facilities in accordance with CSMP 5.5.3(E).
- 33.2. The proposed moorage will be for the on-site rental vessels only, for the commercial operation of the existing vessel rental company on site. The moorage will not be open to the public for the moorage of their private vessels.
- 33.3. The proposed marina design is specific to the rental vessel fleet sizes, particularly the finger length and finger separation distance.
- 33.4. The length of the facility, a maximum of 250 feet, is associated with expanding the commercial operation on site based on rental vessel demand, as well as creating year-round fueling availability for the public at the marina.
- 33.5. This proposal will not impact vacancies or waiting lists at other existing facilities that provide permanent or temporary moorage for public or private use.
- 33.6. The proposal will positively impact several existing water-dependent uses in the vicinity with the redevelopment of the existing boating facility, creating enhanced navigation, fishing, pleasure boating, shoreline viewing, and shoreline public access opportunities.
- 33.7. The existing launch ramp will remain on site as developed. There is no expansion proposed. The launch ramp will remain in private use only.
34. The proposed redevelopment of the marina and launch dock will meet the required design standards found in Table 5.5-1.
- 34.1. The entire facility will have a width no wider than 8 feet, apart from the two fuel floats (one relocated, one new). These two floats will have a 10-foot width.
- 34.2. The Shoreline Administrator may approve components up to 10 feet wide if justified in documentation submitted consistent with Subsection E.
- 34.3. A width of 10 feet was approved for the existing fuel float in 2016.
- 34.4. The length of the redeveloped marina will be no longer than 250 feet. The length of the redeveloped launch dock will be approximately 65 feet.
- 34.5. The redeveloped marina and launch docks are spaced 30 to 45 feet from side property lines; greater than the minimum requirement of 10 feet.
35. The existing and proposed use as a water vessel rental business meets the definition of water-dependent commercial uses.
36. The project has been designed such that it complies with applicable Fill and Excavation Regulations, CSMP 5.9.2.
- 36.1. Proposed fill has been minimized and does not cause adverse impacts to ecological functions.
- 36.2. All upland fill and excavation is being conducted outside the shoreline setback.
- 36.3. Shoreline stabilization will not be necessary.
37. The project has been designed such that it complies with applicable Recreational Development Regulations, CSMP 5.13.2.
38. Any Conclusion of Law that is more correctly a Finding of Fact is hereby incorporated as such by this reference.

CONCLUSIONS

1. Pursuant to CSMP 7.1.3(A), the hearing examiner is vested with the authority to approve a Shoreline Substantial Development Permits not otherwise assigned to the Shoreline Administrator.
2. The application was processed in accordance with procedures outlined in CMC Title 19 – Administration of Development Regulations, Title 14 – Environmental Protection, and the City of Chelan Shoreline Master Program.
3. During the review of this application, consideration was given to both public and agency comments received during the comment period.
4. The proposal is consistent with the City of Chelan Shoreline Master Program, Chapter 173-27 WAC, and Chapter 90.58 RCW.
5. Any Finding of Fact that is more correctly a Conclusion of Law is hereby incorporated as such by this reference.

Attachments:

Exhibit A – Application Materials

Exhibit B – Public and Agency Comments

Exhibit C – SEPA Determination