

PLANNING COMMISSION MEETING
CITY HALL/COUNCIL CHAMBERS
SEPTEMBER 28, 1999

MEMBERS PRESENT: Frank Martin, Nancy Paine-Donovan, Kristjan Ochs
(late), Dennis Klinger, Don Van Etten

STAFF: Gloria Rivera, City Planner

Klinger called the meeting to order at 7:30 P.M.

Approval of Minutes

Van Etten moved to approve the Minutes of the August 24, 1999 meeting. Paine-Donovan seconded. Motion carried.

COMMUNICATIONS

Rivera reported on the recommendation from the Planning Commission to the City Council on clustering development, development with and without sewer and over all density which was approved several months ago. Rivera stated last week the recommendations were approved by the County within the Urban Growth Area.

Paine-Donovan requested a review of the Logan Massey history prior to anything coming to the Planning Commission so the members would have a sense of what has transpired.

Rivera stated it is uncertain if anything will come before the board. A determination is still being sought.

Van Etten questioned the status of the Sunset Industrial Park.

Rivera stated negotiations are still taking place.

Rivera reported to all applicants in attendance that the Planning Commission is currently down one member, another member is ill and a third member will be arriving late. Any decisions until the additional member arrives will have to be unanimous. Applicants will be given the opportunity to reschedule their hearing if they so choose until a full board can be in attendance.

PUBLIC HEARINGS

Conditional Use #11-99 (Skagit Valley Baptist Church)

The applicant is Skagit Valley Baptist Church who is requesting to locate two (2) off premises signs regarding their church. The first sign would be located on the Southeast corner of Highway 9 and W. Nelson Street and the second sign would be located on the Southwest corner of the intersection of Highway 20 and Township Street. The applicant

will also need permission from the Washington State Department of Transportation for an Outdoor Advertising Sign Permit.

Rivera reviewed the staff report which recommended approval with the following conditions:

1. The signs must be installed so as not to obstruct vision between the heights of three feet and ten feet, and
2. The signs shall not exceed the total area of 6 square feet, and
3. Installation site to be approved by the City; and
4. A city sign permit must be obtained, and
5. Long-term maintenance of the signs must be provided or be subject to conditional use withdrawal; and
6. Approval must be received from the Washington State Department of Transportation for an Outdoor Advertising Sign Permit for the two signs.

Klinger opened the public hearing.

Mel Espe – 402 W. Nelson, speaking on sign #1, presented a history of the intersection of the proposed site for the sign and expressed concern of safety with decreased visibility. Espe recommended the site be moved 200' to the south.

Rivera reported she had received a call from John Rowland who lives on the corner where the sign would be located, Rowland was unable to attend tonight's meeting but expressed concern with visibility and objected to having the sign placed on his property. Rowland stated he would be less opposed to the sign if it was located across the road.

Frank Keck – owner of local Dairy Queen, stated he is not opposed to the sign at the corner of Township and Highway 20. Keck expressed concern on the size of the sign. He believes a 2' X 3' sign is a sizeable sign and most other signs for this purpose are smaller, usually about 16" to 20". Kick requested the size of the sign be considered in the decision.

Russ Lanker – representing Skagit Valley Baptist Church, addressed the size of the sign. Lanker stated the example of the sign in the packet is Bethlehem Lutheran Church and the sign they are proposing is approximately 2-3" wider and the same in length. Lanker stated they could work with the sign size.

Klinger closed the public hearing.

Lanker addressed questions from the board regarding the signs directional arrow and sign location.

Van Etten moved to review the signs separately. Martin seconded. Motion carried.

Paine-Donovan moved to accept the staff findings for Conditional Use #11-99 sign #2 (Township/Highway 20 sign). Van Etten seconded. Motion carried.

Paine-Donovan moved to accept the Conditional Use #11-99, Sign #2 (Highway 20/Township). Seconded by Van Etten. Motion carried.

Discussion held on Sign #1 (W. Nelson/Highway9). Paine-Donovan stated she would be more comfortable moving the sign closer to the mill.

Van Etten suggested placing the sign near the Kiwanis and Rotary signs. One by the mill and one by Kiwanis sign.

Rivera reviewed zoning near the mill area.

Paine-Donovan moved to continue sign #1 to the October meeting. Martin seconded. Motion carried.

Variance #09-99 (Parker)

The applicant is Joe Parker who is requesting a variance from the setback requirement to locate a 9' X 7' tool shed two (2) feet from the side yard setback. The subject property is located at 425 Bennett Street.

Rivera reviewed the staff report which recommended approval with the following condition:

1. The applicant will be required to set his tool shed a sufficient distance from the property line so that the eaves will not hang over the adjacent parcel of property to the east.

Klinger opened the public hearing.

Rich Parker, representative for Joe Parker was in attendance. Parker did not address the board.

Klinger closed the public hearing.

Paine-Donovan questioned whether flammables would be stored in the tool shed.

Parker stated there would probably be a gasoline can for a lawn mower stored in the shed which is typical of any tool shed.

Van Etten moved to accept the findings for Variance #09-99. Paine-Donovan seconded. Motion carried.

Van Etten moved to grant Variance #09-99. Seconded by Paine-Donovan. Motion carried.

A short break was taken at this time to determine if Ochs would be able to join the board.

Ochs arrived and joined the board.

Conditional Use #10-99 (Johnson)

The applicant is Richard Johnson who wishes to construct a commercial operation (gasoline/convenience store) in the MF2 zone. Johnson is proposing to remove an existing house and construct a gasoline/convenience store on the north 1.08 acres of a 1.80 acres parcel. The southern 0.72 acres would be used for the retention pond for the facility and for future activities. The subject parcel is located at 2080 Cook Road.

Rivera reviewed the staff report which recommended approval, subject to the following conditions:

1. The lot to the south must be separated off from the site of the gasoline/convenience store operation through the short plat process. This southerly 0.72 acres is to be reserved for residential use.
2. Storm water retention must be confined to the site of the gasoline/convenience store and not retained for the operation on the lot to the south (the southern 0.72 acres).
3. Frontage improvements as established in the City Code must be constructed by the applicant. Additional traffic mitigation requirements may be required following completion of the traffic study.
4. Hours of operation must be limited to 6:00 a.m. to 11:00 p.m.
5. A six foot fence must be constructed around the east and south sides of the gasoline/convenience store facility.
6. A landscaped buffer must be constructed on the perimeter of the site in accordance with Section 17.50.080 of the Sedro-Woolley Municipal Code.
7. The applicant is required to comply with any additional requirements set forth in the MDNS issued for this project on September 7, 1999 and published on September 8, 1999. In addition, the project will be subject to police impact fees.
8. Height of signs and/or canopies shall be no more than twenty-five feet in height.

Klinger opened the public hearing.

Alan Perkes – representing Richard Johnson, applicant, stated the requirements set out are agreeable with the exception of the request the property be short-platted. Perkes stated there currently is no City code or law that requires a piece of property be short platted because there is multiple uses on the property, as long as the ownership of the property is retained by one person. Perkes stated the conditional use is for the gas

station/convenience store and the remaining property which is zoned MF2 still remains. The owner is not requesting any change in that property zoning. The only time that should become an issue is if the owner would choose to sell off the MF2 portion.

Perkes addressed the detention location and stated it has two purposes. It has been sized for the impervious area for both developments. Perkes said this type of detention system is used a lot in many housing developments. The location for this detention pond is the best location on the site.

John Ravnik – Civil Engineer for Johnson spoke on the detention system and stated the detention system is best served on the east side as proposed.

Perkes stated because of the proposed Trail Road and Cook Road street improvement projects, the proposed project would not be completed until this time next year. Perkes addressed the hours of operation and proposed hours of operation be similar to other stations along Highway 20, with hours proposed of 5 A.M. – 11 P.M. Sunday through Thursday, 5 a.m. – Midnight Friday and Saturday. Perkes stated there is no final design at this time to show but there is willingness on the part of the developer to comply with necessary requirements.

Perkes also addressed the dedication of right of way for Cook Road. Perkes stated they have taken into consideration in their plan a 20' easement which is the anticipated right of way necessary for the Cook Road Improvements. Perkes also addressed the increase in traffic to Trail Road due to the Cook Road design proposal and the property uses in the surrounding area and landscaping.

Ella Allen – 2076 Cook Road, lives directly across the street from the proposed project, questioned if the conditional use changes the zoning and how it would affect her property.

Rivera stated the zoning remains the same but allows them to utilize the property for a commercial business. This process would also be available to them to apply for if they so chose.

Allen expressed concern of traffic being diverted down Trail Road when there is an accident or emergency. Allen questioned if a traffic light would be installed.

Rivera and Klinger stated the traffic study would determine whether a light was necessary.

Mike Casey – Superintendent of Sedro-Woolley Schools expressed concern of traffic for the busses in this area.

Brent Keck – president of Keck Ventures, owner of the local Dairy Queen spoke on the concentration of commercial business being spread throughout the community and spread into residential areas. Keck stated he believes a chain reaction will be caused by the

granting of conditional uses within residential areas without zoning changes. Keck encouraged thought on the long-term effects.

Susan Bishop – 402 Talcott Street, agreed with Keck's comments.

Mel Espe – 402 W. Nelson St., spoke against a commercial gas station being allowed in a residential zone.

Mike Janicki – 810 Talcott St., encouraged the Planning Commission to look into the future of where the City will be in 20 years. Janicki stated growth around the outside of the town isn't always bad.

Brent Keck – stated infrastructure is in place and will support Multi-family. Keck encouraged looking at the zoning map and at what commercial is shown, fill in what is there first and then move out.

Alan Perkes – addressed traffic diversion and the impacts whether the project is completed or not. Perkes stated provisions have been put in place by the City as to how they are directing traffic.

Klinger closed the public hearing.

Klinger spoke on a Multi-Family project that was proposed in the same area several years ago and the opposition it received from the residents. He noted there are very few residents in the project area in attendance which shows the people are not receptive to multi-family housing.

Van Etten addressed the zoning stating he believes the zoning was wrong originally. Van Etten sees more commercial along that area and believes it should not be Multi-Family.

Paine-Donovan and Ochs expressed concern with the loss of multi-family.

Rivera stated the City's concern on this proposal is the loss of multi family to the detention pond and encouraged the conditions on the plan to short plat the multi family parcel.

Van Etten moved to approve staff findings and conditions with the following changes:

1. detention pond to be placed on the south portion of parcel
2. without short plat process for Multi family lot
3. Modification to hours to be Sunday – Thursday 5 a.m. – 11 p.m., Friday and Saturday 5 a.m. – Midnight.

Martin seconded. Motion carried.

Van Etten moved to accept Conditional Use #10-99. Seconded by Martin. Motion carried.

Variance #08-99 (Klinger)

Due to a conflict of interest, Klinger stepped down from this item. Paine-Donovan stepped in as acting chair.

The applicant is Florence Klinger who is requesting a variance from the Code requiring a minimum 9,000 square foot lot area and the 80 foot minimum lot width at building line for a duplex in the SF1 zone. The applicant wishes to construct a duplex in the future on a lot with a minimum lot area of 8,400 square feet and with a 70-foot lot width at building line. The subject property is located at 616 Warner Street.

Rivera reviewed the staff report which recommended approval subject to the following conditions:

1. Property owners must be notified of the City setback requirements on the face of any recorded document; and
2. Property owners must comply with any construction requirements including access and off-street parking requirements.

Paine-Donovan opened the public hearing.

Paine-Donovan read a letter into the record received from Don and Shirley Grandy in opposition of the request.

Florence Klinger – 707 F & S Grade Road, applicant, stated the access to the current residence is from the alley and there is ample parking for 3 cars. Klinger stated most residents in that area use the alley for parking access.

Paine-Donovan closed the public hearing.

Van Etten moved to accept the staff findings for Variance #08-99. Ochs seconded. Motion carried.

Van Etten moved to approve Variance #08-99 subject to conditions. Seconded by Ochs. Motion carried.

Conditional Use #12-99 (Foster Care Resources/Secret Harbor School)

Klinger resumed his position as chair.

The applicant is Secret Harbor School, represented by Judy Grosvenor who wishes to locate a professional office (an administrative office) in the HI zone. The subject site is located at 260 W. Moore Street.

Rivera reviewed the staff report which recommended approval.

Klinger opened the public hearing.

Frank Bresnan – 290 W. Moore St., expressed concern of the ingress/egress being west bound only. Bresnan requested marked parking and encouraged a fence on the north side facing Mike Joy’s property for safety of the children.

Mike Joy – owner of property north and east of the proposed site, addressed concerns of kids coming onto his vacant lot because of safety issues and requested a fence be required.

Judith Conner – program director for Foster Care Resources, applicant, stated it is the intention to eventually fence a play area. Conner stated the children are supervised at all times and they would take measures to protect any existing fence.

Klinger closed the public hearing.

Rivera read a letter into the record from Larry Nusen written in support of the Conditional Use.

Paine-Donovan questioned the lack of a fenced play area and the feasibility of children be retained inside until a fenced play area can be provided.

Paine-Donovan moved to accept staff findings for conditional Use #12-99 as written. Seconded by Martin. Motion carried.

Paine-Donovan moved to approve Conditional Use #12-99. Martin seconded. Motion carried.

Variance #10-99 (B & M Management)

The applicant is B & M Management who is seeking a variance from the Code required 16,000 square feet of minimum lot area for six units in the MF1 zones. The applicant wishes to construct a duplex on a lot with four existing units. The square footage for the total lot area is 12,000 square feet and is located at 405 N. Township Street.

Rivera read the staff report which recommended denial based on the findings of fact.

Klinger opened the public hearing.

Mary Manville-Ailles – Skagit Surveyors & Engineers, representing the applicant, cited what she believed to be some unique circumstances that occur on the subject lot. Manville-Ailles addressed lot coverage and unit sizes. She stated the current units are one-bedroom units and the current zoning allows up to 8 bedrooms in these units. The

proposal allows for 6 dwelling units which would be a total of 8 bedrooms in the 6 dwelling units. Manville-Ailles spoke on the viability of projects and addressed some traffic concerns within the alley. She stated the applicant proposes to block the alley to through traffic and to move some of the parking to the rear. After addressing the comprehensive plan and infill Manville Ailles urged the Planning Commission to approve the project as presented.

Mark Mauden – 405 Township, applicant, presented a history of the property and stated it was a 6-plex unit at one time. Mauden showed before and after pictures of the improvements that he has made to the property since purchasing it 2 ½ months ago.

Dick Joneli – 406 Coffman Lane, expressed concern of excess traffic and opposed the granting of the variance.

Agnes Stransky – 403 Township, agreed that the property is looking better but opposed any more buildings due to the size of the lot.

Nita Randall – 409 Coffman Lane, expressed concern of traffic and spoke in opposition due to lot size.

Lydia Randall – 409 Coffman Lane, spoke in opposition because of traffic and safety issues and believes the lot to be too small.

Rivera read letters into the record from Norman Strode of 914 Wicker Road in support of granting the variance, Agnes and A.J. Stransky of 403 Township in opposition of the variance and Ken Miller of 410 Coffman addressing opposition of the variance due to traffic and safety issues.

Manville-Ailles clarified the concern with Coffman Lane stating Coffman Lane ends with private access that is currently being used to go through to Township Street. The proposal would close that off so there would be no loop through. Manville-Ailles stated the applicant is also concerned with that issue as well.

Klinger closed the public hearing.

Martin moved to support staff findings and recommendations for Variance #10-99. Ochs seconded. Motion carried.

Paine-Donovan moved to deny Variance #10-99. Martin seconded. Motion carried.

Variance #11-99 (Wehrli)

The applicant is Diana Wehrli who is requesting a variance from the Code required minimum 6,000 square feet of minimum lot area and the 60 foot- minimum lot width at building line for a lot in the SF1 zone. The applicant wishes to create through a boundary

line adjustment a lot with a minimum lot area of 5,640 square feet and with a 47 foot lot width at building line. The subject property is located at 1010 Bennett Street.

Rivera reviewed the staff report which recommended approval with the following conditions:

1. That future property owners of the new residential lot be notified of the City setback requirements on the face of a recorded documents; and
2. That future property owners must comply with any construction requirements for the newly created residential lots including access requirements.

Klinger opened the public hearing.

Diana Wehrli – 1010 Bennett Street, applicant, stated she didn't have any additional comments but would be glad to answer any questions the board may have.

Klinger closed the public hearing.

Ochs moved to accept staff findings as written for Variance #11-99. Paine-Donovan seconded. Motion carried.

Ochs moved to grant Variance #11-99 with conditions noted. Martin seconded. Motion carried.

Conditional Use #13-99 (Sedro-Woolley School District)

The applicant is the Sedro-Woolley School District who wishes to locate a public use (a 64-space parking lot for the High School) in the SF1 Zone. The subject property is located at the southeast corner of the intersection of 4th Street and Nelson Street.

Rivera read the staff report for the Variances and recommended approval for the reduction in the width of the perimeter landscaping to ten (10) feet on Fourth Street and five (5) feet on Nelson Street (not including the parking strips), and in the amount of the interior landscaping, subject to the following conditions:

1. The applicant is required to comply with the remainder of the City landscaping requirements established in Section 17.50.080 of the Sedro-Woolley Municipal Code; and
2. A detailed landscaping plan with appropriate detailing of trees, ground cover and/or shrubs, must be presented to the city Planner for review and approval.

Rivera read the staff report for the Conditional Use request which recommended approval subject to the following conditions:

1. The parking lot must be paved (including stormwater accommodations) subject to review and approval by the City Engineer. The parking lot stalls

will also need to be delineated with appropriate markings. All elements of the plan must be completed prior to utilization of the site for a parking facility.

2. The parking lot will need to be landscaped per the requirements of Section 17.50.080 of the City Code with the exception of the width requirement on the north and west sides of the site.
3. The applicant must comply with the conditions set forth in the Mitigated Determination of Non-Significance issued for this project on September 7, 1999 and published on September 8, 1999.
4. A six-foot solid wood fence shall be constructed on the east and south property lines.
5. Any parking lot lighting must be designed so as not to shine on adjacent properties.
6. There shall be designated and posted that no on-street parking is allowed on Fourth Street between the alley and Nelson Street on the east side of the street.

Klinger opened the public hearing.

Dean Warner – 419 Bennett St., presented a handout of maps for visual guidance. Warner stated the Conditional Use request should be denied based on inadequate exploration of alternatives, lack of neighborhood or citizen participation and conflict of the City of Sedro-Woolley comprehensive plan. Warner addressed alternate sites located on the north side of Jameson St. and on the south side of Nelson by the football field. Warner also spoke on a parking permit process, lack of neighborhood outreach and the comprehensive plan ignoring the housing goal of the UGA.

Kim Morgan – 413 Talcott Street, presented a neighborhood survey done from 3rd to 6th Street on Talcott, Bennett and Nelson with the majority of the persons surveyed against the parking lot. Morgan opposed any parking lot being place at the proposed area.

Mike Janicki – 810 Talcott Street, addressed changing times and the number of students and staff attending the school. Janicki stated the number of parking spaces has not changed since 1972 although additions have been done to the school which have been approved by the public. It is now time to address the parking. Janicki also stated a parking lot should help reduce the need for parking in front of nearby homes and address ADA requirements.

Melissa Warner – 419 Bennett St., believes this to be only a Band-Aid solution and temporary fix. Warner encouraged the School District to look into acquiring Sedro-Woolley Lumber property and believes there are alternative ways to resolve the parking issues without giving up the character of the older neighborhoods.

Ray Harris – 429 Nelson St., believes the parking lot does not belong there. Harris stated the area is totally surrounded by residential area and believes there are alternative sites to be found. Harris stated if the Conditional Use is granted, the landscaping variance should be denied. He believes the site should be 100% landscaped to block visibility and to blend with the neighborhood. Harris addressed the cars and noise factors from the use.

Harris also expressed concern with the condition statement “all elements must be completed prior to utilization” due to the lack of funds by the School District to complete the project. Harris encouraged a time frame be implemented if approved and closed by stating he is against any approval.

Mike Riddle – representing Sedro-Woolley School District, stated the parking lot is part of the day we live in. Riddle stated the intention is to make the parking lot as pleasant as possible.

Mike Casey – Superintendent of Sedro-Woolley School District emphasized the Sedro-Woolley School staff and Board of Directors have been working on this project for several years. Casey stated there is the need to address the parking issue with the improvements that are occurring with the auditorium. Casey stated they are not just trying to address the issue of parking for after hours or staff parking but have also been addressing a variety of safety and security issues. The District is trying to minimize the impact and will continue to try to address those issues the City has put before them to address. Casey addressed funding stating there was no funding dedicated in the 1995 bond issue towards parking but the Board of Directors and the School District officials have tried to look at alternative ways of funding to an issue that was not addressed in the 1995 bond issue. Casey said they are scrambling and trying to address these issues.

Pam Baird – Sedro-Woolley School District Board Member, stated the goal is for the school to be a good neighbor. Baird stated all the improvements done to Central, Cascade and the High School took planning. Baird stated the enrollment is growing and if students are not parking in the lots, teachers will be parking there. The Board has been trying to address community needs and as a Board Member is thinking of the public’s children and grandchildren. Baird emphasized the School Board is not reckless in their planning.

Charlie Bishop – 402 Talcott, addressed the traffic that goes up and down Talcott and the increased traffic. Bishop stated the issue is of children’s safety.

Mike Janicki – stated the reality is that people will already be attending events at the auditorium, and the high school, those have already been approved. Janicki stated the parking lot will take 64 cars off the street and put them into a parking lot. He believes a service is being done to the children in that area by getting the cars off the street and into organized parking and the amount of traffic is not being changed by this parking lot.

Susan Bishop – 402 Talcott, agreed that something should be done to address the parking at the High School. Bishop stated the problem and the focus is the parking should not be put in a residential spot when there are places and alternatives to put the same amount if not more parking somewhere safer. 4th street is not wide enough and not built to take the traffic that is already traveling the road. She believes 3rd Street is more capable of taking the traffic.

Jim Loop – 414 Bennett St., stated he is not necessarily against the parking lot but expressed concerns of the impact on the neighborhood. Loop stated there has not been any comments made addressing drainage or street repairs and traffic concerns. Loop questioned the setback for the fence on the alley.

Rivera stated the School is required to address drainage according to the DOE stormwater requirements and could not address specific questions but said it would have to be approved by the City Engineer.

Joyce Huisman – 1217 4th Street, believes the parking lot is not going to stop the parking problems. Huisman stated it's not just school time but all week until 10:00 P.M. She has no parking for her own friends because of school parking. Huisman also expressed concern with drainage.

Kim Morgan – 413 Talcott St., addressed the funding of the parking lot development.

Susan Bishop – stated it's perhaps time to start looking at another location for a high school.

Rivera read letters in opposition of the Conditional Use by Dean Warner addressing the SEPA checklist being adequate or incomplete and from Douglas and Marjorie Reece who expressed concerns due to increased traffic, pollution and the parking lot becoming a gathering place for youth, noise pollution, adverse affect of property values and lack of environmental documents required.

Klinger closed the public hearing.

Van Etten stated it's very definite that parking is needed and addressed the audience if they lived in the county would they not allow their children to drive to school.

Melissa Warner – responding to Van Etten's question stated she would discourage her child from driving to school because the school hasn't addressed the problem of issuing permits. Warner stated unless they had to purchase a permit and were parking responsibly she would not allow them to drive to school.

Paine-Donovan questioned if the district had looked into the parking along Jameson and Nelson streets.

Mike Riddle stated it is encouraged that those parking stalls be used, but it is a choice.

Mike Casey – stated they have worked with the City to get diagonal parking along Jameson Street which will be utilized as they can, but that hasn't happened yet.

Pamela Baird stated the neighbors by the football field don't want additional cars.

Van Etten commented he understood the viewpoints of the neighbors but agrees there is a real problem with parking and feels the school is attempting to address the issues.

Ochs stated the parking problems need to be addressed and it is a community problem.

Paine-Donovan encouraged the School District to spend whatever spare funds they may have to pave chuck holes that are on either side for parking to be dispersed better.

Ochs moved to accept staff findings on the Variance associated with Conditional Use #13-99. Paine-Donovan seconded. Motion carried, 4-1 (Martin opposed).

Ochs moved to grant the Variance subject to condition 1 and 2 for Conditional Use #13-99. Paine-Donovan seconded. Motion carried, 4-1 (Martin opposed).

Ochs moved to accept staff findings for Conditional Use #13-99. Seconded by Paine-Donovan. Motion carried, 4-1 (Martin opposed).

Ochs moved to grant Conditional Use #13-99 with conditions 1-6 deleting the words "and alley" in exception #1. Seconded by Paine-Donovan. Motion carried, 4-1 (Martin opposed).

Klinger addressed the School District and encouraged them to look into other options for additional parking.

Ochs moved to transfer the New Business items to the next regular meeting in October. Van Etten seconded. Motion carried.

Meeting adjourned.