

TOWN OF LA CONNER
PLANNING COMMISSION ZOOM MEETING
March 15, 2022

The Planning Commission meeting was called to order at 6:02 p.m.

Commissioners present: Bruce Bradburn, Marna Hanneman and Liz Theaker.

Commissioners Absent: Carol Hedlin.

Staff: Michael Davolio.

Others present: 17, including applicants Greg Ellis and Roger Vallo, property owner Brandon Atkinson and architect Charlie Morgan.

PUBLIC COMMENT:

None.

MINUTES:

Not available.

OLD BUSINESS:

- *Greg Ellis Historic Design Review, 333 Washington Avenue – Note that this is a continuation of Planning Commission review from September 21, 2021. The public hearing has now been closed.*

Planner Davolio said that the proposal covers six lots, and based on comments from the Commission and others at the last meeting this project was discussed, he made the determination to break the proposal up into individual pieces to make it easier to review. Tonight's review covers the proposals for Lots 1 and 2.

Commissioner Bradburn said that this was what the commission had asked for. Commissioner Theaker asked about the roof color, which applicant Greg Ellis said would be asphalt shingles in a dark color and was part of the original submittal. Commissioner Hanneman asked about an overall site plan, which the applicant had provided, but was missing from the packet. Ellis showed it on his screen and it will be sent to the planning commission. Commissioner Theaker moved to approve the historic design review for Lots 1 and 2 as presented. Seconded by Commissioner Bradburn. Motion carried 3-0.

NEW BUSINESS:

- *Public Meeting - LU21-56CU, KSA Investments Conditional Use Permit, 306 Center Street – This is a public meeting with the Planning Commission making recommendation to the Hearing Examiner. The Hearing Examiner will hold a hearing on March 31, 2022 and will make the decision on this permit.*

Planner Davolio gave an overview of the proposal. The proposal is for a 3-story building with 14 long-term dwelling units on the upper floors and six short-term dwelling units on the first floor. The zoning is commercial. On two sides the zoning is also commercial, with residential zoning on the other two. The residential units require a conditional use permit. The original application was submitted last November. When staff did the initial review, including the SEPA Checklist, neither the applicant nor the planner were aware that the property was previously part of a larger parcel that included a gas station. Once they were made aware of this fact, the application was put on hold and determined incomplete until geotechnical and soil testing studies were submitted to document the existing conditions of soils and to determine what work had been done in the past to help moderate the impacts of the previous use. The submitted studies were very clear in terms of the extent of soil contamination and made specific recommendations to ensure that if further contamination is found as construction occurs, there will be a plan in place to deal with it.

Davolio first looked at the requirements of the conditional use permit, which are basically that a conditional use should not have a significant impact on abutting properties. He determined that a residential use would not have a major impact on abutting residential properties and therefore determined that the conditional use meets the requirements of the code. The project meets floodplain and SEPA requirements. It satisfies the 30 foot maximum height requirement (measured one foot above base flood elevation) and the parking requirement, providing 24 spaces, including two ADA designated spaces. There will be ADA accessible short-term rental units on the first floor as well. There will be 10 additional on-street public parking spaces that are part of the frontage improvements for the project, these do not count toward the parking requirement. At the request of the Swinomish Tribe, the applicant provided a cultural resources survey. Staff's final determination is that the development meets the minimum requirements of all of the Town's relevant codes and statutes and staff recommends approval with conditions which are identified in the staff report.

The applicant, Brandon Atkinson, gave some background on the proposal. About two years ago, Marilyn Thostenson came to him saying that there was nowhere in La Conner for older people to live who couldn't climb stairs. When this property became available, they thought it could be a great opportunity to create one-level living spaces close to downtown. He said that it's going to be beautiful and fit in well, and that this is addressing a need in the community.

Public hearing opened at 6:35 PM.

Debbie Aldrich spoke against the proposal. She asked why an EIS wasn't done with the gas station there and said that there will be too many residents living in a very small space. She also asked how people will evacuate if there's flooding and where the Slider's customers are going to park.

Heike Nelson said she did not object to the project as a whole and thinks it looks nice, but feels that the parking is inadequate, the air b&bs are a problem with no on-site manager and the development is too big for the footprint.

Gary Nelson said that parking is an issue because it doesn't take into consideration the historic use of that property for parking for the Station House/Sliders and because the newly permitted brewery in the old firehall location has no parking. He's concerned for pedestrian safety since there's no sidewalk all the way to Morris Street. There's no landscaping on the northern elevation to soften the building to residents living on the north side. He's concerned about noise with no manager of the air b&bs.

Kate Atkinson (wife of the developer) said that they have a couple of air b&bs in Sedro Woolley, and noise has not been an issue.

Charlie Morgan, project architect, said that the building was designed so the entrance to the building and the parking does not go into the residential neighborhood but stays along the commercial side of the building off of Fourth Street.

Linda Talman said that she was concerned about the landscaping not being in a place that the neighbors can see it.

Georgia Johnson said that there is already a lot of street parking usage on Center Street during normal times, and during tourist times, it's a log jam.

Public hearing closed at 6:57 PM.

Commissioner Bradburn said that the main issue seems to be the short term rentals and suggested that the units be converted into condo storage. Brandon Atkinson said that wasn't an option due to the zoning, since the ground floor has to be commercial, but that perhaps some of the units could be converted into long-term residential using the 49% allowance. Commissioner Theaker said that the scale of the project was concerning. Commissioner Hanneman said that parking is a major issue. Commissioner Theaker moved to deny the conditional use permit as presented. Second by Commissioner Hanneman. Motion carried 3-0.

- *2021 Annual Report*

Planner Davolio said that he is required to do an annual report which he presented to Council last month, but he thought it would be appropriate for the Planning Commission to see it, to have an understanding of what we've been doing over the past year.

CLOSING COMMENTS:

The next Planning Commission meeting will be on April 19th.

With no further business Commissioner moved to adjourn the meeting at 7:10 p.m.
Seconded by Commissioner . Motion carried unanimously.

Chair

Date