



STATE OF WASHINGTON  
DEPARTMENT OF ECOLOGY

*Northwest Regional Office • PO Box 330316 • Shoreline, Washington 98133-9716 • (206) 594-0000  
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November 30, 2021

Michael Davolio, Planning Director  
Town of La Conner  
PO Box 400  
La Conner, WA 98257

**Re: 310 Center Street Residential**  
**File# LU21-56CU/LU21-57SEPA, Ecology SEPA# 202106042**

Dear Michael Davolio:

Thank you for the opportunity to provide comments on the State Environmental Policy Act (SEPA) notice of application utilizing the optional determination of nonsignificance (DNS) process for the 310 Center Street Residential project. Based on review of the checklist associated with this project, the Department of Ecology (Ecology) has the following comments:

The La Conner Station House Restaurant (Facility Site ID No.: 14654211; Cleanup Site ID No.: 8050), located immediately south of the proposed project site at 315 Morris Street, La Conner, has been identified as a contaminated site. This contaminated site contains petroleum products in the soil and groundwater at confirmed concentrations above Model Toxics Control Act (MTCA) cleanup levels. The current status of the site is 'cleanup started'.

If contamination is found during construction, appropriate measure should be taken to mitigate potential impacts. Mitigation may include one or more of the following:

- Specific health and safety requirements for workers who may encounter contaminated media during construction or operations.
- Removal and proper disposal of contaminated soil and groundwater from the project area.
- Construction of a cut-off wall to prevent contaminated groundwater from flowing into the project area.
- Vapor intrusion controls for the new buildings, such as a vapor barrier or sub-slab depressurization system.

Michael Davolio  
November 30, 2021  
Page 2

More information regarding environmental conditions at the above-listed site can be found at <https://apps.ecology.wa.gov/cleanupsearch/reports/cleanup/contaminated>.

Thank you for considering these comments from Ecology. If you have any questions or would like to respond to these comments, please contact Kim Smith from the Toxics Cleanup Program at (425) 200-2834 or by email at [kim.smith@ecy.wa.gov](mailto:kim.smith@ecy.wa.gov).

Sincerely,

*Kelli Sheldon*

Kelli Sheldon  
SEPA Coordinator

Sent by email: Michael Davolio, [planner@townoflaconner.org](mailto:planner@townoflaconner.org)

ecc: Kim Smith, Ecology



Allyson Brooks Ph.D., Director  
State Historic Preservation Officer

March 16, 2022

Michael Davolio, AICP  
Planning Director  
Town of La Conner

In future correspondence please refer to:  
Project Tracking Code: 2021-11-08182  
Property: Town of La Conner 306 Center St Development P74143  
Re: Archaeology - Concur with Survey; Follow Unanticipated (Inadvertent) Discovery Plan

Dear Mr. Davolio:

Thank you for contacting the State Historic Preservation Officer (SHPO) and the Department of Archaeology and Historic Preservation (DAHP) with documentation regarding the above referenced project. In response, we concur with the results and recommendations made in the archaeological survey report. Specifically, as no cultural resources were found during the survey, we do not recommend further direct archaeological supervision of the project. However, we do recommend that a standard Unanticipated (Inadvertent) Discovery Plan is followed during all ground disturbing activities.

Please note that the recommendations provided in this letter reflect only the opinions of DAHP. Any interested Tribes may have different recommendations. We appreciate receiving copies of any correspondence or comments from Tribes or other parties concerning cultural resource issues that you receive.

These comments are based on the information available at the time of this review and on behalf of the SHPO pursuant to Washington State law. Please note that should the project scope of work and/or location change significantly, please contact DAHP for further review.

Thank you for the opportunity to review and comment. Please ensure that the DAHP Project Number (a.k.a. Project Tracking Code) is attached to any future communications about this project. Should you have any questions, please feel free to contact me.

Sincerely,

Stephanie Jolivette  
Local Governments Archaeologist  
(360) 586-3088  
Stephanie.Jolivette@dahp.wa.gov



## Danielle Freiburger

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**From:** Michael Davolio <planner@townoflaconner.org>  
**Sent:** Tuesday, November 30, 2021 11:09 PM  
**To:** Danielle Freiburger  
**Subject:** FW: Centre Street development

And another.

Michael Davolio, AICP  
*Planning Director*

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Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257

**PHONE:** (360) 466-3125 | **WEB:** [www.townoflaconner.org](http://www.townoflaconner.org)

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**From:** Debbie Aldrich [<mailto:debbie.aldrich@gmail.com>]  
**Sent:** Tuesday, November 30, 2021 10:52 PM  
**To:** [Planner@townoflaconner.org](mailto:Planner@townoflaconner.org)  
**Subject:** Centre Street development

Town of La Conner

To whom it may concern,

We would like to request that the Town of La Conner do an Environmental Impact Statement for the development at 310 Centre Street. It is obvious to us that this must be required because of the following four reasons:

1. The project and the buildings are too tall. Much bigger than anyplace near it. With it being in a flood zone and three stories tall it will be more than allowed.
2. There may be oil and gas at a lower level than was tested for. This would be toxic to anyone who might live there. As well as the possibility of contaminating others.
3. Traffic and parking concerns. Most families have more than one car and the site also shares with the businesses on Morris St. this is a close, small community and parking is minimal.
4. Green spaces for families with children. This is a must for a community.

Thank you for your consideration,

Steve and Deborah Aldrich



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Sent from Gmail Mobile

## Danielle Freiburger

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**From:** Debbie Aldrich <[debbie.aldrich@gmail.com](mailto:debbie.aldrich@gmail.com)>  
**Sent:** Wednesday, March 30, 2022 3:46 PM  
**To:** [planning@townoflaconner.org](mailto:planning@townoflaconner.org)  
**Subject:** 306 Centre Street

Planning Department and Hearing examiner,

I plan to attend the hearing at 2:00 PM March 31st via Zoom where I wish to comment. My husband Steve Aldrich and I still are very concerned with the fit of this very large development at 306 Centre Street. The parking would be a very big problem on this small, mostly walking street on the Centre Street side. If maybe more than 40 people live there it would cause congestion in an already hard to find parking situation in our Historic Town. We live in the district just one half block away and the Historic Houses, including our own, would be changed in our neighborhood in a negative way. The development is way too large and tall for the setting. We are also still concerned about soil contamination. Did they test the right location?

I believe when we participated in the GMA that because this was already a gas station and commercial site that it was zoned for that use. However even then it was out of place for this historic housing neighborhood. We need to look at this town as a jewel, a place where people come to visit to enjoy history and the small town feeling.

We are still not clear whether this is for retirement or families?

We are not against a smaller, maybe up to 6 condominiums, which would be more appropriate.

Thank you for your consideration,  
Deborah and Steve Aldrich

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Thank you,  
Debbie Aldrich  
[debbie.aldrich@gmail.com](mailto:debbie.aldrich@gmail.com)  
Cell phone 360-708-3978

November 28, 2021

To  
City Council  
Planning Commission  
Town Planner ,



Regarding the proposed building construction at 306 or 310 Centre Street, La Conner.

Reasonable development is not only unavoidable, it is desirable, housing is necessary and should be affordable and available in safe communities with good schools , infrastructure and other amenities.

The location in question is a very appropriate location for housing for many reasons but the scale and scope of this project, as proposed, is ill-conceived. To place 20 housing units into a space appropriate in a residential area for 4 houses seems speculative and suspiciously like someone seeking to gain approval and build with an intent to spin and profit with scant consideration for the LaConner community. It seeks to capitalize on what makes a small town so desirable while at the same time eroding the small-town esthetic.

There are a number of procedural questions that need to be addressed since it appears that the checklist that lead to a finding of environmental insignificance has overlooked the fact that the property in question was for decades a fuel storage depot, it was part of the gas station on Morris Street and as far as I know, the potential presence of contaminants associated with gasoline, diesel, and heating oil transference and storage has not been addressed , there have been spillage incidents, this should have been part of the original site plan investigation, it isn't mentioned.

The project drawing is misleading, having 22 parking units onsite seems to address the parking requirements but totally disregards the actual amount of space it takes to park, drawing 20 spaces on paper doesn't make it a reality, having what amounts to 6 hotel rooms with access/egress on a residential street is entirely impractical and a gross imposition on the residents already there.

This is a partial city block with questionable zoning that is in an established residential area despite how it is defined in statute or comprehensive plan. This location is appropriate for 4 homes at best , it should be defined that way.

My thoughts,

Bruce Cornwall  
PO Box 877  
La Conner WA 98257

c: 360 202 5776

## Danielle Freiburger

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**From:** (null) b.cornwall <b.cornwall@frontier.com>  
**Sent:** Wednesday, March 02, 2022 5:48 PM  
**To:** Danielle Freiburger  
**Cc:** Michael Davolio  
**Subject:** Re: 306 Center Street Development Notice of Hearing/Final MDNS  
**Attachments:** 306 Center Street NOH FINAL MDNS issued.pdf; att15944.htm

It's only insignificant if you don't live near this monstrosity.

Give me a break .

Warmly ,

Bruce Cornwall

Sent from my iPhone

On Mar 2, 2022, at 3:15 PM, Danielle Freiburger <[planning@townoflaconner.org](mailto:planning@townoflaconner.org)> wrote:

All,

As parties of record, please see attached notice of hearing/ final mitigated determination of non-significance.

***Danielle Freiburger***

Office Assistant

Town of La Conner

P.O. Box 400, 204 Douglas

La Conner, WA 98257

Phone: (360) 466-3125; Fax: (360) 466-3901

Website: [www.townoflaconner.org](http://www.townoflaconner.org)

## Danielle Freiburger

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**From:** Michael Davolio <planner@townoflaconner.org>  
**Sent:** Monday, March 14, 2022 7:54 PM  
**To:** Danielle Freiburger  
**Subject:** FW: Center Street Motel/Condo

Here's one more letter.

Michael Davolio, AICP  
Planning Director

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Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257

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**From:** Bruce Cornwall [<mailto:b.cornwall@frontier.com>]  
**Sent:** Monday, March 14, 2022 12:46 PM  
**To:** Michael Davolio  
**Subject:** Center Street Motel/Condo

To:  
Town Planner, Planning Commission , Hearing Examiner,

Regarding the newly proposed 3-story apartment/motel development across the street from my property on 307 Centre Street, a 10,000 sq ft lot.  
I urge you to deny this as proposed.

For a property size slightly over 15,000 square feet the density is simply too high.  
Impacts to the existing neighborhood are too intense to allow this to be built as planned.  
Parking for 20 units; if these are family size units there will likely be more than one vehicle per unit .  
Traffic; already a constricted area, put 40 more cars here and it gets immeasurably restrictive.  
Utilities; it has been questioned whether or not the municipal water supply is adequate, if the waterline needs to be augmented how will the impact to existing residents be mitigated?  
Height : 30 feet above flood? That is 40 feet higher than existing grade. There will be no back yard privacy.

The mayor told me that the zoning, as it exists ,would allow such a building to be built, I disagree, I believe there needs to be conditional use for residential property in commercially zoned areas.

Regardless of the zoning, the scale and density is just not appropriate.

I'll compare what the law allows to what is acceptable and appropriate?

The speed limit in La Conner is 25 MPH, it is not safe to drive 25 MPH down First Street, but the law allows it, I looked the other day to see if a speed limit was otherwise posted , it wasn't obviously apparent, the law allows 25 MPH , but it is never appropriate or safe to drive that fast.

The same principle applies here:

No matter the zoning, the negative impact of this size of a building should preclude its permitting. The area here is appropriate for 2 or 3 single family houses, families who live and work in the community, who are invested in the quality of life here, good neighbors.

Does the developer have a conscience of the impact this will have on the families already living here?  
Construction, noise, dirt?

Residents are already displaced during the festivals and gatherings promoted here , a building , simply conceived as an investment, is inconsiderate and shouldn't be permitted as proposed.

Thank you ,  
Bruce Cornwall

## Danielle Freiburger

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**From:** Bruce Cornwall <b.cornwall@frontier.com>  
**Sent:** Tuesday, March 29, 2022 12:53 PM  
**To:** planning@townoflaconner.org  
**Subject:** 306 Centre Street

Dear Mr. Lowell,

I am writing you regarding the proposed development at 306 Centre Street in LaConner. 14 residences and 6 Motel units.

I own property directly across Centre Street from this site, 307 Centre , a two story house (1700 Sq ft) and a three car garage on 10,000 sq ft of land, it is occupied by a family of 3. This is consistent with other homes in the neighborhood.

The proposed development of 20 units: 14 residences and 6 vacation rentals on a property of slightly more than 15,000 square feet will impact the immediate neighbors in a most negative way. This is simply too big and will bring too many people into an already crowded area with limited parking. There is parking on the drawing but the amount of spaces indicated will never be realized in practicality , there will be overflow into the neighbors parking, in fact 8 of the parking spaces the developer proposes are on the city right-of way and already in existence, not provided by the developer , yet claimed as something he is providing .

The La Conner Planning Commission voted unanimously against this proposal for good reason, despite the City Planner stating it met code ,it is not an appropriate use for this location.

This developer has not proposed any mitigation to the surrounding homes regarding privacy, parking impact , I guarantee you if this goes forward there will be blocked driveways and noise complaints constantly, there has been nothing proposed regarding landscaping, . it is just wrong.

This property is of a reasonable size for 2 or 3 single family houses , not 20.

The proposed Motel units with no manager on site is a recipe for trouble, the regulations for short term rental in La Conner are quite clear, and they are not met here.

I urge you to deny any permits applied for.

Bruce Cornwall  
PO Box 877  
LA Conner WA 98257

Alexander Free  
414 N Third Street  
La Conner, WA 98257  
alexfree@gmail.com

Mr. Michael Davolio, AICP, Planning Director  
Town of La Conner  
P.O. Box 400  
La Conner, WA 98257

November 30, 2021

Dear Mr. Davolio:

Please accept my comments regarding Conditional Use Permit application LU21-56CU. I oppose granting a conditional use permit to KSA Investments for their planned multi-tenant development at 306 Center Street:

- The project's scale is simply not supported by the lot size and available nearby parking. I foresee many nearby public parking spaces being used by the building's residents and their guests. This will eliminate an already scarce resource in a part of the commercial district that badly needs retail/tourist foot traffic.
- Additional traffic moving onto Morris and North Third streets will likely impede industrial traffic heading to Port of Skagit County facilities and businesses. The situation regarding industrial traffic already sits on the knife-edge of tolerability.
- Scarcity doesn't only include parking spaces. La Conner's commercially zoned land is all but exhausted. Its removal would go against the town's goal of attracting and developing more retail businesses.

In summary, the entire project, as presented, seems tone-deaf to the needs of La Conner and the realities of living and working here. I urge you to deny this permit.

Sincerely,



Alexander Free



## Danielle Freiburger

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**From:** Michael Davolio <[planner@townoflaconner.org](mailto:planner@townoflaconner.org)>  
**Sent:** Tuesday, November 30, 2021 10:29 AM  
**To:** Danielle Freiburger  
**Subject:** FW: 20 unit apartment building??? In LaConner!!!

Michael Davolio, AICP  
*Planning Director*

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Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257

**PHONE:** (360) 466-3125 | **WEB:** [www.townoflaconner.org](http://www.townoflaconner.org)

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**From:** Jessica Gellert [<mailto:jessicagellert@yahoo.com>]  
**Sent:** Tuesday, November 30, 2021 10:21 AM  
**To:** [planner@townoflaconner.org](mailto:planner@townoflaconner.org)  
**Subject:** 20 unit apartment building??? In LaConner!!!

This is absolutely ridiculous. Whose idea is this?? It's obviously someone who doesn't live in town. It will definitely be an environmental impact! Parking, local services, crime, it will all be impacted.

So many questions. What is this building going to look like? What type of tenants are they going to attract? If the rent is too high, does it just become an empty building? Where are the tenants going to park? Not to mention, what experience does the dentist have with something like this?? This sounds like a huge undertaking, what are his plans??

Frankly, without any type of open discussion from the community, it seems sneaky. Somebody who doesn't live here, is trying to push their agenda on the neighbors of this town. I really hope this plan is reconsidered to include what LaConner and the community is all about.

Sincerely,  
Jessica Gellert  
418 N Third st  
LaConner

Sent from my iPhone

## Danielle Freiburger

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**From:** Michael Davolio <planner@townoflaconner.org>  
**Sent:** Monday, November 22, 2021 4:42 PM  
**To:** diggerjg  
**Cc:** Danielle Freiburger  
**Subject:** RE: (No Subject)

Mr. George,

Your comments will be forwarded to the Hearings Examiner for his review, as he will be the decision-maker on this application. Also, please note that the maximum building height in this zone is 30 feet, and the project will not exceed this height.

Michael Davolio, AICP  
*Planning Director*

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Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257

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**From:** diggerjg [<mailto:diggerjg@protonmail.com>]  
**Sent:** Sunday, November 21, 2021 11:59 AM  
**To:** [planner@townoflaconner.org](mailto:planner@townoflaconner.org)  
**Subject:** (No Subject)

My wife and I live at 403 Centre Street, kitty-corner from the proposed apartment building at 310 Center Street. We are deeply concerned with the scale of the project. 14 long-term apartments and 6 short-term residences will flood our neighborhood with automobile traffic. Centre Street is currently a major walkway for neighbors and only occasionally sees significant vehicular traffic. Adding at least 20 cars to the neighborhood will be a significant environmental impact AND WILL Change the character of our neighborhood.

Counting parking places in the proposal plns seems to not even allow one parking space for each apartment.

In addition this building at three floors would be one of the tallest buildings in town... not exactly preserving La Conner's charming residential village character.

Building this project as proposed would most certainly be impactful and deserves full environmental review.

Gerald George, 403 Centre Street 406-465-0114

Sent with [ProtonMail](#) Secure Email.

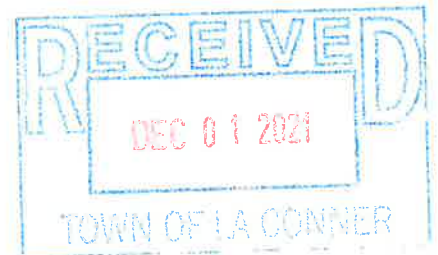
RE: 310 Center Street

There is a retiremaent village beyond State Street on 4th street. The proposed 20 unit apartment complex poses a significant risk to seniors, several of whom must use walkers to navigate sidewalkless 4th street to reach Pioneer Market or the library.

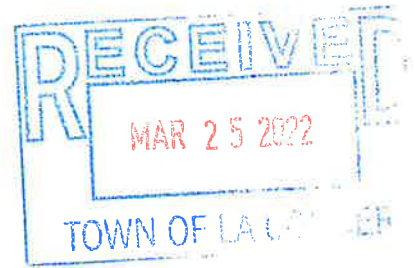
It is reasonable to assume that the renters of these apartments will have and use automobiles.at one car per apartment that would be 20 new cars, likely more, on 4th and center streets at unpredictable times.

Limited ability walkers and automobiles on the same roadway at the same time does not seem a good plan.

Gerald George, 403 Centre Street, La Conner 406-465-0114



*Please send to both Planner and Town Council*



March 25, 2022

Michael Davolio AICP  
Planning Director, Town of La Conner  
P. O. Box 400  
La Conner, WA 98257

Re: LU21-56-CU Conditional Use Permit  
LU21-57SEPA SEPA Checklist

Dear Mr. Davolio,

I believe the approval of a Conditional Use Permit for this proposed project offers an opportunity to serve the people of La Conner. Granting the CUP contingent upon improvements in parking, side walks, specific landscaping, and environmental cleanup can be required at a level advantageous to the neighborhood.

There were many objections voiced at the Planning Commission Hearing which, in my opinion, should not really be considered in the scope of relevance to this project: i.e., lack of police response, too many tourists, driving too fast in residential areas, etc. While these things are all objectionable to most of us, they are not really impacted by whether this project is allowed to have condos (as requested) or is limited to being a short stay facility as allowed in the commercial zone. In fact, it may be argued that the short term rental may have more impact than the permanent residential condominiums.

The proposed structure has a larger footprint than most single family residences, but is not dissimilar to several buildings in the area. Professional landscaping, designed by a landscape architect, can be used to soften the effect of the building and the surrounding area.

La Conner has a sizeable and ever-increasing number of single residents. These single persons are citizens who are actively looking for housing which does not require the level of maintenance and care of a single family, stand-alone home, but still affords them the independence of home ownership. These people desire security and accessibility offered by the proposed structure.

I have lived in the area for over 50 years and currently reside less than five blocks from the proposal. My wife and I own property less than one block away. Like many people, I find it hard to accept change. However, in this case the Center Street project will enhance the site and fill a needed and requested housing need in La Conner. Replacing a dilapidated structure with a new, built to code residential property and mitigating an environmentally contaminated area will be a win-win for La Conner, updating infrastructure and providing much needed housing.

I support granting the conditional use permit.

Sincerely,

A handwritten signature in blue ink, appearing to read "Harold M. Harlan". The signature is fluid and cursive, with the first name "Harold" being more prominent.

Harold M. Harlan

Cc: Brandon and Kate Atkinson

## Danielle Freiburger

---

**From:** Michael Davolio <[planner@townoflaconner.org](mailto:planner@townoflaconner.org)>  
**Sent:** Tuesday, November 30, 2021 10:28 AM  
**To:** Danielle Freiburger  
**Subject:** FW: Project on Center Street

Michael Davolio, AICP  
Planning Director

Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257  
PHONE: (360) 466-3125 | WEB: [www.townoflaconner.org](http://www.townoflaconner.org)

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-----Original Message-----

From: Randy Hayes [<mailto:randythayes@hotmail.com>]  
Sent: Tuesday, November 30, 2021 10:05 AM  
To: [planner@townoflaconner.org](mailto:planner@townoflaconner.org)  
Subject: Project on Center Street

I am a concerned resident living a few blocks from this project, and am questioning the environmental impact. I see the process on the new library on waste material, I think the same process will be required for this project also.

Thanks, Randy Hayes

Sent from my iPad

November 30, 2021



Michael Davolio, AICP, Planning Director

PO Box 400

LaConner, WA 98257

To Whom it May Concern,

I am writing this letter to express my opposition to the approval of a conditional use permit to allow for a 20-unit apartment building on Center Street.

While this site is on property that is zoned commercial, only a few of the units would even meet that criteria as short-term use. The footprint of the proposed building would be close to two stories above the existing structure and does not fit within the residential neighborhood in which it would sit. This seems like another example of overbuilding, without attending to the existing neighborhood or considering the many impacts—lack of parking being one such example.

Additionally, the old fuel tanks are still buried in the ground; they are just capped off. It is surprising that no environmental impact would be conducted. This could have significant environmental impact. An environmental impact study on the soil should be conducted.

In closing, please do not approve the permitting process that would allow this large site to be constructed within a small neighborhood. A building of this magnitude would change the character of the area.

Sincerely,

Larry Higgins

November 29, 2021

To: LaConner Town Planner Michael Davolio



Regarding the proposal draft plan submitted for a multi-apartment and vacation rental development at 310 Centre Street, discussion with Michael Davolio on November 18<sup>th</sup>.

As a current owner, and resident of 307 Centre Street from 1986-2015, I have concerns from recollections and some research. The proposal submitted to SEPA with answers consisting of "none" to questions in section 7 regarding "any known possible contamination..." and "Describe existing hazardous chemicals or conditions...". None?

Is the developer unaware of or avoiding knowledge that this property held three oil storage tanks at the west end of the property for 30 years or more? Is developer aware that tanker trucks were stored in a building on that property for years?

To give one example of the kind of use and oversight over time, I recollect in the fall of 1988 one morning I sat at my kitchen window drinking coffee while a double tanker oil truck parked and began filling/emptying one of the stationary tanks. After some time, I noticed oil coming out and down the sides of the tank and ran out to alert the attendant who was standing on the other side of the tanker. He stopped the flow. I called town hall to alert them to the accident. I know there was some investigation.

When the tanks were removed a few years later was the site cleaned up per SEPA regulation before the double wide trailer was installed? Was any other contamination discovered and removed? Shouldn't the developer be required to have the site tested for contamination in several areas across the property?

Those of us who have lived in LaConner for more than a few years remember the three gas stations in town. All three were installed long before there were stringent requirements for gas/oil storage tank safety that we know is necessary now. Chet Pierson's station, later owned by Jerry Blades took up most of the block between 3<sup>rd</sup> and 4<sup>th</sup> on Morris Street. There was the station for getting gas in front of NW Fuel and Sliders now. And a car rack for oil changes and repairs where Fifi's Palace now resides. Does the town know the status of safety of the ground under these buildings, where the underground gas tanks were? Have they been removed and investigated for SEPA contamination issues? The gas stations and property directly behind to the north were all one property at that time.

The building directly across from 307 Centre Street, partially hidden by the trees, about to fall down, was home to the oil delivery trucks which retrieved oil from the above ground tanks to the west. Has that ground been tested for possible seepage of contaminants from years of sitting there? Are there other underground tanks we don't



know about? Recently that building was used for automotive repairs and housing. Has it been investigated since for contamination?

By their answers to the SEPA you must realize that the developer/architect has no knowledge of the history of this site. You, town administrators should. And you should act on behalf of the town and neighborhood, not the developer.

In regard to the development itself, 3 stories, 14 apartment units, 6 short term vacation rentals: apparently the apartments need a conditional use permit and the vacation rentals are granted in under commercial use. I understand that there is some question as to the ability of the LaConner Fire Dept to successfully put out fire and save people on a third floor. Do not, under any circumstances, put people and property at risk in this way. This is an ethical and liability concern not to be taken lightly.

The 6 vacation rentals on the ground floor show entrance and exit directly onto Centre Street. This design confronts a hotel environment right up against a residential neighborhood. Call them what they really are: Ground Floor Hotel rooms. The Town Comprehensive Plan has something to say about this under 6A-7, "protect residential zones from encroaching commercial use."

These short-term rentals will use the parking along Centre Street regardless of what the town planner thinks. Parking is always difficult during prime hotel stays during spring, summer and fall in LaConner. The Hotel Motel Tax is a minor amount compared to property taxes, and is used primarily to promote tourism, not town infrastructure and maintenance.

If you have ever visited the third floor of the LaConner Retirement Inn, down the street from this proposed development, you know how invasive a third floor window can be to the privacy below for a good block or so. One gets a bird's eye view of arguments, car repairs, and what's on the BBQ at 307 Centre and 306 State Streets. This proposal does not continue to enhance the small-town neighborhood setting we have come to love and defend from encroachment.


In regard to the 14 apartments planned for floors 2 and 3; we have new homes approved and under construction on Snapdragon Hill and Landed Gentry on Maple Street. I understand that Channel Cove is planning for addition of 3 low income homes at the south end of town in the future.

The Town Comprehensive Plan notes the need for more low income housing as the median income for LaConner residents lags behind the county by some \$20,000 per year. (2016) The average rental cost in LaConner, as far as I can ascertain, is \$1185 per month. We would like to know the rental cost per unit planned for this development. Will this development give access to homes for middle to low-income families? The answer to that question should influence your decision on whether to approve these plans.

The plan shows all entering and exiting from the apartments onto the south side parking lot. This is as it should be, not from Centre Street.

My suggestion and request to the town planner, planning commission, and town council is that they require the developer to amend the plan to 2 stories only, with 14 apartment rentals, no vacation rentals, 28 parking spaces in the south parking lot to support one car per unit, one car for guests, demand a fully accurate SEPA/EIS, and require developer to follow through on all these requirements before a square foot of concrete is poured. And correct the spelling on all plans to "Centre Street".

Respectfully

A handwritten signature in black ink, appearing to read "Georgia Johnson", with a stylized flourish at the end.

Georgia Johnson

Co-Owner of residence at 307 Centre Street since 1985.

360-202-1032

[swtcomice@aol.com](mailto:swtcomice@aol.com)

POBOX 792 LaConner Wa. 98257

November 29, 2021

To: LaConner Town Council



Regarding the proposal draft plan submitted for a multi-apartment and vacation rental development at 310 Centre Street, discussion with Michael Davolio on November 18<sup>th</sup>.

As a current owner, and resident of 307 Centre Street from 1986-2015, I have concerns from recollections and some research. The proposal submitted to SEPA with answers consisting of "none" to questions in section 7 regarding "any known possible contamination..." and "Describe existing hazardous chemicals or conditions...".  
None?

Is the developer unaware of or avoiding knowledge that this property held three oil storage tanks at the west end of the property for 30 years or more? Is developer aware that tanker trucks were stored in a building on that property for years?

To give one example of the kind of use and oversight over time, I recollect in the fall of 1988 one morning I sat at my kitchen window drinking coffee while a double tanker oil truck parked and began filling/emptying one of the stationary tanks. After some time, I noticed oil coming out and down the sides of the tank and ran out to alert the attendant who was standing on the other side of the tanker. He stopped the flow. I called town hall to alert them to the accident. I know there was some investigation.

When the tanks were removed a few years later was the site cleaned up per SEPA regulation before the double wide trailer was installed? Was any other contamination discovered and removed? Shouldn't the developer be required to have the site tested for contamination in several areas across the property?

Those of us who have lived in LaConner for more than a few years remember the three gas stations in town. All three were installed long before there were stringent requirements for gas/oil storage tank safety that we know is necessary now. Chet Pierson's station, later owned by Jerry Blades took up most of the block between 3<sup>rd</sup> and 4<sup>th</sup> on Morris Street. There was the station for getting gas in front of NW Fuel and Sliders now. And a car rack for oil changes and repairs where Fifi's Palace now resides. Does the town know the status of safety of the ground under these buildings, where the underground gas tanks were? Have they been removed and investigated for SEPA contamination issues? The gas stations and property directly behind to the north were all one property at that time.

The building directly across from 307 Centre Street, partially hidden by the trees, about to fall down, was home to the oil delivery trucks which retrieved oil from the above ground tanks to the west. Has that ground been tested for possible seepage of contaminants from years of sitting there? Are there other underground tanks we don't

know about? Recently that building was used for automotive repairs and housing. Has it been investigated since for contamination?

By their answers to the SEPA you must realize that the developer/architect has no knowledge of the history of this site. You, town administrators should. And you should act on behalf of the town and neighborhood, not the developer.

In regard to the development itself, 3 stories, 14 apartment units, 6 short term vacation rentals: apparently the apartments need a conditional use permit and the vacation rentals are granted in under commercial use. I understand that there is some question as to the ability of the LaConner Fire Dept to successfully put out fire and save people on a third floor. Do not, under any circumstances, put people and property at risk in this way. This is an ethical and liability concern not to be taken lightly.

The 6 vacation rentals on the ground floor show entrance and exit directly onto Centre Street. This design confronts a hotel environment right up against a residential neighborhood. Call them what they really are: Ground Floor Hotel rooms. The Town Comprehensive Plan has something to say about this under 6A-7, "protect residential zones from encroaching commercial use."

These short-term rentals will use the parking along Centre Street regardless of what the town planner thinks. Parking is always difficult during prime hotel stays during spring, summer and fall in LaConner. The Hotel Motel Tax is a minor amount compared to property taxes, and is used primarily to promote tourism, not town infrastructure and maintenance.

If you have ever visited the third floor of the LaConner Retirement Inn, down the street from this proposed development, you know how invasive a third floor window can be to the privacy below for a good block or so. One gets a bird's eye view of arguments, car repairs, and what's on the BBQ at 307 Centre and 306 State Streets. This proposal does not continue to enhance the small-town neighborhood setting we have come to love and defend from encroachment.

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Respectfully

A handwritten signature in black ink, appearing to read "Georgia Johnson", with a stylized, flowing script.

Georgia Johnson  
Co-Owner of residence at 307 Centre Street since 1985.  
360-202-1032  
[swtcomice@aol.com](mailto:swtcomice@aol.com)  
POBOX 792 LaConner Wa. 98257

**Danielle Freiburger**

---

**From:** Georgia Johnson <swtcomice@aol.com>  
**Sent:** Friday, March 11, 2022 2:07 PM  
**To:** Danielle Freiburger; planner@townoflaconner.org;  
planningcommission@townoflaconner.org  
**Subject:** 306 Center Street Planned Building LU21-56CU

March 10, 2022

To LaConner Town Planner, Planning Commission, Hearing Examiner:

I own the property at 307 Center Street, directly across from 306 Center Street. I lived there from 1986 to 2015.

I hope to live at that residence again someday. A family with local employment live there now and their child goes to LaConner Elementary. They love this neighborhood. I would like to make known to you my concerns about the proposed building planned for 306 Center Street, based on my time living there, my understanding of town code, and on the processes exercised by the developer so far that give me little confidence in how they will proceed in the future.

Parking - plan shows one row of parking, 13 compact spaces, list of parking space types notes at 23 total, where are they? Please have developer show these details. They need 2 for each long-term rental and one for each short term rental according to parking requirements.

Parking - diagram shows enter/exit from short term rentals is on north side, Center Street. This will encourage parking on Center Street regardless of builder assuming they will park in the lot. This adds more traffic to Center Street abutting a residential neighborhood.

Driving and Access - There are more children living on or close to Center Street these days. I am sure some folks have stories of close encounters with cars, bicycles, pets, especially during tulip and other times, and around 4:30pm weekdays when the port employees come zooming down Center instead of turning on Morris. Town has received complaints about this in the past.

Our dog, Monk, was hit by a tourist vehicle coming down Center Street during tulip time on a Saturday four years ago.

Fourth Street entering and exiting from parking lot, turning onto Morris to get out of town will be potentially difficult. Turning onto Center and heading east will once again add more traffic to a residential neighborhood.

Cars heading east will end up on 6th street, near the LaConner Braves Club entrance, plenty of children in that area. In effect, too many cars forced into a residential and school area. the school can only provide so many crossing guards.

Vandalism and Theft – there is some data out there about crime increasing around clusters of short-term rentals. Car damage and theft, Let's not increase the already higher theft problems we have.

Scale and Size - building is 41 feet high from street level and will tower over homes built around it on 3rd, 4th, and Center. For reference stand in the middle of Center Street next to the LaConner Retirement Inn.

From the third- floor window people will be able to see into backyards of residential neighbors.

The building is uninterrupted from east to west along Center Street, not conducive and friendly to a residential neighborhood. There is no area on or near site for families living in the building to participate in fun group activities.

There are many plans available where density could be slightly decreased and friendly group areas included.

Wouldn't this be good?

Density – The potential for high density residency and extremely short-term residency abutting a long-time residential area is not in accordance with code language about commercial businesses mitigating their deleterious effect on near-by residentially zoned properties. Please consider this and disapprove the conditional use.

Keep in mind that as your responsibility to make determinations about approval for development of properties in LaConner is key here, development and speculation success are not your responsibility. Hold speculation projects to a high standard for our town.

Housing Costs - It is difficult to determine what the cost of these long-term rentals might be and if they could be affordable for middle income folks. We don't know how this property will be sold. The last results of a search for average rental cost in our area was 2016, one bedroom was \$1185 per month. It's only going up, especially with new

rentals and condo type sales in 2022. On average, residents of LaConner yearly income lags behind the county average by about \$20,000.

Finally, I must mention the process to bring down and remove the dilapidated building which occurred a few weeks ago. It was a Sunday morning, no hazardous mitigations were in place for restricting the space from humans, pets , no protecting sewer and drainage from contamination. No city or county employee or developer representation was on site. I understand there was a permit that had not been read through thoroughly, Huh? I have no faith in the ability of developer to follow through with instructions, stipulations, any regard for our neighborhood. How about you?

I would apologize for the length of this letter and my myriad concerns yet cannot because I find that you are my best hope for keeping the spirit and institution of the codes in place, keeping and improving the quality of life all LaConner residents experience. Thanks for your good works now and in the future.

Respectfully

Georgia Johnson

360-202-1032

POBOX 792

[swtcomice@aol.com](mailto:swtcomice@aol.com)

307 Center Street



April 1, 2022

To: LaConner Hearing Examiner, Mr. Lowell

Hello Mr. Lowell,

Thank you, for taking the time to listen to all the details and concerns brought forth at yesterday's hearing on the 306 Center Street project. I've written a couple of letters previously, my husband and I own the lovely home directly across from 306 Center. I really appreciate the questions you had for developer and neighbors.

I'm writing to ensure that something was made very clear to you as you read all our letters, looked into a couple of items, reviewed the careful and astute decision made by the planning commission, heard the testimony of the planner and developer.

From the very beginning, with the developers first proposal, which was accepted by the planner last fall, the information on application was inadequate. My husband and I met with the planner to review it with us in person. It was described as a pre-application and that more information would be forthcoming at an unknown time. Yet the public comment period would close at the end of the month. I asked about the exit/entrance to the first floor short term rentals (motel rooms) being on the Center Street side, not placed on the inner parking lot side. We had a map right there between us as he assured me I was wrong. The map proved me right. I asked what would stop those motel guests from using public right of way parking. There was no plan for that. I asked about the height of building and fire protection and he described the process of sharing info with and getting approval from county fire Marshall. That approval has not come through according to the latest information I could find.

We asked about no SEPA provided and described to the planner the history of the property and what we had witnessed in our 30 years living across the street, the gas station, the oil truck garage, the oil storage tanks. In one of my letters I described some of these. It appears to me that the SEPA and other work was performed only after myself and other concerned neighbors alerted the planner about this history, that what

should have been begun by planner in the first place, was done only after public comments.

After our initial letters were written, and you can see there were several, the developer replied to the town planner, in an itemized addendum to the pre-application, addressing some of our items of concern. Again, it appears to me that we neighbors did the planners and developers work for them.

When the small, dilapidated garage on site came down on a Sunday morning, a neighbor went out to check on what was going on. That should be a welcome act. As she was attempting to get information she was brushed off by the worker, who quickly tried to finish the job as she was alerting our town public works director. He came out and soon some requirements were met and the building came down; the orange soil barriers, the closure of sewer drains, the taping off of areas where children/pets could wander in. We later learned from developer that all the requirements stated on the permit were not read. This is not reassuring is it? How can he be trusted going forward?

We learned at the planning commission hearing after developer was asked that his descriptions of “flats” “units” were actually condos to be sold and not apartments for rent. This severely changed our view of what we thought might be affordable housing. Why did the developer obfuscate?

You might know by now that many citizens of LaConner are old hands at reading documents, checking out what’s going on in town, and right now still a bit shell-shocked at the way the Ball Park on Maple street was handled by town government, including the planner, administrator and mayor. This, in my opinion, is due to their inability to understand that money and growth are not first priorities here, despite ongoing desires and plans of developers. We agree that more folks will be moving here and planning is important. Neighborhoods and scale are just as important. We know we need to build up and that ADUs are helpful.

But consider Snapdragon Hill and Landed Gentry on Maple Street at present time. You can easily drive by and take a look.

The LaConner Retirement Inn on Center and First street has a very interesting story on how citizens/architects showed the planning commission in 1988 how the planned building would impact that area and

forced the developer to lower, add landscape, and create open space and parking on their property abutting First Street.

The building on First Street now known as the Museum of Northwest Art has a very colorful history as well. As it was being built as store fronts, office space and parking around 1990 one of the town planning commissioners walked by and noticed that it was not being built as approved. Work was stopped and the developer had to receive approval for changes she thought she could “just make”.

Most my neighbors have at least one story of a visitor, family member, new business owner making a comment like “you folks don’t know the gold mine you have here” over the years. We have had cold calls about selling our homes.

Despite what our planner describes as his duty as town planner, that his hands are tied by lack of additional housing zoning descriptions as he alluded, that there is nothing in our code to direct him to make a thorough list of requirements including reduced scale, landscaping, and parking, he should be ensuring, as we all go forward with growth of this nature, that the town has the capacity to support this size and density, parking and infrastructure, and *before* they get to the county permit stage. I don’t see him doing his job. He speaks developer-speak, if you know what that means.

I will conclude with this:

As I note here, at several stages in the process the town planner and developer have not been clear, have not seemed to know the necessary steps to take, and possibly simply omitted important information.

Throughout the process my neighbors and I have not felt the developer or planner was acting in good faith, that there has been bungling, as with the Maple Street Ball Field Incident, and we don’t trust them. I don’t know if trust is on your checklist for a decision like this, but it should be.

Again, thank you for your work.

Georgia Johnson  
360-202-1032  
[swtcomice@aol.com](mailto:swtcomice@aol.com)  
POBox 792 LaConner

DEC 08 2021

## Center Street Apartment Building

Concerning the proposed apartment and short-term day rentals on Center Street. I am opposed to this proposal. I live in the neighborhood and enjoy the residential feeling of calm and quiet.

With this proposed development the structure height of three stories being thirty plus feet counting flood plain, is also a block long, would block sun and sky from the neighborhood.

Also twenty and more cars passing through the neighborhood and parking on the street is not a good idea. I do not believe the proposed parking area will satisfy all twenty units.

I'm okay with the long term rentals but the short term rentals on a nightly basis has me feeling we will be losing La Conner to investors who do not live here.

Applying for residential status for the site would eliminate the need for the short term rentals, bring the structure down to two stories, and provide adequate parking.

Sounds like a good idea.

Lynn Laurel  
La Conner

Christine

## Danielle Freiburger

---

**From:** Michael Davolio <[planner@townoflaconner.org](mailto:planner@townoflaconner.org)>  
**Sent:** Tuesday, November 30, 2021 3:36 PM  
**To:** Marnie Lee  
**Cc:** Danielle Freiburger  
**Subject:** RE: Michael Davolio, Planning Director

Receipt confirmed. Your comments will be forwarded to the Planning Commission and the Hearing Examiner.

Michael Davolio, AICP

Planning Director

---



Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257

PHONE: (360) 466-3125 | WEB: [www.townoflaconner.org](http://www.townoflaconner.org)

WARNING: Please be advised the Town of La Conner is required to comply with Chapter 42.56 RCW, Public Records Act. This means that information you submit to the Town via email (including personal information) is likely subject to disclosure as a public record.

**From:** Marnie Lee [<mailto:leesurely60@gmail.com>]  
**Sent:** Tuesday, November 30, 2021 3:38 PM  
**To:** [planner@townoflaconner.org](mailto:planner@townoflaconner.org)  
**Subject:** Michael Davolio, Planning Director

Developments on Maple Street and Snapdragon Hill, Conner Waterfront Park, LaConner Swinomish library, Channel Passage.... These are all good!

However, we question the proposed construction of a 20 unit rental apartment building at 3rd and Center Street in downtown LaConner. A project that will likely introduce an influx of people and vehicles into an area already somewhat challenged for space. We do

not believe it is appropriate for the geographical location and we think it just may possibly be an irreversible mistake for our town,

Respectfully,

Lee  
Street  
98257

mation of receipt requested

Ken and Marnie  
401 1/2 E. State  
La Conner, WA

Confir

**From:** Jason Lindeman <[jason.lindeman2@gmail.com](mailto:jason.lindeman2@gmail.com)>  
**Date:** March 31, 2022 at 8:06:21 AM MST  
**To:** Marianne Manville-Ailles <[planner@townoflaconner.org](mailto:planner@townoflaconner.org)>  
**Cc:** [brandon.kate.atkinson@gmail.com](mailto:brandon.kate.atkinson@gmail.com)  
**Subject:** Center Street Apartments

To whom it may concern,

As the owner of 313-315 Morris street (the neighboring property to the proposed project) I do not oppose the center street apartment project. It is my belief that town desperately needs more residential housing and I think this proposed project is a step in the right direction.

Best regards,  
Jason Lindeman

November 30th, 2021  
Regarding 307 Centre street

To: La Conner Mayor Ramon Hayes  
La Conner Town Administrator/Attorney Scott Thomas  
La Conner Town Planner Michael Davolio  
La Conner Town Council

We are writing this letter in response to the recent town statement of environmental insignificance for the proposed 3 story 20 unit development at 307 Centre street in La Conner.

While development is inevitable, it must be appropriate.  
A reasonable approach to development should be enacted on behalf of the town and the neighborhood, not the developer.

It is clear that the property in question is the former site of oil storage tanks and oil delivery truck storage -not known for environmental insignificance. It is also across the street and adjacent to residential areas.

The impact of this development will be devastating on the adjacent neighborhood(s). Residents young and old will be severely affected. On street parking will be at a premium, residential traffic will increase dramatically, and the quality of life and safety of the local citizenry (walkers, joggers, bicyclists and students) will be forever altered.

A far more reasonable approach would be to build 4 homes on this land and have design consistent with the existing homes in the neighborhood (some pre-dating 1900). Additionally the neighborhood should be protected by minimizing the disruption of visual amenities and solar resources as is outlined in the La Conner comprehensive plan.

Sincerely,

Jim and Reneé Matthews  
310 N.3rd street  
La Conner

## Danielle Freiburger

---

**From:** Michael Davolio <planner@townoflaconner.org>  
**Sent:** Wednesday, December 01, 2021 11:11 AM  
**To:** Danielle Freiburger  
**Subject:** FW: application LU21-56CU, LU21-57SEPA

Michael Davolio, AICP  
*Planning Director*

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Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257

**PHONE:** (360) 466-3125 | **WEB:** [www.townoflaconner.org](http://www.townoflaconner.org)

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**From:** Tracy McCain [<mailto:bwactracy@gmail.com>]  
**Sent:** Wednesday, December 1, 2021 11:01 AM  
**To:** Marianne Manville-Ailles - Planner; Town of La Conner - Mayor  
**Subject:** application LU21-56CU, LU21-57SEPA

Mr. Davolio and Town of La Conner,

I am writing in opposition to the proposed Determination of Non-Significance for the development at 306 Center Street.

Every candidate who recently ran for city council endured many questions about the future of growth and affordable housing in our town. And at the same time, a large 20-unit building with no designation toward tax-credit affordable housing was being approved by your agency.

Not only does this project neglect the need for affordable housing versus for-profit vacation rentals, it appears to be the trick to get around the commercial permitting for the remaining residential units.

I do not trust the lead agency's determination that a former fuel depot location will have no environmental impact on the neighborhood. Please make it known who else was consulted and involved in this decision and it may help restore public confidence in the process. In addition, the Notice of Application was not widely distributed to allow for reaction to a tight deadline over a holiday week. The entire situation shows a lack of communication to the neighbors and residents on the adjacent streets and has caused a full force of advocates to now oppose this development.



The newspaper introduction of the new town planner in February set an expectation of decisions that would honor the charm and character of our historic town:

"I hope to help build on the community's strengths," he said. "I believe one of the strengths of the community is how the town has preserved its history. The historical preservation district not only has value, (but) it creates value." ~ Michael Davolio, La Conner Weekly News

Your statement does not match my idea of preserving history as a resident who is lovingly improving a historic home built in 1901. I have owned a supplier business in the multifamily industry for the past 17 years and know the negative impact of this type of construction and resident demographic on the small-town street of retirees, families and neighbors who reside here for a reason.

In closing, my hope is that a Planning Director for this unique town will live amongst the neighbors here and get to know the flavor of our day-to-day life. We are a small, tight-knit community with deep opinions on future development. Please hear our voices.

Tracy McCain  
540 N 3rd St.  
La Conner, WA  
206-963-2147

## Danielle Freiburger

---

**From:** Amy McFeely <amcfeely62@gmail.com>  
**Sent:** Sunday, November 28, 2021 12:05 PM  
**To:** Marianne Manville-Ailles  
**Cc:** Mary Wohleb; MaryLee Chamberlain; council\_1@townoflaconner.org; council\_2@townoflaconner.org; council\_3@townoflaconner.org; mayor@townoflaconner.org; planning@townoflaconner.org  
**Subject:** 310 Centre Street

Dear Planner Davolio:

I am deeply concerned about the scale of the proposed 310 Centre Street Development. I was a resident of 112 North 4th for 10 years. While never a property owner, we raised our children in this wonderful community and I will always feel gratitude that we were able to rent a lovely home and continue to live in La Conner while saving for a home of our own.

While residential use makes sense on this property, Point D, page 2, of the Conditional Use Narrative is of issue:

“d) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.”

The character of this neighborhood to the east, north, and west of the proposed development is one and two-story single-family homes. There is a two-block buffer to the West from the three-story LaConner Retirement Inn of one and two-story single family homes, and likewise, a two-block buffer from the mixed-use Wave Cable building.

Although height requirements are in the La Conner Uniform Development Code, the sheer size and density of this building will overwhelm the existing neighborhood. Meeting code does not equate to appropriate scale. Additionally, the stress factors from 20 units of ambient light, noise pollution and traffic flow will hugely impact Centre Street and North 4th Street residences. The homes directly to the north stand to lose all exposure to natural light.

Please deny this conditional use permit, and demand a development that will truly enhance the aesthetics and quality of life of this neighborhood.

Respectfully,

Amy McFeely  
818 South 4th Street  
La Conner

To the Hearing Examiner, La Conner Planner and Planning Commission

Thank you for the opportunity to comment on the 306 Centre St Project. I suppose I am in a unique position to comment on this project as a 50 year resident and a retired local architect and builder. I helped write the Towns Historical Code as a Planning Commissioner. I was a Parks Commissioner and a founding member on the Arts Commission. I have had a working relationship with every La Conner Town Planner except the present Planner.

During my 35 year career, I had the opportunity to work with numerous clients in La Conner in both the Residential and Commercial neighborhoods and have formed life long friendships as well as a long knowledge on building and development in La Conner. And I worked with Mark Peizer several years ago on preliminary sketches on what could be done with the 306 Centre property, and in doing so I tried to mitigate the obvious concerns and clashes where one zoning meets another. I was shocked to see the minimal effort put into the Atkinson proposal, particularly the lack of any consideration for his neighbors, the neighborhood or the architectural character and traffic flows of La Conner. It was just another soulless box, stacks of shipping containers, you see Everywhere today.

This attitude is new to La Conner. Until recently, new development in Town has been done by individuals who have tried to fit in and be good neighbors. Now development is occurring quickly in large chunks by developers who are only looking for Big Profit for minimal dollars and effort in this current overheated market.

Dr Atkinson made no effort to mitigate any negative impact his project would have on the Residential neighborhood it abuts. I would encourage he be sent back to the drawing board until he meets La Conner Code, and perhaps his neighbors.

Thank you for your consideration

Sincerely

Bo Miller  
9970 Pull and Be Damned Rd  
La Conner



December 1, 2021

Attn Town of LaConner, Planning Director

Town Council

Comments on the proposed conditional use permit for the 306-310 Centre Street project.

To whom it may concern, the site proposed for redevelopment has several significant areas of concern.

1. The prior use as a fueling delivery site and fuel storage site. There must be testing done as there was Tall vertical storage tanks on the west end of the site and large capacity fuel tankers filling the tanks and fuel delivery being loaded from the tanks. At the very least we need an EIS completed before you can recommend approval for this special exemption.
2. The project will eliminate significant number of parking spaces currently used by the commercial activities located to the adjacent property to the south. The sketches do not address any parking provisions for handicap stalls and access to the building as the flood elevation is approximately 5 feet 6 inches above the existing grade of the center street shoulders. Which will require 4 at least 48 feet of ramps not including landings. I realize the code only requires on parking spot per 1200 square foot unit, as we all know that every couple has at least two cars. As well as the recently approved brewery on Morris Street that was required to have no additional parking for that business. Which will push more parking to the residential streets. We in this town have been trying to solve parking issues at peak times in this town for at least 25 years. Pushing it into residential neighborhoods is not a solution.
3. Life and safety

The ultimate height of this building from the current shoulder level on Centre Street will be over 35 feet. It is not reasonable to think our volunteer fire department can handle a fire at that height.

In conclusion the negative impacts of this application far outweigh the any gains this special use of this project is asking for. As a lifelong resident of LaConner, the traffic increase and the parking impacts will not make LaConner a better place to reside.

Regards

Gary Nelson

403 Morris Street

November 30<sup>th</sup>, 2021

To whom it may concern-

I am providing the below comment on the project proposed at 306 and 310 Centre Street. I would appreciate being provided updates for this project as they arise. I have requested a copy of all correspondence regarding this property that the Town has on file, however have not heard back from Town staff as of the date of this letter.

### **SEPA**

The SEPA prepared for this project simply did not have enough detail to provide the knowledge needed for the Town to do a thorough review of the environmental and social impacts this project may cause:

- Section A item #8 – The SEPA should detail environmental information that the project proposes to perform such as geotechnical reports, stormwater report, environmental review of the underlying soils where oil and fuel on a property that has been a long-time known use at this site.
- 
- Section B item #1(e) The applicant's response of "no fill" does not answer the question which asks the applicant to describe of site filling, excavation, and grading along with approximate quantities. It is highly unlikely that no fill (ie gravels) will need to be brought in especially with a 5-foot rise needed for flood plain.
- Section B item #3(d) An engineered stormwater report noting how stormwater runoff impacts will be mitigated by the redevelopment of this property. As much as final design can be done at building permit time, a Conditional Use should clearly detail how stormwater will be managed.
- Section B item #6 A 35-foot-tall building overshadowing the low height neighborhood would limit the potential for future solar power, the applicant's response notes it will not.
- Section B item #7(a)(1) This item asks to identify any known or possible contamination at the site from present or past uses. It is well known that this site historically supported a gas and oil fueling station, and mechanic's shop. Additionally, traces of contamination were found with the Morris Street project. This should be addressed by a detailed study before the Town should issue a DNS for this project.
- Section B item #7(b)(2) & (3) This item addresses noise created by the project. The applicant notes "Construction activity 7-5". There is no mention of the noise that is a potential from the large finished project. The proposed project will cause a large increase in traffic and there will most certainly be noise from occupants in 14 new residences and 6 new Airbnb units. Research indicates that there have been considerable issues with short term rentals such as Airbnb units, and they have become a large problem for local communities as they find they have little recourse to enforce noise or other issues. With the Town having no police officers how will this noise potential be mitigated? Will there be an onsite manager for these 6-units that will assure the quiet adjoining residential neighborhood is not impacted?
- Section B item #8(a) The applicant has not properly addressed how this project will affect adjoining property. Residential property to the east and north will be impacted by parking, noise, traffic, etc. while adjoining property to the south will lose much needed parking that has been historically been used to serve this Historical Building to the south.

- Section B item #8(i)-With 14 units and 6 Airbnb units the applicant states they estimate 32 people will reside in the proposed 20 units. The Skagit County census notes a reasonable average of 2.5 people per household in the County in average. Even though the Airbnb unit's area not noted as "apartments" they still provide a place where people "reside". It is unclear what the 32 count was based on, however based on 2.5 ppl per unit, approximately 50 people could reside in the proposed building.
- Section B item #10(a) The proposed structure is noted by the applicant as only being 30-feet tall. Is this from existing ground, or does the applicant intend to build 30'. With flood plain issues and the large scale of the height proposed this elevation needs to be described more specifically. Building elevations and/or exhibits noting how this requested Conditional Use will fit into the neighborhood. Additionally, exterior building materials should be noted so it can be determined if the building will fit the neighborhood vernacular. As much as this property is not located within the HBD, it is adjoining and should be encouraged to not conflict with existing adjoining historical homes and buildings.
- Section B item #13(a) The applicant does not note the onsite garage that has been on the property for over 75 years. The applicant shall enlist professionals to assure the garage does not have any historical significance. The large scale of this building in this low-density area will negatively impact existing historical buildings and long ongoing uses.
- Section B item #14(c) The applicant indicates in this item that they will create "22 new spaces plus 10 on-street public spaces 4 eliminated." The project proposes to eliminate approximately 20 parking stalls along the south side of the site located between the Station House and existing shop, along with 2 additional on the Centre Street side. This is a total of 24 stalls being eliminated with this project. The on-street parking is not "project" parking and exists today, and is not new parking. To summarize this project will eliminate approximately 22 stalls and proposes 22 new stalls to mitigate the construction of 20 new units? Furthermore, the parking count does not include handicap access stall. An accurately scaled and detailed site plan should be prepared before the Town can establish impacts and actual parking. As much as Town code allows for 1 parking stall to be provided for each unit under 1,200 square feet in the Commercial zone. This is simply an inadequate amount of parking provision at this location for a apartment building. A more typical parking requirement for apartments are determined on a per bedroom basis. Typical codes require at least 1.5 parking stalls for each 2-bedroom unit unit. **The elimination of over 22 existing stalls, coupled with the low parking requirement, overflow parking from this project will cause parking issues as most residences do not have garages or off-street parking and thus will have their parking displaced on our currently crowded streets.** Where will the existing displaced dumpster go? Where will the apartment building dumpster pad go? Will the garbage truck be able to reasonably be able access?
- Section B item #14(f) The applicant notes the project will generate 76 TPD (trips per day). Based on the ITE Manual for an Apartment is 6.7 trips per day per unit. For a hotel the same manual notes 8.9 trips per day per unit. This equates to closer to 147 TPD. The response does not note the proper estimated impact, which will increase the street traffic a considerable amount. This should be looked at in more detail before supporting a Conditional Use such as this.
- Section B item #15(a) The very high building with full time occupants in upper floors could cause impact on our small volunteer fire department. The Fire Chief and/or Fire Marshal should be coordinated with to determine how the fire department can obtain safe access to the roof in the event of a fire. La Conner does not have police department, how will noise complaints and the like be mitigated?
- Section B item #16(b) The applicant has not properly addressed this item. This question should provide enough detail to at least generally include the size and material of existing utilities that serve the site along

with a Letter of Water and Sewer Availability confirming there is sufficient sewer and water (for both domestic and fire flow) to serve the proposal. There is not enough information on the plans or information provided by the applicant to determine impacts to Town utilities.

Based on an objective review of the submitted information, including no reasonable site plan other than the very basic sketch that has been provided. The information submitted with this application is not sufficient for SEPA processing nor is it significant to make a determination for a DNS, or a Conditional Use to allow a project of this density and magnitude? Also, no studies at all were submitted. No Geotech, no stormwater design, no environmental design, no letter of sewer availability, no letter of water availability. There are also no reasonable exhibits noting what the elevations will look like so it can be detailed for the Town and its citizens can envision, and have a chance to better determine the impact.

Regarding the definition of an "Airbnb" or VRBO unit. Is this classified as a "Hotel/Motel" or an "Airbnb" The terminology seems to be vague. LCMC's allowance for "Lodging establishments, such as hotels, motels, inns" seems to indicate this "Lodging" allowance it provided for Commercial lodging facilities with onsite managers and amenities. In fact, the Parking code further implies this with the requirement of a stall for an onsite manager. Will there be an onsite manager and amenities provided for the "Lodging" use? How can the owner and Town guarantee that a "short term" rental will not cause noise impact, or other environmental impacts unless there is an onsite manager? Once this is built the neighbors will have no recourse if the noise, nuisance, etc. gets out of hand as has occurred in many other areas of the Country.

I request a determination from the Town on what an Airbnb is classified as. Is a "commercial Airbnb" allowed in the Residential zone? Note a hotel, motel, or inn is not allowed in residential zones in La Conner. 6 side by side Airbnb's feels more like a hotel and should have an onsite manager, at least in a Commercial zone. Otherwise, could one build a house in the Commercial Zone and call it an Airbnb? I request clarity on this definition and how it applies. This brings to light the need for the Town to define and clearly regulate short term rentals so our town does not become simply a weekend tourist community and not leave areas in the Commercial zone to provided uses the local full time community needs.

#### **Parking:**

Based on LCMC 15.90 the Off-street parking requirement is two parking stalls per unit for Multi Family dwellings allowed in the residential zoned area. Since the project proposes residential units slightly less than 1,200 square feet in the Commercial zone, they proposing only 1 parking stall per unit, even for large 2-bedroom units (1,178 sf). Across the street this project would require a total of 28 stalls to serve 14 apartments, which is a much more reasonable requirement as a mass majority of families in Skagit County have at least 2 cars. With the addition of 6-hotel rooms requiring another 6 stalls for a total of 34 stalls would be a more reasonable requirement for a project of this size. The elimination of over 22 parking stalls, then the very limited number of stalls proposed there will up 20 to 40 additional cars parked on the adjoining streets which will be a huge impact. Especially in a town that has debated parking issues for over 25 years.

Exasperating the parking issue, less than a block away, the old lighting store less than a block north from this site is being redeveloped. This project eliminated 2 or 3 onsite off street parking stalls, and appears to not be providing any additional parking. With the new Brewery use and the addition of this apartment building project both eliminating over 22 stalls, and adding up to 50 new people residing on the parcel will significantly impact parking in this area of Town. I am unsure of where the town thinks all this parking is available is this area of Town?

This project also proposes to eliminate a mass majority of the parking that supports the existing business serving our community in the historical building to the south of this project. This is most certainly not encouraging the use of historical structures and services enjoyed by full time residences.

#### **Fire safety:**



A fire in a 3-story building with only access on two sides is problematic. The Town does not have a ladder truck to fight a fire in a residential building this tall. It is not safe, nor reasonable for the Town to ask our small volunteer fire department to mitigate loss of life in a residential building that is this tall, and mitigation should be clearly determined by the Fire Chief and/or Fire Marshal so they have proper access in the event of a fire or other emergency. What does the UBC and current fire code say about this? What does the Town's Fire Chief or County Fire Marshall think about a project such as this? I don't see any correspondence regarding coordination with fire or emergency services?

**Commercial Zoning Code:**

Per LCMC 15.35 states that the "maximum" lot size in Morris Street Commercial zone is 10,000 square feet this commercial lot is over 15,000 square feet. The codes could not have anticipated a project this large with the property being larger than the code allows.

**Comprehensive Plan:**

Per the Town of La Conner's Comprehensive Plan Element 5 notes the developers must provide information relating to impacts that the proposed development will have on public facilities and services and that the town will conduct a thorough evaluation of that analysis, however this does not appear to have been done at this time. I hope that Town staff and consultants will do a detailed and thorough review to protect our Town's character and livability for its permanent citizens.

Chapter 5, Goal F in the Town's comprehensive plan notes that the town should "encourage citizen involvement in the planning projects and assure coordination among local, State and Federal jurisdictions." The posting of the site is not notable. A small 8.5"x11" on one side of the site is simply not reasonable for posting of a project. The industry standard is at least an 18"x24" sign for posting. The Town is not adequately working to inform the public when only requiring this very small sign. Signs should also be posted fronting all roadways of the site. We live literally across the street and never even noticed the sign. Also, the mailed notice was not received by us until November 26<sup>th</sup>, 2021 and thus could help with processes such as this by posting the project better and notifying the neighbors with enough time to prepare detailed responses. I request the comment period be extended and the property be better posted to assure the community has noted this project and has a chance to comment.

Chapter 5, Goal K- Neighborhood Conservation. The town should encourage a balanced and organized combination of open space, commercial, .... while protecting the fabric and character of residential neighborhoods. It does not appear the Town has considered this most basic of our community's principles. Encourage siting and designing of new construction to minimize disruption of visual amenities and solar resources to adjacent property owners and to mitigate incompatible adjacent uses with landscape buffers. A 5-foot-wide landscape strip does not mitigate the impact of a 3-story high building.

Chapter 5 Goal V-Protect and preserve the character of LA Conner's historic district. As much as the subject property is not located in the "Historic District" it directly abuts the Historical District and even contains a historic building, as it is over 50 years old. To preserve the Historic District the Conditional Use should limit the mass, size and scale of this new structure and also should preserve the historic spatial relationship of buildings to the site, views and surrounding development, which this project does not seem to consider. This very tall building will greatly impact the views from all surrounding properties.

Chapter 5 Land Use Classification noted a single-family residential density of 8.7 units per acres for lots under 14,000 square feet which is also noted as being twice the Growth Management Act requirement. This section furthermore notes a current multifamily density of 10.1 dwelling units for lots over 14,000 square feet. The allowance of a 3-story building with 20-units, would create a density of over 58 dwelling units per acre, which is 5.7 times the typical town density. This proposal is simply too large and dense for the Town based on the reasonable density in other areas of the Town.

In summary, we do not object to the responsible development of the subject property, however we want to assure this project does not negatively impact our neighbors our quality of life, nor the character of or our town. We have two large hotel sights nearby that are rarely filled, and thus a not supportive of the Town making concessions for parking and other impacts to allow this project which requires special permission via the Conditional Use Permit process. Do we need short term rentals bad enough to allow this VERY dense housing development and the elimination of parking in a lot that has served the Town for over 100 years? With the request to allow "special" consideration for residential in the Commercial zone it would seem reasonable to at least require this project to conform to the parking requirements for Multi Family noted in the abutting residential zone.

I greatly appreciate your time and consideration of my comments.

Best,

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PO Box 550  
LaConner, WA 98257

April 1<sup>st</sup>, 2022

Mr. David Lowell  
Town of La Conner Hearing Examiner  
Submitted via email: [planning@townoflaconner.org](mailto:planning@townoflaconner.org)

RE: Centre Street Apartment Building Conditional Use

Mr. Lowell-

Thank you for allowing us to provide written comment on this project. This proposed project creates too many impacts to clearly articulate to you in a short comment time as generally is acceptable in a hearing setting. As a couple we each have many decades of experience with planning, development, and construction with development of this nature in Skagit and surrounding counties. La Conner is a small Town that has no UGA (other than around the Sewer Department) and thrives on its historical nature, and in basic terms this proposal eclipses the surrounding area. We appreciate your review and look forward to your findings.

Below are excerpts from La Conner Municipal Code along with detailed concerns:

**CONDITIONAL USE CRITERIA**

Per LCMC 15.135.190 Criteria for Conditional Use permits:

(1) Conditional Uses **may or may not** be permitted, depending on conformance with specific criteria.

*The Town Planner has several times asserted that the application meets code, and indicates that there is nothing more to require. This is inaccurate information as per definition uses are classified as “Conditional Uses” because they are **allowed only when proper conditions exist, or when the proposal can be brought into conformance with the criteria by placing conditions on the permit.** The Town Planner has not placed conditions on the project other than to require geotechnical testing due to the previous oil tank use. Conditions need to be required of the project to assure it will not impact the surrounding properties and uses.*

The applicant **must** provide evidence substantiating that all the requirements of this code relative to the proposed use are satisfied, and demonstrate that the proposed use also satisfies all of the following criteria:

(a) The use is listed as a conditional use in the underlying district. *Ok*

(b) The characteristics of the site are **suitable for the proposed use considering size, shape, location**, topography, existence of improvements and natural features.

*The simple size of the project feels too big, intrusive in height and scale. The reason it is simply too large, even for the Commercial zoning as per LCMC Code has a maximum Lot size of 10,000 sf. This project at 15,000 sf and thus is 50% larger than allowed by basic town codes. These 20 units will increase the number of families in the local neighborhood by an estimated 50% at any given time.*

- (b) The site and proposed development is timely, considering the adequacy of transportation systems, public facilities and services existing or planned for the area affected by the use.

*Doubtful, however not enough info submitted to determine.*

- (d) The proposed use **will not alter the character of the surrounding area** in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary use listed in the underlying district.

*This is easy to discern if you go out and look at the proposal in the real world. It will eclipse the surrounding buildings, it will literally redo the landscape of the area, and block long enjoyed view corridors. It also has not been designed to fit the character of the surrounding historical uses. As much as this lot is not within the Historical Overlay, it abuts it and should take this in to consideration from an aesthetic perspective. Additionally, the impact of historically established parking along the south side of this proposed project will be a huge alteration and impact to the 4 local businesses by eliminating 50% of their off-street parking causing these cars to have to park on the street. Based on typical industry accepted standards, this project will have an overflow parking count of approximately 14 stalls. This adds approximately 30 parking stalls to the area without any "Festivals" or the like occurring. There are not 30 stalls available within a 2-block radius. This will have an impact on adjoining businesses and residents alike.*

- (e) The proposal, through findings, satisfies the goals and policies of the comprehensive plan, Shoreline Management Act, and floodplain ordinance, which apply to the proposed use, if applicable. *Ok*

- (f) Setbacks or buffers proposed by applicant are shown to mitigate potential adverse impacts that might emerge from the proposed conditional use.

*The trees currently installed surrounding the site are approximately 20-25 feet high provide a dense visual buffer, along with a 6-foot sight obstructing fence have existed as a long-time buffer from the Commercial zoned uses. These area substantial trees. It has been noted by other Town residents that these trees were specifically planted at mitigation or concession when the Town allowed the Commercial Use to be applied. As such these trees should either remain, or like landscaping should be provided to create a dense visual buffer between the Commercial and Residential Use as is there today. As noted, the setbacks and buffers do not mitigate the impacts and there is no detail to even make a determination of what landscaping may look like so no exhibits were provided to even note basic preliminary landscape vision. As much as this project has tried to meet the very minimum of any section of Town code, this project is a **Conditional Use** and the impacts of this intense multifamily "use" abutting a quiet historical neighborhood will be intrusive and larger setbacks and at least dense landscaping and site obscuring fencing (or equal) should remain or be required along the north and west sides of the site to provide a buffer to the adjoining, conforming, legally permitted residential uses. Refer to photograph attached showing existing mature trees providing a good vegetated buffer.*

- (g) The use must cause **no** adverse effect on the surrounding area due to **traffic, parking, noise, odor, air or water pollution**.

*This project will increase this very small neighborhood by 20 units on any given day. For reference the Morris Street neighborhood this project will impact (east of Third/west of Sixth) currently only has approximately 40 units. This project will increase impact by 50%. Of concern is traffic, parking, noise, garbage (odor and visual), light and visual privacy concerns. Parking proposed at 1 stall per very large 2 bdrm condo is just not a*

*professionally acceptable levels of mitigation for a project of this type in any jurisdiction unless perhaps you are in Seattle and live near a transit hub. Much less in a Town with a well-documented parking problem, specifically in this area. As for other items such as water pollution, we do not know as the Town did not ask for any Stormwater Reports to at least briefly describe how stormwater will be assured not to impact the system.*

*Consideration should be made for the eliminated historical parking along the south side of the project and in addition, parking for this Conditional Use project should be mitigated by the provision of LCMC 15.90.030 (Minimum off-street parking requirements) Minimum off-street parking requirements shall be determined in accordance with the following standards:*

- (1) (a) Residential. For condominiums – Two per unit. (2 x 14)=28 stalls*
- (b) Bed and Breakfast - Conditional Use –one per room (6 x 1)=6 stalls*

*In addition one additional barrier free parking space must be provided for freight per LCMC 15.90.030 (3)(vi) Since the overflow will be into residentially zoned areas. (1)*

- (h) Consideration shall be given to the cumulative impact of like uses within the neighborhood.*

*The cumulative impact using the example of impacts to parking alone of consideration:*

- (1) The new Brewery being ½ block south on Morris and new library 2 ½ blocks SE on Morris both currently under construction have very little parking and both have it hidden behind the buildings, thus realistically this parking too will add to the parking problem.*
- (2) Based on over 30 years of experience the grocery store parking lot is constantly full, and the parking spills onto the street. New projects south of Morris are eliminating parking south of the Store that is currently used by the store employees.*
- (3) This Morris Street neighborhood cannot take more of the Town's parking problems being pushed off into our residential area. This is an unacceptable burden to expect the residences to shoulder.*
- (4) At least 2 stalls per residential unit should be provided along with at least consideration of a certain amount of 2 guest/maintenance/loading stalls to assure this Conditional Use does have a need for overflow parking to further impact the surrounding parking problem, beyond what is already at an unreasonable level. Consideration should also be made for the long-standing existing parking use that is proposed to be eliminated by this project. The parking area has been used by the Station House businesses for over 50 years. To simply eliminate without ANY consideration of its long-time use is unfortunate.*

*Refer to photographs attached that were taken last month noting heavy Saturday parking surrounding the site.*

***Based on the information above and item (2) below this project as submitted should not be allowed and the Conditional Use should be denied.***

- (2) No conditional use permit shall be approved unless the hearing examiner has made findings and/or conclusions that each of the foregoing criteria is met or is inapplicable. [Ord. 884 § 4, 2003; Ord. 743 § 6, 1999.]**

*The applicant has not provided sufficient information and/or mitigation to meet the all of the foregoing applicable criteria noted in this section, therefore we asset that this Conditional Use should not be approved*

*Also of note,*

**Per 15.35.030 Conditional Use** states “There shall be no production of noise at any property line of any use in the Commercial District in excess of the average intensity of street and traffic noise found in the district”

*As a condition of approval the applicant should be required to detail how they plan to provide effective provisions to assure noise “any use in the Commercial District” will not become a nuisance on random weekends in a small town that has no local Police. The concern is who will enforce the right to quiet enjoyment of the surrounding uses? In our experience, the Town does not have sufficient resources to deal with the impacts of a project with noise issues, this should be detailed prior to approval.*

### **SEPA**

SEPA processing was not adequate for Town staff to issue a SEPA determination (MDNS). The MDNS did not require mitigating measures to satisfactorily assure the project will not have impact on the environment. The submitted SEPA was no complete and did not provide enough detailed information to reviewed and processed properly. See general notes below:

- The elimination of 17-20 parking along the north side of the Stationhouse building and adjoining right of way for access were not disclosed. Parking is a huge problem in La Conner.
- Nothing was noted about the historical nature, or lack thereof, of the circa 1904 building that was demolished onsite. This should have at least been addressed, how was it determined it was not of historical significance.
- It did not address impact on public facilities such as Fire which is a volunteer station in our small town with a ladder truck that only extends 35 feet, however per L & I the ladder must extend 5-feet above the roofline for them to be able to access. This proposal proposes a building that will be 36 feet from the ground. Shouldn't someone at least have had a chat with the Fire Chief? The noted they spoke to Skagit County Fire thought there is no information provided about this. Also, they should have spoken to the LaConner Fire Chief as he is the appropriate person for Fire Protection on the LaConner Town limits.
- The SEPA lacks the disclosure they were eliminating stalls along the north side of the building that have a historical use of serving the four local small business within the adjoining Station House Building.
- No Waterline information provided or if there is proper capacity for such a dense use without impact. How is the site provided by Sewer?
- No cut or fill quantities were noted. Quick calculations indicated these thresholds will likely be exceeded. These volumes should be disclosed.
- No Fire Flow was obtained, no Letter of Water Availability was provided, no Sewer Availability Letter. Again, very quick and easy information to obtain, unclear why the professional working on this project have not obtained this info for their own information, non the less it is information the Town should be requiring for any project requiring SEPA and/or a Conditional Use.
- The document does not note how stormwater will be handled, nor detail street frontage requirements, including street lights.
- Plans provided very few dimensions, no utilities, no Landscape plan/exhibit/idea of how the 20% landscaping requirement is being met. It also notes these as being rentals, which these are not, they are condominiums.
- There are a series of 20-25 foot high sight obscuring trees, and a 6-foot wood sight obscuring fence that exist along the east and north sides of the project that provide a visual and audio buffer.

## **PARKING**

We touched on this earlier however it is worth repeating the inadequate number of stalls proposed for this type of use in an area of the Town where overflow parking is the most challenging on any given weekend. These new residential units will be sold at a high price point that it will statistically require a two-incomes, and two residents that will need a car travel to work. High paying jobs are not generally located such that a one car family and walking to work is viable and there is no transit “hub” in La Conner to use as a justification. Simply the 2<sup>nd</sup> car from these large units will be forced to park on the streets where there is already much congestion. Come visit on Saturday in the next few weeks and you will have a front row seat to the worst of it, although now parking is heavy every weekend, even in winter. As noted this project also proposes to eliminate 17-20 stalls along the north side historically used by the Station LCMC Code 15.90.030 allows only 50% of stalls to be compact. The project as submitted only notes 8-full size stalls, and 13 compact stalls. Also, an additional full-size stall is needed for a “loading area/maintenance” stall per LCMC code 15.090.030 for deliveries, maintenance, etc. Shouldn’t Town Staff have caught this simple, common code requirement. Also, if the claim is that the ground floor units are “a Hotel, Motel or Lodging” Use an additional stall is required for an “onsite manager”, further argument for the fact that a Commercial Lodging use considers an onsite manager to be present. Refer to photographs taken last month noting heavy Saturday parking surrounding the site.

## **FRONTAGE IMPROVEMENTS**

Since there is a “Commercial Use” on the base floor Commercial Access is required to be improved with full street improvements. LCMC Code 15.86.080 Table 1 requires a full pavement width of 40-foot width of asphalt be constructed on Morris, along with curb, gutter, sidewalk, street lighting, and drainage system along the project side of the road. We are unclear on what the Town is requiring specifically along Centre Street frontage, however it too must be improved to full width with curb, gutter, sidewalk, street lighting on the project side. None of this is detailed anywhere other than “sidewalks will be provided”. What has Public Works required for the frontage improvements and extent of project improvements to meet the requirements to provide safe streets and pedestrian conveyance. For this Use to be allowed it should be Conditioned to provide sidewalks extending to Third street to the west and Morris Street to the south where there is a connection to ADA compliant sidewalks. With this new Commercial Use, the required Road Section 15.86.080 Table 1, Table 4 for Fourth Street from Morris to Centre should be required to widen the road to a full 40-feet wide the “Commercial” standard, as it is a commercial lot, with sidewalk and planter on one side. There is no clarity as to what the project proposes or what the Town is requiring, it is not detailed anywhere. Town staff should have clear details as to what street improvements will be required as a “Condition” of this project. Again, simply due diligence on the Town and applicants’ side has not been done.

## **DUMPSTERS**

The site is very dense, which makes good planning more essential. This project does appear to have room for a realistic dumpster pad and other trash facilities, at least none has been noted. These trash facilities on projects such as this as they are quite important, and often overlooked until the municipality notes it. Planning for garbage facilities is an important component as unmanaged short term tend to be an ongoing, commonly known problem. The project should note where the dumpster pad location will be, how this project will provide screening, and how garbage trucks will be able to maneuver on the site without blocking public areas to pick up the waste. This always ends up being a tough detail to fit in on these extremely tight site developments and should not be left to chance.

## **NOISE**

How can residents be assured this project will not be an impact to the quiet historical neighborhood we live in? Thus, this Conditional Use in all its forms, including the Air BNB use, and must provide mitigation to be assured they do not impact surrounding uses. We can agree that one of these short-term rentals would have minimal impact, however the concentration of 6 of these “hotel room” units in one spot, with no onsite management leads to large groups, weddings, reunions, and other big gatherings which will likely cause an impact to the residents, especially on summer weekends.

## **EXISTING BUILDING DEMO**

As noted in the hearing, the onsite building was demolished early on Sunday morning without a permit onsite. When the owner’s representative was asked to see the permit as this was an ongoing project, he claimed he had one and didn’t need it onsite, then immediately proceeded to briskly walk to his machine and knock over the building. The site had no construction safety fencing up, none of the catch basins that receive runoff from the site had been protected and no other erosion or sedimentation control provisions were installed. As of today (April 3, 2022) there is still no inlet protection or safety fencing up? The building torn down was a circa 1904 building. Was the Department of Archeological and Historical Preservation (DAHP) even consulted before it was removed? In my experience this is a standard SEPA requirement for any building over 50 years old? The building was half way down by the time the Public Works director showed up (after being called by the residents) and shut them down. If they had a permit, and nothing to hide, why would they run to start tearing the building down, rather than be conscientious and simply calling the owner to get a copy of said permit?

Also, it should be noted, and it was not mentioned in the hearing, that in their haste to tear the building down before anyone from the Town could show up to stop them, they broke an onsite waterline that serves the Station House that houses the local Sliders Café, Fuel Coffee Shop and a Pet grooming business. The lack of water required these businesses to have to shut down for a weekend day. No existing waterline information at all has been noted on any plan. The Town noted that they had been assured to charge the Applicant for Public Works overtime (as they should), however no mention of how Slider’s Café, Fuel, and Pet Grooming shop will be compensated for the loss of a Sunday profit? This is disheartening for small-town business that have struggled to stay open throughout the pandemic, this should not be the case.

## **SUMMARY**

In summary, we implore the Hearing Examiner to follow the guidance of the Town Planning Commission vote, and **deny** this Conditional Use Permit based on the fact that impacts from this very large, dense residential proposal will have a great impact on surrounding existing legally-established uses. A more comprehensive review of should be done by Town staff with other Town Departments such as La Conner Fire, La Conner Public Works, La Conner Sewer Department, Engineering (?) to better identify impacts and thus be able to provide clear and detailed, legally required, mitigation “conditions” that must be met by the project to assure the Town and surrounding uses, both commercial and residential, will not be negatively impacted by developments noted.

The Applicant has not provided, nor has Town staff required that enough detail/information be submitted with the project’s SEPA and Conditional Use Permit to be able to reasonably to make an environmental determination and issue an MDNS as has occurred. With such little detail a determination should not have been issued. Based on much time researching this project we have concluded the Town, and the professionals they employ, need to do a better job protecting the interests of the Town and people who live in it.



A new residential proposal such as this should, at a minimum, provide parking stalls as required in the only location in the LCMC code where it speaks to Multi-family requirements, which is 2 stalls per unit. This is not simply a residence above a business, as in the downtown area of La Conner, this is a request for a Conditional Use for a Multi-Family apartment/condo use. Right of way road frontage and projected offsite improvements must be detailed, a landscape exhibit needs to be prepared, setbacks should be greater along the east and north residential uses to provide more of a buffer, how 6 – unmanaged “Hotel” units abutting quiet residential life will be assured, garbage dumpster location and truck access provided, and the La Conner Fire Chief and Public Works Department should have the opportunity to provide comment. Also, the tall trees that were originally planted at the site to provide a buffer from Commercial uses from the adjoining residential uses to the north and east should be conditioned to stay, or be replaced with “like” (in height and width) buffering materials.

La Conner has very limited land left for development. Our Town staff should be using a great deal of caution to assure all projects are compatible, and that new uses are not impacting those who live here and run businesses full time, i.e. our community. It is what tourists want to come share, and this is why we all want to protect it. The Planning Commission voted very conclusively 3-0 to deny this project. They did not vote an approval with “conditions”, which further substantiates this project will have such a large impact, just a unanimous and clear NO, yet more support that this Conditional Use project should not be approved. This Town has fought a parking problem for decades, yet staff still don’t seem to use the limited opportunities we have to assure developers provide adequate parking, rather a bare minimum amount. As a Conditional Use the Town should require a parking count that is reasonable to assure no overflow onto streets.

This project is so under-reviewed and under-conditioned. We just cannot understand how the Town staff can assert to us, the Town people, that they have done their professional due diligence to protect us from over-reaching development. We have worked with many Planners in various jurisdiction in the surrounding Cities and Town’s in Skagit County, and they consistently hold projects to the standards our community deserves, regrettably we feel this has not been the case with this project. The argument that both the Planner and Applicant have threatened in two hearings not that this could be a “Bowling Alley” and we should just be satisfied that this use is better than horrible? Any other Commercial Use would require much more parking than what is proposed, thus the Bowling Alley threat is not tangible and seems to note a diminished respect for the many people who have objected to this project.

This project under-reviewed and under-conditioned and we have trouble understanding how Town staff can assert to us, the Town people, that they have done their professional due diligence to protect us from over-reaching development. The Town should hold projects to the standards our community deserves, regrettably we feel this has not been the case with this project. The argument that both the Planner and Applicant have threatened in two hearings now that this could be a “Bowling Alley” and we should just be satisfied that this use is better than horrible? Any other Commercial Use would require much more parking than what is proposed, thus the *Bowling Alley* threat is not tangible at this site and shows a lack of respect for the many people who have provided thoughtful, tangible objections to this project. It seems unusual that the Planner seems to be advocating for the project rather than advocating for the Town, even when very relevant information has been presented?

Basic project planning and detailed Town review could have avoided cutting the waterline and shutting down small struggling businesses on a valuable weekend day and the widely known past gas station/oil fill tank use on the site would have been addressed. Unfortunately, there are other items that have gone undiscovered as the project does not appear to be being critically reviewed. It is unfair for the Town to expect its residents to spend so many hours of their time to do the Applicants and Town’s research.

We sincerely thank you for patiently reading reviewing the information, apologies for the length. We felt was important to provide you with this detailed information for your consideration of this project.

Please keep do us informed of all items regarding this process moving forward.

Best,

Gary and Heike Nelson  
403 East Morris Street/PO Box 550  
La Conner, WA 98257  
(360)770-8230



VIEW LOOKING SOUTHEAST AT A PORTION OF THE PARKING THAT IS TO BE ELIMINATED ALONG SOUTH SIDE OF SITE.





VIEW LOOKING WEST ALONG MORRIS STREET FROM FOURTH



VIEW LOOKING WEST ALONG CENTRE STREET





LOOKING EAST ALONG CENTRE STREET – SUBSTANTIAL TREES EXISTING ALONG PROJECT'S FRONTAGE ALONG CENTRE AND MORRIS STREET THAT PROVIDE BUFFER ALONG NORTH AND WEST SIDE OF THE PROJECT WHERE RESIDENTIAL USES EXIST.

## Danielle Freiburger

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**From:** Michael Davolio <[planner@townoflaconner.org](mailto:planner@townoflaconner.org)>  
**Sent:** Wednesday, December 01, 2021 4:34 PM  
**To:** Danielle Freiburger  
**Subject:** FW: Proposed Centre St. developments

One more for the files.

Michael Davolio, AICP  
*Planning Director*

---



Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257

**PHONE:** (360) 466-3125 | **WEB:** [www.townoflaconner.org](http://www.townoflaconner.org)

WARNING: Please be advised the Town of La Conner is required to comply with Chapter 42.56 RCW, Public Records Act. This means that information you submit to the Town via email (including personal information) is likely subject to disclosure as a public record.

**From:** DN [<mailto:dan.nickel@gmail.com>]  
**Sent:** Wednesday, December 1, 2021 3:47 PM  
**To:** [planner@townoflaconner.org](mailto:planner@townoflaconner.org)  
**Cc:** [pds@co.skagit.wa.us](mailto:pds@co.skagit.wa.us); sarah vale rapp  
**Subject:** Proposed Centre St. developments

Hello Davolio,

My wife and I live on Centre St and are concerned with the proposed development on multiple levels.

1. Who decided an environmental impact statement was not necessary? That site was home to an old fueling station, we have not found records for proper decontamination and decommissioning. Was that ever done, if not, it must be done now. La Conner signs in multiple locations educating the public about the importance and fragility of the sound waterways. With such a sensitive groundwater ecosystem its hard to believe there would be no environmental impact.
2. Infrastructure planning is another concern. I don't believe that the water supply and wastewater system in our neighborhood is up to the task of 20 additional residences without significant improvements and upgrades. Has this been discussed, and to what extent is the town going to make the developer pay for upgraded infrastructure needed to support such a significant increase in use?
3. Parking is another concern. I don't see how you can efficiently build 20 residential units in that location and also provide 20 parking spaces. I would like to see scaled drawings with a detailed plan, and not just a bar napkin sketch indicating 20 spaces. There are a lot of design changes allowed between initial concept and final execution and i have a hunch the parking will get quickly deleted once development is past a certain stage of approvals.
4. We would like to see affordable housing opportunities. What sort of price point is targeted for this development? Are young families and individuals going to be able to afford living here, will the help promote and sustain healthy growth in La Conner? Or, will these be more 2nd and 3rd homes for people that don't actually contribute to the community beyond physically occupying a living space a few times a year?

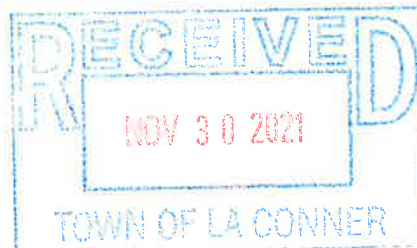
5. Height of building is a significant concern, not just with this building, but also the precedent it could set for future plans. Not to mention the impact on the character of the neighborhood. Although not in a historic district, I have met many visitors who love to come to La Conner to walk around the neighborhoods as much as the business district.

Thank you for your time and consideration, and please consider healthy development. Why get greedy with 20 units, when someone could sustainably put in 4-6 units with affordable suites to encourage long term growth by attracting folks to live and stay here.

Regards,  
Dan Nickel and Sarah Vale Rapp  
PO Box 1182  
La Conner, WA

--  
Dan Nickel





328 N. 3rd St.  
La Conner, WA 98257  
November 30, 2021

Mr. Michael Davolio, Planning Director  
Town of La Conner  
Box 400  
La Conner, WA 98257

Dear Mr. Davolio:

Re: Conditional Use permit LU21-56cu

Maybe I am confused, but I think that the 100 year flood plain rule applies. This means that the first floor with six B&B/VRBO units must be elevated 9 feet (UDC 15.70.130). Given that the max height of the structure is 30 feet, how can you squeeze three floors into the 21 feet remaining and still have room for the structure and crawl space? Elevations are not given on the site plan.

The plan does not show an office nor parking for the B&B/VRBO rentals.

The Model Toxic Control Act (MTCA) applies in this case. There used to be a large oil tank at southwest corner of the property. Soils need to be surveyed for contamination. The conditional use permit should be put on hold until this is done. Contact Ecology for a file review. The Town went to court on this in 2006.

The site is served by a 4-inch water line. Is this adequate?

I request that you deny the granting of a conditional use permit to KSA Investments. The property is zoned commercial, and it should stay that way. There is zero vacant land available in town that is zoned commercial. That piece of land would make an ideal place for a farmer's market, or a collection of shops that meet local needs. You cannot buy a pair of Levis in this town.

It comes down to whether you want to plan for a tourist oriented environment or a small town with an easy-living environment. Looking ahead, the need for more tourist oriented development can be accomplished with the former Moore-Clark property.

You forgot the three feet on the west end of the site. It should be 15,595 sq.ft. instead of 15,300.

Considering the impact on the surrounding neighborhood, documented by other commentators, this project is not feasible.

Sincerely,

Dan O'Donnell  
360 466 3057  
laconnerda@gmail.com

Mr. Michael Davolio  
Planning Director, Town of La Conner  
P.O. Box 400  
La Conner, WA 98257



Re: KSA Application ## LU21-56CU & LU21-SEPA  
Apartment Project at 310 Center Street

Dear Mr. Davolio:

I would like to provide a few comments on the KSA Project located at 310 Center Street regarding the general lack of completeness in the project application and more specifically the town's parking requirements.

To be "complete," an applicant has to provide enough basic information so that the public and the decision maker can determine if the applicable provisions of the town code will be met. It's not enough to indicate that a particular requirement (like landscaping or parking) will be met "per UDC section" – you actually need to describe what you plan to provide and show how that will meet the town's code requirements so that it can be evaluated. Granted, every detail doesn't have to be provided and additional information can be requested, but in this case the applicant hasn't submitted information that is "sufficient for continued processing."

Among other things, the Applicant should be required to provide:

1. the name and address of the president and secretary of KSA LLC, the corporate owner of the property per UDC 15.135.070(1).
2. benchmarks and ground elevation at mean sea level when all or a portion of the plat is located in the floodplain and contours with intervals of 95 feet; boundary lines of entire tract and individual lots in square feet and/or acres; existing and proposed landscaping, vegetation, and trees; building site, dimensions, gross floor area, architectural elevations, setbacks, cross-sections and specifications; building floor plans with proposed use and occupancy of each room noted; benchmark elevations provided on a FEMA Elevation Certificate and certified by a registered engineer or architect; elevation in relation to mean sea level of the lowest floor (including basement) of all structures and the extent to which any structure has been floodproofed – all per UDC 15.135.070(4)
3. evidence of title per UDC 15.135.070(10) – the applicant claims that KSA owns lots 3 through 8 in Block 9 of the Calhoun Addition but according to the Assessor's Office KSA appears to own only 3 of those lots.

This information is needed to determine among other things, that the Applicant's project will meet the dimensional requirements of UDC 15.35.040 including: maximum lot size, maximum lot coverage, minimum landscaping area, minimum building setbacks, maximum floor area and maximum building height above flood elevation.

Regarding parking, KSA has proposed to build 20 dwelling units – 14 long term and 6 short term. The Applicant's drawing shows 22 parking spaces but does not include the dimensions for any of those spaces which are different for standard (9 x 18.5), compact (8.5 x 16 for up to 50%), end spaces (10 x 18.5) and barrier free (per IBC). It is impossible to tell from the drawings and other materials that the Applicant has submitted, how many spaces Applicant will actually be able to provide on-site.

Lastly, I noticed that the Affidavit of Publication for this project stated that the Public Notice for this project was published for a three week period commencing and ending on the same day, November 17, 2021 – most likely a typo – but not sure how that may affect legal notice requirements.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Allan Olson", with a long horizontal flourish extending to the right.

Allan Olson  
P.O. Box 776  
La Conner, WA 98257

## Danielle Freiburger

---

**From:** Michael Davolio <planner@townoflaconner.org>  
**Sent:** Tuesday, November 30, 2021 10:26 AM  
**To:** Danielle Freiburger  
**Subject:** FW: Comments on 310 Center Street

Michael Davolio, AICP  
Planning Director

---



Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257

**PHONE:** (360) 466-3125 | **WEB:** [www.townoflaconner.org](http://www.townoflaconner.org)

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**From:** Don Pendleton [<mailto:donpendleton01@gmail.com>]  
**Sent:** Monday, November 29, 2021 4:45 PM  
**To:** [planner@townoflaconner.org](mailto:planner@townoflaconner.org)  
**Subject:** Comments on 310 Center Street

Nov. 29, 2021

Michael Davolio  
La Conner Town Planner  
P.O. Box 400  
La Conner, WA 98257

[planner@townoflaconner.org](mailto:planner@townoflaconner.org)

Dear Michael Davolio,

I am writing to raise my voice in opposition to the multi-development being proposed near 4th and Center (310 Center St.). I am a long-term La Conner resident whose home is located in the adjacent block north of the proposed development. I have for decades worked on housing (single/multi-family) issues in Snohomish Co., and Seattle. I believe this project is inappropriate in size, scope, scale and location in the Town of La Conner

I am opposed to the issuance of a Determination of Non-significance for this proposed development. The proposed project will have significant environmental impacts and an assessment of those impacts should be required as part of the development package. The town will be adversely affected through Fire and Emergency calls, increases on demand to our local infrastructure, both that provided by Puget Power, and by our own local water and sewage efforts. Impacts on the numbers of cars on the street, parking issues and a massive 'shadow'

are all part of the impacts. Slow down the process, assist in providing clarity, seek community sentiment, and then make a thoughtful decision.

Further, I am *opposed to the issuance of a 'conditional use permit'* for this proposed development. A conditional percent should not be granted because the proposed development is inconsistent with our Town's housing goals. Further, this type of in-fill (long/short-term and shorter-term), where 2/3rd of the proposal is so out of line with our Town's and neighborhood desires that a 'conditional use' permit is requested, should in and of it-self suggest closer scrutiny of the proposed project. To issue an 'conditional use permit' is inappropriate here; therefore the permit should be denied.

My other comments include: Though a bit of this project may be seen as 'allowable use', the proposed project is not. The project is not consistent with the existing neighborhood. The project would be a detriment to the immediate neighbors and businesses, adversely impact our greater community, and have negative impacts on the Town of La Conner. Visually, the proposed 20 unit, three-story building would be 'out of place' and 'out of character' with neighboring and greater La Conner.

I am in opposition to issuance of permits and declaration of non-significance for this project.

Regards,

Don Pendleton

P.O. Box 594  
La Conner WA 989257

[donpendleton01@gmail.com](mailto:donpendleton01@gmail.com)

## Danielle Freiburger

---

**From:** Bob Raymond <bedrock@wavecable.com>  
**Sent:** Wednesday, December 01, 2021 7:58 PM  
**To:** planner@townoflaconner.org; Planning@townoflaconner.org  
**Subject:** Comments: 306-310 Centre Street

December 1, 2021

Attn: Town of La Conner, Planning Director

I have several concerns regarding the construction proposed for 306 Centre Street. .

1. The project as proposed would eliminate important commercial parking on Morris Street.
2. The building height will exceed the 30 feet.
3. Historical use of portions of the property suggest that there should be an environmental impact statement before significant construction is initiated.
4. Relying on street parking for residents of the building is not consistent with the code.
5. Barrier-free, ADA conforming, parking is not provided.
6. The extent of reliance on “compact car” parking is not permitted by the code..

These are my initial concerns. There are others raised by La Conner residents. This is a major change in the neighborhood and the town. If this were a project designed to provide rental housing for low and moderate income families, it would be a welcome addition. Because the project arguably does damage to the neighborhood and fails to provide the kinds of housing in short supply, but that are valued by the community, I do believe there should not be any parking, height or other variances granted, or other accommodations made, by the Planning Commission, the Planner, or the Council.

/s/

Thank You

Bob Raymond  
608 S. 2<sup>nd</sup> Street  
La Conner

December 1, 2021

RE the proposed development at 310 Center Street:

There are significant environmental impacts to humans and pets in the size and lack of adequate parking for each proposed unit at this development.

Many people, especially elderly ones, use both 4th Street and Center Street. They walk to the market, they walk for exercise, and they walk their dogs. Many of these people walk slowly because they must. Some use walkers or special canes. At least one is in a wheel chair. They come from all over La Conner, but especially from the two nearby retirement facilities and the surrounding streets.

There are also many people who walk their dogs on Center Street because it is a safe place with little traffic. One dog is disabled, and the owner uses a sling to lift his rear legs.

The owner, of course, has the right to develop the property, but it must be done with sensitivity and purpose to mitigate the impacts on important uses of both 4th Street and Center Street. Fewer units, adequate off-street parking and other measures could make a considerable difference in maintaining the important uses of the affected streets.

Sincerely,

*Mollie Rights*

Mollie Rights

*403 Centre Street #2102, La Conner*



*Please send to Planner and Town Council*

## Danielle Freiburger

---

**From:** Kathy Shiner Don Pendleton <dpandks@gmail.com>  
**Sent:** Monday, April 04, 2022 11:40 AM  
**To:** planning@townoflaconner.org  
**Subject:** response to Hearing Examiner Zoom meeting March 31, 2022

Dear Hearing Examiner

I live at 216 N 3rd St in La Conner. Back at the end of February we received a letter from the Town of La Conner regarding the possible development of apartments, 14 long term and 6 short term rentals, at 306 Center Street. At that time, I wrote a letter to Michael Davolio, the Planning Director, of my concern about the appropriateness of the project being adjacent to a residential neighborhood. I did not approve of the scale of the project and the impact it would have on our neighborhood. Recently I also listened to the March 31 Zoom meeting which you held for questions and comment from the Developer, Town Planner and local residents. I know affordable housing is a priority in the towns Comp Plan, but this project does not address that need in any way. The developer mentioned \$600,000 condos on the top 2 floors and the 6 short term rentals only bring in much more money for the developer than long term rentals which is where the need exists. This project does not address the needs of the town as outlined in the Comp Plan, nor consider the impact on the neighborhood.

I read through the La Conner Town Comprehensive Plan focusing on Chapter 5 Land Use Elements and Chapter 6 Housing Elements. Throughout both elements there are many mentions of ways this project does not fit in to the Towns plans for future development. A key factor is the fact that the nature of the town, being surrounded by farm land and water, has a finite amount of land left to develop. Here are a few of the points that the Comp Plan refers to that make this project unacceptable:

- \*using available land more efficiently is one of the best ways to make housing more affordable
- \*continue to enforce UDC(Uniform Development Codes) and design standards that have been developed to preserve the historic look and feel that are consistent with the historic integrity of the past
- \*encourage the development of affordable housing which is compatible with the density, character and scale of existing residential areas
- \*protect residential zones from enrollment by commercial uses
- \*encourage livability, pedestrian orientation, and retain the historic character of the community, limiting stress factors such as noise pollution and traffic congestion
- \*protect private citizen rights while also protecting the welfare of the community as a whole

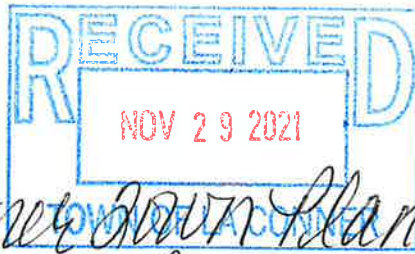
This project would be more acceptable if the design fit more into the historical nature of the neighborhood, be scaled back in size and height to fit in with surrounding properties. La Conner is a tourist destination because of it's history, character, size, recreation options and location. All the small businesses such as restaurants, hotels and shops create a need for workers. These workers are in the lower income range and need local housing. These needs are addressed in the Comp Plan, but not being met and projects like this could gobble up the limited land that's still available to address these needs. Our goal should be to meet the Towns needs not the developers.



Thank you for examining this project.

Regards

Don Pendleton and Kathy Shiner



November 28, 2021

La Conner Town Planner Michael Davelio  
La Conner Planning Commission  
La Conner Town Council

As a current owner, and resident of 409 Centre Street, I am writing pertaining the application by Ken Olson, for construction of a residential building that includes 14 long-term dwelling units and 6 short-term dwelling units, all being rentals located at 306 Centre Street, La Conner.

There will be huge adverse impacts on this sight and neighborhood. The property was formerly occupied by a gas station and holding tanks storing heating oil.

The 4" water line installed in 1958 will not be sufficient along

with the sewer system.

Our beautiful neighborhood  
and small town will be greatly  
impacted by a project of this  
size.

Respectively,

Jerry Shull  
Anna Shull  
360 770 1771  
409 Centre St  
Seconnet Ga

## Danielle Freiburger

---

**From:** Michael Davolio <planner@townoflaconner.org>  
**Sent:** Tuesday, November 30, 2021 10:31 AM  
**To:** Danielle Freiburger  
**Subject:** FW: Comments on 306 Centre Street, La Conner

Michael Davolio, AICP  
Planning Director

Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257  
PHONE: (360) 466-3125 | WEB: [www.townoflaconner.org](http://www.townoflaconner.org)

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-----Original Message-----

From: Linda Shull [<mailto:jlsommershack@gmail.com>]  
Sent: Monday, November 29, 2021 8:55 AM  
To: [planner@townoflaconner.org](mailto:planner@townoflaconner.org)  
Subject: Comments on 306 Centre Street, La Conner

Please forward this on to the following;

La Conner Town Planner, Michael Davolio  
La Conner Planning Commissioners  
La Conner Town Council

As a current co-owner and resident of 409 Centre Street, I am writing pertaining the application by Ken Olsen, for the construction of a 3 story residential building that includes 14 long-term dwelling units and 6 short term dwelling units, all being rentals, located at 306 Centre Street, La Conner WA.

There will be huge adverse impacts on this sight and neighborhood. The property was formally occupied by a gas station and holding tanks storing heating oil.

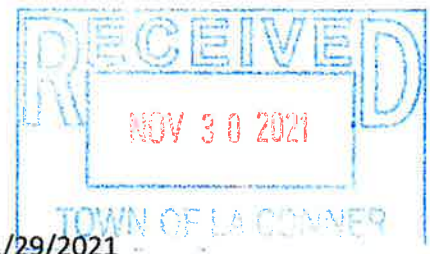
The 4" water line installed in 1958 will not be sufficient along with the sewer system in the area.

Our beautiful neighborhood and small town will be greatly impacted by a project of this size.

Thank you, for caring.

Respectively,

Jerry Shull  
409 Centre Street  
La Conner Wa 98057  
360 770 1771



11/29/2021

To:  
LaConner Town Planning Director Michael Davolio  
LaConner Town Planning Commission  
LaConner Town Council

We are writing regarding the application for construction at 306 Centre St., LaConner, WA 98257. As the current residents of 307 Centre St., we feel the need to express our shock and disgust at the size of and corresponding effect that the proposed apartment unit would have. It is obvious that the developer is attempting to maximize income from this project and disregarding the residents of this neighborhood.

How would you feel if a building of this size were to go in right next to your home? Three stories and 20 units would lead to an exponential increase in traffic, noise and risk to our child and pet. It would also block our entire southern facing street view and eliminate privacy.

Who are the intended tenants for these units? A small apartment with no yard is not appealing to families and we believe that the town should prioritize housing that is. Long-term residents and families are the foundation of a community. Our school district depends on new enrollments.

We are of the opinion that a conditional use permit should not be allowed for long-term rentals unless they are family friendly apartment units. According to the LaConner's own Residential Zone multi-family dwelling unit standards (15.20.090): there should be a minimum of 8,000 square ft. for the first 2 units and 3,000 square ft. for each additional unit. The proposed project does not meet the land use developments currently allowed under code number 15.20.050.

If the town is expected to issue a Determination of Non-significance (DSN) of environmental impact, that would be a mistake. The soil contamination tests previously performed do not include the footprint of the proposed project. As residents of this neighborhood for more than 10 years, we have personally witnessed the ongoing use of the dilapidated garage as a mechanic shop and as well as the site of potential drug lab activity. We are requesting that, regardless of how the site is permitted, an adequate site investigation is done.

We are requesting additional notification about this proposal application file # LU21-56CU, LU21-57SEPA.

Thank you for considering our concerns,

Rachael Sobczak

(360)420-4410

Frank Liddell

(360)466-9289

PO Box 621

LaConner WA, 98257

11-30-21

## Danielle Freiburger

---

**From:** Michael Davolio <planner@townoflaconner.org>  
**Sent:** Tuesday, November 30, 2021 10:30 AM  
**To:** Danielle Freiburger  
**Subject:** FW: 306 Center St

Michael Davolio, AICP  
Planning Director

Town of La Conner  
PO Box 400  
204 Douglas Street  
La Conner, WA 98257  
PHONE: (360) 466-3125 | WEB: [www.townoflaconner.org](http://www.townoflaconner.org)

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-----Original Message-----

From: Earl Striegel [<mailto:thenendobuck@gmail.com>]  
Sent: Monday, November 29, 2021 10:13 AM  
To: Michael Davolio  
Subject: 306 Center St

Good morning,

I have only one question and concern re: this project. With the number of units and the potential of 28+ cars, does this project have on-site parking? If not, why not as this would turn the surrounding residential street into a parking mess.

I would hope that the has enough good sense to not allow this to happen.

Thanks,  
Eat Striegel,  
413 EStateSt, L C  
360 333 4914



## Andrea - Deputy Clerk

---

**From:** Scott Thomas <administrator@townoflaconner.org>  
**Sent:** Thursday, July 22, 2021 1:46 PM  
**To:** Andrea Moore  
**Subject:** FW: AGREEMENT FOR EXTINGUISHMENT OF EASEMENT, Council July 13, 2021.pdf  
**Attachments:** att13971.txt; AGREEMENT FOR EXTINGUISHMENT OF EASEMENT, Council July 13, 2021.pdf

Scott Thomas  
Administrator/ Town Attorney

Town of La Conner  
204 Douglas Street, PO Box 400  
La Conner, WA 98257  
Phone: (360) 466-3125  
Fax: (360) 466-3901  
Website: [www.townoflaconner.org](http://www.townoflaconner.org)  
NOTICE: Incoming and outgoing emails are subject to public disclosure requirements.

La Conner – it leaves you speechless, and then turns you into a storyteller.

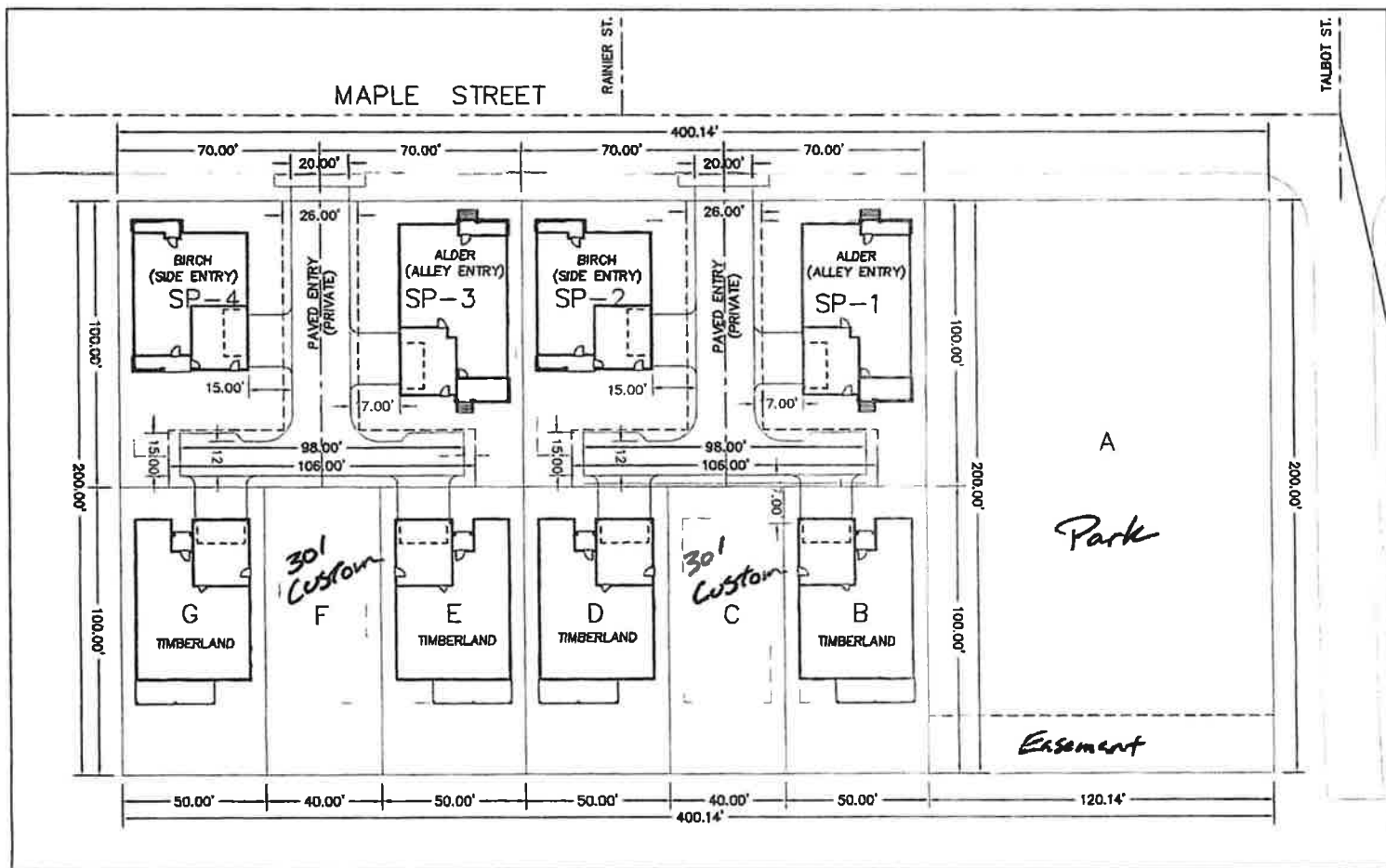
### -----Original Message-----

**From:** Linda Talman [mailto:linda.talman@gmail.com]  
**Sent:** Monday, July 19, 2021 9:46 AM  
**To:** Catey Ritchie; Mike Ritchie; acmcdade@gmail.com; julesriske@gmail.com; amcfeely62@gmail.com; Crescent Moon Yoga; mwohleb  
**Cc:** Scott Thomas; planner@townoflaconner.org  
**Subject:** AGREEMENT FOR EXTINGUISHMENT OF EASEMENT, Council July 13, 2021.pdf

Look on page seven of this pdf. These houses - which are larger than are allowed by the town contract allowed are too close to the park in the north.

There is no advantage to the town in signing the proposed gentry contract.





Mr. Michael Davolio, Planning Director  
Town of La Conner  
P.O. Box 400  
La Conner, WA 98257

Re: Notice of Application File # LU21-56CU & LU21-SEPA  
Preliminary Determination of Non-Significance (PDNS)  
KSA Investments, LLC Project at 306 Center Street

Dear Mr. Daviolo and Planning Commissioners:

My name is Linda Talman and I live on the corner of 5th and Centre, La Conner. From my porch I can see the project location proposed by KSA Investments, LLC, (KSA) and I am submitting the following comments on the above referenced project.

1. For the following reasons, the Applicant has not submitted “complete applications” for the Master Permit or Conditional Use Permit – the determination of completeness should be withdrawn for both applications and the applicant should be directed to submit new applications with complete information in order to proceed with the project.
  - a. The legal description of the site in the Master Permit is described as “lots 3 to 8 inclusive and the east 3 feet of lots 1 and 2 in Block 9 of the Calhoun Addition.” KSA, the owner of the proposed project, owns lots 3, 6 and 7 together with the east 3 feet of lot 2 in the Calhoun Addition, but it does not own lots 4, 5 and 8 or the east 3 feet of lot 1 in the Calhoun Addition. Lindeman Properties, LLC owns the latter property and is not a party to the applications for either permit.
  - b. The Master Permit describes “other structures” on the property as one manufactured home and one garage, but there is a very large building between 5,000 and 6,000 square feet on lots 6 and 7 which are within the legal description of the proposed site.
  - c. The Project Description for both applications includes “1 Apartment Building with 14 dwelling units and 6 B&B Units with associated parking (on) 3 floors,” but B&B (Bed and Breakfast) Units are not an allowable use (permitted or conditional) in the Commercial District where this project is proposed. The drawings attached to the applications show 20 dwelling units – 14 proposed for long term residents and 6 proposed for short term rental.

- d. The Project Site is described as Parcel # 74143 but lots 4, 5 & 8 and the east 3 feet of lot 1 which are included in the legal description are located in Parcel # 74144 which is not included in the applications and as noted above are owned by Lindeman Properties, LLC - not an applicant for the proposed project. The Site Address in both applications is listed as 310 Center Street, but according to the property records maintained by the Skagit County Assessor, the address of the project proposed to be constructed on Parcel #74143 is 306 Center Street.
2. For the following reasons, the application does not meet the criteria for Conditional Use Permits in UDC 15.135.190, including the requirement that the applicant submit "evidence substantiating that all of the requirements of this code relative to the proposed project are satisfied" including the requirements for conditional uses in UDC 15.35.030 and the dimensional standards in UDC 15.35.040:
    - a. The project proposes to include 6 B&B (Bed and Breakfast) Units which are not uses "listed as a conditional use in the underlying district."
    - b. The project is proposed to be constructed on 3 lots that total 15,296 square feet, but it is located within the Morris Street Commercial District where the maximum lot size is 10,000 square feet (UDC 15.35.040(2)). Each of the 3 lots has separate setback requirements and unless aggregated, the project will need to be reduced in size to fit one or more of the existing lots with a maximum building foot print of 4,000 square feet (80% of 5,000) for each lot.
    - c. The setbacks from South Fourth and Center Streets are "not sufficient to mitigate potential adverse impacts that might emerge from the proposed conditional use." UDC 15.35.040(5)(a) provides that: "the side yard setback shall be 10 feet and the rear yard setback shall be 25 feet." This provision was drafted for commercial uses on properties that front Morris Street and have residential properties "behind them." The clear intent of this provision is to require a 25-foot setback on the side of the property that abuts a residential zone – here the residences on South Fourth and Center Streets. The project drawings show 5-foot setbacks for the two front setbacks, a 5-foot setback for one side yard and a 10-foot setback for the other side yard. These clearly do not meet the requirements of UDC 15.35.040(5)(a) even for the applicant's oversized 15,296 square foot lot.
    - d. UDC 15.35.040(7) provides that the "maximum floor area shall be no more than 2 times the property area." The drawings show the property dimensions as 152.96 by 100 which equals 15,296 feet. The dimension of the structure –

less a few cutouts that do not have dimensions and less the 5-foot front and side yard setback and 10-foot rear setback is 142.96 by 85 which equals 12,151.6 square feet. These dimensions far exceed the requirements for a project with a maximum lot size of 10,000 square feet.

- e. As proposed, the project is clearly too large: (1) it appears to cover most of Parcel #74143 which includes all 3 lots and is 15,246 square feet; (2) the building footprint appears to exceed the maximum lot coverage on a maximum size lot which would be 8,000 square feet (80% of 10,000); and (3) the building floor area appears to exceed the maximum floor area which would be 20,000 square feet (2x 10,000).
- f. UDC 15.35.030(2) provides that “Dwelling units, attached or unattached, are not to exceed 49 percent of the square footage . . . . . on the ground floor.” Again, there are no drawings or anything else in the application that provides the square footage of the floors or the dwelling units on the ground floor. However, the narrative provided to support the conditional use application states that 51% of the ground floor units must be commercial (i.e. B+B/VRBO). The code DOES NOT require the ground floor dwelling units to be commercial – they can be long term residential – and the maximum square footage for dwelling units on the ground floor is 49% and not 51%.
- g. The Town’s Notice of Application and Preliminary Determination of Non-Significance states that “short term rentals are permitted by right and long-term rentals are allowed subject to a Conditional Use Permit.” However, long-term and short-term rentals (Guest Houses) both require a conditional use permit pursuant to UDC 15.35.030(2)&(8).
- h.
- i. The parking for the project is inadequate. Each of the 20 residential units must have two onsite parking places. Only half of the 40 required spaces can be compact size. There must be a site for handicapped use. None of parking places can be in the street ROW. The lighting from the parking cannot intrude onto the residences on 4th St. There is no indication of the size of the parking. There is also no indication of how that parking will be accessed to and from a street with families. There is also no indication of how the parking will mesh from the flood elevation to the street. There is also no indication of how the requirements of the parking of Sliders and the Marshall Arts Academy will mesh with the new project. ((15.90.030) (photo evidence in appendix)

- j. “Conditional use” means a use addressing a limited or specific need...(Definitions). The applicant cannot make a case for the need for guest housing. [Ord. 901 § 2, 2003; Ord. 671 § 2, 1995.]
  - k. In the CUP Narrative the applicant states “The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district.” (CUP narrative d) If the project were limited to a two story residential project, that might be said to be true. But as it is, it is 20 ‘ taller than Sliders (south), 10” over the peak of the yellow residence to the north. (Measured with a laser.) (Photo evidence in appendix.)
3. For the following reasons, the SEPA Environmental Checklist submitted by the Applicant is incomplete and lacking required information. A DNS or MDNS should not be issued until all the relevant information is provided.
- a. Section A.11. asks the applicant to “Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. The applicant responded “See attached documents – drawings and text.” For many of the reasons discussed above, this response does not answer the question or provide the information requested: (1) none of the documents provide the lot size, the square footage of the building footprint to evaluate the maximum lot coverage, the floor area of the entire project to evaluate the maximum floor area, the square footage of the landscaped area to evaluate the minimum landscaping area, setbacks from adjacent roads and other lots, or drawings that show elevations with heights of floors and the height of the overall building.
  - b. Section A.12 asks the applicant to “give sufficient information for a person to understand the precise location of your proposed project.” The applicant responded “See attached documents – drawings and text.” Again, for many of the reasons discussed above, this response is confusing and does not provide sufficient information: the project location is described as Parcel # 74143 but also includes lots 4, 5 & 8 that are not owned by the applicant and adjacent to Parcel # 74143.
  - c. Section B.1.c. asks “What general types of soils are found on the site” and the applicant’s response was “To be determined by Geotech.” A DNS or an MDNS should not be issued until the Geotech report has been submitted by the

applicant. See response to Section B.7. – Environmental Health – for information about the history of past soil contamination.

- d. Section B.1.e. asks the applicant to “Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. The applicant responded “No fill.” This answer is incomplete. The applicant has indicated that the site will be graded, but did not submit a grading plan or any description of what the grading will be done on the site.
- e. Section B.7.a. asks “Are there any health environmental health hazards, including exposure to toxic chemicals . . . . that could occur as a result of this proposal and then asks 5 specific questions? The applicant answered “None” to all of the questions. However, the property was formerly used as part of a business that provided gasoline for cars and trucks and home heating oil. Local residents have witnessed oil spills on the property from delivery trucks and there is some concern about the past use of the garage to store and mix toxic chemicals. Further research should be required before a final environmental determination is made.

The application is incomplete and incorrect and the proposal is intrusive to the neighborhood.

Regards,

Linda Z Talman

Attachment









### **Photo #3 and # 4 - Modeling the height.**

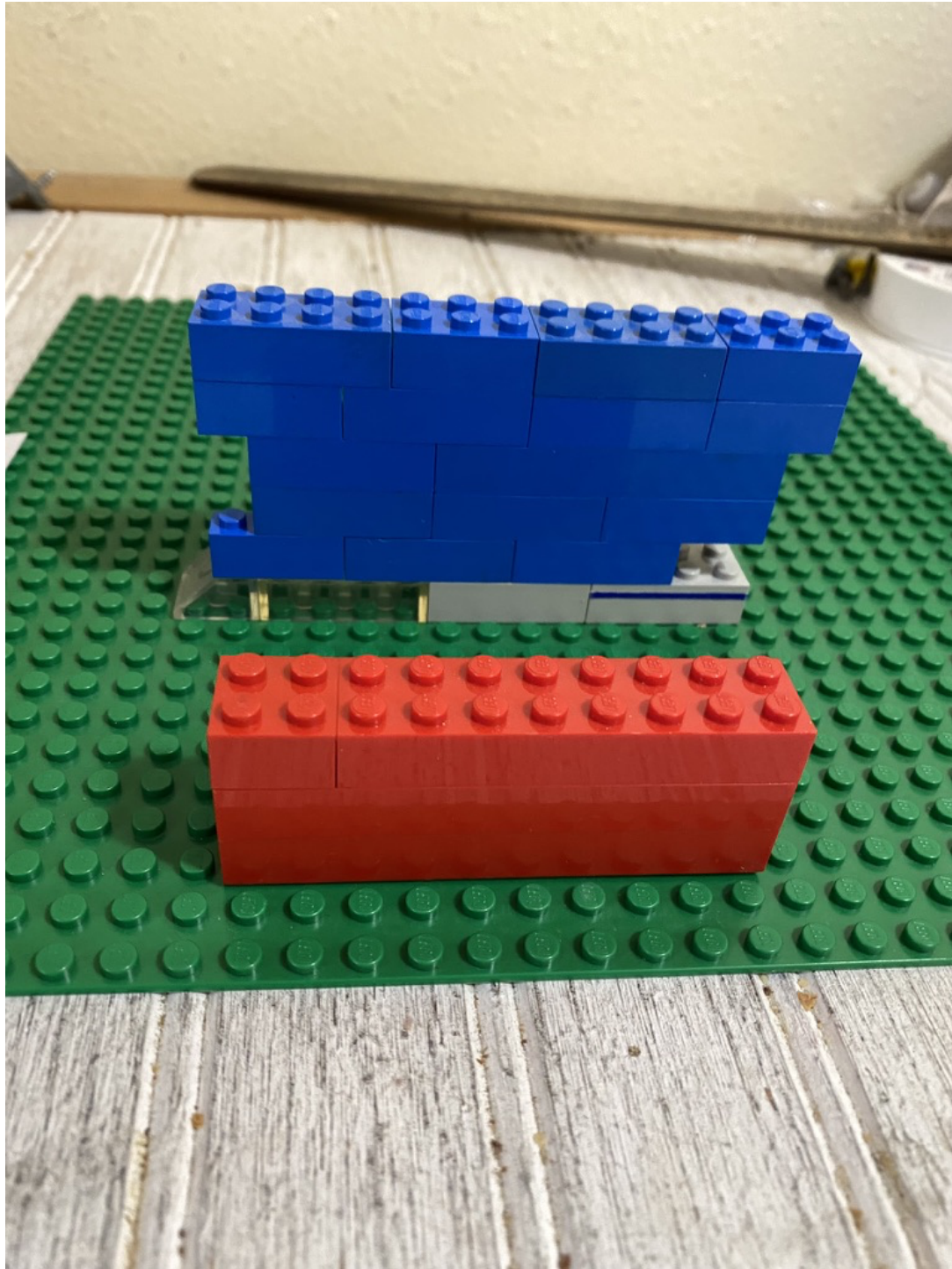
Lego blocks to model the height only on the Sliders and on the proposed project. Each Lego represents 6 feet in height.

Sliders is 18' as measured by laser. Sliders is the red structure and is not on a raised flood plain.

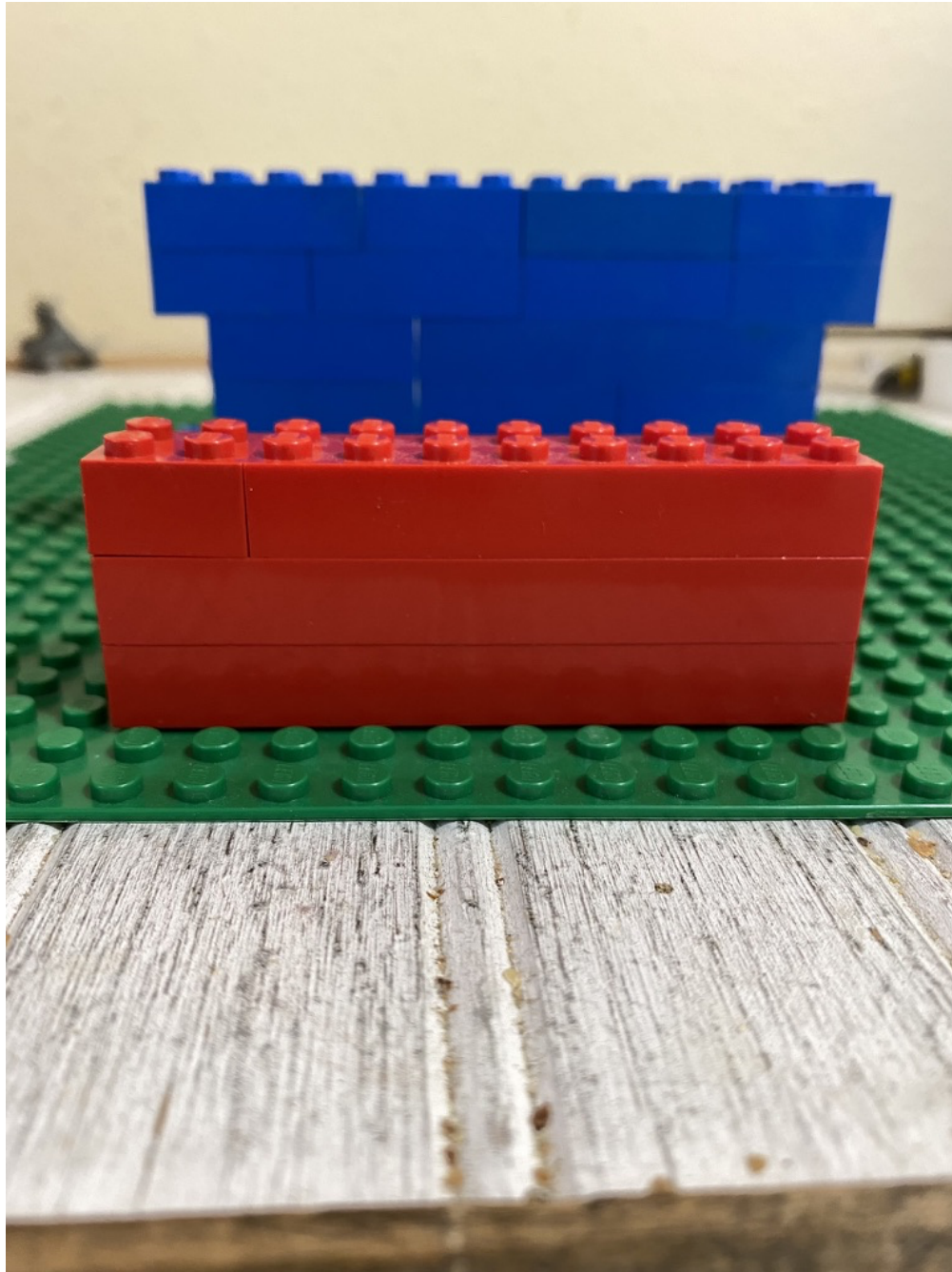
New project is 30' and is modeled in blue. The blocks that are not blue and are under the blue blocks represent the 6' of the flood plain requirement. So it will be 35 or 36' tall. ( The requirement may be 5' but the legos don't accommodate that dimension. )

Sliders faces south. Therefore, the 35 foot structure would cast a shadow on all of the residences between 3rd and 4th on Center/Centre particularly in the winter.

The yellow residence on the corner of Centre and 3rd is 28 feet tall at the peak and therefore at least 6' shorter than its behemoth neighbor but is much narrower in profile. (No pointy legos in the box.)







## Danielle Freiburger

---

**From:** Linda Talman <linda.talman@gmail.com>  
**Sent:** Friday, March 11, 2022 1:03 PM  
**To:** Danielle Freiburger; planner@townoflaconner.org; Scott Thomas  
**Subject:** Ksa project

Dear Planner and PC members-

The KSA project has some serious problems. This letter will provide a simplified summary of the situation. I ask that you add an attachment to this letter of my original letter with its images.

1. This project does not meet the criteria of the CUP. It will provide a negative impact on the neighborhood. It is too big and does not provide buffers with landscaping and setbacks.
- 2 The 25 foot setback BEHIND the property is gratuitous. A pretense to compliance. Putting the setback and landscaping on Center Street would soften the blow to the neighborhood and would make the building look less monstrous. It would also give a park like atmosphere to the renters and residents. It would integrate them into the residential areas. Why would they want to look south.
3. There are not enough measurements on the plans. The units do not have measurements and the decks apparently have not been included. Most couples have a car each and it is my understanding that the plan calls for one compact spot per unit.
- 4 Please enumerate just where and how many spots of parking there are. No one seems to get that in your plan. It appears to have fewer ROW parking spots than it does now.
5. The sidewalk on center goes right through the steps.
6. No one is allowed to build in the right of way. I see no indication of the ROW to Center or 3rd.
7. I see no indication of the 20 percent of required landscaping. It appears that the landscaping, the parking and the setback are all on one.
8. Why would you put the 25 foot setback between you and another commercial use? You certainly are not doing that to be a good neighbor.
- 9 Where are your ev charging spots.
10. Our street has children and grandchildren and friends of kids. And it has people in walkers and on bikes. It has people stopping to chat. A baby lives across for your gated entrance.

Are you going to accept the liability for all that? Or would you rather accept the kudos for a lovely green and welcoming integration - and good model for a project like this. What is the legacy you wish to create?

La Conner deserves so much better than this. Your future clients do too. A well executed project will also attract people willing to enhance your bottom line.

I understand the profit motive. But I also understand the motive to do a job so well that you will make the people happy to have your project here.

Kind regards.

Linda z Talman.

Sent from my iPhone

## Danielle Freiburger

---

**From:** Linda Talman <linda.talman@gmail.com>  
**Sent:** Tuesday, March 29, 2022 7:56 PM  
**To:** Danielle Freiburger  
**Subject:** 306 center

Sorry for the format issues Danielle I sent it to myself so I would inadvertently delete it from my phone.

For the hearing examiner.

>

> To the hearing examiner:

> Please include in my testimony the first letter I sent which includes photos of the parking problems which already exist and a photo the model demonstrating lack of scale of the proposal. And also include my second letter which addresses setbacks.

> The proposal completely alters the character of the surrounding area- not because it is residential but because it is just plain too much of everything - too big, too dangerous to the children of the neighborhood, and too lacking in green space.

> There is too little parking for too many people. The condos will likely have two cars per unit. The plan is for one compact per unit.

> That is a reason for denial as it is another way to alter the character of the surrounding area.

> The placement of the large setback on the south side baffles the mind. A setback should protect the residential neighborhood from the commercial- not commercial from commercial. Having the giant facade stretch to the limits is still another way to alter the character of the neighborhood- strike three against the development. It looks like Burlington Boulevard or Alderwood.

>

>

> In addition there are the soils reports. Both are in line with professional standards of practice except . . .

>

> I don't understand why test borings for discovery of contaminated soils were not done north of the rather narrow band of borings along the southerly subject property boundary. This seems like an obvious omission not thoroughly explained in the report.

>

> Again, who is going to provide oversight of excavation activity? It's going to be an expensive process, both having the experts on site and slowing the excavation process. History at the site doesn't demonstrate much respect for city requirements by this owner. It's not unusual for excavators to run roughshod over such requirements in an effort to get on with the work.

>

> It looks like there will also need to be have another soils expert on site, not only in regard to contaminated soils, but also for foundation excavation and fill compaction, as well as an archaeologist. How can we be sure this all actually gets accomplished as required. Who from the city understands all these overlapping responsibilities for inspection and reporting, and possibly for stopping the work. So, there will be three separate professionals on site during excavation, as well as someone from the city to be sure all of this oversight is actually taking place according to the stipulations in the permit.

I don't know why anyone would want to alter the character of the Center Street neighborhood when doing it with class would likely be good business.

Regards  
Linda Talman

>

>

> Sent from my iPhone

Sent from my iPhone

Dear Mr. Hearing Examiner:

I am a resident of Center Street. I “attended” the zoom meeting and wish to speak to some of the misinformation presented at the meeting and reiterate some of the information that I presented orally but did not put into writing previous to this letter. I stand by my previous communications as well.

### **Misinformation**

#### **One of the attendees stated that we never rezone.**

In reality, we often do –especially when it is convenient to a developer. (I was on the Planning Commission for a long time - until Maple Street rezone happened.)

The town can rezone and has rezoned multiple times. E.g. 1. South end transition zone. 2. Maple field. 3. The dentist’s office. 4. The COA building. 5. The Doctor’s office. 6. The old police office. 7. And some of the buildings on the north end of Maple.) We also allowed for the change of use on some buildings on Morris when it became apparent that the residences that had become commercial but were no longer commercially viable were allowed to revert to residential. (i.e., the home next to Santo Coyote.) This is why the Morris Street Commercial Zone was created. (Maybe 1988)

#### **The Bo Miller plan**

The Bo Miller plan was never brought to the PC as was suggested by the KSA team. It was just a concept plan meant to attract a buyer for the property. It apparently worked.

#### **Crime will be a problem.**

No. When you asked Michael what the objections were - you asked if traffic and crime were the objections. And he said yes. Traffic and crime. No one of the objectors ever made that assertion. Where did he get that idea?

#### **The property is not in the Morris Street Commercial District**

Well, it is. It doesn’t make sense for the property on the north part of that parcel to be allowed to be anything but that. The intentions of the people on the council at that time (Bud Moore was Mayor) were likely swayed by the petition from the populace in 1988 to not allow commercial encroachment into neighborhoods. The MSCD was a step down in scale from full blown commercial. The lot should not be more than 10000 sq ft. (If I were the developer, I would make the project nicer with green space and EV chargers and make them cost more so it can be done and still make a profit)

#### **The back half of the property was not a gas station**

No, it was worse. It stored oil products and also delivered them in town for heating purposes, our house included.

#### **The demolition went smoothly**



The demolition left a great big pile of trash after the building was removed. The town had to admonish KSA and tell them that if they town had to do it it would cost them and that was only because neighborhood complaint were made.

**The project will not alter the character of the neighborhood.**

Planner states (section D of CUP Narrative) that it will bring business to town. This is so unrelated that I find it difficult to grace it with a response.

**The following is information gleaned from FOI requests:**

One of the internal letters from the KSA teamed bragged that they could put in a car wash if they didn't get their way. So threatening is apparently the MO for this team as it occurred again at the zoom. I could look for that letter if necessary but I don't think it is was necessary since other threats of that nature were made publicly.

(Italicized parts from KSA team correspondences.

*We are working closely with the Town of La Conner Fire Marshal and the Skagit County Fire Department to assure that all fire safety requirements including water pressure, sprinklers, and complete access are met. The building traffic flow will provide for emergency calls to residents including an elevator that will accommodate wheelchairs and gurneys. I don't believe this has occurred. Furthermore, when a fire alarm goes off, the elevators don't work.*

*The building design has not been started but it will be designed to fit in with La Conner and neighborhood architecture. It will be surrounded by new sidewalks and with landscaping appropriate and fitting to the town of La Conner. It will have a low profile and prestigious look that will enhance the neighborhood. Parking will be in the rear of the building and will be gated. It does not fit with the neighborhood one bit. Come see the neighborhood. Low profile??*

*The target market for the permanent single family residences, from which we have received considerable interest, will be retirees and seniors who wish to downsize from their current larger homes into a residence of equal quality with an easier to maintain environment. Conveniently located to downtown and within walking distance is critical to these residents. The units will be individually designed and titled to allow for purchase, lease, or rent. There may be exceptions from the target market as they will of course be offered without prejudice to all qualified buyers. KSA was unsure about whether the first floor would be condo-ized. And who would be responsible to the agreements and promises made.*

## **Re the Comprehensive Plan - our guiding principles.**

The Plan states only that we need more affordable housing. It repeats this numerous times. This expensive project housing is not what was indicated by the plan and cannot be used to defend it.

The Plan has a whole section (K) on Neighborhood Conservation. 5K-1, 5K-3, 5K-3, 5K-4, and 5K-5 are most relevant. Part K was written this way for good reasons.. The project is not allowed to violate the Comp Plan.

## **The soil.**

I would swear under the oath I took at the Zoom the following is true:

—There was a bore hole made and abandoned behind the demolished building. Who did it and why was it abandoned? Since part of the misinformation given at the Zoom was that there was about the use of the north part of the property, I can see where that order may have come from.

—The bore holes on the south property line were in the wrong place. I spoke with the workers and pointed out that these were in the wrong place. They indicated that that is what they were told to do... and though I do not remember their exact words, I do remember the event.

They should not receive the CUP for so many reasons. Misinformation should not be the basis for a decision. And this project does not comply with the Comp Plan and it should. No one that I know of is against having some apartments there.

But not these.

Thank you.

Kind regards,

Linda Talman  
202 N Fifth (corner of 5th and Center)

## Danielle Freiberger

---

**From:** Linda Talman <linda.talman@gmail.com>  
**Sent:** Wednesday, April 06, 2022 12:46 PM  
**To:** Danielle Freiberger  
**Subject:** Photo tour- Morris and center for hearing examiner  
**Attachments:** IMG\_7570.jpg; att28145.txt; IMG\_7571.jpg; att23281.txt; IMG\_7572.jpg; att16827.txt; IMG\_7573.jpg; att09961.txt; IMG\_7574.jpg; att00491.txt; IMG\_7575.jpg; att02995.txt; IMG\_7576.jpg; att11942.txt; IMG\_7578.jpg; att04827.txt; IMG\_7579.jpg; att05436.txt; IMG\_7580.jpg; att32391.txt

To the hearing examiner- a walking tour of the Morris Street commercial district and Center Street The intent of that district was to preserve its character.

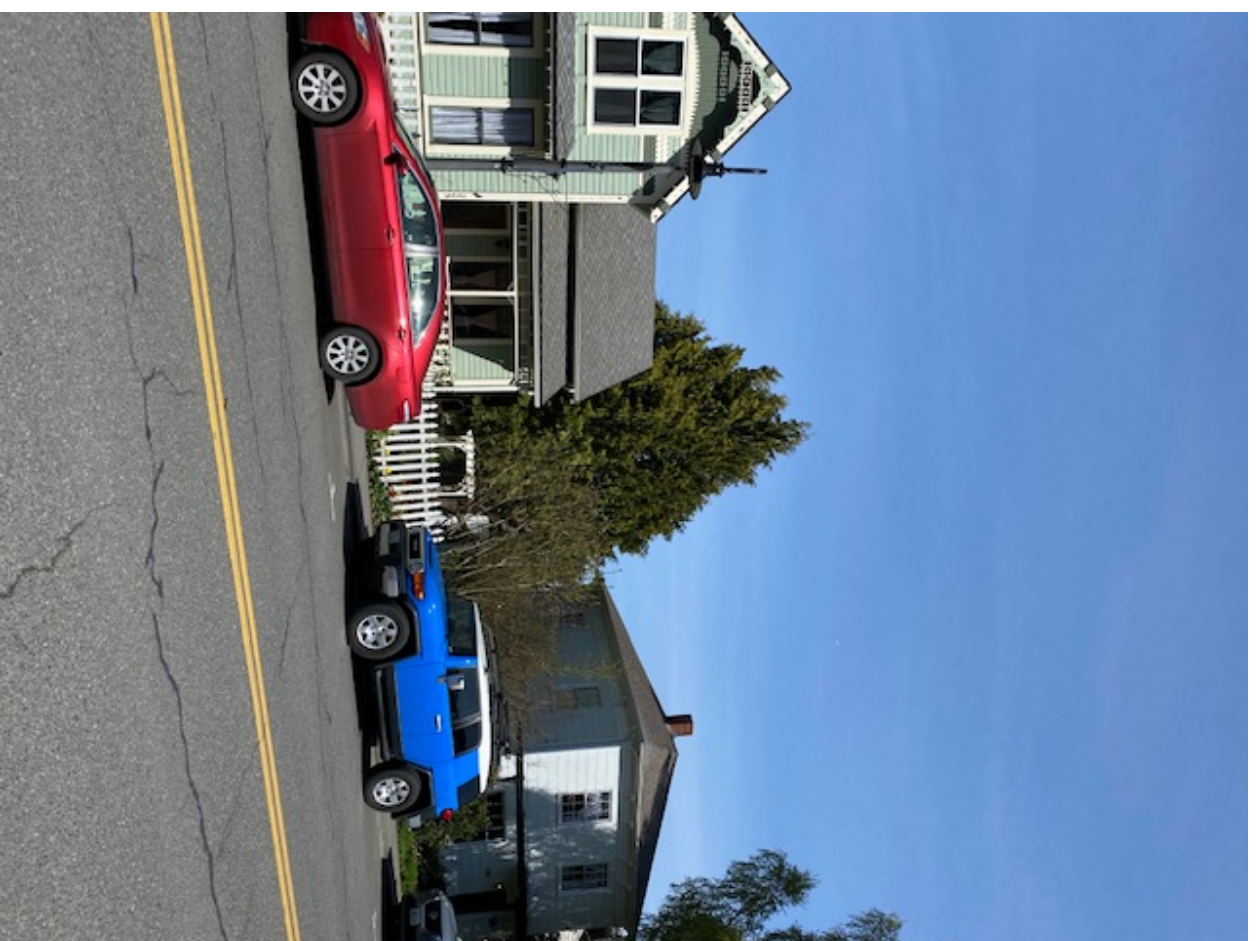
It makes no sense to allow something larger on Center than is allowed on all of Morris.

Regards,

Linda talman

5th and Center since 1972

Former pc member



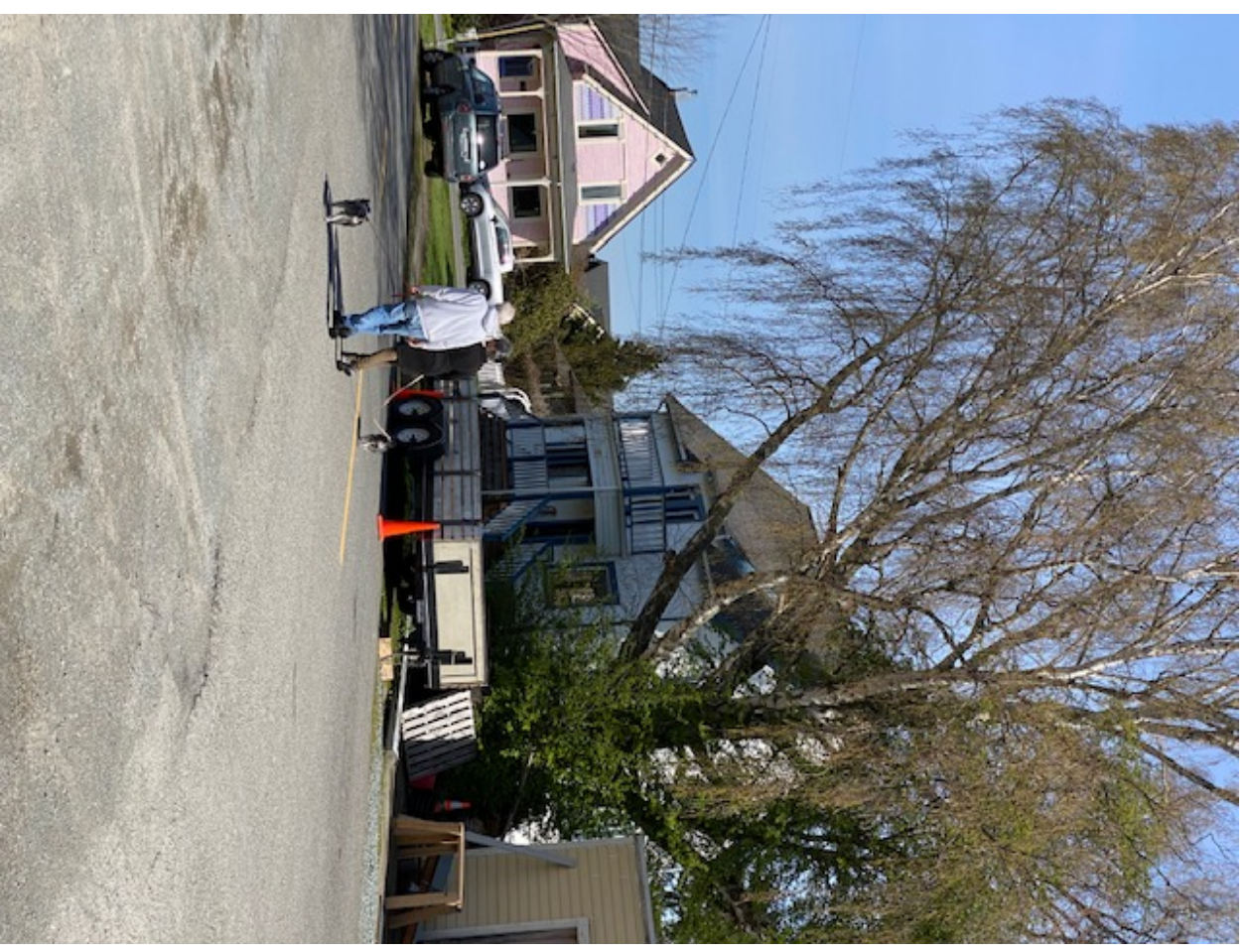


















March 9, 2022



Michael Davolio  
Town of La Conner Planning Director  
P.O. Box 400  
La Conner, WA 98257

Dear Mr. Davolio -

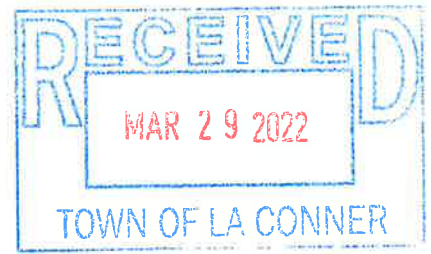
As I will be unable to attend either of the hearings, I wanted to make you aware of my support for the Center Street apartment project. I have been a property owner in La Conner for the last 25 years. Having this quality of apartment housing in our town would be an asset.

Thank you for making note of my support. I look forward to + hope that this project is allowed to move ahead.

Regards,

Marilyn E Thostenson

Marilyn Thostenson  
805 S. Whatcom St.  
La Conner, WA 98257



March 25, 2020

To Town of La Conner Planning Director and Hearing Examiner,

I lived in La Conner all my grade school and high school years and have always said La Conner is my home. My sister and her family still live here and my parents both lived here until they passed away. I plan on returning to La Conner to retire here in the coming years. At that time, I will most likely be walking for most of my errands and activities. I would love to have a place to live like the proposed residential building on 603 Centre Street. I will need a single level living space and I will want to be within walking distance to town. There are very few options like this available. I hope that you will see that there is a great need for pleasing accommodations like this to be built and enjoyed in the beautiful town of La Conner.

Thank you,

A handwritten signature in cursive script that reads "Kathy Thurmond".

Kathy Thurmond  
12647 Eagle Drive  
Burlington, WA 98233

## Danielle Freiburger

---

**From:** Richard Widdop <richard.widdop@gmail.com>  
**Sent:** Wednesday, December 01, 2021 2:11 PM  
**To:** planner@townoflaconner.org  
**Cc:** planning@townoflaconner.org; Susan Widdop  
**Subject:** Centre Street Proposal

December 1, 2021

To: Town Planner

RE: Center Street Project

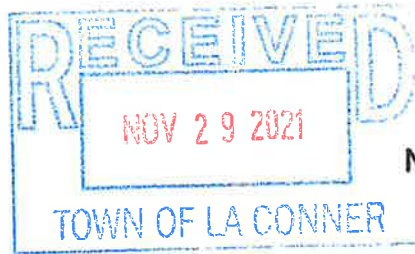
Here we go again. Another development. Another letter. The developer A letter about the incomplete, inappropriate plan for apartments on Center Street before you. This developer's plan is wrong for so many reasons:

1. 1. The plan before you is preliminary. There are no elevations. Is this because the developer does not want you to know how out of scale this 2-story building is compared to the immediate single story residential neighborhood on the north side. Or the scale of the project towering over the single-story businesses on the south side?
2. 2. The site is zoned commercial.
3. 3. The proposed 2 story apartment building would cast a shadow over the traditional one-story residence on the north side. This project needs to be single-story to be in scale with the business on Morris Street and the residences on Center Street.
4. 4. The Bed and Breakfasts noted on the plan is laughable. Even I know Bed and Breakfasts must be owner occupied. The developer may call these short-term rentals another term. With hotels, guests houses, Bed and Breakfasts, already available in town, the town really needs affordable housing.
5. 5. Ahh. Affordable housing. Here is another opportunity. Is the town government going to seize on the possibility of business employees to be able to afford to live in the town they work in. Affordable housing is the vision of the Comprehensive Plan.
6. 6. Finally, parking. 20 apartments. 20 compact parking spaces. The bestselling vehicles in the US are SUVs and trucks. Where are they going to park? In front of residences? I am already scratching my head over where 1.9 cars average per household are going to park on Snapdragon Hill and Maple St.

Scale, impact, appropriateness of project, parking impact on neighborhood are all reasons the town planner and planning commission should refuse this project.

Respectfully, Susan and Richard Widdop, 521 South 4<sup>th</sup> St., LaConner  
(please confirm receipt of this email.)

To:  
Mr. Michael Davolio  
La Conner Town Council  
& All Concerned



November 28<sup>th</sup>, 2021

As a forty-five + year resident of La Conner and a former resident of Centre Street, I want to respond to the proposed building at 306 Centre. That site is one of many in town that has carried the friction historically between commercial and residential interests. In La Conner these borders are sites of strife, mainly because the interests of residents have long taken a back seat while commercial interests flourished.

Back in the 1980's, when I lived on Centre Street, the site in question was changed from residential to commercial at the request of the owners, with a promise to the neighborhood that the commercial interest, namely a tavern that hosted live music, would be constrained from impacting the nearby residents. One and a half foot tall trees were planted along the border as a "buffer" to the visual and audio impacts. Everyone I talked to at the time in the neighborhood felt our concerns were being mocked. There was also a promise that the windows of the tavern would remain closed during music nights, but they were open throughout the summer, and the agreement, though legally binding, was never enforced. Loud music rocked the neighborhood every Saturday night for years, and cars peeled out at all hours, driven by impaired drivers. But at least there were those little trees!

Now a new commercial use is proposed, one that sets six vacation rentals at the edge of that friction. It appears from the design that tourists will be entering and exiting from Centre Street – a really bad idea.

Another issue I'd like to raise is this: As the town accommodates high end ambitions proposed to enrich the property owners and justified by the town's goal of increasing density and raising tax revenue, we forfeit the possibility of affordable housing, as we have recently done on Snapdragon Hill and Maple Avenue. Opportunities to have a rich and diverse community are disappearing. Already there are few artists who can afford to live here, a population who largely build La Conner's reputation as a worthwhile tourist destination.

I am urging you to imagine our town ten, twenty and thirty years hence. Will our regrets be that we didn't raise enough Hotel Motel Tax? Or will we regret that La Conner became inhospitable to children, pets, Little Leaguers, grandparents, artists and writers? It's already happening my friends.

Thank you,  
Maggie Wilder  
1105 So. 4<sup>th</sup> Street  
La Conner WA 98257

To La Conner Town Planner, Planning Commission and Hearing Examiner  
3/12/202

Dear People,

As a former resident of Centre Street and a current resident of La Conner's neighborhoods for over forty-five years, I am unhappy with the project proposed for 306 Centre. The sheer scale of this building makes it incompatible with the life of those living along Fourth, Centre and Third Streets, and there are many design flaws that will impact the neighborhood as well.

A three-story behemoth means that no one in the surrounding neighborhood who built a fence around their yard for privacy will have any at all. Cars driven by tourists using the short-term rentals, forced through the neighborhood by the poor parking design, will add the kind of traffic most hazardous to children and pets. Think people who don't know where they are, driving at all hours, distracted by novelty, searching for dining opportunities, driving back after an afternoon of wine tasting.

Commercially zoned properties are required, I believe, to mitigate negative impact to abutting residential properties. Years ago a tavern where the Slider Café is now was allowed to have live music with the condition that they not open their windows during live music nights, and that a tree buffer be planted along Centre Street. 18" trees were planted, and the music poured out the windows all summer long. Needless to say, the neighborhood suffered.

Can La Conner accommodate more density without ruining the quality of life here? I believe it starts with good design and more modest proposals. It is not the function of government to aid in financial speculation of developers. It is to serve and protect those of us who live here.

Thank you for your service to these ends.

Sincerely,  
Maggie Wilder  
1105 South 4<sup>th</sup> St.  
La Conner WA 98257

Dear Mr. Lowell,

In the application for Conditional Use, the applicant for the project at 306 Centre Street, La Conner, states that "The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or precludes the use of surrounding properties for the primary uses listed in the underlying district."

I strongly disagree. 20 units will easily quadruple the population of the Centre Street neighborhood with this one single project. Ensuing traffic will impact the residences. Yard privacy will be non-existent, as the view from the third story of this project will include the entire neighborhood.

A more modest and thoughtful project *could* fit into the neighborhood, and the applicant has many options, including requesting a residential rezone, which would bind it to the neighborhood it's impacting. The property was originally residential, and should have remained so.

I think you will find that the La Conner Planning Commission's recommendation to deny was based on sound principles to be found within La Conner Town Code. I refer you to these sections:

15.35.030 (2)  
15.35.035 (3) & (4)  
15.36.030 (3) (4) (a)  
15.36.40 (4, a & ii)  
15.36.060 (3) & (4)

The proposed project has included no mitigation of impact on the surrounding neighborhood. The conditional use clearly should be denied.

Thank you for your service.  
Maggie Wilder  
1105 South 4<sup>th</sup> St.  
La Conner, WA 98257

Dear Mr. Lowell,

April 2<sup>nd</sup>, 2020

Thank you for your service in hearing the concerns of the residents of La Conner.

I actually live on the other side of town from the proposal at 306 Center, but I know everyone in that neighborhood quite well from the 45 years I've lived in La Conner. (And I lived on that street during the 1980s.) I would expect folks from Center Street to come to my defense should someone propose a monstrosity on my block.

I strongly disagree with Mr. Davolio's statement that the applicant has met all the requirements of La Conner code. The law states that it is incumbent on those applying for a conditional use to demonstrate that they are not negatively impacting the abutting zone(s). Those of us on the ground can see so obviously that this "condition" of "conditional use" has not been met. Mr. Davolio is obviously viewing things on paper from a long distance away. In his defense, he is a new planner for La Conner and obviously does not understand the place or its people very well, and so is not fully able to make a sound determination. The planning commissioners, on the other hand, all live in La Conner and walk these streets and know their neighbors and our comprehensive plan.

If you were to take the time to walk through our neighborhoods you would understand why there is such passion for this issue. We aren't Burlington, or any other town in Skagit Valley. People come here for the beauty, serenity and close community. And we are a welcoming bunch. But it is simply not possible for a handful of small families in this neighborhood to absorb twenty units (possibly forty-plus people) in a three-story format. Three stories might be technically allowed, twenty units might be allowed, the applicant might have the numerically required parking places, he might be allowed to have six motel units unsupervised, but **by law** he is not allowed to ruin the neighborhood. Not with erratic traffic patterns, not by destroying everyone's privacy, not with reveling vacationers, not by shading all the properties on the North side of Center street, not by crowding out the parking in front of residences.

The architect is also wrong. It **is** possible to rezone this property to residential. Of historical note, it was zoned residential in the eighties, and before the property was divided. The owner then wanted to create parking for a tavern. Several conditions were attached to the rezone, and none of those conditions stuck. It was the neighborhood that suffered the result.

I question the good faith of the applicant. The demolition of the existing building did happen on a weekend without his calling Public Works. Another point that was overlooked was the required orange safety fence that was supposed to surround the demolition site. Without it the site was accessible by children and pets or any curious bystander. Mr. Atkinson is a dentist, someone who is familiar with details, I would hope. I think the demolition was an act of stealth. And as I



mentioned in my comments, it was not made clear until the planning commissioners persisted with questioning that the "Rental Units" on the second and third floors of this proposal were actually condominiums. This was a significant disclosure that presents a different kind of use. He also hedged when you asked whether the first floor units were condominiums. He says they're "short term rentals" and then admitted later that they might decide to sell them to the occupants. Is he not clear, or is he trying to keep something from you?

Mr. Atkinson and his wife have plenty of money-making options for this property. This is just one that maximizes their investment in a really destructive way for the rest of us. Please don't allow it to proceed.

Thank you for your time and attention.

Sincerely,  
Maggie Wilder  
1105 South 4<sup>th</sup> Street  
La Conner WA 98257