

Planning Commission Minutes – February 8, 2006 Continued from January 25, 2006

At 7:30 p.m. Planning Commission Chair, Ms. Laurie Gere, called the continued meeting of January 25, 2006 to order. Roll call found present: Clay Leming, Marty Laumbattus, Laurie Gere, Bertis Rasco, Larry Nelson, and Betty Kuehn.

Minutes of Previous Meeting

The minutes of the January 25, 2006 meeting were approved on a motion by Commissioner Leming, seconded by Laumbattus, and passed unanimously.

Correspondence

There was no correspondence other than correspondence related to items on the agenda.

The Planning Director, Mr. Ian Munce, took a few minutes to explain the schedule for this evening's meeting, and indicated that Item 5b on the agenda, Shoreline Permit #292 (Morand Seawall Application) had been withdrawn. Mr. Munce announced that this meeting would be continued to Tuesday, February 14 at 7:30 p.m. for the purpose of reviewing the City Revenue/Economic Study with the City Finance Director, Ms. Wanda Johnson.

Mr. Munce concluded by stating that the public comment period for the Comprehensive Plan Update is now closed (January 27) and that the complete package will be mailed to the Commissioners soon.

Old Business

Public Hearing: Ship Harbor Residential Community (Gilbane) – Limited Remand – Project Conditions

The Planning Director, Mr. Ian Munce, gave procedural background of this project: a public hearing was held by the Planning Commission with a recommendation to the Council that this area be rezoned to R2. The City Council sent it back to the Planning Commission requesting additional comments on possible conditions of the project. He then introduced into the record a December 5, 2005 email from Councilmember Loren Hoboy; a December 11, 2005 email from Terry Christiansen; a December 12, 2005 memorandum from Councilmember Cynthia Richardson; a December 19, 2005 letter from Alice E. Brooks, and a February 1, 2006 memorandum from Jon Briggs.

Mr. Bob Elsner, Port of Anacortes, read into the record a letter submitted by the Port. He then introduced Commissioner Keith Rubin, representing the Port of Anacortes, who outlined the benefits that this project would provide for the community. Mr. Rubin introduced Mr. Michael Culbert of Gilbane. Mr. Culbert reviewed the details of the project, highlighting that the Ship Harbor Residential Community is designed to be a pedestrian friendly community for active adults. He then discussed particular questions

presented to him by the Commissioners regarding berms, parking, parks, driveways, and landscaping.

Mr. Ross Barnes, representing Evergreen Islands, spoke regarding the proposed conditions. In particular, he stated that the buffer should be on private property, not in the right-of-way; that the project itself should go through the rezone process; and that storm drainage from this entire project should connect to the present overall storm drain system and not a new storm drain for the shoreline lots. He also spoke in support of some commercial development to serve the residents of this community. He concluded by urging the Commission to ask that this project not be approved until such time as a rezone hearing can take place.

Mr. Gene Derig, 1302 T Avenue, spoke in support of the original position to have this area rezoned. He indicated his concern about the increased traffic in the area. Mr. Jon Briggs, 2808 Morrison Court, urged that Gilbane be required to show the redesigned project. He indicated that without a rezone, the standards to be applied are too vague. He pointed out that a shoreline permit should be required. He agreed with Mr. Barnes that all storm drainage should be connected into the present storm drainage system, and that the window should be opened for some commercial development within the project. He also called for a new and more detailed traffic study. He concluded by urging the Commission to send the project back to the Council for a rezone hearing, which would require a new site plan, another review by the Planning Commission, and additional opportunity for public comment.

Ms. Phyllis Dolph, 2320 26th Street, stated her concerns about traffic, landscaping, and the density of the project. Mr. Bob Boudinot, from the engineering firm of Leonard, Boudinot & Skodje, spoke regarding the drainage indicating that a shoreline permit was granted for the sewer pump station and included the sewer system for the Gilbane property. He indicated that all of the storm drainage will be connected to the existing storm drainage system. In answer to a question from Commissioner Nelson, Mr. Boudinot stated that the storm water will be cleaned with mechanical filtering devices before it is discharged. Ms. Marcia Hunt, 1515 14th Street, urged that the Commission request that this property be rezoned. Mr. Dale King, 4015 Marine Heights Way, had concerns regarding the streets not being developed to full city standards. He pointed out that at least 50% of the lots are of substandard size, and urged the Planning Commission to deny this project and ask the City Council to require a rezone.

Mr. Bob Nixon, 2609 16th Street, stated his concerns about the increased traffic on Oakes Avenue, and asked that the Commission to raise the standards required of this development to reduce the density. Mr. Nick Alphin, 3712 W. 12th Street, noted concerns regarding the beam, development density, and the close proximity of this project to the airport landing pattern.

In answer to previous comments, Mr. Bob Boudinot, Leonard, Boudinot & Skodje, explained that all of the major roads in the development will, in fact, be developed to full city standards. He also pointed out that the Oakes Avenue right-of-way has more than

enough room for future improvements without disturbing the berm and buffer landscaping. Regarding the drainage issues, Mr. Boudinot clarified that a drainage system will be provided for all impervious surfaces, but indicated that drainage will not be provided for the runoff from the yards; however, as streets are built and the runoff is intercepted by the storm drains the amount of such runoff will be decreased.

In answering a question from Commissioner Leming, Mr. Munce explained that the Council has asked for conditions from the Planning Commission in order to be able to make a decision on this project. If, in fact, conditions were developed and a preliminary plan approved then the project would come back to the Planning Commission to develop detailed development standards as part of the final development plan approval. The public hearing was closed.

Mr. Munce then reviewed the staff recommended conditions for this project. Mr. Munce continued by reviewing Councilmember Richardson's proposed conditions. Finally, he reviewed Councilmember Hoboy's submittal containing questions that perhaps should be considered when developing conditions. After discussion, it was moved by Commissioner Nelson, seconded by Commissioner Rasco, that the project as designed be recommended denial and sent back to the City Council with a request for a rezone. Vote: Ayes – Gere, Kuehn, Rasco, Nelson, and Leming. No – Laumbattus. The motion carried.

Continued Open Record Public Hearing: Guest House at 4205 Fidalgo Bay Road – Shoreline Permit #290 – Conditional Application – Residence in CM Zone

Ms. Gere opened the continued Public Hearing to consider a conditional use to construct a single family residence in a Commercial Marine zone (caretakers home), along with Shoreline Permit No. 290. Mr. Munce noted there are standard conditions recommended by Staff with a special condition, which would require a 25 foot vegetated strip along the shoreline.

Jon Briggs, 2808 Morrison Court, spoke against the proposed application to construct an additional single family residence. He also recommended that a tree buffer should be required along the edge of the property. Lastly, Mr. Briggs called attention to a letter he submitted previously to the Commission. Pat Presentin, 443 SW 183rd, Seattle, representative for an adjacent property owner, requested that a 50 foot buffer be required and that the proposed structure be moved away from the shoreline. Mr. Presentin presented pictures to the Commission of the site. Lastly, he recommended that the Commission require the applicant to provide public access, shading of the beach, and a 50 foot buffer. Mr. Ross Barnes, 1004 7th Street, suggested that the Commission add conditions to the project, such as a 20 foot setback from the trail right-of-way, and public access be provided along the shoreline. Nels Strandberg, representing the Grimm's, explained that the applicant is requesting to construct a single family residence, where a trailer exists now. Mr. Strandberg Mr. Grimm is willing to plant 200 feet of shoreline but he is not willing to provide public access to the beach. These preceding are on tape and filed at City Hall. The Chair closed the public hearing.

After discussion, the Commission recommended approval of the conditional use and Shoreline Permit #290 with staff conditions as amended by the Planning Commission. This action was taken on a motion by Commissioner Kuehn, seconded by Commissioner Nelson, and passed unanimously.

New Business

Public Hearing: Shoreline Permit #291 – MJB/maintenance dredging/beneficial use

Finally, the Chair, Ms. Laurie Gere introduced Shoreline Permit #291. Mr. Ian Munce, Planning Director, explained that the shoreline permit would allow for 13 acres of eelgrass mitigation in Fidalgo Bay.

Mr. Jeff Layton gave an overview of the proposed project. He explained that in order to construct future marina(s) advance eel grass mitigation needs to be accomplished, which will require approximately 13 acres of mitigation. He also informed the Commission that several biological studies have been done. Mr. Layton pointed out that all work will be regulated by the Corps of Engineers and the State Department of Ecology.

Mr. Ross Barnes suggested that the material be monitored during dredging. He also questioned if the proposed mitigation area is sufficient to create enough eel grass. In answering Mr. Barnes concerns, Mr. Layton assured him that the material will be closely monitored by the Department of Ecology. There were no further comments. The public hearing was closed.

After discussion, the Commission approved Shoreline Permit #292 as submitted with the conditions recommended by City Staff. This action was taken on a motion by Commissioner Nelson, seconded by Commissioner Rasco, and passed unanimously.

With that, the Chair, Laurie Gere continued the meeting until February 14, 2006 at 7:30 p.m. to review the Revenue Study with the City Finance Director.

Meeting adjourned at approximately 11:30 p.m.