

TOWN OF COUPEVILLE
PLANNING COMMISSION MEETING
Island County Courthouse Annex Hearing Room
JUNE 5, 2007

CALLED TO ORDER: The Planning Commission Meeting of June 5, 2007 was called to order at 7:01 P.M.

PRESENT: Planning Commission Members present were Chet Baker, Molly McPherson, Doug McFadyen and Barbara Cope.

ABSENT: Planning Commission Member absent was David Day (excused).

STAFF PRESENT: were Town Planner Larry Kwarsick and Recording Secretary Laurel Wilsey.

ELECTION OF VICE CHAIR: Election of a Vice Chair person was held. Planning Commission Member Barbara Cope moved to elect Doug McFadyen as Vice Chair of the Planning Commission. Motion seconded by Planning Commission Member Molly McPherson. There being no discussion, the vote was called. The motion passed unanimously.

APPROVAL OF MINUTES: The minutes of April 3, 2007 were approved as presented.

NEW BUSINESS:

Conditional Use Permit #07-03—Operate a Four-Room Hotel as a Mixed Use.

Larry Kwarsick stated that this is a conditional use permit to operate a four-room hotel located at 602 North Main Street. The hotel would be part of the continued mix use of the property. The second use, which is an existing use, is that of a restaurant.

Larry Kwarsick explained that the applicant Mitchell Howard, owner of The Inn at Penn Cove is purchasing the Blue Goose Inn from Sue Cunningham and Sue Cunningham owner of the Blue Goose Inn is purchasing The Inn at Penn Cove from Howard Mitchell.

The applicant's proposal is to convert the previously approved B&B into a four-room hotel 602 North Main Street. The Jacob Jenne House will contain the restaurant and 3-rooms. Dr. White's Office will be the 4th room with a kitchenette. Previously the B&B operation consisted of three rental rooms and a full-time residential use. The residential use will be abandoned in favor of the fourth room.

The second use of the conditional use permit is that of a restaurant. The restaurant will be operated by another party. The restaurant use was previously restricted in its hours of operation under variance #V00-01 granted to Rosi's Restaurant as stated:

“That the opening times for the restaurant remain outside the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday. Should the restaurant owners desire to serve customers during these restricted hours, they shall provide written confirmation to the Town that one or more property owners within 500 feet of 602 North Main Street have agreed that a total of five spaces are available for restaurant customers. These spaces must be above and beyond the normal requirement for the neighboring use, or these spaces must be customarily available outside the normal business hours of the neighboring use.”

602 North Main Street fronts both North Main Street and NW Sixth Street. There is no vehicular access to the site.

Larry Kwarsick stated that one comment letter was received from Bob Clay. Mr. Clay’s concern was that the property has no on-site parking and with one business already operating on this property (a restaurant), a new additional use will have a negative impact on street parking in this area. Larry Kwarsick commented that this is not a change in use and the parking standards for the hotel and restaurant is less than the requirements for a B&B and restaurant.

Staff recommends approval based on the nine specific findings and four conditions stated in the staff report.

Commissioner McFadyen asked if it should be a requirement to obtain additional parking spaces. Larry Kwarsick stated that if there was a change in use, the applicant would be required to meet the Town’s parking standards.

The restaurant may only be open during off-hours unless off-site parking is provided. This application does not require additional parking spaces, but the recommendation is that the applicant makes a concerted effort to find parking during off-hour business such as the use of the Methodist Church’s parking lot.

Commissioner McPherson asked if they could park at the Courthouse. Larry Kwarsick said that the County makes their own arrangements as to how their parking lots are used during off-hour times. McPherson asked if she parked at the Island County parking lots after hours, would she get a parking ticket. Larry Kwarsick did not know the answer to that question.

Commissioner McFadyen suggested and even encouraged that the applicants find parking without adding new parking spaces.

Applicant Howard Mitchell thanked Larry for his work and explaining how the rules worked. Mr. Mitchell commented that during the 14-years operating The Inn at Penn Cove, the parking requirements did not apply to their overnight guests on NW Seventh Street. During working hours at the County, the NW Seventh Street strip was used by their guests. Sue Cunningham will have parking in back of 702 & 704 N. Main Street for

overnight guests. Mr. Mitchell stated that they felt confident they would be able to find additional parking.

Commissioner McFadyen asked if there was a person at Island County they could contact to see if the County's parking lots were available to non-county workers after business hours. Larry Kwarsick said that Betty Kemp would be the person to contact for additional parking if the applicants are unable to secure off-hour parking at the United Methodist Church's parking lot.

Commissioner Cope said that there may be a hold up on finding out if they can obtain additional parking at the Church's parking lot as they have a new pastor coming July 1, 2007.

Vice Chair McFadyen closed the Public Meeting at 7:25 p.m.

DISCUSSION:

Upon consideration of the applicant's conditional use permit, the main concern stated during this meeting is the issue of parking. Commissioner Cope stated that the use proposed is basically the same as a B&B. She would like to see the applicants' find additional parking rather than create new parking spaces.

BOARD ACTION: Commissioner Cope moved, seconded by Commissioner McPherson, to recommend to the Town Council that CUP 07-03 be approved based on staff's nine findings and four conditions as follows:

FINDINGS AND CONCLUSIONS:

1. The Town of Coupeville received an application from Mitchell Howard on April 23, 2007 to operate a 3-room hotel in the Town Commercial zone district at 602 N. Main Street, in the Town of Coupeville.
2. The Town Commercial zone district lists hotels up to 10 rooms in size as a conditional use. Issuance of conditional use permits is governed by CTC 16.14.030, and such permits are employed to assign conditions to otherwise permitted uses, which mitigate potential adverse impacts on a neighborhood or community.
3. A Notice of Completeness was issued by the Town on May 1, 2007.
4. On May 4, 2007 the Town issued a Notice of Application with a 14-day comment period. No comments were submitted in response by either neighbors or other agencies.
5. The Planning Commission held a public meeting on the proposal at their regular meeting on June 5, 2007.

6. The proposed 3-room hotel does not constitute a change in use from the grandfathered transient accommodation use and the intensity of the mixed use of the property remains the same as has been in operation since the year 2000.
7. Historically the property has maintained a residential use in association with transient and other commercial uses.
8. The proposed use is supportive of the Town Commercial zone and should not result in new impacts to adjoining uses.
9. The proposal with conditions meet the required findings of CTC 16.14.030.C.

CONDITIONS;

The applicant must conform to the standards listed below:

1. The applicant shall obtain a Certificate of Occupancy prior to commencement of operation of the hotel. All interior spaces, access and servicing utilities must be brought into compliance as required by the Town Building Official, Public Works Director and Fire Chief.
2. All but one of the guest rooms shall be devoid of cooking facilities.
3. Prior to issuance of the occupancy permit for the hotel use the applicant must:
 - a. Verify in writing that an attempt has been made to secure after hours parking from the Methodist Church for either or both the restaurant/hotel use;
 - b. Verify the results, and if positive, the number of spaces available; and
 - c. Obtain and approved sign permit for both the hotel and restaurant operations.
4. The terms and conditions of the variance #V00-01 previously granted to Rosi's Restaurant remains in effect:

“That the opening times for the restaurant remain outside the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday. Should the restaurant owners desire to serve customers during these restricted hours, they shall provide written confirmation to the Town that one or more property owners with 500 feet of 602 North Main Street have agreed that a total of five spaces are available for restaurant customers. These spaces must be above and beyond the normal requirement for the neighboring use, or these spaces must be customarily available outside the normal business hours of the neighboring use.”

VOTE RESULT: The motion passed unanimously.

Conditional Use Permit #07-04—Operate a One-Room Bed and Breakfast Inn.

Larry Kwarsick explained that the applicant is requesting a conditional use permit to operate a one-room Bed and Breakfast Inn at 602 NW Glenwood Court. The applicant has no intention of advertising her B&B through name or signage.

Mr. Kwarsick commented that there are eight standards that need to be met to operate a B&B and they are as follows:

1. Each bed and breakfast inn shall have an approved certificate of occupancy issued by the Town of Coupeville.
2. The owner/manager of the bed and breakfast inn shall reside at the inn when it is open for business.
3. The number of guest rooms shall be limited to no more than two in the LDR, RM-9600 and RH zoning districts, and to no more than six in the RR zoning district, and to no more than eight in the HLC, TC and GC zoning districts.
4. Guest rooms at bed and breakfast inns shall be devoid of cooking facilities.
5. In addition to the parking requirements for single-family residences, one off-street parking space shall be required for each guest room and full-time equivalent employee not resident at the inn. Parking for guests or nonresident employees is not permitted in the public right-of-way.
6. In residential zones, onsite meals and beverages may be served to room guests and their guests only.
7. One sign per bed and breakfast inn is permitted, subject to the commercial sign requirements elsewhere in this title.
8. Accessory uses, buildings and structures associated with the bed and breakfast inns located in the RM-9600, LDR and RR zoning districts shall be limited to those found customarily at single-family residences.

Larry Kwarsick commented that he received two comment letters from John Kohlmann and Dan Halvorson expressing concerns of violations of the Peaceful Valley community's public safety regarding traffic and parking requirements. A concern was the owner of the B&B would not meet the residency requirements of a B&B. Mr. Kwarsick notes in his staff report his response to the two letters. As to residency, the applicant resides at 602 NW Glenwood Court. The operation of a B&B is not restricted by private covenant and the Town does not enforce private covenants. It is felt by the Town that it is unlikely that the operation of a one-room B&B would create or exacerbate the traffic safety problems beyond those normally associated with normal home visitations.

Larry Kwarsick briefly commented on each specific standard as noted in his staff report:

1. The proposed use, at the proposed location, is consistent with the purposes of the Development Regulations and zone district in which it is to be located, and that the proposed use will meet all the applicable requirements of the development regulations.
2. The proposed use, at the proposed location, will not be significantly detrimental to the public health safety and welfare, will not substantially harm or diminish the value of nearby property or improvements, and will not materially disturb the owners of nearby properties in the reasonable use of these properties.
3. The proposed use will generally be in harmony with the comprehensive plan.

Larry Kwarsick stated that the proposed use at 602 NW Glenwood Court can meet the three required findings for issuance of a conditional use permit, with the application of our Town regulations and conditions noted in the staff report.

Commissioner McFadyen asked if the Town has other B&Bs in this zoning area—comparable zoning area. Mr. Kwarsick stated yes. Commissioner McFadyen commented that the Soroptimist would place visitors coming in for special events in area homes, but they are not considered a commercial venture.

Commissioner McPherson questioned the wording of operating a one-room bed and breakfast inn *and a Guest House*. Larry Kwarsick said to strike the words *Guest House*.

Commissioner Cope commented that Peaceful Valley is a single-family residential neighborhood and does not think this is a good area for a B&B. Larry Kwarsick explained that the applicant is renting out one room and there is no additional room service and she will not be advertising with any signage.

Commissioner McPherson commented that it would be like a resident who has house guests coming to stay.

Applicant Bridgit Smith commented that Peaceful Valley is like a small village and it is her intention to maintain a standard-low impact structure in keeping of the village theme. She stated that she had received positive comments on her proposal for a one-room B&B.

John Kohlmann of 603 NW Krueger Street was not in favor of this proposal and submitted a written letter expressing his concerns with Ms. Smith's proposal. His concerns are the traffic and traffic control in their neighborhood. He stated that there are three intersections that are not marked with stop signs or any type of traffic controls. There are neighborhood children that play in the streets and John Kohlmann's concern is that strangers are not going to be that careful or caring of the welfare of the neighborhood

children. Another concern is that if this B&B is allowed will this open the door to other B&Bs in their neighborhood.

Commissioner McFadyen asked if the Peaceful Valley Homeowners Association had this request come up before and if so how was it handled. John Kohlmann said that this has not come up before and there are no covenants for or against this type of proposal.

Commissioner McPherson asked if the Peaceful Valley Homeowners Association has addressed any commercial ventures. John Kohlmann stated no.

Commissioner Baker asked about the new streets going in that area which would speak to future traffic control signs being placed in those areas.

Joe Walck of 802 NW Krueger Street and President of the Peaceful Valley Homeowners Association stated that he brought this proposal before their board members. They took no stand either for or against this proposal.

Commissioner McFadyen asked if the Peaceful Valley Homeowners Association should take a stronger stand whether they want to see this type of venture in their neighborhood. McFadyen asked if Mr. Walck was representing the board or himself as an individual. Mr. Walck commented that he was representing the board's opinion and his on this issue.

Larry Kwarsick explained that there are no traffic controls around these intersections, but when the other streets are built and start connecting with this area, there will likely be control stop signs installed. At this time uncontrolled intersections are sufficient with the Town's standards.

Commissioner McPherson asked that if the applicant sold her property would the conditional use permit issued to Ms. Smith become null and void or does the CUP run with the land. Larry Kwarsick explained that the CUP would be in effect for the new owners if they wish to have said property remain a one-room B&B. The only thing is that the new owners would have to acquire a Certificate of Occupancy to run the B&B.

Bridgit Smith stated that she knows of other small home businesses in her neighborhood and feels that the other residents should not be able to stop others from their financial endeavors in a residential zone.

Vice Chair McFadyen closed the Public Meeting at 8:00 PM.

DISCUSSION:

Commissioner McPherson stated that at first she had reservations concerning this proposal, but feels it will fit in with the neighborhood. Her concern is that this CUP will run with the land.

Commissioner Cope stated she is not in favor of this proposal and does not want to start seeing 2-3-room B&Bs being part of residential areas.

Commissioner McFadyen stated that he had concerns that the Peaceful Valley Homeowners Association did not have concerns or took a stand regarding Bridgit Smith's proposal for a one-room B&B. McFadyen stated that he was not in favor of the proposal, but if the PV Homeowners Association doesn't have any concerns or desire to regulate the types of businesses going into their neighborhood, then the Town does not need to be the one to regulate it for them. Commissioner McFadyen also commented that the occupancy of a B&B is 60-70% in the summer months and in the winter months it is considerably less.

BOARD ACTION: Commissioner Baker moved, seconded by Commissioner McPherson, to adopt findings of fact and conclusions of law for CUP 07-04 as noted in staff's report and recommend approval to the Town Council.

FINDINGS AND CONCLUSIONS:

1. The Town of Coupeville received an application from Bridgit Smith on April 26, 2007 to locate a one-room bed and breakfast inn in the RM-9600 zone district at 602 NW Glenwood Court, in the Town of Coupeville.
2. The RM-9600 Medium Density Residential zone district list bed and breakfast inns up to 2 bedrooms in size as a conditional use. Issuance of conditional use permits is governed by CTC 16.14.030, and such permits are employed to assign conditions to otherwise permitted uses, which mitigate potential adverse impacts on a neighborhood or community.
3. A Notice of Completeness was issued by the Town on May1, 2007.
4. On May 4, 2007, the Town issued a Notice of Application with a 14-day comment period. Two opposing comments were submitted by neighbors.
5. The Planning Commission held a public meeting on the proposal at their regular meeting on June 5, 2007.
6. The proposed one-room B&B does not constitute an intense use of the property and should not result in impacts to adjoining residential uses other than those normally associated with a single family use, especially if meal service is restricted to only the guests.
7. The proposal with conditions meets the required findings of CTC 16.14.030.C.

CONDITIONS:

The applicant must conform to the standards listed below:

1. The applicant shall obtain a Certificate of Occupancy prior to commencement of operation of the bed and breakfast inn. All interior spaces, access and servicing utilities must be brought into compliance as required by the Town Building Official, Public Works Director and Fire Chief.
2. The owner/manager of the bed and breakfast inn shall reside at the inn when it is open for business.
3. The guest room shall be devoid of cooking facilities.
4. In addition to the parking requirements for single-family residences, one off-street parking space shall be required for the guest room. Parking for guests is not permitted in the public right-of-way.
5. Onsite meals and beverages may be served only to room guests.
6. No onsite signs are permitted.

VOTE RESULT: The motion passed with 3-Yes votes and 1-No vote.

PLANNER'S REPORT: Planner Kwarsick said that at the next Planning Commission meeting in July, they will hear Island County's conditional use permit. As July 3, 2007, is the day before a holiday, Larry asked if there was an alternative date in July to hold the Planning Commission Meeting. Commissioner Cope said she would be gone the second week in July and Commissioner McPherson said she would be gone the first week in July. Commissioner McFadyen said he would be here whatever date was chosen.

AUDIENCE INPUT: There was none.

ADJOURNMENT:

The Planning Commission Meeting was adjourned at 8:08 P.M.

Submitted by:

Laurel Wilsey, Recording Secretary