

**Town of Coupeville
Planning Commission Meeting
Commissioner's Hearing Room
Tuesday, April 7, 2015
6:30 p.m.**

PRESENT: Acting Chair Molly McPherson, Commissioner Chet Baker, Commissioner Ricardo Reyes

STAFF PRESENT: Town Planner Bridget Smith, Recording Secretary Shelly Maier

CALL TO ORDER

The meeting was called to order by Acting Chair McPherson at 6:30 p.m.

APPROVAL OF MINUTES

Commissioner Baker moved to approve the minutes of the March 3, 2015 meeting. Second by Commissioner Reyes. The minutes were approved as submitted.

PUBLIC HEARING

SSDP-012-15, A Shoreline Substantial Development Permit for Madrona Way Improvements, Town of Coupeville, with 'Exception Request' Per Town Code Section 16.34.130

Acting Chair McPherson announced the Public Hearing Revised Agenda and opened the public hearing at 6:32 p.m. She asked the other board members if they had any conflicts of interest or appearance of fairness concerns. Acting Chair McPherson informed the Commissioners she received a notice because of property she owns within the required notification area. There were no other conflicts or appearance of fairness concerns.

Planner Smith presented her staff report explaining that the Town of Coupeville is proposing to construct utility and road improvements along NW Madrona Way from the intersection of Broadway Avenue, westerly to the town limits. She explained the improvements include:

- *Water and sanitary sewer mains;*
- *A sanitary sewer lift station at the southeast corner of the intersection of Vine Street and NW Madrona Way including an 8'x8' control building, generator on a concrete pad, a below-ground pump system, and landscaping to screen the installation;*
- *A 4 foot wide crushed rock path with occasional 5 foot wide sections to meet barrier free requirements;*
- *Two sections of retaining wall (maximum 3 foot high). One wall will be constructed southerly of the proposed lift station; the other wall will be at the southwest corner of the intersection of Vine Street and NW Madrona Way;*
- *A storm water system including a bio-filtration swales along the southerly roadway edge;*
- *Reconstruction of the road surface and subgrade*

Planner Smith explained the project will provide for increased safety for pedestrians and bicyclists, improve storm water quality, and minimize bluff erosion. She presented a required Exception Request and explained the approval of the Exception Request is a Town Staff decision.

The applicant's agent and engineer, Greg Cane, spoke about the importance of the project and stated bluff instability may increase if the proposed catch basin and water line improvements are not implemented.

Acting Chair McPherson invited members of the public to speak. Marcia Comer asked several questions, answered by Mr. Cane, and shared her support of new water and sewer lines, as well as increased pedestrian safety. Dave Grason asked what precautions would be taken to reduce area traffic during the construction period. Mr. Cane informed him the Town is proposing a detour, except for local traffic.

Council Action: A motion was made by Commissioner Reyes, second by Commissioner Baker, to recommend to the Town Council the Findings of Fact and Conclusions of Law #1-#21 and to approve SSDP-012-15 with the seven conditions listed in the staff report:

Findings of Fact:

1. *The Town of Coupeville received an application on Jan 26, 2015. The application was determined complete on this same date.*
2. *The project is within the area requiring to comply with the Shoreline Management Act (SMP) and is not exempt*
3. *A notice of application utilizing the optional DNS process was issued in accordance with the requirements of Coupeville Town Code (CTC) Section 16.06.050 on February 11, 2015 with a 30-day public comment period.*
4. *No written comments were received.*
5. *A State Environmental Policy Act (SEPA) Determination of Non-Significance was issued on March 19, 2015 with an appeal period ending April 2, 2015.*
6. *The project received a Certificate of Appropriateness (COA) from the Ebey's Landing National Historical Reserve Committee on October 23, 2014 with three conditions. The COA covered the 8ftx8ft control building; a generator on a concrete pad; an Allen Block retaining wall up to 3' tall and landscaping to screen the installation; a rock retaining wall up to 3ft tall to the southeast of Vine and NW Madrona Way; and a gravel path. The three Conditions of approved are:*
 - o *The 8x8 building and generator shall be painted a color to recede/blend into the landscaping. The color shall be submitted and approved by the Town prior to construction.*
 - o *The proposed Allen wall to the SE of Madrona Way and Vine Street shall be revised to be a rockery similar to the rockery proposed to the SW of NW Madrona Way and Vine Street.*
 - o *The building be removed or minimize the impact of the building by reasonable means, including reducing the height.*
7. *A proper public notification in accordance with the requirements of CTC Section 16.06.040(B) a public hearing was provided for a Planning Commission meeting on April 7, 2015. Two people spoke with questions; one noted their support of the project.*
8. *The provisions of the zoning districts are not applicable to this project.*
9. *The project provides added public access (views), and bike and pedestrian safety*
10. *The drawings show 24' width and need to be conditioned to have no increase to the width as required by Ebey's Reserve and approved by WSDOT*
11. *A Critical Area Exception per Section 16.34.130 was provided on March 24, 2014 and approved on April 9, 2015.*
12. *Property acquisition for approximately 524sf of parcel R13233-322-1850 is in process and has not been completed. A condition is needed for this item to be completed*
13. *A Cultural Resources Report by ERCI dated January 5, 2015 was provided and included all required documentation.*
14. *The WSDOT archeologist made contact with DAHP and the Suquamish, Swinomish and Tulalip Tribes requesting comments*

15. *DAHP determined 'no adverse effect' and the Ebey's Reserve concluded the project has a De Minimis impact. An approval from WSDOT/FHWA for the De Minimis concurrence has not been received at this time. A condition can be added for this item*
16. *NEPA approval was provided on January 15, 2015, including the Environmental Classification Summary*
17. *Special studies provided included:*
 - a. *Biological Assessment by Widener and Associates - February 28, 2014*
 - b. *Reconnaissance Level Geologic Hazard Evaluation - August 26, 2009*
 - c. *Geologic Hazard Evaluation Update - January 26, 2015*
18. *Two geotechnical reports have been provided by Associated Earth Sciences Inc., dated August 26th, 2009 and January 26th, 2015 analyzing the proposed project and provided recommendations.*
 - a. *The 2015 report provided plan check revisions and the permit. To carry out the revisions the permit needs to be conditioned.*
 - b. *The 2015 report provided mitigating measures that can't be carried out and therefore a revision and addition is needed to the report.*
19. *Per Timothy Peter of Associated Earth Sciences Inc. in a written statement dated March 24th, 2015, verifies "it is my opinion that the current proposal will not increase the risk of sliding on the bluff."*
20. *The project is in the SMP area designated 'Shoreline Conservancy'*
21. *The project, as conditioned, substantially meets the requirements of the Town Comprehensive Plan and the Town Municipal Code including the Shoreline Master Program, the Critical Areas Ordinance, Development Standards, and the Historic Preservation Guidelines.*

Conditions:

Condition of Approval #1: The applicant shall provide legal documentation that is recorded by the County, to show the approximately 524sf of area required at 605 NW Madrona Way, is Town ROW property. This item shall be submitted to and approved by the Town prior to construction.

Condition of Approval #2: The road width shall have no increase to the existing footprint (22'-23')

Condition of Approval #3: The three Conditions of the approved COA shall be met.

- *The 8x8 building and generator shall be painted a color to recede/blend into the landscaping. The color shall be submitted and approved by the Town prior to construction.*
- *The proposed Allen wall to the SE of NW Madrona Way and Vine Street shall be revised to be a rockery similar to the rockery proposed to the SW of NW Madrona Way and Vine Street.*
- *The building be removed or minimize the impact of the building by reasonable means, including reducing the height.*

Condition of Approval #4: Provide approval from WSDOT/FHWA for the De Minimis Concurrence. This approval shall be received by the Town prior to construction.

Condition of Approval #5: Provide an amendment to the geotechnical report dated January 26, 2015 including and not limited to a monitoring plan with specific triggering mechanisms and process to follow. The amendment shall also include language to specifically address the Town Code Section 16.30.330.B.4.a. regarding longevity of the project. This amendment shall be provided to the Town and approved prior to construction.

Condition of Approval #6: In accordance with CTC 16.030.330(F)(9) If, during excavation or site development, any area of potential archaeological significance is uncovered, all activity in the immediate area of the site shall be stopped and the shoreline administrator notified immediately.

Condition of Approval #7: The project shall follow the construction recommendations found in the 'plan review' section of the Geotechnical report dated January 26, 2015 by Associated Earth Sciences Inc.

The motion passed 2-0; Acting Chair McPherson abstained.

PLANNER'S REPORT

Planner Smith summarized her current work load and stated she receives many inquiries on the Town's vacant parcels. She informed the commissioners that 2015 applications are up 17% over the same time period in 2014. She also added there are significant projects going on at this time, including: the Madrona Way project for the Town, 10 Front Street, the Whidbey General Hospital project, and a short plat, which a consultant is handling on behalf of the Town.

AUDIENCE INPUT

None

ADJOURNMENT

The meeting was adjourned at 7:26 p.m. by Acting Chair McPherson.

Respectfully submitted:

Shelly Maier, Recording Secretary

Bridget Smith, Town Planner

A complete audio recording of this meeting is available, upon request, from the Clerk-Treasurer.