



MINUTES OF THE  
PLANNING COMMISSION

JUNE 15, 2016

*Council Chambers, City Hall  
833 S. Spruce Street, Burlington, WA*

MEMBERS: Marianne Manville-Ailles-Chair, Jana Vater, Brian Hanson and Sally Straathof.  
Jeff Anderson and Rock White are excused.

STAFF: Brad Johnson, Senior Planner; Kim O'Hara, Permit Center Manager

Motion by **Vater/Straathof** to approve the minutes of the April 20, 2016 Planning Commission as written. Motion carried.

**CONDITIONAL USE PERMIT #LUP 6-16**  
**EXPANSION OF MINI STORAGE IN C-1 GENERAL COMMERCIAL ZONE**  
**111 S. NORRIS STREET**  
**BURLINGTON FREEWAY MINI STORAGE, APPLICANT**  
**RAVNIK & ASSOCIATES, REPRESENTATIVE**

**Senior Planner Johnson** stated this is an amendment to a previously approved Conditional Use Permit (#7-95) to construct two commercial storage buildings for general and household storage on a group of parcels directly south of an existing mini storage facility abutting Interstate 5. The site is zoned C-1 General Commercial. The plans are consistent with all applicable code requirements for approval.

**John Ravnik of Ravnik & Associates, P.O. Box 361, Burlington WA** – stated that the City Council approved the rezone and comprehensive plan amendment on May 20, 2015 from R-2 Duplex to C-1 General Commercial. Conditions of approval included finishing the sidewalk on Norris Street which connects all the sidewalks to West View Elementary and B-E High School. Landscape plans were completed by a licensed landscape architect and will provide adequate screening. Also Department of Ecology compliance has been completed and civil plans have been reviewed and approved by Public Works, Fire Marshal and PUD. The site will require about 4 feet of fill to meet base flood elevation requirements.

**Ravnik** handed out "Attachment E" which are two modifications requested to be added to the Staff Report and Planning Commission Recommendations: **1)** Modification to Condition #9 to install underground irrigation. Ravnik attached a site plan showing landscaped areas equipped with four yard hydrants, and during hot weather periods, soaker hoses will be connected to the yard hydrants and the hoses placed in the landscape area for irrigating. **2)** Modification to Condition #16 which states work shall not commence until all required permits and approvals have been obtained. **Ravnik** explained it is not uncommon for civil plans to be prepared and approved before the building permit is issued. This allows for gravel fill materials to be imported and underground utilities to be installed before commencing building construction. Approximately four feet of gravel fill is required to elevate the site, underlying utilities need to be installed, and building pads have to be preloaded for 4 – 6 weeks before any building construction can occur. This modification is to allow the owner to proceed with onsite filling and utility installations before the building permit is issued.

**Johnson** stated he discussed these two modification request issues with the applicant beforehand and would classify these as clarifications of conditions of approval. The landscape irrigation requirements has been inconsistently applied in the past and the city would accept the yard hydrants and drip hoses as an alternative to this small commercial development. We also have no objection to allow site work to proceed provided appropriate permits (fill & grade) are issued to authorize site prep work. Staff will attach the applicant's Attachment E to the Planning Commission Recommendation.

**Manville-Ailles** asked how the city addresses dead/dying landscaping required of projects. Does the city require a bond? **Senior Planner Johnson** stated that requiring a bond would not be appropriate on a project that is 20 years old, and they are difficult to administer. Also, given the city's code enforcement limited resources it is likely a low priority to follow up on dying landscaping. **Manville-Ailles** stated once the plants mature and are established irrigation is not so critical, but with the dry summers we have had the new landscaping is not faring well. We want to make sure landscaping is taken care of with irrigation and it continues to be watered. **Johnson** stated the Planning Commission may want to consider for a future revision to the landscape code: 1) require vegetation that could sustain itself without artificial watering; 2) allowing landscaping to be installed during the cooler months (fall or winter) so irrigation might not be required.

Motion by **Frye/Vater** to recommend approval of the amendment to conditional use permit #LUP 6-16/CUP 7-95 to allow a mini storage to be constructed in the C-1 General Commercial zoning district subject to the conditions of approval listed in the Staff Report and Planning Commission Recommendation dated June 7/June 15, 2016 and also include the applicant's Attachment E to the staff report.

Motion carried.

**SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT  
FAIRHAVEN BOX CULVERT REPLACEMENT AT GAGES SLOUGH  
CITY OF BURLINGTON, APPLICANT**

**Johnson** stated the applicant is proposing to replace an existing box culvert which supports Fairhaven Avenue where it crosses Gages Slough. The project will increase the size of the culvert from 9.9 feet to 12 feet and sidewalks will be added to the north side of Fairhaven Avenue. Gages Slough is a wetland complex hydrologically connected to the Skagit River. Accordingly, the proposal was reviewed for compliance with the regulatory provisions of the Washington State Shoreline Management Act (SMA) and the City's Shoreline Master Program (SMP). After thoroughly reviewing the proposal, the Planning Department has concluded that subject to appropriate conditions of approval the proposed development will be consistent with all applicable Burlington Municipal Code requirements, Department of Ecology Regulations, and the Washington State Shoreline Management Act. The Planning Department has further determined that the minor corrections specified in the recommended conditions of approval below will ensure full regulatory compliance. The Planning Department recommends the Planning Commission *approve* the proposal *subject to* the ten conditions of approval in the Staff Report.

**Straathof** asked the age of the existing culvert. **Brian Dempsey, Asst. Public Works Director** stated this is the original culvert circa 1960s. Fairhaven Avenue will be closed approximately one week.

Motion by **Frye/Hanson** to approve the Shoreline Substantial Development permit for the box culvert on Fairhaven Avenue subject to the ten conditions of approval listed in the Staff Report dated June 3, 2016.

Motion carried.

**TEMPORARY USE PERMIT  
1137 GOLDENROD ROAD  
NORTH CASCADE HARLEY DAVIDSON, APPLICANT**

One Year Temporary Use Permit to allow overflow parking on west side of Goldenrod Road during special events at North Cascade Harley Davidson.

*O'Hara* stated over the last four years, North Cascades Harley Davidson has been granted a temporary use permit for overflow parking along Goldenrod Road for special events, if needed. There are six events between June and December that may require overflow parking on the west side of Goldenrod Road.

After review by the Technical Review Committee, there were no concerns and they concur with the proposed conditions of approval.

Motion by *Frye/Vater* to approve a one year temporary use permit for overflow parking on the west side of Goldenrod Road during special events subject to the following conditions of approval:

1. Events that create overflow parking shall be held on the weekend (Saturday or Sunday). If events are on a weekday, no overflow parking on Goldenrod Road before 4:00 p.m.
2. Vehicles deemed to be a hazard by the Burlington Police Department will be impounded at the owner's expense.
3. The applicant shall provide reflective barricades and parking assistance during overflow parking events.
4. No parking in front of the Hyundai property.
5. If any substantiated complaints are received, the permit may be canceled.

**TEMPORARY USE PERMIT  
VARIOUS LOCATIONS  
NADINE HARTMAN DBA NAENAE'S TASTY DOGS, APPLICANT**

One Year Temporary Use Permit to allow mobile Hot Dog Cart to operate at established developments with property owner approval.

*O'Hara* explained the applicant has a fully contained, portable hot dog cart that runs on propane that would be towed to sites on existing commercial developments (i.e. Home Depot, Cascade Mall, Outlet Shoppes, etc.) for a day or two, sometimes requested by the store for a special event. Patrons would primarily be customers of said business. It is a walk up business, no drive through. The mobile cart serves hot dogs, French dip sandwiches, chips and soda/water. The cart would be driven off premise each day.

After review by the Technical Review Committee, there were no concerns and they concur with the proposed conditions of approval.

*Ms. Hartman* noted this is her first venture with a food cart, but operated a 14- child care center with 14 kids and cooked three meals a day. She has obtained a State business license and Health Department approval.

Motion by *Frye/Vater* to approve a one year temporary use permit to allow a mobile hot dog cart to operate at various established, commercial developments subject to the following conditions of approval:

1. Mobile food cart shall not locate in the public right of way or block the pedestrian way or sidewalks.
2. Written permission of the business(es) the cart is located at and letter shall be kept on site with the cart.
3. Mobile food cart shall not operate within 100 feet of the entrance of another food establishment.
4. Mobile food cart shall be equipped with fire extinguishers (size & type) as required by the Fire Marshal.
5. Mobile food cart shall leave the site vacant at the end of each business day.
6. Wastewater will be dumped at a waste station or the applicant's toilet at home.
7. Comply with the Burlington Municipal Code 5.30, Mobile Food Vendors.
8. If any substantiated complaints are received, the permit may be canceled.

Meeting adjourned.