AGENDA

1. Call to Order

BOYS AND GIRLS CLUB – CONDITIONAL USE PERMIT: CUP-19-02
The Hearing Examiner will consider an application for a conditional use permit to allow an existing commercial building to be utilized as a community center – specifically, the Oak Harbor Boys and Girls Club. The previous use of the building as a funeral home was a permitted use in the R-O zoning district. Interior changes are proposed to suit the new tenant, and the parking area will be re-striped to accommodate parking and drop-off areas.

2. Adjourn
CUP-19-02
Staff Report
Boys and Girls Club
Conditional Use Permit

March 2, 2020
APPLICATION:
An application for a conditional use permit to allow an existing commercial building to be utilized as a community center – specifically, the Oak Harbor Boys and Girls Club. The previous use of the building as a funeral home was a permitted use in the R-O zoning district. Interior changes are proposed to suit the new tenant, and the parking area will be re-striped to accommodate parking and drop-off areas.

PRELIMINARY INFORMATION:
Applicant: Ron Wallin, P&L Contractors, 2780 NE Goldie Street, Suite C, Oak Harbor, WA 98277

Property Owner: Boys and Girls Club, 8223 Broadway, Suite 100, Everett, WA 98203

Address of proposal: 30 SE Ely Street, Oak Harbor, WA 98277

Parcel Numbers: S7600-00-02003-1

Comprehensive Plan Designation: High Intensity Residential/Low Intensity Commercial

Zoning Designation: R-O, Residential-Office

Application Presented for Action:
Conditional Use Application (CUP-19-02) - Review Process III

Attachments:
Attachment 1  Conditional Use Application and Applicant Narrative
Attachment 2  Zoning and Vicinity Map
Attachment 3  Public Noticing Documents

SITE GEOGRAPHY
The subject building is located near the intersection of SR 20 and E Whidbey Avenue, on the southeast corner of E. Whidbey Avenue and SE Ely Street. An existing building is located on the site, along with a parking area and landscape improvements. The property is 100% developed. The street frontage along E. Whidbey Avenue is improved with curb, gutter and sidewalk, while the frontage along SE Ely Street is partially improved. The parcel is generally flat. Land uses abutting the site include the following:

<table>
<thead>
<tr>
<th>Existing Land Use</th>
<th>Zoning</th>
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<tr>
<td>North: Office building</td>
<td>R-O, Residential-Office</td>
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<td>South: Single-family residence</td>
<td>R-1, Single Family Residential</td>
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<td>East: Private school campus</td>
<td>R-O, Residential-Office</td>
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<td>West: Office building</td>
<td>R-O, Residential-Office</td>
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**BACKGROUND and PROJECT DESCRIPTION:**

The applicant proposes to remodel the interior of the building to better suit the needs of the Boys
and Girls Club, providing offices, common areas, restrooms and other facilities. Outside the
building, a play area will be provided underneath an existing portico. The parking lot will be
reconfigured to provide individual parking spaces for staff and visitors and a dedicated drop off
lane for club vehicles. The applicant proposes 27 parking spaces in lieu of the existing
processional lanes that were utilized by the funeral home. No additional changes are proposed for
the exterior of the building.

**Conditional Use Permit Application**

The subject parcel is currently zoned Residential-Office (R-O). Staff has determined that the
project may be considered under Conditional Use approval because of the cascade effect of uses
allowed in the R-O zone district. OHMC 19.20.245 states that any conditional use permitted in
the R-4 district may be allowed when authorized by the Hearing Examiner. Similarly, these
residential districts refer uses back to the R-1 district, ultimately resulting in conditional uses
from all residential zones being considered for the R-O district. The R-1 district allows for a
“community center” to be allowed with a conditional use.

Following OHMC 18.20.250(2)(b), the review of applications for conditional uses are Review
Process III actions. Such actions are subject to an open record public hearing before the Oak
Harbor Hearing Examiner, followed by a final decision by the Examiner.

**Conditional Use Review**

According to OHMC 19.67.030, “No conditional use shall be granted unless it meets the
following criteria:”

1. All special conditions for the particular use are met;
2. It does not have a significant, adverse environmental impact resulting in excessive
   noise, light and glare or soil erosion on adjacent property;
3. It is provided with adequate parking;
4. It is served with adequate public streets, public utilities and facilities;
5. It otherwise meets the purpose of the district in which it is to be placed;
6. It meets the goals and policies of the Oak Harbor comprehensive plan. (Ord. 1555 §
   27, 2009).

The Oak Harbor Municipal Code does not list any special conditions for the proposed use.

The application should not be expected to create an adverse environmental impact including the
specific items listed above. The use is proposed to be located within an existing building, which
will mitigate noise. Parking on site is proposed to be within an existing parking lot, and while the
lot configuration will change, realigning parking, the lot is buffered from neighboring residential
uses by a large landscaped area. Any additional lighting will be required to be shielded per
OHMC 19.28.010(5)(b).

Plans for the proposed conditional use show 27 parking spaces and dedicated drop-off areas for
children. The applicant provided the parking space count based on the employee count and potential visitors as the primary clientele, school-aged children, will be either dropped off, bussed or walk to the site. Staff has reviewed the parking plans and feels that the proposed lot will meet those needs, however due to the lack of nearby street parking, has included a condition of approval that street parking shall not be allowed. If in the future more parking is required, the applicant shall be responsible for providing that additional space.

Parking proposed for the site meets the standards set forth in OHMC 19.44. Consistency with that requirement will be ensured by staff through a final inspection before occupancy is issued.

The location of the proposed community center is located on existing public streets and adjacent to public utilities and facilities. No undue capacity issues are expected from the proposal.

As noted in the OHMC, “the RO residential office district to provide for areas appropriate for professional and administrative offices. It is intended that such districts shall buffer residential districts and the development standards are such that office uses should be compatible with residential districts.” Staff feels that the proposed use is a good buffer between the existing busy intersection of SE Ely Street/E Whidbey Avenue and SR 20 and the residential uses to the south. The proposed use is most analogous to a school, one of which is located immediately to the east, and two others nearby on E Whidbey Avenue, thereby presenting a consistent land use within the existing fabric of the neighborhood.

The proposed use will fit into the existing neighborhood as noted above and is consistent with the Oak Harbor Comprehensive Plan Goals and Policies below.

**Land Use Element:**

- Goal 1.a – Encourage land use densities/intensities where services exist or are readily available.

- Goal 8 – To ensure that the location, situation, configuration, and relationship of the varied land uses within the UGA are consistent and compatible.

- Goal 15 – To establish and maintain sufficient land within the City of Oak Harbor zoned to ensure a wide range of public and quasi-public services to meet community needs.

- Goal 19 – To create and maintain a balanced community that mixes residential use and non-residential uses in a way that promotes environmental quality and community aesthetics.

**Transportation Element:**

- Goal 4.c – Encourage land use development patterns that reduce the demand for increased capacity on roadways.

**Future review process**

The applicant is currently renovating the interior of the building. If the Conditional Use Permit is approved, the applicant plans to complete those renovations and reconfigure the parking lot to meet the needs of the new use. No further exterior changes are proposed, but the above revisions will be required to meet the parking standards (OHMC 19.44). Staff will ensure that all standards
listed in the OHMC are met by the applicant.

Conclusion
Staff has reviewed the application against the Conditional Use Permit standards and has determined that the application meets the specific criteria of OHMC 19.67 and that the overall site layout and design generally meet the intent of the OHMC. Staff will work with the applicant to ensure compliance with all requirements for the project.

SEPA
A SEPA checklist is not required for this project.

LEGAL NOTICE
A Notice of Application and notice to neighboring property owners were mailed and posted on January 8, 2020. The Notice of Public Hearing for the Conditional Use Permit was advertised February 15, 2020.

PUBLIC COMMENTS
The City has received no public comment on this application.

RECOMMENDED ACTION
Staff recommends that the Hearing Examiner conduct the public hearing and approve CUP-19-02 subject to the following conditions of approval:

1. The proposed Conditional Use consisting of the use of an existing commercial property as a community center housing the Oak Harbor Boys and Girls Club shall be in general conformance with the narrative and application materials submitted by the applicant dated December 23, 2019, as attached in Exhibit 1 and abide by conditions and requirements set forth within this report.

2. All exterior lighting be shielded from producing glare in neighboring residential properties

3. Parking for the proposed use is to be located on site only. No on-street parking is available nearby for the facility. If parking on site is not sufficient for the use, the applicant shall provide alternative parking options for customers and employees through a parking agreement or similar method and provide that information to the City.

4. All Building Code and Accessibility requirements must be met through the permit and inspection process.

5. The conditional use shall not be transferable to a subsequent user unless specifically authorized by the hearing examiner who finds it appropriate and a permit authorizing the transferability is on record with the Island County auditor.

6. The conditional use permit must be acted on within one year of the date of granting. Otherwise the conditional use permit shall expire and be null and void.

7. The conditional use permit applies only to the property for which the application is made.
CUP-19-02

Staff Report

Attachment 1:

Application Materials

March 2, 2020
December 13, 2019

City of Oak Harbor
Development Service Department
865 SE Barrington Dr.
Oak Harbor, WA 98277

Cover Sheet Index

Conditional Use Application
Boys & Girls Club of Snohomish County
Oak Harbor Boys & Girls Club
30 SE Ely St., Oak Harbor, WA

1. Narrative
2. Summary Application
3. Critical Area Identification Form
4. List of Adjacent Properties
5. Arial view of property
6. Site plan / Vicinity map.

Submitted by:

P & L General Contractors, Inc.
Ron D. Wallin, President
2780 NE Goldie St. #C
Oak Harbor, WA 98277
Office: 360.675.6674
Email: ron@pnlgencon.com
December 23, 2019

City of Oak Harbor
Development Service Department
865 SE Barrington Dr.
Oak Harbor, WA 98277

RE: Conditional Use Application
30 SE Ely St., Oak Harbor
S 7600-00-02003-1
Lot 3 Block 2 Plat of Olympic Gardens Block A

FOR: Oak Harbor Boys & Girls Club
Division of Boys & Girls Club of Snohomish County

On behalf of Boys & Girls Club of Snohomish County, which operates the Oak Harbor Boys & Girls Club, we are submitting a Conditional Use Application for the property at 30 SE Ely Street in Oak Harbor, Washington.

The building was previously used as a funeral home with a zoning of R-O (Residential-Office). There will not be any addition to the building, but it will have interior remodeling and upgrades. The parking lot will be re-striped to better accommodate the new use.

The new use will be considered an assembly hall or community center per city code.

We feel that this project qualifies for a Conditional Use Permit per the city’s six criteria:

1. There was a pre-application submitted and review comments PRE-19-02 responded on May 8, 2019 of which this Conditional Use Application has addressed.
2. This project will not have a significant adverse environmental impact resulting in excessive noise, light, glare, or soil erosion on adjacent property. The only changes to the project will be restriping of the parking lot and a new roof and exterior painting. There will be no changes in the footprint of the property. The change is from a funeral home to the Boys and Girls Club which is the interior used more as classroom type setting and activities.
3. This change will allow for adequate parking as the kids will be dropped off or delivered in a van which does not require a significant amount of parking.
4. This project is served by two significant public streets with Whidbey Avenue on the North side and SE Ely Street on the West side.
5. We feel that this project will meet the purpose of the district in which it is in. The property abutting this site to the East is The Christian School and the property on the Northwest side is the North Whidbey Middle School.

6. We feel that this project meets the goals and policies of the Oak Harbor Comprehensive Plan in that it does not require a zoning change. But with the use change to assembly hall or community center, this use we feel would be in line with the Comprehensive Plan.

We have included all the submittals required for this application.

If you need any further information, please contact me at the below numbers.

Thank you,

Ron D. Wallin
President
P & L General Contractors, Inc.
2780 NE Goldie St. #C
Oak Harbor, WA 98277
Office: 360.675.6674
Fax: 360.679.4605
Cell: 360.914.7088
Email: ron@pnlgencon.com
## Summary Application

### Project Information

**Project Name:** Boys & Girls Clubs Of Snohomish County  
**Project Address:** 30 S.E. ELY STREET OAK HARBOR WASH. 98277  
**Description of Work:** Conditional Use Existing Zone is R-0  
**Assessor Parcel Number(s):** 5 7600-00-02003-1  
**Land Area (sq. ft. or acres):** 1.19 ACRES  
**Zoning District:** R-0  
**What is the Project Valuation (best guess, if necessary):** $___________

### Applicant Information

**Applicant Name:** P&L GENERAL CONTRACTORS INC.  
**Address:** 2780 N.E. GOOLIE STREET #C  
**City/State:** OAK HARBOR WA Zip: 98277  
Email: rone@plgeneral.com  
**Applicant's Interest to Property: (check one):**  
- [X] Contractor  
- [ ] Licensed Architect  
- [ ] Licensed Engineer  
- [ ] Owner  
- [ ] Owner’s Agent  
- [ ] Lessee  
- [ ] Other (specify)_________  
**Primary Contact (if other than applicant):**  
- **Name:** Ron Wallin (P&L)  
- **Address:** 2780 N.E. GOOLIE STREET #C  
- **City/State:** OAK HARBOR WA Zip: 98277  
Email: rone@plgeneral.com  
**Property Owner(s) (if other than applicant):**  
- **Name:** Boys & Girls Club: BILL TSOUKALAS  
- **Address:** 8223 BROADWAY SUITE 100  
- **City/State:** EVERETT WA Zip: 98203  
Email: btsoukalas@bgasc.org
All Persons/Firms having an ownership interest in the property:

Name: Bob Cousins Club Phone: 425-315-7080
Name: ___________________________ Phone: ___________________________
Name: ___________________________ Phone: ___________________________

Architect / Engineer:

Name: SIG CARLSON Address: 1053 NORTHEAST SUMMIT LOOP
City/State: Coupeville WA Zip: 98239 Phone/Fax: 206-245-1750
Email: stig@3c-architecture.com

Architect / Engineer:

Name: ___________________________ Address: ___________________________
City/State: ___________________________ Zip: ___________________________ Phone/Fax: ___________________________
Email: ___________________________

Contractor:

Name of Business: P & L GENERAL CONTRACTORS, INC.
Contact Person: RUN WALLIN
Address: 2780 N. E. Goldie St. # C
City/State: OAK HARBOR WA Zip: 98277 Phone/Fax: 360-675-6679
Email: run@palgen.com
WA State Contractors License: PLGENC4204QK
City of Oak Harbor Business License: BL-001840

Authorization
I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct, and complete.

Applicant Signature* Date

DEC. 13, 2019
### Permit Type (check all that apply)

- [ ] Building
- [ ] Land Use
- [ ] Engineering
- [ ] Grading Only
- [ ] Land Clearing Only
- [ ] Demolition Only

- [ ] Residential Construction
- [ ] Commercial Construction

### Permits Requested (check all that apply)

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<td>Final Plat</td>
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<td>SEPA Review</td>
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<td>Variance</td>
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<td>Zoning Code Text Amendment</td>
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<td>Other</td>
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### Project Details (fill in all applicable sections)

- **Ground Disturbance:** [ ] Yes  [ ] No  
  - If yes, completes the following questions:
    - Is disturbance greater than 100 cubic yards? [ ] Yes  [ ] No
    - Type of equipment to be used
    - Total cubic yards of excavation  
    - Total cubic yards of fill

- **Critical Areas:**
  - Does the site contain a critical area as defined in OHMC 20.12.030(2)  [ ] Yes  [ ] No  [ ] Unknown
  - If yes, please state critical area type(s)

- **Shoreline:**
  - Is construction planned within 200 feet of ordinary high water?  [ ] Yes  [ ] No  [ ] Unknown

- **Floodplain:**
  - Is the project site/property/or portions of the property within a floodplain?  [ ] Yes  [ ] No  [ ] Unknown

---

*Documentation demonstrating authorization to sign applications on behalf of the Owner(s) is required.*
Stormwater:
Will the completed project result in 2,000 or more square feet of impervious surface? ☐ Yes ☐ No ☐ Unknown
Total replaced new and impervious surface (in sq. ft) _____
What is the stormwater facility type(s) proposed to be used for the project? Existing

Project Details (fill in all applicable sections)

Land Clearing: ☐ Yes ☐ No If yes, complete the following questions:
Percentage of land to be cleared ☐ Types of vegetation to be removed ☐
Garry Oaks on the property? ☐ Yes ☐ No Estimated date of clearing ☐
Type of equipment to be used ☐

Transportation Concurrency:
Licensed Traffic Engineer ___________ Phone ___________ Email ___________
Total length of public streets ___________ Total length of private streets ___________
Existing property use ___________

Land Use Data:
Sq ft of new construction ☐ Existing property use ☐
Proposed Property Use ___________ Housing Type Proposed ___________
Proposed Number of Buildings ___________ Number of Existing Dwelling Units ___________
Number of Proposed Dwelling Units ___________ Number of Existing Parking Spaces ___________
Number of New Parking Spaces ___________ Number of Existing Lots ___________
Number of New Lots Proposed ☐ Proposed Density ___________

*Documentation demonstrating authorization to sign applications on behalf of the Owner(s) is required.
Critical Area Identification Form

Project Name (if applicable): BOYS & GIRLS CLUBS OF SNOHOMISH COUNTY

Associated Application(s): CONDITIONAL USE

Brief Description of Proposal: CHANGE THE USE FROM A FUNDAK HOME TO THE BOYS & GIRLS CLUB FACILITY

<table>
<thead>
<tr>
<th>APPLICANT NAME/CONTACT PERSON (or legal representative):</th>
<th>Address: 2780 N.E. GORDIE ST. #C OAK HARBOR WA. 98277</th>
</tr>
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<tbody>
<tr>
<td>E-mail Address: <a href="mailto:ron@nigen.com.com">ron@nigen.com.com</a></td>
<td>Phone and Fax: 360-675-6674 360-679-4605</td>
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PROPERTY OWNER NAME (list multiple owners on a separate sheet):

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<tr>
<th>BOYS &amp; GIRLS CLUBS OF SNOHOMISH COUNTY</th>
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<tr>
<td>E-mail Address: <a href="mailto:btsoukalase@cbsc.org">btsoukalase@cbsc.org</a></td>
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AUTHORIZATION:
The undersigned hereby certifies that the property affected by this application is in the exclusive ownership of the applicant or that the applicant has submitted the application with the consent of all owners of the affected property. In addition, the undersigned hereby certifies that all information submitted with this application is complete and correct. False statements, errors, and/or omissions may be sufficient cause for denial of the request.

I declare under penalty of the perjury laws that the information I have provided on this form/application is true, correct and complete.

Authorized Signature:

Date: 12-18-2019

Staff use only below this line

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Critical Area Report Needed?
The applicant submitted a pre-application packet and plan (PRE-19-03) for the proposal to operate the Boys and Girls Club in the existing building. The club currently has 522 youth and teens enrolled, with the daily attendance average of 185 per day Monday through Friday.

The pre-application packet was submitted by Mr. Bill Tsoukalas, with Boys and Girls Club of Snohomish Co. on April 9, 2019.

The project location is 30 SE Ely Street, S7600-00-02003-1.

The following comments/requirements are preliminary in nature and apply to the proposal based on the information provided by the applicant. As per OHMC 18.20.310(1), the purpose of pre-application review is to acquaint city staff with a sufficient level of detail about the proposed development to enable staff to advise the applicant accordingly. The purpose is also to acquaint the applicant with the applicable requirements of this title and other applicable city regulations. The pre-application review is not intended to provide an exhaustive review of all potential issues that a given application can raise. The pre-application review does not prevent the city from applying all relevant laws to the application.

**Background and General Information**

1. Any questions raised may be addressed to city staff – the appropriate staff contact is listed after each departments' comments.

2. The next steps in the project approval process are briefly outlined in the attached flowchart and involve the following basic steps:

3. a. Revision of the site plan as appropriate to address staff comments on this pre-application submittal.
   b. Submittal of the complete development review plan application and associated studies as described in OHMC.

4. The following applications and reports, with the appropriate fees, must be submitted to proceed with the project. **Please note** - the list of applications is based on the review at this time, additional applications may be required during the review process. If there are any questions regarding the items required on various plans, consult the appropriate Oak Harbor Municipal Code section or city staff.
   - a. General Development Application
   - b. Conditional Use
   - c. Transportation concurrency
   - d. Critical Areas Form

The applicant may be required to submit additional application or information depending on the nature of the actual site plan submitted for City review.
5. Please note that incomplete submittals cannot be accepted for review. All of the required applications must be submitted as a package in order for the City to begin processing of the application. For streamlining of the process, the applicant is strongly encouraged to utilize the comment letter as a checklist and submit the letter with any responses or comments along with the revised plans.

6. All submittals (with the exception of Fire Department required plans) must be made to the Permit Coordinator.

For more information regarding appropriate applications and fees, please contact Lisa Bebee, Permit Coordinator at (360) 279-4510.

Planning

Zoning

1. Subject property zoning is R-O (Residential-Office). There is no new construction proposed for the site, but if any changes are contemplated, refer to OHMC 19.20.250 for setback and density limitations.

2. The proposed use of the site would be considered as an assembly hall or community center, which will require a Conditional Use Permit. This is a Type III permit with a public hearing before the Hearing Examiner. Application materials are attached.

3. If any exterior changes are proposed or remodeling of the overall building exceeds 60% of the value of the building, the exterior changes will be required to meet the Design Regulations and Guidelines (DRG) document.
   a. This document includes exterior criteria dealing with materials and design choices. Minor remodeling work will likely need little review, but if significant changes are proposed, the applicant is advised to review the DRG document as a reference.
   b. The DRG also discusses exterior design such as parking lots and landscaping.

Landscaping

4. Existing landscaping in other locations is appropriate and will not require any additional changes. See parking lot comments below.

Parking

5. Because the proposed use is not called out specifically in the OHMC 19.44.100 minimum parking space requirements table, the applicant will need to provide justification for the number of parking spaces proposed. Number of visitors and anticipated maximum loads should be noted.

6. Any proposed use beyond the Boys and Girls Club, such as renting the space for receptions or other uses, will be limited by the number of parking spaces available.
Applicant is advised that a condition of approval will be added to address this to avoid potential parking problems.

7. The parking lot is shown as being re-striped for the revised use of the building. If it is only being re-striped, and not reconstructed (pavement removed and replaced, curbing or other structural elements removed or relocated), some of the requirements of OHMC 19.44 and 19.46 dealing with parking lot design and landscaping will not apply.

   a. The requirement for a 10-foot landscape buffer between the sidewalk (or property line depending on the location) will be deferred. Instead of a landscaped buffer, striping should show that 10 foot area between the assumed sidewalk and the parking spaces to provide safety margin between cars and pedestrians.

   b. If the applicant wishes to remove a portion of the pavement to install the landscaping, it should be done in accordance with OHMC 19.46.030(1)(a). Staff would strongly recommend adding landscaping in this manner to better define the parking area and driveway, which right now is extremely wide and could be confusing for drivers and pedestrians.

   c. The requirement for trees within the parking lot area may also be deferred.

8. The drop off area should be clearly marked on the site plan, along with parking lot dimensions such as parking spaces and aisle widths. Applicant is advised of minimum parking space and aisle width dimensions in OHMC 19.44 and that compact spaces may comprise up to 50% of the total parking space count. If the covered area is to be utilized for drop-offs (recommended if the roof clearance is sufficient), a separate lane for vans should be utilized to prevent traffic back up onto the public street while vans are unloading students.

9. Typically, the location where the existing handicapped spots are would be the required 10-foot landscape buffer. If these parking spaces remain unchanged, they may remain as is.

For more information about Planning Division requirements, please contact Mr. Ray Lindenburg, Associate Planner at (360) 279-4578.

Engineering

The Engineering department has no comment at this time.

Archaeology

Regarding the proposed Boys & Girls Club, there is no anticipated ground disturbing associated with the project therefore no cultural resources will be impacted. If ground disturbing is proposed in the future, the applicant should review and sign the City of Oak Harbor Inadvertent Discovery Protocol to ensure compliance with RCW 27.53 because the property is defined as being a Moderate to High Risk of encountering an archaeological site by the Statewide Archaeological Predictive Model. There is no known archaeological site on the property but there has not been a cultural resources survey within the property to determine the presence of one. The closeted known archaeological site, 45IS309, a pre-contact shell midden, is approximately 3,000 feet.
away. The nearest cultural resources report was completed approximately 1,400 feet away and did not encounter any cultural resources (Gill, 2007).

References Cited

For more information about Engineering Division requirements, please contact Mr. Brad Gluth, Engineer at (360) 279-4526.

**Building**

1. It has been determined that this project qualifies as an "E" occupancy according to the 2015 IBC Section 305.2.

2. The proposed submitted drawing (floor plan) appears to be substantially different from the current floor plan and last submitted drawings dated July 16, 2008. Therefore, this project will qualify as a substantial remodel which requires licensed architectural drawings and possibly structural analysis by a Washington State Structural Engineer.

3. **2015 Section 903.2.3 Washington State Amended Building Code**, For occupancy Group E, an automatic sprinkler system shall be provided for fire areas containing group "E" occupancies where the fire area has an occupant load of 51 or greater. The proposed use is for 185 or more occupants.

4. **2015 Table 2902.1 Washington State Amended Building Code**, Bathroom requirements for this project will be as outlined in this table.

5. Accessible parking, pathways, bathrooms, etc. shall be constructed per the 2009 ANSI A117.1

6. **Per 2015 IBC Section 107.1.1**, Two exits are required for this building. With the addition of an automatic sprinkler system, the diagonal distance may be reduced to 1/3 for separation of exits. It is not clear on the plans how the exit configuration will be submitted. Section 1016.2 (2) will apply which prohibits exiting through intervening spaces. Further reexamination of this component will be evaluated during the official plan review.

7. The actual occupant load of this building for this project could not be determined. Further review will be accomplished using the 2015 IBC Table 1004.2 for "E" occupancies.

Any questions regarding Building Department issues may be addressed to Mr. Scott King, Building Official, at (360) 279-4517.
Fire

1. OHMC 8.05.020 Existing buildings which are substantially remodeled or rehabilitated or change occupancy group classification shall be required to comply with fire protection features specified in this chapter.

(Washington State Amendment) 903.2.3 Group E. An automatic sprinkler system shall be provided for fire areas containing Group E occupancies where the fire area has an occupant load of 51 or more, calculated in accordance with Table 1004.1.2. Exceptions Provide the fire department with two sets of fire sprinkler plans for review.

2. IFC 907.2.3 Group E. A manual fire alarm system that initiates the occupant notification signal utilizing an emergency voice/ alarm communication system meeting the requirements of section 907.5.2.2 and installed in accordance with section 907.6 shall be installed in group E occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system.

Provide the fire department with two sets of fire alarm plans for review.

3. IFC 506 Key Boxes, the key box shall be of an approved type approved type listed in accordance with U.L. 1037 and shall contain keys to gain necessary access as required by the fire code official.

Install a KNOX key box on the building, KNOX key box may be ordered online through the KNOX company website, contact the fire department for ordering instructions.

4. Install size 2A 10BC fire extinguishers in the building located throughout with a travel distance of no more than 75”

Any questions regarding Fire Department issues may be addressed to Mike Buxton, Deputy Chief, at (360) 914-6189.
CUP-19-02
Staff Report
Attachment 2:
Zoning and Vicinity Map

March 2, 2020
CUP-19-02
Staff Report
Attachment 3:
Public Noticing Documents

March 2, 2020
CERTIFICATION OF POSTING
NOTICE OF APPLICATION

Office of the City Administrator
865 SE Barrington Drive
Oak Harbor, WA 98277

I, Lisa Bebee, hereby certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

That on the 8th day of January 2020, I did post 1 notices (a copy of which is attached hereto and by reference made a part hereof) at the following locations:

1&2) Oak Harbor City Hall
     865 SE Barrington Drive
     Oak Harbor, WA 98277

advertising a Notice of Application CUP-19-02

Executed this 8th day of January 2020 in Oak Harbor, Washington.

(Signature of person posting)
CERTIFICATION OF MAILING
NOTICE TO ADJACENT PROPERTY OWNERS

I, Lisa Bebee, certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

That on the 8th day of January 2020, I deposited in the U.S. mail, postage prepaid, a copy of the Notice to Adjacent Property Owners for Conditional Use CUP-19-02 and a copy of which is attached hereto and by reference made a part hereof) to the following property owners:

(see attached)

Executed this 8th day of January 2020 in Oak Harbor, Washington.

(Signature of person mailing)
NOTICE TO ADJACENT PROPERTY OWNERS
NOTICE OF APPLICATION

Boys and Girls Club
APPLICATION: Conditional Use CUP-19-02

Boys & Girls Club of Snohomish County, which operates the Oak Harbor Boys & Girls Club submitted a conditional use (CUP-19-02) application for the proposed after school center for young people. The building was previously used as a funeral home with an R-O (Residential - Office) zoning. There will interior remodeling to the existing building, no additions are proposed at this time. The new use will be considered an assembly hall or community center per city code.

The plans have been circulated to City staff for review and comments. Plans for the proposal are available for review at the City of Oak Harbor’s Development Services Department, located in City Hall. For more information, please call (360) 279-4510.

PROJECT LOCATION: The property location is at 30 SE Ely Street, S7600-00-02003-1

PUBLIC COMMENT PERIOD: To make written comments on this proposal, please mail or hand deliver specific comments to: City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277, no later than 5:00 p.m. on January 22, 2020. If you have questions regarding this proposal, please contact the Development Services Department at (360) 279-4510, between 8:00 a.m. and 5:00 p.m.

PUBLIC HEARING REQUIRED: The conditional use application (CUP-19-02) will be scheduled for a public hearing before the Hearing Examiner. The notice of public hearing will be mailed when the date and time has been established for the hearing.

ENVIRONMENTAL DOCUMENTS AND/OR STUDIES APPLICABLE TO THIS PROJECT: n/a

To receive notification of the decision on this proposal, please send a self-addressed, stamped envelope and request a Finding of Facts for application CUP-19-02 from the City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277.
NOTICE OF APPLICATION
Boys & Girls Club

APPLICATION: Conditional Use CUP-19-02

Boys & Girls Club of Snohomish County, which operates the Oak Harbor Boys & Girls Club submitted a conditional use (CUP-19-02) application for the proposed after school center for young people. The building was previously used as a funeral home with an R-O (Residential - Office) zoning. There will be interior remodeling to the existing building, no additions are proposed at this time. The new use will be considered an assembly hall or community center per city code.

The plans have been circulated to City staff for review and comments. Plans for the proposal are available for review at the City of Oak Harbor's Development Services Department, located in City Hall. For more information, please call (360) 279-4510.

PROJECT LOCATION: The property location is at 30 SE Ely Street, S7600-00-02003-1

PUBLIC COMMENT PERIOD: To make written comments on this proposal, please mail or hand deliver specific comments to: City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277, no later than 5:00 p.m. on January 22, 2020. If you have questions regarding this proposal, please contact the Development Services Department at (360) 279-4510, between 8:00 a.m. and 5:00 p.m.

PUBLIC HEARING REQUIRED: The conditional use application (CUP-19-02) will be scheduled for a public hearing before the Hearing Examiner. The notice of public hearing will be mailed when the date and time has been established for the hearing.

ENVIRONMENTAL DOCUMENTS AND/OR STUDIES APPLICABLE TO THIS PROJECT: n/a

To receive notification of the decision on this proposal, please send a self-addressed, stamped envelope and request a Finding of Facts for application CUP-19-02 from the City of Oak Harbor, Development Services Department, 865 SE Barrington Drive, Oak Harbor, WA 98277.

Lisa Bebee
Permit Coordinator

Published: Whidbey News Times
Date: January 8, 2020
CERTIFICATION OF NOTIFICATION
OF PUBLIC HEARINGS

Oak Harbor Hearing Examiner
865 SE Barrington Drive
Oak Harbor, Washington 98277

I, Lisa Felix, acting as the Development Services Department Administrative Assistant for the City of Oak Harbor, certify under penalty of perjury under the laws of the State of Washington that:

1. On the 12th day of February, 2020, I provided written notice to the Whidbey News Times Legals (legals@soundpublishing.com), to be published in the paper on the 15th day of February, 2020, of the Public Hearing before the Hearing Examiner, which is scheduled for the 2nd day of March, 2020; and

2. On the 12th day of February, 2020, I posted the notice on the City of Oak Harbor website.

Signed this 12th day of February, 2020, at Oak Harbor, Washington.

Lisa Felix
Senior Administrative Assistant
NOTICE OF PUBLIC HEARING BEFORE 
HEARING EXAMINER 

HE 03-02-2020 

Notice is hereby given that the following public hearing will be held before the City of Oak Harbor Hearing Examiner in the Council Chambers at City Hall on Monday, March 2, 2020 at 11:00 AM, or as soon thereafter as possible following any preceding items, to consider the following item:

**BOYS AND GIRLS CLUB – CONDITIONAL USE PERMIT: CUP-19-02**

The Hearing Examiner will consider an application for a conditional use permit to allow an existing commercial building to be utilized as a community center – specifically, the Oak Harbor Boys and Girls Club. The previous use of the building as a funeral home was a permitted use in the R-O zoning district. Interior changes are proposed to suit the new tenant, and the parking area will be re-striped to accommodate parking and drop-off areas.

Anyone wishing to comment on the above item or provide other relevant information may appear in person before the Hearing Examiner at the time and place of said public hearing. After obtaining public input and considering the matter, the Hearing Examiner may approve or deny the proposed application. As part of any approval, conditions or limitations may be imposed.

For additional information, you may contact the Department of Development Services in City Hall at (360) 279-4510.

All meetings of the Hearing Examiner are open to the public.

Lisa Felix, lfelix@oakharbor.org
Assistant to the City Administrator

POSTED ON WEDNESDAY, FEBRUARY 12, 2020:
POSTED: City Hall Bulletin Boards
POSTED: www.oakharbor.org

EMAIILED ON WEDNESDAY, FEBRUARY 12, 2020: legals@soundpublishing.com
PUBLISHED ON SATURDAY, FEBRUARY 15, 2020: Whidbey News Times

REMOVE TUESDAY, MARCH 3, 2020
CERTIFICATION OF POSTING
PUBLIC HEARING NOTICES

Oak Harbor Hearing Examiner
865 SE Barrington Drive
Oak Harbor, Washington  98277

I, Lisa Felix, acting as the Development Services Department Administrative Assistant for the City of Oak Harbor, certify under penalty of perjury under the laws of the State of Washington that:

On the 12th day of February, 2020, I did post two (2) notices (a copy of which is attached hereto and by reference made a part hereof) at the following locations:

1. Oak Harbor City Hall – Upstairs bulletin board
   865 SE Barrington Drive
   Oak Harbor, WA  98277

2. Oak Harbor City Hall – Downstairs bulletin board
   865 SE Barrington Drive
   Oak Harbor, WA  98277

Advertising a public hearing for **BOYS AND GIRLS CLUB – CONDITIONAL USE PERMIT: CUP-19-02**
before the Hearing Examiner on the 2nd day of March, 2020.

Executed this 12th day of February, 2020, at Oak Harbor, Washington.

Lisa Felix
Senior Administrative Assistant
NOTICE OF PUBLIC HEARING BEFORE
HEARING EXAMINER

HE 03-02-2020

Notice is hereby given that the following public hearing will be held before the City of Oak Harbor Hearing Examiner in the Council Chambers at City Hall on Monday, March 2, 2020 at 11:00 AM, or as soon thereafter as possible following any preceding items, to consider the following item:

BOYS AND GIRLS CLUB – CONDITIONAL USE PERMIT: CUP-19-02
The Hearing Examiner will consider an application for a conditional use permit to allow an existing commercial building to be utilized as a community center – specifically, the Oak Harbor Boys and Girls Club. The previous use of the building as a funeral home was a permitted use in the R-O zoning district. Interior changes are proposed to suit the new tenant, and the parking area will be re-striped to accommodate parking and drop-off areas.

Anyone wishing to comment on the above item or provide other relevant information may appear in person before the Hearing Examiner at the time and place of said public hearing. After obtaining public input and considering the matter, the Hearing Examiner may approve or deny the proposed application. As part of any approval, conditions or limitations may be imposed.

For additional information, you may contact the Department of Development Services in City Hall at (360) 279-4510.

All meetings of the Hearing Examiner are open to the public.

Lisa Felix, lfelix@oakharbor.org
Assistant to the City Administrator

POSTED ON WEDNESDAY, FEBRUARY 12, 2020:
POSTED: City Hall Bulletin Boards
POSTED: www.oakharbor.org
EMAILED ON WEDNESDAY, FEBRUARY 12, 2020: legals@soundpublishing.com
PUBLISHED ON SATURDAY, FEBRUARY 15, 2020: Whidbey News Times

REMOVE TUESDAY, MARCH 3, 2020
CERTIFICATION OF MAILING
NOTICE TO ADJACENT PROPERTY OWNERS

I, Lisa Felix, certify under penalty of perjury under the laws of the State of Washington, that the following is true and correct:

That on the 13th day of February, 2020, I deposited in the U.S. mail, postage prepaid, a copy of the Notice of Public Hearing before the Hearing Examiner for BOYS AND GIRLS CLUB – CONDITIONAL USE PERMIT: CUP-19-02 to take place on March 2, 2020 (a copy of which is attached hereto and by reference made a part hereof) to the attached list of recipients.

Executed this 13th day of February, 2020, in Oak Harbor, Washington.

Lisa Felix
Senior Administrative Assistant
February 12, 2019

NOTICE TO ADJACENT PROPERTY OWNERS OF PUBLIC HEARING
OAK HARBOR HEARING EXAMINER

You are receiving this notice because you own property within 300 feet of 30 SE Ely Street.

Notice is hereby given that the following public hearing will be held before the City of Oak Harbor Hearing Examiner in the Council Chambers at City Hall on **Monday, March 2, 2020 at 11:00 A.M.**, or as soon thereafter as possible following any preceding items, to consider the following item:

**BOYS AND GIRLS CLUB – CONDITIONAL USE PERMIT: CUP-19-02**
The Hearing Examiner will consider an application for a conditional use permit to allow an existing commercial building to be utilized as a community center – specifically, the Oak Harbor Boys and Girls Club. The previous use of the building as a funeral home was a permitted use in the R-O zoning district. Interior changes are proposed to suit the new tenant, and the parking area will be re-striped to accommodate parking and drop-off areas.

Anyone wishing to comment on the above item or provide other relevant information may appear in person before the Hearing Examiner at the time and place of said public hearing. After obtaining public input and considering the matter, the Hearing Examiner may approve or deny the proposed application. As part of any approval, conditions or limitations may be imposed.

The conditional use application is available for review at the City of Oak Harbor Development Services Department at City Hall, 865 SE Barrington Drive. For more information, please contact the Permit Coordinator in the Development Services Department at 360-279-4510.

All meetings of the Hearing Examiner are open to the public.

Lisa Felix, lfelix@oakharbor.org
Assistant to the City Administrator
Peter Franssen
477 Richard Rd.
Oak Harbor, WA  98277

E Lynn Burge
390 E. Whidbey Ave, Suite 101
Oak Harbor, WA  98277

Whidbey Island Real Estate LLC
791 SE Barrington Dr.
Oak Harbor, WA  98277

Samurai Investments
41 NE Midway Blvd, Suite 101
Oak Harbor, WA  98277

Jacob Cohen
PO Box 889
Oak Harbor, WA  98277

Dale Williams
2724 222nd Ave SE
Sammamish, WA  998075

Lam Holdings II, LLC
2403 NW 201st Ln
Shoreline, WA  98177

Phillip Renninger
614 NE 6th St
Oak Harbor, WA  98277

CJ Hockett
PO Box 884
Oak Harbor, WA  98277

Curtis Adams, MD
520 E Whidbey Ave, Suite 106
Oak Harbor, WA  98277

Martha Camacho
670 E Whidbey Ave
Oak Harbor, WA  98277

Nhla, LLC
6011 S Campbell Lake
Anacortes, WA  98221

Greenbank Properties, LLC
PO Box F
Greenbank, WA  98253

Grayhawk Partners, LLC
1849 West Beach Rd
Oak Harbor, WA  98277

Oak Harbor School District #201
1250 Midway Blvd.
Oak Harbor, WA  98277

Timothy McCarthy
PO Box 572
Oak Harbor, WA  98277

Pcm Holdings LLC
33345 State Route 20
Oak Harbor, WA  98277

Cynthia Bangston Trustee
PO Box 1179
Freeland, WA  98249
Md & Df Properties, LLC  
3145 Shadowbrook Ln  
Oak Harbor, WA  98277

Dry Lake Land Stewardship, LLC  
31650 SR 20  
Oak Harbor, WA  98277

Bloch Keene LLC  
1200 112th Ave NE, Suite A-101  
Bellevue, WA  98004

Dawn Nelson  
110 SE Ely St.  
Oak Harbor, WA  98277

Earl Reep  
148 SE Ely St.  
Oak Harbor, WA  98277

Julius Henrichsen, Sr.  
176 SE Ely St.  
Oak Harbor, WA  98277

Oak Harbor Christian School  
675 E Whidbey Ave.  
Oak Harbor, WA  98277

Ponciano Ramos  
196 SE Ely St.  
Oak Harbor, WA  98277

Floren Apuyan  
215 SE Fisher Ct.  
Oak Harbor, WA  98277

Phillip Renninger  
614 NE 4th St  
Oak Harbor, WA  98277