



**MINUTES OF THE
PLANNING COMMISSION**

JUNE 21, 2006

***Council Chambers, City Hall
900 E. Fairhaven Avenue, Burlington, WA***

MEMBERS: Rebecca Bradley – Chair, Marianne Manville-Ailles, Jana Vater, Ken Frye, Steve Sexton, and Eddie Tjeerdsma,

STAFF: Margaret Fleek

Meeting was called to order by **Bradley**, chairperson.

Motion by **Frye/Manville-Ailles** to approve the minutes of April 19, 2006 meeting as written.

**ADMINISTRATIVE REVIEW
237 E. RIO VISTA AVENUE
KAY HALL'S BOUTIQUE
GENE & KAY HALL, APPLICANT**

Plan Review of conversion of a house to a retail consignment boutique with parking and barrier free access in the MR-NB, Medium Residential/Neighborhood Business zone.

Fleek indicated that this use is not a listed permitted use, but the proposed consignment boutique is not expected to be a high traffic generator and no problems are anticipated with the project. The off-street parking does back onto the street, but is not in a high volume location and there is plenty of visibility down the block.

Staff recommends approval subject to the applicant obtaining a Land Use Permit.

Motion by **Frye/Vater** to approve the Administrative Review to allow the consignment boutique.

**TEMPORARY USE PERMIT
1500 BLOCK OF S. BURLINGTON BLVD.
SHAVE ICE BOOTH
MARK VANDYKE, APPLICANT**

Proposed temporary use permit to install a Shave Ice booth to be in place through September, but my close earlier if the weather is not good. The site is the vacant pad at K-Mart located between Wendy's and Shari's Restaurant. The site is located in the C-1, General Commercial zone. It is not a drive-through, but a walk up stand.

The proposal has been reviewed and approved by the Technical Review Committee.

Vater asked if there were set hours of operation. **Fleek** is not sure.

Motion by **Sexton/Manville-Ailles** to approve the Temporary Use Permit for the Shave Ice stand through September 2006 subject to approval from the Health Department. Motion carried.

**SIGN REVIEW
PLANNING COMMISSION DISCUSSION
LIBRARY SIGN @ HOLLY & FAIRHAVEN
JON AARSTAD, CITY OF BURLINGTON, APPLICANT**

Planning Commission review of proposal to amend the sign code to allow an electronic readerboard in the R-S, Semi Public zoning district for the new library, to be located on Fairhaven Avenue. A public hearing will be scheduled in July, based on discussion and recommendations of the Planning Commission.

Fleek stated the new Library is under construction and they have made a proposal to place a sign with electronic readerboard in the curb bulb in the street on Fairhaven and Holly Street. The sign proposed is not allowed in the current code, as it is an off-premise sign with an electronic readerboard. The proposed sign is for the new Library and Parks & Recreation Department who will take over the existing city hall/library building. The pictures in the packets show the sign. A second proposal was handed out showing an angled sign.

Fleek indicated this request must have legislative action, as under the current zoning district you cannot have an electronic message board. Either way it will require City Council approval. *Fleek* stated there are other issues of concern with approving an Electronic readerboard: 1) we get calls from churches all the time who would love to have this type of sign, and they are mostly located in residential zones. 2) there are residences in the neighborhood, and nothing is more obtrusive than lights shining in your window at night. 3) 24 square feet is the maximum sign size allowed in the R-S zone, the over all sign of proposed sign is almost 80 square feet (including the structure).

The code allows electronic message centers for site over 30 acres in size in the C-1 zone. This is the R-S, Semi Public zone.

Jon Aarstad, City Administrator – stated the electronic readerboard would not be a flashing sign, there would be no flashing of fireworks or a streaming text. It would be similar to a removable letter readerboard, but the message would be change via a computer rather than putting up letters by hand. The sign proposed would be a ground level sign to inform the public about events at the Library or Parks or city happenings. The sign would be changed via computer from the Library.

Aarstad realizes this is a precedent setting issue, and has information from other cities (Woodinville) allowing such signs for governmental entities. *Fleek* indicated we would have to do a code change to amend the sign code.

Aarstad indicated the other idea for the proposed sign is to move the sign to the east end of the curb bulb in line with a car parked parallel in the parking area to the east. They could tilt the sign so it would not stick out any further than the car parked in that stall. *Aarstad* is looking for comments from the Planning Commission; perhaps the change of the sign code could be limited to the City only, limiting time the electronic readerboard would be turned off/on, streaming of message, etc.

Sexton asked if there would also be an electronic sign at the new City Hall. *Aarstad* stated no, not at City Hall. This sign would provide information to the public about city events, local play, city meetings, etc. *Fleek* noted that the new City Hall site is in the C-1 zone, so an electronic readerboard is allowed.

Fleek indicated that Lucille Umbarger has a hand-changed readerboard that is turned off at 10 p.m. *Manville-Ailles* stated the proposed sign is distracting and has concerns such as controlling the number of associations, businesses, schools, etc. using the sign as it will be difficult not having the letters move. We can say you can't have streaming text; but it is going to be an enforcement issue to control it. *Fleek* indicated it could be ongoing enforcement. *Manville-Ailles* is stated every time we allow a "one of a kind sign", then everyone seems to want one.

Fleek noted that with the future new Downtown guidelines, signs are not going to get any bigger. **Vater** is concerned that businesses will see this sign and think they can have one too and order one, and it will be after the fact that we find out. **Manville-Ailles** prefers v-shaped option, 6 feet high, 24 square feet located behind the sidewalk in the grass, under the tree. **Sexton** said he drove down the streets during daytime hours, and is concerned with the sign located in the curb bulb, as it blocks the view of traffic when you stop on Holly Street at the crosswalk, the proposed sign will be an issue. **Manville-Ailles** is concerned that when the new Downtown guidelines are in place there will be other businesses who will want the same type of sign, and it won't be allowed.

Aarstad indicated if the issue is placing the sign in the curb bulb or placing it in the grass, he would move it to the grass. The purpose is to provide information to the public.

Pat Iversen, 1042 Cypress Court – stated she is on the Board of Adjustment and their main concern is consistency. **Iversen** indicated that the Board has worked really hard to keep signage consistent and not out of control, she does not feel that because the Library is a public entity there should be an exception. As far as different types of signs, many people have a sign you have to physically change. **Iversen** asked the Planning Commission to not make any exceptions that we would not do for our commercial neighbors.

Bradley is concerned that churches will want these movable signs, and they tend to be located more in residential neighborhoods. **Vater** would like to hear from the neighbors about this issue as it could affect their property values and quality of life. The neighbors in the Gilkey Addition where she lives still complain about the blinking light on the cell tower on Burlington Hill.

Sexton asked how much light difference is there between a backlit and an electronic message sign. **Aarstad** is not sure, but indicated that the Librarian has researched and there is a "soft yellow" light available. **Manville-Ailles** questioned the hours the sign will be lit. **Fleek** noted that Lucille Umberger has lit removable letter readerboard sign, and their sign is turned off at 10 p.m. The Library closes at 8 p.m.

Fleek stated she will obtain a legal opinion from the City Attorney and provide a draft ordinance for the public hearing at next months Planning Commission meeting that will look at the issue of the electronic readerboard in the R-S, Semi Public zone, illumination, no streaming text, hours of operation and location of the sign (in the curb bulb vs. behind the sidewalk in the grass). **Manville-Ailles and Vater** stated they were against locating the sign in the curb bulb. **Aarstad** stated the code change must be written in such a way that it would not allow other businesses to do the same.

Meeting adjourned.