

Date: December 4, 2021

To: Hearings Examiner
City of Bainbridge Island

Re: Wintergreen Townhomes/[PLN51836 SPR](#)

From: Joseph Dunstan, Chairperson, Design Review Board

As a citizen with five years of experience on the Design Review Board I have many concerns regarding the incomplete review process for this project. They are my personal observations and they are based on publicly available information.

Site Design Standards and Context for DRB Recommendation

The Design Review Board (DRB) for City of Bainbridge Island reviews development projects submitted to the City and recommends approval or denial to the Planning Commission and the Director of Planning. Projects include subdivisions, commercial and multi-family housing.

The DRB is responsible for evaluating and reviewing projects based on design standards found within the "Design for Bainbridge Manual" (D4B) which provides guidance for project applicants to successfully navigate the design review process. The D4B manual was codified by the Bainbridge Island City Council in 2019 and was part of the project review process starting in the same year. It is therefore part of the municipal code and is required as part of this project review process.

The D4B manual clearly states that "for a project to be approved it must comply with all applicable design standards and demonstrate how the project team has applied design guidelines to meet those standards." (Ref: page 5) BIMC defines the key word "must" as "mandatory" (ref: BIMC, Title 1.04 General Provisions, 1.04.010 Definitions, part U.)

These standards and guidelines are structured to support good design. This iterative process is intended to help applicants apply relevant standards and guidelines and develop designs for their project that fit Bainbridge Island and the unique context of a particular site.

Summary of DRB Review

During 2020 and 2021 the Design Review Board for the City of Bainbridge Island conducted six meetings to review the Wintergreen Townhomes proposal submitted by Central Highlands. The DRB reviewed this project using the 23 Design Standards required in the D4B Manual. Based on this extensive review the DRB voted unanimously to recommend denial of this project. The DRB forwarded to the Planning Commission and the Planning Director a 44 page analysis detailing project deficiencies in not meeting any of the 23 design standards.

Lack of critical site plan and data analysis

In arriving at the DRB recommendation of denial, the DRB was consistently hampered with a lack of adequate information from the applicant including the following:

- Lack of a complete site plan with accurate dimensions and missing standard data analysis
- Plans submitted never detailed parking required, or parking provided for in the proposed project
- Plans submitted never identified the mix of housing units (studio, one bedroom, or two bedroom)
- Lack of a landscape plan that correlated with with the site plan
- Incomplete building elevations and identification of building materials.
- Lack of detail design in the identified community areas
- PCD Director Wright specifically asked the DRB to recommend a buffer width along SR305. DRB recommended 50 foot minimum. An alternative site plan showing this buffer with dimensions was never presented by the applicant to the DRB for review. All drawings were based on a 35 foot buffer only.

Due to an incomplete set of plans by the applicant, the number of parking spaces required by the city or to be provided by the developer was NEVER determined by the DRB. It is functionally not possible to review and approve a site plan for conformance when critical information such as required parking spaces and mix of housing units is not identified.

Subsequent to the final determination and recommendation of the DRB in June, 2021, the applicant provided the Planning Commission five more revisions to the site plan claiming they had "complied with DRB recommendations". However the DRB was never allowed to review any of these site plans or other documents to verify compliance.

Planning Director Heather Wright wanted to return the project for further review by DRB as drawings were substantially changed. However the Planning Commission recommended against allowing further review by DRB. The DRB (and therefore the City) does not know to this day if the most recent site plan #6 (submitted in mid-September 2021) does or does not meet one or more of the 23 design standards.

As of this date, the DRB has not reviewed or seen the final site plan, landscape plan, building elevations, 50 foot buffer, or parking requirements for this project. DRB review of this project required by COBI code is therefore incomplete.

Planning Commission lack of due diligence in this project review

The Planning Commission did not complete due diligence in violation of both BIMC and the Planning Commission's own stated purpose as follows:

1. BIMC Title 2.16.040 - B #5 states:

Item D: The design review board's recommendation shall hold substantial weight in the consideration of the application by the planning commission. Any deviation from the recommendation shall be documented in their written findings of facts and conclusions.

2. Planning Commission's stated purpose:

The purpose for the Planning Commission which can be found in the Wintergreen Townhome recorded motion on September 23, 2021 states that "the purpose of the Planning Commission's review and recommendation is to determine if a proposed project is consistent with the Comprehensive Plan, applicable design guidelines and standards, and BIMC Titles 2, 17, and 18. "

The Planning Commission recommended deviating from the Design Review Board's recommendation of denial by including 17 conditions which they claim satisfy the issues raised by the Design Review Board. A review of the recorded motion on September 23, 2021 and the video of this same meeting will show that the planning commission addressed only four of the 23 design standards findings (approximately 20%) by the Design Review Board. As stated in the discussion above, neither the DRB nor the PC is allowed to simply choose between design standards that they like or don't like. Projects must meet all design standards. In not addressing all of the design standards findings the Planning Commission did not fully review or give "substantial weight" to the findings of the Design Review Board. See Table below in this document.

PCD Director's lack of due diligence in this project review

In addition, the Planning Directors' decision incorporating the recommendation of the Planning Commission did not meet BIMC as follows:

BIMC Title 2.16.040 -B #6 Review and Approval by Director states in section ii "that the design review board and planning commission's recommendation shall hold substantial weight in the consideration of the application by the director. Any deviation from that recommendation shall be documented in the director's report." There is no such documentation in the director's recommending report regarding the 23 design standards review by the Design Review Board.

Conclusions

This discussion begs the question internal to city discussions going forward as to whether COBI Planning and Community Development process values the work of the Design Review Board, the "Design for Bainbridge" manual or the 23 design standards.

As the items listed above are required by BIMC as part of the project review for development projects and are currently unresolved, I would ask that the Hearings Examiner not approve the Wintergreen Townhome project and return it for project review as required by BIMC.

SUMMARY OF DESIGN STANDARDS REVIEW BY DRB AND PC

	Design Standard	DRB Finding	Addressed by Planning Commission
SITE DESIGN	S1 Protect and repair natural systems	Did Not Meet	NO
	S2 Preserve and enrich wildlife habitat	Did Not Meet	NO
	S3 Respect and magnify unique aspects of site and context	Did Not Meet	NO
	S4 Complement and contribute to the built environment and local identity	Did Not Meet	NO
	S5 Fit the project into the systems of access and movement prioritizing pedestrians and bicycles	Did Not Meet	YES
	S6 Support and contribute to a vibrant public realm.	Did Not Meet	NO
PUBLIC REALM	P1 Create a safe and comfortable environment for walking and cycling	Did Not Meet	YES
	P2 Minimize impact of vehicles on the public realm	Did Not Meet	YES
	P3 Design to support a legible hierarchy of public spaces	Did Not Meet	NO
	P4 Strengthen public space connections	Did Not Meet	YES
	P5 Draw from and enhance existing block patterns	Did Not Meet	NO
	P6 Foster interest and activity along commercial streets	Did Not Meet	NO
BUILDING DESIGN	B1 Express a clear organizing architectural concept	Did Not Meet	NO
	B2 Use an architectural language appropriate to Bainbridge Island	Did Not Meet	NO
	B3 Create well compose facades at all scales	Did Not Meet	NO
	B4 Celebrate and prominently feature sustainable design	Did Not Meet	NO
	B5 Use high quality materials and well-crafted details	Did Not Meet	NO
LANDSCAPE	L1 Integrate the landscape concept to complement the architectural concepts	Did Not Meet	NO
	L2 Support the public realm with the landscape design	Did Not Meet	NO
	L3 Integrate sustainable features into the landscape and make them visible wherever possible.	Did Not Meet	NO
	L4 Integrate and highlight green infrastructure practices	Did Not Meet	NO
	L5 Support healthy habitat in the landscape	Did Not Meet	NO
	L6 Preserve and enhance important views and view corridors	Did not Meet	NO