

EXHIBIT LIST

**City Police and Court Facility SPRA/CUPA
PLN51524 SPRA/CUPA**

Staff Contact:
Ellen Fairleigh, Associate Planner

Public Hearing: August 13, 2020
Remote Meeting via Zoom

Hearing Examiner: Sound Law Center

NO.	DOCUMENT DESCRIPTION	DATE
1	Staff Report	08/06/2020
2	Master Land Use Application	10/08/2019
3	Notice of Complete Application	11/06/2019
4	Notice of Application/SEPA Comment Period/Hearing	11/15/2019
5	Certification of Public Notice	Signed 02/04/2020
6	Certificate of Posting from Applicant	Signed 01/05/2020
7	Site Plan	07/01/2019
8	Supplemental Site Plan with Critical Areas	05/19/2014
9	Floor Plans	11/12/2019
10	Renderings and Sketches	11/12/2019
11	Planting Plan	05/19/2014
12	Parking Space Needs Validation	01/06/2017
13	Trip Generation Analysis from Transpo Group	05/08/2019
14	Traffic Impact Assessment Memo from Applicant	10/06/2019
15	SEPA Checklist with Staff Response	Stamped 10/09/2019
16	Issued MDNS and Adoption of Existing Document	02/05/2020
17	Public Comment	Received 03/02/2020
18	Public Works Development Engineer Recommendation Memo	01/10/2020
19	Fire Marshal Memo	09/04/2019
20	Kitsap Public Health District (KPHD) Review	Signed 10/24/2019
21	Design Review Board (DRB) Review and Recommendation (see below)	
	A. DRB Review and Recommendation Minutes	12/02/2019
	B. DRB Review and Recommendation Minutes	03/02/2020

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DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DIRECTOR'S REPORT & RECOMMENDATION

CITY POLICE AND COURT FACILITY FILE #: PLN51524 SPRA/CUPA

Prepared by: Ellen Fairleigh, Associate Planner

Date: August 6, 2020

Request: Site Plan and Design Review Major Adjustment (SPRA) - PLN51524 SPRA
Conditional Use Permit Major Adjustment (CUPA) - PLN51524 CUPA

Applicant: City of Bainbridge Island (COBI)

From: Heather Wright, Director of Planning and Community Development

Location: 8804 Madison Avenue North

Tax Parcel: 232502-3-083-2002

Project Description: Convert an existing health care facility to a governmental facility to house the City Police and Court departments. The project includes exterior changes to the façade of the existing building, a new roof overhang on the south side of the building for covered impound storage, and a 484 square foot 2-story addition on the west side of the building. The City is the applicant for this project.

Director's Recommendation: Approval of the SPRA and CUPA subject to the conditions recommended in this report. The Director finds that the project is compliant with the Bainbridge Island Municipal Code (BIMC) and in accord with the Comprehensive Plan.

Part I: Process

- 1. Land Use Review:** There are existing Site Plan Review (SPR) and Conditional Use Permit (CUP) approvals for the subject property. Pursuant to BIMC 2.16.040.H and BIMC 2.16.110.J, the proposal to convert a health care facility to a governmental facility changes the character of the use and requires a major adjustment to both the SPR and CUP.
- 2. Moratorium:** On January 9, 2018 the City Council passed Ordinance No. 2018-02, declaring a temporary moratorium on the acceptance of certain development applications, with specified exclusions. "Government facilities" are specifically excluded from the moratorium.

3. **Environmental Review:** The project is subject to State Environmental Policy Act (SEPA) review as provided in Washington Administrative Code (WAC 197-11-800) due to the scope of work and the change in use. On February 5, 2020, the City, acting as lead agency, issued a Mitigated Determination of Nonsignificance and Adoption of Existing Document having found that the mitigation measures previously approved as part of the 2013 Harrison Medical Center minor adjustment (City file no. SPRA/CUPA 14430C) adequately address potential impacts from this proposal.
4. **Design Review Board (DRB) Process:** The land use process includes a Conceptual Proposal Review meeting and design guidance meeting before the DRB. Conceptual review is intended to provide the applicant with an understanding of the objectives of the design review process, design guidelines, and Comprehensive Plan goals and policies. As provided in BIMC 2.16.040.D, the Planning Director granted a waiver from the conceptual proposal review meeting based on the applicant's knowledge and understanding of the City's permit processing procedures and that the building existed. The Design Guidance meeting is intended to provide input and guidance to an applicant on consistency with applicable design guidelines and Comprehensive Plan goals and policies, including recommendations for how the project could be revised to achieve greater consistency. The final Review and Recommendation meeting is to review the project for compliance with applicable design guidelines and to ensure that the project reflects any revisions recommended by the DRB at the Design Guidance meeting. Please see Part III Background and Application History below for details on the DRB's review and recommendation.
6. **Planning Commission Process:** As provided in BIMC 2.16.040 and 2.16.110, the Planning Commission shall review the application prior to recommendation by the Department of Planning and Community Development Director. The Planning Commission shall review the project for consistency with applicable design guidelines and the Comprehensive Plan. The Planning Commission shall review the application based on the Design Review Board recommendation and the decision criteria, consider the application at a public meeting where public comments will be taken, and forward its recommendation to the Director. Please see Part III Background and Application History below for details on the PC's review and recommendation to the Director.
7. **Consolidated Review Process:** Through the Master Land Use Application, the applicant requested consolidated permit review of the Site Plan and Design Review Major Adjustment (SPRA) and Major Conditional Use Permit Major Adjustment (CUPA) in accordance with BIMC 2.16.170. A consolidated project permit application shall follow the application and notice procedure that results in the most extensive review and decision process.

8. **Decision Process:** Pursuant to BIMC 2.16.110.E, the Director shall review the application materials, staff report, and the recommendation of the Planning Commission and shall prepare a report to the Hearing Examiner recommending approval, approval with conditions, or disapproval of the application. The 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. The Hearing Examiner shall consider the application materials and the Director's recommendation at a public hearing. The Hearing Examiner shall make compliance with the recommendation of the Planning Commission a condition of approval, unless the Hearing Examiner concludes that the recommendation reflects inconsistent application of design guidelines or any applicable provisions of this code, exceeds the authority of the Design Review Board or Planning Commission, conflicts with SEPA conditions or other regulatory requirements applicable to the project or conflicts with requirements of local, state, or federal law.
9. **Appeal Process:** Pursuant to BIMC 2.16.020.R.2, the decision of the Hearing Examiner shall be final unless, within 21 days after issuance of a decision, a person with standing appeals the decision in accordance with Chapter 36.70 RCW or its successor.

Figure 1 – Proposed Site Plan

The proposed addition and suspended roof overhang are indicated in blue.

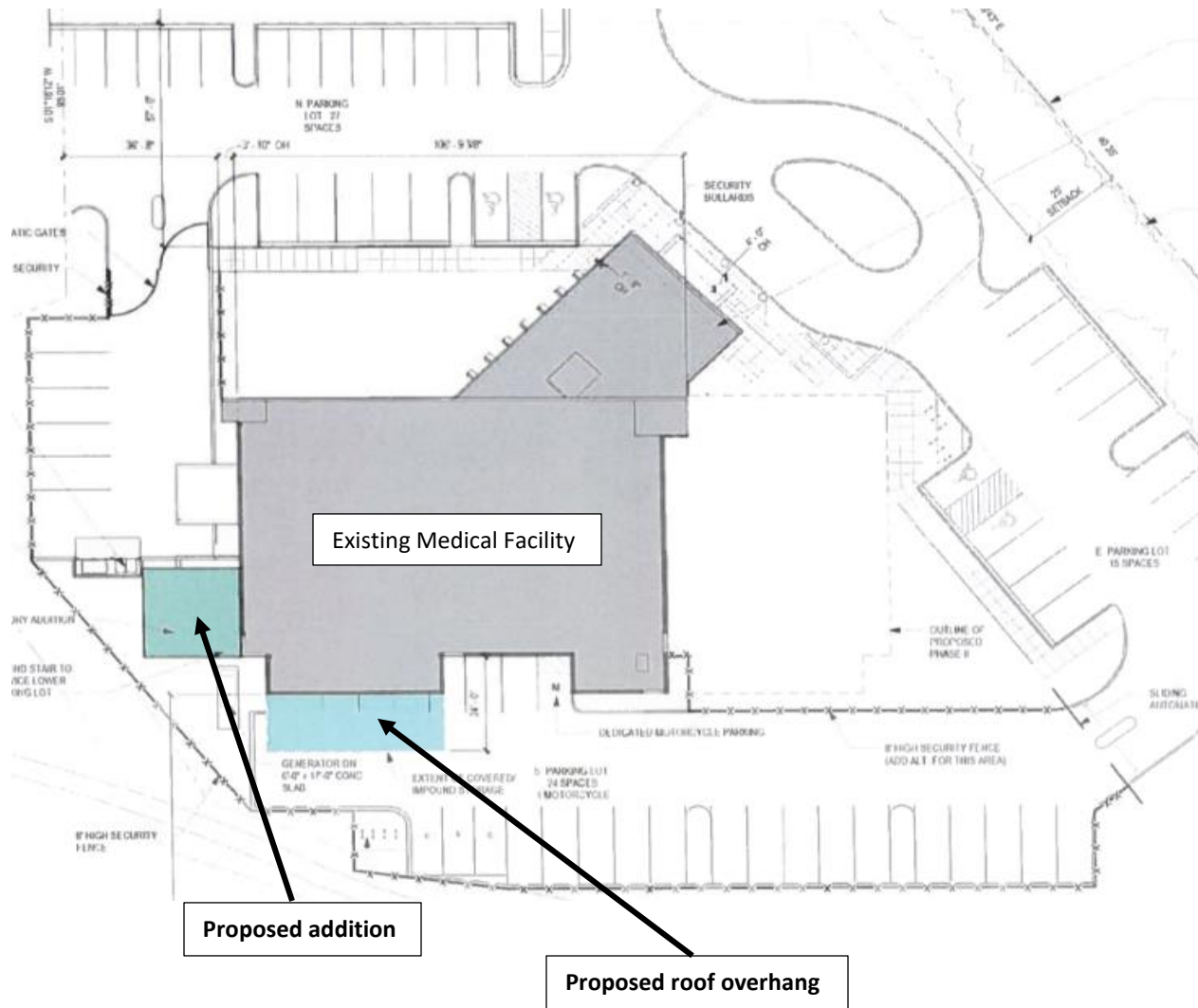
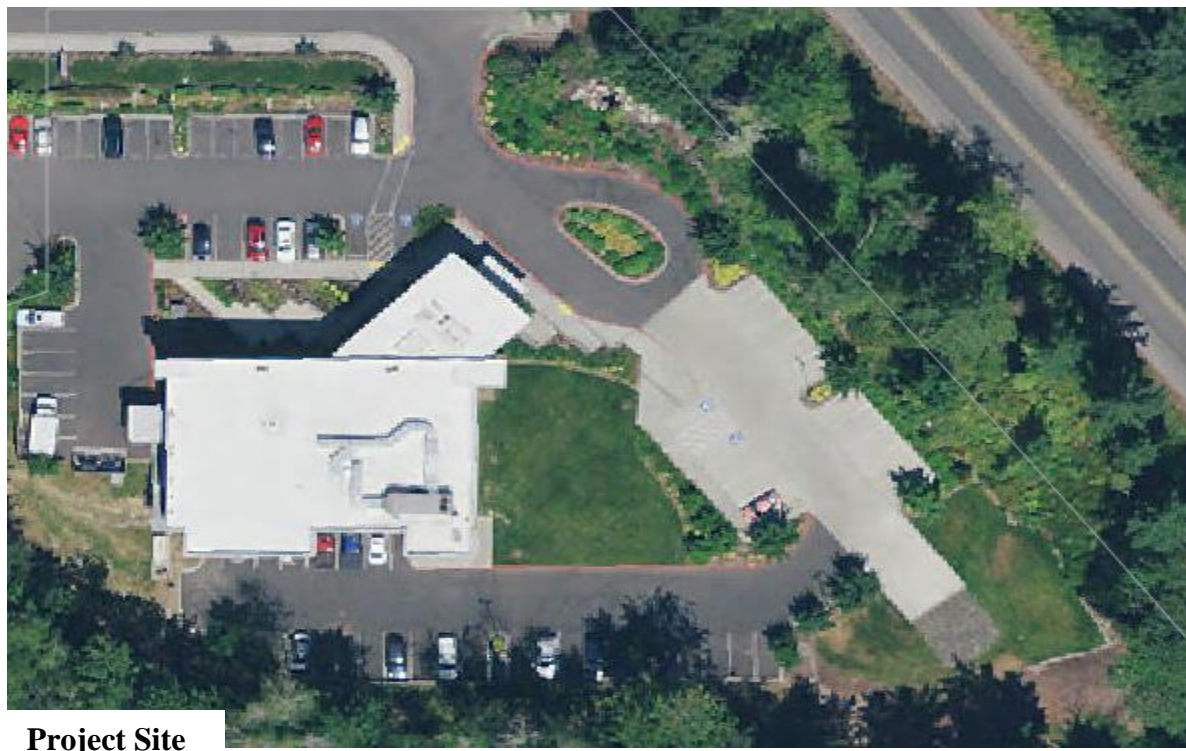
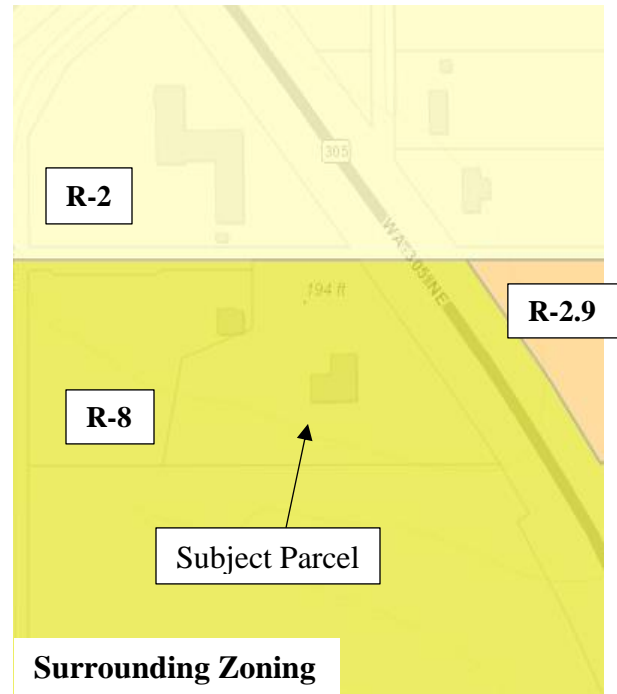


Figure 2 – Vicinity Map, Surrounding Zoning, and Project Site



Part II: General Information and Site Characteristics

Basic Information	
Zoning District	R-8 (8 units per acre)
Lot Area	3.02 acres
Soils and Terrain	Soils consist primarily of Kapowsin gravelly ashy loam and Kitsap silt loam and slopes between 15 to 40%
Critical Areas	A portion of a wetland and its associated buffer encumber the southern portion of the property. Additionally, a fish-bearing stream is located on the adjacent property to the south and the prescriptive buffer extends onto the subject property. There is an erosion hazard area on the south side of the subject parcel. The property also contains 15-39% slopes and a small area of 40% or greater slopes near the southern edge of the developed parking lot. The entire island is currently designated as a Critical Aquifer Recharge Area, however the subject proposal is not on the list of prohibited activities and uses in BIMC 16.20.100.C.
Existing Development	The subject parcel is currently developed with a health care facility and associated parking.
Access	The subject parcel is currently accessed from Madison Avenue N. No change to the access is proposed.
Public Services and Utilities	
Police	City of Bainbridge Island
Fire	Bainbridge Island Fire District
Schools	Bainbridge Island School District
Water	City of Bainbridge Island
Sewer	City of Bainbridge Island
Storm Drainage	Raingardens and outfall fed by an onsite detention vault

Part III: Background and Application History

Background: The subject property contains a medical office building which was constructed in conjunction with an assisted living facility on the parcel to the west. The two properties together received Hearing Examiner approval as a health care facility through Site Plan and Design Review and Conditional Use permits in 2008 (City File No. SPR/CUP 14430B). Minor adjustment approval in 2012 allowed the facility to continue as a phased plan (City File No. SPRA/CUPA 14430B). In 2013, a second minor adjustment was approved to reduce the size of the health care facility and change the building and parking configuration (City File No. SPRA/CUPA 14430C). A special use review (SUR) was approved in 2014 to create an outfall pipe across the wetland buffer which encumbers the southern portion of the subject property.

Date & Action	Summary
June 3, 2019 Design Guidance Review Meeting	The Design Review Board (DRB) provided input and guidance to the applicant regarding Comprehensive Plan goals and policies, focusing on

	sustainability goals, and goals and policies within the Environmental Element of the Comprehensive Plan.
<i>September 5, 2019</i> Public Participation Meeting	Comments and concerns were primarily related to traffic and associated impacts.
<i>August 20, 2019</i> Pre-Application Conference	City staff and the applicant discussed the permitting process and permitting requirements.
<i>October 9, 2019</i> Application Submitted	Major Adjustment to Site Plan Review and Major Adjustment to Conditional Use Application
<i>November 6, 2019</i> Notice of Complete Application	Application was deemed complete.
<i>November 15, 2019</i> Notice of Application/SEPA Comment Period/Hearing Published	14-day comment period
<i>November 29, 2019</i> End of SEPA Comment Period	No public comment was received. Two agency comments were received: The Fire Marshal recommends approval provided that the project meets the International Fire Code and that a fire sprinkler and fire alarm system is installed throughout the building; the Health District submitted comment that the agency has no comment and that that statement means that no further action is required at this time. Additionally, WSDOT comments from the original project approval have been carried forward.
<i>December 2, 2019</i> Final DRB Review and Recommendation	The DRB reviewed <i>Design for Bainbridge</i> standards and guidelines, including site design, public realm, building design, and landscape standards (Chapter 4), the state route street type and vegetated buffer frontage type guidelines (Chapter 5), and larger sites and civic uses standards (Chapter 7). There are no proposed departures from the design standards. The DRB determined that the project is consistent with <i>Design for Bainbridge</i> standards and guidelines and recommends approval.
<i>February 13, 2020</i> Planning Commission Review	<p>The Planning Commission reviewed the proposal and staff report, which contained suggested conditions of approval, and requested the following prior to providing their recommendation to the Planning Director:</p> <ol style="list-style-type: none"> 1. An analysis of the Conditional Use Permit decision criteria and how the proposed project satisfies those criteria 2. An analysis from the Design Review Board (DRB) describing all applicable design guidelines and how the project satisfies those 3. That the statement, "The Design Review Board discussed the project's consistency with the Comprehensive Plan" be removed from the staff report presented to the Commission or that the Commission be provided an analysis of the DRB discussion 4. Any analyses or reports that were created by a biologist that

	<p>demonstrate that “existing permanent substantial development” functionally isolates the development from critical areas and eliminates or greatly reduces the impacts to critical areas</p> <p>Subsequent to the meeting, staff addressed the Commission’s comments by incorporating additional analysis of the Conditional Use Permit decision criteria, as reflected in this report, and the DRB documented their analysis and findings and confirmed their recommendation for project approval. Additionally, the applicant provided a critical area report from a biologist that identifies existing permanent substantial development which functionally isolates the development from critical areas and found no impacts to critical areas.</p>
<i>March 2 & May 18, 2020</i> DRB Review and Recommendation worksheet exercise	The DRB completed the Final Design Review worksheet to document their analysis and findings and confirmed the approval recommendation.
<i>June 11, 2020</i> Planning Commission Recommendation	<p>The Planning Commission reviewed the revised staff report and supporting documentation and recommended approval, subject to the conditions in the staff report, to the Planning Director.</p> <p>The Planning Commission finds the project, as conditioned, consistent with the Comprehensive Plan, applicable design standards and guidelines, and BIMC Title 18, and recommends approval.</p>

Part IV: Comprehensive Plan Goals and Policies

The Comprehensive Plan designation for the site is Urban Multi-Family R-8. The guiding principles, goals and policies of the Comprehensive Plan, along with implementing regulations in the Municipal Code, are used to evaluate the proposal and weigh the project benefits and impacts. The following goals and policies apply to the development proposal:

Elements	Goals and Policies
Economic Element	<p>Diversified Economy – Goal EC-1: By providing enterprises that both serve and employ local residents, Bainbridge Island will be better able to withstand fluctuations in the larger regional economy. In addition, people who live and work in their community are available to invest time and money in their families, organizations, and community life. A key to a healthy, stable and vital economy is to create and undertake business opportunities that anticipate and respond to conditions that affect our community. This would include identifying emerging needs and markets so that Bainbridge Island businesses benefit from being on the leading edge of change.</p>
	<p>Diversified Economy – Policy EC-1.5: In order to provide opportunities for business enterprise, adequate space must be provided for efficient use of existing developed areas near public transportation (e.g. ferry, bus service) and for growth that recognizes and protects the Island’s valued natural amenities, its limits of land and water and the quality of its residential neighborhoods.</p>

	Sustainability – Policy EC-3.1: Encourage the use of green building materials and techniques in all types of construction, as well as design approaches that are responsive to changing conditions.
	Sustainability – Policy EC-3.4: Encourage public sector solid waste reduction, reuse and recycling.
Environmental Element	Environment – Goal EN-1: Preserve and enhance Bainbridge Island’s natural systems, natural beauty and environmental quality.
	Environment – Goal EN-2: Encourage sustainability in City Government operations.
	Environment – Policy EN-2.1: In managing City government operations, take reasonable steps to reduce impacts to the environment and ecosystems upon which we depend. This includes recognizing and preparing for the impacts of climate change.
	Fish and Wildlife – Policy EN-5.6: Protect wetlands and riparian areas.
	Air Quality – Policy EN-10.5: Ensure beneficial indoor air quality in all renovations and new construction of City-owned facilities and promote design choices that enhance beneficial indoor air quality in private construction.
Transportation Element	Operation and Mobility – Policy TR 6.1: Set street design guidelines which establish street widths, reflecting the desired vehicle speeds, accommodating bicycle, pedestrian, wheelchair, equestrian, and transit uses, and providing for emergency vehicle access and also considering community character.
	State Route (SR) 305 – Policy TR 7.6: Support the construction of the STO and its branch trails.
Capital Facilities Element	Goal CF-1: The Capital Facilities Element and Capital Improvement Plan (CIP) provides the public facilities needed to support orderly compact urban growth, protect and support public and private investments, maximize use of existing facilities, promote economic development and redevelopment, increase public well-being and safety, and implement the Comprehensive Plan.
	Policy CF 2.1: When planning for public facilities, consider expected future land use activity.
Utilities Element	Electrical – Policy 14.7: New taxpayer-funded buildings shall use carbon-neutral energy for heating, cooling, and operational use to the maximum extent practical within site specific and existing technology limitations.
Staff Consistency Analysis	
<p>The project both serves and employs local residents. The facility is located in proximity to public transportation and supports non-motorized transportation policies. The project avoids impacts to critical areas in the vicinity. The project observes sustainability practices by utilizing an existing building that complies with 2015 Washington State Energy Code and includes green stormwater infrastructure such as a rain garden, permeable pavement, and stormfilter system. The project proposes additional sustainability practices such as indoor water use efficiency by reducing the fixture count and installing low-flow fixtures, and efficient HVAC controls through the use of programmable DDC controls, occupancy and equipment runtime schedules, temperature setpoint controls, and minimum outside air requirements. In June 2020, the City Council chose not to pursue Leadership in Energy and Environmental Design (LEED) certification because of the determination that there are more efficient ways to achieve the same carbon footprint reduction. Instead, the project was</p>	

referred to the Climate Change Advisory Committee to identify the best climate change actions to attain the desired carbon footprint reduction.

Part V: Land Use Code Analysis

1. BIMC Title 16 Environment

a. BIMC 16.20 Critical Areas

i. BIMC 16.20.040.B Exemptions

Exemption	Staff Analysis
Activities within a portion of a wetland buffer or fish and wildlife habitat conservation area buffer separated from the critical area by an existing permanent substantial development, use or activity which serves to eliminate or greatly reduce the impact of the proposed activity on the critical area are exempt from establishing the full required buffer width; provided, that impacts to the critical area do not increase.	<p>A wetland and wetland buffer encumber the southern portion of the subject property. The property to the south contains a fish-bearing stream and the associated prescriptive buffer extends onto the subject property.</p> <p>When the health care facility was approved in 2008, critical area regulations required a 100-foot wetland buffer and an additional 15-foot building setback, and the stream was classified as a non-fish bearing stream with a 50-foot buffer which was encapsulated within the 100-foot wetland buffer. Subsequent to site development a stream classification review on Bainbridge Island resulted in the stream being re-classified as a fish-bearing stream, which requires a 200-foot buffer in accordance with the 2018 critical area code update. The 200-foot buffer extends into the southerly area of the developed project.</p> <p>The proposal includes a 484 square foot two story addition on the west side of the building that includes enclosure of an existing exterior stairway on the southwest corner of the building. The addition extends into the prescriptive 200-foot stream buffer.</p> <p>The project approved in 2008 included the installation of a split rail fence to delineate and protect critical areas which were established at that time. Mitigation measures to further protect wetland and stream critical areas included the installation of a trail, protection of significant trees and wildlife habitat, and motion sensor lighting installed in the rear of the site to ensure that sensitive areas are not constantly illuminated through the night.</p> <p>Staff conducted a site visit on September 12, 2019 and observed that the area between the building and the wetland and stream critical areas contains permanent substantial development, use and activity, including the protective fence, a rock wall, maintained lawn, and several stormwater catch basins. Additionally, a distinct topographic break occurs between the building and the split rail fence. In conjunction with information provided by the applicant that depicts sub-surface</p>

	<p>stormwater facilities, the Planning Department determined that the area is functionally separated from wetland and stream critical areas by existing permanent substantial development, use and activity which serves to eliminate or greatly reduce the impact of the proposed activity on the critical area.</p> <p>As provide in this Code section, the Planning Department determined that there are no impacts to critical areas, and that the proposal is exempt from establishing the full required buffer width.</p> <p>At the request of the Planning Commission, the applicant obtained a critical area report from a qualified wetland consultant (Wetland Resources Environmental Consulting, report dated April 8, 2020). The report assessed if the proposed 484-square foot addition would have any impact on the critical areas. The report found that the area located landward of the split-rail fence and within the 200-foot prescriptive fish bearing stream buffer provides no ecological support functions to the wetland and stream. The report concluded that this area is disturbed with permanent substantial development that establishes functional isolation from the critical areas. As stated in the report, these findings are based on the absence of hydrologic and habitat support, and the permanence of the physical separation between the critical areas and the proposed addition.</p> <p>Both the Planning Department and the third-party consultant conclude that the project is exempt from establishing the full required buffer width from the wetland and stream because there is no impact to the critical areas. The development area is separated from the critical area by an existing permanent substantial development, use or activity which serves to eliminate or greatly reduce the impact of the proposed activity on the critical area.</p> <p>Based on these findings, the project is exempt from critical area permit requirements for streams and wetlands in accordance with BIMC 16.20.040.B(1). Additionally, recommended conditions provide that if any incidental damage to, or alteration of, a critical area that is not a necessary outcome of the exempt activity shall be considered a violation of this chapter and subject to enforcement and restoration under BIMC <u>16.20.170</u>.</p>
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ii. BIMC 16.20.130 Geologically hazardous areas

Geologically Hazardous Areas	Staff Analysis
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Geologically hazardous areas include erosion hazard areas and steep slopes	The property contains an area with erosion hazard and a small area of steep slopes which are approximately ten feet in height and appear to be a result of the parking lot construction. The City Engineer determined that no geotechnical analysis is required because there are no potential adverse impacts from the proposal.
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2. BIMC Title 18 Zoning

a. BIMC 18.09 Use Regulations

Proposed Use	Definition
Governmental Facility (Conditional Use)	“Governmental Facility” means an institution operated by a federal, state, county, or city government, or special purpose district and is a conditional use in the R-8 district.

b. BIMC 18.12 Dimensional Standards

Dimensional Standards	Required/Allowed	Existing/Proposed
Lot Coverage	25 percent	Proposed lot coverage is less than 13 percent and meets this standard.
Front Lot Line Setback	25 feet	The subject parcel has two front lot lines, fronting both State Route 305 and New Brooklyn Road. The existing/proposed building meets this requirement.
Rear Lot Line Setback	15 feet	N/A, in accordance with BIMC 18.12.050.N., if a property has more than one front lot line, all other lot lines are sides.
Side Lot Line Setback	5 feet minimum, 15 feet total	The existing/proposed building meets this requirement.
Building Height	40 feet maximum for nonresidential uses if Conditional Use permit conditions are met.	The proposed building addition is approximately 32 feet from average existing grade. Building height is confirmed during building permit review.

c. BIMC 18.15 Development Standards and Guidelines

i. BIMC 18.15.010 – Landscaping, Screening, Tree Retention, Protection and Replacement

Landscaping Requirement	Staff Analysis
Perimeter Landscape Buffer: 25-foot wide buffer to the residential zone (R-8) to the south 25-foot wide full screen buffer to the	The project site is separated from the residential development to the south by heavily vegetated critical areas and associated buffers. The heavily vegetated critical areas and associated buffers also encompass the majority of the perimeter to the assisted living facility to the west,

<p>assisted living facility to the west</p> <p>Roadside Buffer: 25-foot wide partial screen/15-foot minimum buffer along NE New Brooklyn Road and a 50-foot full screen/35-foot minimum landscape buffer along SR305</p> <p>Parking Lot Landscaping: Based on the location of parking lot and the number of parking spaces</p> <p>Tree Units: The development parcel will contain at least the same number of tree units after the proposed development as it had before the development or redevelopment</p>	<p>with the exception of the existing north parking lot. Therefore, the northern parking area is considered a nonconforming structure in accordance with BIMC 18.30.030. If the northern parking lot is removed, a 25-foot wide full screen landscape buffer will be required to be installed along the property's entire western perimeter.</p> <p>In 2013, Harrison Medical Center was required to plant a 25-foot wide full screen landscape buffer along SR305 to provide mitigation for visual and lighting concerns. This was a more intense buffer than was prescribed by the BIMC at the time, which prescribed a 20-foot wide partial landscape screen along rights-of-ways and roads. There is an existing parking lot within the area that would encompass the current standard 50-foot wide/35-foot minimum SR305 roadside buffer. Therefore, the eastern parking area is considered a nonconforming structure in accordance with BIMC 18.30.030. If the eastern parking lot is removed, a 50-foot full screen/35-foot minimum landscape buffer will be required to be installed along the property's SR305 frontage.</p> <p>In 2013, Harrison Medical Center was required to plant a 25-foot partial screen buffer along NE New Brooklyn Road. This buffer is consistent with current standards.</p> <p>The redevelopment does not impact or alter existing landscape perimeter and roadside buffers. The landscape perimeter and roadside buffers will stay in their present form.</p> <p>No new parking spaces are required or proposed and therefore no new parking lot landscaping is required. No tree removal is proposed, and the same number of tree units will exist on site after the redevelopment as before.</p> <p>Some vegetation will be removed from the north side of the building to allow access during construction. Recommended conditions include replanting that is in substantial conformance with the submitted Planting Plan dated stamped received November 20, 2019.</p>
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ii. BIMC 18.15.020 – Parking and Loading

Parking Requirements	Required/Allowed	Proposed
Off-Street Parking Spaces	For special cases not covered by the	The submitted parking space

Required	BIMC, parking requirements shall be established by the director. For determination by the director, the applicant shall supply (a) documentation regarding actual parking demand for the proposed use; or (b) technical studies prepared by a qualified professional relating to the parking need for the proposed use; or (c) required parking for the proposed use as determined by other comparable jurisdictions.	breakdown is based on staffing, shift changes, workspaces, and public spaces for the proposed Police and Court facility, along with an analysis based on a trip generation analysis which was conducted in May 2017. Both analyses demonstrate that the existing 73 parking spaces on-site are adequate to serve the proposed use. The project meets this requirement.
On-Street Parking	On-street parking created or designated in conjunction with and adjacent to a project may be included in the parking space calculation upon approval of the director.	Six of the 73 parking spaces existing on the subject parcel are on-street parking spaces along NE New Brooklyn Rd. The project meets this requirement.
Compact Vehicle Parking	Compact car spaces may total no more than 30 percent of the required number of spaces.	The project is allowed a maximum of 22 compact parking spaces. Currently, 16 of the 73 parking spaces are compact parking spaces. No changes are proposed. The project meets this requirement.
Electric Vehicle Charging Stations	At least one parking space near the entrance must be reserved and signed for use by a shared-car program or electric vehicle charging station.	One shared-car program or electric vehicle charging (EVC) station is required. The project currently does not provide a EVC station and this requirement is reiterated in the recommended conditions of approval.

iii. BIMC 18.15.030 – Mobility and Access

Mobility Requirements	Required/Allowed	Proposed
Circulation and Walkways	Parking lots and driveways shall provide well-defined, safe and efficient circulation for motor vehicles, bicycles and pedestrians. Entrances from the right-of-way and the circulation pattern shall be defined by landscaped areas with raised curbs. Pedestrian walkways should be provided around	No change to the existing circulation system for motor vehicles, bicycles or pedestrians is proposed. The subject parcel currently provides well-defined circulation for motor vehicles, bicycles, and pedestrians including landscaped

	<p>buildings to assure safe access. Internal walkways shall be surfaced with nonskid hard surfaces, meet accessibility requirements and provide at least five feet of unobstructed width. Walkways that cross driving lanes shall be constructed of contrasting materials or maintained painted markings. Walkways must be curbed and raised six inches above adjacent vehicular surface grade, except where the walkway crosses vehicular driving lanes or to meet accessibility standards.</p>	<p>areas with raised curbs and pedestrian walkways from parking lots to building access areas and between parking areas and sidewalks. A walkway that crosses the parking lot is maintained with painted markings.</p> <p>The project meets this requirement.</p>
Bicycle Spaces	One bicycle space per five parking spaces with a minimum of four bicycle spaces.	There are currently 73 parking spaces and 15 bicycle spaces are required. Bicycle spaces are existing on site, and compliance will be verified prior to building permit approval. This requirement is reiterated in the recommended conditions of approval.

iv. BIMC 18.15.040 – Outdoor Lighting

Lighting Requirements	Required/Allowed	Proposed
Outdoor Lighting	Outdoor lighting shall comply with BIMC 18.15.04. All outdoor lighting fixtures and accent lighting shall be designed, installed, located and maintained such that there is no light trespass. Outdoor fixtures and accent lighting must be shielded and aimed downward.	The requirement to comply with outdoor lighting regulations is reiterated in the recommended conditions of approval. Additionally, recommended conditions include a SEPA condition which is carried forward from the health care facility approval that allows only motion sensor lighting at the rear of the site to ensure that the critical area buffers are not constantly illuminated through the night.

Part VI: Decision Criteria

1. BIMC 2.16.040 Site Plan and Design Review

The Director and Planning Commission shall base their recommendations on the following criteria:

Decision Criteria	Staff Analysis
1. The site plan and design is in conformance with applicable code provisions and development standards of the applicable zoning district;	This recommendation includes conditions to ensure conformance with applicable Code provisions and development standards in the R-8 district.
2. The locations of the buildings and structures, open spaces, landscaping, pedestrian, bicycle and vehicular circulation systems are adequate, safe, efficient and in conformance with the Island-Wide Transportation Plan;	This project provides an outdoor entry courtyard, landscape buffers, bicycle facilities, sidewalks, and a trail. Due to uncertainty in the final Sound to Olympic (STO) trail alignment/connection in the State Route 305 right of way along the eastern edge of the subject property, construction of this segment of the STO is not a required frontage improvement. However, to ensure compliance with the Island-Wide Transportation Plan, the City Development Engineer's recommendation includes a condition designed to avoid preclusion of public non-motorized improvements along State Route 305 in the future.
3. The Kitsap County Health District has determined that the site plan and design meets the following decision criteria: a. The proposal conforms to current standards regarding domestic water supply and sewage disposal; or if the proposal is not to be served by public sewers, then the lot has sufficient area and soil, topographic and drainage characteristics to permit an on-site sewage disposal system. b. If the Health District recommends approval of the application with respect to those items in subsection E.3.a of this section, the health district shall so advise the director. c. If the Health District recommends disapproval of the application, it shall provide a written explanation to the director;	The Kitsap Public Health District responded, "no comment" on the application. Approval of the building permit by KPHD is required.
4. The City Engineer has determined that the site plan and design meets the following decision criteria: a. The site plan and design conforms to regulations concerning drainage in	The City Development Engineer determined that the site plan and design meet the applicable decision criteria and recommends approval subject to conditions to ensure conformance with drainage, water quality, and streets and

<p>Chapters 15.20 and 15.21 BIMC; and</p> <ul style="list-style-type: none"> b. The site plan and design will not cause an undue burden on the drainage basin or water quality and will not unreasonably interfere with the use and enjoyment of properties downstream; and c. The streets and pedestrian ways as proposed align with and are otherwise coordinated with streets serving adjacent properties; and d. The streets and pedestrian ways as proposed are adequate to accommodate anticipated traffic; and e. If the site will rely on public water or sewer services, there is capacity in the water or sewer system (as applicable) to serve the site, and the applicable service(s) can be made available at the site; and f. The site plan and design conforms to the “City of Bainbridge Island Design and Construction Standards,” unless the city engineer has approved a variation to the road standards in that document based on his or her determination that the variation meets the purposes of BIMC Title 18. 	<p>pedestrian ways.</p> <p>The Development Engineer recommends a 15-foot right of way dedication along the NE New Brooklyn Rd. frontage to align with the right of way of the adjacent property (Madrona Assisted Living).</p> <p>The City Development Engineer finds that the provided trip generation analysis demonstrates that the proposed use results in a net decrease in trip generation from the previously approved use and does not adversely impact the City’s adopted level of service standards for transportation facilities, and that therefore a Certificate of Concurrency is not required</p> <p>The subject parcel is currently served by City water and sewer. A water and sewer availability application is required at the time of building permit application if any plumbing is added or changed.</p>
<p>5. The site plan and design is consistent with all applicable design guidelines in BIMC Title 18;</p>	<p>The Design Review Board determined that the project is consistent with <i>Design for Bainbridge</i> standards and guidelines and recommends approval.</p>
<p>6. No harmful or unhealthful conditions are likely to result from the proposed site plan;</p>	<p>This staff report identifies the regulations and provides reviewer comments regarding public health, safety and welfare, and public use and interest. Recommended conditions ensure that no harmful or unhealthful conditions are likely to result from the development.</p>
<p>7. The site plan and design is in conformance with the Bainbridge Island Comprehensive Plan and other applicable adopted community plans;</p>	<p>The project both serves and employs local residents. The facility is located in proximity to public transportation. The project avoids impacts to critical areas in the vicinity and observes sustainability practices by utilizing an existing building. The project provides adequate transportation facilities through right-of-way dedication, an electric car charging station and bicycle parking.</p>

	The Planning Commission determined that the project is in conformance with the Comprehensive Plan and recommends approval.
8. Any property subject to site plan and design review that contains a critical area or buffer, as defined in Chapter 16.20 BIMC, conforms to all requirements of that chapter;	The proposal conforms to all critical area regulations. There are no potential adverse impacts to geologic hazard areas. Both the Planning Department and a third party consultant concluded that the project addition is exempt from establishing the full required buffer width from the wetland and stream. As stated in the critical area report, the proposed addition will not increase impacts to the critical area relative to the existing development condition. The development area is separated from the critical area by an existing permanent substantial development, use or activity which serves to eliminate or greatly reduce the impact of the proposed activity on the critical area.
9. The site plan and design has been prepared consistent with the purpose of the site design review process and open space goals.	The site plan and design has been prepared consistent with the purpose of the site design review process pursuant to BIMC 2.16.040. The site plan and design ensures compliance with the adopted plans, policies, and ordinances of the City. The project was reviewed with respect to overall site design. The proposed change of use of the existing building including the proposed addition is compatible with the existing site. The site was initially designed in a logical, safe, and attractive manner. The proposal does not require dedication of open space.

2. BIMC 2.16.110.F Major Conditional Use Permit

A conditional use may be approved or approved with conditions if:

Decision Criteria	Staff Analysis
a. The conditional use is harmonious and compatible in design, character and appearance with the intended character and quality of development in the vicinity of the subject property and with the physical characteristics of the subject property; provided, that in the case of a housing design demonstration project any differences in design, character or appearance that are in furtherance of the purpose and decision	Recommended conditions ensure that the use is harmonious and compatible in design, character and appearance with the intended character and quality of development in the vicinity of the subject property and with the physical characteristics of the subject property. Other uses in the vicinity include a fire station, church and assisted living facility. The south side of the subject property is heavily vegetated to provide an ample buffer to residential uses.

criteria of BIMC 2.16.020.Q shall not result in denial of a conditional use permit for the project; and	
b. The conditional use will be served by adequate public facilities including roads, water, fire protection, sewage disposal facilities and storm drainage facilities; and	The project is served by adequate public facilities including roads, water, fire, sewer, and storm drainage. The streets and pedestrian ways coordinate with existing streets and conform to the Island Wide Transportation Plan and the “City of Bainbridge Island Design and Construction Standards.” The property is currently served by City sewer and water. Recommended Fire District and Public Works conditions are incorporated in this report.
c. The conditional use will not be materially detrimental to uses or property in the vicinity of the subject property; and	Recommended conditions are provided to ensure that the use will not be materially detrimental to uses or property in the vicinity of the subject property.
d. The conditional use is in accord with the comprehensive plan and other applicable adopted community plans, including the Island-Wide Transportation Plan; and	<p>The project both serves and employs local residents. The facility is located in proximity to public transportation. The project avoids impacts to critical areas in the vicinity and observes sustainability practices by utilizing an existing building. The project provides adequate transportation facilities through right-of-way dedication, an electric car charging station and bicycle parking. The proposed development is in conformance with the Island-Wide Transportation Plan. The project is conditioned to require a 15-foot right of way dedication along the NE New Brooklyn Rd. frontage. The existing pedestrian trail through the wetlands/wetland and stream buffer will continue to allow for public access and shall be maintained by the applicant.</p> <p>The Planning Commission determined that the project is in accord with the Comprehensive Plan and recommends approval.</p>
e. The conditional use complies with all other provisions of the BIMC; and	Recommended conditions ensure that the conditional use complies with all other provisions of the BIMC.
f. All necessary measures have been taken to eliminate or reduce to the greatest extent possible the impacts that the proposed use	All necessary measures have been taken to eliminate or reduce to the greatest extent possible the impacts that the use may have on

may have on the immediate vicinity of the subject property; and	the immediate vicinity. SEPA conditions imposed for the 2013 health care facility approval, along with recommended project conditions specific to this proposal, adequately address potential impacts of this proposal. No comments on this proposal were received from SEPA agencies. Occasional siren noise may occur on site from emergency vehicles. Expected traffic fits within the City's adopted level of service standards. As part of the 2013 approval for the previous use on the subject parcel (City file no. SPRA/CUPA14430C), traffic impacts from Harrison Medical Center were mitigated by a \$40,000 to the State Department of Transportation for intersection improvements along the SR305 corridor.
g. Noise levels shall be in compliance with BIMC 16.16.020 and 16.16.040.A; and	The project is required to comply with noise regulations in BIMC 16.16.020 and 16.16.040.A.
h. The vehicular, pedestrian, and bicycle circulation meets all applicable city standards, unless the city engineer has modified the requirements of BIMC 18.15.020.B.4 and B.5, allows alternate driveway and parking area surfaces, and confirmed that those surfaces meet city requirements for handling surface water and pollutants in accordance with Chapters 15.20 and 15.21 BIMC; and	The recommended conditions include those that address pedestrian and bicycle circulation and are provided to ensure that the project meets all applicable City standards and the "City of Bainbridge Island Design and Construction Standards.
i. The city engineer has determined that the conditional use meets the following decision criteria: <ul style="list-style-type: none"> i. The conditional use conforms to regulations concerning drainage in Chapters 15.20 and 15.21 BIMC; and ii. The conditional use will not cause an undue burden on the drainage basin or water quality and will not unreasonably interfere with the use and enjoyment of properties downstream; and iii. The streets and pedestrian ways as proposed align with and are otherwise coordinated with streets serving adjacent properties; and iv. The streets and pedestrian ways as proposed are adequate to accommodate 	<p>The City Development Engineer determined that the site plan and design meet the applicable decision criteria and recommends approval subject to conditions to ensure conformance with drainage, water quality, and streets and pedestrian ways.</p> <p>The Development Engineer recommends a 15-foot right of way dedication along the NE New Brooklyn Rd. frontage to align with the right of way of the adjacent property (Madrona Assisted Living).</p> <p>The City Development Engineer finds that the provided trip generation analysis demonstrates that the proposed use results in a net decrease in trip generation from the previously approved use</p>

<p>anticipated traffic; and</p> <p>v. If the conditional use will rely on public water or sewer services, there is capacity in the water or sewer system (as applicable) to serve the conditional use, and the applicable service(s) can be made available at the site; and</p> <p>vi. The conditional use conforms to the “City of Bainbridge Island Engineering Design and Development Standards Manual,” unless the city engineer has approved a variation to the road standards in that document based on his or her determination that the variation meets the purposes of BIMC Title 17.</p>	<p>and does not adversely impact the City’s adopted level of service standards for transportation facilities, and that a Certificate of Concurrency is therefore not required.</p> <p>The subject parcel is currently served by City water and sewer. A water and sewer availability application is required at the time of building permit application if any plumbing is added or changed.</p>
<p>If no reasonable conditions can be imposed that ensure the application meets the decision criteria of this chapter, then the application shall be denied.</p>	<p>This report contains recommended conditions to ensure the project meets the decision criteria of this chapter.</p>

3. BIMC 2.16.110.G Additional Decision Criteria for Institutions in Residential Zones

Applications to locate any of those uses categorized as educational facilities, governmental facilities, religious facilities, health care facilities, cultural facilities, or clubs shall be processed as major conditional use permits and shall be required to meet the following:

Decision Criteria	Staff Analysis
<p>a. All sites must front on roads classified as residential suburban, collector, or arterial on the Bainbridge Island functional road classification map.; and</p>	<p>The site fronts on State Route 305, which is classified as a primary arterial in the Island Wide Transportation Plan.</p>
<p>b. If the traffic study shows an impact on the level of service, those impacts have been mitigated as required by the city engineer.; and</p>	<p>The City Development Engineer finds that the provided trip generation analysis demonstrates that the proposed use results in a net decrease in trip generation from the previously approved use and does not adversely impact the City’s adopted level of service standards for transportation facilities.</p>
<p>c. If the application is located outside of Winslow study area, the project shall provide vegetated perimeter buffers in compliance with BIMC 18.15.010.; and</p>	<p>The proposal does not impact or alter existing previously approved landscape perimeter and roadside buffers.</p>
<p>d. The proposal meets the requirements in BIMC 18.18.030; and</p>	<p>The Design Review Board determined that the project is consistent with <i>Design for Bainbridge</i> standards and guidelines and recommends approval.</p>

e. The scale of proposed construction including bulk and height and architectural design features is compatible with the immediately surrounding area; and	The building is existing and compatible with the immediately surrounding area. The bulk, height, and architectural design features of the proposed addition is compatible with the existing building and the immediately surrounding area.
f. If the facility will have attendees and employees numbering fewer than 50 or an assembly seating area of less than 50, the director may waive any or all the above requirements in this subsection E, but may not waive those required elsewhere in the BIMC; and	The facility includes an assembly seating area (courtroom) that has a maximum seating capacity of 48 occupants. The project is in compliance with the requirements of this Code section.
g. Lot coverage does not exceed 50 percent of the allowable lot coverage in the zone in which the institution is located, except that public schools and governmental facilities, as defined in BIMC Title 18 , that are located in the R-0.4 zoning district shall be allowed 150 percent of the lot coverage established in the R-0.4 zoning district, and such public schools and governmental facilities located in other zoning districts shall be allowed 100 percent of the lot coverage established in the underlying zoning district in which the facility is located, unless, regardless of which zoning district such a facility is located, conditions are required to limit the lot coverage to mitigate impacts of the use.	The maximum lot coverage in the R-8 zoning district is 25%. Under this provision, the maximum lot coverage for a governmental facility is 25%. The proposed lot coverage is below this maximum.

Part VII: Exhibits

See Exhibit List

Part VIII: Recommended Conditions of Approval

This report includes the standards of review, relevant Municipal Code and Comprehensive Plan provisions and provisions of other permitting agencies. The staff report includes findings based on evidence in the record. The project file contains the official record and basis for findings, including technical information and documentation.

Appropriate notice of application and SEPA comment period was provided, and no comments were received.

For continuity, all of the conditions from previously approved SPRs and CUPs have been carried forward, with any new conditions/modifications underlined and any revised or no longer applicable language struck through.

The Director recommends approval with the following conditions:

SEPA Conditions:

1. No clearing, grading or other construction activities shall occur until a building permit or site development permit has been submitted by the applicant and approved by the city.
2. All graded materials removed from the development shall be hauled to and deposited at city approved locations.
3. To mitigate impacts on air quality during earth moving activities, contractors shall conform to Puget Sound Clean Air Agency Regulations, which ensure that reasonable precautions are taken to avoid dust emissions.
4. A Storm Water Pollution Prevention (SWPPP) for the proposed development shall be provided for city review and approval in accordance with BIMC Chapter 15.20. The plans must be approved, the improvements constructed (or a construction bond provided if applicable), and an acceptable final inspection obtained prior to issuance of Certificate of Occupancy. The design submittal shall incorporate all proposed project improvements including complete civil plans, grading and erosion control plans, roadway plans and profiles, and storm drainage facilities and drainage report. These reports shall be prepared by a professional engineer currently licensed in the State of Washington. A construction Stormwater Permit (NPDES) will be required prior to construction approval in accordance with BIMC Section 15.20.030.B (4). More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wg/stormwater/construction/> or by contacting Charles Gilman at (360) 407-7451, email chgi461@ecy.wa.gov. This permit is required prior to any construction activities.
- ~~5. During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection report to verify that the facilities are installed in accordance with the design documents and the actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to Public Works Engineering.~~
- ~~6. An easement to COBI for access and maintenance of the proposed public stormwater facilities will be required prior to issuance of the Certificate of Occupancy.~~
7. The applicant's engineer shall provide specific erosion and sedimentation control design measures as part of the SWPP to protect the public stormwater infiltration facilities during construction of the development.
- ~~8. To the satisfaction of the Public Works Department, the applicant shall improve the roadway section for New Brooklyn Road to provide a minimum 18-foot wide paved driving surface, with appropriate storm drainage facilities per COBI Design Standards. The roadway shall be built to COBI Design standards, including curb, gutter, and sidewalk~~

along the property's north frontage.

- ~~9. To the satisfaction of the Public Works Department, the applicant shall improve the property's Madison Avenue frontage with curb, gutter, and sidewalk per COBI Design Standards.~~
- ~~10. To mitigate anticipated traffic impacts, to the satisfaction of the Public Works Department, the applicant shall construct a right turn lane on the south leg of Madison Avenue in accordance with the technical appendix diagram submitted in the Island Medical Traffic Impact Analysis date stamped received April 1, 2008 by the Department of Planning and Community Development unless an alternative plan is recommended for approval by the Washington State Department of Transportation and approved by the City's Development Engineer.~~
11. In order to provide recreation and access to the adjacent open space to the south, a trail network, consisting of four to six foot wide trails, shall be developed and maintained by the applicant within wetlands/wetland buffer in the southern portion of the site. The network shall extend from the Madison Avenue to the east, towards State Route 305, and terminate at the southern property line. A public access easement shall be granted over the trail network.
- ~~12. Within the wetlands/wetland buffer unless approved under a subsequent permit, removal of vegetation shall be limited to development of a trail network. No soil disturbance shall occur outside of the six foot wide trail construction corridor. The trails shall be "field-fit" between or around existing trees, so that significant tree removal shall be avoided. Limbs and branches up to nine feet over the trail and within one foot of the trail edges shall be removed. The four to six foot wide trail shall be constructed with a four inch layer of crushed 3/4 inch gravel over a geotextile mat barrier. All pedestrian improvements shall be installed prior to the issuance of the Certificate of Occupancy.~~
- ~~13. Prior to final plat submittal, an Operations and Maintenance Plan and Declaration of Covenant for all constructed stormwater facilities shall be provided for city review and approval in accordance with BIMC Chapter 15.21.~~
- ~~14. A minimum two-year maintenance bond period for the stormwater facilities is required prior to issuance of the Certificate of Occupancy. The maintenance period will begin after final construction acceptance of the improvements and shall run for a minimum period of two years. Regular maintenance of the stormwater system is required during this period. Documentation of maintenance shall be provided to the city on an annual basis.~~
15. In accordance with BIMC Chapter ~~18.85.060 (C)~~ 18.15.010 and to discourage the removal of wildlife habitat, significant trees that are removed from designated protection areas without

prior City approval will be replaced with new trees as follows: New trees measuring 1.5 inches in caliper if deciduous and four to six feet high if evergreen, at a replacement rate of 1.5 inches diameter for every one-inch diameter of the removed significant tree or trees within a tree stand. The replacement rate determines the number of replacement trees. The tree removed shall be replaced with trees of the same type, evergreen or deciduous. The replacement trees shall also be replaced in the same general location as the trees removed.

16. Any non-exempt tree harvesting shall require the appropriate Forest Practices Permit from the Department of Natural Resources. The conditions of the Island Medical Conditional Use Permit, Case No. CUP 14430B, shall become conditions of the Forest Practices Permit.
17. On-site mobile fueling from temporary tanks is prohibited unless the applicant provides and is granted approval for a Permit and Best Management Plan that addresses proposed location, duration, containment, training, vandalism and cleanup. (Reference 1. Uniform Fire Code 7904.5.4.2.7 and 2. Department of Ecology, Stormwater Management Manual, August 201, see Volume IV "Source Control BIMPs for Mobile Fueling of Vehicles and Heavy Equipment".) (Chapter 173-304 WAC).
18. In order to mitigate any noise impacts, all construction activities must comply with BIMC Section ~~15.15.025~~ 16.16.025 Limitation of Construction Activities.
19. All lighting within the development shall comply with the City's Lighting Ordinance, BIMC Chapter ~~15.34~~ 18.15. Compliance will require exterior lighting to be shielded and directed downward.
20. Contractors are required to stop work and immediately notify the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.
21. To protect the wetland buffer, the applicant shall only install motion sensor lighting in the rear of the site to ensure that the buffer is not constantly illuminated through the night.

Project Conditions

22. Except as modified by conditions of approval, the project shall be constructed in substantial conformance with the site plans date stamped June 26, 2008 for the assisted living facility and ~~July 9, 2013 for the medical building~~ October 9, 2019 for the Police and Court facility.
23. Prior to submittal of any building permit applications, the applicant shall contact planning staff to schedule a pre-submittal meeting to review the necessary components for a complete building permit application. In addition, with the building permit application submittal, the applicant shall attach a narrative detailing how each condition of approval is

addressed by the building plans.

24. To verify that the buildings comply with the ~~35-foot~~ 40-foot height limit, the site plans submitted as part of the building permit shall contain existing contours overlain with the building footprints. The submitted material shall include surveyed benchmark information to verify the actual height during construction.
25. ~~Prior to any clearing and/or construction activities, fencing delineating the northern boundary of the wetland buffer shall be installed by the applicant and inspected by planning staff. Upon completion of construction and prior to issuance of the Certificate of Occupancy, the construction fencing shall be replaced with split-rail fencing and signage. The signs shall inform readers of the boundary and its significance. Any disturbed buffer setback area shall be re-planted with native vegetation upon completion of construction and prior to issuance of the building's Certificate of Occupancy.~~
26. Any required landscaping shall be installed prior to the issuance of a temporary certificate of occupancy for the project. ~~The project's state licensed landscape architect, certified nursery professional, or certified landscaper shall submit a landscaping declaration to the department to verify installation in accordance with approved plans.~~ The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season if the director determines that a performance assurance device, for a period of not more than one year, will adequately protect the interests of the city. The performance assurance device shall be for 150 percent of the cost of the work or improvements covered by the assurance device.
27. ~~The landscape plans submitted with the building permit shall depict the items listed in BIMC Chapter 18.85 including partial landscape screens along the site's Madison Avenue and New Brooklyn frontage with the following exceptions: a) within the 25-foot zoning setback along the parking lot adjoining New Brooklyn, a more intense screen, as stipulated in BIMC 18.85.070(E)(1)(b) shall be installed and b) within the 29 foot front setbacks along the assisted living facility, landscaping shall substantially conform to the plans date stamped September 8, 2008. Along the sites' highway frontage, a full landscaping screen, as defined in BIMC 18.85.070(B) 1) shall be installed in the 25-foot zoning setback. All significant trees, as defined in BIMC 18.85.010 and located within the required perimeter landscape buffer areas, shall be retained and incorporated into the required landscape screen. All required landscaping shall be maintained and retained for the life of the project.~~
28. ~~As the code required New Brooklyn landscaping screens are located within areas shown as being developed with rain gardens, the applicant must demonstrate that the dual purposes, perimeter landscape screening and stormwater treatment faculty, are compatible. If not, the rain gardens would need to be relocated. Proof of compatibility or relocation of the raingardens shall be submitted as part of the building permit application.~~
29. ~~Prior to the issuance of the Certificate of Occupancy final inspection, the applicant shall~~

~~secure the landscape maintenance assurance required by BIMC Section 18.85.090(D).~~

30. The service area, including trash and recycling enclosures, for the ~~medical office~~ Police and Court facility must be located as far away as possible from the assisted living facility and shall be properly screened with fencing.
31. Prior to issuance of the Certificate of Occupancy, the applicant shall install bicycle racks or hangers supplying parking for at least 20 bicycles. Of those spaces, a portion shall be located near the front entrance of the ~~medical building~~ Police and Court facility.
32. ~~Civil construction plans for all roads, storm drainage facilities, sanitary sewer and water facilities, and appurtenances shall be prepared by a professional engineer and approved by the Public Works Department prior to issuance of a building permit. All civil improvement plans, reports, and computations shall be prepared by a civil engineer registered in the State of Washington and submitted with the application(s) for a construction permit (building, grading, right of way use, etc.) to the City for review and approval to construct of all necessary infrastructure and utilities serving the site. Certificate of occupancy will not be issued for new building until all civil improvements are completed.~~
33. All on-site stormwater facilities shall remain privately owned and maintained that are specific to the Madrona House Assisted Living property. All on-site stormwater facilities that are specific to the Police and Court facility property shall be owned and maintained by the City. Annual inspection and maintenance reports shall be provided to the City. ~~The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of the Certificate of Occupancy for this development, the person or persons holding title to the subject property for which the storm drainage facilities are required shall record a Declaration of Covenant that guarantees to the City that the system will be properly maintained. Wording must be included in the covenant that will allow the City to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This will be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should City crews be required to do the work, the owner will be billed the maximum amount allowed by law.~~
34. ~~The property owner shall dedicate, as right of way, 25 feet of property fronting along New Brooklyn as shown on the preliminary civil drawings date stamped June 2, 2009. In addition, a pedestrian easement shall be dedicated for the sidewalk along the proposed on street parking along New Brooklyn to make them public thoroughways.~~
35. A right-of-way (ROW) construction permit will be required prior to any construction activities within the ROW. The ROW permit will be subject to conditions and ~~existing~~ bonding requirements.
36. ~~The water and sanitary sewer facilities shall be designed in conformance with BIMC Title 13 and the City's adopted Design Standard and Specifications. The utilities plans submitted~~

~~with building permit's civil drawings shall include profile and detail and shall demonstrate compatibility of the facilities with future street improvements currently proposed by the City. Specifications for water and sewer facilities include the following:~~

- ~~a. An eight-inch diameter ductile iron class 52 water main shall be installed along the site's New Brooklyn frontage.~~
- ~~b. A 15-foot wide easement for the on-site water main extension shall be provided from the right-of-way to the proposed buildings.~~
- ~~c. An isolation valve shall be provided at the connection to the force main located in Madison Avenue.~~

~~37. Binding water and sewer service letters from the City's Public Works Department shall be submitted with the building permit application.~~

38. To the satisfaction of the Bainbridge Island Fire Department, the project shall meet all applicable requirements of the ~~2006~~ 2015 International Fire Code.

39. To the satisfaction of the Bainbridge Island Fire Department, fire sprinkler and fire alarm systems shall be installed throughout the buildings.

~~40. To the satisfaction of the Bainbridge Island Fire Department, the proposed hydrant in front of the assisted living facility shall be relocated to the west parking lot entrance, a fire hydrant must be installed at the east parking lot entrance, and the proposed hydrant in front of the medical office building shall be relocated to the entrance of the parking garage.~~

41. Building overhangs covering the main entrances shall provide at least 13' 6" of clearance.

42. The driving lanes within the project are considered fire lanes and shall be labeled as such to the satisfaction of the Bainbridge Island Fire Department.

~~43. To the satisfaction of the Kitsap County Health District, the applicant shall:~~

- ~~a. Abandon the site's existing septic tank per that agency's code~~
- ~~b. Have the site's existing well decommissioned by a certified well driller.~~
- ~~c. Apply for a sewer building clearance accompanied by a water and sewer availability letter from the water purveyor.~~

44. To the satisfaction of planning staff, all exterior building surfaces shall be sided with non-reflective materials.

45. To the satisfaction of the Washington Department of Transportation (WSDOT), the following provisions must be followed:

- a. WSDOT will only accept stormwater runoff from the project site that currently enters SR 305 right-of-way. Any proposal by the applicant to discharge stormwater runoff to the right-of-way either during construction or upon completion will require appropriate stormwater treatment in accordance with the WSDOT Highway Runoff

Manual. If such discharge is proposed, a drainage plan must be reviewed and approved by WSDOT prior to any earth disturbance.

- b. No excavation, grading, filling, landscaping or any other activity associated with the proposal may occur within state right-of-way without prior approval by WSDOT.
- c. No lighting from the site may be directed towards the state highway and no glare from the completed project shall impact the state highway.
- d. No signs shall be placed in the highway right-of-way (unless otherwise approved).

~~46. The applicant shall coordinate with the Washington Department of transportation (WSDOT) to determine if signage can be added to the highway that indicates the location of the urgent care facility. The applicant shall coordinate with staff to ensure that said signage meets the sign code requirements of BIMC 15.18.~~

~~47. As most of the dining terrace is located within the building setback associated with the wetland buffer, it must be constructed with a pervious surface (wood decking, pavers, permeable concrete, etc) to the satisfaction of planning staff.~~

~~48. The mechanical units shall be screened from SR 305 and New Brooklyn. as indicated on the site plans submitted by the applicant on November 26, 2013. The mechanical units shall be inspected during the permit review and found to be screened prior to the issuance of occupancy.~~

~~49. Prior to directly discharging any stormwater into the wetland and/or its buffer, the applicant shall secure a Special Use Review permit from the City of Bainbridge Island.~~

50. At the time of building permit application, the applicant must indicate on the site plan which vegetation will be disturbed to gain access to the building during construction of the Police and Court facility. Any vegetation disturbance shall be re-planted prior to final on the building permit. A landscape plan must be submitted to and approved by the City prior to replanting and if any trees are removed, the project shall continue meet the applicable tree unit requirements.

51. At least one parking space near the entrance of the Police and Court facility must be reserved and signed for use by a shared-car program or electric vehicle charging station. This condition will be verified prior to final on the building permit.

52. Any portion of the security fence that is within a setback shall be a maximum of eight feet high. Within a setback, a fence may be screened up to six feet high with an additional two feet of nonscreening material for a total of eight feet. This condition will be verified at the time of building permit review.

53. 15' of Public Right of Way (ROW) shall be dedicated on the north frontage with NE New Brooklyn Road from the northwest property corner east until it meets the SR305 ROW, to align with the existing ROW of the adjacent property to the west (Madrone Assisted Living). This

ROW dedication along the NE New Brooklyn Frontage shall be completed and recorded prior to the issuance of any construction permit (to include Building, ROW, and Grade and Fill) or no later than 12 months from the date of SPRA/CUPA approval, whichever occurs first.

54. This project shall not result in any action that would preclude the future construction of the STO trail along the eastern frontage with SR305.
55. Prior to building permit final inspections for certificate of occupancy, an updated Operation and Maintenance plan reflecting any changes in the storm drainage system shall be provided to City of Bainbridge Public Works Department (Operations and Maintenance) for use of the personnel responsible for the on-going maintenance of the storm drainage system.
56. Applicant shall provide updated Drainage Fixture Unit count and comparative analysis between existing and proposed conditions to ensure water service meter is appropriately sized for the new use.
57. Sanitary sewer connections shall be protected during construction. Prior to returning the sanitary sewer lateral connection to service, applicant shall demonstrate via video inspection or equivalent methods that the lateral is free of obstruction/debris and is in good working order.
58. Any incidental damage to, or alteration of, a critical area that is not a necessary outcome of the exempt activity shall be considered a violation of this chapter and subject to enforcement and restoration under BIMC 16.20.170.
59. A land use permit automatically expires and is void if the applicant fails to file for a building permit or other necessary development permit within three years of the effective date of the permit unless (a) the applicant has received an extension for the permit; or (b) the permit provides for an extended time period. The director may grant one extension to the permit, in writing, for a period not to exceed one year if the applicant can demonstrate, (a) unforeseen circumstances or conditions necessitate the extension of the permit; and (b) termination of the permit would result in unreasonable hardship to the applicant, and the applicant is not responsible for the delay; and (c) the extension of the permit will not cause substantial detriment to existing uses in the immediate vicinity of the subject property; and (d) the extension request is received by the department no later than 30 days prior to the expiration of the permit.
60. Minor adjustments to an approved site plan and design review may be made after review and approval by the Director. Minor adjustments are those that include minor changes in dimensions or siting of structures or the location of public amenities, but do not include changes to the intensity or character of the use. Minor adjustments are processed through a written request from the applicant and a written response from department staff. The City response is placed in the project file and is effective to modify the approval as described in the response. Adjustments other than minor adjustments to an approved site plan and design review require a

new or amended application as determined by the Director. Major adjustments are those that change the basic design, intensity, density, or character of the use.



**CITY OF BAINBRIDGE ISLAND
MASTER LAND USE APPLICATION**
P100

FOR OFFICIAL USE ONLY

PROJECT # _____
PLANNER _____

Project Name: Bainbridge Island Police and Court

Parcel Number(s): 232502-3-083-2002

Property Address: 8804 Madison Avenue North

Type of Application (check all that apply)

- | | |
|--|---|
| <ul style="list-style-type: none"> <input type="checkbox"/> Adjustments to an Approved Land Use:
 <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> Administrative Code Interpretation <input type="checkbox"/> Agricultural Conditional Use <input type="checkbox"/> Agricultural Retail Plan <input type="checkbox"/> Boundary Line Adjustment <input type="checkbox"/> Buffer Enhancement Plan <input type="checkbox"/> Buoy Application <input type="checkbox"/> Conditional Use Permit:
 <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> Critical Area Permit:
 <ul style="list-style-type: none"> <input type="checkbox"/> Major <input type="checkbox"/> Minor <input type="checkbox"/> Housing Design Demonstration Project <input type="checkbox"/> Legislative Review of Development Regulations <input type="checkbox"/> Pre-Application Conference <input type="checkbox"/> Reasonable Use Exception <input type="checkbox"/> Revision: Type _____ <input type="checkbox"/> Rezone:
 <ul style="list-style-type: none"> <input type="checkbox"/> Site Specific <input type="checkbox"/> Area-Wide | <ul style="list-style-type: none"> <input type="checkbox"/> Shoreline Clearing Permit <input type="checkbox"/> Shoreline Conditional Use <input type="checkbox"/> Shoreline Exemption <input type="checkbox"/> Shoreline Substantial Development <input type="checkbox"/> Shoreline Variance <input type="checkbox"/> Sign Permit <input type="checkbox"/> Site Plan and Design Review:
 <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Major <input type="checkbox"/> Minor <input checked="" type="checkbox"/> State Environmental Policy Act (SEPA) <input type="checkbox"/> Subdivision – Large <input type="checkbox"/> Preliminary <input type="checkbox"/> Subdivision – Long <input type="checkbox"/> Final <input type="checkbox"/> Subdivision – Short <input type="checkbox"/> ALT/ADJ/AMEND <input type="checkbox"/> Tree Removal & Vegetation Management <input type="checkbox"/> Variance:
 <ul style="list-style-type: none"> <input type="checkbox"/> Major <input type="checkbox"/> Minor <input checked="" type="checkbox"/> Zoning Verification Letter <input checked="" type="checkbox"/> Wireless:
 <ul style="list-style-type: none"> <input type="checkbox"/> EFM <input type="checkbox"/> WCF <input checked="" type="checkbox"/> Other _____ |
|--|---|

Project Description:

Remodel an existing medical office building for repurposing as space for the Bainbridge Island Police and Court.

Parcel #	Address	Property Owner
232502-3-083-2002	8804 Madison Avenue North	COBI

Project Contacts (owner, surveyor, engineer, etc)

Property Owner: COBI

Address: 208 Madison Avenue North

City: Bainbridge Island

State: Wa.

Zip: 98110

Email: bloveless@bainbridgewa.gov

Phone: (206) 842-2016

Name: Barry Loveless

Agency: COBI

Address: 208 Madison Avenue North

Function: Project Manager

City: Bainbridge Island

State: Wa.

Zip: 98110

Email: bloveless@bainbridgewa.gov

Phone: (206) 842-2016

Name:

Agency:

Address:

Function:

City:

State:

Zip:

Email:

Phone:

Name:

Agency:

Address:

Function:

City:

State:

Zip:

Email:

Phone:

Authorized Agent (Please attach notarized Owner/Applicant Agreement Form)

Name: Robert Hutchinson, Architect

Agency: Coates Design Architecture

Address: 900 Winslow Way East

City: Bainbridge Island

State: Wa.

Zip: 98110

Email: hutch@coatesdesign.com

Phone: 206 780-0876

If additional parcels or contacts are required, please attach additional sheets

Applications **must be submitted in person, and by appointment only** by either the owner or the owner's designated agent. Applications to remove trees and vegetation, do not require an appointment and may be submitted electronically to pcd@bainbridgewa.gov. Should an agent submit an application, a **notarized Owner/Applicant Agreement** must accompany the application.

To schedule an appointment:

<https://www.bainbridgewa.gov/1110/Planning-and-Building-Submittal-Appointm>

Supporting information and/or documents may be required to review your application. If you have questions about specific requirements for your project, please consult with planning staff prior to submitting your application. **Submittal requirements for each application are described in the [Administrative Manual](#) for Planning Permits.**

**ELECTRONIC FILES AND TWO (2) PAPER COPIES ARE REQUIRED
FOR ALL SUBMITTED DOCUMENTS**

I affirm, under penalty of perjury, that all answers, statements, and information submitted with this application are correct and accurate to the best of my knowledge. I also affirm that I am the owner or designated agent of the subject site. Further, I grant permission to any and all employees and representatives of the City of Bainbridge Island and other governmental agencies to enter upon and inspect said property as reasonably necessary to process this application.

Print Name (Owner)	Signature (Owner)	Date
Print Name (Owner)	Signature (Owner)	Date
Print Name (Owner)	Signature (Owner)	Date
Barry Loveless		10/8/19
Print Name (Owner)	Signature (Owner)	Date
Robert Hutchinson		10/8/19
Print Name (Agent)	Signature (Agent)	Date

**** INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR WILL DELAY PROCESSING. ****



CITY OF BAINBRIDGE ISLAND

280 Madison Ave North, Bainbridge Island, WA 98110

Phone: 206-842-2552 Email: pcd@bainbridgewa.gov

Website: www.bainbridgewa.gov

Portal: <https://ci-bainbridgeisland-wa.smartgovcommunity.com/portal>

Notice of Complete Application

November 06, 2019

Robert Hutchinson, Architect
900 Winslow Way E, Suite 210
Bainbridge Island, WA 98110

Re: Conditional Use Permit Adjustment and Site Plan Review Adjustment
File Name: **Police and Court Facility CUP Major Adjustment and SPR Major Adjustment**
File Number: **PLN51524 CUPA and PLN51524 SPRA**
Submitted: October 09, 2019

Dear City of Bainbridge Island:

The application for the above referenced project is complete in accordance with the submittal requirements located in the *Bainbridge Island Administrative Manual*. A determination of a complete application does not preclude the department from requesting additional information or studies.

Pursuant to *Bainbridge Island Municipal Code* Section 2.16.020(M), the applicant must post a legal notice of application on the property within five days of the publication of notice. The city will provide the notice boards and posting instructions, you must provide the stake/post. I will contact you when the notice boards are prepared.

Correspondence concerning this application should make reference to both the file number and file name shown above.

Regards,

Ellen Fairleigh

Ellen Fairleigh, Project Manager
efairleigh@bainbridgewa.gov 206-780-3767

cc: Barry Loveless, Project Manager, City of Bainbridge Island

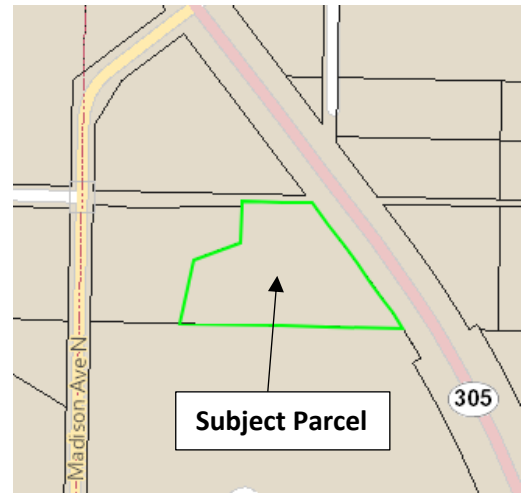


PLANNING & COMMUNITY DEVELOPMENT
 280 MADISON AVENUE NORTH | BAINBRIDGE ISLAND, WA 98110
 206.780.3750 | PCD@BAINBRIDGEWA.GOV | WWW.BAINBRIDGEWA.GOV

NOTICE OF APPLICATION/SEPA COMMENT PERIOD/HEARING

The City of Bainbridge Island has received a Master Land Use Permit Application for the following project. The public has the right to review contents of the official file, provide written comments, participate in any public meetings or hearings, and request a copy of the decision. This notice is posted at the project site, in City Hall kiosks, the City of Bainbridge Island website, mailed to property owners within 500 feet of any boundary of the subject property and including any property within 500 feet of any contiguous property in the applicant's ownership and published in the Bainbridge Island Review.

PROJECT DESCRIPTION:	Remodel existing medical office building for repurposing as space for the City of Bainbridge Island Police and Court.
PROJECT NAME:	Police and Court Facility
PROJECT NUMBER:	PLN51524 CUPA PLN51524 SPRA
PERMIT TYPE:	Conditional Use Permit Major Adjustment Site Plan Review Major Adjustment
TAX PARCEL:	23250230832002
PROJECT SITE:	8804 MADISON AVE N
DATE SUBMITTED:	October 9, 2019
DATE COMPLETE:	November 6, 2019
DATE NOTICED:	November 15, 2019
COMMENT PERIOD:	November 15, 2019 – November 29, 2019



Comments must be submitted no later than 4:00pm on Friday, November 29, 2019.

Public comments may be mailed, emailed or personally delivered to the City using the staff name and contact information provided on this notice. The public comment period for this application is 14 days and the City will not act on the application nor make a threshold determination until the comment period has ended. Any person may comment on the proposed application, request notice of and participate in the public hearing and request a copy of the decision. Only those persons who submit written comments prior to the decision or participate in the public hearing will be parties of record and only parties of record will have the right to appeal.

STAFF CONTACT:	Ellen Fairleigh, Planner pcd@bainbridgewa.gov or 206.780.3767
DATE OF HEARING:	February 13, 2020 at 10:00 am (tentative)

This is a tentative date only. Please go to the City website at bainbridgewa.gov and search 'Project Hearing Schedule' to view any updates on the date/time of the hearing. Hearings are held at Bainbridge Island City Hall, Council Chambers, 280 Madison Avenue North, Bainbridge Island.

PROJECT DOCUMENTS:	https://ci-bainbridgeisland-wa.smartgovcommunity.com/PermittingPublic/PermitDetailPublic/Index/7b8935c8-c31b-4735-bf58-aae10159eb1d?conv=1
---------------------------	---

To review documents and environmental studies submitted with this proposal, please follow the link above or go to the City website at bainbridgewa.gov, select 'Online Permit Center' and search using the project information noted above. Files are also available at the Planning & Community Development Department at City Hall (M-F 8:00am-12:00pm).

ENVIRONMENTAL REVIEW:	This proposal is subject to State Environmental Policy Act (SEPA) review as provided in WAC 197-11-800. The City, acting as lead agency, expects to issue a Determination of Non-significance (DNS) threshold determination for this proposal. Utilizing the optional DNS process provided in WAC 197-11-355, the comment period specified in this notice may be the only opportunity to comment on the environmental impact of this proposal. The proposal may include mitigation measures under applicable codes, and the project review process may incorporate or require mitigation measures regardless of whether an Environmental Impact Statement (EIS) is prepared. A copy of the subsequent threshold determination for the proposal may be obtained upon request. Note: Notices of Mitigated Determination of Nonsignificance (MDNS) were previously issued for the previous use of this parcel on May 1, 2008 and December 17, 2013 respectively. A new SEPA review is required due to the proposed scope of work and change in use under this proposal.
REGULATIONS/POLICIES:	Applicable development regulations and policies to be used for project mitigation and consistency include, but may not be limited to, the City of Bainbridge Island 2016 Comprehensive Plan, the Bainbridge Island Municipal Code (BIMC) Chapter 2.16 (Land Use Review Procedures), Title 15 (Buildings and Construction), Title 16 (Environment) and Title 18 (Zoning).
OTHER PERMITS:	Other permits not included in this application but known at this time include Building permits.
DECISION PROCESS:	This type of land use application is classified as a 'Quasi-Judicial Decision by a Hearing Examiner' pursuant to BIMC 2.16.010-1 and requires a public hearing pursuant to BIMC 2.16.020.C. Following the close of the public hearing, the Hearing Examiner will issue a written decision and a notice of the decision will be sent to those parties who comment on this notice or participate in the public hearing. Appeal provisions will be included with the notice of decision.

CERTIFICATION OF PUBLIC NOTICE

I, Carla Lundgren, Admin Specialist, for the City of Bainbridge Island hereby certify that the attached notice of application, notice of SEPA threshold determination (if made), and notice of hearing date was distributed for Police Court Facility PLN51524 CUPA SPRA as follows:

NOTICED OF APPLICATION

Notice of Application Published:

DATE:
11/15/2019

Notice of Application Mailed:

11/15/2019

Notice of Application Posted:

11/15/2019

Location(s):

newspaper *sign on site*
kiosk
website

NOTICE OF SEPA DETERMINATION

Environmental Determination Published:

11/15/2019

Environmental Determination Mailed:

11/15/2019

Environmental Determination Posted:

11/15/2019

Location(s):

newspaper *sign on site*
kiosk
website

NOTICE OF HEARING

Notice of Public Hearing Published:

11/15/2019

Notice of Public Hearing Mailed:

11/15/2019

Notice of Public Hearing Posted:

11/15/2019

Location(s):

newspaper *sign on site*
kiosk
website

By signing below, I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct:

Signature:

Carla Lundgren

Date & Place:

02/04/2020 Bainbridge Island, WA



CERTIFICATE OF POSTING

I, ROBERT HUTCHINSON, certify that the following sign(s)

- ☐ Proposed Land Use Action
- ☐ Tree and Vegetation Removal Permit
- ☒ Public Hearing
- ☒ Public Participation Meeting
- ☐ Other _____

were posted on NOV. 13, 2019 for the following application at the address listed below:
(date)

Project Name - COBI POLICE - COURT FACILITY

Permit Number - PLN51524

Physical Property Address - 8804 MADISON AVE. NORTH

Tax Assessor Number(s) - 222502-N-083-2002

I declare under the penalty of the perjury laws of the State of Washington that the foregoing is correct.

Signature

Date

Instructions for posting signs:

- Sign must be posted within 5 days of Notice of Application or permit issuance.
- Sign must be posted where it is continually and clearly visible to passersby and neighbors.
- Sign must be posted overlooking the water on any waterfront property.
- Sign must be on the subject property, NOT in the right-of-way.
- Sign must remain in place until project completion.
- Upon project completion and/or final decision, the applicant is responsible for removing signs.

Email completed form within 48 hours of posting the signs to:

pcd@bainbridgewa.gov

Please note: Paper copies WILL NOT be accepted. Submit via email only.

Street Name and Number

price

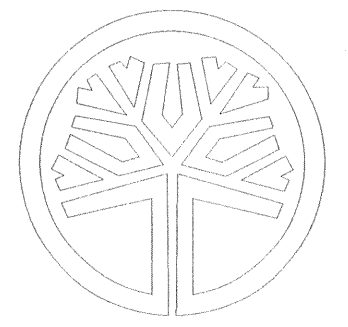
ARCHITECTURAL
SITE PLAN

Exhibit 8

COATES DESIGN
ARCHITECTS

Responsible Architecture.

900 WINSLOW WAY E SUITE 210
BAINBRIDGE ISLAND WA 98110
P 206.780.0876



THOMAS V. REIMERT
REGISTERED
LANDSCAPE ARCHITECT
CERTIFICATE NO. 2998

ISSUED FOR: DATE:

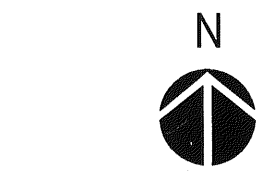
ISSUE 0201 SITE REVISIONS 5.19.2014

CONSTRUCTION DOCUMENTS 1.10.2014

100% CD SET

HARRISON-BAINBRIDGE

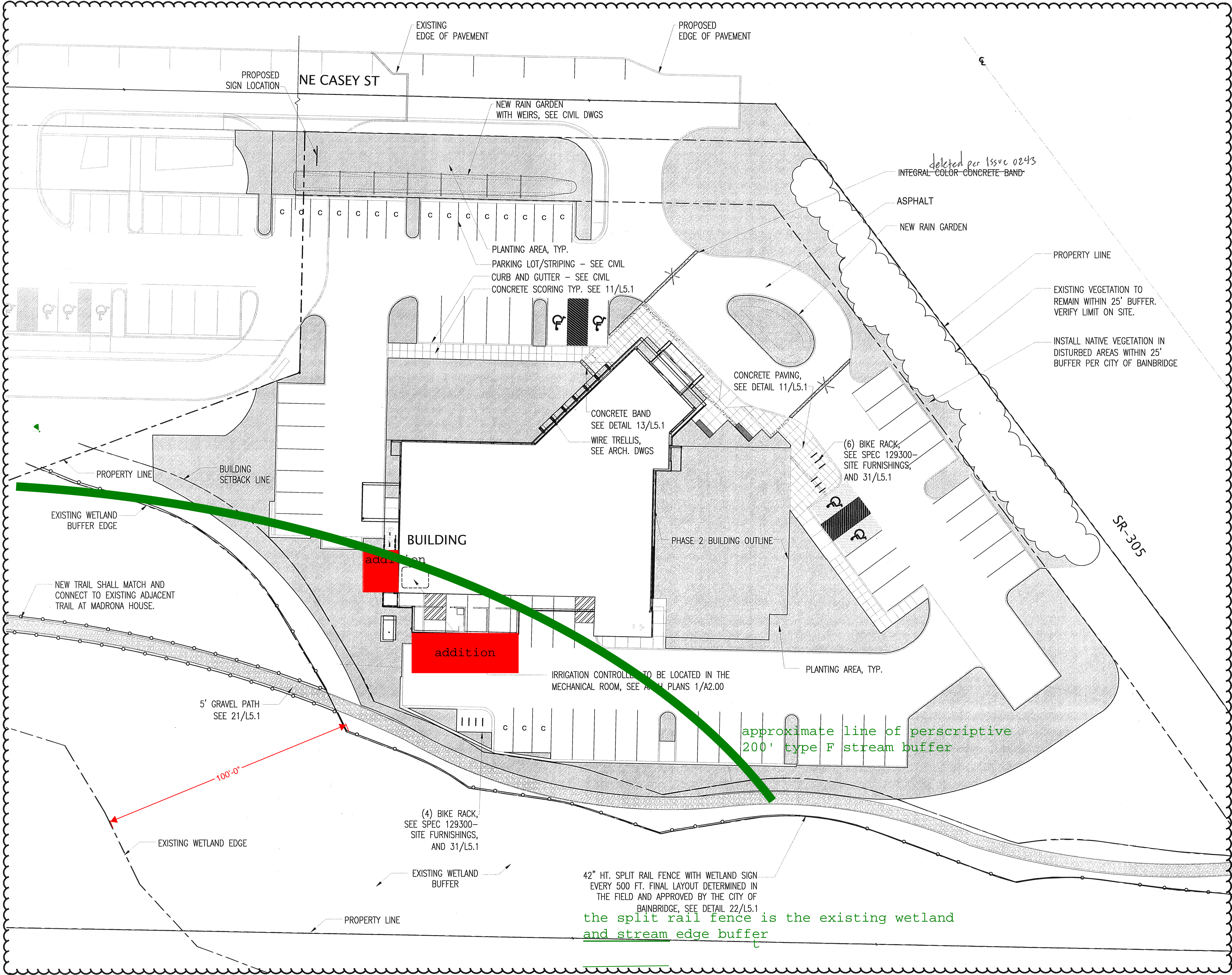
8804 MADISON AVE. N
BAINBRIDGE ISLAND,
WA 98110



Call Out Plan

L1.1

COPYRIGHT © 2011 BY COATES DESIGN INC



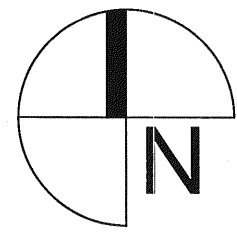
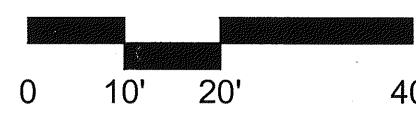
NOTES:

1. SEE ELECTRICAL FOR LIGHTING AND IRRIGATION CONTROLLER.
2. WETLAND TRAIL: TRAIL LAYOUT PER LANDSCAPE ARCHITECT ON SITE. CLEAR & GRUB ON SITE PER LAYOUT. SEE SIGNAGE 23/L5.1. SIGN AND LOCATION TO BE VERIFIED.
3. CLEAR AND GRUB LIMITS OF DISTURBED AREAS TO BE PER CIVIL GRADING PLAN AND STAGING LIMIT OF WORK.
4. MAINTAIN 25' OF LANDSCAPE BUFFER AT EAST SR 305 RIGHT OF WAY.
5. BIKE RACKS: MAINTAIN 24" CLEARANCE ON SIDES AND 30" CLEARANCE IN FRONT AND BACK. MAINTAIN 30" (MIN. 24") BETWEEN RACKS.
6. MAINTAIN 5' CLEAR WALKWAY ADJACENT TO BIKE RACKS-OUTSIDE OF BIKE RACK CLEAR ZONE.

CALL OUT PLAN

SCALE: 1" = 20'-0"

areas landward of the split rail fence determined to be permanent substantial development and establish functional isolation from the critical areas per the Wetland Resources Environmental Report dated April 8, 2020.

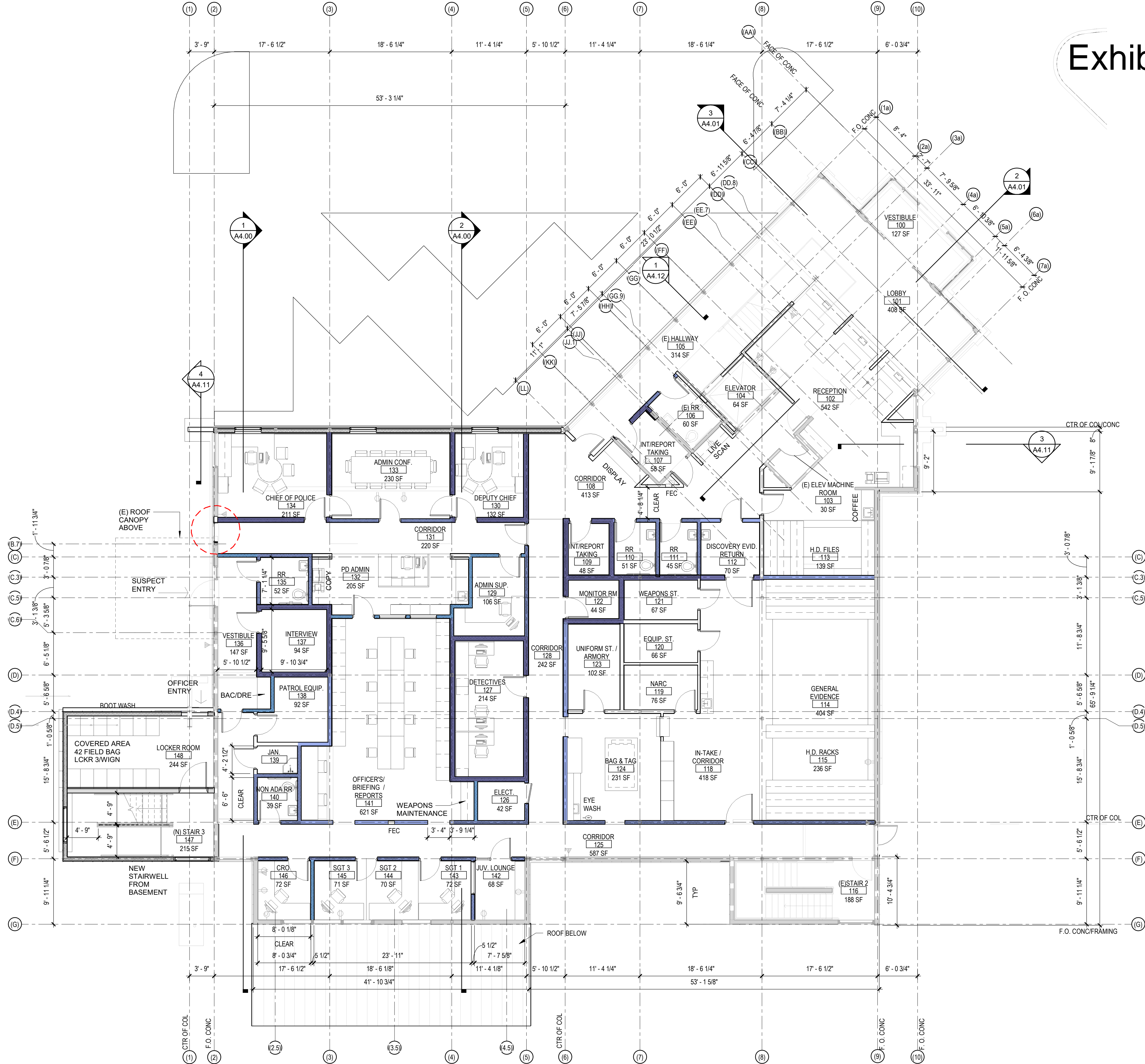


6/28/2013 10:04:14 AM

X:\PROJECTS\Harrison B\MOBS-DOCUMENTS\REV\Harrison urgent care.rvt

Project Number

BAINBRIDGE ISLAND URGENT CARE



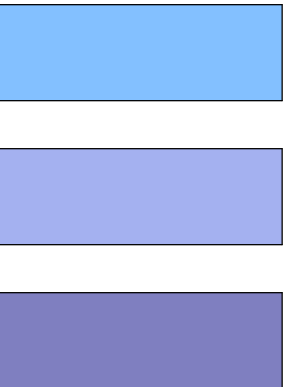
GENERAL PLAN NOTES:

- 1. ALL GRIDLINES ARE DIMENSIONED TO CENTER OF COLUMN, U.N.O.
- 2. DIMENSIONS ARE TO FACE OF FINISH, U.N.O.
- 3. NOT USED.
- 4. DIMENSIONS AT PUNCHED WINDOW OPENINGS ARE INDICATED AT 1/4" PLANS.

LINE TYPE LEGEND:

- SMOKE SEAL PARTITION
- 1-HR RATED ASSEMBLY

ACOUSTICAL LEGEND



- STC 40
 - STC 50
 - STC 60
- WALLS WITH INSULATION SHOWN HAVE STD REQUIREMENTS AS NOTED.
WALLS WITHOUT INSULATION NEED TO MATCH F.O.W.

1 MAIN LEVEL - OVERALL FLOOR PLAN

SCALE: 1/8" = 1'-0"



Exhibit 9

COATES DESIGN
ARCHITECTURE + INTERIORS

900 WINSLOW WAY E SUITE 210
BAINBRIDGE ISLAND WA 98110
P 206.780.0876



CITY OF
BAINBRIDGE ISLAND



ISSUED FOR: DATE:

DESIGN DEVELOPMENT SET 11/12/2019

NOT FOR CONSTRUCTION

BAINBRIDGE
ISLAND POLICE AND
COURT

8804 MADISON AVE. N
BAINBRIDGE ISLAND, WA
98110

MAIN LEVEL -
OVERALL FLOOR
PLAN

A2.01

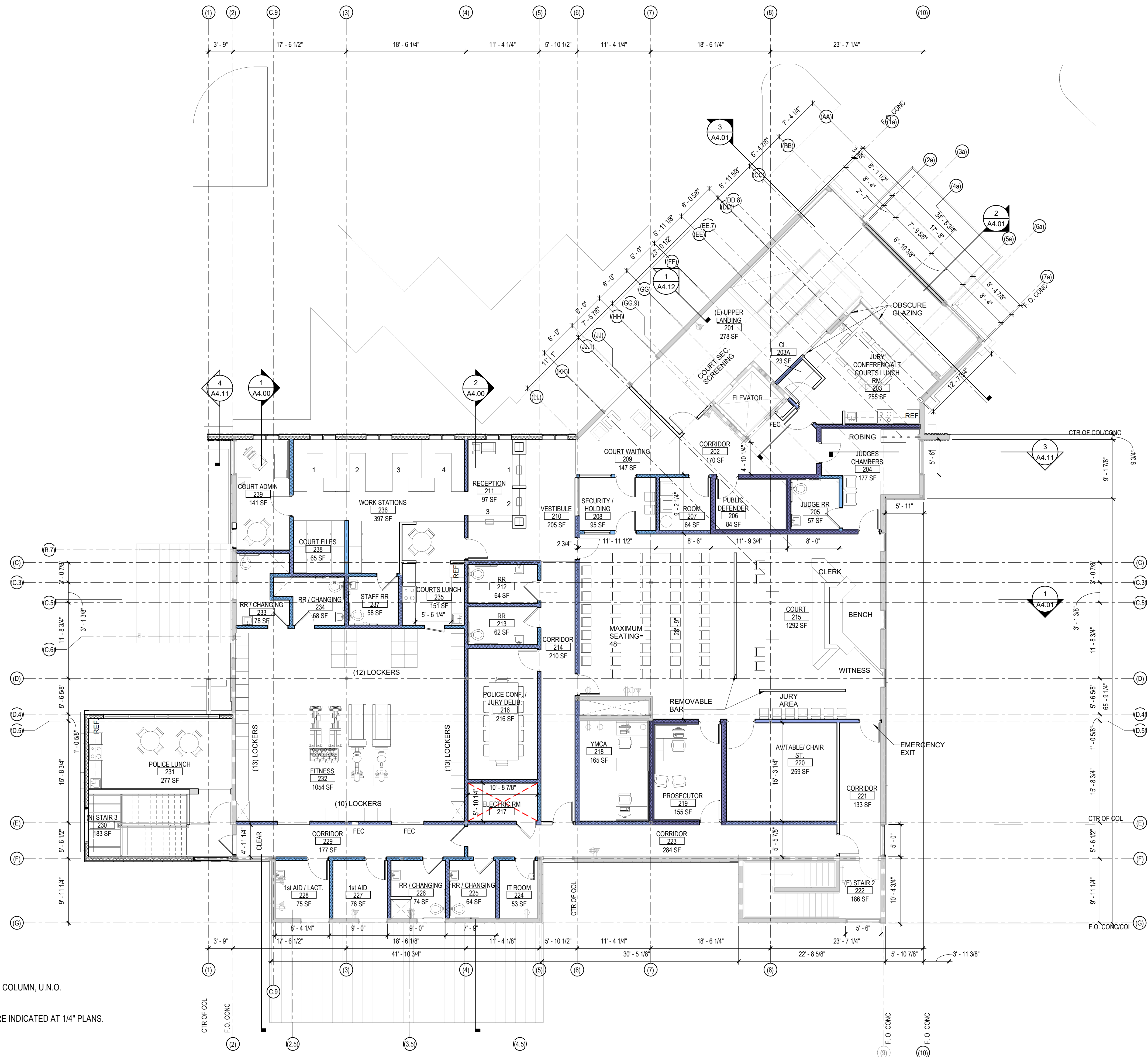
NOT FOR CONSTRUCTION

**BAINBRIDGE
SLAND POLICE AND
COURT**

8804 MADISON AVE. N
BAINBRIDGE ISLAND, WA
98110

UPPER LEVEL - OVERALL FLOOR PLAN

A2.05






GENERAL PLAN NOTES:

1. ALL GRIDLINES ARE DIMENSIONED TO CENTER OF COLUMN, U.N.O.
2. DIMENSIONS ARE TO FACE OF FINISH, U.N.O.
3. NOT USED.
4. DIMENSIONS AT PUNCHED WINDOW OPENINGS ARE INDICATED AT 1/4" PLANS.

LINE TYPE LEGEND:

-  SMOKE SEAL PARTITION
 1-HR RATED ASSEMBLY

ACOUSTICAL LEGEND

- | | | |
|---|--------|--|
|  | STC 40 | |
|  | STC 50 | WALLS WITH INSULATION SHOWN HAVE STD REQUIREMENTS AS NOTED.
WALLS WITHOUT INSULATION NEED TO MATCH F.O.W. |
|  | STC 60 | |

1 UPPER LEVEL - OVERALL FLOOR PLAN

SCALE: 1/8" = 1'-0"















Exhibit 11

COATES DESIGN
ARCHITECTURE + INTERIORS

900 WINSLOW WAY E SUITE 210
BAINBRIDGE ISLAND WA 98110
P 206.780.0876



CITY OF
BAINBRIDGE ISLAND



ISSUED FOR:

DATE:

ISSUE 0201 SITE REVISIONS

5.19.2014

CONSTRUCTION DOCUMENTS

1.10.2014

100% CD SET

HARRISON-BAINBRIDGE

8804 MADISON AVE. N
BAINBRIDGE ISLAND,
WA 98110

N

Planting Plan

L4.1

Existing planting in this area will
be replaced in kind after construction.
All other landscaping
preexisting and preserved

Existing rain garden

25' setback

No landmark trees are
within boundaries
of property lines

Line of potential
future addition

15' setback

100' wetland buffer

New Brooklyn Road

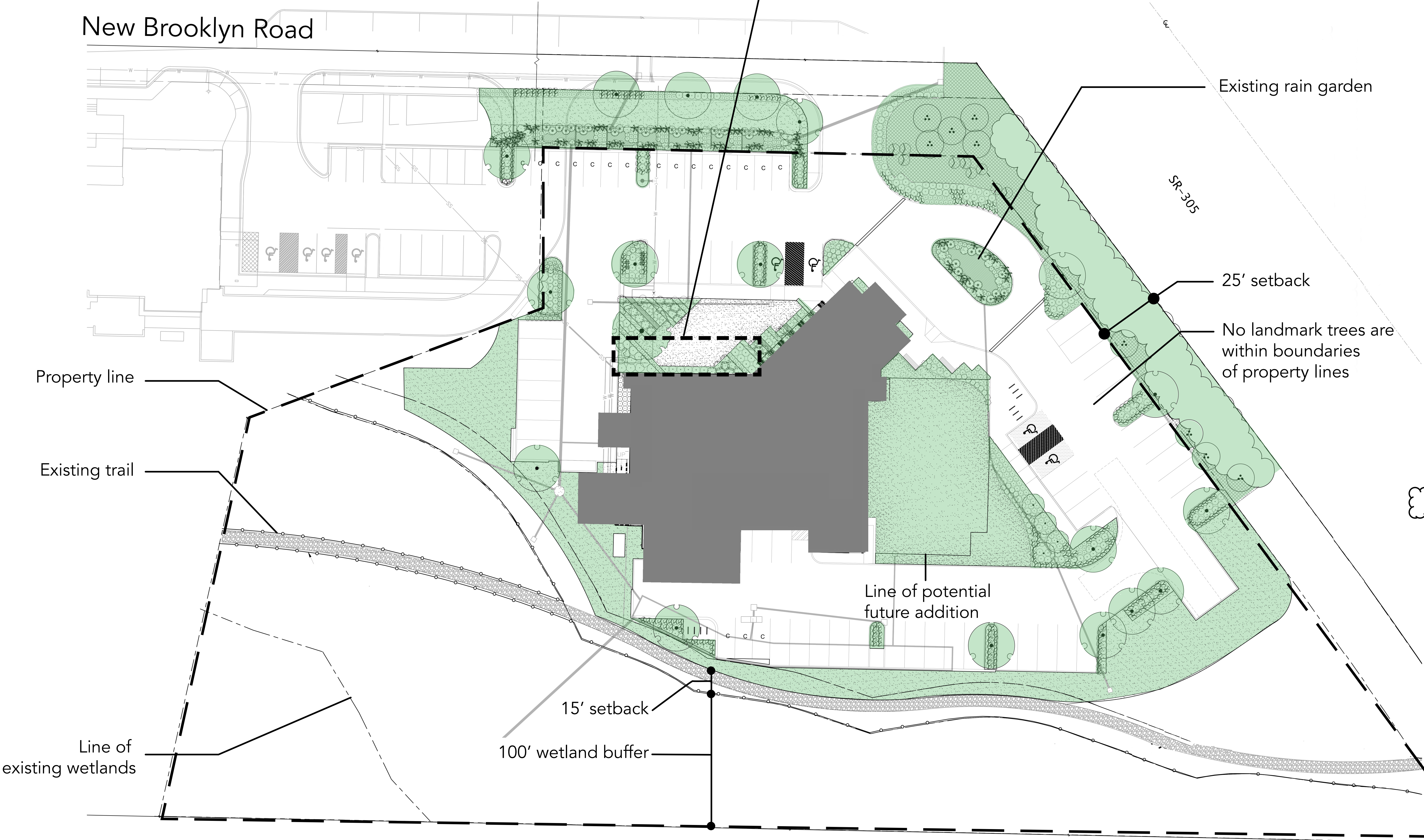
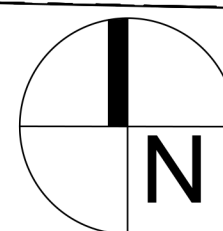
Property line

Existing trail

Line of
existing wetlands

PLANTING PLAN

SCALE: 1" = 20'-0"



Police Exterior Spaces

All Parking At Grade

City of Bainbridge Island, Washington

Police and Municipal Court Police - Space Needs Validation

- Site Summary 2 Story W/Out Firearms Range •

January 6, 2017

Coates Design Architects

McClaren, Wilson + Laurie, Inc.

15

	Valid.		Valid.	Remarks
Secure Staff Parking (Day Shift)				
Police Administration	4	AUTO	1,400	
Police Records	3	AUTO	1,050	
Police Patrol				
• On-coming Take Home (future build-out)	4	FLEET	3,200	
• 1/2 build-out Shift Overlap	2	FLEET	1,600	
Detectives	3	AUTO	1,750	
Property Evidence	1	AUTO	350	
• Impound Spaces	6	AUTO	2,100	
• Bicycle Cage			200	
Municipal Courts Staff	8	AUTO	3,500	
Subtotal	31		15,150	
Vacation / Sick Factor (Deduction)	15%	-5	AUTO	-2,153
Secure (Motorcourt) Parking	26		12,998	Fenced Perimeter- Controlled Access
Total Secure Motorcourt Parking	26		12,998	
Allowance Current				
Police Multi-purpose rm.	19	AUTO	8,750	Assume shared rides
Courtroom	23	AUTO	8,750	Assume shared rides
Total Non-Secure Parking	42		17,500	
Subtotal	68		30,498	
Circulation Factor			1.4	
Subtotal: Parking and Circulation Area in SF			42,697	
Building footprints (2-story - w/out firearms range) Outdoor			15,303	
Break Area			800	
Controlled Motorcourt Entry and Exit Emergency Generator			2,000	
& Fuel Tanks			800	
Trash Dumpster Enclosure / Loading Area			200	
Subtotal: Site Area Need in SF			61,800	
Allowance - Setback	20%		9,765	25,30,15,15
Allowance - Surface Water Retention			12,360	
Allowance - Landscaping Area	10%		6,180	
Total Site Area Need (SF)			90,104	
Total Site Area Need (Acres)			2.07	



MEMORANDUM

Date:	May 8, 2019	TG:	17207.01
To:	Barry Loveless – City of Bainbridge Island		
From:	Stef Herzstein, PE, PTOE – Transpo Group Paul Sharman, PE – Transpo Group		
Subject:	Bainbridge Island Police & Courts Trip Generation Analysis		

The City of Bainbridge Island is evaluating relocating the City's Police and Courts to 8804 Madison Avenue N. The existing land use at this site is medical office. The purpose of this memorandum is to provide an understanding of the Police and Court building weekday AM and PM peak hour trip generation and compare it to the existing medical office use. This analysis leverages the memorandum subject *Bainbridge Island Police & Courts Traffic Impact Assessment*, July 2017, which was completed for the City to evaluate the relocation of the Police and Court facility along NE New Brooklyn Rd. This memorandum also documents the transportation impact fee that may be required as part of this redevelopment.

Project Description

The City of Bainbridge Island is reviewing the feasibility of combining the Bainbridge Island Municipal Court and Police Station into one new building located at 8804 Madison Avenue N on the southwest corner of NE Casey Street (west side of NE New Brooklyn Road) and Madison Avenue NE. Figure 1 illustrates the project site and the surrounding vicinity. The proposed building would be 24,466 square-feet with 17,641 square-feet dedicated to police use and 6,825 square-feet dedicated to court use. Access would be via the existing driveway along Madison Avenue N.

City of Bainbridge Island

JUL 30 2019

Planning and
Community Development

Figure 1 - Site Vicinity



Trip Generation

The Institute of Transportation Engineers' *Trip Generation Manual*, 10th Edition is an industry publication that contains trip generation rates for various uses; however, there is no trip generation rates for courts and police stations. Project trip generation estimates were determined based on trip generation studies conducted at the existing Police and Court buildings on May 25, 2017 and documented in the memorandum subjected *Bainbridge Island Police & Courts Traffic Impact Assessment*, July 2017. The following provides the summary of trip generation documented in the July 2017 study.

The arrivals and departures for the existing facilities were collected during both the weekday AM and PM peak periods. Table 1 provides a summary of the existing trip generation that was observed for the Police and Court buildings. The trip generation rates were reviewed for the police and court house separately and for the two uses combined. Trip generation rates were based on the existing building size.

Table 1. Existing Police & Court Weekday Peak Hour Trip Generation

Existing Use	Size	Existing Total Trips ¹			% Distribution		Trip Rate ²
		In	Out	Total	In	Out	
<u>AM Peak Hour</u>							
Police Station	6,480 sf	1	1	2	50%	50%	0.31 trips/ksf
Court	2,300 sf	3	2	5	60%	40%	2.17 trips/ksf
Combined Uses	8,780 sf	4	3	7	57%	43%	0.80 trips/ksf
<u>PM Peak Hour</u>							
Police Station	6,480 sf	0	0	0	0%	0%	0 trips/ksf
Court	2,300 sf	0	2	2	0%	100%	0.87 trips/ksf
Combined Uses	8,780 sf	0	2	2	0	100%	0.23 trips/ksf

Note: sf = square-feet; ksf = 1,000 square-feet

1. Based on traffic data collected on May 25, 2017.

2. Trip Rate represents the number of vehicle trips per square foot.

As shown in Table 1, the existing sites generate a total of 7 AM trips, and 2 PM trips, with the court house generating most of the trips.

Travel characteristics to the relocated police and court facility are expected to be similar to those for the existing sites. The trip generation rate for the combined police and court use was utilized to determine the trip generation for the proposed relocated police and court facility since it results in a conservatively higher estimate. The estimated trip generation for the relocated police and court is shown in Table 2.

Table 2. Police & Court Relocation Estimated Weekday Peak Hour Trip Generation

Time Period	Proposed Size	Trip Rate ¹ per ksf	Project Trips ²		
			In	Out	Total
AM Peak Hour	24,466 sf	0.80	11	9	20
PM Peak Hour		0.23	0	6	6

Notes:

1. Based on the trip rate per square feet calculated for the existing police station and court sites.

2. Inbound and outbound trip distribution are based on the existing police station and court sites.

Based on the observed trip generation, the proposed building combination of a Police and Court is anticipated to generate 20 trips during the weekday AM peak hour and 6 trips during the weekday PM peak hour.

As described previously, the existing site has medical office use. Table 3 compares the proposed police and court building trip generation to the existing medical office use. The estimated trip generation for the medical office use is based on Institute of Transportation Engineers' *Trip Generation Manual*, 10th Edition.

Table 3. Comparison of Estimated Weekday Peak Hour Trip Generation Comparison

Land Use	Size	Rate ¹	Project Trips		
			Total	In	Out
<u>AM Peak Hour</u>					
Proposed Police/Court Bldg	24,466 sf	0.80	20	11	9
Existing Medical Bldg (LU #720)	27,358 sf	2.78	76	59	17
Net New Total			-56	-48	-8
<u>PM Peak Hour</u>					
Proposed Police/Court Bldg	24,466 sf	0.23	6	0	6
Existing Medical Bldg (LU #720)	27,358 sf	3.53	95	27	68
Net New Total			-89	-27	-62

1. Trips rates from ITE *Trip Generation Manual*, 10th Edition and Existing Police & Court Site survey.

As shown in the table, it is anticipated that the proposed project would generate fewer trips than the existing medical office during both the weekday AM and PM peak hour.

Transportation Impact Fees

The proposed project is subject to City of Bainbridge Island transportation impact fees (TIFs). Bainbridge Island Municipal Code (BIMC) 15.30.200 provides the transportation impact fee rate schedule by land use. Police and court are not a land use category within the current rate schedule; however, the schedule shows an impact fee of \$1,632.47 per weekday PM peak hour trip. The BIMC also allows TIF credit for existing trips already generate at a proposed project site. The proposed project would not generate new weekday PM peak hour trips (see Table 3) when considering existing site trips generated by the medical office; therefore, no traffic impact fees would be required.



MEMORANDUM

Date: October 6, 2019

To: Paul Nylund, E.I.T., Development Engineer, Public Works

From: Barry Loveless, P.E. – Police and Municipal Court Project Manager

Subject: Bainbridge Island Police & Municipal Court Traffic Impact Assessment (PLN51524)

The City of Bainbridge Island is submitting a land-use application to complete a project that will combine the Bainbridge Island Municipal Court and Police Station into one existing building located at 8804 Madison Avenue N on the southwest corner of NE New Brooklyn Road and Madison Avenue NE. The proposed project would be 17,739 square-feet with 13,397 square-feet dedicated to police use, 4,069 square feet dedicated to court use, and 273 square feet of shared use. Access would be via the existing driveway along Madison Avenue N. The purpose of this memorandum is to respond to the comments provided in your pre-application summary letter dated September 10, 2019.

Project Description

The City of Bainbridge Island plans to purchase the existing medical building at 8804 Madison Avenue N, complete an extensive interior renovation, and construct an approximately 800 square feet addition to accommodate future occupancy by the Bainbridge Island Municipal Court and Police Station. The property purchase is under contract, and the applicant is in the process of applying for land-use permits.

Traffic Impact Analysis (TIA)

Your letter indicated the proposed project exceeds the threshold for the requirement to perform a concurrency test in accordance with City Code and directed the preparation of a TIA. Submitted with this memorandum are a TIA completed for a nearby site (NE New Brooklyn Rd) for the same project (Bainbridge Island Police & Courts Traffic Impact Assessment, July 2017), as well as a subsequent memorandum (Bainbridge Island Police & Courts Trip Generation Analysis, May 8, 2018) that leverages the information in the TIA and compares the proposed police and court building trip generation to the existing building's medical use. In addition, attached is the TIA prepared for the existing medical building (Island Medical Traffic Analysis, March 2008).

Study Area

The scope of the TIA for the NE New Brooklyn Road site was coordinated with City staff and due to the close proximity of the new site at 8804 Madison Avenue N, the study intersections evaluated are the same:

- State Route (SR) 305/Madison Avenue N
- Madison Avenue N/NE New Brooklyn Road
- Sportsman Club Road/NE New Brooklyn Road

City of Bainbridge Island

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Trip Generation

The trip generation rate used in the memorandum Bainbridge Island Police and Courts Trip Generation Analysis, May 8, 2018, used incorrect floor areas for the existing building at 8804 Madison Avenue N. As stated in the opening paragraph of this memorandum, the proposed project would be 17,739 square-feet with 13,397 square-feet dedicated to police use, 4,069 square feet dedicated to court use, and 273 square feet of shared use. The estimated trip generation for the relocated police and court is shown in Table 1 using the project trip generation estimates based on trip generation studies conducted at the existing Police and Court buildings on May 25, 2017 and the correct square footage of the proposed facility at 8804 Madison Avenue N.

Table 1. Police & Court Relocation Estimated Weekday Peak Hour Trip Generation – 8804 Madison Ave. N.

Time Period	Proposed Size	Trip Rate ¹ per ksf	Total Trips		
			In	Out	Total
AM Peak Hour	17,739 sf	0.80	8	6	14
PM Peak Hour		0.23	0	4	4

Notes:

1. Based on trip rate per square feet calculated based on existing police station and court sites.

Based on the observed trip generation, the proposed building combination of a Police and Court at 8804 Madison Avenue N is anticipated to generate 14 trips during the weekday AM peak hour and 4 trips during the weekday PM peak hour.

As described previously, the existing site has medical office use. Table 3 compares the proposed police and court building trip generation to the existing medical office use. The estimated trip generation for the medical office use is based on Institute of Transportation Engineers' Trip Generation Manual, 10th Edition. The trip generation rate used in the memorandum Bainbridge Island Police and Courts Trip Generation Analysis, May 8, 2018, used incorrect floor areas for the existing building at 8804 Madison Avenue N., so those are corrected in Table 2 as well.

Table 2. Comparison of Estimated Weekday Peak Hour Trip Generation – 8804 Madison Ave. N.

Land Use	Size	Trip Rate ¹ per ksf	Total Trips		
			In	Out	Total
AM Peak Hour					
Proposed Police/Court Bldg.	17,739 sf	0.80	8	6	14
Existing Medical Bldg. (LU#720)	17,314 sf	2.78	<u>27</u>	<u>21</u>	<u>48</u>
Net New Total Trips			-19	-15	-34
PM Peak Hour					
Proposed Police/Court Bldg.	17,739 sf	0.23	0	4	4
Existing Medical Bldg. (LU#720)	17,314 sf	3.53	<u>26</u>	<u>35</u>	<u>61</u>
Net New Total Trips			-26	-31	-57

Notes: sf = square feet

1. Based on trip rate per square feet from ITE Manual, 10th Edition and Existing Police and Court Survey.

As shown in Table 2, it is anticipated the proposed Police and Court project would generate fewer trips than the existing medical building during both the weekday AM and PM peak hour.

Traffic Impact Analysis for Existing Medical Facility

TIA was performed the existing medical center (Island Medical Traffic Analysis, March 2008). The analysis assumed a medical center of 27,358 sf and an associated 50-unit congregate care facility. The congregate care facility is a separate parcel, so not part of this comparison with the proposed police and court building. The medical facility was constructed in phases with the overall facility planned to be 27,358 sf, but only the first phase was completed consisting of 17,314 sf. Therefore, the trip generation volumes in Table of the March 2008 TIA have been adjusted to reflect only the medical center square footage constructed and occupied. Table 3 below provides a comparison of the revised trip generation estimated for the original medical center and the proposed police and court facility.

Table 3. Comparison of Estimated Weekday Peak Hour Trip Generation – March 2008 Medical Center TIA

Land Use	Size	Trip Rate ¹ per ksf	Total Trips		
			In	Out	Total
<u>AM Peak Hour</u>					
Proposed Police/Court Bldg.	17,739 sf	0.80	8	6	14
Existing Medical Bldg. (LU#720)	17,314 sf	2.54	<u>35</u>	<u>9</u>	<u>44</u>
Net New Total Trips			-27	-3	-30
<u>PM Peak Hour</u>					
Proposed Police/Court Bldg.	17,739 sf	0.23	0	4	4
Existing Medical Bldg. (LU#720)	17,314 sf	3.81	<u>18</u>	<u>48</u>	<u>66</u>
Net New Total Trips			-18	-44	-62

Notes: sf = square feet

1. Based on trip rate per square feet from ITE Manual, 7th Edition and Existing Police and Court Survey.

As shown in Table 3, the proposed Police and Court project is projected to generate fewer trips than the existing medical building during both the weekday AM and PM peak hour.

Parking Analysis

The peak parking demand of the existing police station and court were also reviewed to understand if the potential parking supply of 73 spaces would be sufficient. The trip generation rate used in the memorandum Bainbridge Island Police and Courts Trip Generation Analysis, May 8, 2018, used incorrect floor areas for the existing building at 8804 Madison Avenue N. Parking counts were collected at the existing Police and Court buildings on May 24 and 26, 2017. The parking demand was measured during the midday time period when parking demand was expected to be the highest. Table 4 summarizes the parking demand observed during these observations.

Table 4. Existing Police & Court Parking Demand

	Size (sf)	Total Parking Demand Observed (vehicles)		Average Parking Demand (vehicles)	Parking Rate per ksf ¹
		May 24	May 26		
Police Station	6,480 sf	3	9	6	0.93
Court	2,300 sf	21	17	19	8.27
Combined Sites	8,780 sf	24	26	25	2.85

Notes: sf = square feet

1. Average parking rate per 1,000 square-feet.

The parking observations shown in Table 5 suggest a parking demand of 2.85 spaces per 1,000 square-feet for the combined facility. This results in a parking demand of 51 vehicles assuming a 17,739 square-foot site facility. The estimated parking demand is for the Police and Court is less than the currently available 73 spaces at the site. The reduced demand for parking in the proposed Police/Court facility compared to the existing medical use is another indicator of reduced traffic demand for the proposed new use.

Transportation Impact Fees

The proposed project is subject to City of Bainbridge Island transportation impact fees (TIFs). Bainbridge Island Municipal Code (BIMC) 15.30.200 provides the transportation impact fee rate schedule by land use. Police and court are not a land use category within the current rate schedule; however, the schedule shows an impact fee of \$1,632.47 per weekday PM peak hour trip. The BIMC also allows TIF credit for existing trips already generated at a proposed project site. The proposed project would not generate new weekday PM peak hour trips (see Table 2 and 3) when considering existing site trips generated by the medical office; therefore, no traffic impact fees would be required.

Summary of Key Findings

- The proposed police and court facility is projected to generate fewer vehicle trips than the existing medical building during both the weekday AM and PM peak hour; therefore no traffic mitigation measures would be required.
- The proposed police and court facility would not generate new weekday PM peak hour trips when considering existing site trips generated by the medical office; therefore, no traffic impact fees would be required.

CITY OF BAINBRIDGE ISLAND

ENVIRONMENTAL (SEPA) CHECKLIST - *UPDATED 2014*

FORM MUST BE COMPLETED IN INK, PREFERABLY BLUE
PENCIL WILL NOT BE ACCEPTED

City of Bainbridge Island

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PLEASE READ THE FOLLOWING CAREFULLY BEFORE FILLING OUT THE CHECKLIST
--

Purpose of checklist:

Governmental agencies use this checklist to help determine whether the environmental impacts of your proposal are significant. This information is also helpful to determine if available avoidance, minimization or compensatory mitigation measures will address the probable significant impacts or if an environmental impact statement will be prepared to further analyze the proposal.

Instructions for applicants:

This environmental checklist asks you to describe some basic information about your proposal. Please answer each question accurately and carefully, to the best of your knowledge. You may need to consult with an agency specialist or private consultant for some questions. You may use "not applicable" or "does not apply" only when you can explain why it does not apply and not when the answer is unknown. You may also attach or incorporate by reference additional studies reports. Complete and accurate answers to these questions often avoid delays with the SEPA process as well as later in the decision-making process.

The checklist questions apply to all parts of your proposal, even if you plan to do them over a period of time or on different parcels of land. Attach any additional information that will help describe your proposal or its environmental effects. The agency to which you submit this checklist may ask you to explain your answers or provide additional information reasonably related to determining if there may be significant adverse impact.

Instructions for Lead Agencies:

Please adjust the format of this template as needed. Additional information may be necessary to evaluate the existing environment, all interrelated aspects of the proposal and an analysis of adverse impacts. The checklist is considered the first but not necessarily the only source of information needed to make an adequate threshold determination. Once a threshold determination is made, the lead agency is responsible for the completeness and accuracy of the checklist and other supporting documents.

Use of checklist for non-project proposals:

For non-project proposals (such as ordinances, regulations, plans and programs), complete the applicable parts of sections A and B plus the SUPPLEMENTAL SHEET FOR NONPROJECT ACTIONS (part D). Please completely answer all questions that apply and note that the words "project," "applicant," and "property or site" should be read as "proposal," "proponent," and "affected geographic area," respectively. The lead agency may exclude (for non-projects) questions in Part B - Environmental Elements –that do not contribute meaningfully to the analysis of the proposal.

Department of Planning and Community Development
280 Madison Avenue North • Bainbridge Island, WA • 98110-1812
Phone: (206) 842-2552 • Fax: (206) 780-0955 • Email: pcd@bainbridgewa.gov
www.ci.bainbridge-island.wa.us

**CITY OF BAINBRIDGE ISLAND
ENVIRONMENTAL (SEPA) CHECKLIST**

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A. background

1. Name of proposed project, if applicable: **Bainbridge Island Police and Court**
2. Name of applicant: **Robert Hutchinson, Architect. Coates Design Architects**
3. Address and phone number of applicant and contact person: **900 Winslow Way #210, Bainbridge Island WA., 98110 – Contact: Robert Hutchinson**
4. Date checklist prepared: **9/2/2019**
5. Agency requesting checklist: **City of Bainbridge Island**
6. Proposed timing or schedule (including phasing, if applicable): **Start of Construction – summer 2020.**
7. Do you have any plans for future additions, expansion, or further activity related to or connected with this proposal? If yes, explain. **No.**
8. List any environmental information you know about that has been prepared, or will be prepared, directly related to this proposal. **None**
9. Do you know whether applications are pending for governmental approvals of other proposals directly affecting the property covered by your proposal? If yes, explain. **No**

A

A

A

A

A

A- Land Use approval then Building permit approval

A- Applicant has no immediate plans to do so

A

A

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10. List any government approvals or permits that will be needed for your proposal, if known. [Site Plan Review \(major adjustment\)](#), [Conditional Use Permit \(major adjustment\)](#), [Demolition Permit](#), [Building Permit](#), [Mechanical and Plumbing Permits](#).

A

11. Give brief, complete description of your proposal, including the proposed uses and the size of the project and site. There are several questions later in this checklist that ask you to describe certain aspects of your proposal. You do not need to repeat those answers on this page. (Lead agencies may modify this form to include additional specific information on project description.) [Remodel an existing medical office building of approximately 17,340 square feet, plus an addition of approximately 484 square feet. The City of Bainbridge Island Police and Municipal Court will be the new tenants.](#)

A

12. Location of the proposal. Give sufficient information for a person to understand the precise location of your proposed project, including a street address, if any, and section, township, and range, if known. If a proposal would occur over a range of area, provide the range or boundaries of the site(s). Provide a legal description, site plan, vicinity map, and topographic map, if reasonably available. While you should submit any plans required by the agency, you are not required to duplicate maps or detailed plans submitted with any permit applications related to this checklist. [8804 Madison Avenue North, Bainbridge Island Washington, 98110. The property lies south of New Brooklyn Road, west of SR 305, and east of Madison Avenue.](#)

A

CITY OF BAINBRIDGE ISLAND
ENVIRONMENTAL (SEPA) CHECKLIST
B. ENVIRONMENTAL ELEMENTS

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1. Earth

a. General description of the site
(circle one): Flat, rolling, hilly, steep slopes, mountainous,
other _____

A

b. What is the steepest slope on the site (approximate percent slope)? Approximately 30%. greater mapped slopes.

A- With small areas of 40% or greater mapped slopes.

c. What general types of soils are found on the site (for example, clay, sand, gravel, peat, muck)? If you know the classification of agricultural soils, specify them and note any agricultural land of long-term commercial significance and whether the proposal results in removing any of these soils. Sandy loam.

A- mapped as Sandy loam with small area of silt loam on southern portion of site.

d. Are there surface indications or history of unstable soils in the immediate vicinity? If so, describe. None that are known.

A- There is a mapped erosion hazard area on southern portion of site.

e. Describe the purpose, type, total area, and approximate quantities and total affected area of any filling, excavation, and grading proposed. Indicate source of fill. Minor excavation to construct the 484 square foot addition will occur.

A

f. Could erosion occur as a result of clearing, construction, or use? If so, generally describe. Very minor erosion could occur. Erosion control measure will be implemented.

A

g. About what percent of the site will be covered with impervious surfaces after project construction (for example, asphalt or buildings)? Buildings will be less than 12%, Parking hardscape is unchanged from current condition.,

A

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- h. Proposed measures to reduce or control erosion, or other impacts to the earth, if any: Erosion control plan and BMP's.

A

2. Air

- a. What types of emissions to the air would result from the proposal during construction, operation, and maintenance when the project is completed? If any, generally describe and give approximate quantities if known. General emissions that are customarily part of a standard construction project.

A

- b. Are there any off-site sources of emissions or odor that may affect your proposal? If so, generally describe. None known at this time.

A

- c. Proposed measures to reduce or control emissions or other impacts to air, if any: Standard emission control measures.

A

3. Water

- a. Surface Water: _

- 1) Is there any surface water body on or in the immediate vicinity of the site (including year-round and seasonal streams, saltwater, lakes, ponds, wetlands)? If yes, describe type and provide names. If appropriate, state what stream or river it flows into. There are wetlands located to the south of the property on the adjoining parcel.

A - A Type-F Stream buffer encroaches onto southern portion of property. Stream is located on adjacent properties.

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2) Will the project require any work over, in, or adjacent to (within 200 feet) the described waters? If yes, please describe and attach available plans.
Yes. See attached site plan.

A

3) Estimate the amount of fill and dredge material that would be placed in or removed from surface water or wetlands and indicate the area of the site that would be affected. Indicate the source of fill material. None.

A

4) Will the proposal require surface water withdrawals or diversions? Give general description, purpose, and approximate quantities if known. No.

A

5) Does the proposal lie within a 100-year floodplain? If so, note location on the site plan. No.

A

6) Does the proposal involve any discharges of waste materials to surface waters? If so, describe the type of waste and anticipated volume of discharge. No.

A

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b. Ground Water:

1) Will groundwater be withdrawn from a well for drinking water or other purposes? If so, give a general description of the well, proposed uses and approximate quantities withdrawn from the well. Will water be discharged to groundwater? Give general description, purpose, and approximate quantities if known. **No.**

A

2) Describe waste material that will be discharged into the ground from septic tanks or other sources, if any (for example: Domestic sewage; industrial, containing the following chemicals. . . ; agricultural; etc.). Describe the general size of the system, the number of such systems, the number of houses to be served (if applicable), or the number of animals or humans the system(s) are expected to serve. **None**

A

c. Water runoff (including stormwater):

1) Describe the source of runoff (including storm water) and method of collection and disposal, if any (include quantities, if known). Where will this water flow? Will this water flow into other waters? If so, describe. **Runoff will be handled by current detention facilities in place.**

A

2) Could waste materials enter ground or surface waters? If so, generally describe. **No.**

A

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3) Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site? If so, describe. **No**

A

d. Proposed measures to reduce or control surface, ground, and runoff water, and drainage pattern impacts, if any: **Current detention facilities will be utilized.**

A

4. Plants

a. Check the types of vegetation found on the site:

- ☒ deciduous tree: alder, maple, aspen, other
- ☒ evergreen tree: fir, cedar, pine, other
- ☒ shrubs
- ☒ grass
- ☐ pasture
- ☐ crop or grain
- ☐ Orchards, vineyards or other permanent crops.
- ☐ wet soil plants: cattail, buttercup, skunk cabbage, other
- ☐ water plants: water lily, eelgrass, milfoil, other
- ☐ other types of vegetation

A

b. What kind and amount of vegetation will be removed or altered? **None**

A

c. List threatened and endangered species known to be on or near the site. **None**

A

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d. Proposed landscaping, use of native plants, or other measures to preserve or enhance vegetation on the site, if any: [See existing conditions landscape plan.](#)

A

e. List all noxious weeds and invasive species known to be on or near the site. [None](#)

A

5. Animals

a. List any birds and other animals which have been observed, or are known to be on or near the site. Examples include:

birds: hawk, heron, eagle, songbirds, other

mammals: deer, bear, elk, beaver, other:

fish: bass, salmon, trout, herring, shellfish, other :

[Songbirds and deer.](#)

A

b. List any threatened and endangered species known to be on or near the site

[None](#)

A

c. Is the site part of a migration route? If so, explain. [No.](#)

A

d. Proposed measures to preserve or enhance wildlife, if any: [None](#)

A

e. List any invasive animal species known to be on or near the site. [None](#)

f.

A

**CITY OF BAINBRIDGE ISLAND
ENVIRONMENTAL (SEPA) CHECKLIST**

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6. Energy and natural resources

a. What kinds of energy (electric, natural gas, oil, wood stove, solar) will be used to meet the completed project's energy needs? Describe whether it will be used for heating, manufacturing, etc *Electricity for normal power, diesel for generator.*

A

b. Would your project affect the potential use of solar energy by adjacent properties?
If so, generally describe. *No.*

A

c. What kinds of energy conservation features are included in the plans of this proposal?
List other proposed measures to reduce or control energy impacts, if any: *As required by the IECC and Washington State Commercial Energy Code.*

A

7. Environmental health

a. Are there any environmental health hazards, including exposure to toxic chemicals, risk of fire and explosion, spill, or hazardous waste that could occur as a result of this proposal? If so, describe. *No.*

A

1) Describe any known or possible contamination at the site from present or past uses. *None.*

A

2) Describe existing hazardous chemicals/conditions that might affect project development and design. This includes underground hazardous liquid and gas transmission pipelines located within the project area and in the

**CITY OF BAINBRIDGE ISLAND
ENVIRONMENTAL (SEPA) CHECKLIST**

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vicinity. *None.*

A

- 3) Describe any toxic or hazardous chemicals that might be stored, used, or produced during the project's development or construction, or at any time during the operating life of the project. *None.*

A

- 4) Describe special emergency services that might be required. *None.*

A

- 5) Proposed measures to reduce or control environmental health hazards, if any: *None.*

A

b. Noise

What types of noise exist in the area which may affect your project (for example: traffic, equipment, operation, other)? *Traffic noise from SR 305 and Madison Avenue NE. Also, noise from emergency airlift at the fire station across Madison. After occupancy by the Police, occasional siren noise from emergency vehicles may occur at the site. In accordance with WAC 173-60-050(4)(f) sounds created by emergency equipment necessary in the interests of law enforcement are exempt from environmental noise limits. COBI has adopted this WAC under BIMC 16.16.020 Maximum environmental noise levels.*

A

- 1) What types and levels of noise would be created by or associated with the project on a short-term or a long-term basis (for example: traffic, construction, operation, other)? Indicate what hours noise would come from the site. *Short term construction noise, weekdays from 9:00 am to 5:00 pm.*

m

- 2) Proposed measures to reduce or control noise impacts, if any: *Full compliance with City noise ordinance.*

A

8. Land and shoreline use

- a. What is the current use of the site and adjacent properties? Will the proposal affect current land uses on nearby or adjacent properties? If so, describe. *North of the property is a church, and to the west is a nursing home. East is SR 30, and south across the ravine is multi-family housing,*

A - SR 305

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b. Has the project site been used as working farmlands or working forest lands? If so, describe. How much agricultural or forest land of long-term commercial significance will be converted to other uses as a result of the proposal, if any? If resource lands have not been designated, how many acres in farmland or forest land tax status will be converted to nonfarm or non-forest use? No.

A

1) Will the proposal affect or be affected by surrounding working farm or forest land normal business operations, such as oversize equipment access, the application of pesticides, tilling, and harvesting? If so, how: No.

A

c. Describe any structures on the site. Existing 2 story medical office building, approximately 17,400 square feet in size.

A

d. Will any structures be demolished? If so, what? No.

A

e. What is the current zoning classification of the site? R-8.

A

f. What is the current comprehensive plan designation of the site? UMF.

A

g. If applicable, what is the current shoreline master program designation of the site? N/A.

A

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h. Has any part of the site been classified as a critical area by the city or county? If so, specify. *Yes. The southern most portion of the site..*

A-

i. Approximately how many people would reside or work in the completed project? *45*

A

j. Approximately how many people would the completed project displace? *None*

A

k. Proposed measures to avoid or reduce displacement impacts, if any: *N/A.*

A

l. Proposed measures to ensure the proposal is compatible with existing and projected land uses and plans, if any: *Conditional Use Permit and Site Plan Review process.*

A

m. Proposed measures to ensure the proposal is compatible with nearby agricultural and forest lands of long-term commercial significance, if any: *N/A*

A

9. Housing

a. Approximately how many units would be provided, if any? Indicate whether high, middle, or low-income housing. *N/A*

A

b. Approximately how many units, if any, would be eliminated? Indicate whether high, middle, or low-income housing. *N/A*

A

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c. Proposed measures to reduce or control housing impacts, if any: *N/A*

A

10. Aesthetics

a. What is the tallest height of any proposed structure(s), not including antennas; what is the principal exterior building material(s) proposed? *Two story structure with daylight basement. Metal siding will be the primary building skin.*

A - Height unchanged. 40ft max height if CU conditions met

b. What views in the immediate vicinity would be altered or obstructed? *None.*

A

c. Proposed measures to reduce or control aesthetic impacts, if any: *None.*

A

11. Light and glare

a. What type of light or glare will the proposal produce? What time of day would it mainly occur? *Light produced will be typical for an office building and parking.*

A

b. Could light or glare from the finished project be a safety hazard or interfere with views? *No.*

A

c. What existing off-site sources of light or glare may affect your proposal? *None.*

A

d. Proposed measures to reduce or control light and glare impacts, if any: *N/A*

*A - Compliance with City Outdoor Lighting Standards
Bimc 18.15.040*

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12. Recreation

- a. What designated and informal recreational opportunities are in the immediate vicinity? *School District athletic fields and a Community Pool.*
- b. Would the proposed project displace any existing recreational uses? If so, describe. *No.*
- c. Proposed measures to reduce or control impacts on recreation, including recreation opportunities to be provided by the project or applicant, if any: *None*

A

A

A

13. Historic and cultural preservation

- a. Are there any buildings, structures, or sites, located on or near the site that are over 45 years old listed in or eligible for listing in national, state, or local preservation registers located on or near the site? If so, specifically describe.
No
- b. Are there any landmarks, features, or other evidence of Indian or historic use or occupation? This may include human burials or old cemeteries. Are there any material evidence, artifacts, or areas of cultural importance on or near the site? Please list any professional studies conducted at the site to identify such resources. *No.*

A

m if found

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c. Describe the methods used to assess the potential impacts to cultural and historic resources on or near the project site. Examples include consultation with tribes and the department of archeology and historic preservation, archaeological surveys, historic maps, GIS data, etc. *None.*

A

d. Proposed measures to avoid, minimize, or compensate for loss, changes to, and disturbance to resources. Please include plans for the above and any permits that may be required. *None.*

A

14. Transportation

a. Identify public streets and highways serving the site or affected geographic area and describe proposed access to the existing street system. Show on site plans, if any. *Madison Ave. and New Brooklyn Road. Sidewalk one side of New Brooklyn to Madison and New Brooklyn intersection.*

A

b. Is the site or affected geographic area currently served by public transit? If so, generally describe. If not, what is the approximate distance to the nearest transit stop? *Yes. Kitsap Transit has service on Madison Avenue and SR 305, both close to the site.*

A

c. How many additional parking spaces would the completed project or non-project proposal have? How many would the project or proposal eliminate? *No parking will be added or deleted from existing conditions.*

A

d. Will the proposal require any new or improvements to existing roads, streets, pedestrian, bicycle or state transportation facilities, not including driveways? If

**CITY OF BAINBRIDGE ISLAND
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so, generally describe (indicate whether public or private). No.

A

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- e. Will the project or proposal use (or occur in the immediate vicinity of) water, rail, or air transportation? If so, generally describe. **No**
- f. How many vehicular trips per day would be generated by the completed project or proposal? If known, indicate when peak volumes would occur and what percentage of the volume would be trucks (such as commercial and non-passenger vehicles). What data or transportation models were used to make these estimates? **Refer to traffic study.**
- g. Will the proposal interfere with, affect or be affected by the movement of agricultural and forest products on roads or streets in the area? If so, generally describe. **No.**
- h. Proposed measures to reduce or control transportation impacts, if any: **None.**
- 15. Public services**
- a. Would the project result in an increased need for public services (for example: fire protection, police protection, public transit, health care, schools, other)? If so, generally describe. **No.**
- b. Proposed measures to reduce or control direct impacts on public services, if any. **None**

A

A

A

A

A

A

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16. Utilities

- a. Circle utilities currently available at the site:
electricity, natural gas, water, refuse service, telephone, sanitary sewer, septic system, other electricity, water, refuse service, telephone, sanitary sewer.
- b. Describe the utilities that are proposed for the project, the utility providing the service, and the general construction activities on the site or in the immediate vicinity which might be needed. Puget Sound Energy – electricity, Qwest – telephone, City of Bainbridge Island – water and sewer, Bainbridge Disposal – refuse service, Comcast – cable tv.

A

A

C. Signature

The above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Signature: _____

Name of signee Robert Hutchinson, Architect

Position and Agency/Organization Architect/Project Manager – Coates Design

Date Submitted: 10/9/19

CHECKLIST REVIEWED BY: _____

Ellen Fairleigh
Ellen Fairleigh

Project Manager, Department of Planning and Community Development

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D. supplemental sheet for nonproject actions

(IT IS NOT NECESSARY to use this sheet for project actions)

Because these questions are very general, it may be helpful to read them in conjunction with the list of the elements of the environment.

When answering these questions, be aware of the extent the proposal, or the types of activities likely to result from the proposal, would affect the item at a greater intensity or at a faster rate than if the proposal were not implemented. Respond briefly and in general terms.

1. How would the proposal be likely to increase discharge to water; emissions to air; production, storage, or release of toxic or hazardous substances; or production of noise? N/A

A

Proposed measures to avoid or reduce such increases are:

N/A

A

2. How would the proposal be likely to affect plants, animals, fish, or marine life?
N/A

A

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Proposed measures to protect or conserve plants, animals, fish, or marine life are: N/A

A

3. How would the proposal be likely to deplete energy or natural resources? N/A

A

Proposed measures to protect or conserve energy and natural resources are: N/A

A

4. How would the proposal be likely to use or affect environmentally sensitive areas or areas designated (or eligible or under study) for governmental protection; such as parks, wilderness, wild and scenic rivers, threatened or endangered species habitat, historic or cultural sites, wetlands, floodplains, or prime farmlands? It will not.

A

Proposed measures to protect such resources or to avoid or reduce impacts are: N/A

A

5. How would the proposal be likely to affect land and shoreline use, including whether it would allow or encourage land or shoreline uses incompatible with existing plans? N/A

A

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Proposed measures to avoid or reduce shoreline and land use impacts are: N/A

A

6. How would the proposal be likely to increase demands on transportation or public services and utilities? N/A

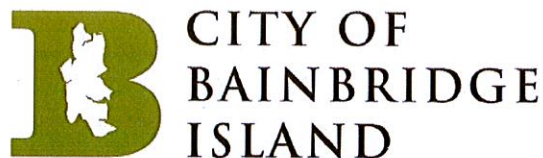
A

Proposed measures to reduce or respond to such demand(s) are: N/A

A

7. Identify, if possible, whether the proposal may conflict with local, state, or federal laws or requirements for the protection of the environment. N/A

A



STATE ENVIRONMENTAL POLICY ACT

MITIGATED DETERMINATION OF NONSIGNIFICANCE & ADOPTION of EXISTING DOCUMENT

February 5, 2020

Lead agency: City of Bainbridge Island

Agency Contact: Ellen Fairleigh, efairleigh@bainbridgewa.gov, 206-780-3767

Project File Number: PLN51524 CUPA & PLN51524 SPRA

Description of proposal: Remodel existing medical office building for repurposing as space for the City of Bainbridge Island Police and Court facility

Location of proposal: 8804 Madison Avenue N., TA # 23250230832002

Name of Applicant/Proponent: City of Bainbridge Island

Title of document being adopted: Joint Notice of Administrative Decision and Notice of SEPA Mitigated Determination of Nonsignificance (MDNS)

Date adopted document was prepared: December 17, 2013

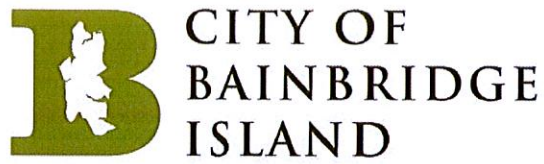
Description of document (or portion thereof) being adopted: Notice of SEPA Mitigated Determination of Nonsignificance (MDNS)

The adopted document is attached to this document.

We have identified and adopted this document as being appropriate for this proposal after independent review. The document meets our environmental review needs for the current proposal and will accompany the proposal to the decision maker.

The City of Bainbridge Island has determined that this proposal will not have a probable significant adverse impact on the environment. An environmental impact statement (EIS) is not required under RCW 43.21C.030(2)(c). This determination is based on the following findings and conclusions:

Previous mitigation measures adequately address potential impacts of this proposal. For continuity, all of the conditions from the previous MDNS have been carried forward, with any modifications to conditions underlined and conditions that have been satisfied and are no longer applicable are struck through.



The comment period previously occurred during the Notice of Application/SEPA Comment Period/Hearing from November 15, 2019 – November 29, 2019.

Name of Responsible Official: Heather Wright

Director, Department of Planning and Community Development

Signature: Heather Wright Date: 02/05/20

Appeal process: This SEPA determination may be appealed by filing a written appeal and paying a \$530.00 filing fee to the City Clerk at 280 Madison Avenue North, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 16.04.170. An appeal must be filed **no later than 4:00 p.m., Wednesday, February 19, 2020**. You should be prepared to make specific factual objections.

Conditions of Approval:

SEPA Conditions:

1. No clearing, grading or other construction activities shall occur until a building permit or site development permit has been submitted by the applicant and approved by the city.
2. All graded materials removed from the development shall be hauled to and deposited at city approved locations.
3. To mitigate impacts on air quality during earth moving activities, contractors shall conform to Puget Sound Clean Air Agency Regulations, which ensure that reasonable precautions are taken to avoid dust emissions.
4. A Storm Water Pollution Prevention (SWPPP) for the proposed development shall be provided for city review and approval in accordance with BIMC Chapter 15.20. The plans must be approved, the improvements constructed (or a construction bond provided if applicable), and an acceptable final inspection obtained prior to issuance of Certificate of Occupancy. The design submittal shall incorporate all proposed project improvements including complete civil plans, grading and erosion control plans, roadway plans and profiles, and storm drainage facilities and drainage report. These reports shall be prepared by a professional engineer currently licensed in the State of Washington. A construction Stormwater Permit (NPDES) will be required prior to construction approval in accordance with BIMC Section 15.20.030.B (4). More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wg/stormwater/construction/> or by contacting Charles Gilman at (360) 407-7451, email chgi461@ecy.wa.gov. This permit is required prior to any construction activities.
- ~~5. During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection report to verify that the facilities are installed in accordance with the design documents and the actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to Public Works Engineering.~~
- ~~6. An easement to COBI for access and maintenance of the proposed public stormwater facilities will be required prior to issuance of the Certificate of Occupancy.~~
7. The applicant's engineer shall provide specific erosion and sedimentation control design measures as part of the SWPP to protect the public stormwater infiltration facilities during construction of the development.
- ~~8. To the satisfaction of the Public Works Department, the applicant shall improve the roadway section for New Brooklyn Road to provide a minimum 18-foot wide paved driving surface, with appropriate storm drainage facilities per COBI Design Standards. The roadway shall be built to COBI Design standards, including curb, gutter, and sidewalk along the property's north frontage.~~

- ~~9. To the satisfaction of the Public Works Department, the applicant shall improve the property's Madison Avenue frontage with curb, gutter, and sidewalk per COBI Design Standards.~~
- ~~10. To mitigate anticipated traffic impacts, to the satisfaction of the Public Works Department, the applicant shall construct a right turn lane on the south leg of Madison Avenue in accordance with the technical appendix diagram submitted in the Island Medical Traffic Impact Analysis date stamped received April 1, 2008 by the Department of Planning and Community Development unless an alternative plan is recommended for approval by the Washington State Department of Transportation and approved by the City's Development Engineer.~~
11. In order to provide recreation and access to the adjacent open space to the south, a trail network, consisting of four to six foot wide trails, shall be developed and maintained by the applicant within wetlands/wetland buffer in the southern portion of the site. The network shall extend from the Madison Avenue to the east, towards State Route 305, and terminate at the southern property line. A public access easement shall be granted over the trail network.
- ~~12. Within the wetlands/wetland buffer unless approved under a subsequent permit, removal of vegetation shall be limited to development of a trail network. No soil disturbance shall occur outside of the six foot wide trail construction corridor. The trails shall be "field-fit" between or around existing trees, so that significant tree removal shall be avoided. Limbs and branches up to nine feet over the trail and within one foot of the trail edges shall be removed. The four to six foot wide trail shall be constructed with a four inch layer of crushed 3/4 inch gravel over a geotextile mat barrier. All pedestrian improvements shall be installed prior to the issuance of the Certificate of Occupancy.~~
- ~~13. Prior to final plat submittal, an Operations and Maintenance Plan and Declaration of Covenant for all constructed stormwater facilities shall be provided for city review and approval in accordance with BIMC Chapter 15.21.~~
- ~~14. A minimum two year maintenance bond period for the stormwater facilities is required prior to issuance of the Certificate of Occupancy. The maintenance period will begin after final construction acceptance of the improvements and shall run for a minimum period of two years. Regular maintenance of the stormwater system is required during this period. Documentation of maintenance shall be provided to the city on an annual basis.~~
15. In accordance with BIMC Chapter ~~18.85.060 (C)~~ 18.15.010 and to discourage the removal of wildlife habitat, significant trees that are removed from designated protection areas without prior City approval will be replaced with new trees as follows: New trees measuring 1.5 inches in caliper if deciduous and four to six feet high if evergreen, at a replacement rate of 1.5 inches diameter for every one-inch diameter of the removed significant tree or trees within a tree stand. The replacement rate determines the number of replacement trees. The tree removed shall be replaced with trees of the same type, evergreen or deciduous. The

replacement trees shall also be replaced in the same general location as the trees removed.

16. Any non-exempt tree harvesting shall require the appropriate Forest Practices Permit from the Department of Natural Resources. The conditions of the Island Medical Conditional Use Permit, Case No. CUP 14430B, shall become conditions of the Forest Practices Permit.
17. On-site mobile fueling from temporary tanks is prohibited unless the applicant provides and is granted approval for a Permit and Best Management Plan that addresses proposed location, duration, containment, training, vandalism and cleanup. (Reference 1. Uniform Fire Code 7904.5.4.2.7 and 2. Department of Ecology, Stormwater Management Manual, August 201, see Volume IV "Source Control BIMPs for Mobile Fueling of Vehicles and Heavy Equipment".) (Chapter 173-304 WAC).
18. In order to mitigate any noise impacts, all construction activities must comply with BIMC Section ~~15.15.025~~ 16.16.025 Limitation of Construction Activities.
19. All lighting within the development shall comply with the City's Lighting Ordinance, BIMC Chapter ~~15.34~~ 18.15. Compliance will require exterior lighting to be shielded and directed downward.
20. Contractors are required to stop work and immediately notify the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.
21. To protect the wetland buffer, the applicant shall only install motion sensor lighting in the rear of the site to ensure that the buffer is not constantly illuminated through the night.

JOINT NOTICE OF ADMINISTRATIVE DECISION AND NOTICE OF SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

The City of Bainbridge Island made a decision concerning the following land use application:

Date of Issuance: December 17, 2013
Applicant: Harrison Medical Center
Permit Request: Minor Adjustment to an approved Site Plan & Design Review & Conditional Use Permit
File Number: SPRA14430C & CUPA14430C
Description of Proposal: Minor adjustment to reduce the size of an approved medical facility and change the configuration of the building and location of parking
Location of Proposal: 8812 NE New Brooklyn Road
Tax Parcel #'s: 232502-3-013-2007
Permit Decision: Approval as conditioned. This proposal is subject to administrative review under Chapter 2.16.030 of the Bainbridge Island Municipal Code. The staff report containing the findings of fact and conclusions of law is available to the public upon request. This decision becomes final after 14 days from the date of issuance, or after December 31, 2013.

SEPA Decision: The City of Bainbridge Island (lead agency) has determined that the proposal does not have a probable significant impact on the environment if measures to mitigate the proposal are used. This MDNS is issued under WAC 197-11-340. This determination was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) c. The lead agency will not act on this proposal for 14 days. Comments must be submitted by no later than 4:00 p.m. on Tuesday, December 31, 2013.

Responsible Official: Katharine Cook, Director
Department of Planning & Community Development
Address: City of Bainbridge Island
280 Madison Avenue N
Bainbridge Island, WA 98110 (206) 842 - 2552

Signature: Katharine Cook Date: 12-17-13

APPEAL: You may appeal the project and/or SEPA determination by filing a written appeal and paying the \$530.00 filing fee to the City Clerk, at 280 Madison Avenue N, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 2.16.020 (P), no later than December 31, 2013. You should be prepared to make specific factual objections.

If you have any questions concerning this application, contact:
Heather Beckmann, Associate Planner
Department of Planning & Community Development
280 Madison Avenue N
Bainbridge Island, WA 98110 (206) 780-3754
Fax: (206) 780-0955 Email: pcd@ci.bainbridge-isl.wa.us

Conditions of Approval:

SEPA Conditions:

1. No clearing, grading or other construction activities shall occur until a building permit or site development permit has been submitted by the applicant and approved by the city.
2. All graded materials removed from the development shall be hauled to and deposited at city –approved locations.
3. To mitigate impacts on air quality during earth moving activities, contractors shall conform to Puget Sound Clean Air Agency Regulations, which ensure that reasonable precautions are taken to avoid dust emissions.
4. A Storm Water Pollution Prevention (SWPPP) for the proposed development shall be provided for city review and approval in accordance with BIMC Chapter 15.20. The plans must be approved, the improvements constructed (or a construction bond provided if applicable), and an acceptable final inspection obtained prior to issuance of Certificate of Occupancy. The design submittal shall incorporate all proposed project improvements including complete civil plans, grading and erosion control plans, roadway plans and profiles, and storm drainage facilities and drainage report. These reports shall be prepared by a professional engineer currently licensed in the State of Washington. A construction Stormwater Permit (NPDES) will be required prior to construction approval in accordance with BIMC Section 15.20.030.B (4). More information about this permit can be found at:
<http://www.ecy.wa.gov/programs/wq/stormwwater/construction/> or by contacting Charles Gilman at (360) 407-7451, email chgi461@ecy.wa.gov. This permit is required prior to any construction activities.
5. During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection report to verify that the facilities are installed in accordance with the design documents and the actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to Public Works Engineering.
6. An easement to COBI for access and maintenance of the proposed public stormwater facilities will be required prior to issuance of the Certificate of Occupancy.
7. The applicant's engineer shall provide specific erosion and sedimentation control design measures as part of the SWPP to protect the public stormwater infiltration facilities during construction of the development.
8. To the satisfaction of the Public Works Department, the applicant shall improve the roadway section for Casey Street New Brooklyn Road to provide a minimum 18-foot wide paved driving surface, with appropriate storm drainage facilities per COBI Design Standards. The roadway shall be built to COBI Design standards, including curb, gutter, and sidewalk along the property's north frontage.
9. To the satisfaction of the Public Works Department, the applicant shall improve the property's Madison Avenue frontage with curb, gutter, and sidewalk per COBI Design Standards.
10. To mitigate anticipated traffic impacts, to the satisfaction of the Public Works Department, the applicant shall construct a right turn lane on the south leg of Madison Avenue in accordance with the technical appendix diagram submitted in the Island Medical Traffic Impact Analysis date stamped received April 1, 2008 by the Department of Planning and Community Development unless an alternative plan is

recommended for approval by the Washington State Department of Transportation and approved by the City's Development Engineer.

11. In order to provide recreation and access to the adjacent open space to the south, a trail network, consisting of four to six foot wide trails, shall be developed and maintained by the applicant within wetlands/wetland buffer in the southern portion of the site. The network shall extend from the Madison Avenue to the east, towards State Route 305, and terminate at the southern property line. A public access easement shall be granted over the trail network.
12. Within the wetlands/wetland buffer unless approved under a subsequent permit, removal of vegetation shall be limited to development of a trail network. No soil disturbance shall occur outside of the six foot wide trail construction corridor. The trails shall be "field-fit" between or around existing trees, so that significant tree removal shall be avoided. Limbs and branches up to nine feet over the trail and within one foot of the trail edges shall be removed. The four to six foot wide trail shall be constructed with a four inch layer of crushed $\frac{3}{4}$ inch gravel over a geotextile mat barrier. All pedestrian improvements shall be installed prior to the issuance of the Certificate of Occupancy.
13. Prior to final plat submittal, an Operations and Maintenance Plan and Declaration of Covenant for all constructed stormwater facilities shall be provided for city review and approval in accordance with BIMC Chapter 15.21.
14. A minimum two-year maintenance bond period for the stormwater facilities is required prior to issuance of the Certificate of Occupancy. The maintenance period will begin after final construction acceptance of the improvements and shall run for a minimum period of two years. Regular maintenance of the stormwater system is required during this period. Documentation of maintenance shall be provided to the city on an annual basis.
15. In accordance with BIMC Chapter 18.85.060 (C) and to discourage the removal of wildlife habitat, significant trees that are removed from designated protection areas without prior City approval will be replaced with new trees as follows: New trees measuring 1.5 inches in caliper if deciduous and four to six feet high if evergreen, at a replacement rate of 1.5 inches diameter for every one-inch diameter of the removed significant tree or trees within a tree stand. The replacement rate determines the number of replacement trees. The tree removed shall be replaced with trees of the same type, evergreen or deciduous. The replacement trees shall also be replaced in the same general location as the trees removed.
16. Any non-exempt tree harvesting shall require the appropriate Forest Practices Permit from the Department of Natural Resources. The conditions of the Island Medical Conditional Use Permit, Case No. CUP 14430B, shall become conditions of the Forest Practices Permit.
17. On-site mobile fueling from temporary tanks is prohibited unless the applicant provides and is granted approval for a Permit and Best Management Plan that addresses proposed location, duration, containment, training, vandalism and cleanup. (Reference 1. Uniform Fire Code 7904.5.4.2.7 and 2. Department of Ecology, Stormwater Management Manual, August 201, see Volume IV "Source Control BIMPs for Mobile Fueling of Vehicles and Heavy Equipment".) (Chapter 173-304 WAC).
18. In order to mitigate any noise impacts, all construction activities must comply with BIMC Section 15.15.025 Limitation of Construction Activities.
19. All lighting within the development shall comply with the City's Lighting Ordinance, BIMC Chapter 15.34. Compliance will require exterior lighting to be shielded and directed downward.

20. Contractors are required to stop work and immediately notify the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.
21. To protect the wetland buffer, the applicant shall only install motion sensor lighting in the rear of the site to ensure that the buffer is not constantly illuminated through the night.

Project Conditions

22. Except as modified by conditions of approval, the project shall be constructed in substantial conformance with the site plans date stamped June 26, 2008 for the assisted living facility and July 9, 2013 for the medical building.
23. Prior to submittal of any building permit applications, the applicant shall contact planning staff to schedule a pre-submittal meeting to review the necessary components for a complete building permit application. In addition, with the building permit application submittal, the applicant shall attach a narrative detailing how each condition of approval is addressed by the building plans.
24. To verify that the buildings comply with the 35-foot height limit, the site plans submitted as part of the building permit shall contain existing contours overlain with the building footprints. The submitted material shall include surveyed benchmark information to verify the actual height during construction.
25. Prior to any clearing and/or construction activities, fencing delineating the northern boundary of the wetland buffer shall be installed by the applicant and inspected by planning staff. Upon completion of construction and prior to issuance of the Certificate of Occupancy, the construction fencing shall be replaced with split-rail fencing and signage. The signs shall inform readers of the boundary and its significance. Any disturbed buffer setback area shall be re-planted with native vegetation upon completion of construction and prior to issuance of the building's Certificate of Occupancy.
26. Any required landscaping shall be installed prior to the issuance of a temporary certificate of occupancy for the project. The project's state licensed landscape architect, certified nursery professional, or certified landscaper shall submit a landscaping declaration to the department to verify installation in accordance with approved plans. The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season if the director determines that a performance assurance device, for a period of not more than one year, will adequately protect the interests of the city. The performance assurance device shall be for 150 percent of the cost of the work or improvements covered by the assurance device.
27. The landscape plans submitted with the building permit shall depict the items listed in BIMC Chapter 18.85 including partial landscape screens along the site's Madison Avenue and ~~Casey Street~~ New Brooklyn frontage with the following exceptions: a) within the 25-foot zoning setback along the parking lot adjoining ~~Casey Street~~ New Brooklyn, a more intense screen, as stipulated in BIMC 18.85.070 (E)(1)(b) shall be installed and b) within the 29 foot front setbacks along the assisted living facility, landscaping shall substantially conform to the plans date-stamped September 8, 2008. Along the sites' highway frontage, a full landscaping screen, as defined in BIMC 18.85.070(B) 1) shall be installed in the 25-foot zoning setback. All significant trees, as defined in BIMC 18.85.010 and located within the required perimeter landscape buffer areas, shall be retained and incorporated into the required landscape screen. All required landscaping shall be maintained and retained for the life of the project.

28. As the code –required ~~Casey Street~~ New Brooklyn landscaping screens are located within areas shown as being developed with rain gardens, the applicant must demonstrate that the dual purposes, perimeter landscape screening and stormwater treatment facility, are compatible. If not, the rain gardens would need to be relocated. Proof of compatibility or relocation of the raingardens shall be submitted as part of the building permit application.
29. Prior to the issuance of the Certificate of Occupancy final inspection, the applicant shall secure the landscape maintenance assurance required by BIMC Section 18.85.090(D).
30. The service area, including trash and recycling enclosures, for the medical office facility must be located as far away as possible from the assisted living facility and shall be properly screened with fencing.
31. Prior to issuance of the Certificate of Occupancy, the applicant shall install bicycle racks or hangers supplying parking for at least 28-20 bicycles. Of those spaces, a portion shall be located near the front entrance of the medical building.
32. Civil construction plans for all roads, storm drainage facilities, sanitary sewer and water facilities, and appurtenances shall be prepared by a professional engineer and approved by the Public Works Department prior to issuance of a building permit.
33. All on-site stormwater facilities shall remain privately owned and maintained. Annual inspection and maintenance reports shall be provided to the City. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of the Certificate of Occupancy for this development, the person or persons holding title to the subject property for which the storm drainage facilities are required shall record a Declaration of Covenant that guarantees to the City that the system will be properly maintained. Wording must be included in the covenant that will allow the City to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This will be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should City crews be required to do the work, the owner will be billed the maximum amount allowed by law.
34. The property owner shall dedicate, as right-of-way, 25 feet of property fronting along ~~Casey Street~~ New Brooklyn as shown on the preliminary civil drawings date-stamped June 2, 2009. In addition, a pedestrian easement shall be dedicated for the sidewalk along the proposed on-street parking along ~~Casey Street~~ New Brooklyn to make them public thoroughways.
35. A right-of-way (ROW) construction permit will be required prior to any construction activities within the ROW. The ROW permit will be subject to conditions and coding requirements.
36. The water and sanitary sewer facilities shall be designed in conformance with BIMC Title 13 and the City's adopted Design Standard and Specifications. The utilities plans submitted with building permit's civil drawings shall include profile and detail and shall demonstrate compatibility of the facilities with future street improvements currently proposed by the City. Specifications for water and sewer facilities include the following:
 - a. An eight-inch diameter ductile iron class 52 water main shall be installed along the site's ~~Casey Street~~ New Brooklyn frontage.
 - b. A 15 foot wide easement for the on-site water main extension shall be provided from the right-of-way to the proposed buildings.
 - c. An isolation valve shall be provided at the connection to the force main located in Madison Avenue.

37. Binding water and sewer service letters from the City's Public Works Department shall be submitted with the building permit application.
38. To the satisfaction of the Bainbridge Island Fire Department, the project shall meet all applicable requirements of the 2006 International Fire Code.
39. To the satisfaction of the Bainbridge Island Fire Department, fire sprinkler and fire alarm systems shall be installed throughout the buildings.
40. To the satisfaction of the Bainbridge Island Fire Department, the proposed hydrant in front of the assisted living facility shall be relocated to the west parking lot entrance, a fire hydrant must be installed at the east parking lot entrance, and the proposed hydrant in front of the medical office building shall be relocated to the entrance of the parking garage.
41. Building overhangs covering the main entrances shall provide at least 13' 6" of clearance.
42. The driving lanes within the project are considered fire lanes and shall be labeled as such to the satisfaction of the Bainbridge Island Fire Department.
- ~~43. The applicant shall file the necessary paperwork to name Casey Street New Brooklyn. The Bainbridge Island Fire Department reviews street names for conformance with established county-wide standards.~~
44. To the satisfaction of the Kitsap County Health District, the applicant shall:
 - a. Abandon the site's existing septic tank per that agency's code
 - b. Have the site's existing well decommissioned by a certified well driller.
 - c. Apply for a sewer building clearance accompanied by a water and sewer availability letter from the water purveyor.
45. To the satisfaction of planning staff, all exterior building surfaces shall be sided with non-reflective materials.
46. To the satisfaction of the Washington Department of Transportation (WSDOT), the following provisions must be followed:
 - a. WSDOT will only accept stormwater runoff from the project site that currently enters SR 305 right-of-way. Any proposal by the applicant to discharge stormwater runoff to the right-of-way either during construction or upon completion will require appropriate stormwater treatment in accordance with the WSDOT Highway Runoff Manual. If such discharge is proposed, a drainage plan must be reviewed and approved by WSDOT prior to any earth disturbance.
 - b. No excavation, grading, filling, landscaping or any other activity associated with the proposal may occur within state right-of-way without prior approval by WSDOT.
 - c. No lighting from the site may be directed towards the state highway and no glare from the completed project shall impact the state highway.
 - d. No signs shall be placed in the highway right-of-way (unless otherwise approved).
47. The applicant shall coordinate with the Washington Department of transportation (WSDOT) to determine if signage can be added to the highway that indicates the location of the urgent care facility. The applicant shall coordinate with staff to ensure that said signage meets the sign code requirements of BIMC 15.18.

48. As most of the dining terrace is located within the building setback associated with the wetland buffer, it must be constructed with a pervious surface (wood decking, pavers, permeable concrete, etc) to the satisfaction of planning staff.
49. The mechanical units shall be screened from SR 305 and New Brooklyn as indicated on the site plans submitted by the applicant on November 26, 2013. The mechanical units shall be inspected during the permit review and found to be screened prior to the issuance of occupancy.
50. Prior to directly discharging any stormwater into the wetland and/or its buffer, the applicant shall secure a Special Use Review permit from the City of Bainbridge Island.

From: [Jane Rein](#)
To: [PCD](#); [Leslie Schneider](#)
Subject: Fwd: Review of Police and Court Facility
Date: Monday, March 2, 2020 3:52:42 PM

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From: Ron Peltier <peppermelly@gmail.com>
Sent: Sunday, March 1, 2020 4:25:16 PM
Subject: Review of Police and Court Facility

Members of the Design Review Board,

Your 3/2/20 meeting agenda includes a review of plans for the City's new police and court facility, which as you know involves an extensive renovation of the Harrison building. I have some concerns that I hope you will take into considering during your review.

No Sally Port

It is my understanding that the current police and court facility design does not include a sally port. These are secure entry points that allow for the safe transport of prisoners in and out of a police facility. It is mind boggling to me that after all the process and deliberations in selecting a site for the City's new police and court facility that the renovation design for the Harrison building would not include a sally port. For this reason, alone, I hope you will consider not recommending approval of the design.

Inadequate stormwater facility

Though this may be beyond your purview, the existing stormwater detention pond on the Harrison property evidently was overflowing after the heavy rains this past December.

No private spaces for attorneys and clients to confer prior to court proceedings

There apparently are no private spaces to allow confidential conversations between individuals and their attorneys involved in court proceedings. I believe this is a functional design flaw that should be addressed as an issue of fairness and due process.

Lack of security regarding long gravel driveway

One of the criteria for a court facility, identified in the 2006 Dana Weber report, is secure access for persons involved in judicial proceeding where safety may be of concern. The Harrison building is located down a long one-way gravel driveway. A person using transit will likely be dropped off at the head of that long driveway, where they will then need to walk a fair distance to the court. I've brought this up a number of times and consistently been "blown off". This is a flaw that somehow needs to be addressed, if possible. It could be the City's poor choice of location makes this flaw unavoidable, and really says more about the site selection process than issues of design.

In closing, please don't be shy about expressing your concerns regarding the proposed court and police facility design. Given the amount of time and money the City is spending on it, we should not end up with a second rate facility.

Best Regards,
Ron Peltier



Department of Public Works - Engineering Memorandum

Date: January 10, 2020
 To: Kelly Tayara, Senior Planner, Planning and Community Development
 Ellen Fairleigh, Planner, Planning and Community Development
 From: Paul Nylund, P.E., Development Engineer, Public Works
 Subject: PLN51524 PRE – City of Bainbridge Island (COBI) Police and Court
 Facility: DE Recommendations and SPR Conditions of Approval

Brief Project Description:

Project proposes to remodel an existing medical service building to convert it for use by COBI Police and Court staff as a police station and court facility. Submitted plans indicate the vast majority of this project will be internal renovation of the existing building, creating less than 800sf of new/replaced hard surfaces external to the existing building. Project has been reviewed as a Major Site Plan Review/Conditional Use Permit.

Recommendation for Approval:

I have completed a review of the above-referenced project materials received by COBI on October 9, 2019 and deemed complete on November 6, 2019. The site plan is recommended for **APPROVAL** based on the following findings and subject to the conditions.

1. The site plan as conditioned conforms to regulations concerning drainage in BIMC 15.20 and 15.21;
2. The site plan will not cause an undue burden on the drainage basin or water quality and will not unreasonably interfere with the use and enjoyment of properties downstream;
3. The streets and pedestrian ways as proposed align with and are otherwise coordinated with streets serving adjacent properties.
4. The streets and pedestrian ways as proposed are adequate to accommodate anticipated traffic.
5. The site is currently receiving City of Bainbridge Island Water and Sewer service and the proposed use (Police and Court Facility) is not anticipated to exceed demands of the current use (Medical Facility), therefore there is adequate capacity in the public system available on-site.
6. The site plan conforms to the City of Bainbridge Island Design and Construction Standards and Specifications, “the Standards”, as conditioned;

Recommended Public Works Development Engineering Conditions of Approval

General

1. All civil improvement plans, reports, and computations shall be prepared by a civil engineer registered in the State of Washington and submitted with the application(s) for a construction permit (building, grading, right of way use, etc.) to the City for review and approval to construct of all necessary infrastructure and utilities serving the site. Certificate of occupancy will not be issued for new building until all civil improvements are completed.

Streets and Ways

2. 15' of Public Right of Way (ROW) shall be dedicated on the north frontage with New Brooklyn Road from the northwest property corner east until it meets the SR305 ROW, to align with the existing ROW of the adjacent property to the west (Madrona Assisted Living). This ROW dedication along the New Brooklyn Frontage shall be completed and recorded prior to the issuance of any construction permit (to include Building, ROW, and Grade and Fill) or no later than 12 months from the date of SPR approval, whichever occurs first.
3. Due to uncertainty in the final Sound to Olympic (STO) Trail alignment/connection in the SR305 ROW along the eastern edge of the subject property, construction of this segment of the STO shall not be a required frontage improvement. However, this project shall not result in any condition that would preclude the future construction of the STO trail along the eastern frontage with SR305.
4. An appropriate trip generation analysis has been provided that indicates the proposed use will result in a net decrease in trip generation from the previously approved use and does not reach the threshold required for the City Engineer to conduct a concurrency test. A certificate of concurrency shall not be required.

Stormwater

5. A Stormwater Pollution Prevention Plan (SWPPP) is required prior to construction activities including clearing or grading or civil improvements for all phases of the project to comply with BIMC 15.20.
6. As proposed, project is eligible for a Site Assessment Review exemption based on the creation of less than 800 sf of new/replaced hard surfaces. This exemption shall be issued by COBI Development Engineering upon review of the building permit submittals.
7. Prior to building permit final inspections for certificate of occupancy, an updated Operation and Maintenance plan reflecting any changes in the storm drainage system shall be provided to City of Bainbridge Public Works Department (Operations and Maintenance) for use of the personnel responsible for the on-going maintenance of the storm drainage system.

Water/Sewer Utility

8. Applicant shall provide updated Drainage Fixture Unit count and comparative analysis between existing and proposed conditions to ensure water service meter is appropriately sized for the new use.
9. Sanitary sewer connections shall be protected during construction. Prior to returning the sanitary sewer lateral connection to service, applicant shall demonstrate via video inspection or equivalent methods that the lateral is free of obstruction/debris and is in good working order.

Additional Permitting

10. A right-of-way (ROW) construction permit will be required prior to any construction activities within the right-of-way. The ROW permit will be subject to separate conditions and bonding requirements.

Please note that information provided in this letter reflects existing codes and standards, currently available information about the site and the nature of the immediate environs. Comments provided pursuant to preapplication review shall not be construed to relieve the applicant of conformance with all applicable fees, codes, policies, and standards in effect at the time of complete land use permit application. The comments on this proposal do not represent or guarantee approval of any project or permit. Comments above cover many Engineering related aspects of your proposal at this preliminary review, but please be advised that subsequent review of your land use permit application may reveal issues not identified during this initial review.

Ellen Fairleigh

From: Jackie Purviance <jpurviance@bifd.org>
Sent: Monday, January 6, 2020 7:44 AM
To: Ellen Fairleigh
Subject: RE: PLN51524 CUPA and SPRA- Police and Court Facility

I'm sorry....use the preapp comments

Jackie Purviance
Deputy Fire Marshal

Bainbridge Island Fire Department

8895 Madison Ave NE
Bainbridge Island, WA 98110
Phone 206-451-2033
Fax 206-842-7695
www.bifd.org



From: Ellen Fairleigh <efairleigh@bainbridgewa.gov>
Sent: Monday, January 6, 2020 7:22 AM
To: Jackie Purviance <jpurviance@bifd.org>; Jared Moravec <jmoravec@bifd.org>
Subject: RE: PLN51524 CUPA and SPRA- Police and Court Facility

Hi Jackie,

Just to clarify, do you want me to use the pre-app comments for the staff report or does Fire not have any comments?

Thank you for your help!

Ellen

From: Jackie Purviance <jpurviance@bifd.org>
Sent: Monday, January 6, 2020 6:43 AM
To: Ellen Fairleigh <efairleigh@bainbridgewa.gov>; Jared Moravec <jmoravec@bifd.org>
Subject: RE: PLN51524 CUPA and SPRA- Police and Court Facility

Ellen,

There are no additional comments to add on this project.

Jackie

Jackie Purviance
Deputy Fire Marshal

Bainbridge Island Fire Department

8895 Madison Ave NE
Bainbridge Island, WA 98110
Phone 206-451-2033
Fax 206-842-7695
www.bifd.org



From: Ellen Fairleigh <efairleigh@bainbridgewa.gov>
Sent: Friday, January 3, 2020 5:44 PM
To: Jared Moravec <jmoravec@bifd.org>; Jackie Purviance <jpurviance@bifd.org>
Subject: PLN51524 CUPA and SPRA- Police and Court Facility

Hi Jared and Jackie,

I am working on completing the staff report for the Police and Court project at 8804 Madison Avenue North. Did Fire have any additional comments on the application? I have Jared's pre-app comments but didn't see any Fire comments in the application file. The primary file for the project is PLN51524 CUPA.

Thank you!

Ellen



ELLEN FAIRLEIGH

City Planner

www.bainbridgewa.gov

facebook.com/citybainbridgeisland/

206.780.3767 (office) 206.780.0955 (fax)

Planning and Community Development service hours are:

- Walk-in customers: 8 a.m. - 12 p.m. Monday-Friday
- Appointments: 8 a.m. – 3 p.m. Monday-Friday

Appointments may be scheduled here: [Planning and Building Submittal Appointment Calendar](#)



MEMO

Date: September 4, 2019
To: Kelly Tayara, Planning Department
From: Jared Moravec, Fire Marshal
Re: COBI Police and Court Facility PLN51524PRE

The submittal has been reviewed resulting in the following comments:

1. The project shall comply with all applicable provisions of the adopted Fire Code.
2. Fire sprinklers and alarms will be required for the project.
3. Fire flow is met through existing hydrants.

**CITY OF BAINBRIDGE ISLAND**

Department of Planning & Community Development

280 Madison Avenue North, Bainbridge Island, WA 98110

Phone: 206-842-2552 Email: pcd@bainbridgewa.govWebsite: www.bainbridgewa.govPortal: <https://ci-bainbridgeisland-wa.smartgovcommunity.com/portal>**LETTER OF TRANSMITTAL**

PROJECT NAME Police and Court Facility CUP and SPR Adjustment		ORIGINAL SUBMITTAL DATE 10/09/2019	TRANSMITTAL DATE 10/15/2019
PROJECT NUMBER PLN51524 CUPA	SUFFIX CUPA & SPRA	PROJECT TYPE Conditional Use Permit Adjustment Site Plan Review Adjustment	
PROJECT STREET ADDRESS OR ACCESS STREET 8804 MADISON AVE N		TAX PARCEL NUMBER 23250230832002	
CITY PROJECT MANAGER ELLEN FAIRLEIGH			
PHONE 206-780-3767	EMAIL efairleigh@bainbridgewa.gov		
REVISION RECEIVED:			
PROJECT DESCRIPTION Remodel existing medical office building for repurposing as space for the Bainbridge Island Police and Court.			
REVIEW PACKET TO			
<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> HEALTH DISTRICT REVIEW Please see check attached. Please review electronic documents. Thank you!		<input type="checkbox"/> FIRE DEPT REVIEW - JACKIE PURVIANCE	
<input type="checkbox"/> OPERATIONS & MAINTENANCE REVIEW - AARON CLAIBORNE		<input type="checkbox"/> CRITICAL AREA REVIEW - PLANNING REVIEW QUEUE	
<input type="checkbox"/> BUILDING REVIEW - TODD CUNNINGHAM			
<input type="checkbox"/> DEVELOPMENT ENGINEER - DEVELOPMENT ENGINEERING REVIEW QUEUE			
Owner(s) CENTER HARRISON MEDICAL PH: E-MAIL:		Contact(s) CITY OF BAINBRIDGE ISLAND PH: 206-730-5173 E-MAIL: ACLAIBORNE@BAINBRIDGEWA.GOV	
TRANSMITTED DOCUMENTS			
DOCUMENT 1	DOCUMENT 2	DOCUMENT 3	



CITY OF BAINBRIDGE ISLAND

Department of Planning & Community Development

280 Madison Avenue North, Bainbridge Island, WA 98110

Phone: 206-842-2552 Email: pcd@bainbridgewa.gov

Website: www.bainbridgewa.gov

Portal: <https://ci-bainbridgeisland-wa.smartgovcommunity.com/portal>

HEALTH DISTRICT CHECK	SURVEY	MISCELLANEOUS
DOCUMENT 4 PREAPP SUMMARY	DOCUMENT 5 TRAFFIC ANALYSIS	DOCUMENT 6 PLANS-LANDSCAPE PLAN
DOCUMENT 7 PLANS-ELEVATION	DOCUMENT 8 DECISION CRITERIA	DOCUMENT 9 PLANS-EROSION
DOCUMENT 10 NARRATIVE	DOCUMENT 11 PLANS-UTILITY	DOCUMENT 12 VICINITY MAP
DOCUMENT 13 SEPA-ENVIRONMENTAL CHECKLIST	DOCUMENT 14 OWNER/AGENT AGREEMENT	DOCUMENT 15 APP-PROJECT
DOCUMENT 16 SITE PLAN		

COMMENTS DUE BY: 10/29/2019

COMMENTS ☒ No Comments ☐ See Attached Comments/Conditions

Signed: _____

Date: 10-24-19

Please Print Name: _____

Steven J. Brown



Design Review Board
Regularly Scheduled Meeting Minutes
Monday, December 2, 2019

Call to Order (Attendance, Agenda, Ethics)
 Review and Approval of Minutes – November 4, 2019
 Urban Storage ([PLN50505B DRB-DG](#))
 Police Court Facility ([PLN51524 CUPA SPRA](#))
 New/Old Business
 Adjourn

Call to Order (Attendance, Agenda, Ethics)

Chair Joseph Dunstan called the meeting to order at 2:05 PM. Design Review Board members in attendance were Jane Rein, Michael Loverich, Todd Theil, Shawn Parks and Laurel Wilson. Peter Perry was absent and excused. Planning Commissioner Don Doman was present. City Council member Ron Peltier was present. City Staff present were Planning Manager David Gretham, Senior Planner Kelly Tayara and Administrative Specialist Marlene Schubert and Administrative Specialist Carla Lundgren who monitored recording and prepared minutes.

The agenda was reviewed, and no conflicts were disclosed.

Review and Approval of Minutes – November 4, 2019

Motion: I move to approve.

Parks/Theil: Passed Unanimously

Urban Storage ([PLN50505B DRB-DG](#))

Design Guidance Meeting – *Discussion Only*

See attached comments from DRB

Police Court Facility ([PLN51524 CUPA SPRA](#))

Review & Recommendation Meeting – Ellen Fairleigh, Planner

Motion: I make a motion, given P6 & S1 being non applicable, that the Police Court Facility meet the guidelines in Design for Bainbridge. I recommend approval.

Dunstan/Rein: Passed Unanimously

Discuss Design Guideline Checklist Templates

Kelly Tayara, Senior Planner – *Discussion Only*

New/Old Business

David Gretham, Planning Manager to check on progress of McDonalds remodel, specifically in regard to lighting and come back to the next meeting with an update.

Chair Dunstan addressed DRB member Peter Perry's temporary absence and announced that Peter Perry has officially resigned his position. Mr. Dunstan asked for a vote to decide whether to fill the vacant position now or wait until June 2020 to fill the position. The DRB members decided they would like to fill the vacant position now and not wait until June 2020.

Chair Dunstan discussed the need to appoint a chairperson for 2020.

Motion: I move that Joe Dunstan remain the chairperson for the DRB for 2020.

Rein/Parks: Passed Unanimously

Adjourn

The meeting was adjourned at 5:00 PM

Approved by:

 1/6/2020

Joseph Dunstan, Chair

_____
Carla Lundgren, Administrative Specialist



Design Review Board
Regularly Scheduled Meeting Minutes
Monday, March 2, 2020

Call to Order (Attendance, Agenda, Ethics)
 Review and Approval of Amended Minutes – January 6, 2020
 Review and Approval of Minutes – February 3, 2020
 PBV Fairyland ([SPRA13880B-1](#))
 Police Court Facility (PLN51524 CUPA/SPRA)
 My Office ([PLN51683 DRB-DG](#))
 New/Old Business
 Adjourn

Call to Order (Attendance, Agenda, Ethics)

Chair Joseph Dunstan called the meeting to order at 2:04 PM. Design Review Board members in attendance were Jane Rein, Michael Loverich, Todd Theil, Shawn Parks and Laurel Wilson. Planning Commissioners Don Doman and John Quitslund were present. City Council member Leslie Schneider was present. City Staff present were Planning Manager David Greetham, Senior Planners Kelly Tayara and Peter Best, Associate Planners Annie Hillier and Ellen Farleigh and Administrative Specialist Marlene Schubert who monitored recording and prepared minutes.

The agenda was reviewed, and no conflicts were disclosed.

Review and Approval of Amended Minutes – January 6, 2020

Motion: I move to approve.

Thiel/Rein: Passed Unanimously

Review and Approval of Minutes – February 3, 2020

Motion: I move to approve.

Thiel/Loverich: Passed Unanimously

PBV Fairyland ([SPRA13880B-1](#))

Review & Recommendation Meeting – Annie Hillier, Planner

See attached DRB Recorded Motion

Motion: I move to approve

Rein/Thiel – Passed Unanimously

Police Court Facility (PLN51524 CUPA/SPRA)

Confirm Recommendation for Planning Commission – Ellen Farleigh, Planner

Discussion Only – DRB Recorded Motion will be completed at 04/06/2020 meeting

My Office ([PLN51683 DRB-DG](#))
Design Guidance Meeting – Kelly Tayara, Planner
Discussion Only


New/Old Business

Adjourn

The meeting was adjourned at 5:04 PM

Approved by:

/s/
Joseph Dunstan, Chair


Marlene Schubert, Administrative Specialist

Call to Order (Attendance, Agenda, Ethics)
Review and Approval of Minutes – March 2, 2020
Fraik Short Plat ([PLN51709 DRB](#))
KBA Short Plat ([PLN51711 DRB-DG](#))
Police Court Facility (PLN51524 CUPA/SPRA)
New/Old Business
Adjourn

Call to Order (Attendance, Agenda, Ethics)

Chair Joseph Dunstan called the meeting to order at 2:01 PM. Design Review Board members in attendance were Jane Rein, Michael Loverich, Todd Theil, Shawn Parks, Vicki Clayton and Laurel Wilson. Planning Commissioner Jon Quitslund was present. City Council member Leslie Schneider was present. City Staff present were Planning Manager David Greetham, Senior Planner Kelly Tayara, Associate Planner Ellen Fairleigh, Administrative Specialist Jane Rasely and Administrative Specialist Marlene Schubert who monitored recording and prepared minutes.

The agenda was reviewed. No conflicts were disclosed.

Review and Approval of Minutes – March 2, 2020

Motion: I move to approve.

Loverich/Rein: Passed Unanimously

Fraik Short Plat ([PLN51709 DRB](#))

Conceptual Review Meeting – Review only

KBA Short Plat ([PLN51711 DRB-DG](#))

Design Guidance Review Meeting (type of meeting corrected from agenda)

Discussion only

Police Court Facility (PLN51524 CUPA/SPRA)

Confirm Recommendation for Planning Commission – Ellen Fairleigh, Planner

See attached Design for Bainbridge Final Design Review-PLN51524 CUPA SPRA 05182020

Motion: I move that the DRB approve the Police & Court Facility without conditions.

Rein/Loverich: Passed Unanimously

New/Old Business


David Greetham stated he would obtain information related to the number of wells and water guarantees allowed on Bainbridge Island.

Adjourn

The meeting was adjourned at 4:45 PM.

Approved by:

/s/
Joseph Dunstan, Chair


Marlene Schubert, Administrative Specialist



DESIGN REVIEW BOARD FINAL DESIGN REVIEW Bainbridge Island, Washington

PROJECT: COBI Police Court Facility (PLN51524 CUPA SPRA)
DATE: May 18, 2020
PROJECT PLANNER: Ellen Fairleigh
Design Review Board Meeting Dates: 06/03/2019 (Design Guidance); 12/02/2019 (Review & Recommendation); 03/02/2020 (Confirm Review & Recommendation)

CONTEXT ANALYSIS

- C1** ANALYZE NATURAL RESOURCES
- C2** IDENTIFY EXTENT AND VALUE OF WILDLIFE HABITAT AND CORRIDORS
- C3** ASSESS UNIQUE AND PROMINENT FEATURES
- C4** CONSIDER THE DEFINING ATTRIBUTES OF THE BUILT ENVIRONMENT
- C5** ANALYZE SYSTEMS OF MOVEMENT AND ACCESS
- C6** STUDY HOW THE SITE RELATES TO/CONTRIBUTES TO THE PUBLIC REALM.

Context Discussion:

1. Project will require a conditional use permit. It's an institution/government facility in the R8, which is a residential district.

SITE DESIGN STANDARDS

- S1** PROTECT AND REPAIR NATURAL SYSTEMS
- S2** PRESERVE, RESTORE AND ENRICH WILDLIFE HABITAT
- S3** RESPECT AND MAGNIFY UNIQUE ASPECTS OF THE SITE AND CONTEXT
- S4** COMPLEMENT AND CONTRIBUTE TO THE BUILT ENVIRONMENT AND LOCAL IDENTITY

S5 FIT THE PROJECT INTO THE SYSTEMS OF ACCESS AND MOVEMENT, PRIORITIZING PEOPLE

Site Design Findings: Project meets S1 through S5.

Site Design Discussion:

1. Should the ecological report demonstrate that the addition to the building is functionally isolated from the critical area, then the following DRB determination stands. Otherwise, the proposal will return to the DRB for further review.
2. Project proposal is an existing building. New addition(s) are small and will not impact natural systems.
3. Exterior landscaping remains the same.
4. There would be no changes to any hardscape for the parking other than there will be a secure parking area in the back for police use. While this parking will be fenced, it will not be seen by people entering the front.
5. Existing parking remains unchanged and is for the public and a few staff positions.
6. There is a designated critical area on site.
7. All landscape areas disturbed during construction will be replanted and enhanced.
8. Bike Storage racks are included for the public
9. S5 - Security concerns for visitors: it was noted that there might be security concerns walking from the bus stop on Madison to the court facility. See Public Realm discussion.
10. Regarding ADA walks; all sidewalks and concrete walks are ADA compliant and will not change.
11. There is a trail behind the building that is gravel and is referenced and required in the land title for a connection to Sakai. It has no programmatic relevance to this project.

PUBLIC REALM STANDARDS

P1 CREATE A SAFE AND COMFORTABLE ENVIRONMENT FOR WALKING AND CYCLING

- P2** THE IMPACT OF VEHICLES ON THE PUBLIC REALM
- P3** DESIGN TO CREATE A LEDGIBLE HEIRARCHY OF PUBLIC SPACES
- P4** STRENGHTEN PUBLIC SPACE CONNECTIONS
- P5** DRAW FROM AND ENHANCE EXISTING BLOCK AND FRONTAGE PATTERNS
- P6** FOSTER INTEREST AND ACTIVITY ALONG COMMERCIAL STREETS

Public Realm Findings:

1. Project meets Standards P1 through P5
2. Standard P6 is not applicable to this project as proposed.

Public Realm Discussion:

1. P1 - Bike racks will be located at building front entrance.
2. P1 - Safety: A bus stop is located at Madison Avenue with a short walk uphill to the facility. Safety was a concern. People who show up for restraining orders ought to feel safe walking to the courts. A person has to walk up the street and the person she/he is trying to get a restraining order on can drive right up the same street and they are exposed. This was not resolved as it was deemed outside of the project by the design team.
3. P2 - "Minimize the impact of vehicles on the public realm": This facility by function is auto-oriented. It was stated that traffic generated by the proposed use would be similar to or less than that of the previous use as a health care facility. There are no planned changes or enlargements to the existing parking or access points/circulation
4. P2 - Noise from police sirens: It was stated by the design team that 85 - 90% of the time, officers are not on the site when they get a call. They are out on patrol. In addition, officers do not generally turn the sirens on until they are in traffic or intersections. Therefore, noise from sirens are expected to be minimal.
5. P3 - "Design to support a legible hierarchy of public spaces." Existing building accomplishes this well. When you drive up the street there, you know where the entry is. You know where the building is. This is very successful. No changes to existing circulation, drive entry, or front door are proposed.
6. P4 - "Strengthen public space connection" New development shall have careful attention to how the building will interact with public realms. The building is

connected by existing roads and parking and sidewalks. Existing building and proposed remodel stand alone.

7. P4 - Public Space: A court and police facility should have a certain amount of significance or signaling there that this is an important public or civic building now. A well defined public space with a flagpole and lighting/benches would accomplish this. There is an existing small plaza in front of the building that is well landscaped with benches. A good place for a flagpole, sign and lighting.
8. P5 and P6: Discussion of "Departure from standards" or "Not Applicable": The project meets two of the guidelines in standard P5, where the intent is to create a pedestrian oriented design that is safe and allows travel through the site. There is an existing walking path that will be maintained that connects to other sites. The building is existing and while a stand alone structure, is scaled to fit between the church and the senior living center. It "breaks down the massing of the building the scale of long façades to fit the rhythm of the surrounding block." The small plaza and front entry at scaled for people. COBI planning staff believes a departure has to relate to a variance from a standard in the municipal code that impacts the applicants ability to meet the design standard.
9. P6 - This project is a civic building not a commercial building and is not located on a commercial street. Therefore, standard P6 does not apply.

DESIGN STANDARDS

- B1** EXPRESS A CLEAR ORGANIZING ARCHITECTURAL CONCEPT
- B2** USE AN ARCHITECTURAL LANGUAGE APPROPRIATE TO BAINBRIDGE ISLAND
- B3** CREATE WELL COMPOSED FACADES AT ALL SCALES
- B4** CELEBRATE AND PROMINENTLY FEATURE SUSTAINABLE DESIGN
- B5** USE HIGH QUALITY MATERIALS AND WELL-CRAFTED DESIGN

Building Design Findings: Project meets standards B1 through B5.

Building Design Discussion:

1. Original building is 17,000 SF. The program for the police and courts requires 24,000 SF. The design team was able to bring the program inline with existing SF with two small additions.

2. As a police and court building “bullet resistivity requirement” becomes very important in terms of windows, bullet resistant glazing and exterior materials. Existing wood comes off and bullet resistant material will be used. Smaller windows will be used on first floor. From a character standpoint, these are the elements that changes the most on the building.
3. B1 - Clear and organizing concept: Existing building has a distinct concept to it. The remodel will keep the circulation pattern and entry. The remodel has a pretty clear and organizing concept.
4. B2 - Existing building did not borrow from nearby buildings, but is a stand alone structure that looked distinctive and different.
5. B3 - “Well composed facades at all scales.” Existing building, exterior materials have been revised. See discussion on standard P3 above. There is some human scale to this building.
6. B3 - “Integrate utilities and service functions into the architectural concept, screening mechanical equipment and trash can facilities from view”: Trash and recycling are located in the back of the building. The nearest neighbor is the Madrona House and by putting it across the site, there will be less impact on the Madrona house residents.
7. B4 - “Celebrate and prominently feature sustainable design”. The Comp Plan calls for sustainable design. Building exterior will be metal materials. Metal siding and roofing are always a recyclable material. Architect stated that they do everything they can within a normal budget to accomplish what we can but terms of a sustainability there has not been a goal set for that on this project. It was pointed out that top priorities for 2019 for the climate action plan and green energy code creates an opportunity for the city to be great leaders here in terms of sustainability. Especially with a project that intended to protect and maintain safety and security for the whole island.
8. B5 - “High quality materials and well crafted design”: Existing wood siding will be replaced as the building needs to be essentially bulletproof. Building will be armored and the building needs to meet “essential facility” structural requirements. It will require shear diaphragms to structurally re-enforce the building. Therefore, the window configuration will change and become smaller. Exterior will be a box rib - a variation of thick and thin. There will be no pattern and from the road you will see this new material. Everything else is essentially the same. First floor windows got a little smaller.
9. Utilities: No communications structures will be on the roof or surrounding area. That includes any towers or microwaves.

LANDSCAPE STANDARDS

- L1** INTEGRATE THE LANDSCAPE CONCEPT TO COMPLEMENT THE ARCHITECTURAL CONCEPT
- L2** SUPPORT THE PUBLIC REALM WITH THE LANDSCAPE DESIGN
- L3** INTEGRATE SUSTAINABLE FEATURES INTO THE LANDSCAPE AND MAKE THEM VISIBLE
- L4** INTEGRATE AND HIGHLIGHT GREEN INFRASTRUCTURE PRACTICES
- L5** SUPPORT HEALTHY HABITAT IN THE LANDSCAPE
- L6** PRESERVE AND ENHANCE IMPORTANT VIEWS AND CORRIDORS

Landscape Findings: Project meets standards L1 through L-6

Landscape Discussion:

1. All existing landscaping will be maintained and where impacted by building construction, replaced and enhanced.
2. Green infrastructure: There is an existing back-parking lot that is pervious pavement. There is a rain garden that will be maintained.

STREET TYPES AND FRONTAGES

Street Type: State Route

Findings: Project meets street type and frontage

Discussion:

During the Design Review Board Meeting in December, this was discussed and only state routes would apply. The vegetated buffer would be the only guideline that applies. The police/court is not changing its vegetated buffer along the state route. Rural by Design did not apply.

LARGER SITES

- STANDARD1** DESIGN THE SITE BY CLUSTERING BUILDINGS AND ARRANGING THEM WITH FRONTAGES ON PUBLIC STREETS, PUBLIC SPACES, OR OPEN SPACE.
- STANDARD2** DESIGN SITES TO MINIMIZE THE VISUAL IMPACT OF PARKING ON THE PUBLIC REALM.

Larger Sites Findings: Standard 1 is not applicable. Project meets Standard 2.

Larger Sites Discussion:

STANDARD 1: This standard is not applicable; the standard relates to clustering buildings and frontages. This is existing project does not have this. The building is existing, nothing is being changed that is impactive to the neighborhood.

STANDARD 2: This standard has been met; the parking is not visible until you enter the parking lot. The existing parking is not changing and does not impact the public realm.

CIVIC USES

- STANDARD1** DESIGN CIVIC USES AND SITES TO REFLECT AND CONTRIBUTE TO THEIR FUNCTION AND ROLE IN THE COMMUNITY WHILE BEING CLEARLY INDENTIFIABLE AS A CIVIC USE.
- STANDARD2** DESIGN CIVIC SITES AND BUILDINGS TO SERVE MULTIPLE FUNCTIONS SUCH AS PUBLIC SPACE, COMMUNITY GATHERINGS, PUBLIC ART, AND OTHER COMPATIBLE USES.

Civic Uses Findings:

Project meets Standard 1. Project meets Standard 2 with an indoor and outdoor public gathering area.

Civic Uses Discussion:

Standard 1) The building was not originally designed as a civic building. It becomes clear it is a public building because of police/court signage, flagpole. Civic buildings are generally in the downtown area. In this case, city council chose this building and it is outside the purview of the Design Review Board. Civic signage is important. Three signs are proposed: one on the building addressing SR305, one at Madison Ave intersection and a monument sign as you enter the project site.

Standard 2) There is an existing plaza that can serve as a public plaza. Interior lobby facing SR305 with chairs where people can wait. Art will be added to the walls of the lobby and possibly on the exterior. Public art is budgeted for all city projects.

This project is recommended for:

Approval ____X____

Approval with the following conditions: ____N/A____

1.

2.

Denial: _____

APPROVED BY: /s/_____ DATE: 05/18/2020_____
Chair, Design Review Board



Planning Commission Regular Meeting February 13, 2020

Meeting Minutes

1) CALL TO ORDER/ROLL CALL/CONFLICT DISCLOSURE

Chair William Chester began the meeting at 7:00 PM. Planning Commissioners in attendance were J. Mack Pearl, Jon Quitslund, Kimberly McCormick Osmond, Don Doman and Joe Paar.

The agenda was reviewed. There were not any conflicts noted.

2) PLANNING COMMISSION MEETING MINUTES

2.a November 14, 2019 - Public Participation Meeting Minutes

Cover Page

Planning Commission Minutes DRAFT 111419.pdf

Motion: I move approval of the minutes from the November 14, 2019 meeting as distributed.

Quitslund/Paar: Passed Unanimously

3) PUBLIC COMMENT

None.

4) NEW BUSINESS

4.a 7:15 PM - Police & Court Facility Major Adjustment to Site Plan Review and Conditional Use Permit (PLN51524 SPRA CUPA)

Cover Page

PLN51524 SPRA CUPA Staff Report to Planning Commission.pdf

1. PLN51524 SPRA CUPA Site Plan.pdf

2. PLN51524 SPRA CUPA Floor Plans.pdf

3. PLN51524 SPRA CUPA Renderings and Sketches.pdf

4. PLN51524 SPRA CUPA Planting Plan.pdf

5. PLN51524 SPRA CUPA Parking Space Needs Validation.pdf

6. PLN51524 SPRA CUPA Trip Generation Analysis from Transpo Group.pdf

7. PLN51524 SPRA CUPA Traffic Impact Assessment Memo from Project Manager.pdf

8. PLN51524 SPRA CUPA SEPA Checklist.pdf

9. PLN51524 SPRA CUPA Issued MDNS and Adoption of Existing Document.pdf

10. PLN51524 SPRA CUPA Design Review Board Review and Recommendation Minutes.pdf

Associate Planner Ellen Fairleigh provided an overview of the project. The Planning Commission asked for a critical areas report and a director's code interpretation of BIMC 16.20.040 Exemptions to be applied across all permit applications similar in nature to this one. Joseph Dunstan spoke about the DRB's role in the review process. Project Manager Barry Loveless spoke about the Sound to Olympics trail and its possible movement based on the City's new transportation plan which was currently being updated.

The Planning Commission requested a new report from the DRB outlining their recommendation and remanded the permit application back to the Design Review Board for a written recommendation.

Commissioners discussed with staff the 2020 Workplan Retreat occurring on February 24, 2020. Joseph Dunstan spoke in support of an overlapping meeting in response to the Planning Commission's question about having a joint meeting with the Design Review Board as opposed to separate workshops.

[4.b Ordinance No. 2020-05, Updating the City's Sign Code](#)

[Cover Page](#)

[Sign Code - Introduction - PowerPoint](#)

[Staff Memo - Sign Code Matrix and Q&A \(2-13-20 PCM\)](#)

[Ordinance No. 2020-05, Updating The City's Sign Code - Chapter 15.08 BIMC - for 2-13-20 PCM](#)

[Reed v. Town of Gilbert Article](#)

Deputy City Attorney Robbie Seplar provided an overview of work that had been performed on this ordinance to date.

Public Comment

Jane Rein spoke against sandwich board signs.

Planning Commission requested another study session on this ordinance.

5) OLD BUSINESS

5.a ADU Subcommittee Report

[Cover Page](#)

Commissioner J. Mack Pearl provided an overview of the ADU subcommittee's work.

Public Comment

Bob Russell spoke against requiring common ownership of ADU's as something that may not be legally defensible and about having standard designs for ADU's to provide a streamlined permit process. He also spoke for eliminating water/sewer hookup fees for ADU's to promote affordable housing.

Discussion of Winslow Hotel by Planning Commission.

Chair Chester spoke about the recommendations of the Design Review Board, Planning Commission and the Director's Recommendation to the Hearing Examiner for the Winslow Hotel.

6) PLANNING DIRECTOR'S REPORT

6.a Puget Sound Regional Council Vision 2050 Update.

[Cover Page](#)

[PC Staff Memo on PSRC Vision 2050 Plan.docx](#)

7) ADJOURNMENT

The meeting was adjourned at 9:38 PM.

/s/
William Chester, Chair

/s/
Jane Rasely, Administrative Specialist

Planning Commission Preliminary Recommendation for Police & Court Facility
Major Adjustment to Site Plan Review and Conditional Use Permit
February 13, 2020

1. Revise Staff Report to add analysis of Conditional Use Permit decision criteria and how the proposed project satisfies those criteria.
2. Send project back to Design Review Board to provide detailed analysis describing all applicable design guidelines and how the project satisfies or does not satisfy each of those. Under BIMC 2.16.110.E (3)(b), the purpose of the PC review and recommendation meeting is to “review a proposed project for consistency with applicable design guidelines, BIMC Title 17, and the comprehensive plan.” To satisfy this purpose, the PC needs to know the applicable design guidelines and then determine whether the project is consistent with those guidelines.
3. Revise Staff Report to either remove the statement on pg. 5 of 29 (pg. 12 of the PC packet) that “The Design Review Board discussed the project’s consistency with the Comprehensive Plan” or provide a detailed analysis of the DRB discussion regarding Comprehensive Plan consistency.
4. The Staff Report states that the City is seeking an exemption to the Critical Areas Ordinance under BIMC Section 16.20.040.B(1) to allow the construction of a 484 sf two story addition on the west side to enclose an existing exterior stairway. This structure would be located inside a 200’ buffer established for a Class F fish bearing stream located on the adjacent property. Section 16.20.040.B(1) states “Activities within a portion of a wetland buffer or fish and wildlife conservation area buffer separated from the critical area by an existing permanent substantial development, use or activity which serves to eliminate or greatly reduce the impact of the proposed activity on the critical area are exempt from establishing the full required buffer width; provided, that impacts to the critical area do not increase.”

The Staff Report discussion focuses primarily on wetlands located within the 200’ buffer. The functions and values of a fish bearing stream are different from the functions and values of wetlands. At least some of the existing studies cited by the PCD Staff Memorandum dated February 13, 2020 regarding the Police & Court Facility – Critical Area Review were created before the stream was reclassified as Class F fish bearing and at least one of them is dated 2006.

To demonstrate that the project qualifies for the CAO exemption, the PC requests that the City provide (1) any critical areas analyses or reports that were created by a qualified professional (biologist) that demonstrate that the “existing permanent substantial development” functionally isolates the proposed 484 sf addition from the fish bearing stream and wetlands; and (2) any analyses that demonstrate the “existing permanent substantial development” eliminates or greatly reduces the impact of the proposed project on the critical area (fish bearing stream and wetlands).

The Staff Report describes the “existing permanent substantial development” as “a rock wall, existing lawn, and additional stormwater catch basins between the proposed addition on the southwest side of the existing building and the stream and wetland buffers. These features occur in an established mowed grassy area that creates a distinct topographical break between the building and the split rail fence located at the outer edge of the previously established buffer. The existing development in this area serves to separate the buffer from the proposed developed area.” Some or all of these features are located within the 200’ buffer for the Type F fish bearing stream. If the City determines that the CAO exemption applies because these features constitute “existing permanent substantial development” that “eliminate or greatly reduces the impact” to the critical areas, the PC requests a Director’s opinion or decision that other properties with similar features may also qualify for such an exemption, to ensure that similarly situated properties are treated consistently.



**Planning Commission Special Meeting
June 11, 2020**

Meeting Minutes

1) CALL TO ORDER/AGENDA REVIEW/CONFLICT DISCLOSURE

2) PLANNING COMMISSION MEETING MINUTES

2.a May 28, 2020

[Cover Page](#)

[Planning Commission Minutes DRAFT 052820.pdf](#)

Motion: I move we approve the minutes for the Special meeting of the Planning Commission on May 28, 2020 as distributed in the agenda packet.

Quitslund/Paar: Passed Unanimously

3) PUBLIC COMMENT

3.a DRB Liaison Update

[Cover Page](#)

None. DRB Chair Joe Dunstan

4) UNFINISHED BUSINESS

4.a [Police & Court Facility Major Adjustment to Site Plan Review and Conditional Use Permit \(PLN51524 SPRA CUPA\)](#)

[Cover Page](#)

[PLN51524 SPRA CUPA Revised Staff Report to Planning Commission.pdf](#)

[1. PLN51524 SPRA CUPA Site Plan.pdf](#)

[2. PLN51524 SPRA CUPA Floor Plans.pdf](#)

[3. PLN51524 SPRA CUPA Renderings and Sketches.pdf](#)

[4. PLN51524 SPRA CUPA Planting Plan.pdf](#)

[5. PLN51524 SPRA CUPA Parking Space Needs Validation.pdf](#)

[6. PLN51524 SPRA CUPA Trip Generation Analysis from Transpo Group.pdf](#)

[7. PLN51524 SPRA CUPA Traffic Impact Assessment Memo from Project Manager.pdf](#)

[8. PLN51524 SPRA CUPA SEPA Checklist.pdf](#)

[9. PLN51524 SPRA CUPA Issued MDNS and Adoption of Existing Document.pdf](#)

[10. PLN51524 SPRA CUPA Design Review Board Review and Recommendation Agenda and Notes dtd 12.02.2019.pdf](#)

[11. PLN51524 SPRA CUPA Design Review Board Transcript from 6.3.2019 Meeting.pdf](#)

[12. Planning Commission Preliminary Recommendation for Police & Court Facility Major Adjustment to Site Plan Review and Conditional Use Permit February 13, 2020.pdf](#)

- 13. [PLN51524 SPRA CUPA Design Review Board Final Design Review Worksheet.pdf](#)
- 14. [PLN51524 SPRA CUPA Critical Area Report from Wetland Resources Environmental Consulting.pdf](#)
- 15. [PLN51524 SPRA CUPA Supplemental Site Plan with Critical Areas.pdf](#)

Associate Planner Ellen Fairleigh provided a brief update on the previous review accomplished by the Planning Commission. See attached Recorded Motion for recommendation.

4.b [Ordinance No. 2020-04, Adopting Small Wireless Facility Design Standards](#) [Cover Page](#)

[Memo - Changes to Ordinance No 2020-04 Since May 28, 2020 PCM](#)
[Ordinance No. 2020-04, Adopting Small Wireless Facility Design Standards - 6-11-20 - Track Changes](#)

[Commissioner Osmond - Discussion Points from 5-28-2020 PCM](#)

[Ordinance No. 2020-04, Adopting Small Wireless Facility Design Standards - 6-11-20 - Clean Copy](#)

[Small Wireless Facilities - Sample Photos of Actual Deployments](#)

Deputy City Attorney Robbie Sepler provided a brief overview of the actions taken since the May 28, 2020 Planning Commission meeting. The Commissioners asked to have the excerpts of Kitsap County Code from Commissioner McCormick Osmond's memo incorporated into the ordinance for the small wireless facility design standards.

4.c [Bonus Floor Area Ratio \(FAR\) Options, BIMC 18.12.030.E.](#)

[Cover Page](#)

[BIMC_1812.030_FAR_BONUS_OPTIONS.pdf](#)

[RES_2003-](#)

[25_FULL_CITY_COUNCIL_FOR_DECISION_MAKING_RE__FLOOR_AREA_RATIO_BONUS ES.pdf](#)

[RES_2001-](#)

[54_DISTRIBUTION_OF_FUNDS_FROM_PURCHASE_OF_FLOOR_AREA_RATIO_BONUS S.pdf](#)

[MUTC Zoning Districts Map.pdf](#)

[Planning Commission Minutes and Addendum DRAFT 031220.pdf](#)

[20200424_CC_Staff_Memo \(10\).docx](#)

[FAR_USAGE_BY_PROJECT.pdf](#)

[FAR Usage Winslow Hotel](#)

[Quitslund request for Info in the PC Packet FAR Discussion 5.12.2020.docx](#)

[P C Subcommittee Recommendations on FAR Policies, 4.27.2020.docx](#)

[Comp_Plan_Goals___Policies_Related_to_FAR.pdf](#)

[Chapter 2 WMP.pdf](#)

[Admin Manual .pdf](#)

[Ordinance_No._2020-10_Adopting_Interim_Zoning_Control_Related_to_Bonus_Density](#)

[BIMC Table 18.12.020-3.docx](#)

[Subcommittee Recommendation - Changes to Base & Bonus FAR policies, 5.22.2020.docx](#)

[Subcommittee Recommendations on FAR 6.5.2020.pdf](#)

Commissioner Quitslund presented the Sub-Committee's recommendations to the Planning Commission.

Motion: I move to adopt the recommendations from the Subcommittee (Chester/Paar/Quitslund) for discussion at the Planning Commission's meeting on June the 11th, 2020 as recommendations from the Planning Commission regarding FAR Bonus Density to be submitted to the City Council.

Amendment to Motion: First, I would like to change the name of the Subcommittee Report to Planning Commission Recommendations on FAR Bonus Density Provisions in the Bainbridge Island Municipal Code. Second, I'd like to add the following opening sentence: In response to the City Council's request for Planning Commission evaluation of existing FAR bonus density provisions in the Bainbridge Island Municipal Code, the Planning Commission makes the following recommendations for immediate revisions to those code provisions. The third part of my motion is in subparagraph 2.a., the sentence would be changed to read: Parking alternatives to reduce or eliminate the need for parking on the street or in a dedicated surface lot.

McCormick Osmond/Pearl: Passed Unanimously

5) PLANNING DIRECTOR'S REPORT

6) ADJOURNMENT

Meeting was adjourned at 7:08 PM.

/s/
William Chester, Chair

/s/
Jane Rasely, Administrative Specialist



PLANNING COMMISSION RECORDED MOTION

Planning Commission Meeting Date:	June 11, 2020
Project Proposal Name and Number:	Police & Court Facility – PLN51524 SPRA CUPA
Documents available at:	Online Permit Portal
Public Hearing Date:	N/A
Decision Maker:	Hearing Examiner

Purpose: The purpose of the Planning Commission's review and recommendation is to determine if a proposed project is consistent with the comprehensive plan and applicable design guidelines, BIMC Titles 17 and 18.

Consideration: The Planning Commission shall consider the project application at a public meeting where public comment will be taken. The Planning Commission shall recommend approval, approval with conditions, or denial of the proposed project.

The Planning Commission will adopt written findings of facts and conclusions and determine if the project is consistent with Bainbridge Island Municipal Code and the comprehensive plan. This motion will be included in the staff report transmitted to the reviewing bodies and decision maker.

Findings of Fact and Reasons for Action

1. The project, as conditioned, is found to meet all the applicable decision criteria.
2. The project, as conditioned, is found to be compliant and consistent with the comprehensive plan.
3. The project, as conditioned, is found to meet all other applicable laws.
4. The project is either :

 X Found to meet the recommendations by the Design Review Board; **OR**

 Recommended for deviation from the Design Review Board's recommendation for the following reasons:

- a.
- b.
- c.



PLANNING COMMISSION RECORDED MOTION

Recommendation:

The Planning Commission recommends the Hearing Examiner:

 X Approve the proposal as recommended.


Recorded motion on June 11, 2020:

I move that we approve the Bainbridge Island Police and Court Facility as proposed for approval.
Motion/Second: Paar/Pearl


Planning Commission Record of Vote:

Commissioner	Support	Oppose	Absent	Abstain
Chester	X			
McCormick Osmond	X			
Pearl	X			
Quitslund	X			
Macchio				X
Doman			X	
Paar	X			
Total	5		1	1

CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION


Chair

Date: 6/16/2020


Administrative Specialist Planning and Community Development

Date: 6-18-2020



April 8, 2020

City of Bainbridge Island
Attn: Barry Loveless
280 Madison Ave N
Bainbridge Island, WA 98110

Re: Critical Area Review for the Proposed Police & Court Facility Located at 8804 Madison Ave N in the City of Bainbridge Island

Wetland Resources, Inc. (WRI) was contracted to assess critical area impacts that could result from a proposed 484 square-foot addition to an existing structure located at 8804 Madison Ave N, the future Bainbridge Island Police and Court Facility. WRI staff conducted a site visit on March 17, 2020 to better understand existing conditions. This letter assesses site conditions in the context of the exemptions described in section 16.20.040 of the Bainbridge Island Municipal Code (BIMC).

Site background was provided by City staff, which included the reports titled *Buffer Mitigation Plan for Harrison Urgent Care* (date: October 2013, author: Ecological Land Services), and *Critical Areas Report for Sakai Park* (date: October 2018, author: Ecological Land Services). Among other things, these reports describe the methodology used to delineate on-site and nearby critical area features.

Based on physical observation during the March site visit, WRI staff agrees with the surveyed critical boundaries delineated by Ecological Land Services in 2013 and 2018. Critical area boundaries are expected to remain consistent over time given the steep topographic transition from wetland to upland conditions. The on-site wetland was classified as a Category II wetland, and requires a 110-foot standard buffer. The off-site stream is now classified as a Type F stream, which requires a 200-foot buffer. Strict application of a 200-foot buffer would create nonconforming development within the subject property, including the 484 square-foot addition area.

The 2013 Buffer Mitigation Plan was needed to accommodate a stormwater outfall pipe within the wetland buffer. The plan included demarcation of the limits of the critical area buffer with split-rail fencing. All areas landward of the split-rail fence are developed in some form, including the proposed building addition area. The building addition area consists of a rockery and maintained lawn over existing stormwater infrastructure, which includes a gravel-filled dispersion trench with drain covers that provide overflow protection. Figure 1 below depicts the proposed building addition area.



Figure 1: Proposed Building Addition Area

The 484 square-foot building addition is proposed between the existing structure and a stormwater outfall system, in a steep area that consists of maintained lawn above stormwater infrastructure. Vegetation over the stormwater system is regularly maintained grass, and periodic maintenance related to the structure occurs in this area. The developed condition of the site prevents establishment of native plants, which would provide wildlife habitat value through screening and forage. Steep topography eliminates the potential to perform or support hydrologic control or water quality improvement functions. Overall, the area landward of the split-rail fence provides no ecological support functions to protect the nearby wetland and stream complex.

Section 16.20.040(B)(1) of the Bainbridge Island Municipal Code (BIMC) provides relief for non-conforming areas such as the proposed building addition area. This code section appears to support the applicant's proposal to expand the existing structure, and reads as follows:

1. Actions within a portion of a wetland buffer or fish and wildlife habitat conservation area buffer separated from the critical area by an existing permanent substantial development, use or activity which serves to eliminate or greatly reduce the impact of the proposed activity on the critical area are exempt from establishing the full required buffer width; provided, that impacts to the critical area do not increase.

Based on WRI staff findings during the March site visit, all areas located landward of the split-rail fence and within 200 feet of the off-site stream are considered permanent substantial development, and establish functional isolation from the critical area. This assertion is based on the demonstrated absence of hydrologic and habitat support, and the permanence of the physical separation.

The proposed addition will not increase impacts to the critical area relative to the existing developed condition. The proposed project does not require mitigation because it does not impact critical areas, and is not expected to create incidental damage to the critical area because the split-rail fence clearly demarcates the limits of the buffer. If vegetation removal does occur inside of the split-rail fence, a restoration plan will be drafted and submitted to the City of Bainbridge Island for review and approval.

Wetland Resources, Inc.



Niels Pedersen, PWS
Senior Ecologist



Alia Richardson
Associate Ecologist and Wildlife Biologist

**DECISION OF THE HEARING EXAMINER
CITY OF BAINBRIDGE ISLAND**

In the Matter of the Application of

Right Medical Building LLC,

CUP14430B & SPR14430B

For Approval of a Site Plan Review
and Conditional Use Permit

Introduction

Right Medical Building LLC applied for a conditional use permit and site plan review for a medical complex to be located at 8812 Casey Street.

An open record public hearing was held on September 26, 2008. The applicant was represented by Rolf Hogger, MJR Constructors, and the Department of Planning and Community Development was represented by Bob Katai, Division Manager. Witnesses, in addition to the representatives were: Jim Morse, John Anisoglu, Jay Webster, Olaf Ribeiro for the Murden Cove Preservation Association, and Vince Mattson.

All references to sections in this decision are to the Bainbridge Island Municipal Code, unless otherwise indicated.

After due consideration of all the evidence in the record, the following shall constitute the findings, conclusions, and decision of the Hearing Examiner on this application.

Findings

1. Two applications, one for a 27,700 square foot medical office building and second for a 47,300 square foot, 53-unit assisted living facility building, have been consolidated for Site Plan Review and a conditional use permit approval. The property for the “Island Medical Center” is located at 8812 Casey Street which is at the southeast corner of the intersection of Madison Avenue and Casey Street.

2. The subject site comprises three parcels and is 5.42 acres in size. A single-family residence, barn and several accessory buildings currently occupy the eastern part of the site. A boundary line adjustment is proposed and being processed to create two lots with the medical office building on one and the assisted living facility on the other. The northern portion of the site is relatively flat and then the site slopes down to Category II wetlands on the southern portion and the headwaters of the Winslow Ravine, identified as non-fish bearing, crosses the southwestern portion of the property. The unoccupied part of the site is forested.

3. The subject property is shown as Urban Multi-family Residential, 8-14 units per acre, on the Comprehensive Plan land use map. It is zoned R-8—8 units per acre. The R-8 zoning continues to the south of the site and the closest development on that side is some 700 ft away, a three-story multifamily development, Sakai Village Condominiums. Land to the north is zoned R-2. The nearest development on that side is the Bainbridge First Baptist Church. To the east is State Route 305 and R-2.9 zoning. A single-family house is on the east side of the highway. To the west is Madison Avenue and R-2--2 units per acre and LM-Light Manufacturing zoning developed with a fire station and mini-warehouse.

4. The Comprehensive Plan, Goal 7, indicates that the Urban Multi-family District is intended for moderate to high-density residential development but it may include certain office and governmental uses. The zoning code, adopted to implement this goal, allows health care facilities as conditional uses. Policy W 7.1 is to have residential development within the Urban Multi-family District be served by public facilities and services normally associated with urban area development. Public water and sewer services are available to the site. Policy W 7.3 is to provide landscape buffers between multi-family and existing single-family homes. Single-family residences are located across SR 305 and screening, described below, will be provided. And Policy W 7.4 is to have design standards for building height, bulk, massing and articulation, parking requirements, landscaping, lighting, screening of service areas, open space and pedestrian linkages in order to ensure the compatibility of development with adjacent uses and retain the scale of development in Winslow. Design guidelines have been adopted that are applicable to this proposal.

5. A City Attorney opinion that an assisted living facility is a health care facility was issued in 1998. Health care facilities are permitted in the R-8 zone as conditional uses. Section 18.15.030.

6. Access to the site is proposed to be from Casey Street, an unclassified street to which local suburban street standards would apply, that connects to Madison Avenue and provides access also to the church. The site also fronts on Madison Avenue, classified as a secondary arterial. The application proposes the dedication of 15 ft. of additional right of way for Casey Street.

7. State Route 305 is designated as part of the Scenic and Recreational Highway system pursuant to RCW 47.39.020. Mr. Mattson explained that the intent of the designation is to protect and preserve the scenic resource, which requires managing land use outside of the right of way.

8. The medical office building is to be two stories over an underground garage located on the northeasterly portion of the site. The basement parking garage would provide 36 parking spaces. The assisted living facility would be three stories plus a basement and sited parallel to NE Casey Street in the northwest corner of the site. About 30 ft. of the frontage would be along Madison Avenue. The buildings would be separated by 160 ft. A 96 space surface parking lot would be located to the east of that facility parallel to the street and parallel to SR 305 to the east of the medical office building. Up to 8 additional spaces would be created on Casey Street. In total, the complex would provide 140 parking spaces.

9. An office building is required by Section 18.81.030 to provide four spaces per 1,000 square feet for the office building or 111 for the proposed building. Since parking requirements are not established by the code for assisted living facilities, the Director approved the provision of .5 space per unit for the assisted living facility based on the demand experience at other assisted living centers on Bainbridge Island. The other facilities have found that parking demand is generated by

CUP14430B & SPR14430B

staff and visitors since few residents own or drive cars. The proposal includes sufficient parking to meet the requirements. No parking is proposed within the required 25 ft. setbacks in compliance with Section 18.81.100, and the dimensions proposed satisfy the requirements of Section 18.81.070 but both will be confirmed during building permit review.

10. Parking facilities are required to provide parking for bicycles at a rate of one bicycle space for every five parking spaces. Section 18.81.140. The project would be required to provide 28 spaces. A condition is recommended by planning staff to ensure compliance.

11. Circulation plans for vehicular, pedestrian and bicycles were submitted with the application. While generally only one access point to the public right-of-way is allowed for a lot, the Director may allow more to improve traffic flow if adverse impacts are mitigated. The Director determined that two access points would improve on-site traffic flow where the Casey Street frontage is over 60 ft. long and there are two separate buildings.

12. The service area for the assisted living facility would be within the building. Planning staff recommend that the service area for the medical office building be located away from the assisted living facility and be screened.

13. Though the code requires a fencing plan or other method to protect public health and safety, that requirement was waived pursuant to Section 18.108.040C(2) as it was not necessary or appropriate for a health care facility.

14. The maximum lot coverage permitted in the zone is 25 percent, except that when the use is a health care facility in a residential zone, the maximum permitted is half the standard, or 12.5 percent. Section 18.108.040D(1)(g). The proposed lot coverage would be 11 percent plus canopies. That the maximum is not exceeded by the addition of canopies will be a part of the building permit review.

15. The minimum setback along the three street sides of the site, all front setbacks, is 25 ft. The proposal meets that requirement. However, a structure over two stories requires an increase in the setback for additional stories by four feet so applies to the third story of the assisted living facility. The plans show a 29 ft. setback in conformance with this requirement.

16. The minimum side setback required, the south side in this case, is at least five feet. At its narrowest, the setback from the south property line is over 60 ft.

17. Section 18.15.070 establishes a maximum height in the zone of 35 ft. for buildings unless additional height is approved under the conditional use permit. The application proposes 35 ft. for both buildings after substantial grading. The actual height will be verified during building permit review.

18. A 20 ft. wide partial landscape screen, one that provides a moderately vegetated separation between uses and districts, is required by Section 18.85.070(D) along rights-of-way and roads in Urban Multi-family Districts. Landscaping in a full landscape screen is also required between parking lots and adjoining streets. Section 18.85.070(E). Along SR 305, only a 20 ft. partial landscape screen would be required, but because additional screening is needed to address lighting, privacy and aesthetic concerns, staff proposes that a full landscape screen 25 ft. wide be required. The code requires a 15 ft. filtered landscape screen along the south boundary of the site because of the multi-family development adjoining and the wetlands provide that screening. In

general, the setback requirements exceed the perimeter landscape buffer requirements. The Design Review Board (DRB) recommended that the landscape screen shown in plans submitted at the DRB's September 8, 2008, meeting be installed along the street side of the assisted living facility. With the proposed conditions, the landscaping would meet and exceed the code requirements.

19. At least 30 percent of significant tree canopy or 15 percent of the total number of significant trees on the site must be retained along with all significant trees in the perimeter landscape buffer. Section 18.85.060. A condition is recommended to assure that all trees in the perimeter be retained. With the forested wetlands and buffer, the tree canopy retention requirement will be met.

20. A 50 ft. buffer is required along non-fish bearing streams, Section 16.20.130, and a 100 ft. buffer is required for a Category II wetland that does not have high or moderate levels of function for habitat and will be surrounded by an urban non-residential use. Section 16.20.160. The wetlands analysis report submitted by the applicant notes that the wetlands provide low habitat functions. In addition to the buffer, a 15 ft. setback from the buffer is required for impervious surfaces and buildings. The design observes the appropriate wetland buffer and setback from the buffer, except for a minor intrusion by the patio for the assisted living facility. A condition is recommended to ensure that that portion of the patio be pervious.

21. Jay Webster described utilizing trails and exploring the wetland on the site as a child. The proponents propose to expand and enhance the trails in the wetland buffer for use of both facilities. Trails are permitted within wetland buffers under guidelines in Section 16.20.160. The trail system will provide connection from Madison Avenue to the SR 305 side. A condition of the MDNS requires a public access easement over the trails.

22. A traffic impact analysis (TIA) was performed by Heath & Associates and provided to the City. The TIA predicted that the traffic generated during the peak hours would not reduce the level of service (LOS) at the studied intersections. Mr. Mattson, a retired traffic engineer with considerable experience, questioned the reliability of the data and the conclusions of the TIA. He pointed out that the counts were made in the summer when school traffic would not be affecting the intersection. According to Mr. Heath, the project's traffic consultant, traffic volumes on Bainbridge Island actually may be greater in the summer when the counts were made than in the school year. Even if that were not the case, because the peak hour for the medical facility would not coincide with the school peak hours, data gathered while the school was not operating would be acceptable for this project. Though a 2002 study showed higher volumes at the intersection than the numbers used by Heath for 2006, Heath testified that the counts he utilized were reliable. He opined that a traffic signal at Madison might account for some of the difference in volumes found by Mr. Mattson. Mr. Mattson conducted counts and found a higher volume of traffic than used in the TIA and he did an independent analysis of the traffic impacts. This information and his concerns were presented to the City in writing and in a meeting, but the Department of Public Works, which reviewed the TIA, was satisfied with the methodology and concluded that, with the improvements required by the MDNS, the level of service would not drop below acceptable levels. The information introduced by Mr. Mattson certainly raised questions about reliability of the TIA data in the hearing examiner's mind, however the City's traffic experts who reviewed it found it sufficiently reliable for the purpose so the hearing examiner accepts the City's conclusion. The

new traffic is likely to increase the volume of traffic turning right from Madison onto SR 305, so the MDNS requires the applicant to construct a right turn lane on the south leg of Madison Avenue.

23. The Department of Public Works determined that the transportation facilities affected by the proposed development has capacity equal to or greater than required to maintain the level of service standard and issued a certificate of concurrency for the proposal for 1,096 average daily trips.

24. A non-binding commitment for water and sewer system capacity was issued by the Department of Public Works. Planning staff proposes conditions to ensure binding approvals are obtained prior to building permit issuance.

25. The storm water drainage plan for the site includes a detention facility, storm filter, green roofs, pervious pavers in the parking areas, and rain gardens. Runoff from the roofs is to be stored for watering the roof in the summer if necessary or collected in dispersion trenches and discharged toward their natural discharge location. Runoff from the street will be directed to the City's drain systems. The parking areas are to have pervious surfaces so that storm water can be absorbed into the ground or go to the rain gardens.

26. The proponents are exploring the use of geothermal energy as a heat source for the buildings.

27. The Kitsap County Health District notified the City that the project meets the Kitsap County Health District Code.

28. The Bainbridge Island Fire Department reviewed the proposal and provided comments regarding compliance with the 2006 International Fire Code, sprinklers and alarms for the buildings, modification of fire hydrant locations needed, height of the building overhang, labeling of the fire lanes, clarification of the access point needed, and a requirement that Casey Street be renamed. Conditions of approval are proposed to assure compliance.

29. The Department of Public Works reviewed the application and provided comments and conditions of approval including a storm water pollution prevention plan prior to the start of construction, civil plan design for proposed storm water facilities, the dedication of 15 ft. of property fronting Casey Street for right of way as proposed, street improvements, etc., as detailed in its memorandum dated July 17, 2008, Exhibit 21.

30. The lighting of the buildings and site are required to conform to the standards of Chapter 15.34 that were adopted to preserve and enhance the view of the dark sky, among other purposes. Section 15.34.010. A condition of approval to require compliance was recommended.

31. The Design Review Board (DRB) met several times to review the proposed project for compliance with the design guidelines of Chapter 18.41. The DRB found some of the guidelines inapplicable due to the nature and location of the use and was largely concerned with addressing the scale of the buildings. After requesting various modifications to the design, the DRB recommended approval subject to a condition requiring that the landscaping plans submitted at its September 9, 2008, meeting be implemented.

32. The location is seen as desirable for an assisted living facility given its proximity to emergency facilities and churches and the availability of shuttle service to the town center.

33. Written public comment included concern about traffic, light pollution, and scale of the buildings.

34. The City issued a Mitigated Determination of Non-significance (MDNS) for the proposal on May 1, 2008. The MDNS included a series of twenty conditions to mitigate the impacts of the proposal on the environment. Among the conditions are those requiring improvement of the Casey Street and Madison Avenue frontage with curb, gutter, sidewalk and storm drainage, addition of a right turn lane on the south leg of Madison Avenue at SR 305, development of a trail network within the wetlands and wetland buffer, etc. Those conditions are to be attached to approval of the underlying permits. The MDNS was not appealed.

35. The Planning Commission held a public meeting to consider the proposed development as part of the regular site plan review process. The Planning Commission recommended approval of the applications subject to the conditions proposed by Planning staff and an additional condition to require that all exterior building surfaces be non-reflective materials.

36. Notice of the application and SEPA comment period was initially provided October 6, 2007, and a second notice issued on October 31, 2007. Notice of the amended application to add Phase 2 was issued July 12, 2008. Notice of the public hearing was mailed and posted August 27, 2008, and published September 10, 2008.

37. The basis for site plan and design review for the Planning Commission's recommendation and the Hearing Examiner's decision is the list of criteria in Section 18.105.060. Criteria relevant to the proposal are:

A. The site plan and design is in conformance with applicable code provisions and development standards of the applicable zoning district;

** *

C. The locations of the buildings and structures, open spaces, landscaping, pedestrian, bicycle and vehicular circulation systems are adequate, safe, efficient and in conformance with the nonmotorized transportation plan;

D. The proposal will be served by adequate public facilities including roads, transit, water, fire protection, sewage disposal facilities and storm drainage facilities;

E. The site plan and design is consistent with the design guidelines of Chapter 18.41 BIMC, or other applicable design guidelines of the zoning district;

F. No harmful or unhealthful conditions are likely to result from the proposed site plan;

G. The site plan and design is in conformance with the comprehensive plan and other applicable adopted community plans; and

H. Property subject to site plan and design review which contains a critical area, as defined in Chapter 16.20 BIMC, conforms to all requirements of that chapter.

38. The criteria for conditional use approval are as follows:

1. The conditional use is harmonious and appropriate in design, character and appearance with the existing or intended character and quality of development in the immediate vicinity of the subject property and with the physical characteristics of the subject property;
2. The conditional use will be served by adequate public facilities including roads, water, fire protection, sewer disposal facilities and storm drainage facilities;
3. The conditional use will not be materially detrimental to uses or property in the immediate vicinity of the subject property;
4. The conditional use is in accord with the comprehensive plan and other applicable adopted community plans, including the nonmotorized transportation plan;
5. The conditional use complies with all other provisions of this code;
6. The conditional use will not adversely affect the area or alter the area's predominantly residential nature; and
7. All necessary measures have been taken to eliminate the impacts that the proposed use may have on the surrounding area.

Section 18.108.040A.

39. In addition to the criteria listed above, health care facilities in residential zones must meet these criteria:

- a. Applicants are required to submit a traffic report, showing the effects on level of service on affected roads. Proposed mitigations for degradation of the LOS must be submitted as part of the application.
- b. All sites must front on roads classified as residential suburban or above on the Bainbridge Island Functional Road Classification Map.
- c. Noise levels shall be in compliance with BIMC 16.16.020 and 16.16.040A.
- d. The appropriate approvals of sewer and water supply must be submitted at the time of application.
- e. A fencing plan or alternative methods to protect the public health, safety and welfare must be submitted at the time of application.
- f. The applicant shall provide perimeter buffers of vegetation either retaining existing or planting a new one in compliance with BIMC 218.85.070D.4....
- g. These conditional uses are limited in lot coverage to only 50 percent of the allowable lot coverage in the zone in which they are located.

* * *

- h. Vehicular, pedestrian and bicycle access and site circulation must be submitted at the time of application and approved by the city....

- i. The applicant shall submit a site and building design proposal that meets the design principles and guidelines found in BIMC 18.41.070, Light manufacturing design guidelines, and incorporates conditions deemed applicable by the director in accordance with this chapter. Each proposal will be evaluated for adequate vegetated roadside views, landscaping buffers for parking and service areas, scale of proposed construction including bulk and height and harmonious architectural design features compatible with the surrounding neighborhood.

Section 18.108.040C.1.

40. The Hearing Examiner is authorized to hear and decide applications for conditional use permits and conduct site plan and design review by Sections 2.16.150, 18.105.010 and 18.108.020.

Conclusions

1. The Hearing Examiner has jurisdiction to hear and decide this matter.
2. The notice of application and of public hearing complied with the requirements of the code for notice.
3. With the conditions proposed by the agencies, departments, and board who reviewed the proposal, the site plan and design will be in conformance with the applicable code provisions, Design Guidelines and development standards; the building locations, open spaces, landscaping and circulation will be adequate, safe and efficient; it will be served by adequate public facilities; no harmful or unhealthful conditions should result and the site plan design is in accordance with the Comprehensive Plan. While the proposed buildings will be of a different scale and design than neighboring structures, the mix of types and styles of buildings in the immediate neighborhood does not suggest a consistent style. The Design Review Board's careful review resulted in buildings that are designed with modulations and materials and are adequately screened that they should be compatible. The site plan review shows that the plans are consistent with the criteria and the site plan should be approved subject to the proposed conditions.
4. With appropriate conditions, the criteria for conditional uses are met by the proposal. The character of the subject site has been taken into consideration in the site plan design for the uses and the design and appearance of the structures and grounds will be compatible with their surrounding uses. With compliance with the proposed conditions for improvements and approvals, the uses will be served by adequate public facilities. The health care facilities will not be detrimental to uses or properties in the vicinity and though the use is not residential, the area is not predominantly residential and the use will be well separated from any residential use. The proposed use is in accord with the comprehensive plan and with the proposed conditions will comply with all provisions of the code. The mitigation measures in the MDNS, code requirements and proposed conditions will mitigate the impacts of the uses on the environment and surrounding area.
5. As to the additional criteria for a health care facility, the project's traffic analysis shows that the level of service will remain at an acceptable level, the site fronts on roads classified as residential suburban or above, noise levels will be controlled by regulations, conditions will assure

adequate levels of sewer and water supply, conditions will assure appropriate perimeter landscape buffers, lot coverage will be below the maximum allowed, and circulation plans have been submitted, reviewed and conditions proposed.

6. With imposition of conditions proposed, all criteria for approval of the conditional use are met and the conditional use permit should be granted.

Decision

The application for a conditional use permit for the health care facility and site plan approval is GRANTED subject to the following conditions:

SEPA Conditions

1. No clearing, grading or other construction activities shall occur until a building permit or site development permit has been submitted by the applicant and approved by the city.
2. All graded materials removed from the development shall be hauled to and deposited at city-approved locations.
3. To mitigate impacts on air quality during earth moving activities, contractors shall conform to Puget Sound Clean Air Agency Regulations, which ensure that reasonable precautions are taken to avoid dust emissions. (BIMC Section 16.08.040)
4. A Storm Water Pollution Prevention Plan (SWPPP) for the proposed development shall be provided for city review and approval in accordance with BIMC Chapter 15.20. The plans must be approved, the improvements constructed (or a construction bond provided if applicable), and an acceptable final inspection obtained prior to issuance of Certificate of Occupancy. The design submittal shall incorporate all proposed project improvements including complete civil plans, grading and erosion control plans, roadway plans and profiles, and storm drainage facilities and drainage report. These reports shall be prepared by a professional engineer currently licensed in the State of Washington. A Construction Stormwater Permit (NPDES) will be required prior to construction plan approval in accordance with BIMC Section 15.20.030.B (4). More information about this permit can be found at: <http://www.ecy.wa.gov/programs/wq/stormwater/construction/> or by calling Charles Gilman at (360) 407-7451, email chgi461@ecy.wa.gov. This permit is required prior to any construction activities.
5. During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection to verify that the facilities are installed in accordance with the design documents and that actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to Public Works Engineering.

6. An easement to COBI for access and maintenance of the proposed public stormwater facilities will be required prior to issuance of the Certificate of Occupancy.
7. The applicant's engineer shall provide specific erosion and sedimentation control design measures as part of the SWPPP to protect the public stormwater infiltration facilities during construction of the development.
8. To the satisfaction of the Public Works Department, the applicant shall improve the roadway section for Casey Street to provide a minimum 18-foot wide paved driving surface, with appropriate storm drainage facilities per COBI Design Standards. The roadway shall be built to COBI Design standards, including curb, gutter, and sidewalk along the property's north frontage.
9. To the satisfaction of the Public Works Department, the applicant shall improve the property's Madison Avenue frontage with curb, gutter, and sidewalk per COBI Design Standards.
10. To mitigate anticipated traffic impacts, to the satisfaction of the Public Works Department, the applicant shall construct a right turn lane on the south leg of Madison Avenue in accordance with the technical appendix diagram submitted in the Island Medical Traffic Impact Analysis date-stamped received April 1, 2008 by the Department of Planning and Community Development.
11. In order to provide recreation and access to the adjacent open space to the south, a trail network, consisting of four to six foot wide trails, shall be developed within wetlands/ wetland buffer in the southern portion of the site. The network shall extend from the Madison Avenue to the east, towards State Route 305, and terminate at the southern property line. A public access easement shall be granted over the trail network.
12. Within the wetlands/wetland buffer, unless approved under a subsequent permit, removal of vegetation shall be limited to development of a trail network. No soil disturbance shall occur outside of the six foot wide trail construction corridor. The trails shall be "field-fit" between or around existing trees, so that significant tree removal shall be avoided. Limbs and branches up to nine feet over the trail and within one foot of the trail edges shall be removed. The four to six foot wide trail shall be constructed with a four inch layer of crushed $\frac{3}{4}$ inch gravel over a geotextile mat barrier. All pedestrian improvements shall be installed prior to the issuance of the Certificate of Occupancy.
13. Prior to final plat submittal, an Operations and Maintenance Plan and Declaration of Covenant for all constructed stormwater facilities shall be provided for city review and approval in accordance with BIMC Chapter 15.21.
14. A minimum two-year maintenance bond period for the stormwater facilities is required prior to issuance of the Certificate of Occupancy. The maintenance period will begin

after final construction acceptance of the improvements and shall run for a minimum period of two years. Regular maintenance of the stormwater system is required during this period. Documentation of maintenance shall be provided to the city on an annual basis.

15. In accordance with BIMC Chapter 18.85060 (C) and to discourage the removal of wildlife habitat, significant trees that are removed from designated protection areas without prior City approval will be replaced with new trees as follows: New trees measuring 1.5 inches in caliper if deciduous and four to six feet high if evergreen, at a replacement rate of 1.5 inches diameter for every one-inch diameter of the removed significant tree or trees within a tree stand. The replacement rate determines the number of replacement trees. The trees removed shall be replaced with trees of the same type, evergreen or deciduous. The replacement trees shall also be replaced in the same general location as the trees removed.
16. Any non-exempt tree harvesting shall require the appropriate Forest Practices Permit from the Department of Natural resources. The conditions of the Island Medical Conditional Use Permit, Case No. CUP 14430B, shall become conditions of the Forest Practices Permit.
17. On-site mobile fueling from temporary tanks is prohibited unless the applicant provides and is granted approval for a Permit and Best Management Plan that addresses proposed location, duration, containment, training, vandalism and cleanup. (Reference 1. Uniform Fire Code 7904.5.4.2.7 and 2. Department of Ecology, Stormwater Management Manual, August 2001, see Volume IV "Source Control BMPs for Mobile Fueling of Vehicles and Heavy Equipment".) (Chapter 173-304 WAC)
18. In order to mitigate any noise impacts, all construction activities must comply with BIMC Section 16.16.025 Limitation of Construction Activities.
19. All lighting within the development shall comply with the City's Lighting Ordinance, BIMC Chapter 15.34. Compliance will require exterior lighting to be shielded and directed downward.
20. Contractors are required to stop work and immediately notify the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.

Project Conditions

21. Except as modified by conditions of approval, the project shall be constructed in substantial conformance with the site plans date-stamped June 26, 2008.

22. Prior to submittal of any building permit applications, the applicant shall contact planning staff to schedule a pre-submittal meeting to review the necessary components for a complete building permit application. In addition, with the building permit application submittal, the applicant shall attach a narrative detailing how each condition of approval is addressed by the building plans.
23. To verify that the buildings comply with the 35-foot height limit, the site plans submitted as part of the building permit shall contain existing contours overlain with the building footprints. The submitted material shall include surveyed benchmark information to verify the actual height during construction.
24. Prior to any clearing and/or construction activities, fencing delineating the northern boundary of the wetland buffer shall be installed by the applicant and inspected by planning staff. Upon completion of construction and prior to issuance of the Certificate of Occupancy, the construction fencing shall be replaced with split-rail fencing and signage. The signs shall inform readers of the boundary and its significance. Any disturbed buffer setback area shall be re-planted with native vegetation upon completion of construction and prior to issuance of the building's Certificate of Occupancy.
25. Any required landscaping shall be installed prior to the issuance of a temporary certificate of occupancy for the project. The project's state licensed landscape architect, certified nursery professional, or certified landscaper shall submit a landscaping declaration to the department to verify installation in accordance with approved plans. The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season if the director determines that a performance assurance device, for a period of not more than one year, will adequately protect the interests of the city. The performance assurance device shall be for 150 percent of the cost of the work or improvements covered by the assurance device.
26. The landscape plans submitted with the building permit shall depict the items listed in BIMC Chapter 18.85, including partial landscape screens along the site's Madison Avenue and Casey Street frontages with the following exceptions: a) within the 25-foot zoning setback along the parking lot adjoining Casey Street, a more intense screen, as stipulated in BIMC 18.85.070(E)(1)(b) shall be installed and b) within the 29-foot front setbacks along the assisted living facility, landscaping shall substantially conform to the plans date-stamped September 8, 2008. Along the site's highway frontage a full landscaping screen, as defined in BIMC 18.85.070(B)(1), shall be installed in the 25-foot zoning setback. All significant trees, as defined in BIMC 18.85.010 and located within required perimeter landscape buffer areas, shall be retained and incorporated into the required landscape screen. All required landscaping shall be maintained and retained for the life of the project
27. As the code-required Casey Street landscaping screens are located within areas shown as being developed with rain gardens, the applicant must demonstrate that the dual

- purposes, perimeter landscape screening and stormwater treatment facility, are compatible. If not, the rain gardens would need to be relocated. Proof of compatibility or relocation of the stormwater facilities shall be submitted as part of the building permit application.
28. Prior to issuance of the Certificate of Occupancy (final inspection), the applicant shall secure the landscape maintenance assurance required by BIMC Section 18.85.090(D).
 29. The service area, including trash and recycling enclosures, for the medical office facility must be located as far away as possible from the assisted living facility and shall be property screened with fencing.
 30. Prior to issuance of the Certificate of Occupancy, the applicant shall install bicycle racks or hangers supplying parking for at least 28 bicycles.
 31. Civil construction plans for all roads, storm drainage facilities, sanitary sewer and water facilities, and appurtenances shall be prepared by a professional engineer and approved by the Public Works Department prior to issuance of a building permit.
 32. All on-site stormwater facilities shall remain privately owned and maintained. Annual inspection and maintenance reports shall be provided to the City. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of the Certificate of Occupancy for this development, the person or persons holding title to the subject property for which the storm drainage facilities are required shall record a Declaration of Covenant that guarantees to the City that the system will be properly maintained. Wording must be included in the covenant that will allow the City to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This will be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should City crews be required to do the work, the owner will be billed the maximum amount allowed by law.
 33. The property owner shall dedicate, as right-of-way, 15 feet of property fronting along Casey Street as shown on the preliminary civil drawings date-stamped June 26, 2008. In addition, a pedestrian easement shall be dedicated for the sidewalk along the proposed on-street parking along Casey Street to make them public thoroughways.
 34. A right-of-way (ROW) construction permit will be required prior to any construction activities within the ROW. The ROW permit will be subject to conditions and bonding requirements.
 35. The water and sanitary sewer facilities shall be designed in conformance with BIMC Title 13 and the City's adopted Design Standards and Specifications. The utilities plans submitted with building permit's civil drawings shall include profiles and details and shall demonstrate compatibility of the facilities with future street improvements

- currently proposed by the City. Specifications for water and sewer facilities include the following:
- a. An eight-inch diameter ductile iron class 52 water main shall be installed along the site's Casey Street frontage.
 - b. A 15 foot wide easement for the on-site water main extension shall be provided from the right-of-way to the proposed buildings.
 - c. On-site sanitary sewer facilities shall remain privately owned and maintained.
 - d. An isolation valve shall be provided at the connection to the force main located in Madison Avenue.
36. Binding water and sewer service letters from the city's Public Works Department shall be submitted with the building permit application.
37. To the satisfaction of the Bainbridge Island Fire Department, the project shall meet all applicable requirements of the 2006 International Fire Code.
38. To the satisfaction of the Bainbridge Island Fire Department, fire sprinkler and fire alarm systems shall be installed throughout the buildings.
39. To the satisfaction of the Bainbridge Island Fire Department, the proposed hydrant in front of the assisted living facility shall be relocated to the west parking lot entrance, a fire hydrant must be installed at the east parking lot entrance, and the proposed hydrant in front of the medical office building shall be relocated to the entrance of the parking garage.
40. Building overhangs covering the main entrances shall provide at least 13' 6" of clearance.
41. The driving lanes within the project are considered fire lanes and shall be labeled as such to the satisfaction of the Bainbridge Island Fire Department.
42. The applicant shall file the necessary paperwork to rename Casey Street. The Bainbridge Island Fire Department reviews street names for conformance with established county-wide standards.
43. To the satisfaction of the Kitsap County Health District, the applicant shall:
- a) abandon the site's existing septic tank per that agency's code
 - b) have the site's existing well decommissioned by a certified well driller
 - c) apply for a sewer building clearance accompanied by a water and sewer availability letter from the water purveyor.
44. To the satisfaction of planning staff, all exterior building surfaces shall be sided with non-reflective materials.

45. To the satisfaction of the Washington Department of Transportation (WSDOT), the following provisions must be followed:
- a) WSDOT will only accept stormwater runoff from the project site that currently enters the State Route 305 right-of-way. Any proposal by the applicant to discharge stormwater runoff to the right-of-way either during construction or upon completion will require appropriate stormwater treatment in accordance with the WSDOT Highway Runoff Manual found at <http://www.wsdot.wa.gov/eesc/design/hydraulics/>. If such discharge is proposed, a drainage plan must be reviewed and approved by WSDOT prior to any earth disturbance.
 - b) No excavation, grading, filling, landscaping or any other activity associated with the proposal may occur within state right-of-way without prior review and approval by WSDOT.
 - c) No lighting from the site may be directed towards the state highway and no glare from the completed project shall impact the state highway.
 - d) No signs may be placed in the highway right-of-way.
46. As most of the dining terrace is located within the building setback associated with the wetland buffer, it must be constructed with a pervious surface (wood decking, pavers, permeable concrete, etc.) to the satisfaction of planning staff.

Entered this 14th day of October 2008.

/s/ Margaret Klockars

Margaret Klockars
City of Bainbridge Island
Hearing Examiner *pro tem*

Concerning Further Review

NOTE: It is the responsibility of a person seeking review of a Hearing Examiner decision to consult applicable Code sections and other appropriate sources, including State law, to determine his/her rights and responsibilities relative to appeal.

The decision of the Hearing Examiner is the final decision of the City in this matter. A person with standing may make appeal of this decision to the Kitsap County Superior Court. To be timely, a petition for review must be filed within the 21-day appeal period [see RCW Ch. 36.70].

JOINT NOTICE OF ADMINISTRATIVE DECISION AND NOTICE OF SEPA MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

The City of Bainbridge Island made a decision concerning the following land use application:

Date of Issuance: December 17, 2013
Applicant: Harrison Medical Center
Permit Request: Minor Adjustment to an approved Site Plan & Design Review & Conditional Use Permit
File Number: SPRA14430C & CUPA14430C
Description of Proposal: Minor adjustment to reduce the size of an approved medical facility and change the configuration of the building and location of parking
Location of Proposal: 8812 NE New Brooklyn Road
Tax Parcel #'s: 232502-3-013-2007
Permit Decision: Approval as conditioned. This proposal is subject to administrative review under Chapter 2.16.030 of the Bainbridge Island Municipal Code. The staff report containing the findings of fact and conclusions of law is available to the public upon request. This decision becomes final after 14 days from the date of issuance, or after December 31, 2013.

SEPA Decision: The City of Bainbridge Island (lead agency) has determined that the proposal does not have a probable significant impact on the environment if measures to mitigate the proposal are used. This MDNS is issued under WAC 197-11-340. This determination was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public upon request. An environmental impact statement (EIS) is not required under RCW 43.21C.030 (2) c. **The lead agency will not act on this proposal for 14 days. Comments must be submitted by no later than 4:00 p.m. on Tuesday, December 31, 2013.**

Responsible Official: Katharine Cook, Director
 Department of Planning & Community Development
Address: City of Bainbridge Island
 280 Madison Avenue N
 Bainbridge Island, WA 98110 (206) 842 - 2552

Signature: Katharine Cook Date: 12-17-13

APPEAL: You may appeal the project and/or SEPA determination by filing a written appeal and paying the \$530.00 filing fee to the City Clerk, at 280 Madison Avenue N, Bainbridge Island, WA 98110, in accordance with the procedures set forth in the Bainbridge Island Municipal Code, Section 2.16.020 (P), no later than December 31, 2013. You should be prepared to make specific factual objections.

If you have any questions concerning this application, contact:
 Heather Beckmann, Associate Planner
 Department of Planning & Community Development
 280 Madison Avenue N
 Bainbridge Island, WA 98110 (206) 780-3754
 Fax: (206) 780-0955 Email: pcd@ci.bainbridge-isl.wa.us

Conditions of Approval:

SEPA Conditions:

1. No clearing, grading or other construction activities shall occur until a building permit or site development permit has been submitted by the applicant and approved by the city.
2. All graded materials removed from the development shall be hauled to and deposited at city-approved locations.
3. To mitigate impacts on air quality during earth moving activities, contractors shall conform to Puget Sound Clean Air Agency Regulations, which ensure that reasonable precautions are taken to avoid dust emissions.
4. A Storm Water Pollution Prevention (SWPPP) for the proposed development shall be provided for city review and approval in accordance with BIMC Chapter 15.20. The plans must be approved, the improvements constructed (or a construction bond provided if applicable), and an acceptable final inspection obtained prior to issuance of Certificate of Occupancy. The design submittal shall incorporate all proposed project improvements including complete civil plans, grading and erosion control plans, roadway plans and profiles, and storm drainage facilities and drainage report. These reports shall be prepared by a professional engineer currently licensed in the State of Washington. A construction Stormwater Permit (NPDES) will be required prior to construction approval in accordance with BIMC Section 15.20.030.B (4). More information about this permit can be found at:
<http://www.ecy.wa.gov/programs/wq/stormwwater/construction/> or by contacting Charles Gilman at (360) 407-7451, email chgi461@ecy.wa.gov. This permit is required prior to any construction activities.
5. During the construction of the proposed infiltration facilities, the Project Engineer shall provide an inspection report to verify that the facilities are installed in accordance with the design documents and the actual soil conditions encountered meet the design assumptions. The Project Engineer shall submit the inspection report properly stamped and sealed with a professional engineer's stamp to Public Works Engineering.
6. An easement to COBI for access and maintenance of the proposed public stormwater facilities will be required prior to issuance of the Certificate of Occupancy.
7. The applicant's engineer shall provide specific erosion and sedimentation control design measures as part of the SWPP to protect the public stormwater infiltration facilities during construction of the development.
8. To the satisfaction of the Public Works Department, the applicant shall improve the roadway section for Casey Street New Brooklyn Road to provide a minimum 18-foot wide paved driving surface, with appropriate storm drainage facilities per COBI Design Standards. The roadway shall be built to COBI Design standards, including curb, gutter, and sidewalk along the property's north frontage.
9. To the satisfaction of the Public Works Department, the applicant shall improve the property's Madison Avenue frontage with curb, gutter, and sidewalk per COBI Design Standards.
10. To mitigate anticipated traffic impacts, to the satisfaction of the Public Works Department, the applicant shall construct a right turn lane on the south leg of Madison Avenue in accordance with the technical appendix diagram submitted in the Island Medical Traffic Impact Analysis date stamped received April 1, 2008 by the Department of Planning and Community Development unless an alternative plan is

recommended for approval by the Washington State Department of Transportation and approved by the City's Development Engineer.

11. In order to provide recreation and access to the adjacent open space to the south, a trail network, consisting of four to six foot wide trails, shall be developed and maintained by the applicant within wetlands/wetland buffer in the southern portion of the site. The network shall extend from the Madison Avenue to the east, towards State Route 305, and terminate at the southern property line. A public access easement shall be granted over the trail network.
12. Within the wetlands/wetland buffer unless approved under a subsequent permit, removal of vegetation shall be limited to development of a trail network. No soil disturbance shall occur outside of the six foot wide trail construction corridor. The trails shall be "field-fit" between or around existing trees, so that significant tree removal shall be avoided. Limbs and branches up to nine feet over the trail and within one foot of the trail edges shall be removed. The four to six foot wide trail shall be constructed with a four inch layer of crushed $\frac{3}{4}$ inch gravel over a geotextile mat barrier. All pedestrian improvements shall be installed prior to the issuance of the Certificate of Occupancy.
13. Prior to final plat submittal, an Operations and Maintenance Plan and Declaration of Covenant for all constructed stormwater facilities shall be provided for city review and approval in accordance with BIMC Chapter 15.21.
14. A minimum two-year maintenance bond period for the stormwater facilities is required prior to issuance of the Certificate of Occupancy. The maintenance period will begin after final construction acceptance of the improvements and shall run for a minimum period of two years. Regular maintenance of the stormwater system is required during this period. Documentation of maintenance shall be provided to the city on an annual basis.
15. In accordance with BIMC Chapter 18.85.060 (C) and to discourage the removal of wildlife habitat, significant trees that are removed from designated protection areas without prior City approval will be replaced with new trees as follows: New trees measuring 1.5 inches in caliper if deciduous and four to six feet high if evergreen, at a replacement rate of 1.5 inches diameter for every one-inch diameter of the removed significant tree or trees within a tree stand. The replacement rate determines the number of replacement trees. The tree removed shall be replaced with trees of the same type, evergreen or deciduous. The replacement trees shall also be replaced in the same general location as the trees removed.
16. Any non-exempt tree harvesting shall require the appropriate Forest Practices Permit from the Department of Natural Resources. The conditions of the Island Medical Conditional Use Permit, Case No. CUP 14430B, shall become conditions of the Forest Practices Permit.
17. On-site mobile fueling from temporary tanks is prohibited unless the applicant provides and is granted approval for a Permit and Best Management Plan that addresses proposed location, duration, containment, training, vandalism and cleanup. (Reference 1. Uniform Fire Code 7904.5.4.2.7 and 2. Department of Ecology, Stormwater Management Manual, August 201, see Volume IV "Source Control BIMPs for Mobile Fueling of Vehicles and Heavy Equipment".) (Chapter 173-304 WAC).
18. In order to mitigate any noise impacts, all construction activities must comply with BIMC Section 15.15.025 Limitation of Construction Activities.
19. All lighting within the development shall comply with the City's Lighting Ordinance, BIMC Chapter 15.34. Compliance will require exterior lighting to be shielded and directed downward.

20. Contractors are required to stop work and immediately notify the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.
21. To protect the wetland buffer, the applicant shall only install motion sensor lighting in the rear of the site to ensure that the buffer is not constantly illuminated through the night.

Project Conditions

22. Except as modified by conditions of approval, the project shall be constructed in substantial conformance with the site plans date stamped June 26, 2008 for the assisted living facility and July 9, 2013 for the medical building.
23. Prior to submittal of any building permit applications, the applicant shall contact planning staff to schedule a pre-submittal meeting to review the necessary components for a complete building permit application. In addition, with the building permit application submittal, the applicant shall attach a narrative detailing how each condition of approval is addressed by the building plans.
24. To verify that the buildings comply with the 35-foot height limit, the site plans submitted as part of the building permit shall contain existing contours overlain with the building footprints. The submitted material shall include surveyed benchmark information to verify the actual height during construction.
25. Prior to any clearing and/or construction activities, fencing delineating the northern boundary of the wetland buffer shall be installed by the applicant and inspected by planning staff. Upon completion of construction and prior to issuance of the Certificate of Occupancy, the construction fencing shall be replaced with split-rail fencing and signage. The signs shall inform readers of the boundary and its significance. Any disturbed buffer setback area shall be re-planted with native vegetation upon completion of construction and prior to issuance of the building's Certificate of Occupancy.
26. Any required landscaping shall be installed prior to the issuance of a temporary certificate of occupancy for the project. The project's state licensed landscape architect, certified nursery professional, or certified landscaper shall submit a landscaping declaration to the department to verify installation in accordance with approved plans. The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season if the director determines that a performance assurance device, for a period of not more than one year, will adequately protect the interests of the city. The performance assurance device shall be for 150 percent of the cost of the work or improvements covered by the assurance device.
27. The landscape plans submitted with the building permit shall depict the items listed in BIMC Chapter 18.85 including partial landscape screens along the site's Madison Avenue and ~~Casey Street~~ New Brooklyn frontage with the following exceptions: a) within the 25-foot zoning setback along the parking lot adjoining ~~Casey Street~~ New Brooklyn, a more intense screen, as stipulated in BIMC 18.85.070 (E)(1)(b) shall be installed and b) within the 29 foot front setbacks along the assisted living facility, landscaping shall substantially conform to the plans date-stamped September 8, 2008. Along the sites' highway frontage, a full landscaping screen, as defined in BIMC 18.85.070(B) 1) shall be installed in the 25-foot zoning setback. All significant trees, as defined in BIMC 18.85.010 and located within the required perimeter landscape buffer areas, shall be retained and incorporated into the required landscape screen. All required landscaping shall be maintained and retained for the life of the project.

28. As the code –required ~~Casey-street~~ New Brooklyn landscaping screens are located within areas shown as being developed with rain gardens, the applicant must demonstrate that the dual purposes, perimeter landscape screening and stormwater treatment faculty, are compatible. If not, the rain gardens would need to be relocated. Proof of compatibility or relocation of the raingardens shall be submitted as part of the building permit application.
29. Prior to the issuance of the Certificate of Occupancy final inspection, the applicant shall secure the landscape maintenance assurance required by BIMC Section 18.85.090(D).
30. The service area, including trash and recycling enclosures, for the medical office facility must be located as far away as possible from the assisted living facility and shall be properly screened with fencing.
31. Prior to issuance of the Certificate of Occupancy, the applicant shall install bicycle racks or hangers supplying parking for at least 28-20 bicycles. Of those spaces, a portion shall be located near the front entrance of the medical building.
32. Civil construction plans for all roads, storm drainage facilities, sanitary sewer and water facilities, and appurtenances shall be prepared by a professional engineer and approved by the Public Works Department prior to issuance of a building permit.
33. All on-site stormwater facilities shall remain privately owned and maintained. Annual inspection and maintenance reports shall be provided to the City. The owner shall be responsible for maintenance of the storm drainage facilities for this development following construction. Before issuance of the Certificate of Occupancy for this development, the person or persons holding title to the subject property for which the storm drainage facilities are required shall record a Declaration of Covenant that guarantees to the City that the system will be properly maintained. Wording must be included in the covenant that will allow the City to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This will be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should City crews be required to do the work, the owner will be billed the maximum amount allowed by law.
34. The property owner shall dedicate, as right-of-way, 25 feet of property fronting along ~~Casey-Street~~ New Brooklyn as shown on the preliminary civil drawings date-stamped June 2, 2009. In addition, a pedestrian easement shall be dedicated for the sidewalk along the proposed on-street parking along ~~Casey-Street~~ New Brooklyn to make them public thoroughways.
35. A right-of-way (ROW) construction permit will be required prior to any construction activities within the ROW. The ROW permit will be subject to conditions and coding requirements.
36. The water and sanitary sewer facilities shall be designed in conformance with BIMC Title 13 and the City's adopted Design Standard and Specifications. The utilities plans submitted with building permit's civil drawings shall include profile and detail and shall demonstrate compatibility of the facilities with future street improvements currently proposed by the City. Specifications for water and sewer facilities include the following:
 - a. An eight-inch diameter ductile iron class 52 water main shall be installed along the site's ~~Casey Street~~ New Brooklyn frontage.
 - b. A 15 foot wide easement for the on-site water main extension shall be provided from the right-of-way to the proposed buildings.
 - c. An isolation valve shall be provided at the connection to the force main located in Madison Avenue.

37. Binding water and sewer service letters from the City's Public Works Department shall be submitted with the building permit application.
38. To the satisfaction of the Bainbridge Island Fire Department, the project shall meet all applicable requirements of the 2006 International Fire Code.
39. To the satisfaction of the Bainbridge Island Fire Department, fire sprinkler and fire alarm systems shall be installed throughout the buildings.
40. To the satisfaction of the Bainbridge Island Fire Department, the proposed hydrant in front of the assisted living facility shall be relocated to the west parking lot entrance, a fire hydrant must be installed at the east parking lot entrance, and the proposed hydrant in front of the medical office building shall be relocated to the entrance of the parking garage.
41. Building overhangs covering the main entrances shall provide at least 13' 6" of clearance.
42. The driving lanes within the project are considered fire lanes and shall be labeled as such to the satisfaction of the Bainbridge Island Fire Department.
- ~~43. The applicant shall file the necessary paperwork to name Casey Street New Brooklyn. The Bainbridge Island Fire Department reviews street names for conformance with established county-wide standards.~~
44. To the satisfaction of the Kitsap County Health District, the applicant shall:
 - a. Abandon the site's existing septic tank per that agency's code
 - b. Have the site's existing well decommissioned by a certified well driller.
 - c. Apply for a sewer building clearance accompanied by a water and sewer availability letter from the water purveyor.
45. To the satisfaction of planning staff, all exterior building surfaces shall be sided with non-reflective materials.
46. To the satisfaction of the Washington Department of Transportation (WSDOT), the following provisions must be followed:
 - a. WSDOT will only accept stormwater runoff from the project site that currently enters SR 305 right-of-way. Any proposal by the applicant to discharge stormwater runoff to the right-of-way either during construction or upon completion will require appropriate stormwater treatment in accordance with the WSDOT Highway Runoff Manual. If such discharge is proposed, a drainage plan must be reviewed and approved by WSDOT prior to any earth disturbance.
 - b. No excavation, grading, filling, landscaping or any other activity associated with the proposal may occur within state right-of-way without prior approval by WSDOT.
 - c. No lighting from the site may be directed towards the state highway and no glare from the completed project shall impact the state highway.
 - d. No signs shall be placed in the highway right-of-way (unless otherwise approved).
47. The applicant shall coordinate with the Washington Department of transportation (WSDOT) to determine if signage can be added to the highway that indicates the location of the urgent care facility. The applicant shall coordinate with staff to ensure that said signage meets the sign code requirements of BIMC 15.18.

48. As most of the dining terrace is located within the building setback associated with the wetland buffer, it must be constructed with a pervious surface (wood decking, pavers, permeable concrete, etc) to the satisfaction of planning staff.
49. The mechanical units shall be screened from SR 305 and New Brooklyn as indicated on the site plans submitted by the applicant on November 26, 2013. The mechanical units shall be inspected during the permit review and found to be screened prior to the issuance of occupancy.
50. Prior to directly discharging any stormwater into the wetland and/or its buffer, the applicant shall secure a Special Use Review permit from the City of Bainbridge Island.

Theresa Rice

From: Theresa Rice
Sent: Wednesday, December 18, 2013 1:18 PM
To: Alison O'Sullivan; BI Library; ChrisWaldbillig; Dennis Anstine; DNR; Doug Johnson; Eileen Safford; Gina Piazza; Gretchen Kaehler; Ivan Miller; Luke Carpenter; PCD; Peg Plummer; Perry Barrett; Richard Oxley; S. Trudel; Sarah Lee; SEPAdesk; Steven Brown; Sylvia Carlton; T. Van Winkle; Tom Brobst; Vince M & C. Schmid; WSDOT SEPA Review
Cc: Heather Beckmann
Subject: COBI Notices for your review
Attachments: Harrison NOD SEPA.pdf; murphy nod mdns.pdf; tnc nod sepa.pdf

Attached are the following notices:

- Harrison Medical Center, SPR/CUP 14430, Notice of Administrative Decision and SEPA Determination
- Murphy, SSDP11535B, Notice of Administrative Decision and Mitigated Determination of Nonsignificance
- Town & Country Market, SPR18711, Notice of Administrative Decision and SEPA Mitigated Determination of Nonsignificance

Bainbridge Island, WA 98110

Patrick Scanlan
1837 Sakai Village Loop

Steve Sutorius
Wilderness Outdoor Store
Steve@wildernessoutdoorstore.com

BI - 206.780.8527 Cell - 360.821.9833

Sincerely,

A handwritten signature in cursive script, appearing to read "Elaine Tanner".

Elaine Tanner, Homeowner, 1840 Sakai Village

Joan and Tim Teehan
1864 Sakai Village Lp NE
Bainbridge Island, WA 98110

Charles Schmid
10677 Manitou Park Blvd.
Bainbridge Island, WA 98110
October 18, 2013