

August 16<sup>th</sup>, 2021

Dear neighbors,

I'm writing to submit a few comments to be considered for the upcoming Messenger House Phase 2 / SEPA Hearing. I have communicated some of these comments in other forums, but I am taking this opportunity to ensure that everyone has the same information. I'm a relatively new resident here on Bainbridge Island, but I have been made to feel welcome by my neighbors and I already feel a sense of stewardship towards my small part of this unique place.

I am eager to see the Messenger House property return to a sustainable use for our senior citizens rather than its current vacant state. I believe that having memory care and assisted living residents in the neighborhood provides a kind of diversity that is vital to maintaining a rich neighborhood community. I am concerned, however, with several aspects of the current development plans.

To summarize, my main concerns are:

- **Non-compliance with the 1995 Conditional Use Permit** — The proposed construction significantly exceeds the scope of the 1995 permit.
- **No rights to fire lane** — Messenger House proposes to use my private property as a fire lane without my permission.
- **A poorly-located pedestrian path** — An oddly-located pedestrian path has a large impact to adjacent properties (there's an easy solution, though!)
- **Construction noise**
- **Lack of buffer between properties** — We have an idea to make a more sustainable buffer between the commercial property and the neighborhood

Please read on for full details.

### **Non-compliance with Conditional Use Permit**

The expansion of the Messenger House development has been proposed under an existing Conditional Use Permit issued in 1995.

This 1994/1995 CUP was only intended for the construction portion of the building known as the "memory care wing". It does not mention any modification of the southern wing, which was built prior to the 1995 permit.

The CUP states as a finding of fact, that "The new building, parking lots and driveway would be constructed behind or to the west of the existing buildings. The new building [memory care wing] has been designed to tie in visually with the existing structures." ... "The front of the

building will not be altered, so that the appearance will remain essentially the same to the residents across Manitou Park Boulevard to the east. It is possible that the rooftop of the new building will protrude somewhat above the old building, but for the most part, the new development will be tucked out of sight.”

The current scope of proposed construction is a significant increase beyond the original intent of the CUP, including demolishing the southern wing and dramatically increasing in square footage, from 20,500 to over 52,460 square feet. In order to accomplish this increase, the footprint of the building will increase accordingly. The position of the new building would be much closer to the edge of the property closest to my home. In order to expand and move the footprint of the building, deep excavation and re-grading will be required. It is unclear what the environmental impact of this will be, but it is clear that it is not within the scope of the 1995 CUP.

At 3 stories tall, the proposed new structure will reach a much greater height and take on the appearance of an urban apartment building with outdoor decks and rooftop terraces. The existing one-story building blends with the neighborhood in an unobtrusive way and fits the semi-rural designation of the neighborhood and the 1995 permit. The size, height, and position of the new building were not proposed as part of the 1995 CUP.

The proposed site would also continue to violate the original 1995 CUP requirement that all neighboring residences be buffered by a heavily forested perimeter on Messenger House property. That heavily forested perimeter does not exist, although I understand that it once did before the parking lot expansion in 1995. This buffer has never been restored and therefore will not insulate the surrounding homes from the impact of increasing the building size.

**RECOMMENDATION:** I would be happy to see the Messenger House return to good use for the residents of Bainbridge Island. I would like to see this happen ***within the envelop of the existing structure*** in order to preserve the character of the neighborhood.

I would also like to see the ***original forestation buffer re-created*** as intended by the 1995 CUP.

At a minimum, I would ***request that the developers obtain a new CUP*** that addresses the expansion of the Messenger House development, particularly the South wing. This is reasonable given the scale of the changes proposed by the current plans and given the fact that the 1995 CUP was only applicable to construction of the memory care wing.

## **Fire Lane**

Messenger House plans currently show a fire lane along the side edge of my property. There is no question that this lane is mostly within my property. I have not agreed to allowing part of my property to be used as a fire lane and I do not believe that it meets the relevant building code requirements for a fire lane anyway.

I currently happily offer this lane as a pedestrian path between the Messenger House property and Manitou Park Blvd. I enjoy seeing neighbors walking through the neighborhood and I intend to limit the use of my property to the pedestrians, dogs walkers and bicyclists circulating throughout the neighborhood.

Members of the Bainbridge Island Design Review Board have agreed that Messenger House should have full responsibility to comply with fire code regulations within the boundary of their own commercial property.

I have mentioned this in a few public meetings, but so far, but I have seen no change to the plan of record.

### **Proposed Pedestrian Path**

During initial presentations by the architects, I was encouraged to hear that the messenger house was supportive of maintaining the neighborhood pedestrian circulation through the Messenger House property. This spirit of openness was a major consideration in my decision to allow my gravel lane to be used as a pedestrian path.

Unfortunately, the most recent architect's plan shows a regression from the promise of keeping their property open for circulation. They have proposed a public pathway along the outer edge of the city buffer, on the opposite side from the Messenger House property and closest to my property and the Corbetts'. This would divert pedestrians off of the Messenger House property and within a few feet of our homes. We do not want this.

I am in favor of walking paths – just a different option. I would suggest that the same benefit can easily be achieved with no impact to the neighbors by placing the path along the inside edge of the Messenger House property. This allows Messenger house to fulfill their promise to the neighborhood walkability while avoiding a detrimental effect on the privacy of adjacent properties.

### **Construction Noise & Nuisance**

There has been a significant increase in the amount of noise since the start of construction -- delivery trucks, construction vehicles, backup beeping, etc. There are also 2 large RVs housing site workers that contribute some music and generators to the sounds at odd hours. All of this has been in service of the largely indoor remodeling taking place in Phase 1. Phase 2 is a much larger project with a represents a substantial increase in activity.

I would request limiting construction noise to Monday-Friday 7 am to 7 pm. This would return the neighborhood to its normal, peaceful state on the weekends and reduce the impact of construction period.

### **Using the city land to better effect**

My next-door neighbors, Ann & Hoyt Corbett, and I plan to apply for vacation of the never-used, 111-year-old, 30' city right-of-way between us and the Messenger House property. It is unusable as a roadway.

If the city chooses to allow this vacation, we intend to use this as additional privacy buffer and to steward it ourselves. The city is currently facing the expense of clean up and dead tree removal. We propose to take on these expenses and improvements as new caretakers of this property.

This vacation would be a win for all. Allowing us to maintain this buffer would help keep the Messenger House in better compliance with the buffer requirements of the 1995 CUP. We hope the architect and Cascade Holdings are supportive of this application for vacation.

Thank you for your time and consideration of these issues & requests.

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