

July 5, 2017

Planning Commission
City of Bainbridge Island
280 Madison Avenue North
Bainbridge Island, WA 98110

Ms. Heather Wright
City of Bainbridge Island
Department of Planning and Community Development
280 Madison Avenue North
Bainbridge Island, WA 98110

Dear Planning Commissioners and Ms. Wright:

I am the president of the Bainbridge Island Saddle Club ("BISC") and am providing this letter to you to address concerns regarding the Creative Spaces development project, PLN50177 SPR ("Creative Spaces" or "Project"), proposed by Tseng Properties, LLC ("Tseng" or "Project Applicant"). We have reviewed the comment letter and attachments submitted to you by Mr. Christopher Marston, attorney for the Project Applicant, dated June 30, 2017, and would like to provide these comments in response.

As you know from our previous comment letter dated April 29, 2016, BISC owns property that is located to the north of the Project and accessed from Saddle Club/Manzanita Park Road ("Road"). The Road is a private, unimproved gravel road that was created from a Reciprocal Easement Agreement ("Road Easement Agreement"), recorded in September 1981, on property owned by BISC, Far Echo Farms LLC ("Far Echo"), Tseng and the Metropolitan Parks District ("Parks"). A copy of the Road Easement Agreement is attached to this letter for your convenience.

BISC members regularly use the Road to access the BISC riding arenas located at the end of the Road. Manzanita Park users also use the Road regularly to access Manzanita Park. The Road is used by vehicles, pedestrians and equestrians, including adults and children. The Road Easement Agreement governs maintenance of the Road, with maintenance obligations shared by Tseng, Far Echo and Parks. BISC does not have any obligations for Road maintenance under the Road Easement Agreement.

BISC is very concerned about the proposed increase in Road use that is estimated to result from the Project. The Creative Spaces Project Traffic Impact Analysis, prepared by Heath & Associates, Inc. and dated January 2016 ("TIA"), acknowledges that access to the Project site is from the Road and that existing Road uses include both pedestrian and equestrian traffic. TIA at 3. It also reports that a "moderate amount of pedestrian and equestrian activity was noted during field observations," but concludes without any analysis

that “posting proper signage and an appropriate speed limit will provide safe measures for pedestrian and equestrian traffic.” TIA at 9.

This conclusion is unsupported by any analysis and is contradicted by the estimated trip generation resulting from the Project. The TIA estimates that the Project will generate 213 vehicle trips per day, TIA at 10, Table 3, which is many times in excess of the very minimal vehicle use currently occurring on the Road. This number of daily trips will not only create significant adverse impacts to the condition of the Road, it also presents serious public health and safety concerns to equestrians using the Saddle Club and to pedestrians using both Manzanita Park and the Saddle Club.

The TIA also fails to address the impacts to the Road resulting from its use by commercial trucks making deliveries to the Project, and trucks delivering services such as waste disposal. The Road is a narrow, unimproved gravel road that currently suffers from significant degradation due to potholes, despite the very light vehicle use that it receives. We can find nothing in the TIA, or in any of the other public documents for the Project, that includes any analysis of the Road to demonstrate that it is even minimally adequate for the Project’s intended use.

The June 9, 2017 Staff Report prepared for the Project states on page 8 that “the applicant offered to create a pedestrian trail on their property and to pave the road” to address some of these concerns. It was our understanding that the Project Applicant had proposed construction of an equestrian/pedestrian trail, to be located on the east side of the Road. This location crosses both the driveway accessing the Project site and the driveway exiting the Project site, creating a safety hazard for both equestrians and pedestrians. BISC appreciates the Project Applicant’s proposal but requests that safety issues associated with the driveways be addressed, or that the trail be located on the west side of the Road to prevent creation of a significant public safety hazard. BISC also requests that the construction of the equestrian/pedestrian trail, and any other mitigation measures associated with the Road, be made conditions of approval for the Project.

With respect to paving the Road, at the January 4, 2016 Design Review Board meeting the Project Applicant agreed to pave the Road from Day Road to the last driveway accessing the Project site, as reflected in the minutes of that meeting. We believe this is the best way to resolve Road concerns associated with the Project. We also request that the City include a condition of approval requiring the Project Applicant to bear the costs of construction and all future maintenance of the Road, which we feel is appropriate given the amount of impact to the Road that will result from the Project. BISC also asks that paving and maintenance of the Road, and execution of any agreements required for construction and/or maintenance of the Road, be made conditions of approval for the Project, and that execution of any agreements associated with the Road be required to be completed prior to issuance of a grading permit or any other Project approval. This will ensure that any agreements involving other parties can be reached on terms that are acceptable to those parties.

Mr. Marston’s June 30, 2017 comments on the City Staff Report, at pg. 6, suggest that the City can approve the Project in the absence of information requested by City Staff that is

necessary to analyze Project impacts associated with roadway and traffic issues, stormwater issues and hydrologic analysis of discharge leaving the site and potentially impacting wetlands. Mr. Marston also suggests, at pgs. 6-7 of the Staff Report, that moving the reserve drain field to an alternative location and co-designing the placement of on-site stormwater infiltration facilities and rain gardens with the landscape plan also can be done after Project approval. Both the Bainbridge Island Municipal Code (“BMC”) and the State Environmental Policy Act (“SEPA”) require the City to fully analyze these impacts **prior** to Project approval. BISC therefore respectfully requests that the City require the Project Applicant to provide the requested information and analysis of these impacts **prior** to any Project approval, to allow the City to analyze those impacts and determine appropriate mitigation for those impacts.

Thank you very much for considering our concerns regarding this Project, and please contact me if you have any questions or need any additional information regarding BISC.

Sincerely,

Ms. Jackie Chipman
President, Bainbridge Island Saddle Club

Attachment: Reciprocal Easement Agreement, recorded September 25, 1981