



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

STAFF REPORT

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

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Date: February 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)

Location: 8804 Madison Avenue North

Tax Parcel: 232502-3-083-2002

Part I: Description of Proposal and Process

- 1. Description of Proposal:** The proposal is to 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 suspended 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.
- 2. History:** The parcel was originally developed as a phased project with the parcel to the west to construct a medical office complex on the subject parcel and an assisted living facility on the parcel to the west. The project received approval from the Hearing Examiner in 2008 (SPR/CUP 14430B). In 2012, a minor adjustment was approved to the SPR and CUP to continue as a phased plan (SPRA/CUPA 14430B). A second minor adjustment to the SPR and CUP was approved in 2013 to reduce the size of the medical facility, phase the construction, and change the configuration of the facility and parking (SPRA/CUPA 14430C). A special use review (SUR) was approved in 2014 to create an outfall pipe across a wetland buffer.
- 3. Land Use Review:** 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.

4. **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 (SPRA/CUPA 14430C) adequately address potential impacts from this proposal.
5. **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.
6. **Design Review Board (DRB) Process:** The project received a waiver from the DRB Conceptual Proposal Review Meeting and completed the Design Guidance Review Meeting on June 3, 2019. At the Final Review and Recommendation Meeting on December 2, 2019 the project, as conditioned, was found to be consistent with the standards in *Design for Bainbridge*. The Design Review Board recommends approval.
7. **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 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.
8. **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.
9. **Decision Process:** Pursuant to BIMC 2.16.110.E, the Director shall review the application materials, staff report, and the recommendations 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 recommendations of the Planning Commission a condition of approval, unless the Hearing Examiner concludes that the recommendations: 1) Reflect inconsistent application of design guidelines or any applicable provisions of this code; 2) Exceed the authority of the Design Review Board or Planning Commission; 3) Conflict with SEPA conditions or other regulatory requirements applicable to the project; or 4) Conflict with requirements of local, state, or federal law.
10. **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.

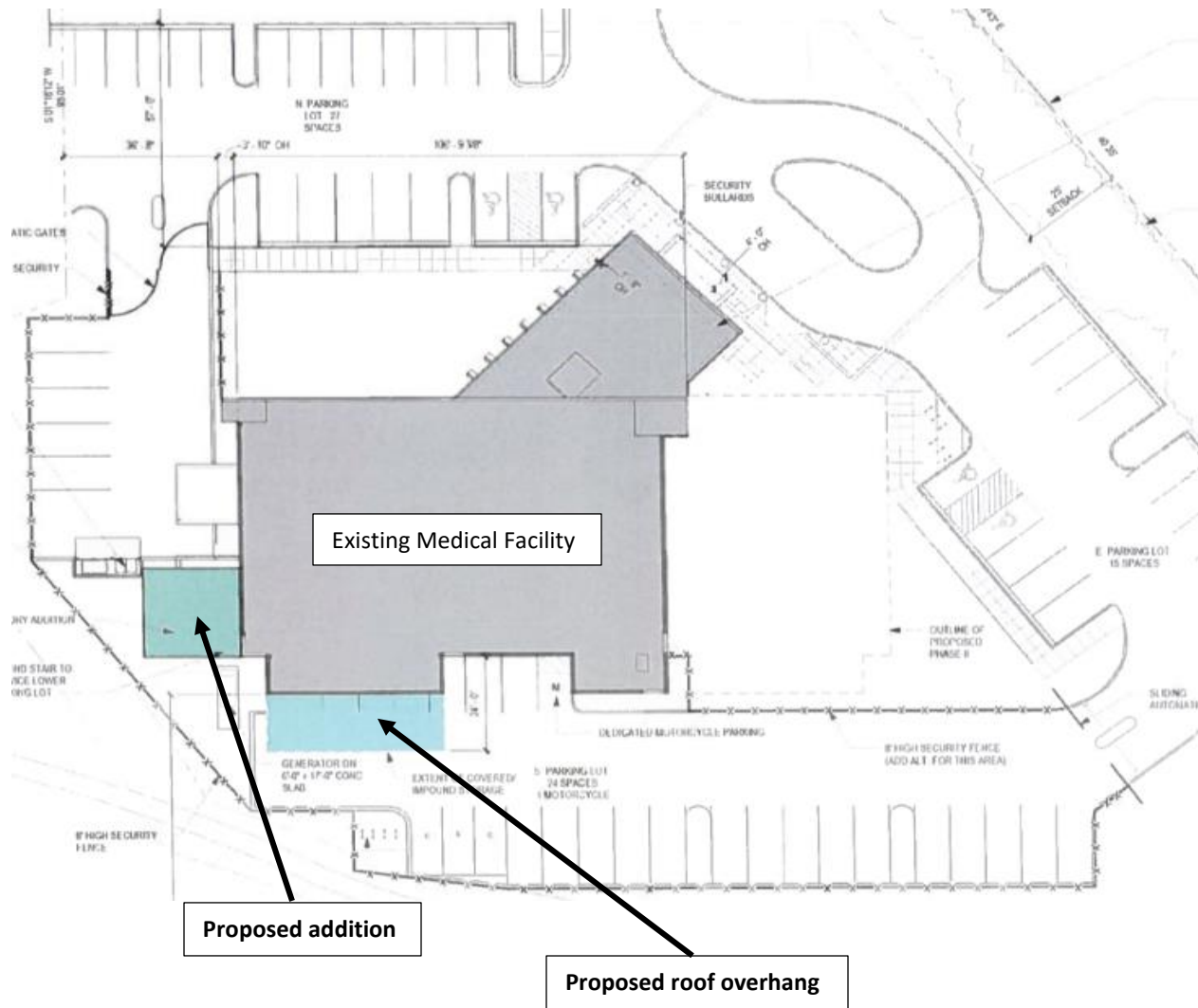
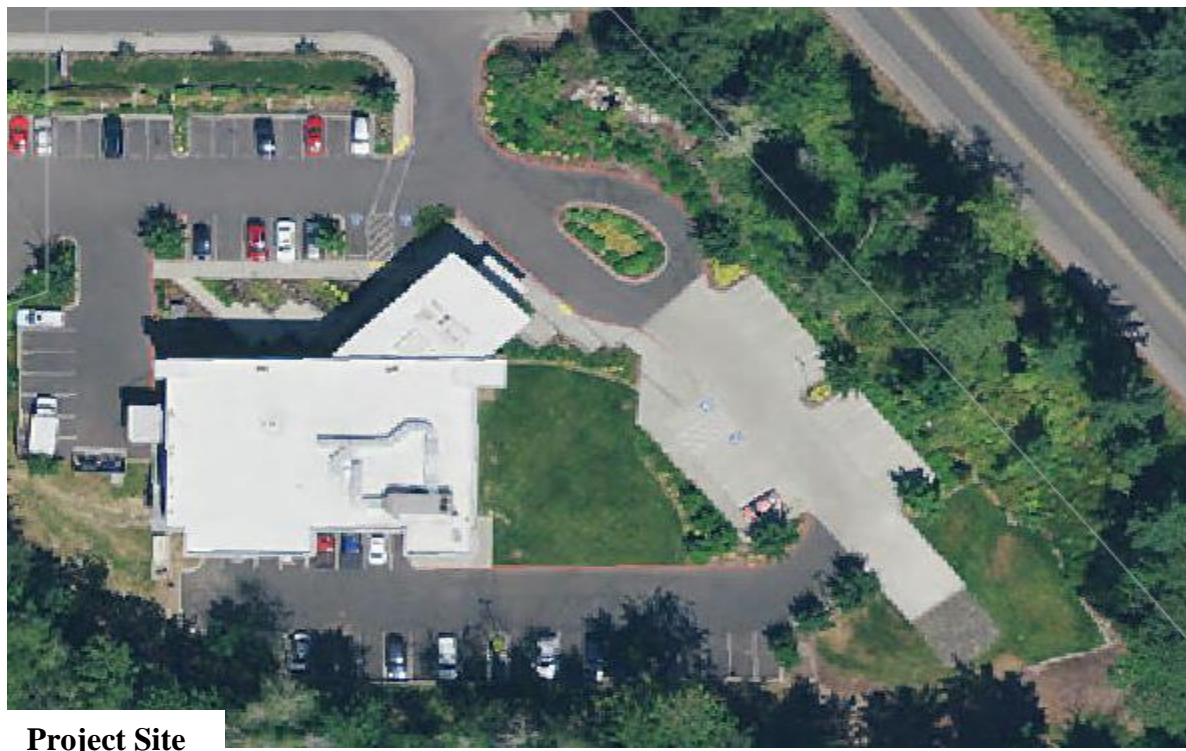
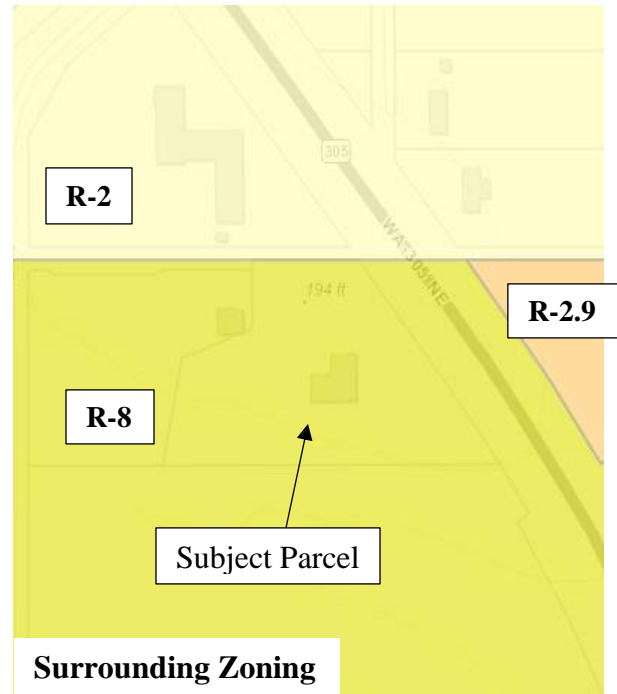


Figure 2 – Vicinity Map, Surrounding Zoning, and Project Site



Part II: General Information and Site Characteristics

Basic Information	
Zoning District	R-8 (8 units per acre)
Gross Site 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	There is a Type F stream buffer, a wetland and associated buffer, and an erosion hazard area on the south side of the subject parcel. There are also some mapped areas of 15-39% slopes and a small area of 40% or greater slopes near the southern edge of the developed parking lot.
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 Police Department
Fire	Bainbridge Island Fire District
Schools	Bainbridge Island School District
Water	COBI Water Service Area
Sewer	COBI Sewer Service Area
Storm Drainage	Raingardens and outfall fed by an onsite detention vault

Part III: Application Background

Date & Action	Summary
<i>June 3, 2019</i> Design Guidance Review Meeting	The Conceptual Proposal Review Meeting was waived by the Director as provided for in the BIMC. The Design Review Board discussed the project's consistency with the Comprehensive Plan. The Design Review Board invited, but did not require, the applicant to come back with specific materials before final review and recommendation by the Design Review Board.
<i>September 5, 2019</i> Public Participation Meeting	Comments and concerns were mainly related to traffic and associated impacts.
<i>August 20, 2019</i> Pre-Application Conference	Permit process and requirements were discussed between the applicant and staff.
<i>October 9, 2019</i> Application Submitted	Major Adjustment to Site Plan Review and Major Conditional Use Application.
<i>November 6, 2019</i> Determination of Completeness	Application was deemed complete.

December 2, 2019 Final Design Review Board Review and Recommendation	The Design Review Board determined that standards P6 and Larger Sites S1 are not applicable. The project is not proposing any departures from the design standards. The Design Review Board recommended approval.
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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 land use Comprehensive Plan goals and policies apply to the development proposal:

Elements	Goals and Policies	City Analysis
Economic Element	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.	The proposed location of the Police and Court facility will allow for the co-location of two vital City departments in a location that meets the short and long-term needs of the departments and the City. The current Police facility is undersized and outdated. The proposed facility provides the needed space for both departments and will allow for potential future expansion. The Police and Court facility will serve local residents.
	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.	The proposed location of the Police and Court facility is in a developed area, in an existing building, near bus stops. There are existing bus stops in the vicinity of the subject parcel along SR 305 and flag stops near the access of the site on Madison Avenue N.
	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.	The proposed Police and Court facility will be located in an existing building. The City’s <i>Design for Bainbridge</i> manual encourages the re-use of existing buildings and states that the most sustainable buildings are those that

		already exist. This is because reusing an existing building will have less impact on the environment than building a new one.
	Sustainability – Policy EC-3.4: Encourage public sector solid waste reduction, reuse and recycling.	City facilities participate in a comprehensive recycling program. The proposed Police and Court facility will reuse a building previously occupied by a medical clinic.
Environmental Element	Environment – Goal EN-1: Preserve and enhance Bainbridge Island’s natural systems, natural beauty and environmental quality.	The proposed project does not require any clearing and only limited soil disturbance. The existing critical area buffers on the subject parcel were previously established via installation of a split rail fence and the proposed addition does not encroach into the critical areas.
	Environment – Goal EN-2: Encourage sustainability in City Government operations.	In response to the design standards and guidelines as part of the Design Review Board review, the applicant responded that sustainable principles will be maintained through an energy efficient envelope, lighting controls, and HVAC zoning to account for occupied /unoccupied use as dictated by schedules.
	Fish and Wildlife – Policy EN-5.6: Protect wetlands and riparian areas.	Staff has determined that the proposed addition is separated from the critical areas by an existing developed area and there will be no further impacts to the critical areas.
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.	The project is consistent with City of Bainbridge Island Design and Construction Standards and Specifications by requiring a 15’ right-of-way dedication along NE New Brooklyn Rd. to encompass the public sidewalk and align with the adjacent property immediately to the west. The existing pedestrian trail through the wetlands/wetlands buffer will continue to allow public access and shall be maintained by the applicant.

	State Route (SR) 305 – Policy TR 7.6: Support the construction of the STO and its branch trails.	The project is conditioned to consider future development of the Sound to Olympic (STO) Trail along the eastern edge of the subject property. Due to uncertainty in the final STO trail alignment connection in the SR305 ROW, construction of this segment of the STO is not a required frontage improvement at this time. The City is currently conducting a study of long-term non-motorized transportation requirements for Bainbridge Island which could change the alignment for the proposed STO. The City will program future capital improvement projects to complete any planned frontage improvements required by future non-motorized transportation plans.
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.	The project supports and implements the goals and policies of the Comprehensive Plan by re-using an existing building in a developed area without encroaching into critical areas or clearing and developing previously undisturbed land. The project proposes to co-locate two essential City departments in the vicinity of Bainbridge Island Fire Department Station 21, plans for future growth, and supports the effort of the Police and Court departments to further serve the residents of Bainbridge Island.
	Policy CF 2.1: When planning for public facilities, consider expected future land use activity.	The subject parcel has the potential to support a potential future addition to the current building, if needed.

Part V: Public Notice, Public Comments, and Agency Comments

1. Public Notice and Public Comments

Date & Action	Summary
November 15, 2019 Notice of Application/SEPA Comment Period/Hearing Published	14-day comment period.
November 29, 2019 End of Comment Period	No public comments received.

2. Agency Comments

Date & Agency	Summary of Comment
October 17, 2019 Bainbridge Island Fire District (BIFD)	The Fire Marshal recommended approval and recommended conditions that are incorporated into this report.
October 24, 2019 Kitsap Public Health District (KPHD)	KPHD had no comments.
January 10, 2020 COBI Public Works - Engineering	The City's Public Works Development Engineer recommended approval and recommended conditions that are incorporated into this report.

Part VI: Land Use Code Analysis

1. BIMC Title 16 Environment

a. BIMC 16.20 Critical Areas

i. BIMC 16.20.040.B Exemptions

Exemption	City 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>According to previous critical area reports and the City's GIS critical areas map, there is a Type F (fish-bearing) stream buffer and a wetland and associated buffer on the south side of the subject parcel.</p> <p>A 100-foot wetland buffer and an additional 15-foot building setback was approved during the review of the Madrona House Assisted Living facility and the subject parcel phased development project (SPR/CUP14430B). This buffer was carried forward for the minor adjustment to the approved SPR and CUP on the subject parcel for the development of Harrison Medical Center (SPRA/CUPA 14430C).</p> <p>During the previous review process the stream was classified as a non-fish bearing stream with a 50-foot buffer which was encapsulated within the established 100-foot wetland buffer. The stream was subsequently re-classified as a fish-bearing stream with an associated 200-foot buffer. The 200-foot buffer extends into the southerly area of the developed project.</p> <p>The proposal includes no expansion of the parking lot footprint but does include a 484 square foot two story addition on the west side of the building which includes enclosure of an existing exterior stairway attached to the southwest corner of the building for security purposes. That portion of the building occurs within what would be the outer portion of the stream and wetland buffer under current critical area standards.</p>

	<p>The existing critical area buffer was previously established via installation of a split rail fence, which separates the stream/wetland buffer from the existing developed site area. Mitigation measures to further protect the critical areas were required through previously approved SEPA conditions. These measures include the installation of a trail, protection of significant trees and wildlife habitat, and requiring that only motion sensor lighting be installed in the rear of the site to ensure that the buffer is not constantly illuminated through the night.</p> <p>The area between the building and the stream/wetland buffer was previously disturbed by the established development, which was completed in accordance with critical area standards at the time of the original site plan review(s). A site visit conducted by staff on September 12, 2019 found that there is a developed area consisting of a rock wall, existing lawn, and several 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 topographic 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.</p> <p>Staff has determined that the proposed addition is separated from the stream buffer and wetland and associated buffer by an existing developed area and the project is therefore exempt from critical area permit requirements for streams and wetlands in accordance with BIMC 16.20.040.B(1).</p>
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ii. BIMC 16.20.130 Geologically hazardous areas

Geologically Hazardous Areas	City Analysis
Geologically hazardous areas include erosion hazard areas	There is a mapped erosion hazard area on the subject parcel. No development is proposed to encroach into or substantially impact this area. Therefore, no further analysis or assessment is required.
The definition of "landslide hazard area" in BIMC 16.20.190 specifically excludes areas with a slope of 40 percent or greater with a vertical relief less than 10 feet.	There is a small area adjacent to the proposed addition that is mapped as a 40 percent or greater slope. Available information suggests that the slope is approximately 10 feet high and/or man-made and therefore not a landslide hazard area by definition. No further analysis is required.

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 districts.

b. BIMC 18.12 Dimensional Standards

Dimensional Standards	Required/Allowed	Existing/Proposed
Lot Coverage	25 percent	Current lot coverage is 12.5% (16,445 square feet). Less than 800 square feet of additional lot coverage is proposed. The project meets this requirement.
Front Yard Setback	25 feet	The subject parcel has two front yards along State Route 305 and NE New Brooklyn Road. No further expansion of the building footprint is proposed in these areas. The existing/proposed building meets this requirement.
Rear Setback	15 feet	N/A for this project. The subject parcel has two front yard setbacks and no rear setback. In accordance with BIMC 18.12.050.N., if a property has more than one front yard, then the rear setback does not apply.
Side Yard Setbacks	5 feet minimum, 15 feet total	The plans submitted indicate that the existing building, as well as the proposed addition on the western side of the building and the proposed roof overhang on the southern side of the building, meet this requirement.
Building Height	40 feet maximum for nonresidential uses if Conditional Use permit conditions are met.	The submitted plans indicate that the maximum height of the building, including the proposed addition, is approximately 36 feet from average existing grade. The building permit will also be reviewed for compliance with the maximum height requirement. The proposal meets this requirement.

c. BIMC 18.15 Development Standards and Guidelines

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

Landscaping Requirement	City Analysis
Perimeter Landscape Buffer: 25-foot wide buffer to the residential zone (R-8) to the south	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
Roadside Buffer: 25-foot wide partial	

<p>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>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 applicant is not proposing to remove any trees from the property as part of the redevelopment. The proposed 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.</p> <p>Per the submitted Planting Plan, some vegetation will be removed from the north side of the building to allow access during construction. Existing vegetation will be replaced/replanted in substantial conformance with the submitted Planting Plan dated stamped received November 20, 2019 after construction. The project is conditioned to meet this requirement.</p>
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ii. BIMC 18.15.020 – Parking and Loading

Parking Requirements	Required/Allowed	Proposed
Off-Street Parking Spaces Required	For special cases not covered by the 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	<p>According to the submitted site plan, a total of 73 parking spaces are existing on site. There are no proposed changes to the current parking areas.</p> <p>The applicant provided a parking space needs validation breakdown based on staffing, shift changes, workspaces, and public spaces for the proposed Police and Court facility and an analysis based on a</p>

	determined by other comparable jurisdictions.	trip generation analysis which was conducted on May 24 & 26, 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 station is required. The project is conditioned to meet this requirement.

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 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	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 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

	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.	painted markings. The project meets this requirement.
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. The proposal is conditioned to meet this requirement.

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 project is conditioned to comply with the outdoor lighting requirements. Additionally, a SEPA condition carried forward for this development requires that only motion sensor lighting be installed at the rear of the site to ensure that the critical area buffers are not constantly illuminated through the night.

Part VII: Decision Criteria

1. BIMC 2.16.040 Site Plan and Design Review

The director and planning commission shall base their respective recommendations or decisions on site plan and design review applications on the following criteria:

Decision Criteria	City Analysis
1. The site plan and design is in conformance with applicable code provisions and development standards of the applicable zoning district, unless a standard has been modified as a housing design demonstration project pursuant to BIMC 2.16.020.S;	As conditioned, the site plan and design is in conformance with applicable code provisions in the Bainbridge Island Municipal Code (BIMC). This is not a housing design demonstration project.

<p>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;</p>	<p>This public building provides an outdoor entry courtyard, landscape buffers, bicycle facilities, sidewalks, and a trail. The City Development Engineer determined that, as conditioned, the project is in conformance with the Island-Wide Transportation Plan.</p>
<p>3. The Kitsap County Health District has determined that the site plan and design meets the following decision criteria:</p> <ul style="list-style-type: none"> 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; 	<p>The Kitsap Public Health District (KPHD) recommended approval. Approval of the building permit by KPHD is also required.</p>
<p>4. The city engineer has determined that the site plan and design meets the following decision criteria:</p> <ul style="list-style-type: none"> a. The site plan and design conforms to regulations concerning drainage in Chapters 15.20 and 15.21 BIMC; and 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 	<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 project is conditioned to require 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 determined that 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 is not required.</p>

<p>site, and the applicable service(s) can be made available at the site; and</p> <p>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>	<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 during construction of the Police and Court Facility.</p>
<p>5. The site plan and design is consistent with all applicable design guidelines in BIMC Title 18, unless strict adherence to a guideline has been modified as a housing design demonstration project pursuant to BIMC 2.16.020.S;</p>	<p>At their December 2, 2019 meeting, the Design Review Board found that the project as proposed is consistent with the design standards in the <i>Design for Bainbridge</i> manual, with the exception of two standards which were found to be not applicable. The Design Review Board recommended 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. As conditioned, no harmful or unhealthful conditions are likely to result from the proposed 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>As conditioned, the proposed development is in conformance with the Bainbridge Island Comprehensive Plan.</p>
<p>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;</p>	<p>Staff has determined that the proposed addition is separated from the stream buffer and wetland and associated buffer by an existing developed area and this project is therefore exempt from critical area permit requirements for streams and wetlands.</p>
<p>9. Any property subject to site plan and design review that is within shoreline jurisdiction, as defined in Chapter 16.12 BIMC, conforms to all requirements of that chapter;</p>	<p>The property is not within shoreline jurisdiction.</p>
<p>10. If the applicant is providing privately owned open space and is requesting credit against dedications for park and recreation facilities required by BIMC 17.20.020.C, the requirements of BIMC 17.20.020.D have been met;</p>	<p>Commercial development is not subject to the requirements in BIMC 17.20.020. The applicant is not requesting credits against dedications for park and recreation facilities.</p>
<p>11. The site plan and design has been prepared</p>	<p>The site plan and design has been prepared</p>

consistent with the purpose of the site design review process and open space goals.	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.
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2. BIMC 2.16.110.F Major Conditional Use Permit

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

Decision Criteria	City 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 criteria of BIMC 2.16.020.Q shall not result in denial of a conditional use permit for the project; and	As conditioned, 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. The Police and Court Facility will be located across the street from Bainbridge Island Fire Department Station 21. Other uses in the vicinity include a church and an assisted living facility. The critical areas on the south side of the subject parcel provide an ample buffer to residential uses to the south. This is not a housing design demonstration project.
b. The conditional use will be served by adequate public facilities including roads, water, fire protection, sewage disposal facilities and storm drainage facilities; and	As conditioned, the conditional use will be 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. The Fire District reviewed the project and recommended approval with conditions.
c. The conditional use will not be materially detrimental to uses or property in the vicinity of the subject property; and	As conditioned, 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	As conditioned, the proposed development is in conformance with the Bainbridge Island

adopted community plans, including the Island-Wide Transportation Plan; and	Comprehensive Plan and 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 buffer will continue to allow for public access and shall be maintained by the applicant.
e. The conditional use complies with all other provisions of the BIMC, unless a provision has been modified as a housing design demonstration project pursuant to BIMC 2.16.020.Q; and	As conditioned, the conditional use complies with all other provisions of the BIMC. This is not a housing design demonstration project.
f. All necessary measures have been taken to eliminate or reduce to the greatest extent possible the impacts that the proposed use may have on the immediate vicinity of the subject property; and	As conditioned, all necessary measures have been taken to eliminate or reduce to the greatest extent possible the impacts that the proposed use may have on the immediate vicinity of the subject property. Review of the Environmental (SEPA) Checklist submitted by the applicant determined that previous mitigation measures adequately address potential impacts from this proposal. No comments on this proposal were received from SEPA agencies. Occasional siren noise may occur on site from emergency vehicles. A trip generation analysis submitted by the applicant demonstrated that there will be a net decrease in trip generation from the previously approved use. 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 (SPRA/CUPA14430C), traffic impacts from Harrison Medical Center were mitigated by a \$40,000 work order from the applicant to WSDOT for use by the state to make improvements in intersections along the SR305 corridor.
g. Noise levels shall be in compliance with BIMC 16.16.020 and 16.16.040.A; and	As conditioned, noise levels shall be in compliance with 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	As conditioned, pedestrian, and bicycle circulation meets all applicable city standards and the "City of Bainbridge Island Design and Construction Standards.

requirements for handling surface water and pollutants in accordance with Chapters 15.20 and 15.21 BIMC; and	
<p>i. The city engineer has determined that the conditional use meets the following decision criteria:</p> <p>i. The conditional use conforms to regulations concerning drainage in Chapters 15.20 and 15.21 BIMC; and</p> <p>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</p> <p>iii. The streets and pedestrian ways as proposed align with and are otherwise coordinated with streets serving adjacent properties; and</p> <p>iv. The streets and pedestrian ways as proposed are adequate to accommodate 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>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 project is conditioned to require 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 determined that 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 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 during construction of the Police and Court Facility.</p>
j. If a major conditional use is processed as a housing design demonstration project pursuant to BIMC 2.16.020.Q, the above criteria will be considered in conjunction with the purpose, goals, policies, and decision criteria of BIMC 2.16.020.Q.	The proposal is not being processed as a housing design demonstration project.
If no reasonable conditions can be imposed that ensure the application meets the decision criteria of this chapter, then the application shall be denied.	As conditioned the project meets the decision criteria.

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	City Analysis
a. All sites must front on roads classified as residential suburban, collector, or arterial on the Bainbridge Island functional road classification map.; and	The site fronts on State Route 305, which is classified as a primary arterial in the Island Wide Transportation Plan.
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	The City Development Engineer has determined that 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. This proposal will not impact the City's adopted level of service standards for transportation facilities.
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	The proposed redevelopment will not impact or alter existing previously approved landscape perimeter and roadside buffers.
d. The proposal meets the requirements in BIMC 18.18.030 ; and	At their December 2, 2019 meeting, the Design Review Board found that the project as proposed is consistent with the design standards in the <i>Design for Bainbridge</i> manual, with the exception of two standards which were found to be not applicable. The Design Review Board recommended approval.
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. Under this provision, the director may waive these requirements. However, the project is in compliance with the above requirements.
g. Lot coverage does not exceed 50 percent of the allowable lot coverage in the zone in which the institution is located, except that	The maximum lot coverage in the R-8 zoning district is 25%. Under this provision, the maximum lot coverage for a governmental facility

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.	is 25%. The proposed lot coverage is below this maximum.
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Part VIII: Exhibits

1. PLN51524 SPRA CUPA Site Plan
2. PLN51524 SPRA CUPA Floor Plans
3. PLN51524 SPRA CUPA Renderings and Sketches
4. PLN51524 SPRA CUPA Planting Plan
5. PLN51524 SPRA CUPA Parking Space Needs Validation
6. PLN51524 SPRA CUPA Trip Generation Analysis from Transpo Group
7. PLN51524 SPRA CUPA Traffic Impact Assessment Memo from Project Manager
8. PLN51524 SPRA CUPA SEPA Checklist
9. PLN51524 SPRA CUPA Issued MDNS and Adoption of Existing Document
10. PLN51524 SPRA CUPA Design Review Board Review and Recommendation Minutes

Part IX: 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. The application is properly before the Planning Commission for recommendation.

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.

Should the Commission recommend approval, staff suggests that the following conditions be considered:

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/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 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.

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 screening 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 (Madrona 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. 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.

55. 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.
56. 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.
57. 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.
58. 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.
59. 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.