

January 21, 2020

To: PCD, PCD Director, Hearing Examiner

From: Kjell Stoknes

Subject: Winslow Hotel PLN50880-SPR/CUP; PCD Director's Report to the Hearing Examiner dated January 15, 2020, regarding the **FAR bonus provisions in BIMC 18.12.030.E**

Page 26, lines 6 – 8: Part VI: Land Use Code Analysis, 2:

"Up to 40 percent of the maximum residential, commercial, or mixed-use FAR bonus may come from monetary contributions toward public amenities and/or infrastructure beyond that required for SEPA mitigation. The amount of the contribution shall be established by resolution of the city council"

Page 38, Part IX: Conditions of Approval – SEPA Conditions; items 3. And 5:

3. "To mitigate traffic impacts on adjacent properties and with the permission of the property owner, the applicant shall develop the frontage of the adjacent property to the east (TA#: 272502-4-099-2008) consistent with the street standard for an urban collector roadway in the Winslow Core per drawing DWG. 7-030."

5. "To mitigate traffic and infrastructure impacts, the applicant shall repave the right of way along the Winslow Way W frontage of the subject properties and adjacent property to the east (TA#: 272502-4-099-2008)....."

Page 44, Part IX: Conditions of Approval - Project Conditions, Public Works; item 58:

58. The project frontage shall be developed consistent with the street frontage for an urban collector roadway in the Winslow Core per drawing DWG 7-030....."

Page 46, Part IX: Conditions of Approval - Floor Area Ratio (FAR) Bonus; item 81:

81. "The city recommends that the applicant earn the 25,058 sq.ft. of commercial Floor Area Ratio (FAR) bonus (totaling \$851,972.00 at \$34.00/sq.ft.) in accordance with a city council resolution pursuant to BIMC 18.12.030.E.3, in the following ways:"

* "Construct a pavilion as depicted in the Waterfront Park Master Plan....."

* "Street and utility improvements on Winslow Way West between Grow Avenue and Madison Avenue, including but not limited to utility upgrades, vehicular travel way improvements, sidewalk and bike lane construction, signage, striping, right-of-way acquisition, and landscaping."

* "If the applicant proposes the above recommendations or other public amenities, they shall first be secured through a city council resolution pursuant to BIMC 18.12.030.E.3."

COMMENTS:

Per BIMC 18.12.030.E, there appears to be an inconsistency (or lack of clarity) between page 26 in the Director's report that states that the cost of SEPA mitigations may not be used the FAR bonus and page 46. Page 46 appears to suggest the opposite, that the cost of SEPA conditions could be used in the FAR bonus. This is inconsistent. The following items are SEPA conditions. It should be clarified whether or not the cost of these SEPA conditions can be counted toward the FAR bonus.

- Developing the frontage of the adjacent property to the east.
- Repaving the right of way along the Winslow Way W frontage of the subject properties and adjacent property to the east.

