



September 24, 2019

Robert Hutchinson
Coates Design Architects
900 Winslow Way East, Suite 210
Bainbridge Island, WA 98110

Dear Applicant:

Thank you for meeting with City staff on August 20, 2019 to discuss the proposal to convert an existing health care facility at 8804 Madison Avenue N. to a governmental facility to house the City Police and Court departments. A summary of the land use review process, applicable Bainbridge Island Municipal Code (BIMC) regulations, comments from reviewers, fees, submittal requirements, and next steps is provided below.

<i>General Information</i>
Pre-Application Conference Date: August 20, 2019
Project Name and Number: City Police & Court Facility PRE PLN51524
Project Description: Change of use and tenant improvement
Project Address: 8804 Madison Avenue North
Tax Parcel Number(s): 232502-3-083-2002
Tax Parcel Size: 3.02 acres
Zoning/Comp Plan Designation: R-8
Planning Contact: Ellen Fairleigh
Development Engineer: Paul Nylund

<i>Land Use Review Process</i>
Applications Required
The property has existing Site Plan Review (SPR14430B) and Conditional Use (CUP14430B) approvals in addition to two minor adjustments (SPRA14430C/CUPA14430B & SPRA14430C/CUPA14430C). The property also has an approved Special Use Review (SUR14430) for an outfall.
The proposal to convert the health care facility to a governmental facility changes the character of the use and requires a major adjustment. Please submit an amended application for both the site plan review and conditional use.
BIMC 2.16.040.H Site Plans and Design Review: 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.

**280 Madison Avenue North
Bainbridge Island, Washington 98110-1812
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206.842.7633**

BIMC 2.16.110.J.2 Major Conditional Use Permit: Major adjustments to an approved major conditional use permit require an amended application and shall be processed in the same manner as a new conditional use permit application. Major adjustments are those that change the basic design, intensity, density, and/or use.

On January 9, 2018, the City Council passed Ordinance No. 2018-02 which imposed a temporary moratorium on the acceptance of certain development permits. This ordinance also specified projects that are exempt from the moratorium which, among other things, included government facilities. Therefore, this project is not subject to the moratorium.

Review Process:

- Design Review Board (Conceptual): Waived
- Design Review Board (Design Guidance): June 3, 2019
- Preapplication Conference: August 20, 2019
- Public Participation Meeting: September 5, 2019
- Site Plan Review (major adjustment) application submittal
- Conditional Use (major adjustment) application submittal
- Design Review Board Review and Recommendation
- Planning Commission Review and Recommendation
- Review by Director forwarded to the Hearing Examiner
- Hearing Examiner Decision

Fees:

Site Plan Review Major Adjustment: \$8586.00
Conditional Use Major Adjustment: \$10,494.00

Consolidated Permit Review: \$13,356.00 (The charge is the highest permit applied for plus one-third of all other applications)

Health Department (separate check): \$145.00

Other required permits: Building permit and separate sign permits

Approval Body

Hearing Examiner

Review and Recommendation

Design Review Board
Planning Commission
Director
Planning Division



Building Division
Development Engineer
Drainage Review
Kitsap Public Health District
Bainbridge Island Fire Department

Bainbridge Island Municipal Code Requirements

BIMC 2.16 – Land Use Review Procedures

Review procedures for Site Plan Review and Major conditional use permit are outlined in BIMC 2.16.040 and BIMC 2.16.110 respectively.

BIMC 16.04 – Environmental Policy

The project is subject to the State Environmental Policy Act (SEPA) review as provided in Washington Administrative Code (WAC 197-11-800).

- **A complete SEPA checklist is required at the time of application submittal.**

BIMC 16.20 – Critical Areas

There is a Type F stream and a wetland on the south side of the subject parcel.

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.

A site visit conducted by staff on September 13, 2019 found that there is a developed area consisting of a rock wall, existing lawn, and several catch basins between the proposed addition on the southwest side of the building and the critical areas. BIMC 16.20.040.B.1 states that 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. Staff has determined that the proposed addition is separated from the critical areas by an existing developed area and this project is therefore exempt from critical area permit requirements. No wetland delineation is required.

BIMC 18.09 – Use Regulations

“Governmental Facility” is a Conditional Use within the R-8 zoning district.

BIMC 18.12 – Dimensional Standards

Lot Coverage: 25%

Front Yard Setback: 25 ft. (Property has two front setbacks along SR 305 and NE New Brooklyn Rd.)

Side Yard Setback: 5 ft./15 ft. total

Rear Yard Setback: 15 ft. (N/A- there is no rear setback for this parcel)

Max Building Height: 35 ft.

- At time of application submittal, please show all aspects of Basic Site Plan as detailed in the Administrative Manual. Please ensure lot lines are clearly shown.

BIMC 18.15 – Development Standards and Guidelines

BIMC 18.15.010.A.2.d: For nonresidential uses outside the Winslow Mixed Use Town Center, High School Road I and II, NC, B/I, and WD-I districts, the intent is to retain the natural landscape qualities of the island by retaining existing vegetated buffers to screen views of structures and parking areas and to buffer between areas of high and low intensity uses.

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, and current standards will not be applied.

Parking Lot Landscaping:

Parking lot landscaping will be re-evaluated only if additional parking stalls are required based on BIMC 18.15.020 Parking and Loading (discussed below). If additional parking stalls are required, applicable landscaping requirements for parking lots are provided below.

BIMC 18.15.010.F.1. NC, B/I, and WD-I Districts and Nonresidential Uses Outside Winslow Mixed Use Town Center Overlay Districts and High School Road Mixed Use Districts. All applicants in these areas shall provide the following types and amounts of landscaping. Parking lots shall meet the requirements of BIMC [18.15.020](#). Applicants may refer to the standards contained in this section for optional planting locations within parking areas.

This section shall apply to the parking lot adjacent to NE New Brooklyn Road:

Requirements for Parking Lots Located Adjacent to Public Rights-of-Way.

- i. One tree for every four parking stalls; and
- ii. Minimum 30 percent evergreen trees; and
- iii. Deciduous trees minimum two-inch caliper, evergreen trees minimum six feet high at the time of planting; and
- iv. Evergreen shrubs minimum 18-inch height at the time of planting spaced no more than three feet on center, to provide a continuous hedge achieving a maximum height of three feet at maturity located adjacent to the rights-of-way (this may be achieved with the perimeter landscape); and
- v. Evergreen ground cover planted and spaced to achieve total coverage within two years; and
- vi. A landscaped area at the end of parking aisles.

This section shall apply to the parking lot behind the existing building:

Requirements for Parking Lots Not Abutting Public Rights-of-Way.

- i. One tree for every eight parking stalls; and

- ii. One hundred percent of the trees may be deciduous; and
- iii. Deciduous trees minimum two-inch caliper, evergreen trees minimum four feet height at the time of planting; and
- iv. Evergreen ground cover and/or shrubs planted and spaced to achieve total coverage within two years; and
- v. A landscaped area at the end of parking aisles.

Total Site Tree Unit Requirements:

BIMC 18.15.010.G4.a.ii: In the MUTC Ericksen Avenue, Madison Avenue, and gateway overlay districts, and each site in the R-8, R-14, HSR I and II, and NC districts, and for permitted nonresidential development in the R-5, R-4.3, R-3.5, R-2.9, R-2, R-1, and R-0.4 zone districts, the development parcel shall have at least 40 tree units per acre following the proposed development or redevelopment.

OR

BIMC 18.15.010.G4.a.iii: The development parcel will contain at least the same number of tree units after the proposed development or redevelopment as it had before that development or redevelopment.

Existing and new trees in roadside, perimeter, and shoreline buffers and/or critical areas and their buffers do not count towards the tree unit requirements of this section. If an applicant is choosing to meet their tree unit requirements using subsection G.4.a.iii of this section, the existing trees in those protected areas and buffers will not count towards the “pre-development” amount of tree units.

Planting Requirements

BIMC 18.15.010.H.2.a: Areas not devoted to landscape required by this chapter, parking, structures and other site improvements are encouraged to be planted or remain in existing vegetation.

Irrigation

BIMC 18.15.010.I: Applies to new planting areas that do not have high soil moisture conditions.

Maintenance

BIMC 18.15.010.J: All new landscape plantings and significant trees and tree stands to be retained shall be maintained to preserve the Island’s forested character.

BIMC 18.15.020 Parking and Loading

Table 18.15.020-1 (governmental facility): A number of spaces adequate to accommodate the peak shift as determined by the director based on information submitted by the applicant as required for other uses and special cases.

For other uses or special cases, 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.

Please provide documentation as described above for the City to determine the parking requirement for this redevelopment.

The applicant must demonstrate that this development and the assisted living facility to the west individually meet the parking requirement for each separate parcel and use. For calculation purposes, the October 14, 2008 Hearing Examiner Decision for CUP14430B and SPR14430B determined that the assisted living facility must provide 0.5 spaces per unit.

BIMC 18.15.030 Mobility and Access

BIMC 18.15.030.B. Bicycle Facilities. The following requirements apply to multifamily and nonresidential developments.

1. Except as provided in subsection B.2 of this section, all parking facilities, except those serving single-family residences (including any use accessory thereto), shall contain bicycle parking facilities that allow secure locking of both the frame and wheels of a bicycle. One bicycle space shall be provided for every five parking spaces with a minimum of four spaces provided for each parking lot.

BIMC 18.15.040 Outdoor Lighting

BIMC 18.15.040.D: 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 site is currently conditioned so that only motion sensor lighting is allowed in the rear of the site to ensure that the wetland buffer is not constantly illuminated through the night.

BIMC 18.18.030– Design Standards and Guidelines

BIMC 18.18.030.D.: Nonresidential Uses in Residential Zones. Educational, cultural, governmental, religious or health care facilities in residential zones shall comply with the general guidelines in “Design Guidelines for Commercial and Mixed Use Projects – Including Guidelines for Lynwood Center, Island Center, and Rolling Bay.”

BIMC 20.04 – City Fire Code

The project shall comply with all applicable provisions of the adopted Fire Code (International Fire Code, 2015 Edition).



Department/Agency Comments
Development Engineer Comment:
Paul Nylund provided the attached comment and can be reached at (206) 780-3783 or pnylund@bainbridgewa.gov
Bainbridge Island Fire District Comment:
Fire Marshal, Jared Moravec, provided the attached comment and can be reached at (206) 451-2034 or jmoravec@bifd.org
Kitsap Public Health District Comment:
Steve Brown can be reached at (360) 337-5285 or steve.brown@kitsappublichealth.org

Please review the City's Administrative Manual (<https://www.bainbridgewa.gov/DocumentCenter/View/12244/Admin-Manual-Updated-May-2019>) for all submittal requirements. Once you are ready to submit an application you may schedule an intake appointment using our [online appointment calendar](#). Please contact Lara Lant at (206) 780-3770 or llant@bainbridgewa.gov if you need assistance scheduling the intake appointment. If you have any questions, please contact me at (206) 780-3767 or efairleigh@bainbridgewa.gov.

Sincerely,

Ellen Fairleigh

Ellen Fairleigh
Planner

Please note that information provided at the pre-application conference and in this letter reflects existing codes and standards, currently available information about the site and environs, and the level of detail provided in the pre-application conference submittal. Comments provided pursuant to pre-application 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. While we have attempted to cover as many of the Planning, Engineering, Building and Fire related aspects of your proposal as possible during this preliminary review, subsequent review of your land use permit application may reveal issues not identified during the initial review. If the city's pre-application review indicates that the City intends to recommend or impose one or more conditions of permit approval, and if the applicant objects to any of said conditions, the applicant is hereby requested and advised to provide written notice to the City of which conditions the applicant objects to and the reasons for the applicant's objections.