



DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

DIRECTOR'S REPORT & Recommendation
WINSLOW HOTEL
File #: PLN50880 SPR/CUP

 Prepared by: Heather Wright, Planning Director,
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Date: January 15, 2020

Request: Site Plan and Design Review (SPR) - PLN50880 SPR
 Conditional Use Permit (CUP) - PLN50880 CUP

Owner: Michael & Darden Burns LLC
 Madison Avenue Development Inc.

Location: 253 Winslow Way W
 241 Winslow Way W

Tax Parcel: 272502-4-097-2000
 272502-4-098-2009

Part I: Description of Proposal, Recommendation, and Process

1. **Description of Proposal:** The applicant proposes redevelopment of two existing properties located within the Mixed Use Town Center – Central Core Overlay District. The applicant proposes an 87-room hotel, associated banquet space and meeting rooms, restaurant and bar, spa, and back of house spaces on 1.85 acre site. The hotel is designed around a courtyard which includes preservation of a Giant Sequoia (62.5" diameter), a reflecting pond, ceremony space, a band shell, and landscaping. All parking is located on-site, both under the building and as surface parking, totaling 143 spaces. The site has capacity for an additional 37 vehicles using stacked parking by valet attendants for a total capacity of 180 on-site spaces. Frontage improvements include a six-foot wide sidewalk, bike lane, two on-street parking spaces, an electric vehicle charging station, planting strips, and street trees.
2. **Environmental Review:** The project is subject to State Environmental Policy Act (SEPA) review as provided in Washington Administrative Code (WAC 197-11-800). The director, as the SEPA Official, issued a Mitigated Determination of Nonsignificance (MDNS) on November 25, 2019. The appeal period ended on December 9, 2019 at 4:00pm. A timely appeal was filed on December 9, 2019. The SEPA appeal and project hearing are scheduled for January 23, 2020

3. Design Review Board (DRB) Recommendation: The project, as conditioned, is found to be consistent with the applicable design guidelines (Core Overlay District Guidelines, Guidelines for Commercial and Mixed-Use Projects and General Design Guidelines for all overlay districts). The applicant is not proposing any departures from the design guidelines. The DRB recommends approval of the two alternatives from June 3, 2019 with no additional conditions, and approval of the proposal from May 6, 2019 with the following conditions:

- An additional drawing showing the perpendicular two-foot planters along the parallel parking on the east side. Applicant agrees in principle to provide two feet of landscaping along an east-west direction adjacent to the parking lot. Applicant further agrees to provide for DRB approval a revised parking layout to increase landscaping.
- A description of the material palette. Applicant has not made a final decision on building materials and colors. Applicant is leaning towards unfinished cedar with reverse board and batten exterior. Applicant agreed to provide a description of materials palette for DRB a later review.
- The plans for the hydraulic design of the roof drainage/gutter system once it was worked out. Applicant states that the roof drainage is critical to the performance of this building (to meet LEED guidelines) and will propose a zoned roof drainage system. If water is removed from roof via internal building system, no further DRB review is required.
- Any substantial changes to building materials and roof articulation would be reviewed by the Design Review Board. If applicant proposes an external drainage system (i.e., downspouts and gutters), the DRB would like to review proposed system for building scale, building articulation and impact on surrounding uses.

The city included conditions of approval which incorporates each of the DRB's recommended conditions listed above.

4. Planning Commission Recommendation: The Planning Commission met at four (4) different public meetings, with their final meeting on July 25, 2019 where they discussed their findings of facts and conclusions and issued a recommendation of denial on the proposal siting inconsistencies with the city's Comprehensive Plan and Winslow Master Plan goals and policies.

5. Director's Recommendation: Approval of the Major Site Plan and Design Review (SPR) and Major Conditional Use Permit (CUP) subject to the conditions listed in Part IX.

The director's recommendation deviates from the planning commission's recommendation to disapprove the project. In consideration of the application, the director finds that SEPA conditions and other conditions of approval listed in Part IX mitigate adverse impacts and make the proposal compliant with the Bainbridge Island Municipal Code (BIMC) and in accord with the Comprehensive Plan.

6. Consolidated Review: Through the Master Land Use Application, the applicant requested consolidated permit review of the Major Site Plan and Design Review (SPR) and Major Conditional Use Permit (CUP) 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.

- 7. 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.
- 8. Appeal:** 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 – Existing Site Conditions

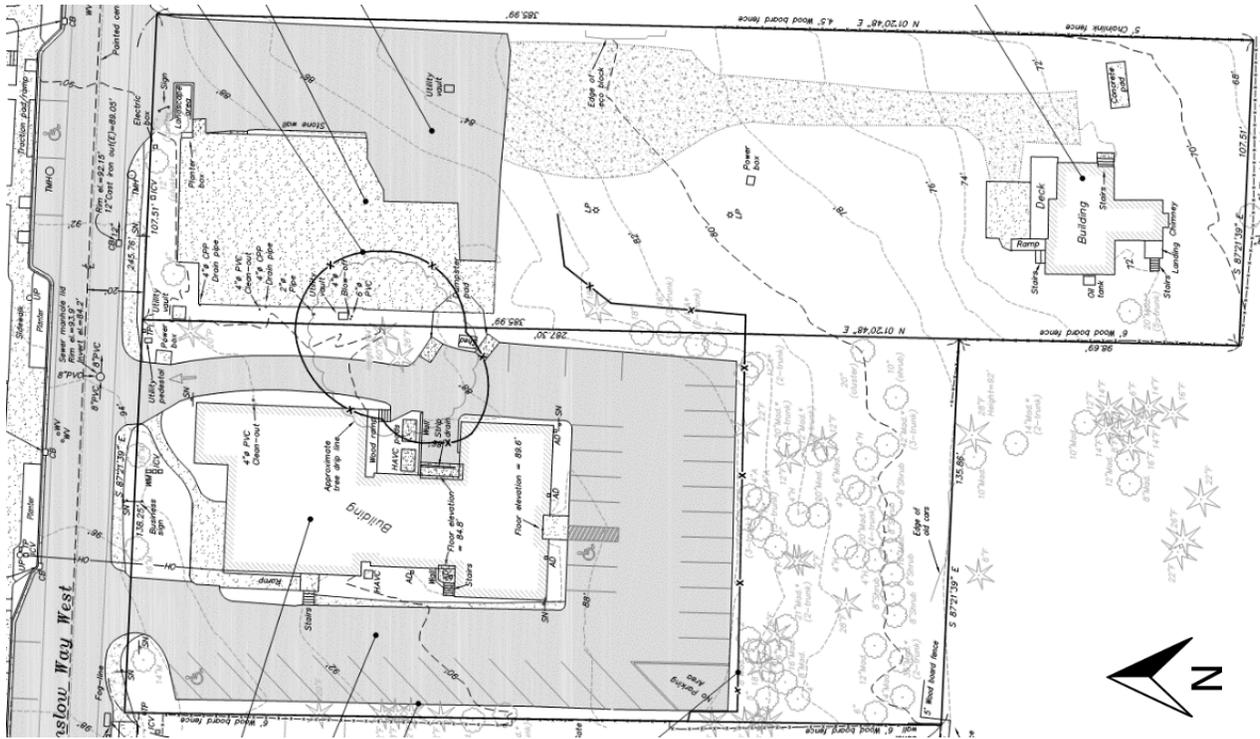


Figure 2 – Site Plan of Proposal

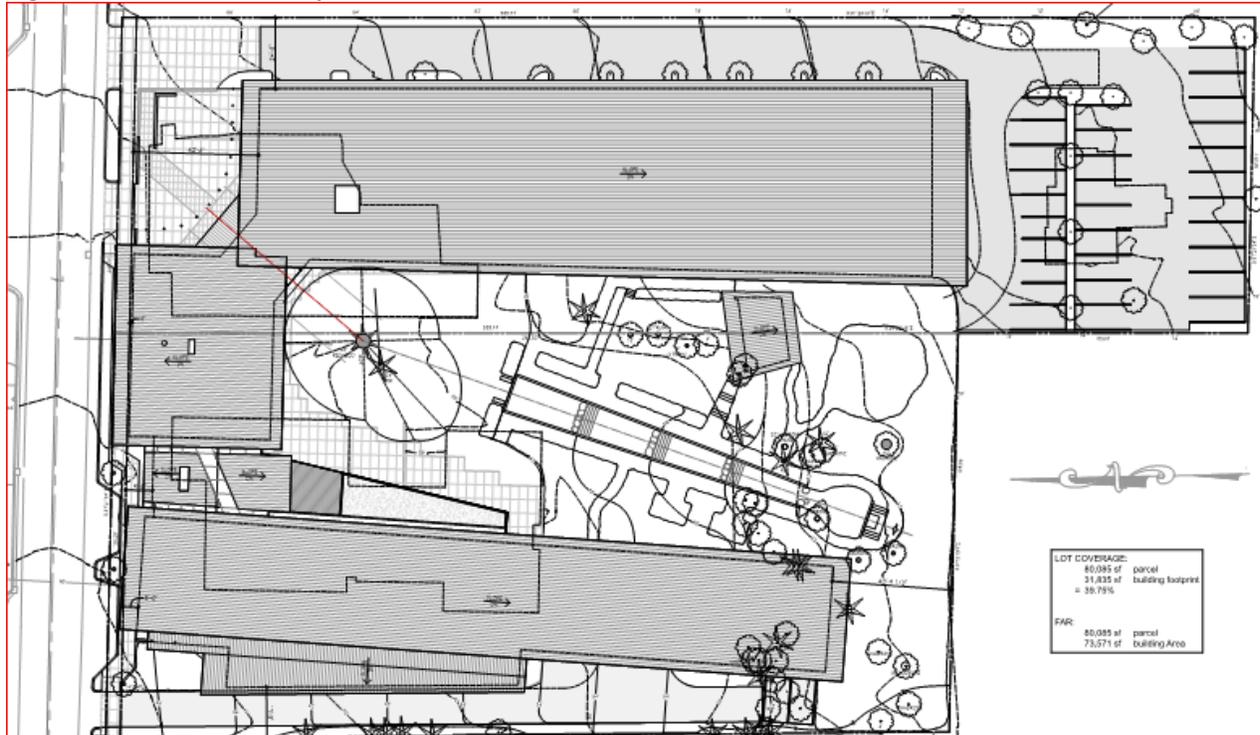
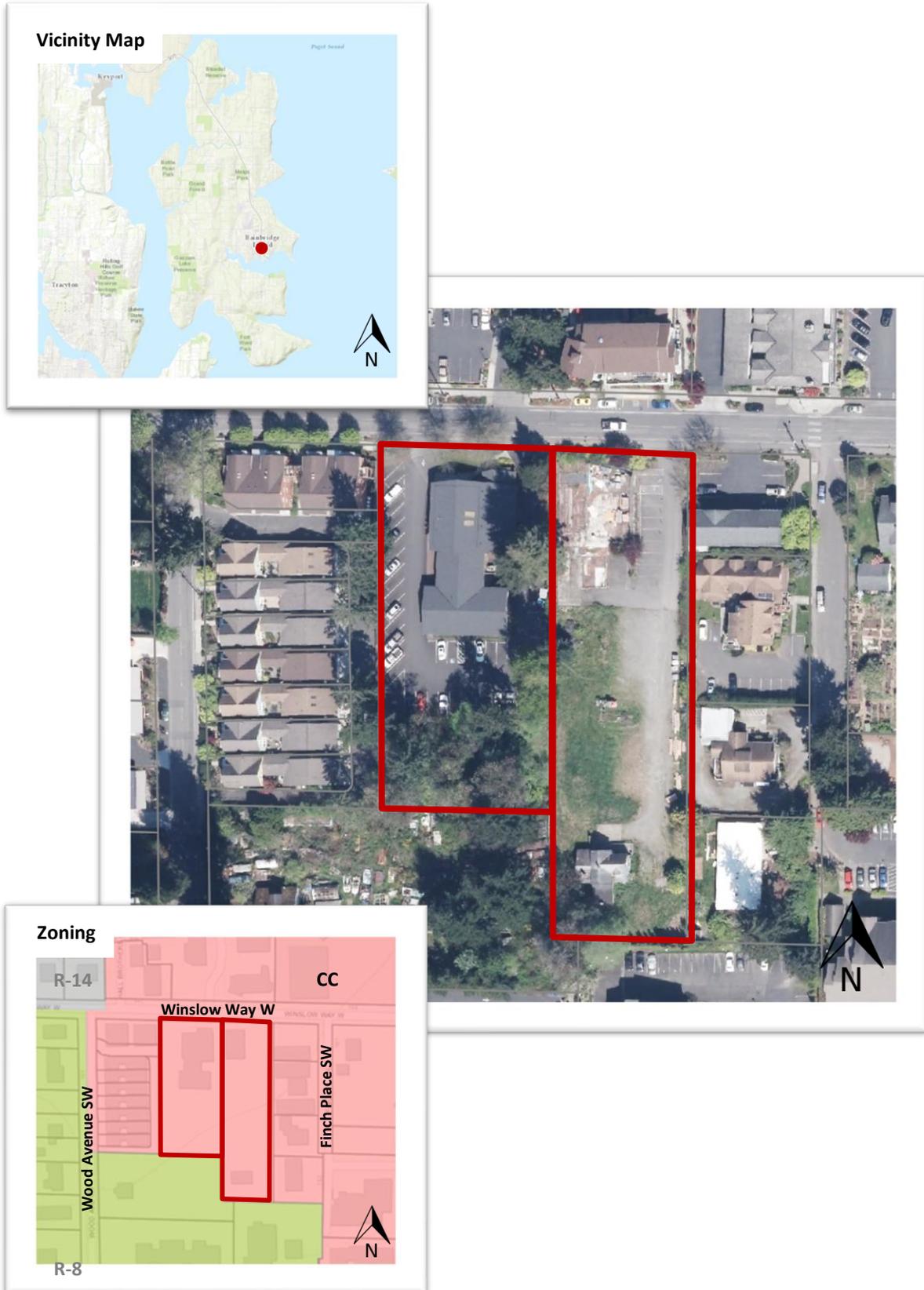


Figure 3 – Vicinity Map, Project Site, and Surrounding Zoning



Part II: General Information and Site Characteristics

Basic Information	
Zoning District	Mixed Use Town Center – Central Core Overlay (CC)
Gross Site Area	1.86 acres (80,855 sq.ft.)
Soils and Terrain	Soils consist primarily of Glacial Till, Kapowsin gravelly ashy loam and have low infiltration characteristics. The site slopes to the southeast from elevation 96-feet to 68-feet at an average six-percent gradient.
Existing Development	The lots are currently developed with a commercial structure leased by the Seattle Children’s Bargain Boutique, a demolished commercial structure foundation that was last used as a bar, and 1,500 sq.ft. vacant structure that was last used as a restaurant.

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 and Rainwater Recycling
Sewer	COBI Sewer Service Area
Storm Drainage	The proposed system will capture site and roof run-off to a 42,000-gallon rain-water underground cistern for recycle, reusing 500-700 gallons per day. Excess runoff will be discharged to the Winslow Way W public storm water conveyance system. All surface parking and drives are permeable.

Part III: Application Background

Date & Action	Summary
<i>July 13, 2017</i> Preapplication Meeting #1	60 hotel rooms were proposed.
<i>August 3, 2017</i> Preapplication Letter #1	Included comments from the Fire District and COBI Public Works Development Engineer.
<i>September 11, 2017</i> Design Review Board (DRB) Meeting #1	Preliminary review and discussion. The DRB had concerns about scale of the façade, parking, guest arrivals, and service area plans. The DRB suggested scaling down the building with greenery, pedestrian access to create public spaces, carshare opportunities, and drawings that account for the scale and proximity of surrounding buildings.
<i>January 9, 2018</i> Development Moratorium (Ordinance No. 2018-02)	The moratorium as originally adopted prohibited applications for many land use actions. The moratorium was subsequently modified to allow an exception for Major SPR and Major CUP proposals that were not otherwise subject to this moratorium and that had a preapplication conference on the Planning Department’s calendar before the effective date of the moratorium. (Ordinance No. 2018-05) The moratorium was then revised again to exclude Major SPR and CUP proposals on properties located in the Mixed Use Town Center/Central Core Overlay District. (Ordinance No. 2018-09)
<i>May 7, 2018</i> DRB Meeting #2	Continued preliminary review and discussion after a presentation from the applicant.

<i>November 5, 2018</i> Preapplication Meeting #2	73 hotel rooms were proposed.
<i>November 8, 2018</i> Preapplication Letter #2	Included comments from the Public Works Engineering Manager.
<i>November 26, 2018</i> Public Participation Meeting	Meeting was well-attended with 100+ people. Comments and concerns centered around the scale of the hotel, parking, traffic, noise, light, smell, safety, privacy for neighbors, and how the hotel fits with the character of Winslow.
<i>December 17, 2018</i> DRB Meeting #3	The applicant gave a presentation of the proposal. The DRB was complimentary of the design and how the applicant had incorporated feedback from previous reviews. The DRB asked the applicant to return on January 7, 2019 in order to have more time to review each of the applicable design guideline checklists.
<i>December 19, 2018</i> Ordinance No. 2018-20	Ordinance No. 2018-20 changed the SPR and Major CUP review process, requiring a new three-step preapplication process. The first and second steps require review by the DRB and the third requires a preapplication conference and a public participation meeting with the Planning Commission. The applicant had already completed three meetings with the DRB, two preapplication conferences with staff, and a public participation meeting. The Director did not require the applicant to start the process over again because design guidelines and other regulations had not changed.
<i>December 27, 2018</i> Application Submittal	The applicant submitted a Master Land Use Application for a Major SPR and Major CUP, indicating consolidated project permit review, noticing, and decision. The proposal included 75 rooms.
<i>January 7, 2019</i> DRB Meeting #4	The DRB reviewed all three applicable design guideline checklists including Core Overlay District Guidelines, Guidelines for Commercial and Mixed Use Projects, and General Guidelines for all Overlay Districts, finding that all guidelines were met through the proposal. The DRB recommended approval with several conditions: <ul style="list-style-type: none"> • An additional drawing showing the perpendicular two-foot planters along the parallel parking on the east side. Applicant agrees in principle to provide two feet of landscaping along an east-west direction adjacent to the parking lot. Applicant further agrees to provide for DRB approval a revised parking layout to increase landscaping. • A description of the material pallet. Applicant has not made a final decision on building materials and colors. Applicant is leaning towards unfinished cedar with reverse board and batten exterior. Applicant agrees to provide a description of materials palate for DRB review in the next several weeks. • The plans for the hydraulic design of the roof drainage/gutter system once it was worked out. Applicant states that the roof drainage is critical to the performance of this building (to meet LEED guidelines) and will propose a zoned roof drainage system. If water is removed from roof via internal building system, no further DRB review is required.

	<ul style="list-style-type: none"> Any substantial changes to building materials and roof articulation would be reviewed by the Design Review Board. If applicant proposes an external drainage system (i.e., downspouts and gutters), the DRB would like to review proposed system for building scale, building articulation and impact on surrounding uses.
January 17, 2019 Application for Administrative Code Interpretation	The applicant requested an Administrative Code Interpretation of the Bainbridge Island Municipal Code (BIMC) 18.15.010.D Perimeter Buffering and Screening. Specifically, the applicant asked for interpretation of the requirements within the Winslow Town Center Mixed Use District in Table 18.15.010-3: Perimeter Landscaping Requirements by Land Use and Zoning District. Does Table 18.15.010-3 apply to both abutting zoning and uses? What qualifies as 'single-family residential'? See the director decision below on February 21, 2019.
January 24, 2019 Determination of Completeness	The application was deemed complete.
February 8, 2019 Notice of Application and SEPA Comment Period/Hearing	14-day public comment period, ending February 22, 2019.
February 21, 2019 Director Decision on Administrative Code Interpretation	The Director's decision on the Administrative Code Interpretation included the following response: Table 18.15.010-3 applies to abutting zone districts or overlay districts and does not apply to uses of the abutting properties. Abutting 'single-family residential', refers to the following zones: R-0.4, R-1, R-2, R-2.9, R-3.5, R-4.3, and R-6. This decision resulted in no perimeter landscape buffers required for the hotel proposal because the abutting zoning is not single family residential but rather R-8.
April 17, 2019 Multi-Modal Transportation Advisory Committee (MTAC) Meeting	MTAC had the following comments: <ul style="list-style-type: none"> Keep sidewalk level across driveways. Consider additional street trees. Is parking on the street required? Move sidewalk back to edge of ROW. Sidewalk should be six feet wide minimum. Where the building abuts the sidewalk, there should be an 18-inch wide minimum shy zone.
April 26, 2019 Revisions #1	Revisions added 12 rooms (totaling 87 hotel rooms) with no increase in floor area, 12 parking spaces, nine windows in the courtyard, and removal of constructed seating in the courtyard near the bandshell.
April 26, 2019 Revised Notice of Application and SEPA Comment Period	14-day public comment period for the revisions submitted April 26, 2019. The comment period ended May 10, 2019.
May 6, 2019 Design Review Board (DRB) Meeting #5	The DRB was briefed on the revisions received on April 26, 2019. They deemed the revisions minor and did not require additional DRB review.
June 3, 2019 Design Review Board (DRB) Meeting #6	The applicant proposed two alternatives that would decrease the overall size of the building. The first alternative would reduce the west wing of the building by 28 feet from the south, saving a landmark tree and several other significant trees, and adding six feet to the south of the east wing.

	The second alternative would pull the west wing eight feet further off of the west property line reducing the size of the courtyard and restaurant, creating more space for vegetative screening and parking along the west property line. The DRB recommended approval of both alternatives with no conditions. The applicant elected to proceed with the proposal presented to the DRB on May 6, 2019.
<i>June 4, 2019</i> Revisions #2	Revisions clarified the locations of disabled access parking, electric vehicle charging stations, bicycle parking, and street trees. No changes were made to the building.
<i>June 13, 2019</i> Planning Commission (PC) Meeting #1	City staff provided an overview of the project and introduced the DRB Chair who provided an overview of the DRB's recommendation. The applicants also made a presentation. The property owner spoke about the motivation for the hotel. 15 people provided public comment which are documented in the minutes. The Chair stated the PC needed more time to consider the project and scheduled a special meeting for June 20, 2019.
<i>June 17, 2019</i> Information Request from COBI Public Works - Engineering	An information request was sent to the applicant for an updated traffic analysis that evaluates Saturday transportation demands, a left turn lane warrant analysis, assessment of the shuttle entrance, and summer traffic counts.
<i>June 20, 2019</i> Planning Commission (PC) Meeting #2	The Chair opened the meeting by allowing public comment that was not shared at the previous meeting. 18 people provided public comment which are documented in the minutes. The PC decided to hold a study session on July 11, 2019 where they would discuss and determine how the project would need to be modified to meet the requirements of the city's Comprehensive Plan and Winslow Master Plan.
<i>July 3, 2019</i> Information Submitted	The applicant submitted the revised traffic analysis, a demonstration of stacked parking and space for a full size bus, analysis of other large buildings in the Mixed Use Town Center, a use comparison for the site, a size comparison to the adjacent Marge Williams building, an increased landscape buffer for a lot with a single family residence, a proposal for 6 workforce (affordable housing units), and responses to the applicable decision criteria, Comprehensive Plan, and Winslow Master Plan goals and policies. All of these items were provided to the PC in their agenda packet for the July 11, 2019 PC meeting.
<i>July 11, 2019</i> Planning Commission (PC) Meeting #3	At the study session, the PC did not allow for public comment. The Chair provided a template to commissioners to help guide deliberation. The PC discussed outstanding concerns and concluded that conditions could not be imposed that would make the proposal compatible with the Comprehensive Plan and Winslow Master Plan. The PC requested that they reconvene to make their findings and recommendation on July 25, 2019.
<i>July 25, 2019</i> Planning Commission (PC) Meeting #4	The PC discussed their findings of facts and conclusions and issued a recommendation of denial of the proposal to the director, citing inconsistencies with the city's Comprehensive Plan and Winslow Master Plan goals and policies.
<i>October 8, 2019</i> Revisions #3	The revisions added 11 residential studio units, 11 on-site parking spaces, a landscape buffer abutting the lot with a single-family residence adjacent to the surface parking lot, and a shortened west wing to protect a landmark tree (35-inch DBH Pacific Madrone). All required documents were updated

	including the traffic impact analysis, parking study, SEPA checklist, water/sewer availability, drawing package, and application.
<i>November 1, 2019</i> Revised Notice of Application/SEPA Comment Period Published	14-day public comment period, for revisions received October 8, 2019. The comment period ended November 15, 2019.
<i>November 4, 2019</i> Revisions Withdrawn	The applicant requested to withdraw the addition of the 11 residential studio units and move forward with the previously submitted proposal. Other changes such as the added 11 on-site parking spaces, the landscape buffer abutting the lot with a single-family residence, and a shortened west wing to protect a landmark tree (35-inch DBH Pacific Madrone) were requested to remain. Signs on the property were revised to indicate the withdrawal of the 11 residential units and to reflect the current proposal.
<i>November 25, 2019</i> SEPA Determination Issued	The director, as the SEPA Official, issued a Mitigated Determination of Nonsignificance (MDNS). This commenced a 14-day appeal period.
<i>November 29, 2019</i> Notice of Hearing Published	A notice of the public hearing was published. The public hearing was scheduled for December 19, 2019 at 10:00am.
<i>December 9, 2019</i> End of SEPA Appeal Period	A timely SEPA appeal was filed with the city on Monday, December 9, 2019 at 10:14am. The appeal period ended on December 9, 2019 at 4:00pm.
<i>January 16, 2020</i> Director Issued Recommendation to Hearing Examiner	The director recommends approval of the Major Site Plan and Design Review (SPR) and Major Conditional Use Permit (CUP) subject to the conditions listed in Part IX. The director's recommendation deviates from the PC recommendation because unlike the PC, the director finds that the proposed project is in compliance with the comprehensive plan. In consideration of the application, the director finds that SEPA conditions and other conditions of approval listed in Part IX mitigate adverse impacts and make the proposal compliant with the Bainbridge Island Municipal Code (BIMC) and in accord with the Comprehensive Plan.

Part IV: Comprehensive Plan Goals and Policies

Applicable Comprehensive Plan Goals and Policies
The city finds that the proposal is in accord with the 2016 Comprehensive Plan. See analysis below.
Introduction
Principle 1, Policy 1.2, Policy 1.3, Principle 2, Policy 2.1, Policy 2.2, Principle 4, Policy 4.1, Policy 4.2, Principle 5, Policy 5.1, and Policy 5.2.
Consistency Analysis: The Comprehensive Plan calls for preservation of the special character of the Island, which includes downtown Winslow's small town atmosphere and function. Character and scale of the Island are best defined through the applicable design guidelines and dimensional standards such as Floor Area Ratio (FAR), height, setbacks, and lot coverage. The Design Review Board (DRB) reviewed the proposal six times, giving the applicant feedback and suggested changes including a request to incorporate greater articulation of the façade along Winslow Way West. The applicant was responsive to suggestions, and articulated the façade to reduce the massing, resulting in development that the DRB found met the city's design guidelines. As conditioned, the proposal meets all dimensional standards and design guidelines. The applicant also provided information demonstrating that the proposed dimensional standards for the structure are comparable and compatible to

surrounding development. The structure’s height along Winslow Way, for example, matches the height of the building directly across the street to the north.

The Comprehensive Plan identifies the built environment as an important element of the Island’s special character and recognizes that the sustainable use of the Island’s finite land base is served by green building practices. The applicant has indicated and is actively designing the site in accordance with the Living Building Challenge, a rigorous performance standard for the built environment which includes a number of performance areas referred to as petals: place, water, energy, health and happiness, materials, equity, and beauty. The Living Building Challenge has several different certification pathways and requires a 12 month performance period and third-party audit before a project can earn certification. The applicant is confident that they can meet several of these petals but won’t know which ones until the audit is complete. The applicant is currently proposing elements such as solar panels on the roof, a rainwater recycling system, a large on-site sewage system, use of sustainable building materials, and permeable surface parking and drives for low impact development. There are currently no requirements for new commercial buildings on the Island to provide a green building standard, however the applicant has indicated this is a priority and is currently designing the site and building with these sustainable practices in mind. The city proposed a condition for the project to document how the project meets a green building standard.

The Comprehensive Plan calls for improved quality of new development through a review process that implements the community vision and supports long-term goals for the preservation of the Island’s special character. The proposal is subject to a recently adopted review process that gives substantial weight to the recommendations of the Design Review Board and Planning Commission. The review process included three comment periods, a total of eight public meetings, including a Public Participation Meeting during the preapplication phase and several public meetings with the Planning Commission, for a meaningful participation process. The applicant made many revisions in response to public comment including keeping all parking on site, increasing parking, enclosing trash and recycling, adding perimeter landscaping, and limiting accommodations for outdoor music.

Land Use Element

GOAL LU-1, GOAL LU-2, GOAL LU-3, GOAL LU-4, Policy LU 4.1, GOAL LU-5, Policy LU 5.7, GOAL LU-6, Policy LU 6.1, Policy LU 6.2, Policy LU 6.5, GOAL LU-7, Policy LU 7.1, Policy LU 7.3, and GOAL LU-17.

Consistency Analysis: The Comprehensive Plan anticipates growth that will add many residents and jobs and increase needs for housing, goods, services and jobs. Growth is encouraged to be accommodated in designated centers with urban levels of service and infrastructure while ensuring compatibility with the Island’s natural systems and conservation of sensitive environments. The proposed development is located within the Mixed Use Town Center, a designated center, and provides hotel accommodations, a restaurant, space for events and meetings, and approximately 50 jobs. The site has public water and sewer availability and the city has confirmed capacity for the proposal’s needs. In order to reduce the strain on the city’s infrastructure, utilities, and natural systems, the applicant has proposed elements such as a rainwater recycling system, a large on-site sewage system, permeable surface parking and drives, and solar panels on the roof.

The Comprehensive Plan also encourages improvement of aging or underutilized developments over development of previously undeveloped property to reduce sprawling development. This site is currently underutilized and has been for many years. The former uses on the eastern property included two restaurants, one of which was located in the existing structure built in 1912. The other restaurant/bar caught fire from a lightning strike in 2012. The western most property is currently occupied by commercial and offices uses.

The Comprehensive Plan focuses nonresidential development in designated centers and promotes

dense residential and commercial development within Winslow to encourage human activity. This proposal is located where infrastructure exists, is within close proximity of the ferry terminal, public transit, sidewalks, bike lanes, provides a bike share program, and provides at least one shuttle for guests which reduces the reliance on automobiles. The proposal plans for adequate parking and provides a space for local events which further establishes Winslow as a place for people to live, shop and work. The high residential density of Winslow encouraged in the Comprehensive Plan requires the Central Core Overlay District to provide services and products that meet the needs of residents as well as visitors. As a place for accommodations, food, and events, the proposal serves needs of both residents and visitors.

The desire for dense and intense land use in the Central Core Overlay District is reflected in the small (or unrequired) setbacks from property lines and the street, 100% large lot coverage allowance, available height bonus up to 45 feet, and the greatest Floor Area Ratio (FAR) allowance on the Island, particularly for commercial uses. The project is seeking a FAR bonus to achieve a FAR of 0.91. The maximum FAR allowed by the zoning code with a bonus is 1.0 for commercial and 1.5 for mixed-use development making the proposal 0.59 below the maximum bonus FAR for mixed use development in the Central Core Overlay District. The lot coverage (amount of the site covered by buildings) allowed by the zoning code is 100% and the project is proposing 39%. The majority of the parking is proposed in an underground parking garage, minimizing impervious surface and maximizing green space that is available to the public when not used for an event. Surfaces for the driveways and surface parking lots are also designed using pervious materials, further reducing the amount of impervious surface on site. The height of the building ranges from 35 feet to 45 feet, the maximum height allowed by the zoning code. The project is meeting all required zoning setbacks and landscaping buffers, often exceeding the minimum requirements.

Economic Element

GOAL EC-1, Policy EC 1.1, Policy EC 1.2, GOAL EC-3, Policy EC 3.1, GOAL EC-6, Policy EC 6.1, Policy EC 6.2, Policy EC 6.7, GOAL EC-8, Policy EC 8.1, Policy EC 8.3, GOAL EC-9, GOAL EC-10, GOAL EC-11, Policy EC 11.1, Policy EC 11.2, Policy EC 11.3, Policy EC 11.4, and Policy EC 11.5.

Consistency Analysis: While this proposal is not a bed and breakfast or inn, the hotel proposes creative tourist accommodations through the design of the building which orients most rooms to the courtyard where a coastal redwood landmark tree is the focal point of native landscaping and a reflecting pond is designed with inspiration from the Bloedel Reserve. The hotel provides at least one shuttle to provide transportation to other attractions on the Island, such as the Bloedel Reserve. Additionally, the shuttle in combination with the bike share program and proximity to amenities downtown reduces guest reliance on automobiles. As conditioned, information about these alternative transportation methods shall be shared with guests prior to their stay. The applicant continues to pursue petals of the Living Building Challenge, and should they be successful, it would be the first hotel to earn this certification. These green building standards are an important feature of the hotel and the applicant anticipates that, as a leading example of sustainable design, the hotel will educate, incentivize, and even challenge guests to limit their water and energy consumption and travel to the hotel using alternative modes of transportation. The building design incorporates cedar beams and other local and environmentally benign materials that minimize environmental impacts and speak to the Island’s character and enhance unique attributes.

The project is estimated to employ approximately 50 people, directly increasing employment opportunities, while also creating economic vitality that cultivates other employment opportunities and supports tourism which is identified as a key sector of the Island’s economy. The predominant focus of downtown Winslow is to serve the commercial and social needs of Island residents. A lively, pedestrian-oriented town center that provides a mix of commercial and residential uses creates a

potential tourist destination. The property owner and applicants are local and the development will be locally-owned. The applicant is interested in partnering with local businesses and community groups such as the Bainbridge Island Historical Museum to create unique opportunities for visitors to experience internationally recognized gardens, cultural centers, parks, and recreational events.

Environmental Element

Goal EN-4, Policy EN 4.1, Policy EN 10.2, Policy EN 10.3, Policy EN 10.6, Policy EN 10.7, Policy EN 10.9, Policy EN 11.2, Policy EN 12.2, Goal EN-13, and Policy EN 13.1.

Consistency Analysis: Designated centers such as the Mixed Use Town Center accommodate new growth to preserve less dense residential areas and critical areas. The site does not contain any critical areas and is not within shoreline jurisdiction. The proposal underwent State Environmental Policy Act (SEPA) review and a Mitigated Determination of Nonsignificance (MDNS) was issued by the director as the SEPA official which offered conditions to mitigate any adverse environmental impacts. The applicants recognize the Island’s natural constraints and have proposed a sustainable development with elements such as solar panels on the roof, a rainwater recycling system, a large on-site sewage system, use of sustainable building materials, and permeable surface parking and drives for low impact development. The applicant continues to pursue petals of the Living Building Challenge, as previously described. The proposal is within close proximity of the ferry terminal, public transit, sidewalks, bike lanes, provides a bike share program, and provides at least one shuttle for guests which reduces the reliance on automobiles. As a leading example of sustainable design, the hotel will educate, incentivize, and even challenge guests to travel to the hotel using alternative modes of transportation as well as limit consumption of water and energy during their stay.

The proposal retains over 100 tree units, including all three of the existing landmark trees and plants 137 new trees totaling over 16,000 sq.ft. of newly planted areas using almost exclusively native species. Air quality it also mitigated through conditions for dust and other odors that are required to meet the emission and the ambient air quality standards specified in Chapter 173-400 WAC, and administered by the Puget Sound Clean Air Agency.

The applicant consulted with an acoustical engineer in response to neighbor concerns about noise impacts and has included a bandshell to reduce noise escapement. The proposal uses also uses landscaping, green walls, and enclosed the trash and recycling under the building to reduce impacts from noise, odor, and light. The applicant coordinated with the trash service to arrange the times of pickup to be mid-morning to reduce noise impacts on the neighboring development. The City has also proposed conditions such as a wall along the west property line to help mitigate noise and light impacts, additional landscaping around the perimeter, and monitoring for noise and light. An inspection of the lighting is required prior to certificate of occupancy to ensure lighting is compliant with the lighting requirements.

Water Resources Element

GOAL WR-1, Policy WR 1.2, GOAL WR-2, Policy WR 2.1, Policy WR 2.12, Policy WR 2.13, GOAL WR-5, Policy WR 5.1, Policy WR 5.3, Policy WR 5.4, and Policy WR 5.8.

Consistency Analysis: In preparation for the use of this green building standard, the applicant has designed a 42,000 gallon cistern system to recycle 500 – 700 gallons of water a day and is working on a design that would incorporate an on-site sewage system for additional site efficiency. The water would be reused for irrigation and potentially for flushing. The proposal retains over 100 tree units and plants 137 new trees totaling over 16,000 sq.ft. of newly planted areas using almost exclusively native species to minimize future irrigation needs. If a large on-site sewage system is proposed, it will be required to be reviewed and approved by the Kitsap Public Health District and potentially the Washington State Department of Health.

Surface parking is limited, and all driveways and surface parking are designed with pervious materials for low impact development. The proposed development will have approximately the same or less impervious surface than the existing development on site.

Housing Element

Policy HO 1.7, GOAL HO-4, Policy HO 4.1, GOAL HO-6, GOAL HO-7, Policy HO 7.2, and GOAL HO-8.

Consistency Analysis: The Comprehensive Plan encourages designated centers to balance their functions as places of commerce and employment with their roles helping to meet housing needs and provide focal points for civic engagement and cultural enrichment. The Island’s jobs/housing balance is currently 0.59 jobs for every housing unit. As described in the Housing Element of the Comprehensive Plan, the Puget Sound Regional Council suggests that communities with an abundance of housing add employment in order to increase economic opportunities for current residents. The project is estimated to employ approximately 50 people, directly increasing employment opportunities, while also creating economic vitality that cultivates other future employment opportunities.

While housing on this site may not support the city’s jobs/housing balance targets, the city’s Comprehensive Plan encourages a diverse affordable housing stock that is available to income-qualified households with a variety of income levels. The proposal does not include a residential component, however, the applicant has expressed a desire to provide affordable housing. Under the city’s current development moratorium, development in the Mixed Use Town Center is only allowed if at least 10% of the proposed residential units are provided as affordable housing. The Central Core Overlay District has been excluded from the development moratorium and, consequentially, affordable housing is not a requirement at this time. To create greater consistency with the Comprehensive Plan, the city proposed a condition that the applicant provide a minimum of 6 affordable housing units on-site to assist in meeting affordable housing needs.

Transportation Element

GOAL TR-1, Policy TR 1.3, GOAL TR-2, Policy TR 2.4, Policy TR 5.3, Policy TR 6.4, Policy TR 6.5, GOAL TR-8, Policy TR 8.1, Policy TR 8.2, GOAL TR-9, Policy TR 9.4, GOAL TR-10, Policy TR 10.1, Policy TR 10.2, Policy TR 10.5, Policy TR 10.6, Policy TR 11.3, Policy TR 15.2, and Policy TR 15.3.

Consistency Analysis: The proximity to the ferry system, public transit options, and frontage improvements such as a six-foot sidewalk and bike lane reduces the reliance on automobiles for both those frequenting the hotel, restaurant and event space and those working there. The development, including the sidewalk, parking, and the ADA-compliant shuttle service provide disabled access.

The applicant supplied a parking study which recommends 129 parking spaces to accommodate design day demand which refers to a typically busy day that is expected to occur with some frequency. They also recommend a contingency plan for a maximum event scenario for a total of 196 parking spaces. A total of 143 striped parking spaces are proposed which includes two on-street spaces, 38 surface spaces, and 103 spaces under the building. The applicant has demonstrated capacity for an additional 37 spaces through the use of stacked parking by valet attendants, totaling an on-site capacity of 180 spaces. To ensure the site maintains capacity for maximum event scenarios, the proposal has been conditioned to limit the simultaneous use of the banquet and meeting rooms to 6,200 sq.ft. The proposal also provides an on-street electric vehicle charging station with seven others located in the parking garage, a shared bicycle program which includes 36 bicycles and at least 36 parking spaces, and the ADA-compliant shuttle service for transportation to and from the ferry terminal and other sites on the Island. The traffic impact analysis prepared by the applicant’s consultant evaluates the impacts of proposal including other projects currently underway in the project vicinity and concluded that no mitigation was required.

Capital Facilities Element
Policy CF 2.3.
Consistency Analysis: The applicant is funding the necessary infrastructure improvements including on-site sewer and water extensions, stormwater, repaving portions of Winslow Way West, installing sidewalks and bike lanes, installing a crosswalk, concrete curb and gutter with a planter strip, and all necessary right of way dedication and easements to the city.
Utilities Element
Policy U 12.2, Policy U 12.3, Policy U 12.6, Policy U 13.2, Policy U 13.3, Policy U 13.4, Policy U 13.5, Policy U 13.6, Policy U 14.2, Policy U 14.8, and Policy U 16.7.
Consistency Analysis: An 8-inch City sewer main has been extended to the southeast property corner and the proposed development will connect to the public sewer system. As a condition of approval, the applicant shall extend the sewer main approximately 300 feet north through and across the property along the eastern boundary to serve this and adjacent properties. The applicant is working on a design that would incorporate an on-site sewage system for additional site efficiency, reducing the impact on the city’s sewer system. If a large on-site sewage system is proposed, it will be required to be reviewed and approved by the Kitsap Public Health District and potentially the Washington State Department of Health. As described in previous sections, the proposal incorporates low impact development techniques such as a rainwater catchment system for site and roof run-off with a 42,000 gallon cistern to recycle 500 – 700 gallons of water a day. The applicant also incorporated pervious driveways and surface parking to limit impervious surfaces. Excess run-off will be discharged to the Winslow Way West public stormwater conveyance system. The proposal also incorporates solar panels on the roof of the structure.
Cultural Element
Policy CUL 1.5, GOAL CUL-2, Policy CUL 2.1, Policy CUL 2.2, Policy CUL 2.3, Policy CUL 3.2, Policy CUL 3.5, and Policy CUL 5.6.
Consistency Analysis: The remaining structure on the eastern property was constructed in 1912 and formerly owned by a member of the Grow family. The Grow family moved from Manhattan, Kansas to Bainbridge Island in 1881 and homesteaded approximately 160 acres along the waterfront in Eagle Harbor. The Grow family was among some of the earliest settlers on Bainbridge Island and have a rich history in the development of the Island. The 1912 structure has been modified several times, has served as both a residence and a restaurant, is in poor condition, and appears to have been relocated from the northern portion of the site to the southern portion. Due to the structure’s proximity to the historic Eagle Harbor Congregational Church, it appears in many historic photos. The applicant is continuing research on the property with the Bainbridge Island Historic Museum and has proposed having exhibit space in the hotel lobby to display historic photos of the site and the 1912 residence. The applicant has also proposed use of the lobby for and extension of the Bainbridge Island Historic Museum exhibit space.
Human Services Element
Policy HS 4.2 and Policy HS 4.3.
Consistency Analysis: The Comprehensive Plan encourages local businesses that create jobs with good business practices and human services for workers and their families. The applicant has indicated an interest in providing affordable housing on-site, they are also interested in making these units available to hotel employees and would like to hire local residents. See further housing analysis below under Winslow Master Plan Goals and Policies, Chapter 3.

Applicable Winslow Master Plan Goals and Policies

The city finds that the proposal is in accord with the 2016 Comprehensive Plan Appendix D, the Winslow Master Plan. See analysis below.

Chapter 2 – Land Use

Goal WMP 2-1, Goal WMP 2-2, Policy WMP 2-2.5, Goal WMP 2-3, Policy WMP 2-3.1, Policy WMP 2-3.2, Policy WMP 2-3.3, Policy WMP 2-3.6, Policy WMP 2-3.7, Goal WMP 2-4, Policy WMP 2-4.1, Goal WMP 2-5, Policy WMP 2-5.1, Policy WMP 2-5.2, Policy WMP 2-6.1, Policy WMP 2-6.2, and Policy WMP 2-6.4.

Consistency Analysis: Design guidelines were developed specific to the Core district and the commercial uses proposed and the project was reviewed against and found to comply with the design guidelines. The project encourages green building elements and uses natural light. Additionally, the project preserves and showcases a preserved historic tree. Economic vitality of the downtown. Since 2006, Floor Area Ratios (FAR) have been applied in the Mixed Use Town Center (MUTC) and High School Road districts to determine density and intensity of development. The Central Core district within the MUTC was designated the greatest density and intensity and is eligible for bonus FAR. The proposed FAR is just under 1.0, and the maximum, bonus FAR allowed in this zone is 1.5 for a residential/commercial mixed use. Bonus density is to be a means of advancing Comprehensive Plan policies and community values and the City has identified key projects the bonus FAR could be applied to.

Chapter 3 – Housing

Goal WMP 3-1.

Consistency Analysis: While the project does not require affordable housing, the applicant provided a proposal to the Planning Commission that included 6 workforce units within the building. Following the PC's recommendation of denial, the applicant submitted a formal revision that proposed 11 studio apartments within the building, including the attic space. Before the comment period ended on the revision, the applicant withdrew their request. The applicant has demonstrated through those revisions a desire to provide housing within the building footprint, without or with slightly modifying (adding windows for each unit, with a small 300 square foot addition) the exterior form. With the withdrawn revision, the applicant also provided information that demonstrated the project would meet the municipal code and included an updated traffic analysis and parking plan to accommodate the 11 units. While this proposal was not ultimately submitted, Staff would like to propose to the Examiner that the applicant provide housing. This is predicated on the recent City Council actions to require and encourage affordable housing; an identified work item of the current moratorium. Additionally, with the exception of projects in the Core district, only projects that provide a minimum of 10% of the total residential units as affordable may submit a land use permit while the moratorium is in effect. The project will generate jobs, and it is anticipated that the development will employ approximately 50 people. The City has identified that affordable housing is needed, and it is likely that this project will increase housing demand and increase traffic by those driving to work. By providing housing within the project, likely the housing demand will be lessened. To mitigate this impact, staff is proposing a condition to require affordable units within the building. See proposed associated conditions below.

Chapter 4 – Open Space and Trails

Goal WMP 4-1, Policy WMP 4-1.1, Goal 4-3, Goal 4-4, Policy WMP 4-4.1, Policy WMP 4-4.2, Policy WMP 4-4.3, and Policy WMP 4-4.4.

Consistency Analysis: Existing trails on adjacent properties that could connect to the subject site were not identified, nor any historic known use on the subject property. The City's Public Works Development Engineer is recommending the developer install a crosswalk near the midpoint of the property for greater connectivity. The proposal provides an enhanced pedestrian experience with six-foot wide sidewalks, three-foot wide planter strips, street trees, and a bike lane. This provides better

connectivity to retail shopping, the ferry, public facilities, open space, and residential areas. The proposal does not include enhancement or development of existing parks, however, through conditions of approval, the city recommends development of the pavilion at Waterfront Park to earn the FAR bonus.

Chapter 6 – Transportation

Goal WMP 6-1, Goal WMP 6-2, Goal WMP 6-3, Goal WMP 6-4, Goal WMP 6-5, Goal WMP 6-7, Goal WMP 6-8, Goal WMP 6-10, Policy WMP 6-11.4, Policy WMP 6-11.5, Policy WMP 6-11.9, Policy WMP 6-11.11, Policy WMP 6-12.1, and Policy WMP 6-12.2.

Consistency Analysis: The proposal provides an enhanced pedestrian experience with six-foot wide sidewalks, three-foot wide planter strips, street trees, and a bike lane. The project is conditioned to install a crosswalk near the midpoint of the property for greater connectivity. The streetscape design showcases the preserved heritage tree by providing a see-through building, reflecting the community values. Merchant deliveries will be accommodated on the south side of the building on the subject property to prevent interruption of street function. Non-motorized improvements such as pedestrian and bicycle amenities and facilities have been incorporated into the BIMC and IWTP requirements. In addition to the sidewalk and bike lane, the applicant is required to provide a minimum of 28 bicycle spaces. The hotel, sidewalk, and parking, including a van-accessible parking space in the entry court, provide disabled access. The proposal exceeds parking recommendations from the consultant with all spaces located on site, proposes a van as hotel shuttle service, provides two on-street spaces with an electric vehicle charging station and seven others located in the parking garage, and exceeds bicycle parking requirements.

Chapter 8 - Utilities

Goal 8-1, Policy WMP 8-1.2, Policy WMP 8-1.3, Policy WMP 8-1.4, and Policy WMP 8-1.5.

Consistency Analysis: Outside of the City's Housing Design Demonstration Project (HDDP) code, the code does not provide development standards, design guidelines and incentives to encourage nor require green building techniques. The applicant has indicated that they will pursue the Living Building Challenge, however, this is not guaranteed as the qualification is verified by another party and can not be guaranteed. According to the applicant, this could be the first LivingBuilding hotel in the world. The applicant has proposed design features that minimize the use of off-site water, produce its own energy and eliminate the use of toxic or hazardous materials in both construction and operation. The City is proposing a condition that requires the applicant to provide and document the green building design of the project with their building permit submittal. This desire was expressed by the Design Review Board and a green building code is currently being discussed the City Council.

Staff Analysis of the Winslow Master Plan Goals and Policies:

In conclusion, staff finds that the project is consistent with the Winslow Master Plan Goals and Policies. The proposal provides an enhanced pedestrian experience with six-foot wide sidewalks, three-foot wide planter strips, street trees, and a bike lane. This provides better connectivity to retail shopping, the ferry, public facilities, open space, and residential areas. A hotel expands the customer base for local businesses, while also serving the needs of the community and visitors by providing overnight accommodations on the Island, a restaurant, spa and gathering space, both public and private. The proposed development proposes sustainable practices such as rainwater recycling, pervious parking and drive surfaces, and solar panels.

Transition standards do not exist, and perimeter buffers do not apply for this zone. Stepped-back buildings are encouraged in the design guidelines, but allows for alternatives if the effect is that the upper floors recede from view and the impacts of massing on light and air are addressed. The applicant has proposed a façade with highly glazed glass and the Design Review Board recommendation finds that it meets the intent of a soft street edge rather than creating a corridor

affect. The dimensional standards in BIMC Title 18 require that front yard setback for the development be no greater than five-feet and the building is located to provide street presence. The courtyard and event space within the hotel serve as a gathering space for community events.

Since 2006, Floor Area Ratios (FAR) have been applied in the Mixed Use Town Center (MUTC) and High School Road districts to determine density and intensity of development. The Central Core district within the MUTC was designated the greatest density and intensity and is eligible for bonus FAR. The proposed FAR is just under 1.0, and the maximum, bonus FAR allowed in this zone is 1.5 for a residential/commercial mixed use.

The proposal does not include enhancement or development of existing parks, however, through conditions of approval, the city recommends development of the pavilion at Waterfront Park (within walking distance of and connected to the ferry) to earn the FAR bonus. The proposal also provides street trees, a three-foot wider planter strip between the sidewalk and road, and a courtyard with a reflecting pond. The courtyard provides connectivity to the sidewalk and is in close proximity to the Winslow Green, a public gathering space within short walking distance of the proposed site. The applicant has proposed art in the courtyard and would like to display a piece from a Salish tribe. The proposal retains over 100 tree units and proposes to plant an additional 137 new trees totaling over 16,000 sq.ft. of newly planted areas using almost exclusively native species.

Existing trails on adjacent properties were not identified, nor any historic known use on the subject property. The City’s Public Works Development Engineer is recommending the developer install a crosswalk near the midpoint of the property for greater connectivity.

Non-motorized improvements such as pedestrian and bicycle amenities and facilities have been incorporated into the BIMC and IWTP requirements. In addition to the sidewalk and bike lane, the applicant is required to provide a minimum of 28 bicycle spaces. The hotel, sidewalk, and parking, including a van-accessible parking space in the entry court, provide disabled access. The proposal exceeds parking recommendations from the consultant with all spaces located on site, proposes a van as hotel shuttle service, provides two on-street spaces with an electric vehicle charging station and seven others located in the parking garage, and exceeds bicycle parking requirements. The traffic impact analysis prepared by the applicant’s consultant evaluates the impacts of proposal including other projects currently underway in the project vicinity and concluded that no mitigation was required.

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

1. Public Notice

Date & Action	Summary
<i>February 8, 2019</i> Notice of Application/SEPA Comment Period/Hearing Published	14-day comment period.
<i>February 22, 2019</i> End of Comment Period	76 public comments received.
<i>April 26, 2019</i> Revised Notice of Application/SEPA Comment Period Published	14-day comment period. The project was re-noticed after the applicant made revisions adding 12 rooms (for a total of 87 hotel rooms) and 12 parking spaces. All comments received during the original comment period remained valid.

<i>May 10, 2019</i> End of Comment Period	45 public comments received and a petition with over 80 signatures to deny the proposal.
Public Comments at Planning Commission Meetings	33 people commented on the proposal at the Planning Commission meetings and five written comments were submitted.
<i>November 1, 2019</i> Revised Notice of Application/SEPA Comment Period Published	14-day comment period. The project was re-noticed after the applicant made revisions adding 11 residential studio units and 11 on-site parking spaces. All comments received during the original comment period remained valid.
<i>November 15, 2019</i> End of Comment Period	56 public comments received. On November 4, 2019, the applicant requested to withdraw the addition of the 11 residential studio units and move forward with the previously submitted proposal. Other changes such as the added 11 on-site parking spaces, the landscape buffer abutting the lot with a single-family residence, and a shortened west wing to protect a landmark tree (35-inch DBH Pacific Madrone) were requested to remain. Signs on the property were revised to indicate the withdrawal of the 11 residential units and to reflect the current proposal.
<i>November 25, 2019</i> SEPA Determination Issued	The director, as the SEPA Official, issued a Mitigated Determination of Nonsignificance (MDNS). This commenced a 14-day appeal period.
<i>November 29, 2019</i> Notice of Hearing Published	A notice of the public hearing was published. The public hearing was scheduled for December 19, 2019 at 10:00am.
<i>December 9, 2019</i> End of SEPA Appeal Period	A timely SEPA appeal was filed with the city on Monday, December 9, 2019 at 10:14am. The appeal period ended on December 9, 2019 at 4:00pm.
Other Public Comments	200+ comments were received outside of noticed public comment periods.

2. Public Comments

Summary of Comment	City Response
Building Design and Scale: Too many rooms and should be reduced, structure is too large, is not a boutique hotel, land is too small for the hotel, limit to two stories, long east and west elevations, height and type of building damage appearance of downtown, concerned that the public won't see the redwood with building design, aesthetically pleasing.	The Design Review Board reviewed the proposal for scale and concluded that the building is visually split into three elements and maintains the scale of the district per the Commercial and Mixed Use Guideline 15: maintain smaller scale commercial buildings by asking that buildings in excess of a 10,000 sq.ft. footprint be visually split into two or more distinct elements. The hotel is within the BIMC Title 18 dimensional standards including lot coverage, FAR, setbacks, and height. The proposed structure is the same height as the building directly across the street.
Preserving the Character of Winslow: Will change the experience of the Island, inadequate parking and traffic impacts will compromise the scale and feel of Winslow, losing the small town feel, creates a frenzied and busy environment, downtown is already overcrowded.	The Comprehensive Plan and BIMC Title 18 identify the Central Core as the most densely developed district and promotes the concentration of nonresidential development that reduces reliance on automobiles. The project is proposed just shy of the base density, and .5 lower than the maximum mixed use density. The project proposes all parking

	<p>on site, with additional conditions imposed to further lessen the use of vehicles by providing shuttle service and bicycle parking as well as pedestrian improvements to encourage guests to walk or use alternative transportation from the ferry. The design incorporates cedar beams, natural materials, tree retention, and landscaping that capture the Island’s character and standard for quality development.</p>
<p>Impacts to Adjacent Residences: Should not be located next to a dense residential area and quiet side streets, should be sympathetic to existing residences, suggest landscaping between building and residents on the west side for screening, diminishes values of adjoining homes, detrimental to the long-term mental and physical health of citizens and guests.</p>	<p>Surrounding uses primarily include dense residential and commercial development. In response to concerns, the applicant has incorporated landscape buffers and additional tree retention and public visibility of trees to provide relief to adjacent properties. The applicant concentrated the hotel entrance on the east side to provide separation to the residential properties to the west. Additionally, the City has conditioned the project to provide a minimum six-foot high wall along the west property line in the southeast corner.</p>
<p>Not a Preferred Use: Use for the site should be residential, a hotel district should be provided elsewhere, development is incompatible, shouldn’t be next to homes, condos, senior living, community gardens, schools, or small commercial businesses, contributes nothing to local businesses, no local benefits from having a hotel, employees won’t live on the Island, no need for banquet space, meeting rooms, and restaurant, increase in trash left behind from events, a great place for families of locals to stay and experience the island.</p>	<p>Hotels require a conditional use permit in the Central Core, Gateway, and Ferry Terminal zoning districts and are a permitted use in the High School Road zoning district. A major conditional use permit is a mechanism by which the City may require specific conditions on development or the use of land to ensure that designated uses or activities are compatible with other uses in the same zone and in the vicinity of the subject property. If imposition of conditions will not make a specific proposal compatible the proposal shall be denied.</p>
<p>Economic Impact: Economic viability, concerned that the hotel business will fail, doesn’t pencil financially, wants the City to look at the business plan, could become an abandoned eyesore, other hotels on the Island are not at capacity, displaces the Seattle Children’s store, reduces quality of existing stores, unknown housing for new employees, will support local businesses and create new jobs.</p>	<p>The City Code does not require review of business plans. Rather, the Code provides development standards and review steps to ensure the community is informed and engaged in the review process. The hotel projects upwards of 50 staff members.</p>

<p>Parking and Traffic Impacts: Don't allow off-site parking, suggest underground parking or a smaller project, parking should rely on maximum demand, traffic study is based on October rather than summer months, the City should conduct its own parking study of the proposal, parking is already a problem, cars backing up onto Winslow Way, left turns will cause gridlock, expand the roads, don't rely on on-street parking, hotel should have a shuttle service, more congestion and accidents, intersection of Madison and Winslow is already a problem and may need a traffic light, limit number of events per year, pedestrian and bike safety is not considered, needs fire turnarounds,</p>	<p>In response to concerns, the applicant has provided all parking on site, thus eliminating the demand for parking on neighboring streets. The majority of the parking is located underground and exceeds the recommended number of parking stalls. The City has reviewed the parking study and concurs with the methodology and recommended number of spaces. The service entrance provides a turnaround and vehicles will not be backing up onto Winslow Way. If the entry court is full, visitors can use the two-way entrance to access the parking garage to self-park. The applicant has proposed and the project is conditioned to provide a hotel shuttle service. The traffic impact analysis concluded that no mitigation or improvements to intersections were necessary for the traffic impacts from the proposal, however, the project is conditioned to provide frontage improvements including new sidewalks and a bike lane. A fire turnaround is provided on both the east and west drives.</p>
<p>Noise, Light, and Odor Impacts: Noise from outdoor courtyard, restrict outdoor events, no amplified music, service drive should be moved to the east side, restrict delivery times, bandshell and amphitheater should not be allowed, sound is already a problem in Winslow Green, construction impacts, require more stringent noise restrictions with a study and quarterly monitoring, enclose the loading dock and drive area, sound barriers around external HVAC units, lighting to comply with dark sky standards, concerned with noise impacting residences to the south, restaurant exhaust and cooking odors, truck back-up alarms, sound of disposal of waste during the day.</p>	<p>The project is conditioned to meet the noise standards of the municipal Code. Additionally, the applicant consulted with an acoustical engineer in response to neighbor concerns about noise impacts. The proposal uses landscaping, green walls, a bandshell, and enclosed the trash and recycling under the building to reduce impacts from noise, odors, and light. The City has also proposed conditions such as a wall along the west property line to mitigate noise and light impacts. To ensure these measures adequately protect the surrounding properties against noise, the City has conditioned the project to monitor noise, provide an annual report for the first 2 years, and provide additional conditions if necessary to reduce noise.</p>
<p>Utilities and Environmental Impact: Water supply concerns, sewage capacity and old pipes, status of the living building challenge, concerns about an on-site well near creosote plant and saltwater, on-site septic odor and possibility of failure, impacts of woodburning and cleaner options should be considered, impacts to landfill, strain on the aquifer, highest standards of green architecture.</p>	<p>The proposal maintains the existing grade of the site, exceeds tree retention and landscaping requirements, and makes surface parking and drives permeable for natural drainage. LID and green design features include drainage system will capture site and roof run-off to a 42,000-gallon rain-water underground cistern for recycle, reusing approximately 500-700 gallons per day. Excess runoff will be discharged to the Winslow Way W public storm water conveyance system. All surface parking and drives are permeable. The proposal</p>

	has received a non-binding water and sewer availability letter from the City and will be required to have a binding letter for building permit issuance. No on-site well or large on-site sewage system is proposed at this time. The applicant intends to pursue petals of the living building challenge and has designed the building to have low impacts. The project is conditioned to document and indicate the green building features it will meet.
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3. Agency Comments

Date & Agency	Summary of Comment
<i>January 7, 2019</i> Kitsap Public Health District (KPHD)	KPHD had no comments.
<i>May 1, 2019</i> Bainbridge Island Fire District (BIFD)	The Fire Marshal recommended approval with conditions.
<i>May 7, 2019</i> Building Official	The Building Official Provided preliminary comments. A full review will be performed through the building permit application.
<i>June 5 & 6 2019</i> COBI Public Works - Engineering	The City's Public Works Development Engineer recommended approval with conditions and issued a certificate of concurrency.
<i>June 7, 2019</i> COBI Operations and Maintenance	The City issued a non-binding commitment for water and sewer system capacity.
<i>December 9, 2019</i> COBI Public Works - Engineering	The City's Public Works Development Engineer issued updated conditions of approval and an updated Certificate of Concurrency based on additional traffic counts and analysis submitted by the applicant.

Part VI: Land Use Code Analysis

1. BIMC Title 16 Environment

a. BIMC 16.32 Protection of Landmark Trees

Landmark Tree	Required/Allowed	Proposed
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<p>Landmark Tree Criteria (determined by species and diameter at breast height (DBH) pursuant to BIMC 16.32.020)</p>	<p>Landmark trees shall be retained unless a Landmark Tree Removal Permit is issued, meeting the decision criteria in BIMC 16.32.030. The following species and DBH contained on this site qualify as landmark trees:</p> <ul style="list-style-type: none"> • Pacific Madrone (Arbutus menziesii) 24-inch DBH or greater (2 total) • Coast Redwood (Sequoia sempervirens) 30-inch DBH or greater 	<p>The applicant is retaining all three landmark trees on the site including:</p> <ul style="list-style-type: none"> • Pacific Madrone (Arbutus menziesii) 35-inch DBH • Pacific Madrone (Arbutus menziesii) 42-inch DBH • Coast Redwood (Sequoia sempervirens) 60-inch DBH <p>A revision by the applicant to protect and preserve the 35-inch DBH Pacific Madrone included reducing the length of the west wing of the building.</p>
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2. BIMC Title 18 Zoning

a. BIMC 18.06.030 Mixed Use Town Center Zone

Zoning	Purpose
<p>Mixed Use Town Center (MUTC)</p>	<p>The purpose of the Mixed Use Town Center zone is to implement the Mixed Use Town Center sections of the comprehensive plan. The Mixed Use Town Center should strengthen the vitality of downtown Winslow as a place for people to live, shop and work, to provide a strong residential component, and to encourage a lively community during both the day and night. The Mixed Use Town Center zone includes five overlay districts that allow diverse types of housing, shopping, civic facilities, recreation and employment. The mix of land uses promotes a pedestrian atmosphere, enhances the viability of the town center, and allows development in a manner that is harmonious with the scale of the town center.</p> <p>The project site meets the MUTC purpose by providing a hotel, banquet space and meeting rooms, restaurant and bar, and spa to serve as a place for people to shop and work and to encourage a lively community during the day and night (with mitigation measures to ensure that noise impacts are lessened). As proposed and condition, the project also promotes a pedestrian atmosphere with street improvements including the bike lanes and adjoining sidewalk.</p>
<p>Central Core Overlay District (CC)</p>	<p>The central core overlay district is the most intense district within the Mixed Use Town Center. Within this overlay district, residential uses are encouraged, but exclusive office and/or retail uses are permitted. As proposed, the project is exclusive retail. As conditioned, and as expressed as a possibility by the applicant, the project could also provide residential uses resulting in a mixed use project.</p>

b. BIMC 18.06.030 Mixed Use Town Center Zone Performance Standards

Performance Standard	Required/Allowed	Proposed
<p>Noise</p>	<p>No use shall exceed the maximum environmental noise level, established by Chapter 173-60 WAC, as adopted in Chapter 16.16 BIMC.</p>	<p>The City has conditioned the project to meet the noise standards. Additionally, the applicant consulted with an</p>

		acoustical engineer in response to neighbor concerns about noise impacts. The applicant proposes landscaping, green walls, a bandshell, and enclosed the trash and recycling under the building to reduce impacts from noise. The City has also proposed conditions such as a wall along the west property line to help mitigate noise impacts. The project has been conditioned to comply with this standard. The project is also conditioned to monitor noise and is able to be further conditioned to ensure noise impacts are reduced.
Air Quality Emissions	No use in this district shall produce emissions of smoke, dust and/or odors beyond the property boundary that may unreasonably interfere with any other property owners' use and enjoyment of his/her property. In addition, all sources and emission units are required to meet the emission and the ambient air quality standards specified in Chapter 173-400 WAC, and administered by the Puget Sound Clean Air Agency (formerly the Puget Sound Air Pollution Control Authority), and shall apply to all air contaminants listed in that regulation.	The project has been conditioned to comply with this standard.
Lighting	Lighting standards set forth in BIMC 18.15.040 apply. All outdoor lighting fixtures installed on private and public property shall comply with this chapter. This chapter does not apply to interior lighting; provided that if, upon inspection, it is determined by the director that any interior lighting emitting light outside of the building or structure in which it is located creates a light trespass, the interior lighting shall be subject to the requirements of BIMC 18.15.040.	The project has been conditioned to comply with this standard. A post-installation inspection of the lighting is required prior to certificate of occupancy for the building permit.

c. BIMC 18.09 Use Regulations

Proposed Use	Definition
Hotel (Conditional Use)	“Hotel” means a building or group of buildings containing guest rooms, where, for compensation, lodging is provided for transient visitors. A hotel or motel may contain one or more restaurants. A hotel or motel is not a bed and breakfast lodging or inn as defined and regulated elsewhere in this code.
Restaurant (Permitted Use)	“Restaurant” means a restaurant or cafe (excluding formula take-out food restaurants) that sells prepared food or beverages and also offers accommodations for consuming the food or beverage on premises.
Entertainment Facility (Permitted Use)	“Entertainment facility” means a performing arts theater, or cinema, concert venue, or circus/festival; venue not included in the definition of “Recreation activities, outdoor,” and “Recreation activities, indoor.” “Entertainment facility” does not include adult-oriented entertainment facilities.
Personal Service (Permitted Use)	“Personal service” means an establishment that provides on-site service(s) in a nonoffice environment including, but not limited to, beauty shops, shoe repair, laundry, dry cleaning services, animal grooming parlor and tanning salons. Auto repair and body shops are not included under this definition.
Accessory Solar Panel (Accessory Use)	“Accessory structure” means a subordinate building or structure that is incidental to the principal structure on the same lot, or an abutting lot if it meets the requirements in BIMC 18.09.030.I.13. Accessory structures include, but are not limited to, solar panels, small wind devices, barns, sheds, and confined feed lots holding less than five chickens (roosters are only allowed on parcels outside of the Mixed Use Town Center districts).

All of the uses are allowed as right, with the exception of the hotel which requires a conditional use, as well as the solar panels, which are accessory.

d. BIMC 18.12 Dimensional Standards

Dimensional Standards	Required/Allowed	Existing (assumed aggregation)	Proposed (assumed aggregated)
Lot Coverage	100 percent excluding setbacks (80,855 sq.ft.)	16 percent (13,233 sq.ft.)	39 percent (31,535 sq.ft.), or 61% less than the maximum allowed in this zoning district.
Front Yard Setback	5-feet maximum from the sidewalk for commercial uses	20 feet from the Winslow Way West sidewalk	0 feet from the Winslow Way West sidewalk
Rear Setback	0 feet	28 feet	20 feet, or 20 feet more than the minimum allowed in this district.
Side Yard Setbacks	0 feet	44 feet to the east and 43 feet to the west	24 feet to east and 17 feet to west (no setbacks proposed between the properties)
Commercial FAR Maximum with Bonus	0.6 FAR (48,513 sq.ft.) 1.0 FAR (80,855 sq.ft.)	.335 FAR (13,233 sq.ft.)	0.91 FAR (73,571 sq.ft.) (bonus needed for 25,058 sq.ft.)

			Portions of the structure not completely enclosed by exterior vertical walls, such as the garage or bandshell, do not count as floor area. See below for FAR bonus options.
<p>Eligible properties may achieve a maximum level of development above the base FAR by using one, or a combination of FAR bonus provisions in BIMC 18.12.030.E. At the applicant’s option, a portion of the bonus may be earned through the provision of public amenities, infrastructure, and/or preservation of a heritage tree(s) on site, pursuant to an adopted city council resolution clarifying the amount of credit awarded for different provision of different public amenities and/or infrastructure, as follows:</p> <ul style="list-style-type: none"> • 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. Funds contributed to the public amenities and/or infrastructure shall be used exclusively in the Mixed Use Town Center or High School Road districts, for projects identified in the six-year capital facilities program, or approved by the city. • In lieu of the contribution of funds as provided for in subsection E.3.a of this section, and subject to approval by the director or designee, the public amenities FAR bonus may be achieved by the preservation of a heritage tree(s) on site, construction of public amenities and/or infrastructure beyond that required to mitigate the impacts of development. Public amenities and/or infrastructure projects shall be located in the Mixed Use Town Center or High School Road districts, and shall be chosen from projects identified in the six-year capital facilities program, or approved by the city. <p>As discussed with the applicant and outlined in the conditions of approval, the city is recommending the following to earn the FAR bonus:</p> <ul style="list-style-type: none"> • The City’s Waterfront Park is the only large green space on the Island that is located close to Winslow Town Center, along a city-wide trail system and near the Washington State ferry terminal. Phase 1 of the Waterfront Park Master Plan (dated April 15, 2015) was approved by City Council on June 2, 2015 with a pavilion to accommodate outdoor movies, group picnics, events, instruction and casual shelter. While many of the master plan redevelopment components have been actualized with the 201 – 2017 redevelopment of the park, the pavilion was not due to lack of funding. This plan was adopted after many public meetings and designs by a consultant. The city requests the applicant achieve the FAR bonus by constructing this public amenity. The construction of this amenity furthers the Waterfront Park Master Plan and the Winslow Comprehensive Plan goals and policies. • 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. <p>In addition, the applicant has indicated interest in designating and preserving one or more heritage trees on site to earn the FAR bonus:</p> <ul style="list-style-type: none"> • The amount of FAR for the preservation of a heritage tree is determined by the valuation of the tree, as provided by the applicant and reviewed and approved by the City. The valuation shall be prepared using the valuation standards of the International Society of Arboriculture and reviewed by the city’s arborist. 			
Title 18 Building Height Bonus for parking	35 feet maximum 45 feet maximum	The existing buildings range in height from	35 feet (south 6,711 sq.ft building footprint

under the building	The bonus height is only available for the entire building if parking is located under more than 50 percent of the building footprint. If parking is located under 50 percent or less of the building footprint, the bonus may only be used for a portion of the building footprint twice as large as the area with parking located beneath.	18' to 22' above average existing grade.	of east wing) 45 feet (24,480 sq.ft. building footprint) Parking is located under 39 percent (12,240 sq.ft.) of the building footprint. 24,480 sq.ft. footprint of the building qualifies for the height bonus. The parking levels are not a story above grade plane as defined in the International Building Code (IBC) and qualify for the bonus for parking under the building footprint.
Permitted Height Modifications – Solar Panels	Up to 18 inches above the maximum building height in the district.		0 inches

e. BIMC 18.15 Development Standards and Guidelines

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

Landscaping Requirements	Required/Allowed	Proposed
Tree Units	30 tree units per acre 1.86 acres (80,855 sq.ft.) 55.8 tree units are required	The applicant retained 101.4 tree units and proposed 137 new tree units totaling 238.4 tree units, exceeding the minimum 55.8 tree unit requirement.
Parking Lot Landscaping	One tree is required for every eight parking stalls. The surface parking lot has 30 spaces and four trees are required. All of the trees may be deciduous. A landscaped area is required at the end of aisles.	The applicant proposes 12 trees in the landscaped areas at the end of aisles, exceeding the 4 minimum requirements.
Perimeter Buffer	Not applicable to the subject properties per the Administrative Code Interpretation referenced in Part III and in the Exhibits.	While no buffer is required, in response to public comments, the applicant has proposed a four-foot minimum landscaped buffer along the side setbacks and widens to 10 feet where the surface parking lot abuts a lot with a single family residence. Additional landscaped buffer a minimum of 20 feet is also proposed where the courtyard abuts adjacent properties.

Roadside Buffer	Not applicable.	Not applicable.
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ii. BIMC 18.15.020 – Parking and Loading

Parking Requirements	Required/Allowed	Proposed
Off-Street Parking	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 determined by other comparable jurisdictions. The applicant supplied a parking study which recommends 129 parking spaces to accommodate design day demand which refers to a typically busy day that is expected to occur with some frequency. They also recommend a contingency plan for a maximum event scenario for a total of 196 parking spaces.	A total of 143 striped parking spaces are proposed which includes two on-street spaces, 30 surface spaces, 10 spaces under the west wing, 4 spaces in the P2 parking garage under the east wing, and 52 spaces in the P1 parking garage under the east wing. Of the 143 spaces, 72% are under the building and the remaining 28% are surface parking spaces. Additionally, the applicant has demonstrated capacity for an additional 37 spaces through the use of stacked parking by valet attendants, totaling an on-site capacity of 180 spaces. To ensure the site maintains capacity for maximum event scenarios, the proposal has been conditioned to limit the simultaneous use of the banquet and meeting rooms to 6,200 sq.ft.
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.	The applicant is meeting this requirement with two on-street parking spaces proposed on Winslow Way immediately abutting the project site, with an electric vehicle charging station proposed for one of these spaces.
Disabled Access Parking	Six disabled access parking spaces are required. At least one disabled access parking space shall be van-accessible and must connect to the shortest accessible route to the accessible building entrance or facility they serve.	The applicant has met this requirement by proposing six disabled access parking spaces. The van-accessible space is located in the entry court and the remaining spaces are located on the first level of the parking garage.
Compact Vehicle Parking	Compact car spaces may total no more than 30 percent of the required number meaning they can have no more than 42 compact spaces.	The applicant is proposing and the project is conditioned to provide 42 compact parking spaces are proposed, meeting this requirement.
Electric Vehicle Charging	When a new commercial or mixed	The applicant has proposed a total

Stations	use development is required to provide parking for more than 25 cars, 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.	of eight electric vehicle charging stations, one with an on-street space and seven in the parking garage thus meeting this requirement.
Parking Maximums	Above-ground parking lots exceeding the number of spaces required by this section are not allowed unless approved by the planning commission; spaces provided in underground parking garages are exempt from parking maximums.	According to the parking study, the applicant is proposing to exceed the number of spaces required, however, the majority of the parking, including the excess spaces, is located in an underground parking garage and the excess spaces are exempt.
Access	Unless approved by the director, only a single access to public right-of-way is allowed for an individual lot. More than one access may be allowed by the director if the director determines, based on drawings or other information submitted by the applicant, that (a) the proposed site access includes measures that mitigate any identified negative impacts or effects that would result from the additional access point(s); and (b) the additional access point(s) will improve on-site or off-site traffic flow or is necessary for, or will help facilitate, compliance with other requirements of this chapter.	The Traffic Impact Analysis prepared by Heath & Associates, dated April 2019, concluded that no safety concerns are identified with the three entrances as proposed on Winslow Way West. The additional entrances (service only entrance and shuttle entrance) are proposed for approval along with the two-way hotel parking lot entrance. Further traffic analysis in July 2019 confirmed the safety of these entrances. The Director finds that the entrances for the different uses will improve traffic flow and proposes allowing this amount of entrances.

iii. BIMC 18.15.030 – Mobility and Access

Mobility Requirements	Required/Allowed	Proposed
Bicycle Spaces	One bicycle space per five parking spaces with a minimum of four bicycle spaces. Capacity for 180 parking spaces are proposed and 36 bicycle spaces are required.	The applicant has proposed 36 bicycle spaces along with 36 bicycles as part of an on-site shared bicycle (or equivalent electric-assisted bicycle) program, thus meeting this requirement.

iv. BIMC 18.15.040 – Outdoor Lighting

Lighting Requirements	Required/Allowed	Proposed
Outdoor Lighting	Outdoor lighting shall comply with BIMC 18.15.040.	The project has been conditioned to comply with the outdoor lighting requirements.

v. BIMC 18.15.050 – Signs

Sign Requirements	Required/Allowed	Proposed
Signs	Signs shall comply with BIMC 18.15.050 and BIMC 15.08.	Sign permits are required for any signage proposed.

f. BIMC 18.18 Design Standards and Guidelines

Design Guidelines	Requirements
Core Overlay District Guidelines	The Design Review Board reviewed all of the applicable design guideline checklists for this proposal and recommended approval with several conditions including revised drawings for parking landscaping, description of the material palette, revised plans for the gutter system if located on the building exterior, and review of any substantial changes to building materials and roof articulation. The project has been conditioned accordingly.
Guidelines for Commercial and Mixed Use Projects	
General Guidelines for all Overlay Districts	
Street Trees in the Central Core Overlay District	Street trees shall be provided in an amount equivalent to at least one every 30 feet in planting pots or beds covered by a tree grate, pavers, or planted area. Trees may be grouped and are encouraged to have a varied meandering effect. Eight street trees are required. The applicant has proposed eight street trees along the frontage and meets this design standard.

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) and development standards of the Mixed Use Town Center – Central Core Overlay (CC) district. This is not a housing design demonstration project.
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;	As conditioned, the location of the building, open spaces, landscaping, pedestrian, bicycle and vehicular circulation systems are adequate, safe, efficient and in conformance with the Island-Wide Transportation Plan. The building meets all dimensional standards of Title 18. Open space and perimeter landscaping are not required for the proposed use. The proposal retains over 100 tree units and adds 137 new trees, totaling over 16,000 sq.ft. of newly landscaped areas. The project frontage shall be developed consistent with the street standard for an urban collector roadway in the Winslow Core per drawing DWG.

	<p>7-030. The frontage shall include a five-foot wide right of way dedication along the full parcels' Winslow Way West frontage conveyed to the City by a Right of Way Deed, a six-foot wide bike lane (five feet of asphalt and one-foot gutter pan), concrete curb and gutter with an adjacent three-foot planter strip, and a minimum five-foot wide concrete sidewalk. A public pedestrian easement shall be dedicated to the City for sidewalk improvements proposed outside of the future right of way boundaries.</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) had no comments. KPHD will review the rainwater recycling system and permits for the food establishment with the building permit. The property is served by City sewer and water and the City issued a non-binding commitment for water and sewer system capacity. A binding commitment letter for water and sewer availability is required prior to building permit issuance for the proposed structure.</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 	<p>As conditioned, the City engineer has determined that the site plan and design meets the decision criteria. The proposed system will capture site and roof run-off to a 42,000-gallon rain-water underground cistern for recycle, reusing approximately 500-700 gallons per day. Excess runoff will be discharged to the Winslow Way W public storm water conveyance system. All surface parking and drives are permeable. The streets and pedestrian ways coordinate with existing streets serving adjacent properties and are adequate to accommodate anticipated traffic. A traffic impact analysis was completed for the site per BIMC 15.32 and 15.40 to evaluate for concurrency. Based on the results of the traffic impact analysis completed by Heath & Associates dated April 24, 2019, a certificate of concurrency was issued per BIMC 15.32.060. Following additional questions at planning commission, the</p>

<p>services, there is capacity in the water or sewer system (as applicable) to serve the 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>applicant submitted additional traffic analysis. With the, the City Engineer issued an updated certificate of concurrency on December 9, 2019. The frontage improvements are designed in accordance with the Island Wide Transportation Plan. The property is served by City sewer and water and the City issued a non-binding commitment for water and sewer system capacity. The proposal conforms to the “City of Bainbridge Island Design and Construction Standards.”</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>The Design Review Board reviewed the proposal six times and recommended approval, finding that, as conditioned, the site plan and design is consistent with all applicable design guidelines in BIMC Title 18 including Guidelines for Commercial and Mixed Use Projects, General Guidelines for all Overlay Districts, and Core Overlay District Guidelines. As conditioned, prior to issuance of the building permit for the structure, the applicant will provide an additional drawing showing the perpendicular two-foot planters along the parallel parking on the east side, description of the material pallet, plans for the hydraulic design of the roof drainage/gutter system. As requested by the DRB, the project is conditioned to be reviewed by the DRB if there are substantial changes to building materials and roof articulation.</p>
<p>6. No harmful or unhealthful conditions are likely to result from the proposed site plan;</p>	<p>As conditioned, no harmful or unhealthful conditions are likely to result from the proposed development. No use in this district shall produce emissions of smoke, dust and/or odors beyond the property boundary that may unreasonably interfere with any other property owners’ use and enjoyment of his/her property. In addition, all sources and emission units are required to meet the emission and the ambient air quality standards specified in Chapter 173-400 WAC, and administered by the Puget Sound Air Pollution Control Authority (PSAPCA), and shall apply to all air contaminants listed in that regulation.</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, Waterfront Park Master plan and the Winslow Master Plan.</p>
<p>8. Any property subject to site plan and design</p>	<p>The properties do not contain critical areas or</p>

review that contains a critical area or buffer, as defined in Chapter 16.20 BIMC, conforms to all requirements of that chapter;	buffers.
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;	The properties are not within shoreline jurisdiction.
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;	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.
11. The site plan and design has been prepared consistent with the purpose of the site design review process and open space goals.	The site plan and design has been prepared 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 and provided a means for guiding development in a logical, safe, attractive, and expedient manner. The proposal does not require dedication of open space.

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	The Comprehensive Plan and BIMC Title 18 identify the Central Core as the most densely developed district and promotes the concentration of nonresidential development that reduces reliance on automobiles. Hotels are a conditional use in the Central Core, Gateway, and Ferry Terminal zoning districts and a permitted use in the High School Road zoning district. The Central Core district provides walkable access to the ferry and other downtown amenities. The proposal meets applicable design guidelines, height, dimension, and other FAR requirements. The hotel's height along Winslow Way matches the height of the buildings directly across the street to the north. The hotel is taller than adjacent buildings to the east and west, and is potentially comparable in height to the building to the south. The design incorporates cedar beams and other natural and sustainable materials that speak to the Island's character and

	<p>standard for quality development. A glass entry highlights a large coastal redwood in the courtyard and a reflecting pond beyond with landscaping inspired by the Bloedel Reserve. The Design Review Board reviewed and approved all applicable Design Guideline Checklists. Guideline 15 of the Commercial and Mixed Use Guidelines aims to maintain smaller scale commercial buildings by requiring that buildings in excess of a 10,000 sq.ft. footprint should be visually split into two or more distinct elements. The Design Review Board agreed that the building is visually split into three elements and maintains the scale of the district. The proposal is harmonious and compatible with the physical characteristics of the property. It maintains the existing grade of the site, exceeds tree retention and landscaping requirements, and makes surface parking and drives permeable for natural drainage. The property contains no critical areas and is underdeveloped making it an ideal candidate for redevelopment. Surrounding uses primarily include dense residential and commercial development.</p>
<p>b. The conditional use will be served by adequate public facilities including roads, water, fire protection, sewage disposal facilities and storm drainage facilities; and</p>	<p>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 served by City sewer and water and the City issued a non-binding commitment for water and sewer system capacity. The Fire District reviewed and recommended approval with conditions for sprinkler systems and fire flow. The proposed storm drainage system will capture site and roof run-off to a 42,000-gallon rain-water underground cistern for recycle, reusing approximately 500-700 gallons per day. Excess runoff will be discharged to the Winslow Way W public storm water conveyance system. All surface parking and drives are permeable.</p>
<p>c. The conditional use will not be materially detrimental to uses or property in the vicinity of the subject property; and</p>	<p>While the proposed use will result in impacts including but not limited to noise, light, and traffic, as conditioned, the use will not be materially detrimental to uses or property in the vicinity of the subject property.</p>

<p>d. The conditional use is in accord with the comprehensive plan and other applicable adopted community plans, including the Island-Wide Transportation Plan; and</p>	<p>As conditioned, the proposed development is in conformance with the Bainbridge Island Comprehensive Plan, the Winslow Master Plan, and the Island-Wide Transportation Plan. The project frontage shall be developed consistent with the street standard for an urban collector roadway in the Winslow Core per drawing DWG. 7-030. The frontage shall include a five-foot wide right of way dedication along the full parcels' Winslow Way West frontage conveyed to the City by a Right of Way Deed, a six-foot wide bike lane (five feet of asphalt and one-foot gutter pan), concrete curb and gutter with an adjacent three-foot planter strip, and a minimum five-foot wide concrete sidewalk. A public pedestrian easement shall be dedicated to the City for sidewalk improvements proposed outside of the future right of way boundaries.</p>
<p>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</p>	<p>As conditioned, the conditional use complies with all other provisions of the BIMC. This is not a housing design demonstration project.</p>
<p>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</p>	<p>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. The applicant made multiple revisions in response to public comment including keeping all parking on-site, increasing on-site parking, enclosing trash and recycling, adding perimeter landscaping, adding a bandshell, and eliminating amphitheater seating for outdoor music. The applicant obtained a letter from Bainbridge Disposal, agreeing to limit pick-up times to after 10:00am to minimize noise. The City has considered all public comment and has proposed conditions to mitigate impacts including a wall along the west property line to mitigate noise, light and exhaust and to require monitoring and the ability to impose additional conditions if necessary. The applicant has provided greater parking than the minimum recommended by the parking consultant in response to neighborhood concerns about parking shortages. Following one of the four planning commission meetings, the applicant submitted a revised plan</p>

	<p>to the Planning Commission to include six (6) workforce/employee housing within the existing footprint and shell of the proposed building with minimal exterior alteration. Ultimately, the Planning Commission recommended denial of the project. Later, the applicant submitted a formal revision to staff to add 11 employee housing units. However, the applicant subsequently withdrew their request to add the units. However, due to the amount of employees the project is projected to employ and the City's identified need for affordable housing, Staff is requesting that the applicant provide affordable housing units if 1) they can result in only minor changes to the existing footprint and façade, 2) if a revised parking analysis demonstrates that parking can occur on-site and 3) a revised traffic analysis shows no negative impact to Level of Service (LOS). If the project requires additional revisions to provide a minimum of six (6) affordable housing units, then the project may require a minor or major adjustment to the site plan and design review.</p>
<p>g. Noise levels shall be in compliance with BIMC 16.16.020 and 16.16.040.A; and</p>	<p>As conditioned, noise levels shall be in compliance with BIMC 16.16.020 and 16.16.040.A The applicant consulted with an acoustical engineer in response to neighbor concerns about noise impacts. The proposal uses landscaping, green walls, a bandshell, and enclosed the trash and recycling under the building to reduce impacts from noise. The building orientation, bandshell orientation, and tree retention are all designed to minimize noise. The proposal has also been conditioned to monitor noise and allows the city to impose additional mitigation measures if necessary.</p>
<p>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 requirements for handling surface water and pollutants in accordance with Chapters 15.20 and 15.21 BIMC; and</p>	<p>As conditioned, pedestrian, and bicycle circulation meets all applicable city standards and the "City of Bainbridge Island Design and Construction Standards." The streets and pedestrian ways coordinate with existing streets and are adequate to accommodate anticipated traffic. A traffic impact analysis was completed for the site per BIMC 15.32 and 15.40 to evaluate for concurrency. Based on the results of the traffic impact analysis completed by Heath & Associates dated April 24, 2019 and revised on December 9, 2019, a certificate of concurrency</p>

	was issued per BIMC 15.32.060. All surface parking and drives are permeable and the project has been conditioned accordingly.
<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>As conditioned, the City engineer has determined that the conditional use permit meets the decision criteria. The proposed system will capture site and roof run-off to a 42,000-gallon rain-water underground cistern for recycle, reusing approximately 500-700 gallons per day. Excess runoff will be discharged to the Winslow Way W public storm water conveyance system. All surface parking and drives are permeable, and the project has been conditioned accordingly. The streets and pedestrian ways coordinate with existing streets and are adequate to accommodate anticipated traffic. A traffic impact analysis was completed for the site per BIMC 15.32 and 15.40 to evaluate for concurrency. Based on the results of the traffic impact analysis completed by Heath & Associates dated April 24, 2019, a certificate of concurrency was issued per BIMC 15.32.060. The property is served by City sewer and water and the City issued a non-binding commitment for water and sewer system capacity. The proposal conforms to the “City of Bainbridge Island Design and Construction Standards.”</p>
<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.</p>	<p>The proposal is not being processed as a housing design demonstration project.</p>
<p>If no reasonable conditions can be imposed that ensure the application meets the decision criteria of this chapter, then the application shall be denied.</p>	<p>Staff has recommended reasonable conditions to ensure the application meets the decision criteria.</p>

Part VIII: Exhibits

See Exhibit List

Part IX: Recommended Conditions of Approval

The director recommends the following conditions of approval:

SEPA Conditions:

1. If any historical or archaeological artifacts are uncovered during excavation or construction, work shall immediately stop, and the Department of Planning and Community Development and the Washington State Department of Archaeology and Historic Preservation shall be immediately notified. Construction shall only continue thereafter in compliance with the applicable provisions of law.
2. The existing building at the south end of TA# 272502-4-098-2009 shall be photographed prior to demolition. Any architecturally significant craftsmanship shall be documented, and materials salvaged where feasible. Photographs and any other historic documentation of the site shall be made available for viewing in a gallery space within the development. This shall be viewable upon certificate of occupancy for the building.
3. To mitigate traffic impacts on adjacent properties and with 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. The frontage shall include a 5-foot wide right of way dedication along the full property's Winslow Way West frontage conveyed to the City by a Right of Way Deed (or through a permanent pedestrian easement), a 6-foot wide bike lane (5 feet of asphalt and 1-foot gutter pan), concrete curb and gutter with an adjacent 3-foot planter strip, and a minimum 5-foot wide concrete sidewalk. A public pedestrian easement shall be dedicated to the City for sidewalk improvements proposed outside of the future right of way boundaries. All work shall be completed or bonded for prior to certificate of occupancy for the building, unless otherwise agreed to by the city.
4. To mitigate traffic impacts, the applicant shall install a crosswalk on Winslow Way W at a point approximately midway between the crosswalk at Wood Avenue SW and the crosswalk at Finch Place SW. Additional site evaluation may be required to determine the specific design and location. A right of way permit is required for this work and will be reviewed by the Public Works Department at the time of application. All work shall be completed or bonded for prior to certificate of occupancy for the building, unless otherwise agreed to by the city.
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). Repaving shall extend from the frontage of the above described properties to the centerline of Winslow Way W. All work shall be completed or bonded for prior to certificate of occupancy for the building, unless otherwise agreed to by the city.
6. To mitigate traffic and parking impacts, the applicant shall operate a minimum of one ADA-compliant shuttle to transport guests to and from the Washington State Ferry terminal and other local destinations. This service shall be operational upon certificate of occupancy for the building.
7. To mitigate traffic and parking impacts, the applicant shall provide a shared bicycle (or equivalent electric-assisted bicycle) program on site with a minimum of 36 bicycles and 36 bicycle parking spaces (one per five of the 180 parking spaces) that allow secure locking of both the frame and wheels of a bicycle. This service shall be operational upon certificate of occupancy for the building.

8. To mitigate traffic and parking impacts, the applicant shall incorporate communications to their guests regarding the alternative modes of transportation available to reduce the use of single-occupancy vehicles. Communication with guests shall address at a minimum: the ADA-compliant shuttle service to and from the Washington State Ferry terminal and other local destinations, the shared bicycle program and location of bike lanes, and walkability with suggested routes. The applicant shall inform the City of their plan and periodically update them of any changes.
9. To mitigate traffic impacts, the hotel shall have staggered check-in times that coincide with the Washington State Ferry schedule.
10. To mitigate traffic and parking impacts, the applicant shall place parking signs near each vehicle entrance to denote the purpose. Examples may include employee parking, service and delivery vehicle entrance, shuttle entrance, valet parking, parking garage, and restaurant parking. The signs shall be installed prior to certificate of occupancy for the building.
11. To ensure traffic, parking, and noise impacts are successfully mitigated, the applicant shall submit to the city a monitoring report, prepared by the respective qualified professionals, after the first and second year following the certificate of occupancy for the building. During the first two years following the certificate of occupancy for the building, the applicant shall also track complaints, the nature of the complaint, the time/date the impact was noted and provide this to the professionals preparing the reports. The monitoring report shall evaluate traffic, parking, and noise for a minimum of six events occupying the large banquet room and the courtyard. The reports shall include, at a minimum, information about the level of occupancy of the hotel rooms during the events, the method of travel for hotel guests, the number of parking spaces (including stacked vehicles) occupied, the number of people attending the event, and measured noise levels. The applicant shall work with the city's Public Works Department Development Engineer to determine other traffic and parking variables to measure for the monitoring report.
12. To ensure traffic, parking, and noise impacts are successfully mitigated, the city shall use the monitoring reports to determine if additional conditions are necessary. Additional conditions may be administratively imposed and may include but not be limited to:
 - Limitations on room occupancy, the frequency, size, and hours of events;
 - Testing by an acoustical engineer to establish appropriate noise reduction measures;
 - Offsite parking agreements;
 - Additional screening;
 - Infrastructure improvements; and/or
 - An event and courtyard management plan.
13. Dust shall be managed in compliance with WAC 173-400 and Puget Sound Clean Air Agency – Regulation I, 9.15 (PSCCA Reg). “It shall be unlawful for any person to cause or allow visible emission of fugitive dust...” – PSCCA Reg, 9.15(a). The project proponent or contractor shall prepare and implement a “Dust Control Plan” in conformance with Department of Ecology Publication 96-433. Prior to any site activity, the “Dust Control Plan” shall be submitted to the City and it shall be actively managed for the duration of the project. Unlawful emissions (see below) shall be corrected immediately and/or dust generating operations ceased until additional or alternate BMPs can be implemented to maintain emissions below allowable levels.

"Fugitive dust" means a particulate (especially soil/dirt) emission made airborne by forces of nature, man's activity, or both, that leaves the subject site. Unlawful emissions shall generally be defined as emissions leaving the subject property that are visible to an untrained observer. Where

continuous monitoring equipment is used particulate matter concentrations shall be monitored for 10µm particle (PM10) size. The 24-hr average PM10 emissions shall not exceed a concentration equivalent to the EPA Air Quality Index (AQI) of 50 (54µg/m³) and any instantaneous PM10 emissions shall not exceed a concentration equivalent to an AQI of 100 (154µg/m³).

14. To mitigate noise impacts, the applicant shall inform immediately abutting neighbors of events taking place on site to the extent feasible. For example, the applicant may install a kiosk near the building entrance where dates and times of events can be posted for public viewing, information on a webpage, and/or an email listserv with information on who to contact with questions or concerns. The applicant shall inform the City of their method and periodically update them of any changes.
15. To mitigate noise impacts, solid waste pick-up shall occur between 10:00am and 12:00pm in accordance with the letter from Bainbridge Disposal dated December 5, 2018.
16. To mitigate noise impacts, solid waste facilities shall be enclosed within the building and pick up shall occur under the building. Delivery services shall occur at the loading docks in the west wing of the building.
17. To mitigate noise and light impacts to the adjacent Wood Avenue Townhomes to the west, a solid six-foot high wall or fence shall be installed along the west property line abutting the townhome access drive.
18. The limits of clearing and grading shall be clearly marked in the field and inspected by the Department of Planning and Community Development staff prior to start of any clearing, grading, or other site work.
19. The City's Arborist shall be present during the preconstruction meeting to advise on best practices for excavation around the root zones of trees to be preserved both on and offsite.
20. To mitigate visual, noise, and light impacts to adjoining properties, additional vegetation shall be planted along the southerly lot boundary of TA# 272502-4-097-2000, beginning at the NW corner of the surface parking lot and extending westerly to the SW corner, then continuing northerly along the west lot line to the edge of paved parking. Additional vegetation shall also be planted from the SE corner of TA# 272502-4-098-2009, extending northerly the full length of the abutting residential lot TA# 272502-4-102-2003. A planting plan shall be submitted with the building permit, reviewed by the City and installed or bonded for prior to certificate of occupancy.

Project Conditions:

General

21. Except for modifications reflecting compliance with these conditions of approval, the project shall be in substantial conformance with the site plan and landscape plan dated June 4, 2019.
22. Prior to construction activity, the applicant shall obtain the appropriate permits from the City of Bainbridge Island, including but not limited to clearing, grading, right-of-way, and building permits.
23. All work shall adhere to the City's seasonal work limitations between October 1 and April 30 of any year. During this period, no soils shall remain exposed and unworked for more than two days. From May 1 to September 30, no soils shall remain exposed and unworked for more than seven days.

24. Prior to any construction, a temporary erosion and sedimentation control plan (TESCP) shall be submitted and approved by the City. Construction shall be restricted to the dates occurring between May 1 and September 30 unless a wet weather erosion control plan is submitted and approved by the City prior to construction.
25. No use shall exceed the maximum environmental noise level, established by Chapter 173-60 WAC, as adopted in BIMC Chapter 16.16. All construction activities shall comply with noise limitations per BIMC 16.16.020.
26. No use in this district shall produce emissions of smoke, dust and/or odors beyond the property boundary that may unreasonably interfere with any other property owners' use and enjoyment of his/her property. In addition, all sources and emission units are required to meet the emission and the ambient air quality standards specified in Chapter 173-400 WAC, and administered by the Puget Sound Clean Air Agency (formerly the Puget Sound Air Pollution Control Authority), and shall apply to all air contaminants listed in that regulation.
27. Lighting standards set forth in BIMC 18.15.040 apply. A post-installation inspection of the lighting is required prior to certificate of occupancy for the building permit. All outdoor lighting fixtures installed on private and public property shall comply with this chapter. This chapter does not apply to interior lighting; provided that if, upon inspection, it is determined by the director that any interior lighting emitting light outside of the building or structure in which it is located creates a light trespass, the interior lighting shall be subject to the requirements of BIMC 18.15.040.
28. The applicant has proposed 180 parking spaces on site, 143 of which are striped and 37 spaces using stacked parking by valet attendants. The maximum event scenario in the Parking Analysis by Walker Consultants recommends 196 spaces. In order to accommodate the balance of 16 parking spaces, the site is limited to simultaneous occupancy of up to 6,200 sq.ft. of the 7,964 sq.ft. of event space at one time unless a parking agreement to accommodate an additional 16 spaces has been identified, or unless modified per SEPA conditions 11 and 12. For example, the pre-function space shall not be used for events separate and unrelated to the large event space if the large banquet room, small banquet room, and meeting rooms are occupied.
29. To mitigate the impact of additional employees and their potential need for affordable workforce housing, the applicant shall provide a minimum of six (6) affordable residential units on site within the proposed hotel, if found to still meet level of service and traffic concurrency. Each unit proposed shall have one designated parking stall. The affordable units shall serve a residential use and shall not be used as short term rentals or additional hotel rooms. In the event that the units cannot be contained within the existing hotel, or require additional parking that cannot be provided on-site, the proposal may require an adjustment to the Site Plan Review.
30. The applicant shall implement, where feasible, green building practices. The applicant shall provide information to the city with the associated building permit application detailing which green building standards were pursued, which were rejected as infeasible and which were incorporated into the building design.
31. If any historical or archaeological artifacts are uncovered during excavation or construction, work shall immediately stop and contact the Department of Planning and Community Development and the Washington State Department of Archaeology and Historic Preservation shall be immediately notified. Construction shall only continue thereafter in compliance with the applicable provisions of law.
32. Prior to building permit issuance, the Design Review Board (DRB) shall review a drawing showing the perpendicular two-foot planters along the parallel parking on the east side, description of the

material pallet, plans for the hydraulic design of the roof drainage/gutter system, and any other substantial changes to building materials and roof articulation.

33. The sidewalk shall remain level across driveways. Where the building abuts the sidewalk, there shall be an 18-inch wide minimum shy zone.
34. Prior to building permit issuance, the tax parcels (272502-4-097-2000 and 272502-4-098-2009) shall be aggregated or the boundary line adjusted so that all provisions in BIMC Title 18 are met.
35. Prior to building permit issuance, a business license shall be acquired from the City for any proposed or changes in occupancy.
36. Pursuant to BIMC 2.16.110.I, once a conditional use permit is approved, no building, use or development shall occur contrary to that specified in the Conditional Use Permit. The owner shall record a declaration with the Kitsap County auditor showing the land to be bound by a conditional use permit. No building permit shall be issued for structures other than those specified in the conditional use approval. The declaration shall reference the official files of the city through which the permit was granted. The declaration shall be a covenant running with the land. No building permit shall be issued unless such declaration is recorded.

Building Official

37. The project shall comply with the City of Bainbridge Island (COBI) construction codes as adopted by the Bainbridge Island Municipal Code (BIMC), Chapter 15.04. The applicant is encouraged to consult with the Building Official, as necessary, to ensure compliance with applicable codes and standards.
38. The project shall comply with the requirements of the Department of Labor and Industries (L&I) for Electrical permits. COBI does not issue electrical permits but does monitor and coordinate electrical approvals with L&I.
39. The project shall comply with the provisions of the International Building Code (IBC) for fire separation, fire protection, access and the application of fire suppression systems as required by State Building Codes and the Bainbridge Island Fire District. The applicant is encouraged to consult with the Fire District, as necessary, to ensure compliance with applicable standards.
40. A geotechnical report shall be provided for the project which coordinates geotechnical engineering and structural design requirements. The report shall address the design requirements and recommendations of the International Building Code (IBC) for foundation structural design criteria.
41. The project shall comply with the provisions of the International Building Code (IBC), Chapter 11 and ANSI 117.1 2009 for the application of accessibility and accessible features, including but not limited to parking, accessible routes, path of travel, entry and egress components and exterior and interior features for accessible rooms and restrooms.
42. Disabled access parking shall comply with the International Building Code (IBC) edition currently adopted by the City of Bainbridge Island.
43. The project shall comply with the provisions of the International Building Code (IBC) as amended by the State of Washington under Chapter 427 of the IBC for electric vehicle charging and infrastructure. The applicant shall follow this statute, as applicable, and include necessary information with the building permit submittal.
44. The project shall comply with the provisions of the International Building Code (IBC) for required number of restroom and other fixtures including in public areas, restaurants, assembly areas.

45. A demolition permit is required for any demolition work occurring. If demolition is proposed for any structure which is older than 50 years, the project is required to be reviewed by the Bainbridge Island Historic Preservation Commission (HPC) prior to the issuance of a demolition permit and prior to any demolition work occurring. Prior to demolition permit issuance, an application is required to be submitted to the Puget Sound Air Quality District. All demolition shall be documented with a minimum 8.5 x 11 drawing showing the location of structures to be demolished, existing utilities, and any other infrastructure. All utilities shall be identified and properly abandoned or protected during demolition.
46. Should the project include a restaurant as discussed within the project narrative; the facility would be identified as a "Food Facility" and is required to comply with the Kitsap County Health Department regulations for such facilities.
47. The City of Bainbridge Island (COBI) enforces provisions of the State Plumbing Code specific to the collection of fats, oils and grease and the application of specific equipment, interceptors or other apparatus associated to or that may be required for food or other facilities. The applicant is responsible for strict adherence to the specific provisions for installation and maintenance of these systems and shall coordinate with COBI for compliance with the Plumbing Code and applicable COBI Engineering Standards.

Fire District

48. To the satisfaction of the Bainbridge Island Fire Department, the project shall comply with all applicable provisions of the adopted Fire Code.
49. Fire sprinklers and alarms are required for the project.
50. Fire flow of 1500 gpm is required.
51. Buildings over 30 feet high require aerial apparatus access of not less than 16 feet drivable width.

Health District

52. Prior to building permit issuance, the Kitsap Public Health District shall review and approve the rainwater recycling system and any permits required for a permanent food establishment.
53. If the applicant proposes a large on-site sewage system, the permit may require an amendment or adjustment.

Public Works

54. Civil improvement plans, reports, and computations, prepared by a civil engineer registered in the State of Washington shall be submitted with the application(s) for a construction permit [building, grading, right-of-way (ROW), etc.] to the City for review and approval to construct all necessary infrastructure and utilities serving the site. Certificate of occupancy will not be issued for any building until all civil improvements are completed and finalized.
55. As-built civil construction plans stamped by a civil engineer shall be provided by the applicant prior to final.
56. A Developer Extension Agreement (DEA) shall be executed at the site or utilities construction permitting application phase for the construction of roads and utilities to be inspected and accepted by the City.
57. A right-of-way (ROW) construction permit will be required prior to any construction activities within the right-of-way in addition to completing the DEA and obtaining other necessary

construction permits. The ROW permit will be subject to separate conditions and bonding requirements.

58. The project frontage shall be developed consistent with the street standard for an urban collector roadway in the Winslow Core per drawing DWG. 7-030. The frontage shall include a five-foot wide ROW dedication along the full parcels' Winslow Way West frontage conveyed to the City by a Right of Way Deed, a six-foot wide bike lane (five feet of asphalt and one-foot gutter pan), concrete curb and gutter with an adjacent three-foot planter strip, and a minimum five-foot wide concrete sidewalk.
59. A public pedestrian easement shall be dedicated to the City for sidewalk improvements proposed outside of the future ROW boundaries prior to building final.
60. Building overhangs that extend into the ROW shall require an air space license agreement with the City prior to building final.
61. On-site water and sewer main extensions shall include a utility easement granted to the City to the meters and/or backflow prevention devices, fire hydrants and building sewer cleanouts.
62. An 8-inch City sewer main has been extended to the southeast property corner. The main shall be extended approximately 300 feet north through and across the property along the eastern boundary to serve this and adjacent properties. The applicant may apply for a latecomer reimbursement agreement for future hookups to the facilities.
63. Restaurant drainage fixtures shall be plumbed to an appropriately sized grease trap interceptor prior to discharging to the City's sewer system.
64. A Stormwater Pollution Prevention Plan (SWPPP) prepared by a civil engineer licensed in the State of Washington is required prior to construction activities including clearing or grading or civil improvements for all phases of the project that complies with BIMC 15.20.
65. Pumping stormwater to a suitable conveyance system shall require failsafe redundancies to limit potential impacts to downstream properties, including a duplex pump system with backup power generation.
66. Discharging stormwater to the City's system shall be done so as to bypass existing water-quality structures in Winslow Way West. Additional structures or storm drain lines shall be installed as necessary to avoid impact the existing structures.
67. Where the project discharges to the Winslow Way West storm drain system a downstream analysis shall be conducted to demonstrate that adequate capacity exists from the site to the main storm drain in Madison Avenue.
68. Disturbed project area totals approximately 1.8 acres. A sediment trap(s) per Department of Ecology BMP C240 shall be required where the total of on- and offsite contributing drainage area is less than three acres. Due to the constrained downstream storm drain system, a higher level of flow control protection is warranted. The sediment trap shall be designed with a storage capacity based on the 10-year peak flow of the developed site. Turbidity and pH control shall be required as necessary downstream of the sediment trap to achieve the performance standards of a State Stormwater General Construction Permit.
69. A final stormwater report shall be submitted with the building permit detailing compliance with all applicable minimum requirements as required by BIMC 15.20, prepared by a civil engineer licensed in the State of Washington.

70. Prior to building permit final, the applicant shall submit an operation and maintenance plan for the on-going maintenance of the on-site storm drainage systems.
71. All on-site stormwater facilities shall remain privately owned and maintained. The owner(s) shall be responsible for maintenance of the storm drainage facilities for this development following construction. Annual inspection and maintenance reports shall be provided to the City. A Declaration of Covenant for stormwater system operation and maintenance will be required to be recorded before building final. The approved language for the Declaration of Covenant is found in BIMC Chapter 15.21, Exhibit A.
72. The surface hotel parking lots and drive aisles shall be constructed of permeable pavements and hardscaping consistent with the preliminary civil site plans submitted with the application. These on-site stormwater management Best Management Practices (BMPs) shall be subjected to the aforementioned facilities maintenance responsibilities of the owner.
73. Prior to issuance of a building permit, the applicant shall provide binding water and sewer availability letters from the City along with water meter sizing computations.
74. The proposed action(s), phased or concurrent, in their totality would result in more than one (1) acre of earth disturbance on the site and drain to waters of the State. A Construction Stormwater General Permit shall be obtained from the Washington State Department of Ecology and the site shall be monitored for discharge of pollutants and sediment to the wetlands and stream for the duration of the project. No land clearing or construction permits shall be issued prior to obtaining the State permit.
75. A traffic impact analysis was completed for the site per BIMC 15.32 and 15.40 to evaluate for concurrency. Based on the results of the traffic impact analysis completed by Heath & Associates dated April 24, 2019 and subsequent information submitted on July 3, 2019, a certificate of concurrency was issued per BIMC 15.32.060. Any proposed intensity of use at the site may require analysis and a new evaluation for concurrency.

Trees and Vegetation

76. As proposed, new trees are required to meet the tree unit requirement. Trees planted to meet tree retention requirements shall be planted in accordance with the planting requirements of BIMC 18.15.010.H and the planting plan dated December 27, 2018.
77. Temporary or permanent irrigation within new planting areas that do not have high soil moisture conditions is required in accordance with BIMC 18.15.010.I.
78. Prior to the certificate of occupancy, the required tree units and landscaping shall be planted or a performance assurance shall be accepted by the City.
79. Per BIMC 18.15.010.H.3, performance assurance is required to assure the City that the required tree units and landscaping are properly installed and will become established and be adequately maintained. Prior to the certificate of occupancy, the required tree units and landscaping shall be installed. A Washington landscape architect, Washington certified nursery professional, or Washington certified landscaper shall submit a landscaping declaration to the director to verify installation in accordance with the approved plans. The time limit for compliance may be extended to allow installation of landscaping during the next appropriate planting season as approved 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. In no case may the property owner delay performance for more than one year. Once the

planting is completed, landscape declaration is submitted, and a maintenance and monitoring assurance is accepted, the performance assurance shall be released.

80. Per BIMC 18.15.010.H.4, the property owner shall replace any unhealthy or dead plant materials in conformance with the approved landscape plan. Prior to the certificate of occupancy, a maintenance assurance device shall be submitted for a period of five years after acceptance by the City of the new planting of vegetation to ensure proper installation, establishment, and maintenance. The maintenance assurance device amount shall not be less than 20 percent of the cost of replacing materials covered by the assurance device. The maintenance surety shall be refunded to the applicant upon completion of the five year monitoring period and submittal of final compliance documentation as outlined in the landscape plan, minus any funds needed for the City to perform corrective actions or perform monitoring.

Floor Area Ratio (FAR) Bonus

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 as approved by the Comprehensive 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.
82. If a heritage tree is chosen to satisfy the FAR bonus option, the applicant shall work with the City's arborist to determine the FAR value of the heritage tree to be protected on-site. Any Heritage Trees proposed for the purposes of a Floor Area Ratio (FAR) bonus are required to be protected and retained in order to maintain the bonus FAR. If not retained, the FAR bonus earned from the tree shall be earned using other FAR bonus options in accordance with BIMC 18.12.030.E.
83. Prior to the City issuing a building permit for any structure which exceeds the 0.6 commercial Floor Area Ratio (FAR), the applicant shall acquire the FAR bonus pursuant to BIMC 18.12.030.E.