

STAFF REPORT

*City of Bainbridge Island
Department of Planning
and Community Development*

Project: Strawberry Plant Restoration Project
Site Plan and Design Review-Administrative

File number: SPR11335

Date: May 27, 2009

To: Christopher Wierzbicki
Deputy Director of Planning and Community Development

From: Joshua Machen, AICP
Senior Planner

I. INTRODUCTION

Applicant: City of Bainbridge Island
C/O Peter Namtvedt Best
280 Madison Ave North
Bainbridge Island, WA 98110

Request: The applicants have requested approval of a Site Plan and Design Review application to allow the Strawberry Plant site to be established as a public park, conduct shoreline restoration, and provide shoreline compatible recreational improvements. This Site Plan and Design Review application is being processed administratively, as provided by BIMC 18.105.010(E).

Location: 240 Weaver Avenue NW, being portions of Sect. 27 T. 25N., R. 2E.,
W.M. Tax parcel numbers 272502-4-006-2000 and 272502-4-005-2001.

Environmental Review: SEPA DNS was issued on April 17, 2009. The SEPA determination has been appealed and the appeal hearing will be held together with any appeal of this Site Plan and Design Review decision along with the hearing on the Shoreline Conditional Use/Shoreline Substantial Development Permit.

DECISION:

Approval of the Site Plan and Design Review application to make tax parcel #272502-4-006-2000 a park in substantial conformance with the Site Plan received April 13, 2009 (Attachment B) with the following conditions (*Note: while tax parcel # 272502-4-005-2001 was included in the application it is not intended or approved to be part of the park*):

1. The applicant shall obtain an approved building permit from the Department of Planning and Community Development prior to any clearing, grading or construction activities that require a permit under the International Building Code.
2. In order to protect water quality and provide for wildlife habitat, the 50-foot native vegetation zone from the marine shoreline and 150-foot buffer from the stream shall be maintained in native vegetation or restored as part of the shoreline restoration work (*Note: the stream buffer ends at the edge of the existing driveway*).
3. No development or structures shall be placed within the stream buffer, except that trails and other passive recreation structures may be allowed in accordance with the regulations of BIMC 16.20. No development or structures shall be placed within the native vegetation zone, except trails and structures may be allowed in accordance with the regulations of BIMC 16.12.
4. A landscaping plan must be submitted in accordance with BIMC Chapter 18.85 and approved by the planning staff. The plan shall detail the required 25 foot full screen perimeter landscape along the west and east property lines. The plan may use existing trees and vegetation to meet the requirements.
5. All required landscaping shall be completed or an assurance device may be provided, the landscaping may then be installed during the next available planting season.
6. Appropriate provisions for garbage containers and disposal shall be made.
7. Signs indicating the boundary of the park shall be placed along the west and east property lines.
8. No significant trees are to be removed as part of this proposal.
9. Primary paths to the restrooms or the overwater viewing structure shall be a minimum width of five feet and meet accessibility standards.
10. The parking shall be improved in substantial conformance with the approved site plan and may be located within an area no closer than 100-feet from the ordinary high water mark and outside the stream buffer, except that the accessible stall shall be altered to be a van accessible stall. If parking is to be paved, then all stalls shall be striped to their full dimensions and appropriate signage shall be placed at each accessible stall(s). If the parking is to be gravel then cement wheel stops shall be used to denote the parking stalls and to keep the vehicles out of the landscaping areas.
11. Prior to the installation of any lighting fixtures, a lighting plan shall be submitted and reviewed to ensure lighting trespass does not occur on to adjacent properties. Any

proposed exterior light fixtures shall comply with the City's outdoor lighting regulations (BIMC 15.34).

12. A bicycle rack shall be installed within the vicinity of the parking area and shall be designed to accommodate a minimum of five bicycles, and shall allow the locking of both frame and wheels.
13. Formal picnic areas and/or shelters shall be outside of the native vegetation zone to Eagle Harbor.
14. Conditions 4-7, 10 and 12 shall be completed or satisfied prior to this property being opened to the public as a park.

Staff Analysis

II. FINDINGS OF FACT

A. Site Characteristics

1. ASSESSOR'S RECORD INFORMATION:
 - a. Tax Lot Numbers: 272502-4-006-2000
272502-4-005-2001
 - b. Owners of record: City of Bainbridge Island
PNEC Corp (c/o Fred Whitaker)
 - c. Site sizes: 3.91 Acres
.64 Acres
 - d. Land use: Undeveloped
2. TERRAIN:

Generally flat at the shoreward half of the site, with more slopes, some steep along the stream, toward the north of the site. The site is paved toward the shoreline and wooded toward the north.
3. SITE DEVELOPMENT:

The site is currently developed with an existing restroom building, an access driveway, a large paved area, various concrete slabs and the remnants of the old Strawberry Plant.
4. ACCESS:

Vehicular access to the site is directly from Weaver Road. Pedestrian and bicycle access to the site is also available from the non-motorized trail connecting Shepard Way to Winslow Way, a bridge connection to the waterfront trail is also proposed for pedestrian and bicycle access.

5. PUBLIC SERVICES:
 - a. Police - Bainbridge Island Police Department
 - b. Fire - Bainbridge Island Fire District
 - c. Sewer- City of Bainbridge Island
 - d. Water-City of Bainbridge Island
6. EXISTING USE:
 - a. Undeveloped
7. SURROUNDING USES:
 - a. North: Undeveloped
 - b. South: Tidelands
 - c. West: Residential
 - d. East: Residential
8. ZONING DESIGNATION: Residential 3.5 units per acre
9. COMPREHENSIVEPLAN DESIGNATION: Semi-Urban Residential (2.9-3.5 units per acre).

B. History

1. In the recent historical period, this property was used as a strawberry processing plant, concrete/asphalt batching, and mixed residential/commercial.
2. In 1997, a remodeled overwater building burned down.
3. A pre-application conference waiver was granted on March 9, 2009.
4. The application for Site Plan and Design Review along with the shoreline applications were submitted on April 13, 2009.
5. A SEPA DNS was issued on April 17, 2009.
6. The SEPA decision was appealed on May 8, 2009.

C. Comprehensive Plan Analysis

The Bainbridge Island Comprehensive Plan for the City does not have specific goals or policies regarding the creation or number of parks. The plan does recognize the Bainbridge Island Metro Park and Recreation District Comprehensive Plan, which indicates the need for additional parks in the Winslow Area. The designation of this area as a park will be consistent with the goals and policies of the Bainbridge Island Comprehensive Plan regarding preserving island character, as well as the preservation and restoration of critical areas. The park will serve primarily as a neighborhood amenity, but will also be available to the general public and will provide new public access to the shoreline.

D. Land Use Code Analysis

1. **BIMC Chapter 15.34 Outdoor Lighting on Public and Private Property**

Chapter 15.34 of the Bainbridge Island Municipal Code requires that all exterior lighting be directed downward and shielded so light trespass does not occur off the subject property. The application does not contain details of the proposed lighting fixtures. However, as conditioned, prior to the installation of any lighting fixtures a lighting plan shall be submitted and approved to ensure lighting trespass does not occur (Condition #11).

2. **BIMC Chapter 16.12 Shoreline Master Program**

The Shoreline Master Program (SMP) lists parks as a permitted use in the semi-rural environment. While there are setback provisions for restrooms, picnic areas and parking, the restrooms currently exist in a nonconforming location and will continue to exist in that location. The park plan does not formalize the location of any picnic area, however, as conditioned; any future designated picnic areas shall be outside of the 50 foot native vegetation area. While the site has a large paved area that is non-conforming, the portion being retained for the proposed parking area conforms to the 100 foot setback for parking areas.

The SMP requires that recreational developments provide facilities for nonmotorized access to the shoreline. A pedestrian bridge connection to the waterfront trail is being proposed in the project, and the project is conditioned to provide for a bicycle rack (Condition #12). The existing access road and public roadway will also provide pedestrian and bicycle access to the park.

The SMP requires that recreational facilities minimize impacts on adjacent and nearby private property through the use of screening, native vegetation zone strips fences and signs. As proposed, the shoreline project includes the restoration of a marsh and native vegetation zone/stream buffer. In addition, the park is required to plant and maintain a 25 foot full screen perimeter landscape area adjacent to the residential development along the west and east property lines (Condition #4). In order to protect privacy, signs shall be provided along the west and east property lines to designate the boundary of the park (Condition #7). In order to control litter entering the water or affecting neighboring properties, appropriate provisions for garbage containers and disposal shall be made prior to the park being opened to the public (Condition #6 & 14).

3. **BIMC 16.20 Critical Areas**

The subject property contains a fish bearing stream. The water quality buffer requirement is 150 feet with an additional 15 foot building setback. The applicants are proposing to maintain existing vegetation within this buffer and will be planting new riparian vegetation in the location where the stream meets the saltwater. The existing access road bisects the stream buffer; therefore the buffer ends at the edge of the existing road. No new development is to occur within the buffer, except for passive recreation trails and other passive recreation structures that are allowed consistent with BIMC 16.20 (Condition #3).

The shoreline of Eagle Harbor where the stream meets the salt water has been identified as category II estuarine wetlands. The water quality/habitat buffer requirement is 75 feet with an additional 15 foot building setback. The applicants are proposing to maintain existing vegetation within this buffer except where the shoreline restoration work is occurring. In that location the non-native vegetation will be removed and new riparian vegetation will be planted. No new development is to occur within the buffer, except for passive recreation trails and other passive recreation structures that are allowed consistent with BIMC 16.20 (Condition #3).

4. **BIMC 18.24, R-3.5, 3.5 Units Per Acre Zone**

a. *Permitted Uses*

Parks, passive recreation. **The proposed park will be a passive recreation park possibly providing picnic tables, pavilions and trails. The park will also provide water access for hand launch vessels and a viewing pier.**

Park, passive recreation is defined as a park where the primary uses are hiking, bird watching, picnicking, and other low impact activities.

Park, active recreation is defined as a park where the primary uses are athletic fields, playgrounds, swimming facilities, sports courts, or other activities that require specialized fields or equipment.

b. *Lot coverage*

The maximum lot area covered by buildings must not exceed 25 percent. **The only building existing on the lot is a restroom; future building of picnic shelters or other structures will be approved through building permit processes and will have to comply with the lot coverage requirements (Condition #1).**

c. *Setbacks*

No new structures are proposed as part of this site plan review, any subsequent picnic shelters or other structures will be required to meet the zoning setbacks.

5. **BIMC 18.81 Parking and Access Requirements**

a. *Spaces required*

The number of spaces for educational and recreational facilities must be adequate to accommodate the peak demand as determined by the Director. The proposed six spaces have been deemed adequate to meet the peak demand of the park.

b. *Location of spaces*

The proposed location of the parking spaces is appropriately located in a convenient location to the park, while screened from the public and outside of the shoreline native vegetation zone.

c. *Design Standards*

The proposed parking lots appear to meet the design standards. The appropriate dimensions will be verified at the time of construction drawings (Condition #10).

d. *Circulation and walkways in multifamily and nonresidential development*

As part of the project, several walking paths are proposed that lead to key elements of the park including the overwater viewing pier, the kayak launch, restrooms and a connection to the waterfront trail. As conditioned, the primary walkway to the restroom and the viewing pier will meet accessibility requirements (Condition #9).

e. *Bicycle facilities for multifamily and nonresidential developments*

As conditioned, the proposed project shall provide facilities for five bicycle spaces that allow secure locking of both frame and wheels of bicycles (Condition #12).

6. **BIMC 18.85 Landscape Requirements**

a. *Significant Tree and tree stand requirements*

The applicant has proposed to retain all of the significant trees on the site, therefore the application is complying with the required 30 percent tree canopy.

b. *Perimeter landscape requirements*

The perimeter landscape requirements for nonresidential development outside Winslow, NSC's and LM Districts are a 25 foot partial screen along road rights-of-way and 25 foot full screen landscaping between any residential development. **Since this property is converting to a park, which is a nonresidential development, it will be required to provide perimeter landscape screening (Condition #4). The existing vegetation along the right-of-way exceeds the screening requirement along the road. The existing vegetation along the east property line exceeds the screening requirement; however, the screening along the west property line will need to be augmented to comply with the 25 foot full screening requirement. As conditioned, prior to this property being opened to the public as a park, a landscaping plan must be submitted in accordance with BIMC Chapter 18.85 and approved by the planning staff (Condition #4). The planting shall also be completed according to the plan prior to the park being opened to the public or an assurance device may be provided and the landscaping can be installed during the next available planting season (Condition #5).**

7. **BIMC Chapter 18.105 Site Plan and Design Review**

The Strawberry Plant Park project was properly submitted as a site plan and design review application. This project is considered minor; therefore Planning Commission review is not required and the Director is the identified decision maker.

Decision Criteria

The Director shall base their respective recommendation or decision on site plan and design review on the following criteria:

- a. The site plan and design is in conformance with applicable code provisions and development standards of the applicable zoning district; **The proposed application, with conditions, is in conformance with the following applicable code provisions: Chapter 15.34 Outdoor Lighting on Public and Private Property, Chapter 16.12 Shoreline Master Program, Chapter 16.20 Critical Areas, Chapter 18.24, R-3.5, 3.5 Units Per Acre Zone, Chapter 18.81 Parking and Access Requirements, Chapter 18.85 Landscaping Requirements and Chapter 18.105 Site Plan and Design Review.**
- b. The locations of the buildings and structures, open spaces, landscaping, pedestrian, bicycle and vehicular circulation systems are adequate, safe and efficient; **The location of buildings, structures, pedestrian, bicycle and vehicular circulation systems were reviewed by both the Department of Planning and Community Development and by the Public Works Department and found to be adequate, safe and efficient. The landscaping will be consistent with the regulations of Chapter 18.85 and will provide buffering to the adjacent residential development.**
- c. The proposal will be served by adequate public facilities including roads, transit, water, fire protection, sewage disposal facilities and storm drainage facilities; **The City of Bainbridge Island Public Works Department has reviewed traffic impacts and issued a Certificate of Concurrency (Attachment D). Since no buildings are proposed at this time the Fire Department has not reviewed the project.**
- d. The site plan and design is consistent with the Design Guidelines, Chapter 18.41 of the BIMC; **The proposed use is not subject to the design guidelines since it is a recreational use.**
- e. The proposal is of a scale and design that is similar to neighboring structures; **No structures are proposed as part of this site plan review. However, it can be expected that as the park develops, picnic tables, benches and possibly picnic shelters may be constructed.**
- f. No harmful or unhealthful conditions are likely to result from the proposed site plan; **No harmful or unhealthful conditions have been identified by the development review committee.**
- g. The site plan design is in conformance with the comprehensive plan and other applicable adopted community plans; **The site plan and design review is in conformance with the comprehensive plan. Please see discussion in section II.(C) of this report.**

III. CONCLUSIONS

A. Site Characteristics

The site is appropriate for a park use and should be an amenity to the neighborhood and the community as a whole.

B. History

Appropriate notice of the application and SEPA environmental review process

was made. Appeal of the threshold determination will be heard together with the shoreline permits and any appeal of this site plan review.

- C. Comprehensive Plan Analysis The proposal is consistent with the applicable policies of the Bainbridge Island Comprehensive Plan.
- D. Land Use Code Analysis
With appropriate conditions, the proposal conforms to all applicable municipal code requirements, including outdoor lighting regulations, shoreline regulations, critical area regulations, landscaping standards and the site plan and design review permit decision criteria.
- F. SEPA Determination
SEPA DNS was issued on April 17, 2009. The SEPA determination has been appealed and the appeal hearing will be held together with any appeal of this Site Plan and Design Review decision along with the hearing on the Shoreline Conditional Use/Shoreline Substantial Development Permit.

IV. Attachments:

- A. Site Plan and Design Review Application
- B. Composite Site Plan
- C. Planting Plan and Planting Schedule
- D. Traffic Concurrency Certificate
- E. Public Works Memo
- F. SEPA Determination of Nonsignificance
- G. Notice of Application