

# ***STAFF REPORT***

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

Project: Strawberry Plant Restoration Project  
Shoreline Substantial Development/Conditional Use Permit

File number: SCUP11335

Date: June 8, 2009

To: Margaret Klockers, Hearing Examiner Pro-tem

From: Katharine Cook, Director of Planning and Community Development

Project Manager: Joshua Machen, AICP  
Senior Planner

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## **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 Shoreline Conditional Use Permit along with a Shoreline Substantial Development Permit to restore intertidal marsh and riparian shoreline habitat, provide recreational improvements for the proposed park on the site, including a small, non-motorized, hand-powered boat launch, a pedestrian bridge, over-water viewing structure and non-motorized trail connections. (Exhibit #5)

**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 the Site Plan and Design Review decision and the hearing on this Shoreline Conditional Use/Shoreline Substantial Development Permit.

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**RECOMMENDATION:**

Approval of the Shoreline Substantial Development/Conditional Use Permit with the following conditions:

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. The proposed parking area and any future picnic shelters or accessory structures will be outside of the floodways and behind the native vegetation areas. Specifically parking shall be at least 100 feet from the ordinary high water mark (OHWM), any new restrooms or accessory structures shall be 75 feet from the OHWM, and picnic areas and related improvements shall be at least 50 feet from the OHWM.
3. The overwater structure shall conform with the following design criteria:
  - a. Concrete or steel pile shall be used.
  - b. No creosote-treated material shall be used. Any other treated-wood used shall be approved for use in the marine environment.
  - c. Minimum number of piles shall be used, preferably in a single row, and shall not number more than 24. The span between piles should be at least 20-feet except as necessary on the landward and waterward ends of the structure.
  - d. Decking shall be grated and provide up to 50% light penetration to the substrate below.
  - e. The orientation shall be north-south to the greatest extent reasonable.
  - f. The length shall not extend beyond the ordinary high water mark of the existing landfill prior to removal during restoration as shown in Exhibit #5.
  - g. The height of the bottom of the structural decking beams shall be at least 1-foot above extreme high water (EHW) and no more than 3-feet above EHW.
  - h. The guard rail on the pier shall be constructed of materials that will minimize view obstruction, such as stainless steel cables.
4. The conditions of the Site Plan and Design Review Decision shall become conditions of approval for this shoreline conditional use permit (Exhibits #65, 68).
5. Contractor is required to stop work and immediately notify the Department of Planning and Community Development, the Suquamish Tribe, and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.
6. Work shall be completed in substantial compliance with the site plans and cross section drawings date stamped April 13, 2009 (Exhibit #5), except as modified by the conditions of approval.
7. Washington State Department of Fish & Wildlife Hydraulic Project Approval and Army Corps of Engineers Permit will be required prior to beginning any over water work on this project. Copies of approvals must also be submitted to the City prior to beginning any work on the site. A copy of all public agency approvals and approved drawings shall

be given to all contractors performing work at the site prior to beginning any construction work.

8. All Hydraulic Project Approval conditions and any Army Corp of Engineers Permit conditions shall become conditions of approval for this conditional use permit.
9. Construction pursuant to this permit shall not begin and is not authorized until 21 days from the date of filing with the Department of Ecology as defined in RCW 90.58.140(6) and WAC 173-27-130, or until all review proceedings initiated within 21 days from the date of such filing have been terminated; except as provided in RCW 90.58.140 (5)(a) and (b).

## 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. COMPREHENSIVE PLAN DESIGNATION: Semi-Urban Residential (2.9-3.5 units per acre).
- 10. SHORELINE DESIGNATION: Semi-Rural & Aquatic shoreline environment

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 the Shoreline Substantial Development/Conditional Use Permit along with an application for Site Plan and Design Review 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.
- 7. An administrative decision approving the Site Plan and Design Review application, to make the subject property a park, was issued on May 27, 2009.

C. Comprehensive Plan Analysis (including applicable policies of Bainbridge Island Shoreline Master Program)

1. W 9.1

The Comprehensive Plan designates this area as Semi-Urban Residential district, which is to provide a transition from urban uses to the less intensely developed areas of the island. The proposed restoration and recreational facilities are consistent with this goal and will provide additional recreational opportunities for the neighborhood and general public.

2. AQ 1.11 and 1.12

These policies require restoration, creation, or enhancement of wetlands or buffers when wetland or buffers are altered. The compensation is to be determined according to function acreage and ability to be self-sustaining. The proposed project contains a wetland mitigation plan that creates and enhances the wetland on the property, offsetting the wetland impact.

*(Shoreline Master Program Policies)*

3. SMP Section III.A - Archaeological and Historic Resources

An archaeological report for the property was prepared by Northwest Archaeological Associates, Inc (contained in Exhibit #23). The report reviewed available data

regarding cultural and archeological resources in addition to performing archeological field observations on the project site, including geotechnical borings. According to the archaeologist, the Strawberry Plant site has a rich history, but is not likely eligible for the National Register of Historic Places because the site no longer retains integrity of design, materials, workmanship, or association. The cannery building was destroyed by fire in 1997 and the remaining creosote-treated piles were removed in February 2009 after the State Department of Archaeology and Historic Preservation determined they were not eligible. The archaeologist report indicates that there is a high probability of both pre-contact and historic cultural material under the fill, although none were identified during exploratory borings. The project, as designed, will avoid excavation into native soils below the fill to the greatest extent possible. There are no anticipated impacts to archaeological and historic resource.

4. SMP Section III.C - Environmental Impacts

All adverse environmental impact of shoreline uses and activities are being minimized during all phases of development. The submitted application includes a biological assessment and restoration plan detailing how the design, construction and use minimize adverse environmental impacts.

5. SMP Section III.D - Environmentally Sensitive Areas

The Strawberry Plant property includes two environmentally sensitive areas as documented in a critical areas report prepared for the property (Exhibit #7). They include the stream on the east side of the property and estuarine shoreline wetland along the shoreline. The existing stream buffer area is being protected as part of the proposal. The shoreline wetland will be largely removed as part of the restoration/enhancement work and a new larger salt marsh area will be established.

6. SMP Section III.E - Native Vegetation Zone

The native vegetation zone has been altered by past development and there are few native trees and shrubs left in the zone. After the fill is removed and the shoreline is pulled back then the native vegetation zone will be reestablished. The new native vegetation zone will be planted with native species as detailed in the planting plan (Exhibit #5).

7. SMP Section III.G - Public Access Visual and Physical

The proposal will increase public visual and physical access to the shoreline. The proposed recreational structures include a non-motorized bridge across Weaver Creek to help facilitate the extension of the Winslow Waterfront Trail, a small non-motorized hand-launch boat ramp, and an overwater viewing structure. These improvements will provide better public visual and physical access than what is currently available informally on the undeveloped site. The landfill removal will improve the aesthetic character of the shoreline and the overwater viewing structure will not cause significant adverse impacts to the aesthetic character of the shoreline. Overall, there will be a net improvement in the aesthetic character of the shoreline.

8. SMP Section IV.C - Semi-Rural Environment

The proposed water oriented and water enjoyment uses proposed on this property are consistent with the Semi-rural Environment management policies giving priority to uses that provide public access to shoreline.

9. SMP Section IV.G – Aquatic Environment

The proposed water oriented and water enjoyment uses and the water dependent structures proposed on this property are consistent with the Aquatic Environment management policies giving priority to uses that provide public access to shoreline as well as uses and structures that are compatible with and enhance the shoreline environment.

10. SMP Section V.D - Boating Facilities

The proposed non-motorized hand launch boat ramp is consistent with the boat ramp policies and, as designed, is compatible with the shoreline environment of the site.

11. SMP Section V.D – Recreational Development

The proposal has been designed cooperatively by the City and Bainbridge Island Metro Park and Recreation District and is supported by the elected bodies of those agencies. The site is categorized as a neighborhood/resource park under the Park District Comprehensive Plan. The scale of use and habitat restoration proposed is appropriate for that category of park and is designed to preserve and enhance scenic views from the site and of the site from across the water. The site will be linked with the Winslow Waterfront Trail and nearby recreational facilities in Winslow as well as other waterfront sites around Bainbridge Island and beyond by water access. The proposal, as conditioned, provides adequate parking and amenities as well as adequate screening from adjacent residential properties.

12. SMP Section VI.B - Beach Enhancement

The proposal is allowed as beach enhancement since the proposal is to remove fill material and is consistent with the policy allowing enhancement of the shoreline to create or enhance natural habitat. The proposal will create additional salt marsh habitat. The proposal also enhances public access to the shoreline by providing a ramp area for hand launched boats, and an overwater viewing structure.

13. SMP Section VI.F - Piers, Docks, Recreational Floats, and Mooring Buoys

Consistent with the policies, the proposed overwater viewing structure (pier) is designed to minimize possible adverse environmental impacts and will cause minimal interference with navigable waters. The overwater viewing structure will be located within the footprint of existing landfill that will be removed and restored as aquatic habitat and therefore will result in a net improvement of navigability, habitats, and ecological functions.

D. Land Use Code Analysis

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

a. BIMC 16.12.050 Archaeological and Historic Resources

An archaeological report for the property was prepared by Northwest Archaeological Associates, Inc (contained in Exhibit #23). The report reviewed available data regarding cultural and archeological resources in addition to performing archeological field observations on the project site, including geotechnical borings. According to the archaeologist, the Strawberry Plant site has a rich history, but is not likely eligible for the National Register of Historic Places because the site no longer retains integrity of design, materials, workmanship, or association. The cannery building was destroyed by fire in 1997 and the remaining creosote-treated piles were removed in February 2009 after the State Department of Archaeology and Historic Preservation determined they were not eligible. The archaeologist report indicates that there is a high probability of both pre-contact and historic cultural material under the fill, although none were identified during exploratory borings. The project, as designed, will avoid excavation into native soils below the fill to the greatest extent possible. There are no anticipated impacts to archaeological and historic resource. As conditioned (Condition #5), inadvertent discovery of archaeological artifacts shall require work to stop, notification of the City, archaeological officials with the Suquamish Tribe and State Department of Archaeological and Historic Preservation, and may require work to proceed under the supervision of an on-call archaeologist.

b. BIMC 16.12.070 Environmental Impacts

The application packet contains a Biological Assessment prepared by Anchor QEA, LLC (Exhibit #2) which describes the proposed action in detail, explains the existing conditions on the site, discusses the project effects on the existing environment and any effect on listed species. The city agrees with the conclusions and determination of effect, which is that the project has the potential to produce short-term impacts; however these impacts will be minimized by the project design. The project will result in a significant long-term environmental improvement.

c. BIMC 16.12.080 Environmentally Sensitive Areas

The application packet includes a Critical Areas Assessment, which was prepared by Anchor Environmental. The Strawberry Plant property includes two environmentally sensitive areas; the stream on the east side of the property and estuarine shoreline wetland along the shoreline. The buffer along the stream is 60 to 80 feet wide and consists of large evergreen trees and dense understory vegetation. As proposed the buffer area between existing access road and the stream area will be preserved. The shoreline wetland will be largely removed as part of the restoration/enhancement work and a new larger salt marsh area will be

established. The wetland area is approximately 7,793 square feet and the proposed salt marsh area will be approximately 15,864 square feet of wetland habitat resulting in a 2:1 mitigation ratio.

d. BIMC 16.12.090 Native Vegetation Zone

The required native vegetation zone for recreational uses in the semi-rural environment is 50 feet for picnic areas, 75 feet for restrooms and accessory structures and 100 feet for parking. The existing restrooms on the site are within the 75 foot native vegetation zone and are considered an existing non-conforming structure. The portion of the paved area that is proposed to be retained for parking is 100 feet from the new proposed shoreline.

e. BIMC 16.12.110 Public Access –Visual and Physical

The combined permits for this project greatly increase the public's access to the shoreline. After the project, the parcel will be authorized for use as a public park (SPR Decision –Exhibits #65, 68). As a park, there will be several public amenities that enhance the access to the shoreline. These amenities include an overwater viewing structure (pier), a boat launch for hand launched/hand powered vessels, and a pedestrian bridge, which will be installed to provide access across the stream as part of the Winslow Water Front Trail. The Winslow Water Front Trail will extend across the park to a possible future connection through the properties to the west. As conditioned in the Site Plan and Design Review Decision, signs shall be posted along the east and west property lines delineating the park boundary (Exhibit #65, 68). In order to protect visual access to the shoreline the pier development on the water shall be constructed of non- reflective materials that are comparable in color and texture to the surrounding area.

f. BIMC 16.12.150 Master program summary matrices

The subject property is located in the semi-rural upland environment designation and the aquatic water environment shoreline designation. Recreational uses are permitted within the upland designation and piers and docks are listed as permitted uses within the semi-rural and aquatic environments.

g. 16.12.190 Boat launches

Boat launches are only allowed along low energy drift sectors and where the upland slopes within 25 feet do not exceed 25 percent slope. Consistent with the regulations, the subject property is allowed a boat launch because the location is a low energy environment with a low slope angle in the uplands. The proposed launch is only for hand launch vessels which are also hand powered (no motorized boats). The launch will be near flush with the foreshore slope. The launch will be bordered by logs to help direct access to the shoreline, thus reducing the impact on the marsh.

h. BIMC 16.12.250 Recreational Development

The proposed park is considered water oriented recreational development, which

is permitted in the semi-rural environment. The proposed parking area and any future picnic shelters or accessory structures will be outside of the floodways and behind the native vegetation areas (Condition #2). The proposed development restores and enhances natural shoreline environment while providing both visual and physical public access to the shoreline. In order to minimize the impacts on adjacent private property, the Site Plan and Design Review Decision, contains a condition that requires signs to be posted and vegetative screening along the east and west property lines designating the edge of the park boundary (Exhibit #65, 68).

i. BIMC 16.12.300 Beach Enhancement

The proposed restoration is considered “beach enhancement” under the Shoreline Master Program because beach enhancement includes restoration work and aquatic habitat creation using native materials. The proposal removes fill dirt and debris, restoring the shoreline. The subject property is not designated as spawning, nesting, or breeding habitat and there is no appreciable littoral drift, therefore it is unlikely that any enhancement materials would affect adjacent properties or any spawning grounds.

j. BIMC 16. 12.340 Piers, docks, recreational floats, and mooring buoys

Piers and docks are permitted in the Semi-rural and aquatic shoreline environments. The City has proposed an overwater viewing structure that will extend over the water from the path as shown on Exhibit #5. The proposed pier walk will be a maximum of 6 feet wide with a square viewing platform on the end that does not exceed 16 feet by 16 feet. The overall length of the pier is to be approximately 145 feet, but in no case shall extend beyond the ordinary high water mark of the existing landfill prior to restoration as shown in Exhibit #5 (Condition #3). As indicated, this structure will be built over an area that is currently upland and will be restored to aquatic land, therefore, there will be no net increase in overwater coverage. The structure will be supported by up to 24 steel or concrete piles. The intent of the City is to design the ultimate project as a demonstration project and use the minimum piling necessary to construct the project, and also select a design that provides for large spans, when possible (Condition #3). The decking will be designed to provide up to 50% light penetration to the substrate below (Condition #3). This structure will be constructed subsequent to the shoreline restoration. No creosoted materials are being used to construct the overwater viewing structure (Condition #3). The proposed viewing dock should have little, if any, impact on adjacent properties or on navigation in the harbor and will be a net improvement to adjacent properties and navigation when compared to the existing fill that will be removed. In accordance with the shoreline regulations, the pier is to be a minimum of one foot above extreme high water. A high structure is preferred to ensure better light penetration under the structure in the upper intertidal and backshore areas, but it should not be so high that it substantially obstructs views

from properties in the vicinity (Condition #3). The guard rail on the pier shall be constructed of materials that will minimize view obstruction, such as stainless steel cables (Condition #3).

- k. BIMC 16.12.360. Administration Permit or exemption required before undertaking development or activity.

*In making the decision, the director shall consider the applicable provisions of the Shoreline Management Act of 1971, as amended, Chapter 173-14 WAC or its successor, the master program, all other applicable law, and any related documents and approvals. The director shall also consider whether the cumulative impact of additional past and future requests that reasonably may be made in accordance with the comprehensive plan, or similar planning document, for like actions in the area will result in substantial adverse effects on the shoreline environment and shoreline resources.*

Consideration of the applicable provisions of the Shoreline Management Act of 1971, the Bainbridge Island Shoreline Master Program, all other applicable law, and any related documents and approvals are provided in this staff report. Eagle Harbor currently has multiple docks spread across the shoreline including several marinas, the Bainbridge Ferry Terminal and the Washington State Ferries maintenance yard. The proposed development is a low impact development that will provide a net improvement to the site through shoreline restoration as well as provide for recreational and historic education opportunities in a historic location.

- l. BIMC 16.12.380 Shoreline Variance and Conditional Use Permit Decision Criteria.

Beach enhancement is a shoreline conditional use permit in the semi-rural environment. All shoreline conditional use permits are presented to the Hearing Examiner in a public hearing. Where a development includes several uses or activities and one or more uses or activities that require a shoreline conditional use permit, then all uses and activities shall be processed and decided following the shoreline conditional use procedures.

- a. Uses classified as conditional uses may be authorized; provided, that the applicant can demonstrate all of the following:
  - i. The proposed use will be consistent with the policies of RCW 90.58.020 or its successor and the policies of the master program. **As conditioned, the shoreline restoration, the proposed park, the overwater viewing structure and other park amenities are consistent with the State Shoreline Management Act of 1971. Specifically, restoration will remove fill and debris from the intertidal shoreline area, will restore the native vegetation zone, and will create a salt marsh area of approximately 15, 864 square feet. The park, with the associated**

**viewing pier, boat launch and trails will provide both physical and visual public access to the shoreline.**

- ii. The proposed use will not interfere with the normal public use of the public shorelines. **This project creates new public access to the shoreline and will improve conditions for nearshore navigation.**
  - iii. The proposed use of the site and design of the project will be compatible with other permitted uses within the area. **The proposed park will be an amenity to the surrounding residential neighborhood. The park use and associated amenities are conditioned and designed to have minimal impacts on the surrounding neighbors.**
  - iv. The proposed use will cause no unreasonably adverse effects to the shoreline environment designation in which it is located. **As conditioned, the proposed use is mitigating any impacts that have not been completely avoided and will result in significant long-term improvements.**
  - v. The public interest suffers no substantial detrimental effect. (WAC 173-14-140(1) or its successor.) **The public will benefit from all of the associated permits and work on the subject property. They will have a new park with a restored shoreline and salt marsh, boat launch, and eventually a viewing pier, and bridge making a future connection to the Winslow Waterfront Trail.**
  - vi. The proposed use is consistent with the provisions of the zoning ordinance (BIMC Title 18) and the comprehensive plan (Ordinance No. 94-21). **As conditioned, the proposed restoration work, park and associated amenities are consistent with the zoning ordinance and comprehensive plan (see findings in the Site Plan and Design Review Staff Report-Exhibit #68).**
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 (i.e.: bridge) that are allowed consistent with BIMC 16.20 (see condition #3 of the Site Plan and Design Review Decision- Exhibit #65, 68).

The shoreline of Eagle Harbor where the stream meets the salt water contains 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 (see condition #3 of the Site Plan and Design Review Decision- Exhibit #65).

4. **BIMC 18.24, R-3.5, 3.5 Units Per Acre Zone** *This section of the code was addressed in the Staff Report for the Site Plan and Design Review Application and subsequent Administrative Decision (Exhibits #65, 68).*
5. **BIMC 18.81 Parking and Access Requirements** *This section of the code was addressed in the Staff Report for the Site Plan and Design Review Application and subsequent Administrative Decision (Exhibits #65, 68).*
6. **BIMC 18.85 Landscape Requirements** *This section of the code was addressed in the Staff Report for the Site Plan and Design Review Application and subsequent Administrative Decision (Exhibits #65, 68).*

### III. CONCLUSIONS

- A. Site Characteristics  
The site is appropriate for the proposed restoration activities and the proposed park use with its associated amenities and will benefit the neighborhood and the community as a whole.
- B. History  
Appropriate notice of the application and SEPA environmental review process was made. The appeal of the threshold determination will be heard together in a single public hearing with the shoreline permits and any appeal of the site plan and design review decision.
- C. Comprehensive Plan Analysis The proposal is consistent with the applicable policies of the Bainbridge Island Comprehensive Plan and policies of the Shoreline Master Program.
- 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 (see also the finding in the Site Plan and Design Review Staff Report – Exhibit #68).
- 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 the Site Plan and Design Review decision along with the public hearing on the Shoreline Conditional Use/Shoreline Substantial Development Permit.

### IV. Exhibits:

See Hearing Examiners exhibit list.

**EXHIBIT LIST  
SHORELINE CONDITIONAL USE PERMIT/SHORELINE SUBSTANTIAL  
DEVELOPMENT PERMIT  
(SCUP11335)**

**Appellant: CITY OF BAINBRIDGE ISLAND – STRAWBERRY PLANT  
RESTORATION AND PUBLIC PARK**

Staff Contact:  
Joshua Machen

Public Hearing: 6-12-09  
9:00 a.m.

Exhibit #		Dated	Date Recd	Pages
1	Preapplication Conference Waiver	3-9-09		1
2	Biological Assessment – Strawberry Plant Shoreline Restoration Project (Anchor QEA, LLC)	April 09	4-13-09	71
3	Fees Associated with Case	4-17-09		1
4	Memorandum to Finance Department from Planning Department (DPCD) re: Application Fee	4-9-09		1
5	PLANS - 30% Design Submittal (COBI)	March 09	4-13-09	8
6	Joint Aquatic Resources Permit Application (JARPA)	4-9-09	4-13-09	28
7	Memorandum to Best (COBI) from Douglas (Anchor) re: Critical Areas Assessment	10-22-08	4-13-09	18
8	Corres to Small (Anchor) from Cook/Best (COBI) re: Certification of Shoreline Restoration/Enhancement Project Status	4-9-09	4-13-09	2
9	Shoreline Restoration & Enhancement Project WDFW Statement of Concurrence	3-19-09	4-13-09	1
10	Restrictive Covenant Example		4-13-09	1
11	Legal Description		4-13-09	1
12	Requests for Review – Public Works/Fish and Wildlife	4-13-09		2
13	Application	4-9-09	4-13-09	9
14	Corres to Best (COBI) from Gladstein (COBI) re staff assignment	4-16-09		1
15	Notice of Determination of NonSignificance (DNS)	4-16-09		28

16	Corres to DPCD from McNett/Shopes (Bainbridge Island Historic Preservation Commission) (BIHPC) re: historic significance and historic shoreline profile	4-27-09	4-27-09	3
17	Notice of Application (SCUP/SSDP/SPR11335)	4-24-09		8
18	Corres to Machen from Waldbillig re: kayak launch and plans for pedestrian bridge etc.	4-28-09	4-28-09	1
19	Corres to DPCD from Cederwall re: use of public space	4-28-09	4-28-09	1
20	Corres to Bainbridge Citizens from Tripp re: uses of public park	4-28-09	4-29-09	1
21	Corres to DPCD from Henry re: suggestions	4-29-09	4-30-09	1
22	Corres to Cook (DPCD) from Hatfield re: Comments	4-30-09	4-30-09	1
23	Corres to Shopes (BIHPC) from Kern (NOAA Restoration Center NW) re: Section 106 Consultation Process	4-29-09	4-30-09	23
24	Corres to Cook (DPCD) from Rovelstad re: inconsistencies in SEPA checklist		4-30-09	3
25	Corres to Cook (DPCD) from Labotz re: comments and objections	5-1-09	5-1-09	7
26	Corres to Cook (DPCD) from Kitamoto (Bainbridge Island Japanese American Community) re: Comments: historic and cultural preservation, etc.	4-30-09	5-1-09	2
27	Corres to Cook (DPCD) from Swolgaard re: Comments re DNS and Environmental Checklist	4-28-09	5-1-09	3
28	Corres to Cook (DPCD) from Elfendahl (Historian) re: comments, concerns and suggestions (E-mail and Hard Copy)	5-1-09	5-1-09	6
29	Certificate of Posting (Proposed Land Use Action)	4-24-09	4-24-09	1
30	Corres to Cook (DPCD) from Robinson (BI Metropolitan Park and Recreation District (BIMPRD)) re: comments on SEPA determination	5-1-09	5-1-09	3
31	Corres to DPCD from Moore (Washington Trust for Historic Preservation) re: SEPA comments	5-1-09	5-1-09	2

32	Corres to Cook (DPCD) from Kane re: comments re DNS designation and demolition plan		5-1-09	1
33	Corres to DPCD from Kilbane re: support for project	5-3-09	5-4-09	1
34	Corres to DPCD from Farwell re: support and suggestions	5-1-09	5-4-09	1
35	Corres to Bainbridge Citizens from Stevens re: preservation of history (with E-mail copy	5-2-09	5-4-09	2
36	Corres to Best (COBI) from Houston re: support and concerns	5-1-09	5-4-09	6
37	Corres to Cook (DPCD) from Taylor re: concerns re lack of support for cultural history	5-1-09	5-4-09	1
38	Corres to Trip/Best from Franks, PhD, (University of Washington) re: support for non-motorized put-in	5-4-09	5-5-09	3
39	Corres to/from Best/Cook/Elfendahl re: Elfendahl's comments	5-4-09	5-5-09	8
40	Corres to DPCD from Hedderly-Smith re: public use	5-6-09	5-6-09	1
41	Corres to Kordonowy (COBI) from Owens re: public comments ignored	5-6-09	5-7-09	1
42	Review Comment: Kitsap County Health District	5-8-09	5-8-09	1
43	NOTICE OF DNS APPEAL – Friends of Cannery Cove Park	5-8-09	5-8-09	36
44	Corres from Tripp re: Bainbridge Shoreline Homeowners	5-13-09	5-13-09	1
45	Appellants' Request for Continuance	5-15-09	5-15-09	2
46	Corres to Machen (DPCD) from Brody re: Bainbridge Shoreline Homeowners position	5-18-09	5-19-09	1
47	Corres to Cook (DPCD) from Theros re: PNEC lot	5-19-09	5-20-09	3
48	Affidavit of publication (DNS)	4-21-09		1
49	Public Records Requests	Various		
50	Corres from Elfendahl to Brooks (Washington State Historic Preservation Officer) re: draft update to National Historic Register Nomination	5-22-09	5-26-09	1/4"

51	Corres to Machen from Shirk re: support for restoration	5-26-09	5-26-09	2
52	Corres to Machen from Ziemba re: support for passive use and habitat restoration	5-25-09	5-26-09	2
53	Corres to Machen from Bjerke (Leslie Landing Homeowners Association) re: support for restoration	5-25-09	5-26-09	1
54	Corres to Machen (DPCD) from Andersson re: traffic concerns	5-23-09	5-26-09	1
55	Corres to Machen from Houston re: support for restoration	5-26-09	5-26-09	17
56	ORDER DENYING REQUEST FOR CONTINUANCE	5-26-09	5-26-09	2
57	Corres to Bjerke from Rice re: public record	5-26-09		2
58	Corres to Machen from Vuchinich re: support for restoration	5-26-09	5-26-09	1
59	Notice of Public Hearing Documentation			
60	Owner/Agent Agreement – PNEC Corporation	5-28-09		2
61	Corres to/from Schmidt re: Winslow Waterfront Trails	5-28-09	5-28-09	2
62	Corres to Machen from Franks re: boat launch	5-28-09	5-28-09	1
63	Corres to Franks from Machen re: boat launch	5-28-09	5-28-09	2
64	ORDER DENYING REQUEST FOR CONTINUANCE	5-26-09		1
65	Notice of Administrative Decision (SPR)	5-27-09		3
66	Appellants second Request for Continuance	5-29-09	5-29-09	
67	Corres to Sawyer/Elfendahl from Reitan (COBI counsel) re: response to appellant's requested continuance	6-1-09	6-1-09	2
68	Staff Report (Site Plan)	5-17-09		9
69	PREHEARING ORDER	6-5-09		3
70	STAFF REPORT			

Compiled: 6-5-09