



Planning Commission Special Meeting September 23, 2021

Meeting Minutes

1) **CALL TO ORDER/LAND ACKNOWLEDGMENT/AGENDA REVIEW/CONFLICT DISCLOSURE**

Chair Kimberly McCormick Osmond called the meeting to order at 6:00 PM. Commissioners in attendance were Vice-chair Joe Paar, William Chester, Lisa Macchio, Sarah Blossom, Ashley Mathews and Yesh Subramanian. City Staff present were Planning & Community Development Director Heather Wright, Engineering Manager Paul Nylund, Senior Planner Kelly Tayara and Administrative Specialist Jane Rasely who monitored recording and prepared minutes.

The Land Acknowledgement was read, and the agenda reviewed. There were not any conflicts disclosed.

2) **PLANNING COMMISSION MEETING MINUTES**

2.a Review and Approve Meeting Minutes from September 9, 2021

[Cover Page](#)

[Planning Commission Minutes DRAFT 090921.pdf](#)

Motion: I move to approve the meeting minutes as distributed.

Paar/Mathews: Passed Unanimously

3) **PUBLIC COMMENT**

None.

4) **UNFINISHED BUSINESS**

4.a [Planning Commission Consideration of Public Comments, Deliberation & Recommendation on Wintergreen Townhomes Subdivision, Site Plan Review and Conditional Use Permit Adjustment \(PLN51836 SUB SPR CUPA\)](#)

[Cover Page](#)

[Wintergreen SUB_SPR_CUPA Staff Report_PC Revised 31AUG2021.pdf](#)

[51836 SPR CUPA SUB Public Comment.pdf](#)

[REVISED Wintergreen Prelim Plat Dwgs 20210831](#)

[Preliminary Plat Drawings 20210325](#)

[SITE PLAN Depicting Affordable Units](#)

[REVISED Renderings 083121](#)

[Renderings 20210521](#)

[3 Story 1&2 BR Plan 20210831](#)

[2 Story 1&2 BdRm Plan 20210831](#)

[Wintergreen Townhomes Schematic Landscape 20210628](#)

[Wintergreen Landscape Rendering 20210628](#)

UTILITY PLAN

Civil Plan sheet 4 dated 16MAR2021.pdf

SEWER CONNECTION PLAN

Soil Map 20201204

Wintergreen SEPA Environmental Checklist

Trip Generation Memo

Design for Bainbridge Worksheet with Applicant's 06142021 responses 51836 SUB CUPA SPR.pdf

Design for Bainbridge Worksheet Final by DRB 20210621

Aerial Photo with 25' setback

Building Height 20210827

305-Wintergreen Cross Section

Income Limits

Environmental Noise Study 20210206

Noise Barrier Fencing

Comprehensive Plan affordable housing provisions from Applicant

Background 17734 HEX Decision

Background HEX Reconsideration

Relationship of the Visconsi to Wintergreen Approval.pdf

Visconsi Sepa checklist staff comment 20130424

Visconsi Final Plat Set Sheets C-1-5, 20130909

Visconsi Final Plan Set Sheets L-1, 2, 3, 4, 5, 10, 12 20130909

VISCONSI MDNS 20131122

GIS Aerial 2018 25' and 50' from SR305

Comments from Joe Dunstan 20210829.pdf

EMAIL from Joe Dunstan re: Final DRB thoughts RE wintergreen project 20210829

EMAIL from Joe Dunstan re: Wintergreen setback correction for PC meeting

07SEP2021 Corr between Planning Director and Planning Commissioner.pdf

Corr from applicant dated 07SEP2021.pdf

Sept 6-8, 2021 Corr between City Planner and Planning Commissioners.pdf

Community Space Management and Maintenance Plan submitted 08SEP2021.pdf

08SEP2021 Corr between Planning Commissioners and Planning Director.pdf

08SEP2021 Corr from applicant 2 with three attachments.pdf

Public comment received since 16AUG2021.pdf

Applicant email 1 with attachments A, A1 and B.pdf

21SEP2021 Applicant email 2 with attachment A.pdf

21SEP2021 Applicant email 3 with attachments A and B.pdf

21SEP2021 Email from Joseph Dunstan.pdf

21SEP2021 Dunstan email Attachment A Summary DRB wksheet 9.23.21 PC meeting approved by DRB.xlsx

Wintergreen PC Memo_09212021.docx

Applicant representative Hayes Gori provided a brief update on the proposed project.

Public Comment

Marsha Cutting - Spoke in favor of the project saying she felt the location was ideal.

Jillian Worth - Spoke in favor of the project saying that physicians she tries to hire will not come here to work because they cannot buy a home on the island.

Helen Stone - Spoke in favor of the project asking the Commissioners to remember this was the only sizeable affordable housing project proposed in the last 10 years.

Lynn Smith - Spoke in favor of the project citing declining student numbers in the school district and that this would help families with children move onto the island.

Dawn Janow - Spoke in support of the project stating this project was a strong start in developing affordable housing.

Dave Shorett - Spoke in support of the project stating he had seen affordable housing and economic and ethnic diversity on the island dry up in the last 40 years.

Georg Syvertsen - Spoke in support of the project stating he felt the location couldn't be better with its access to all the amenities in the area.

Denise Stoughton - Spoke in support of the project saying she felt the design met the aesthetic expectations of the community. She also spoke about her rent going up by 15-20% per year and that her dream of home ownership had evaporated as real estate prices went up.

Karen Bazar - Spoke in support of the project stating that Central Highlands provided the top home warranty and was very responsive to the needs of their homeowners.

Barry Andrews - Spoke in support of permanent affordable housing but was concerned about the impact of the proposed project on the Stonecress neighborhood citing drainage of storm water and the increase of traffic on High School Road including the exit from Virginia Mason via Polly Lane.

Linda Andrews - Stated she spoke with the Visconsi representative about the upkeep of Polly Lane and wanted to know who would be responsible for maintaining Polly Lane when the property was sold.

Asaph Glosser - Spoke in favor of the project asking them to approve it and look for reasons to say yes.

Lisa Neal - Spoke about the Draft Buildable Lands Report that recently came out and stated the island had 150% of the zoning capacity needed for population allocation through 2036, the number of "straws" in the aquifer and that there did not need to be any bending of the rules to get the affordable housing because it was actually required in order to get the requested bonus density.

Dean Nail - Spoke in support of the project representing Housing Kitsap as one of the partners in the proposed building project and related the success he had experienced with Central Highlands over the years.

Cristobal Ugles - Spoke in support of the project stating he had inspected many of Central Highlands' homes and that the quality and application of materials were very good.

Barb McKenzie - Spoke in support of the project and that she respected and admired the developer for the projects he brought into the community as they always tried to do the right thing.

**I move to recommend approval of the project with the conditions now numbered 1-17 as we edited and amended them which do not include the further DRB review, which includes a bike barn and vegetative screen at the north and south end of the project which may already be included in the current proposal
Paar/Subramanian: Passed 5-2**

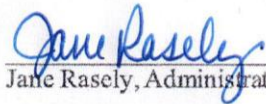
5) PLANNING DIRECTOR'S REPORT

Planning & Community Development Director Heather Wright provided an overview of items of interest to the Planning Commission.

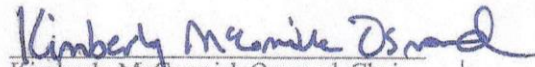
6) FOR THE GOOD OF THE ORDER

7) ADJOURNMENT

Meeting was adjourned at 9:42 PM.



Jane Rasely, Administrative Specialist



Kimberly McCormick Osmond, Chair

PLANNING COMMISSION RECORDED MOTION

Planning Commission Meeting Date:	September 23, 2021
Project Proposal Name and Number:	Wintergreen Townhomes/PLN51836 SPR CUPA SUB
Documents available at:	Online Permit Portal
Public Hearing Date:	TBD
Decision Maker:	Hearing Examiner

Purpose: The purpose of the Planning Commission's review and recommendation is to determine if a proposed project is consistent with the Comprehensive Plan, applicable design guidelines and standards, and BIMC Titles 2, 17, and 18.

Consideration: The Planning Commission shall consider the project application at a public meeting where public comment will be taken. The Planning Commission shall recommend approval, approval with conditions, or denial of the proposed project.

The Planning Commission will adopt written findings of facts and conclusions and determine if the project is consistent with Bainbridge Island Municipal Code and the Comprehensive Plan. This motion will be included in the staff report transmitted to the reviewing bodies and decision maker.

Findings of Fact and Reasons for Action

1. The project, as conditioned, is found to meet all the applicable decision criteria.
2. The project, as conditioned, is found to be compliant and consistent with the Comprehensive Plan.
3. The project, as conditioned, is found to meet all other applicable laws.
4. The project is either :

_____ Found to meet the recommendations by the Design Review Board; **OR**

 X Recommended for deviation from the Design Review Board's recommendation with the conditions proposed under Recommendation because many of the elements the DRB relied on in recommending denial have now been recommended as conditions required to be met before the project can be approved.



PLANNING COMMISSION RECORDED MOTION

Recommendation:

The Planning Commission recommends the Hearing Examiner approve the proposal with the following conditions:

1. The applicant will place all 31 of the affordable units into the Housing Resources Board (HRB) Community Land Trust (CLT) to be offered to low-income households in perpetuity. This commitment will be a covenant on title on each of the affordable units prior to the first City permit approval for any activity on the project site. The City will determine what constitutes a "low income" household pursuant to BIMC Sections 18.12.030.E, 18.21 and 18.36. The final plat will include a covenant on the face of the plat stating, "Affordable Housing as defined in BIMC 18.36" and including a phasing plan identifying the affordable-to-market rate unit completion proportions.
2. Upon the first sale of each of the 31 affordable units, applicant will pay \$10,000 to HRB and Housing Kitsap, with \$5,000 paid to each agency per unit. This commitment will be a covenant on title on each of the affordable units prior to the first City permit approval for any activity on the project site.
3. Upon the first sale of each of the 73 units, applicant will pay \$1,500 per unit to HRB. This commitment will be a covenant on title on each of the units prior to the first City permit approval for any activity on the project site.
4. Applicant will provide up to \$10,000 per lot for restoration/augmentation of a buffer tree screen along SR 305 in the Walgreen's and Key Bank lots, as determined and arranged by the City.
5. Applicant will provide a pedestrian/nonmotorized trail from the SW corner of the west lot of the Wintergreen Project to the High School Road/SR 305 intersection and will obtain a right-of-way permit from Washington State Department of Transportation (WSDOT) to construct the trail at applicant's expense.
6. Applicant will plant trees in the SR 305 buffer to create a full tree screen to eliminate visual impacts. Tree selection will be included in the Landscape Plan in coordination with the City arborist.
7. Applicant will construct a 10-foot high fully vegetated berm along the SR 305 buffer to dampen noise impacts. Selection of native plants to be included in the berm will be included in the Landscape Plan.
8. Applicant will provide full disclosure of all SR 305 mitigation measures to potential buyers of units that abut the SR 305 buffer and will obtain written acceptance of these mitigation measures in purchase and sale agreements. The mitigation measures will be noted in the final plat and included in the Community Space Management and Maintenance Plan, Landscape Plan and all building permits that incorporate noise mitigation measures.
9. Applicant will provide the equivalent of a 50-foot fully vegetated buffer along SR 305. The width of the buffer may be averaged, but no portion of the buffer may be less than 35' wide. This condition is consistent with the Comprehensive Plan, the existing averaged 50-foot fully vegetated buffer along SR 305 required as part of the 2014 Visconsi Master Plan HEX decision for the site, the DFB standard in Chapter 5 for a 25-50 foot fully vegetated buffer along SR 305, and applicable provisions of BIMC Title 17 and 18. If the applicant determines that the equivalent of a 50-foot fully vegetated buffer is not feasible or requires redesign of the site plan, the project must return to the Planning Commission for additional review and recommendation.

PLANNING COMMISSION RECORDED MOTION

10. Applicant will provide for City approval a parking plan identifying how many parking spaces are provided on each of the properties that make up the Visconsi Master Plan, how many parking spaces are proposed for the Wintergreen Project properties and their location, and how many handicapped parking spaces are being provided and their location. The parking plan must satisfy parking requirements of the 2016 amendment to the Visconsi Master Plan HEX decision and City code requirements and standards applicable to a residential subdivision.
11. Applicant will provide for City approval a plan for bike parking spaces that is adequate for the proposed residential development as well as installation of a bike barn in the common area provided for Phase I and Phase II.
12. Applicant will provide at least 5 motorcycle parking spaces adequate for the proposed residential development.
13. Applicant will fence townhome yards to allow safe use by children and pets.
14. All SEPA conditions included in the August 27, 2021 (Revised August 31, 2021) Staff Report shall be incorporated into the project as amended by these conditions.
15. All project conditions included in the August 27, 2021 (Revised August 31, 2021) Staff Report shall be incorporated into the project as amended by these conditions.
16. The Planning Commission recommendation with conditions applies only to the project as proposed. Any subsequent substantive changes to the project will require additional Planning Commission review and recommendation.
17. The applicant will properly screen with vegetation the project at the north and south boundaries.

Recorded motion on September 23, 2021:

I move to recommend approval of the project with the conditions now numbered 1-17 as we've edited and amended them which do not include the further DRB review, which includes a bike barn and a vegetative screen at the north and south end of the project which may already be included in the current proposal.

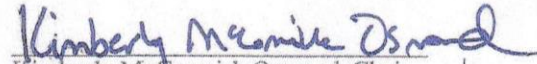
Planning Commission Record of Vote:

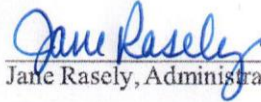
Commissioner	Support	Oppose	Absent	Abstain
McCormick Osmond	X			
Paar	X			
Chester	X			
Macchio		X		
Blossom		X		
Mathews	X			
Subramanian	X			
Total	5	2		



PLANNING COMMISSION RECORDED MOTION

CITY OF BAINBRIDGE ISLAND PLANNING COMMISSION


Kimberly McCormick Osmond, Chair


Jane Rasely, Administrative Specialist