

RESOLUTION NO. 2013-11

A RESOLUTION of the City of Bainbridge Island, Washington, approving the Ericksen Urban Cottages Housing Design Demonstration Project Final Subdivision.

WHEREAS, the final subdivision application for the Ericksen Urban Cottages Housing Design Demonstration Project facilitates creation of 16 single family residential lots on a 1.08 acre site located at the southwest corner of the intersection of Ericksen Avenue and Knechtel Way; and

WHEREAS, the decision to approve or deny a Housing Design Demonstration Project shall be made as part of the underlying land use permit approval; and

WHEREAS, the City Council approved the preliminary subdivision application with the adoption of Resolution No. 2012-06 on June 6, 2012; and

WHEREAS, the City Engineer and the Kitsap County Health District have forwarded their recommendations for final subdivision approval to the Department of Planning and Community Development; and

WHEREAS, the Department of Planning and Community Development has evaluated compliance with the conditions imposed on the preliminary subdivision and other applicable ordinances and forwarded its recommendation for final subdivision approval and Housing Design Demonstration Project approval to the City Council; now, therefore

THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES RESOLVE AS FOLLOWS:

Section 1. All conditions imposed when the preliminary subdivision was approved have been met, as set forth in the final plat memorandum from the Department of Planning and Community Development, which is attached as Exhibit A and incorporated by reference.

Section 2. Conditioned plat improvements have been completed or assured as set forth in Exhibit B, which is attached and incorporated by reference.

Section 3. The final plat is in conformance with the subdivision regulations and standards, the Housing Design Demonstration Project program regulations and standards, zoning regulations, the Comprehensive Plan, and all applicable land use ordinances and applicable state law in effect at the time of preliminary plat approval.

Section 4. The Mayor is authorized to inscribe the City Council's approval on the face of the final plat mylar which is attached as Exhibit C and incorporated by reference; provided, that upon approval of the final plat, the City Council may direct and authorize another Council member to inscribe the City Council's approval on the face of the final plat.

PASSED by the City Council this 22nd day of May, 2013.

APPROVED by the Mayor this 22nd day of May, 2013.



Steven Bonkowski, Mayor

ATTEST/AUTHENTICATE:



Rosalind D. Lassoff, City Clerk

FILED WITH THE CITY CLERK:	May 17, 2013
PASSED BY THE CITY COUNCIL:	May 22, 2013
RESOLUTION NUMBER:	2013-11

Attached:

Exhibit A Final Plat Memorandum, Department of Planning and Community Development
Exhibit B Assured Plat Improvements
Exhibit C Final Plat Mylar

Memorandum

City of Bainbridge Island
Department of Planning and
Community Development

To: City Council
From: Kelly Tayara, Planner
Date: May 14, 2013
Re: Ericksen Urban Cottages HDDP Final Subdivision FSUB13025

Applicant: Ahn Quach
190 Harbor Square Loop # C-225
Bainbridge Island, WA 98110

Request: The applicant requests final approval to subdivide a 1.08 acre site into 16 lots.

Location: The subject property is located in the 600 block along the west side of Ericksen Avenue. Lots 1 and 4 of the City of Winslow Short Plat recorded under Kitsap County Auditor's File No. 1132486 situate in the SW Quarter of the NW Quarter of Sec 26, Twp 25 N, Range 2 E, W.M. in Kitsap County, Washington.

The preliminary subdivision of the Ericksen Urban Cottages Housing Design Demonstration Project was approved on June 6, 2012 subject to the following conditions. As noted in the annotations in bold font, the conditions applicable to subdivision have been satisfied and staff recommends approval of the final plat.

SEPA Condition

1. To avoid impacts to archaeological resources, a contractor is required to stop work and immediately notify the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.

This item is noted on the final plat drawings.

Project Conditions

2. Except for modifications reflecting compliance with these conditions of approval, the completed development shall substantially conform to the preliminary subdivision and civil drawings received February 24, 2012. At final plat submittal the applicant shall submit subdivision and civil drawings that reflect these conditions of approval.

The final subdivision drawings depict all elements, including building setbacks, parking facilities, common areas, and utility easements, in substantial conformance with the preliminary subdivision drawings.

3. Prior to any construction activities, appropriate permits, including but not limited to right-of-way permits and license agreements, road approach permits, clearing, grading, and building permits, shall be obtained from the City.

This item is noted on the final plat drawings. (Attachment E)

4. If a school impact fee is in effect at the time of building permit issuance, it shall be the responsibility of an applicant constructing the residential unit to pay the school impact fee (BIMC 15.28).

This item is noted on the final plat drawings. (Attachment E)

5. At time of building permit application, the applicant shall submit outdoor lighting plans that demonstrate compliance with BIMC 15.34. Freestanding lighting shall have a maximum height of 14 feet including the base and casing.

This item is noted on the final plat drawings. (Attachment E)

6. The project is subject to the following conditions of approval as determined by the satisfaction of the City Engineer:

- a. Civil construction plans prepared by a civil engineer licensed in the State of Washington will be required prior to final plat application. Civil construction plans shall contain design for all roads, storm drainage facilities, sanitary sewer and water facilities and appurtenances for each project stage, prepared by the developer's engineer. No building construction shall be commenced until civil construction is completed or an assurance device is accepted.

Civil construction plans were submitted and approved by the City Engineer (City File No. PU18111). Completion of civil construction that remains incomplete is assured. (Attachment C)

- b. As-built civil construction plans are required to be submitted and approved to the satisfaction of the City Engineer prior to the issuance of a certificate of occupancy.

This item is noted on the final plat drawings and completion of the as-built civil construction plans is assured. (Attachment C)

- c. BIMC 17.04.119 provides: In lieu of completion of improvements with conditions of a preliminary plat approval, the City Council may accept an assurance device, other than a bond, in an amount and in a form determined by the City Council, which secures and provides for the construction and installation of improvements or the performance of conditions within one year, or such additional time as the City Council determines is appropriate after final plat approval. In addition, the City Council shall require an assurance device, including a bond, securing the successful operation of improvements for one year after the City's acceptance of the improvements; provided, that the City Council may, upon recommendation of the City Engineer or the Director, extend the term of the assurance device for up to two years for improvements that will not demonstrate compliance with construction or installation requirements within one year. In the event an assurance device is provided in lieu of completion of improvements, a prominent note on the face of the final subdivision shall state: *"The lots created by this subdivision are*

subject to conditions of an assurance device held by the City for the completion of certain necessary facilities. Building permits may not be issued and/or occupancy may not be allowed until such necessary facilities are completed and approved by the City of Bainbridge Island. All purchasers shall satisfy themselves as to the status of completion of the necessary facilities.”

The City Engineer reviewed and approved the final subdivision. Required facilities are completed or assured and the final plat mylar contains the assurance notation. (Attachments A, C)

- d. A Stormwater Pollution Prevention Plan (SWPPP) is required to be submitted to the City prior to building and civil construction activities. Stormwater quality treatment, erosion and sedimentation control shall be designed in accordance with BIMC15.20. The submittal documents shall be prepared by a civil engineer licensed in the State of Washington. The SWPPP shall include off-street accommodation for construction vehicle parking.

The Stormwater Pollution Prevention Plan was submitted with the approved civil plans (City File No. PU18111).

- e. A maintenance plan shall be developed for the on-going maintenance of the storm drainage system upon completion of construction. The applicant will provide the City with a copy of the plan for review upon completion of facilities and approval prior to the issuance of building permits.

The storm drainage facilities maintenance plan has been provided. (Attachment D)

- f. The owners or the ownership entity shall be responsible for maintenance of the permanent on-site storm drainage facilities for this development following construction. An agreement in the form of a Declaration of Covenant that guarantees the City that the system will be properly maintained will be required prior to the issuance of building permits. Wording must be included in the covenant that will allow the City to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owners and giving them reasonable time to do the necessary work. Should City forces be required to perform the work, the owners will be responsible for reimbursement to the City the maximum amount allowed by law.

The Declaration of Covenant for owner maintenance of the storm drainage facilities has been provided. (Attachment D)

- g. A 20-foot wide right-of-way dedication is required measured from the northern line of applicant's property (as shown on the Adams & Goldsworthy survey, dated 1/7/11) along the entire length of the property's Knechtel Way frontage.

The appropriate dedication is shown on the final plat drawings. (Attachment E)

- h. Half street improvements are required along the entire length of the property's Knechtel Way frontage, limited to curb, gutter, a 5-foot wide public sidewalk and on-street parking.

The half street improvements are completed.

- i. A handicapped-accessible ramp is required at the southwest corner of the intersection of Knechtel Way and Ericksen Avenue.

The ramp is constructed.

- j. Vehicular access to the lots shall be limited to a one-way internal roadway with ingress from Knechtel Avenue and egress to Ericksen Avenue.
 - (1) A right-of-way dedication is required for the internal roadway, and the location shall be in substantial conformance with the preliminary subdivision drawing.
 - (2) The right-of-way shall be 18.5 feet wide from Knechtel Way south for a length of 265 feet and shall be located immediately adjacent to the west property line.
 - (3) The westerly 6 inches of the right-of-way will be available to the applicant to locate fencing.
 - (4) The right-of-way width may be reduced to 18 feet to accommodate the guest parking spaces along the south property boundary.
 - (5) The right-of-way shall provide a 12 foot wide travel way and shoulder facilities totaling 6 feet in width; provided, no shoulder shall be less than 2 feet in width.
 - (6) Transportation facilities shall be reviewed and approved by fire officials during the civil construction design. All street facilities within the new right-of-way dedicated to the public will be privately maintained, including stormwater facilities. Maintenance responsibility shall be designated on the face of the final plat.

The appropriate dedication is shown on the final plat drawings. Completion of the street improvements within the newly dedicated internal right-of way is assured. Any items assured shall require final inspection and approval by the Fire Marshal prior to issuance of any certificate of occupancy or release of assured facilities. A Declaration of Covenant for owner maintenance of the storm drainage facilities has been provided, and this responsibility is designated on the final plat drawings. (Attachments C, E)

- k. The developer's engineer shall certify that there is adequate sight distance at the site entrances and exits. Such certification shall note the minimum required sight distance, the actual sight distance provided, and a sight distance diagram showing the intersection geometry drawn to scale, topographic and landscaping features, and the sight triangle. The sight distance shall meet the requirements of the COBI Design and Construction Standards.

The street improvements meet the COBI Design and Construction Standards; adequate sight distance is provided.

- l. The existing sewer “lateral” that crosses the subject property is currently a private facility. The owner of the subject property shall submit to the City an agreement between that owner and the neighboring parcels that authorizes the new connections to the “lateral” and that identifies the maintenance responsibilities of both parties; and stating that the responsibility for maintenance and repair of the sewer “lateral” is solely the responsibility

of the private owner, and indemnifying the City against any future claims for damages if the City is forced to perform maintenance or repair of the existing sewer “lateral”.

The private sewer agreement has been provided.

- m. Sewer and water utility plans shall be submitted that are designed per BIMC Title 13 and COBI Design Standards, including plan, profiles and details.

The sewer and water utility plans were submitted with the approved civil plans (City File No. PU18111).

- n. The owner is responsible for verifying the adequacy of the proposed water main to meet fire flow requirements pursuant to the City of Bainbridge Island Municipal Code 13.10.065. Fire flow requirements to neighboring property must be maintained. Plans and calculations showing how this level of pressure will be maintained will be provided to the city.

The Fire Marshal noted compliance with fire flow requirements. Any items assured shall require final inspection and approval by the Fire Marshal prior to issuance of any certificate of occupancy.

- o. The owner is responsible for maintenance of the proposed sanitary sewer and water facilities for this development following construction. The owner of the subject property shall submit to the City an agreement in the form of a Declaration of Covenant intended for the current and future owners of the new lots (or ownership entity i.e. HOA) stating that the responsibility for maintenance and repair of the on-site sewer and water facilities are solely the responsibility of the private owner(s), and indemnifying the City against any future claims for damages if the City is forced to perform maintenance or repair of any of the private water or sewer facilities. Wording must be included in the covenant that will allow the City to inspect the system and perform the necessary maintenance in the event the system is not performing properly. This would be done only after notifying the owner and giving him a reasonable time to do the necessary work. Should City forces be required to perform the work, the owner will be responsible for reimbursement to the City the maximum amount allowed by law.

The Declaration of Covenant for owner maintenance of the sewer and water facilities has been provided. (Attachment D)

- p. All private sewer laterals and connections on the property other than those proposed for Lot 16 shall be located on private property and not in the new right-of-way dedicated to the public (along the west and south sides of the subject property) or on any existing public rights-of-way.

The approved civil plans depict private sewer laterals on private property (City File No. PU18111).

- q. A binding Water & Sewer Availability Commitment is required prior to final plat application.

The applicant submitted binding availability letters. The Health District approved the final plat. (Attachment B)

- r. The owner of the subject property shall indicate the location of and provide documentation for utility and access easements between the future lots as applicable where utilities are proposed to cross lot boundaries.

The appropriate easements are shown on the final plat drawings. (Attachment E)

- s. A right-of-way (ROW) construction permit will be required prior to any construction activities within the right-of-way. The ROW permit will be subject to separate conditions and bonding requirements.

This requirement is noted on the plat drawings. (Attachment E)

- t. All lot corners shall be staked with three-quarter inch galvanized iron pipe and locator stakes along with all other applicable survey provisions of state and City Ordinance.

To avoid disruption of stakes during construction, boundary and street monuments and staking of lot corners is assured. (Attachment D)

- u. A plat certificate shall be provided with final plat application.

The plat certificate has been provided.

- 7. The final plat shall meet the following conditions to the satisfaction of the Fire Marshal:
 - a. The internal roadway shall be designed to accommodate the weight of a 65,000 pound fire apparatus. Pervious materials are permitted as long as applicable design specifications are met and the edges of the shoulders are clearly visible.
 - b. The roadway and shoulders shall provide a minimum 13'6" overhead clearance.
 - c. The entire length of the roadway shall be marked as a fire lane: No parking shall be permitted on the roadway or shoulders.
 - d. Construction and signage shall be to the satisfaction of the Fire Marshal.

Any items assured shall require final inspection and approval by the Fire Marshal prior to issuance of any certificate of occupancy.

- 8. Pedestrian walkways shall be provided to assure safe access for Lots 10 – 15 between the parking area and the residences. Walkways shall be surfaced with nonskid hard surfaces.

Construction of the walkways is assured (Attachment D).

- 9. The building setbacks shall be noted on the final subdivision. With the exception of up to 24 inch eaves on Lots 1-15, no portion of the buildings may extend into front setbacks.

Building to building:	Minimum 0 feet*
Building to subdivision boundary:	Minimum 5 feet*
Building to right-of-way	Minimum 10 feet

*Subject to Building Official and Fire Marshal building permit approval.

This item is noted on the final plat drawings. (Attachment E)

- 10. The project must substantially conform to the Housing Design Demonstration Project (HDDP) program criteria for innovative building design as demonstrated in the HDDP evaluation

scoring and application for the underlying land use permit, except as otherwise conditioned through this approval:

- a. The project must achieve LEED certification for each of the lots/units. Building permit applications, construction and final occupancy shall comply with the certification provisions of BIMC 18.38.040.H.

This item is noted on the final plat drawings. (Attachment E)

11. The maximum building height, as defined in BIMC 18.06.130, is 35 feet.

This item is noted on the final plat drawings. (Attachment E)

12. The applicant for construction of a residence on each of the lots shall purchase development rights in conformance with BIMC 18.40.040, should the proposed floor area exceed the share of the base floor area depicted on the plat.

This item is noted on the final plat drawings. (Attachment E)

13. All buildings shall be subject to the applicable sections of BIMC 18.41.030, Design Guidelines for the Mixed Use Town Center and High School Road Zoning Districts, at time of building permit application.

This item is noted on the final plat drawings. (Attachment E)

14. Residential development on Lots 1 – 9 and Lot 16 shall provide at least one parking space / garage on each lot. Parking must meet the dimensional standards of BIMC 18.81.070. A minimum total of 22 onsite parking spaces shall be provided for the project.

This item is noted on the final plat drawings. (Attachment E)

15. Prior to final plat application, the applicant shall provide field verification that at least four significant trees to be retained, equaling at least 15 percent of the total number of significant trees, are all located on the subject property.

The applicant provided an arborist's report prior to clearing for construction and noted on survey drawings the trees to be retained (City File No. BLD13025CLR and BLD13025CLR-B).

16. Prior to final plat application, the applicant shall provide a statement from a professional arborist that contains recommendations as to whether a buffer of smaller trees shall be retained or planted on the fringe of significant trees designated for preservation. The applicant shall follow the planting recommendations of the arborist. Plantings shall be installed or assured prior to final plat approval.

The applicant provided an arborist's report prior to clearing for construction (City File No. BLD13025CLR and BLD13025CLR-B). The arborist did not recommend additional plantings as the area contains existing understory.

17. Significant trees designated for preservation and the area designated for significant tree retention shall be depicted on the final plat drawing, and shall include critical root zones and any additional fringe planting area. No significant tree removal shall be allowed on the site until the significant tree retention plan, and a replanting plan if applicable, have been approved by the Department of Planning and Community Development.

The significant tree retention areas are depicted on the final plat drawings. This item is noted on the final plat drawings. (Attachment E)

18. Construction activities on Lot 16 shall comply with the following conditions:
- a. Prior to any tree removal along the west boundary, the applicant shall provide field verification that the trunk is completely within the subject property or provide agreement of the neighboring property owner for removal.
 - b. No building, clearing or grading within the critical root zone of a significant tree designated for preservation shall occur without a report from a consulting arborist indicating how the tree will be preserved.
 - c. Prior to any construction activity, construction fencing shall be installed in such a manner as to protect the critical root zone of significant trees designated for retention. Construction activities in the vicinity of the significant tree retention area shall comply with restrictions on grading and prohibition of other activities contained in BIMC 18.85.060.B.c-e.
 - d. If any significant trees are determined to be hazardous by a professional arborist, they may be removed after a replanting plan has been approved by the Department of Planning and Community Development. Trees approved for removal shall be replaced at a 3:1 ratio, evergreen, and at least six feet in height at time of planting.

This item is noted on the final plat drawings. (Attachment E)

19. Conditions 1, 3 – 5, 7 – 14, 6 and 15 if assured, and applicable portions of 16 - 18 shall be listed on the final plat mylar.

The appropriate conditions are listed on the final plat drawings. (Attachment E)

20. The applicant shall remain responsible for the maintenance of all public storm drainage, sanitary sewer and water, and street facilities required by these conditions, as well as all private common areas constructed to serve the lots of the plat, until such responsibilities have been transferred to and assumed by an operational homeowners' association comprised of the owners of all the lots within the plat. The homeowners' association agreement and related plat covenants shall be reviewed and approved by the City, and then recorded, prior to final plat approval.

This item is noted on the final plat drawings. (Attachment E)

Attachments:

- A. City Engineer Approval
- B. Kitsap County Health District Approval
- C. Plat Improvement Performance Assurity (Assignment of Account)
- D. Declaration of Covenant (for maintenance & operation of private storm drainage, sanitary sewer and water facilities)
- E. Final Subdivision Drawings

Plat of Ericksen Urban Cottages

Housing Design Demonstration Project

SW 1/4, NW 1/4

Sec.26, T.25N., R.2E., W.M.

City of Bainbridge Island, Kitsap County, Washington

Dedication

KNOW ALL PERSONS BY THESE PRESENTS that the undersigned owners in fee simple of the land hereby platted, dedicate to the use of the public forever the right of way for Knechtel Way NE, Ericksen Avenue NE and Wintersweet Lane NE as shown on the plat, and the use thereof for any and all public purposes not inconsistent with the use thereof for public highway purposes. The right of way dedicated may include right of way that was previously granted or dedicated. We reserve the right to make all slopes for cuts and fills upon the lots shown on the plat in the reasonable original grading of said right of way and the easements described below and we also reserve the right to allow surface drainage from said right of way and easements to flow over and across all lots where water might take a natural course after site development is completed.

Dimensions and uses of all lots, tracts or parcels of land embraced in this plat are subject to and shall be in conformance with City of Bainbridge Island Zoning Ordinance. The owners hereof, their successors and assigns, hereby waive all claims for damage against any governmental authority arising from the construction and/or maintenance of public facilities and public property within this development.

At such time as indicated in the Covenants, the ownership of Common Areas A and B will be conveyed to the Ericksen Urban Cottages Owners Association.

Easement Provisions

Easements shown on the drawings are over, under and across the areas shown for the purposes stated. Access and utilities easements refer to easements for ingress and egress and the construction, maintenance and repair of underground utilities and their appurtenances. Utilities easements refer to easements for the construction, maintenance and repair of underground utilities and their appurtenances. Waterline easements refer to easements for the construction, maintenance and repair of underground waterlines and their appurtenances. Stormdrain easements refer to easements for the construction, maintenance and repair of underground stormdrain lines and their appurtenances. Sanitary sewer line easements refer to easements for the construction, maintenance and repair of underground sewer lines and their appurtenances. Public pedestrian easements refer to easements for pedestrian access. Parking easements refer to easements for vehicular parking. Landscape easements refer to easements for the installation and maintenance of landscaping. Trash and recycling easements refer to the installation and maintenance of a storage enclosure for trash and recycling materials.

As shown on sheet B:

Utilities easements "A" include all portions of Common Areas A & B and in the Northern portion of Lot 16. These utilities easements are hereby granted to Lots 1-16 and the Ericksen Urban Cottages Owners Association.

Utilities easement "B" starting at the Southwest corner of Lot 3 and crossing Wintersweet Lane to Lot 16 is hereby granted to Lot 16, Ericksen Urban Cottages Owners Association, Puget Sound Energy, Comcast of Washington, Centrylink and other utility companies having franchise or permits from the City of Bainbridge Island, and their respective successors and assigns.

The Stormdrain easement along the South Line of Lots 1 & 2 is hereby granted to Lots 1-16 and the Ericksen Urban Cottages Owners Association.

The public pedestrian easements are hereby granted to the public and the City of Bainbridge Island.

The parking easements are hereby granted to the lot noted.

The sanitary sewer line easement along the West line of Lots 4 through 8 is hereby granted to Lots 4 through 8.

The waterline easement along the East line of Lot 1 and the South line of Lots 1, 2 and 3 is hereby granted to Lots 2, 3 and 16.

The landscape easements in the Northwest corner of Lot 9 and in the Southeast corner Lot 1 and along the East and North line of the plat are hereby granted to the Ericksen Urban Cottages Owners Association.

The trash and recycling easement located in the Southeastern portion of Common Area B is for the exclusive use of Lots 10 through 15 and is hereby granted to Lots 10 through 15.

As shown on sheet 9:

Utility easements "C" are hereby granted to Lots 1 - 16, the Ericksen Urban Cottages Owners Association and to Puget Sound Energy, Comcast of Washington, Centrylink and other utility companies having franchise or permits from the City of Bainbridge Island, and their respective successors and assigns.

In witness whereof we have hereunto set our hands and seals.

Ahn Quach

Managing Member of Ericksen Urban Cottages, LLC

Surveyors Certificate

I, Gavin M. Oak, registered as a land surveyor by the State of Washington, certify that this plat is based on an actual survey of the land described herein, conducted by me, or under my supervision, during the period of March, 2011 through May, 2013, that the distances, courses and angles are shown correctly, and that monuments have been set and lot corners staked on the ground as depicted on the plat, except for those that have been approved to be set at a later date.

Gavin M. Oak, PLS
Registered Land Surveyor
Certificate No. 45168

Owners Association

The Owners Association for this plat is a Washington non-profit corporation known as the Ericksen Urban Cottages Owners Association.

Approvals

Engineer

Approved by the City Engineer this _____ day of _____, 2013.

Janelle Hitch, P.E.

Health District

Examined and approved by the Bremerton-Kitsap County Health District this _____ day of _____, 2013.

Scott W. Lindquist, MD, MPH

Director of Health, Bremerton-Kitsap County Health District

Planning and Community Development

Approved by the Director of Planning and Community Development this _____ day of _____, 2013.

Katharine Cook, Planning Director

Planning and Community Development

City of Bainbridge Island

City Council

Approved by the City Council of Bainbridge Island this _____ day of _____, 2013.

Steve Bankowski

Mayor, City of Bainbridge Island

Treasurer's Certificate

I, Meredith Green, Treasurer of Kitsap County, Washington, hereby certify that all taxes on the above described property are fully paid up to and including _____.

Meredith Green

Kitsap County Treasurer

Recording Certificate

Filed for record at the request of _____, on this _____ day of _____, 2013 recorded in Volume _____ of plats, Pages _____ records of Kitsap County, Washington.

Walter E. Washington

Kitsap County Auditor

Attest:

Deputy

Covenants

The "Declaration of Covenants, Conditions and Restrictions for the Plat of Ericksen Urban Cottages" is recorded under Auditor's File No. _____ records of Kitsap County, Washington.



5/9/13

**ADAM
&
GOLDSWORTHY, INC.**
LAND SURVEYING

1015 NE HOSTMARK ST. 360-779-4299
POULSBO, WA 98370 206-842-9598

DATE 5/9/13

FIELD BOOK 853, 855

DRAWING 5111P1

SHEET 1 / 9

REVISED

C.O.B.I.

MAY 13 2013

RECEIVED PCD

Plat of Ericksen Urban Cottages
 Housing Design Demonstration Project
 SW 1/4, NW 1/4, Sec.26, T.25N., R.2E., W.M.
 City of Bainbridge Island, Kitsap County, Washington

Acknowledgment

State of Washington
 County of Kitsap

I certify that I know or have satisfactory evidence that Ahn Quach is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the managing member of Ericksen Urban Cottages, LLC, a Washington limited liability company to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: _____

Notary Public in and for the State of Washington
 My appointment expires _____

Legal Description

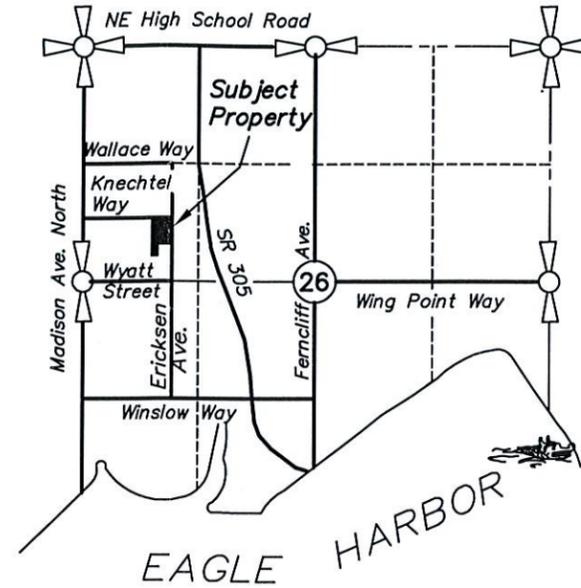
Lots 1 and 4 of the City of Winslow Short Plat recorded under Kitsap County Auditor's File No. 1132486 situate in the Southwest quarter of the Northwest quarter of Section 26, Township 25 North, Range 2 East, W.M., City of Bainbridge Island, Kitsap County, Washington. EXCEPT Knechtel Way NE.

National Flood Insurance Program Designation

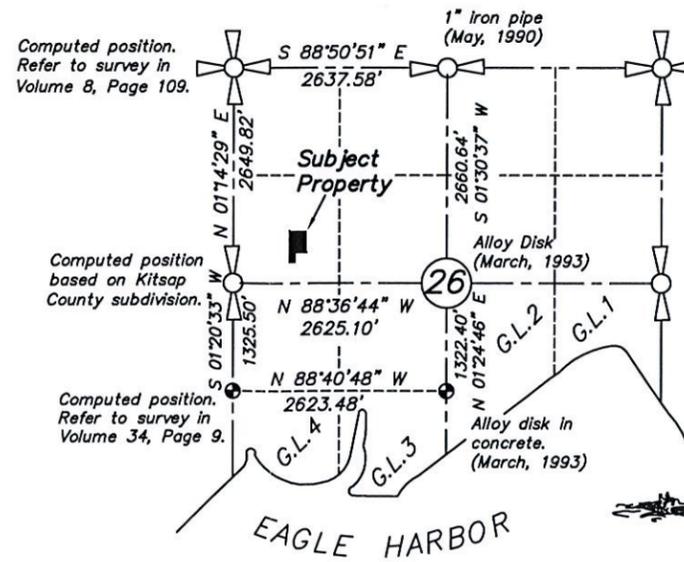
Zone X
 Flood Insurance Rate Map 53035C0244D
 Effective Date: December 18, 2007

Notes

- 1) This survey was accomplished by field traverse with a three second total station.
- 2) This survey conforms to the minimum field traverse standards for land boundary surveys as listed in WAC 332-130-090.
- 3) Refer to the plat certificate prepared by Pacific Northwest Title under order no. 32124747.



VICINITY MAP
 SEC.26, T.25N., R.2E., W.M.
 (No scale)



SECTION SUBDIVISION
 SEC.26, T.25N., R.2E., W.M.
 (No scale)

Owner:	Ericksen Urban Cottages, LLC C/O Ahn Quach 190 Harbor Square Loop NE Unit C-225 Bainbridge Island, WA. 98110 206-780-2828
Current use:	Undeveloped
Proposed water service:	City of Bainbridge Island
Proposed sewer service:	City of Bainbridge Island
Assessor's Account Nos.	262502-2-106-2004 262502-2-109-2001
Zoning:	MUTC/ERICK
Comprehensive Plan:	MUTC/ERICK
Compliance with the fire flow requirements of BIMC 20.04 will be by fire flow from the City water system.	
Storm drainage from new site construction will be reduced by low impact development practices, treated and detained through underground detention facilities, and discharged to the City system on Erickson Avenue NE.	
Application File No.	13025C



ADAM & GOLDSWORTHY, INC.
LAND SURVEYING

1015 NE HOSTMARK ST. 360-779-4299
 POULSBORO, WA 98370 206-842-9598

DATE 4/1/13 FIELD BOOK --
 DRAWING 5111P2 SHEET 2 / 9

C.O.B.I.
 APR 03 2013
 RECEIVED PCD

Plat of Ericksen Urban Cottages
Housing Design Demonstration Project
SW 1/4, NW 1/4, Sec.26, T.25N., R.2E., W.M.
City of Bainbridge Island, Kitsap County, Washington

Conditions

1. To avoid impacts to archaeological resources, a contractor is required to stop work and immediately notify the Department of Planning and Community Development and the Washington State Office of Archaeology and Historic Preservation if any historical or archaeological artifacts are uncovered during excavation or construction.
2. Prior to any construction activities, appropriate permits, including but not limited to right of way permits and license agreements, road approach permits, clearing, grading and building permits shall be obtained from the City.
3. If a school impact fee is in effect at the time of building permit issuance, it shall be the responsibility of an applicant constructing the residential unit to pay the school impact fee.
4. At time of building permit application, the applicant shall submit outdoor lighting plans that demonstrate compliance with BIMC 14.34. Freestanding lighting shall have a maximum height of 14 feet including the base and casing.
5. The project must substantially conform to the Housing Design Demonstration Project (HDDP) program criteria for innovative building design as demonstrated in the HDDP evaluation scoring and application for the underlying land use permit, except as otherwise conditioned through this approval. The project must achieve LEED certification for each of the lots/units. Building permit applications, construction and final occupancy shall comply with the certification provisions of BIMC 18.38.040.H.
6. The maximum building height, as defined in BIMC 18.06.130, is 35 feet.
7. The applicant for construction of a residence on each of the lots shall purchase development rights in conformance with BIMC 18.40.040, should the proposed floor area exceed the share of the base floor area depicted on the plat.
8. All buildings shall be subject to the applicable sections of BIMC 18.41.030, Design Guidelines for the Mixed Use Town Center and High School Road Zoning Districts, at time of building permit application.
9. Residential development on Lots 1 – 9 and Lot 16 shall provide at least one parking space/garage on each lot. Parking must meet the dimensional standards of BIMC 18.81.070. A minimum total of 22 onsite parking spaces shall be provided for the project.
10. Significant trees designated for preservation and the area designated for significant tree retention shall be depicted on the final plat drawing, and shall include critical root zones and any additional fringe planting area. No significant tree removal shall be allowed on the site until the significant tree retention plan, and a replanting plan if applicable, have been approved by the Department of Planning and Community Development.

11. Construction activities on Lot 16 shall comply with the following conditions:
 - a) Prior to any tree removal along the West boundary, the applicant shall provide field verification that the trunk is completely within the subject property or provide agreement of the neighboring property owner for removal.
 - b) No building, clearing or grading within the critical root zone of a significant tree designated for preservation shall occur without a report from a consulting arborist indicating how the tree will be preserved.
 - c) Prior to any construction activity, construction fencing shall be installed in such a manner as to protect the critical root zone of significant trees designated for retention. Construction activities in the vicinity of the significant tree retention area shall comply with restrictions on grading and prohibition of other activities contained in BIMC 18.85.060.B.c-e.
 - d) If any significant trees are determined to be hazardous by a professional arborist, they may be removed after a replanting plan has been approved by the Department of Planning and Community Development. Trees approved for removal shall be replaced at a 3:1 ratio, evergreen, and at least six feet in height at time of planting.
12. The lots created by this subdivision are subject to conditions of an assurance device held by the City for the completion of certain necessary facilities. Building permits may not be issued and/or occupancy may not be allowed until such necessary facilities are completed and approved by the City of Bainbridge Island. All purchasers shall satisfy themselves as to the status of completion of the necessary facilities.
13. As-built civil construction plans are required to be submitted and approved to the satisfaction of the City Engineer prior to the issuance of a certificate of occupancy.
14. The applicant shall remain responsible for the maintenance of all public storm drainage, sanitary sewer and water, and street facilities within the development, including those within the internal right of way that serves the development, as well as all private common areas constructed to serve the lots of the plat, until such responsibilities have been transferred to and assumed by an operational homeowners' association comprised of the owners of all the lots within the plat.

Minimum Building Separation and Setbacks

Building to building:	0 feet*
Building to subdivision boundary	5 feet*
Building to right of way	10 feet

With the exception of up to 24 inch eaves on Lots 1-15 no portion of the buildings may extend into front setbacks.

*Subject to Building Official and Fire Marshal building permit approval



5/9/13

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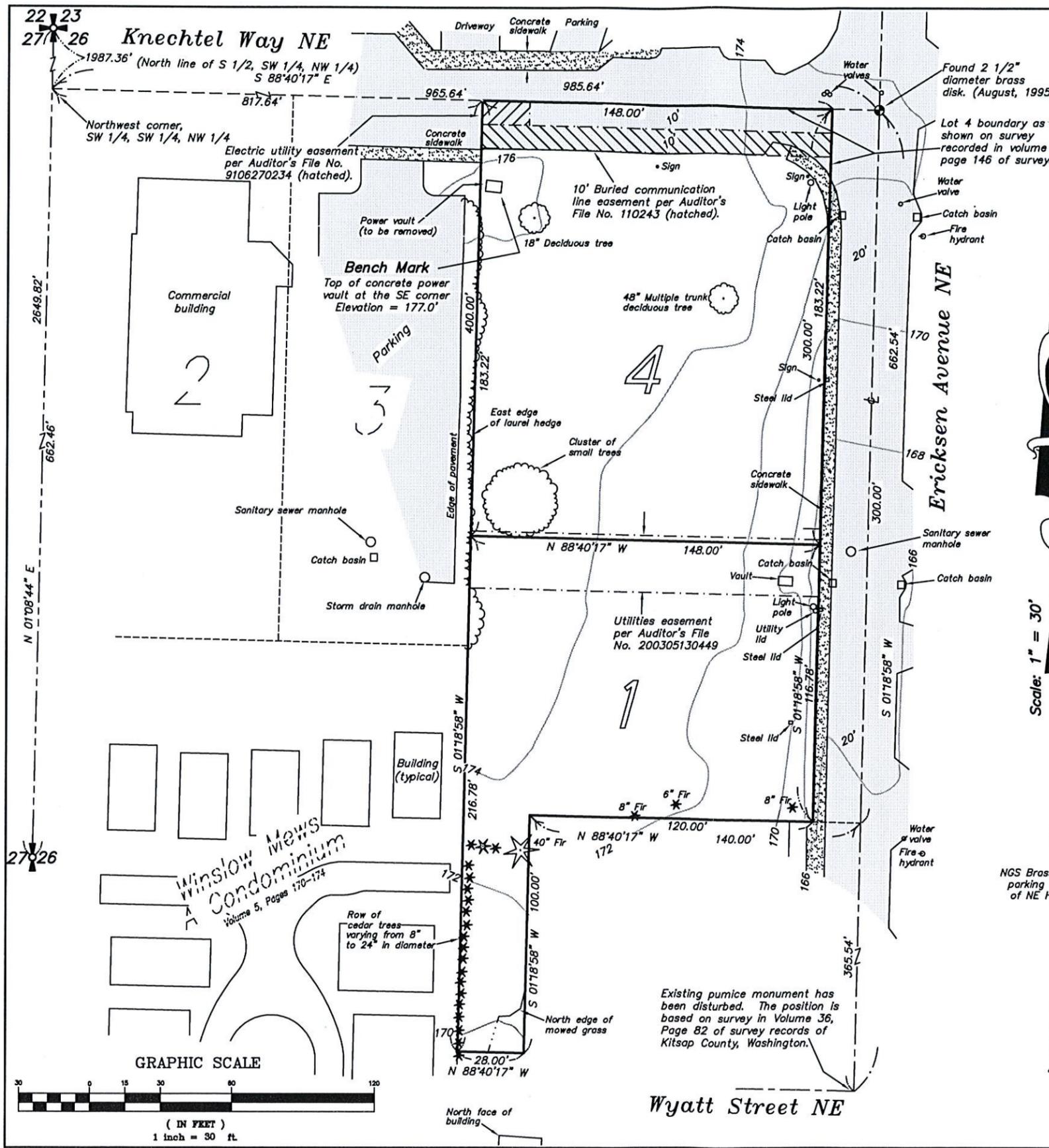
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Plat of Ericksen Urban Cottages
 Housing Design Demonstration Project
 SW 1/4, NW 1/4,
 Sec.26, T.25N., R.2E., W.M.
 City of Bainbridge Island, Kitsap County, Washington

Existing Conditions

- Notes:**
1. We find no right of way conveyance of record for Knechtel Way NE and Ericksen Avenue NE. The boundary shown is that of Lots 1 and 4 of the referenced short plat as shown on the survey in volume 5, page 146 of surveys, records of Kitsap County.
 2. The building location on adjacent lots are approximate only.
 3. The property is undeveloped and slopes gently from the Northwest to the Southeast corner. It is mostly cleared with a small wooded portion in the Southern portion.
 4. The property to the West is a commercial building with associated parking, to the South is an office building and to the Southwest are condominium buildings.

- Legend**
- = Asphalt pavement
 - = Concrete surface
 - = Evergreen tree
 - = Deciduous tree
 - = Found monument as noted

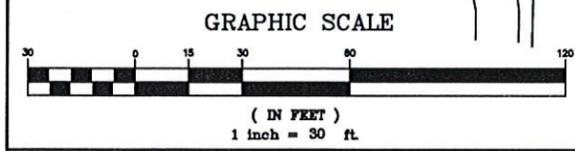
Scale: 1" = 30'
 Assumed

City of Bainbridge Island
 Vertical Control Network
 Bench Mark No. SY1014
 NGS Brass "M 351 1956" on slope below school parking lot in Northwest corner of intersection of NE High School Road and Madison Avenue
 Elevation = 217.95'



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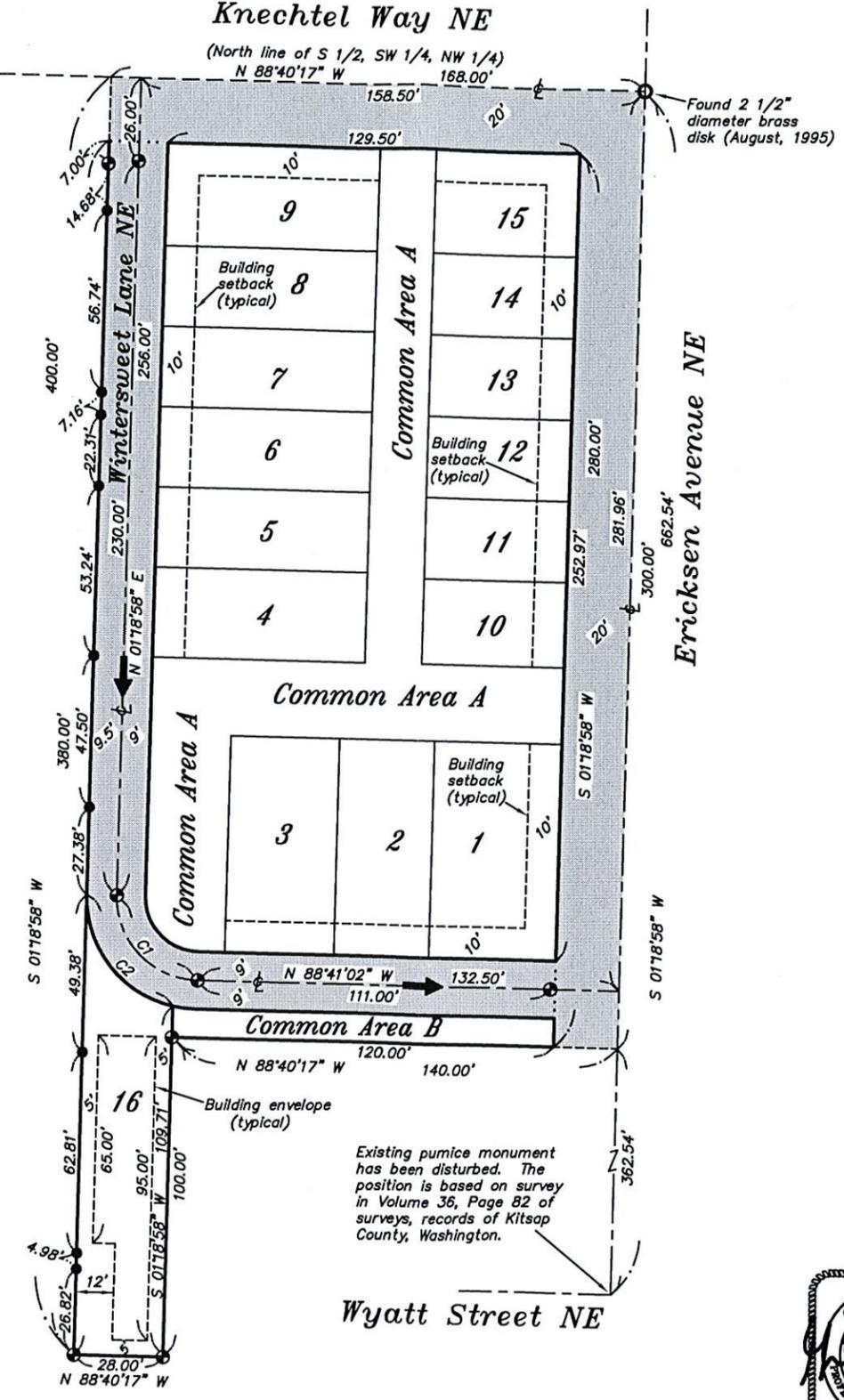
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 DRAWING 5111P4 SHEET 4 / 9



Wyatt Street NE

Existing pumice monument has been disturbed. The position is based on survey in Volume 36, Page 82 of survey records of Kitsap County, Washington.

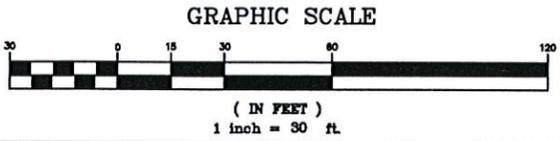
Plat of Ericksen Urban Cottages
 Housing Design Demonstration Project
SW 1/4, NW 1/4,
Sec.26, T.25N., R.2E., W.M.
 City of Bainbridge Island, Kitsap County, Washington



Scale: 1" = 30'
 Assumed

CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA ANGLE
C1	40.84'	26.00'	90°00'00"
C2	47.93'	35.00'	78°27'51"

- Legend**
- = Right of way dedication
 - = Found monument as noted
 - = Set brass disk in concrete
 - = Set 3/4" iron pipe and lot stake



Areas	
Area prior to Knechtel right of way dedication	47,200 sq. ft.
Area after Knechtel right of way dedication	44,240 sq. ft.
Lot & Common Area	37,096 sq. ft.
Right of Way Area of Wintersweet Lane NE	7,144 sq. ft.

Existing pumice monument has been disturbed. The position is based on survey in Volume 36, Page 82 of surveys, records of Kitsap County, Washington.



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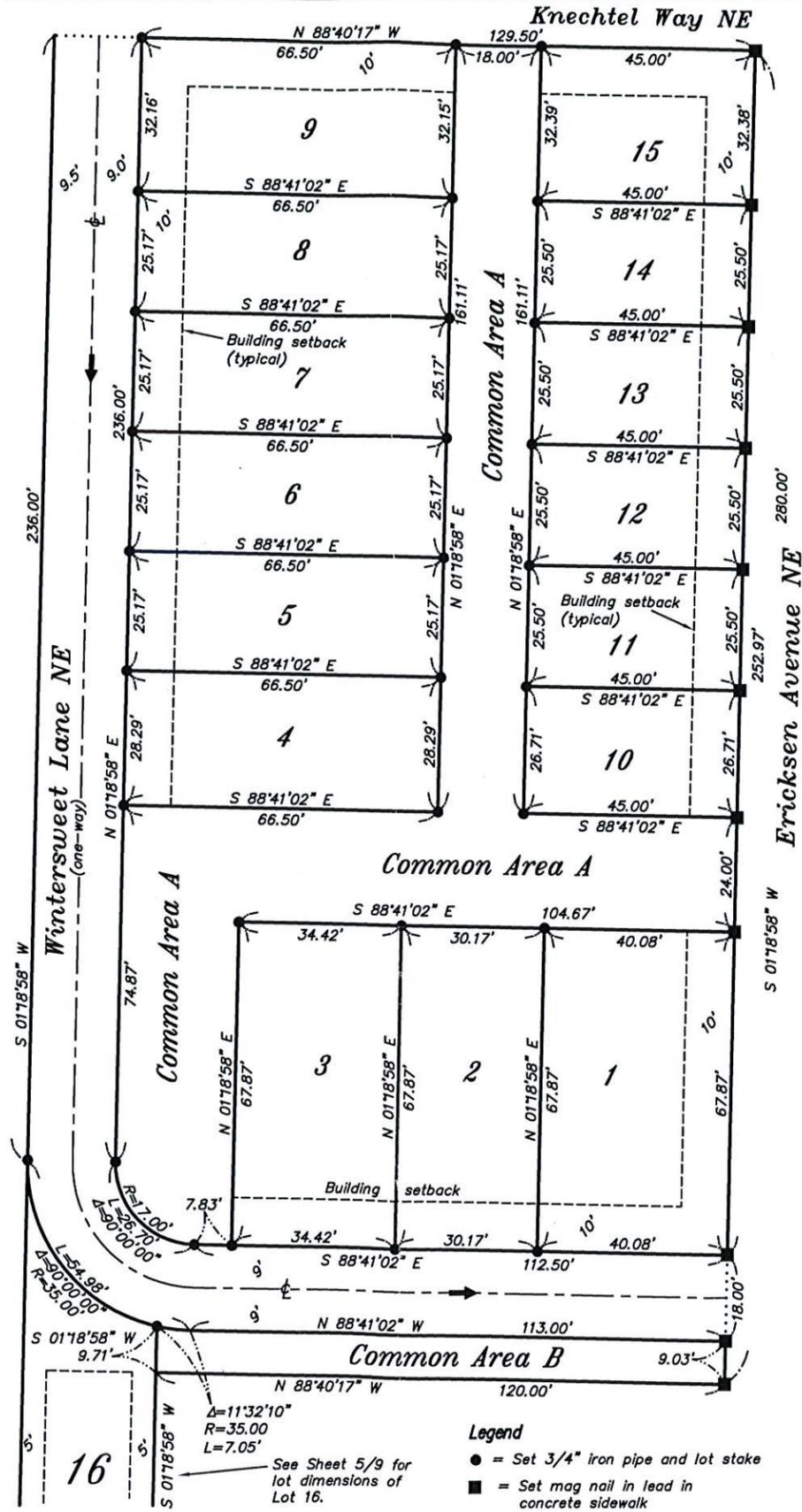
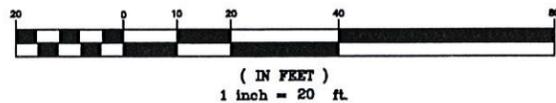
Scale: 1" = 20'
Assumed

Lot Areas	
Lot 1	2,721 sq. ft.
Lot 2	2,047 sq. ft.
Lot 3	2,336 sq. ft.
Lot 4	1,881 sq. ft.
Lot 5	1,674 sq. ft.
Lot 6	1,674 sq. ft.
Lot 7	1,674 sq. ft.
Lot 8	1,674 sq. ft.
Lot 9	2,138 sq. ft.
Lot 10	1,202 sq. ft.
Lot 11	1,147 sq. ft.
Lot 12	1,147 sq. ft.
Lot 13	1,148 sq. ft.
Lot 14	1,147 sq. ft.
Lot 15	1,458 sq. ft.
Lot 16	3,313 sq. ft.
Common Area A	7,631 sq. ft.
Common Area B	1,084 sq. ft.

Lot Coverage	
Lot	Maximum Footprint
1	1,200 sq. ft.
2	1,100 sq. ft.
3	1,200 sq. ft.
4	1,100 sq. ft.
5	890 sq. ft.
6	890 sq. ft.
7	890 sq. ft.
8	890 sq. ft.
9	890 sq. ft.
10	700 sq. ft.
11	700 sq. ft.
12	700 sq. ft.
13	700 sq. ft.
14	700 sq. ft.
15	700 sq. ft.
16	1,280 sq. ft.
Carport	900 sq. ft.
Possible Gazebo	110 sq. ft.
Total	15,540 sq. ft.

Area including dedicated portion of Knechtel Way and less the flag portion of Lot 16 = 44,400 sq. ft.
Lot Coverage = 35%

GRAPHIC SCALE



Plat of Ericksen Urban Cottages
Housing Design Demonstration Project
SW 1/4, NW 1/4,
Sec.26, T.25N., R.2E., W.M.
City of Bainbridge Island, Kitsap County, Washington
Lot Details

Proposed Floor Area Ratio (FAR) Distribution			
Lot	Planned Maximum Footprint	Share Percentage	Share of Base FAR
1	1,200 sq. ft.	8.26%	1,100 sq. ft.
2	1,100 sq. ft.	7.57%	1,008 sq. ft.
3	1,200 sq. ft.	8.26%	1,100 sq. ft.
4	1,100 sq. ft.	7.57%	1,008 sq. ft.
5	890 sq. ft.	6.13%	816 sq. ft.
6	890 sq. ft.	6.13%	816 sq. ft.
7	890 sq. ft.	6.13%	816 sq. ft.
8	890 sq. ft.	6.13%	816 sq. ft.
9	890 sq. ft.	6.13%	816 sq. ft.
10	700 sq. ft.	4.82%	642 sq. ft.
11	700 sq. ft.	4.82%	642 sq. ft.
12	700 sq. ft.	4.82%	642 sq. ft.
13	700 sq. ft.	4.82%	642 sq. ft.
14	700 sq. ft.	4.82%	642 sq. ft.
15	700 sq. ft.	4.82%	642 sq. ft.
16	1,280 sq. ft.	8.81%	1,173 sq. ft.
Total	14,530 sq. ft.	100%	13,320 sq. ft.

Area including dedicated portion of Knechtel Way and less the flag portion of Lot 16 = 44,400 sq. ft.
Total Base FAR of 13,320 sq. ft. = 30% of the total area (44,400 sq. ft.)
The Base FAR share distribution shown above is proposed and may be adjusted by the Declarant.

An additional 13,000 sq. ft. of FAR was purchased under Warranty Deed "Severing and Transferring Floor Area Ratio" recorded under Kitsap County Auditor's File No. 201211060108. The Declarant reserves the right to determine the allocation of the purchased FAR among the Lots, and final FAR allocation will be reflected in an amendment to the Covenants to be recorded before the expiration of the Period of Declarant Control under the Covenants.

Note

Common Areas A and B are for the common use of all the Lots; except that the area of the Parking Easements (as shown on sheet 8) are for the exclusive use of the Lots to which each such parking easement is assigned on the face of the Plat and in the Covenants. No residential structures are allowed in Common Area A or B. A covered parking structure is permitted under the Covenants in the area of the above-referenced Parking Easement and a gated trash and recycling enclosure will be constructed in the area of the Trash and Recycling Easement shown on Sheet 8. Common Areas A or B may not otherwise be improved except in accordance with the requirements of the Covenants.

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Plat of Ericksen Urban Cottages
 Housing Design Demonstration Project
 SW 1/4, NW 1/4,
 Sec.26, T.25N., R.2E., W.M.
 City of Bainbridge Island, Kitsap County, Washington

Tree Retention Plan

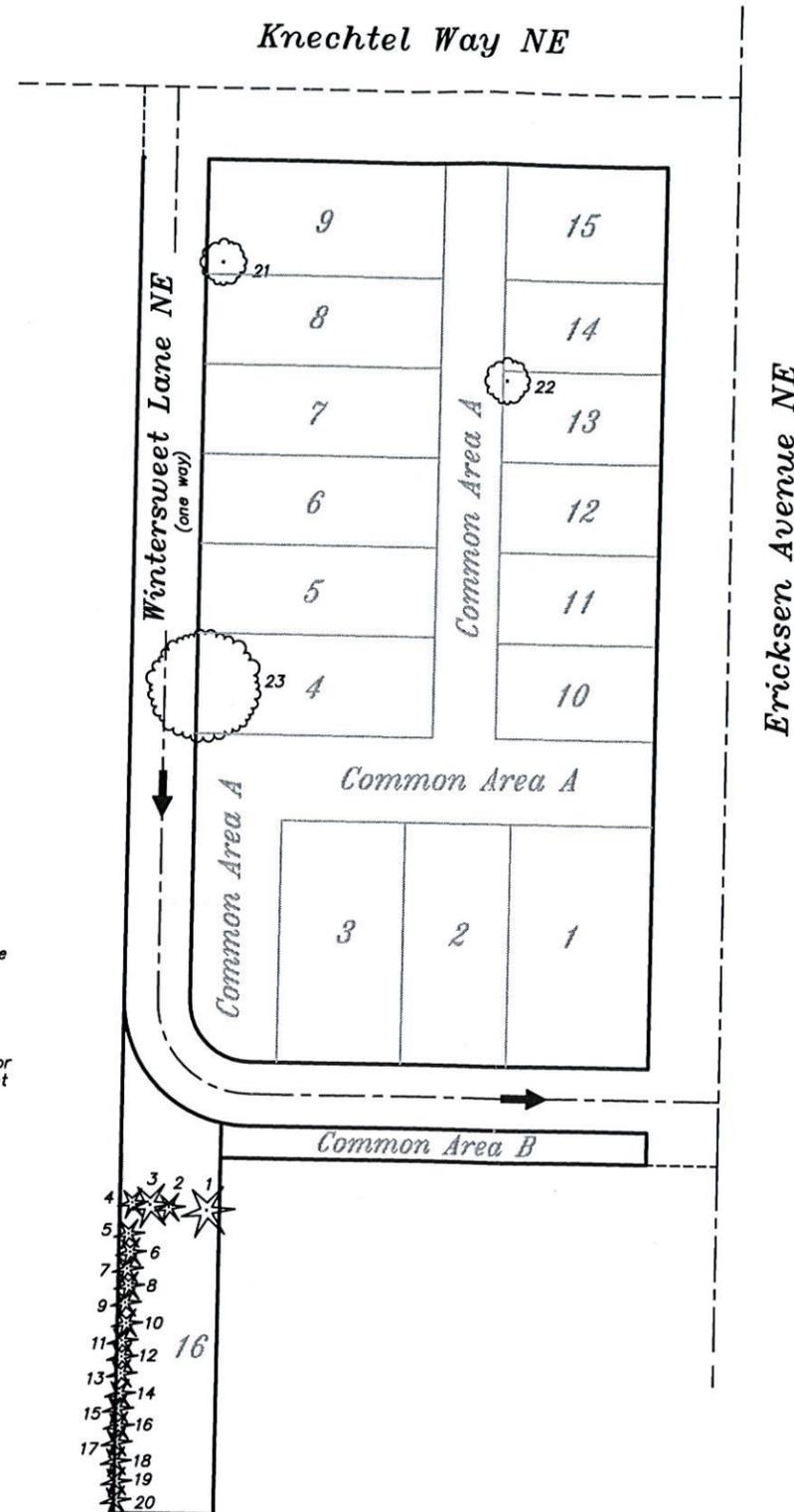
Existing Trees		
1	40"	Remove
2	9"	Remove
3	16"	Remove
4	13"	Remove
5	13"	Remove
6	15"	Remove
7	24"	Remove
8	9"	Remove
9	21"	Remove
10	19"	Remove
11	29"	Remove
12	12"	Remove
13	26"	Remove
14	15"	Remove
15	26"	Remove
16	18"	Save
17	12"	Save
18	14"	Save
19	21"	Save
20	15"	Save
21	18"	Remove
22	48"	Remove
23	Cluster	Remove

Existing trees over 10" = 21
 Trees to be retained = 5 (24%)

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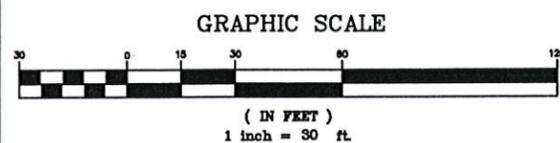


Note

This plat is subject to significant tree retention area requirements. No building, clearing or grading shall occur in designated significant tree retention areas, or within the root zone of significant trees designated for preservation, without a report from a consulting arborist and approval of the Department of Planning and Community Development. An arborist report, including a hazard tree assessment must be conducted, hazard trees that are removed must be replaced at a 3:1 ratio, trimming and/or removal must be conducted per ISA standards. Significant trees approved for removal shall be replaced by trees of similar species.

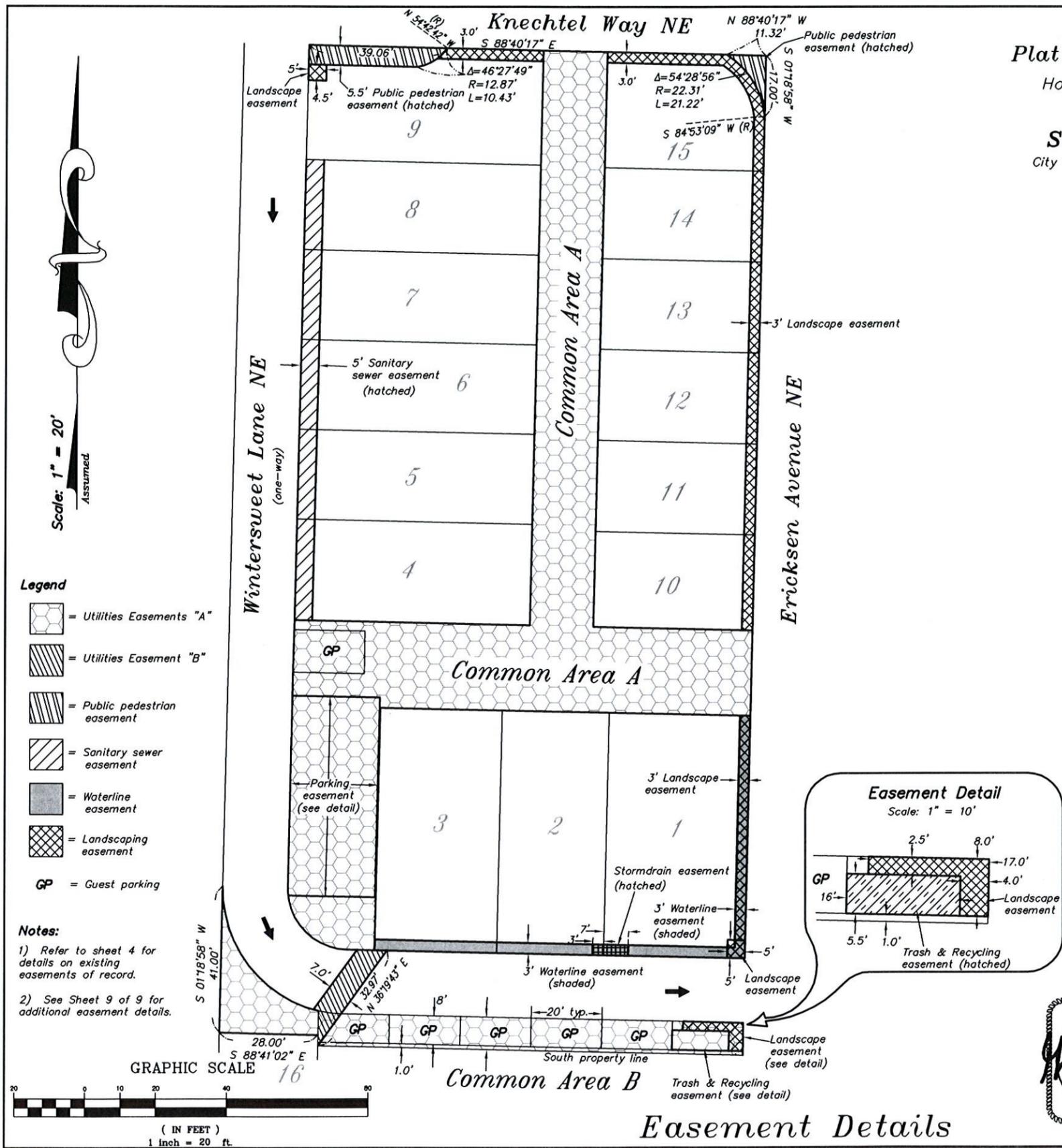
Legend

- = Evergreen tree
- = Deciduous tree



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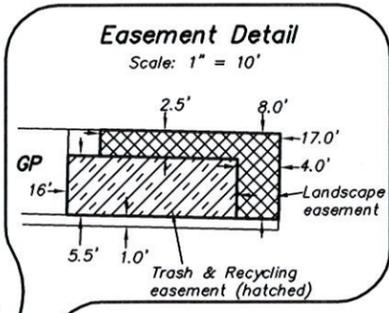
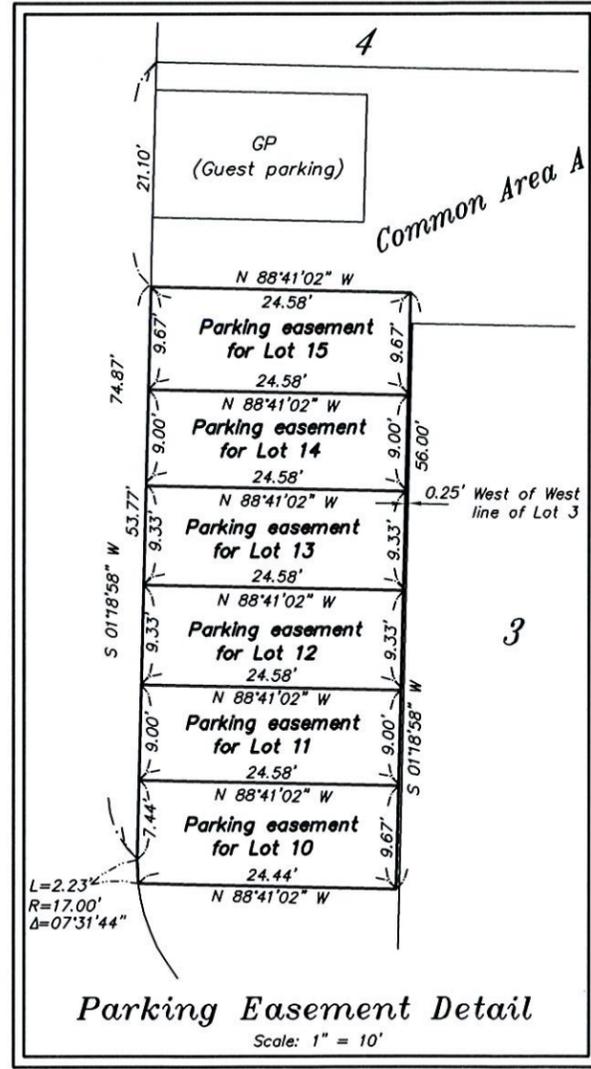
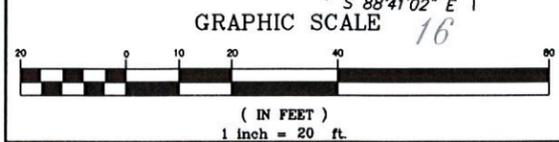
Plat of Ericksen Urban Cottages
 Housing Design Demonstration Project
 SW 1/4, NW 1/4,
 Sec.26, T.25N., R.2E., W.M.
 City of Bainbridge Island, Kitsap County, Washington



Scale: 1" = 20'
 Assumed

- Legend**
- = Utilities Easements "A"
 - = Utilities Easement "B"
 - = Public pedestrian easement
 - = Sanitary sewer easement
 - = Waterline easement
 - = Landscaping easement
 - GP = Guest parking

- Notes:**
- 1) Refer to sheet 4 for details on existing easements of record.
 - 2) See Sheet 9 of 9 for additional easement details.



Easement Details



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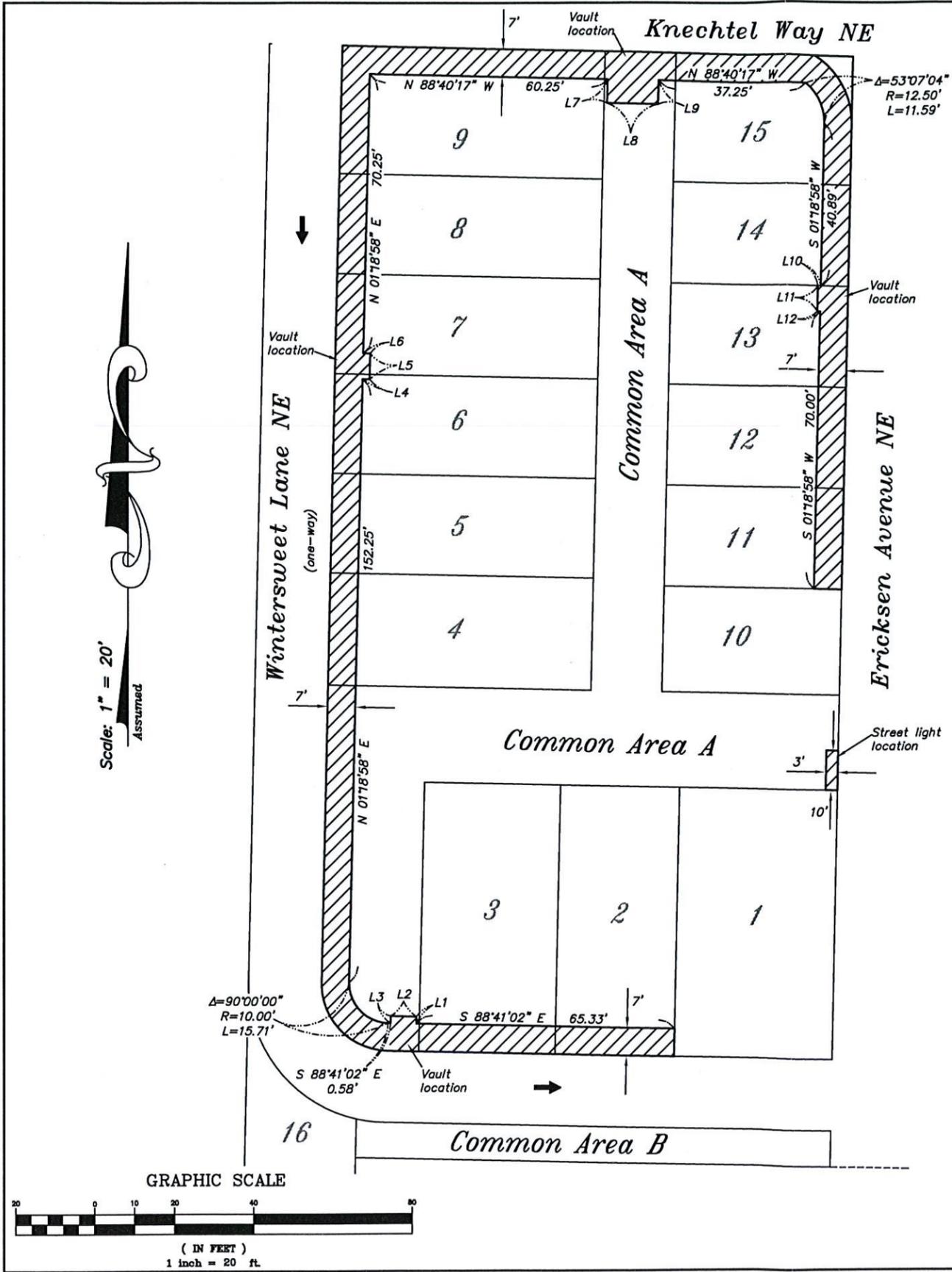
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 Housing Design Demonstration Project
 SW 1/4, NW 1/4,
 Sec.26, T.25N., R.2E., W.M.
 City of Bainbridge Island, Kitsap County, Washington

Easement Details

Line Table

L1	N 01°18'58" E	1.75'
L2	S 88°41'02" E	6.50'
L3	N 01°18'58" E	1.75'
L4	S 88°41'02" E	1.75'
L5	N 01°18'58" E	6.50'
L6	S 88°41'02" E	1.75'
L7	N 01°18'58" E	6.00'
L8	N 88°40'17" W	13.00'
L9	N 01°18'58" E	6.00'
L10	S 88°41'02" E	0.75'
L11	S 01°18'58" W	6.50'
L12	S 88°41'02" E	0.75'

Legend
 = Utilities easement "C"



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