

RECEIVED
MAY 22 2018
PED Department



Ms. Rita Hagwell
PO Box 1141
Poulsbo, WA 98370

May 22, 2018

City of Poulsbo
City Officials

Dear Sir, Ms.:

It has been called to my attention that the city has stated via computer that they have not taken any Hagwell's property.

Please include my attorney's letter to the city dated Dec 20, 2017. This letter shows Hagwell's concern about 400 foot buffer on Hagwell's property. It is a buffer. It also shows The Urban Paths to Poulsbo booklet printed May 16 2012 shows a walking trail on the Hagwell's 5 1/2 acre land. It also shows a bike trail. The city will not remove the pink line and other lines that show this.

This is a future taking by the city. They will not change this. Please don't let them say it is not true - Rita Hagwell

Law Office of Hayes Gori, PLLC

271 Wyatt Way NE, Suite 112
Bainbridge Island, WA 98110

RECEIVED

MAY 22 2018

PED Department



Ms. Rita Hagwell
PO Box 1141
Poulsbo, WA 98370



Phone (206) 842-6462
Fax (206) 842-8238
hayes@hayesthelawyer.com

December 20, 2017

*Please send to
group in reply*

Via U.S. Mail and e-mail

CLIENT COPY

City of Poulsbo
Attn: Becky Erickson, Mayor
Attn: Mike Lund, Public Works Superintendent
Attn: Karla Boughton, Planning & Economic Development Director
200 NE Moe Street
Poulsbo, WA 98370
berickson@cityofpoulsbo.com
mlund@cityofpoulsbo.com
kboughton@cityofpoulsbo.com

Re: 19301 Viking Way NW, Poulsbo, WA

Dear Mayor Erickson, Mr. Lund and Ms. Boughton,

I represent Mary Rita Hagwell, owner of the above-referenced property. I have three issues to discuss. If other City staff members should be included in the discussion, I trust you will forward this letter to them.

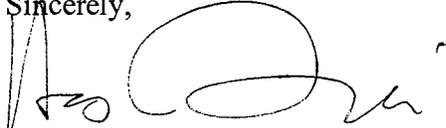
First issue: My client understands that there is a 400-foot buffer around Johnson Creek on her property. Is this buffer established anywhere in writing? If yes, please provide the writing. If no, what's the basis of the buffer's existence? If the buffer exists, what are its dimensions, and what are the limitations it imposes?

Second issue: The sign for the road on which my client's property is located, Marelaine Lane, is in the wrong location. The location of the sign indicates that Marelaine Lane goes to the adjacent property to the north. But it does not. My client would like to meet with a City official at the property so she can point out the location of Marelaine Lane and discuss appropriate locations for the sign to avoid confusion.

Third issue: The Urban Paths of Poulsbo Conceptual Map printed on May 16, 2012 shows an off-street trail across my client's property. I understand that this map is conceptual and that whether a given trail comes to fruition depends on the cooperation of property owners and other factors. My client will never agree to such a trail on her property. Accordingly, I request that the City remove this trail from the next iteration of the map.

Thank you for your consideration, and I look forward to the City's timely response. Please contact me should you wish to discuss this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hayes Gori', written in a cursive style.

Hayes Gori

MAP OF POULSBO

OLD CITY HALL SITE

5 story, 84 units & commercial.

Up to 48.7' high.

CITY HALL

64.5' high

"Averaged" 45'

CORNER MOE STREET & 3RD AVENUE

3 story, 20 residential units & mixed use.

Up to 72' high. "Averaged" 35'.

SHOP FRONT OVERLAY

12-15 residential units.

Above shops on Front Street.

3RD AVENUE ALONG WEST SIDE

2 story, 12 townhouse units with parking below.

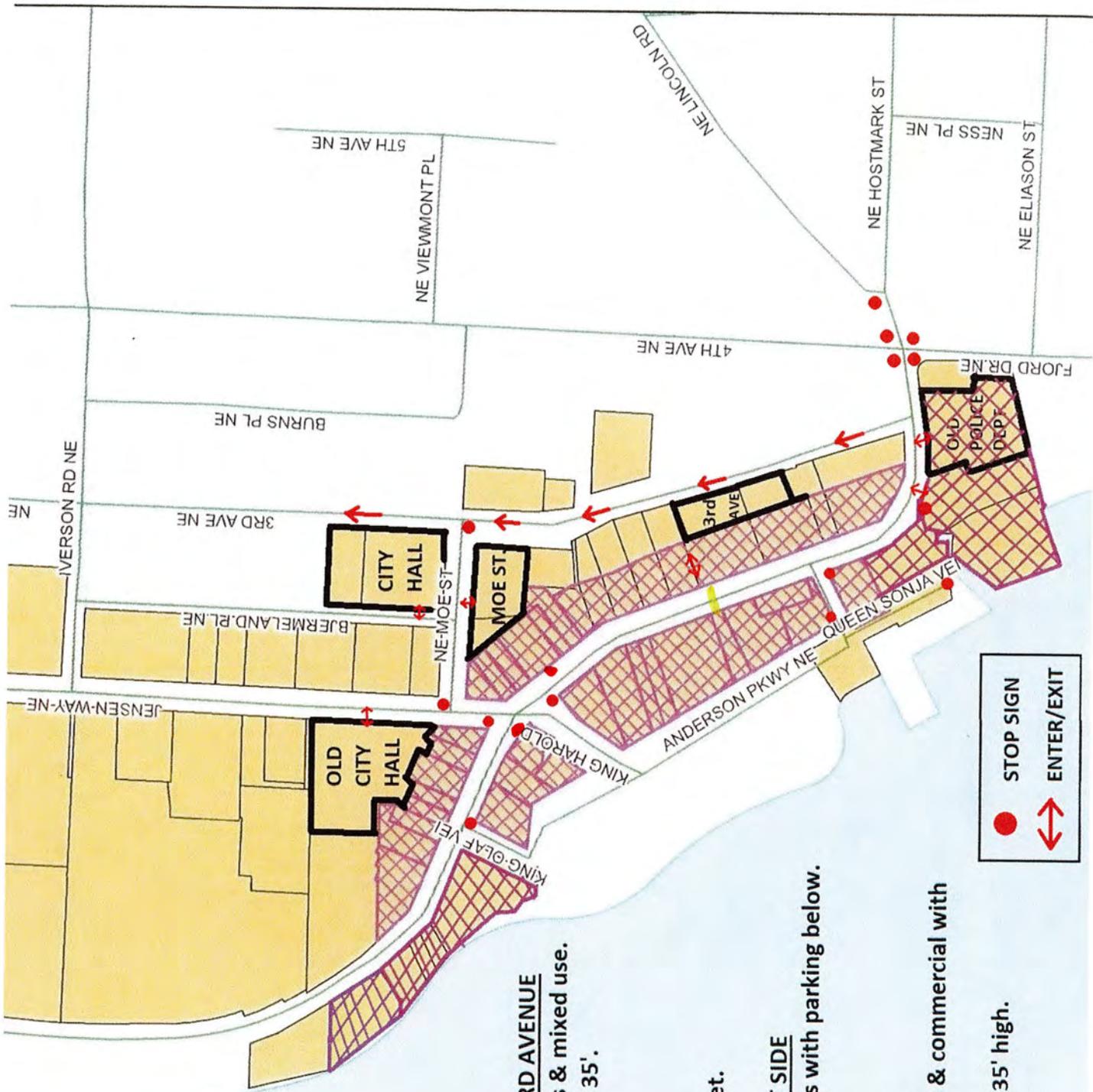
"Averaged" 35' high.

OLD POLICE STATION SITE

3 story, 25 residential units & commercial with parking below.

Up to 32' high. "Averaged" 35' high.

Liberty Bay



● STOP SIGN
↔ ENTER/EXIT

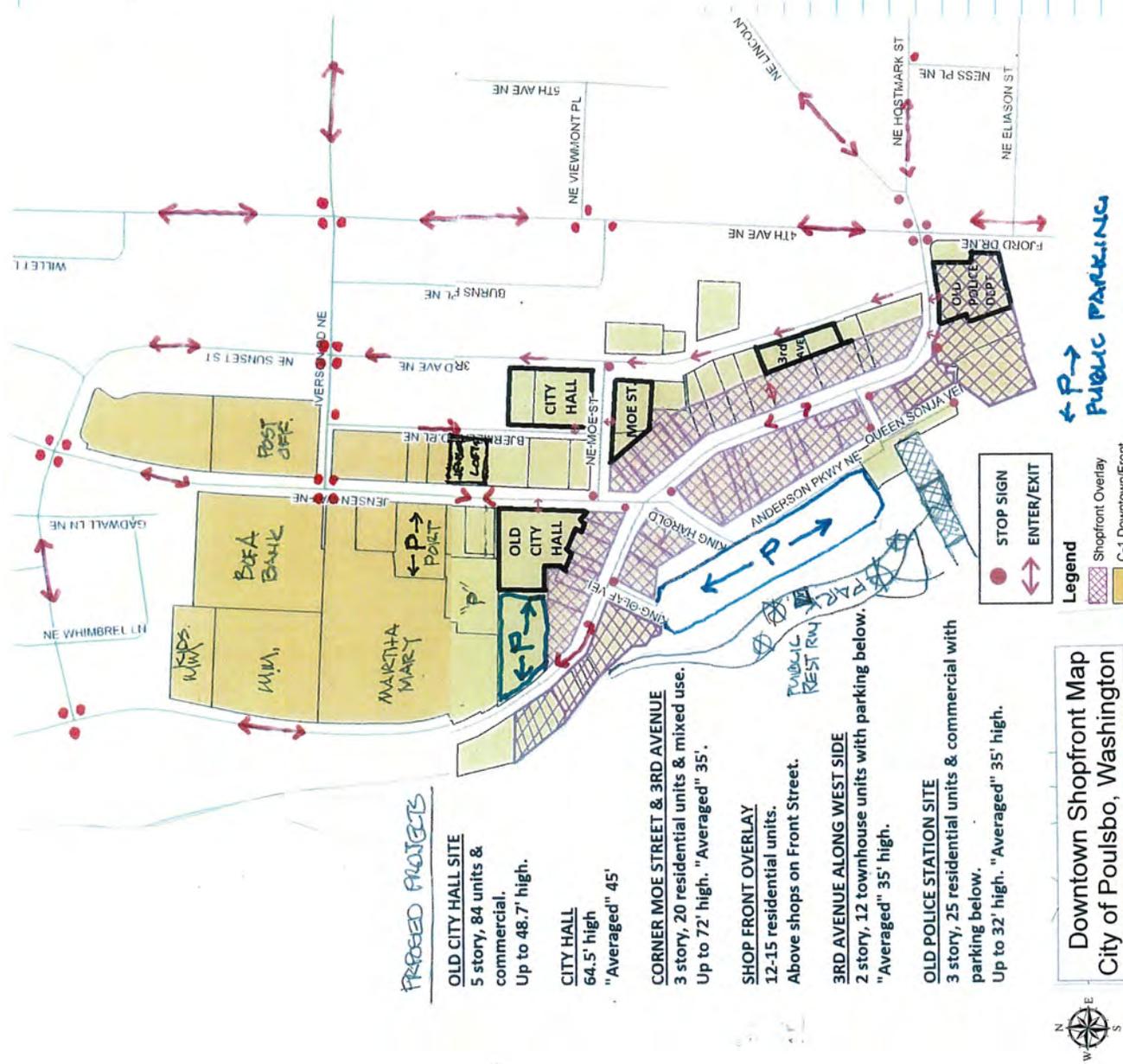
05-30-18 PeD Meeting Public Comment

COMMENTS & CONCERNS

1. THE NEED FOR AN UNDERSTANDING THAT THE FOLLOWING CONCERNS ARE FULFILLED PRIOR TO APPROVAL OF DEVELOPMENT PROJECTS,
 - A. CITY SENSORS BOTH SANITARY AND STORM WATER ARE MORE THAN ADEQUATE TO HANDLE LOADS + OVER LOADS FUTURE SOYERS
 - B. THE CITY WELLS AND AQUIFERS AND DISTRIBUTION IS SIZED FOR LOADS FOR NEXT 50 YEARS,
 - C. THE CITY ROADWAYS AND DISTRIBUTION OF TRAFFIC CAN HANDLE SAFELY WITH SEASONAL, EVENT/OVERLOADS.
 - D. THE DOWNTOWN PARKING BE VERY ADEQUATE FOR RESIDENTS, MERCHANTS EMPLOYEES OF ALL FACILITIES AND VISITORS - CUSTOMERS NEIGHBORS WITH SPARE SPACES FOR OVERLOADS VIKING FEST, 3RD JULY ETC.
 - E. THAT THE DOWNTOWN BIG DISTRICT BE A FRIENDLY SAFE SPACE WITH POLICE & FIRE PROTECTION EQUIPMENT TO PROTECT THE PEOPLE AND BUILDINGS FROM EMERGENCIES.
 - F. THAT THE GEOLOGY AND TOPOGRAPHY CAN SUPPORT THE PROPOSED FUTURE DEVELOPMENT.

PREPARED BY: LIAM MYRVANG
TOM HENDERSON 5-30-18

G,
H,
I.



PROPOSED PROJECTS

OLD CITY HALL SITE
5 story, 84 units & commercial.
Up to 48.7' high.

CITY HALL
64.5' high
"Averaged" 45'

CORNER MOE STREET & 3RD AVENUE
3 story, 20 residential units & mixed use.
Up to 72' high. "Averaged" 35'.

SHOP FRONT OVERLAY
12-15 residential units.
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"Averaged" 35' high.

OLD POLICE STATION SITE
3 story, 25 residential units & commercial with parking below.
Up to 32' high. "Averaged" 35' high.

Downtown Shopfront Map
City of Poulsbo, Washington



← P →
PUBLIC PARKING

- STOP SIGN
- ↔ ENTER/EXIT

Legend
 Shopfront Overlay
 C-1 Downtown/Front

05-30-18 Red Meeting Public Comment



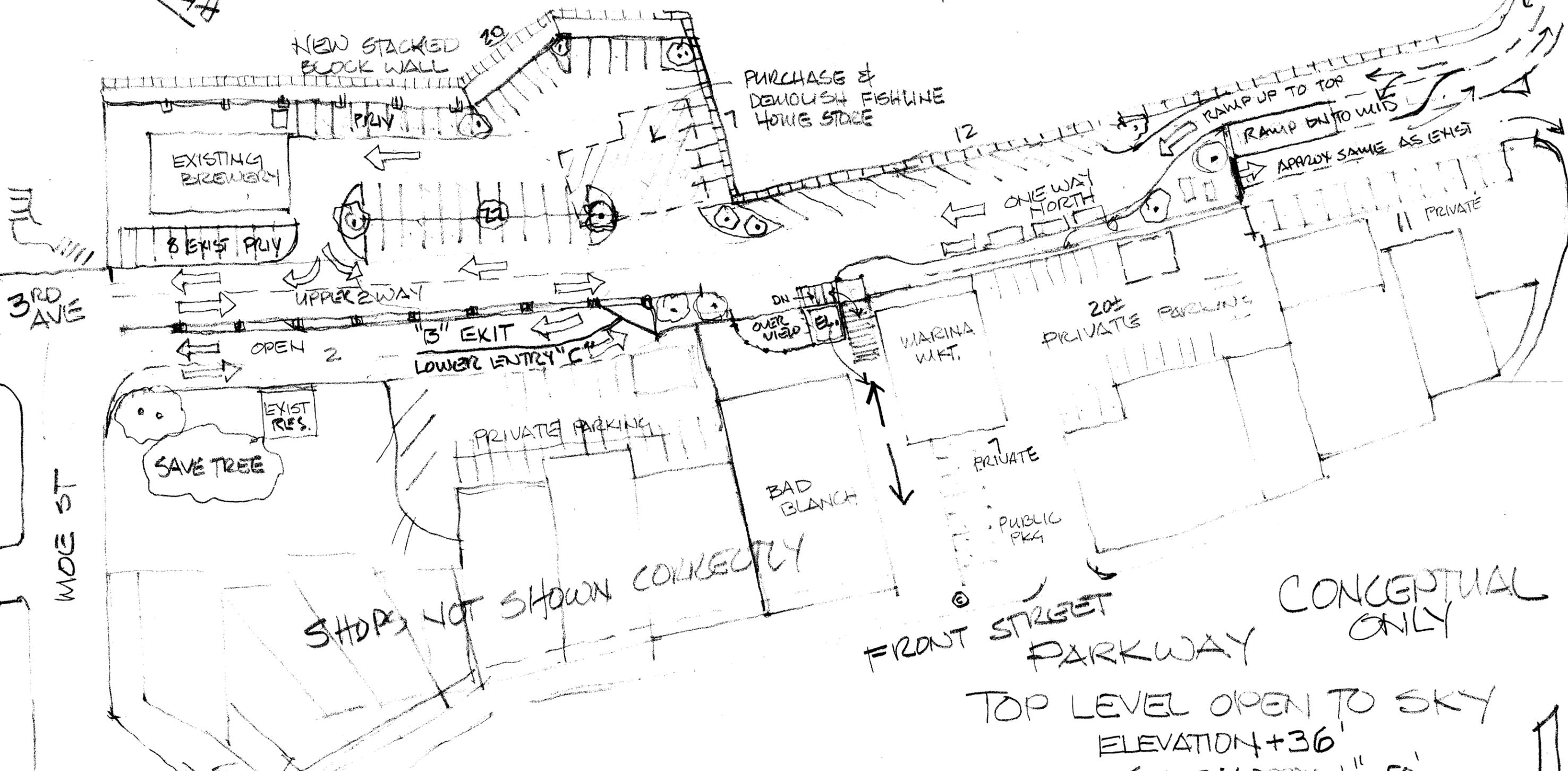
05-30-18 PEP Meeting Public Comment

20
7
22
12
61

PARKING SCHEDULE PUBLIC ONLY
 TOP LEVEL 60 PUBLIC 18 PRIV AT BRIDGEWAY
 MID LEVEL 98 ALL PUBLIC
 LOWER LEVEL 98 ALL PUBLIC
 256 TOTAL COULD BE MORE

NORTH

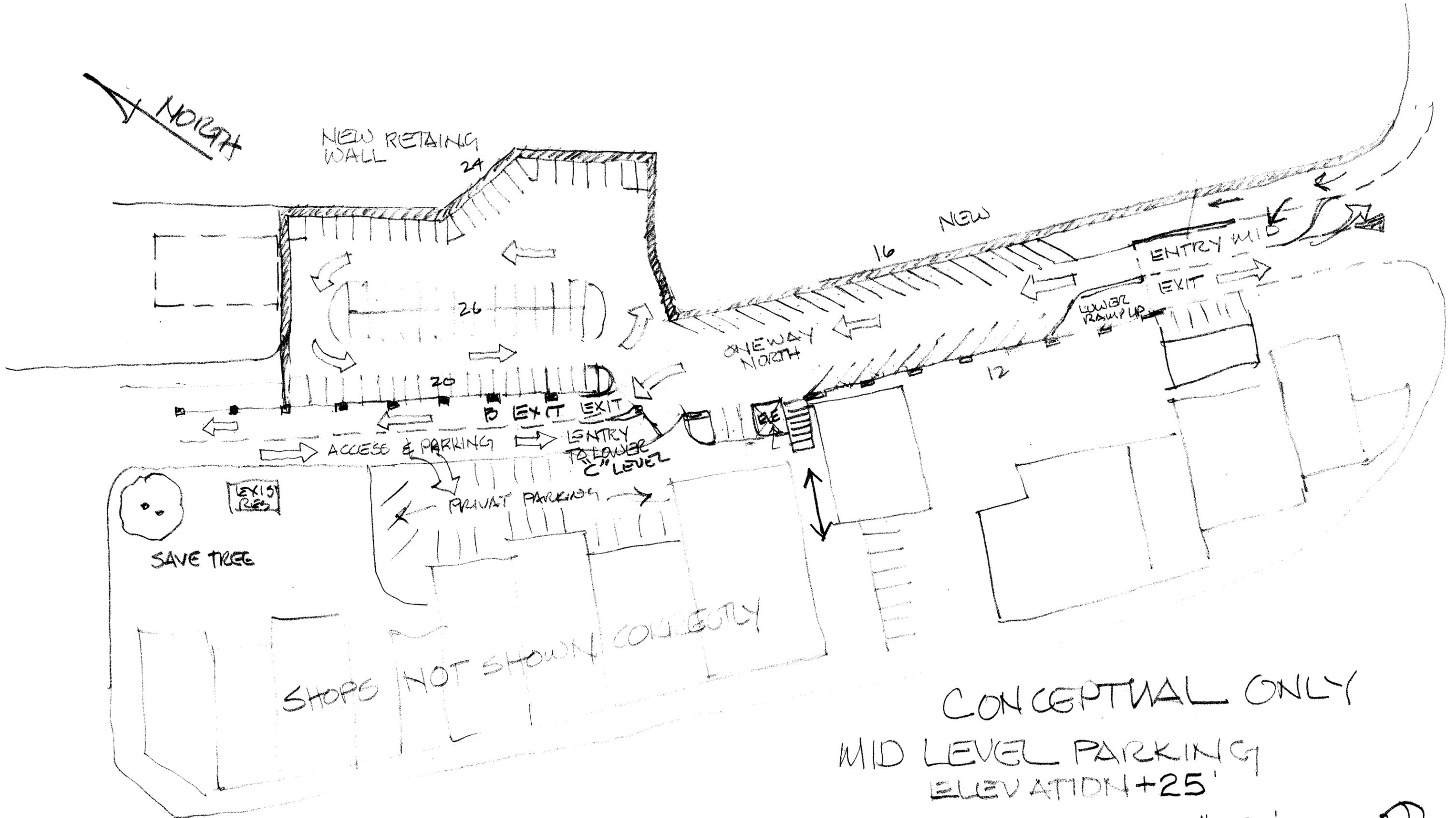
HOST MARK



CITY OF POWLSBO 2025 PARKING SOLUTION

TOP LEVEL OPEN TO SKY
 ELEVATION +36'
 SCALE: APPROX 1" = 50'

REV 05-10-17
 GTH 11-10-14



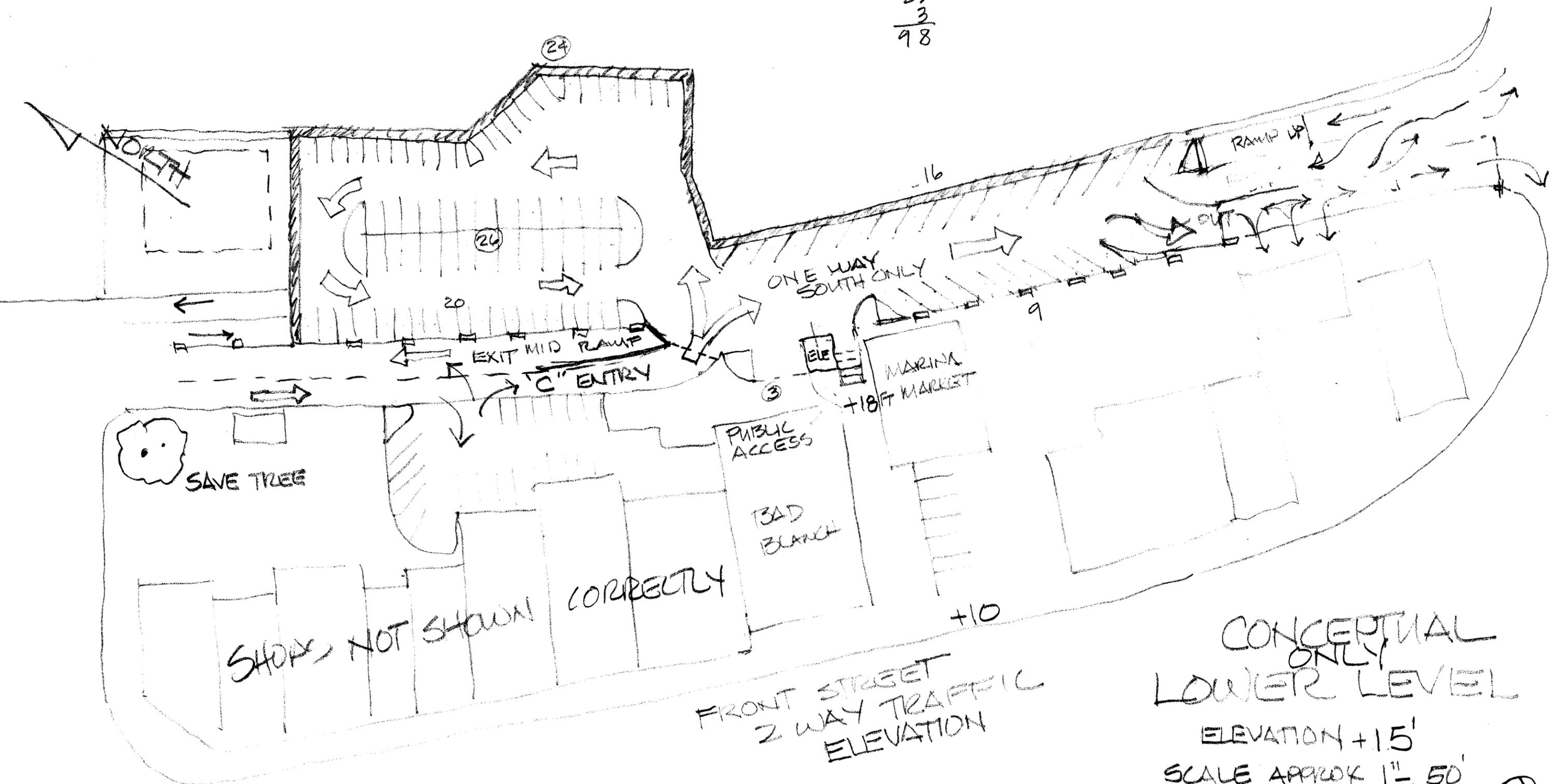
CONCEPTUAL ONLY
 MID LEVEL PARKING
 ELEVATION +25'
 SCALE APPROX 1" = 50'

REV 0510-17
 GTH 11-10-14

2

PARKING 24
 26
 20
 25
 3

 98

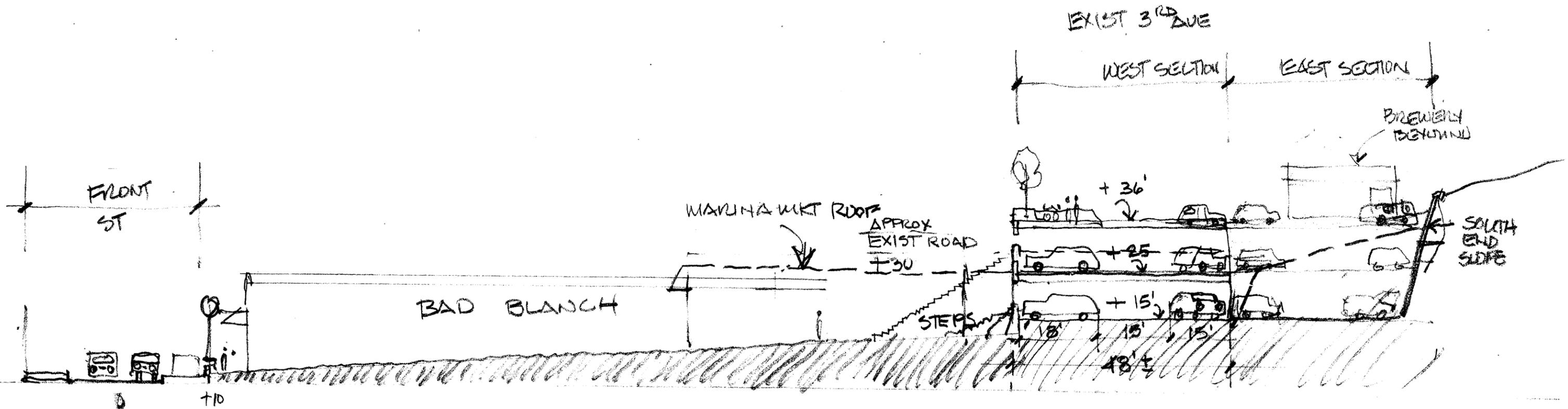


CONCEPTUAL
 ONLY
 LOWER LEVEL

ELEVATION +15'
 SCALE APPROX 1" = 50'

REV 05-10-17
 GTH 11-10-14

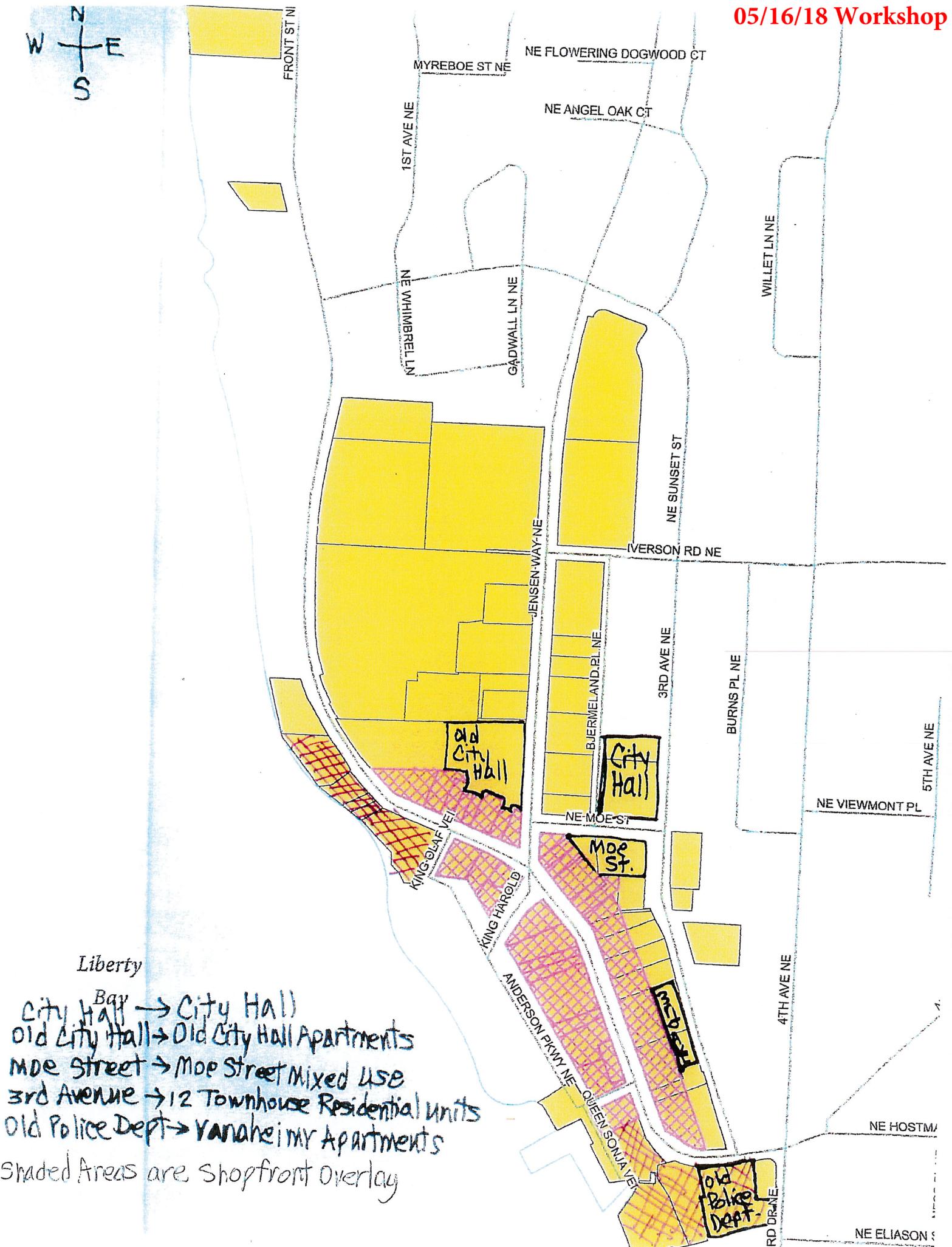
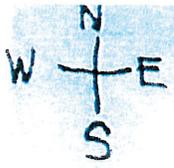
3



SECTION. FACING NORTHWEST MID-POULSBO
 SCALE APPROX 1" = 20'

REV: 06-10-17
 GTH-11-10-14





Liberty Bay

City Hall → City Hall
 Old City Hall → Old City Hall Apartments
 Moe Street → Moe Street Mixed Use
 3rd Avenue → 12 Townhouse Residential units
 Old Police Dept → Vanheimr Apartments
 Shaded Areas are Shopfront Overlay

MAP OF POULSBO

OLD CITY HALL SITE

5 story, 84 units & commercial.
Up to 48.7' high.

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64.5' high
"Averaged" 45'

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3 story, 20 residential units & mixed use.
Up to 72' high. "Averaged" 35'.

Liberty Bay

SHOP FRONT OVERLAY

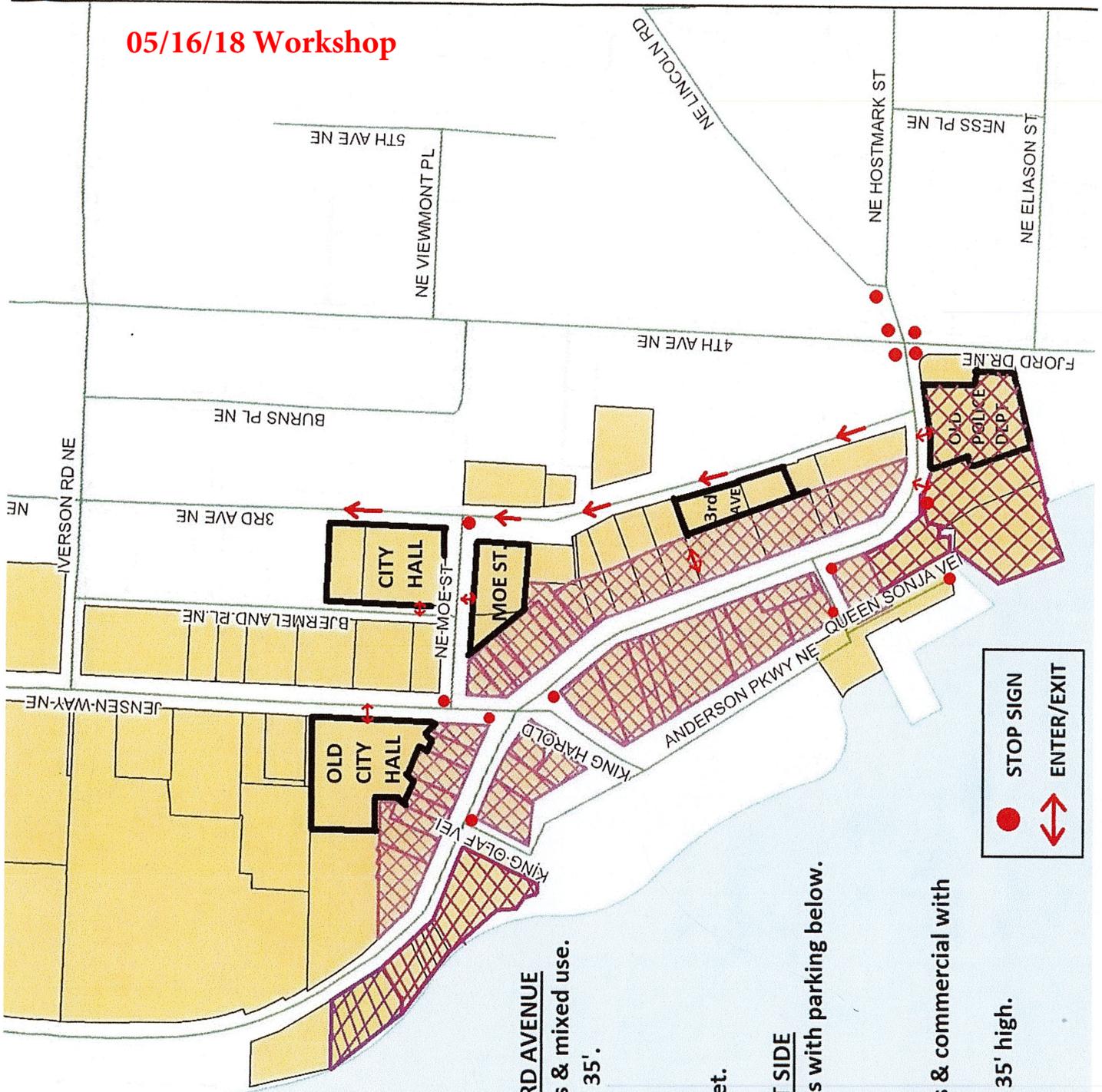
12-15 residential units.
Above shops on Front Street.

3RD AVENUE ALONG WEST SIDE

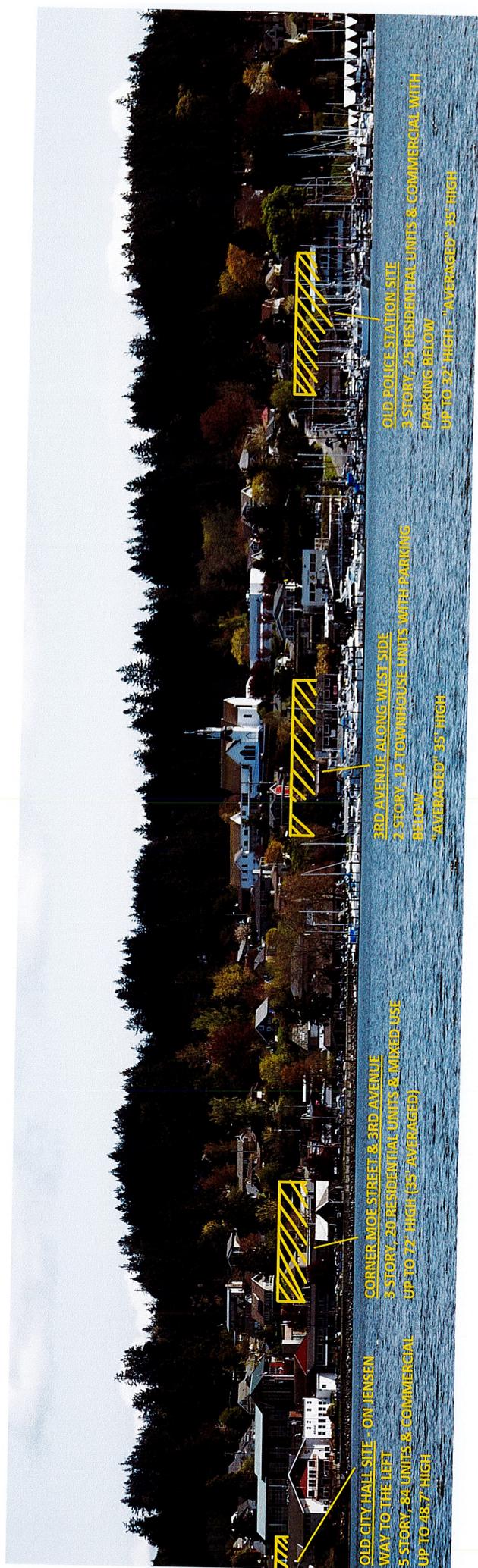
2 story, 12 townhouse units with parking below.
"Averaged" 35' high.

OLD POLICE STATION SITE

3 story, 25 residential units & commercial with parking below.
Up to 32' high. "Averaged" 35' high.



STOP SIGN
ENTER/EXIT



OLD CITY HALL SITE - ON JENSEN
WAY TO THE LEFT
5-STORY, 84 UNITS & COMMERCIAL
UP TO 48.7' HIGH

CORNER MOE STREET & 3RD AVENUE
3-STORY, 20 RESIDENTIAL UNITS & MIXED USE
UP TO 77' HIGH (35' AVERAGED)

3RD AVENUE ALONG WEST SIDE
2-STORY, 12 TOWNHOUSE UNITS WITH PARKING
BELOW
"AVERAGED" 35' HIGH

OLD POLICE STATION SITE
3-STORY, 25 RESIDENTIAL UNITS & COMMERCIAL WITH
PARKING BELOW
UP TO 32' HIGH - "AVERAGED" 35' HIGH

OLD CITY HALL DEVELOPMENT From Front Street at Olaf Parking Lot Entrance



Provided as part of public comment by citizen on 6/6/18. Not to scale or representative of an approved building plan

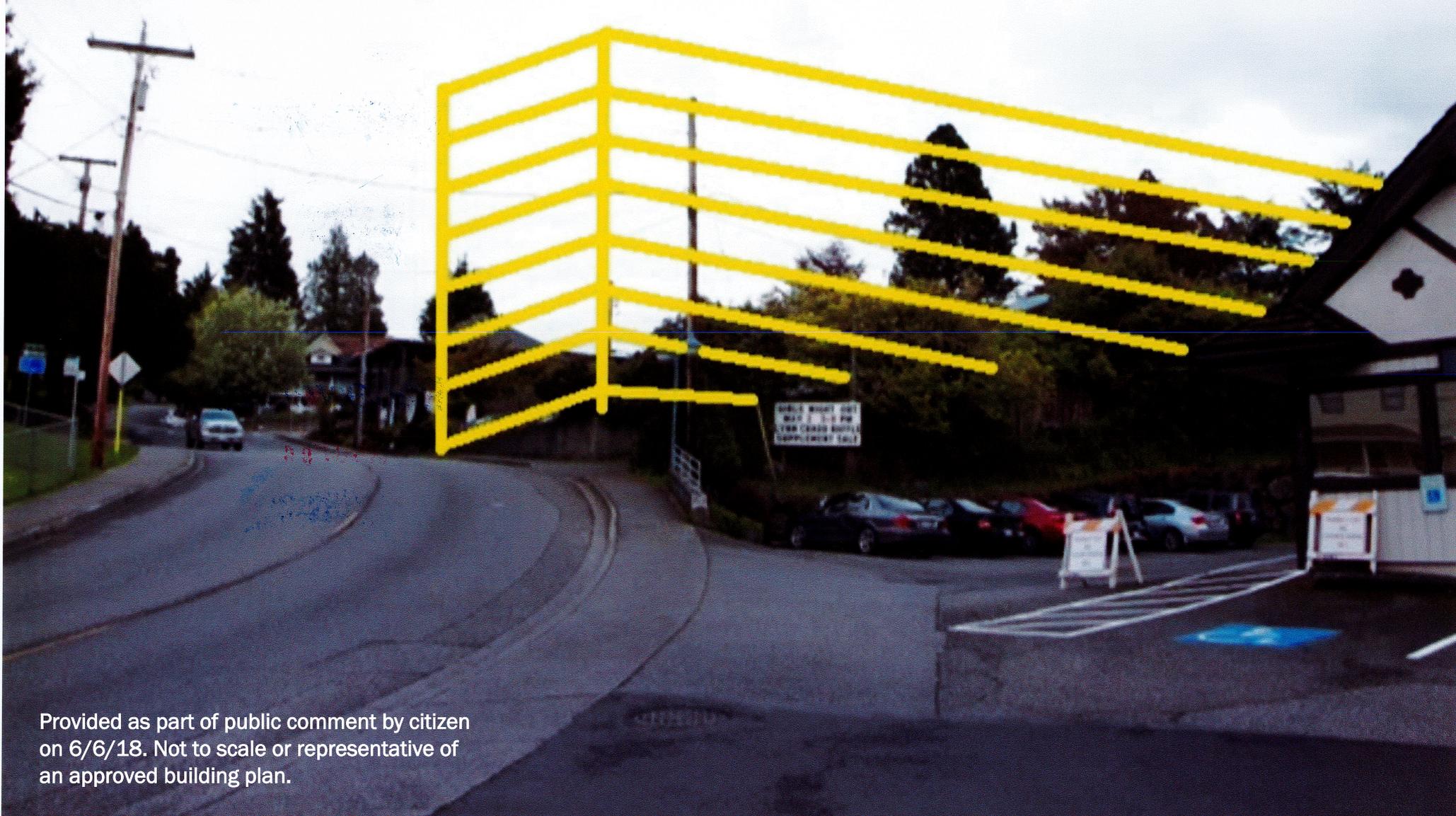
OLD CITY HALL DEVELOPMENT From Front Street & Jensen Way



Provided as part of public comment by citizen on 6/6/18. Not to scale or representative of an approved building plan.

VANAHEIMR DEVELOPMENT

From Front Street Downtown Poulsbo

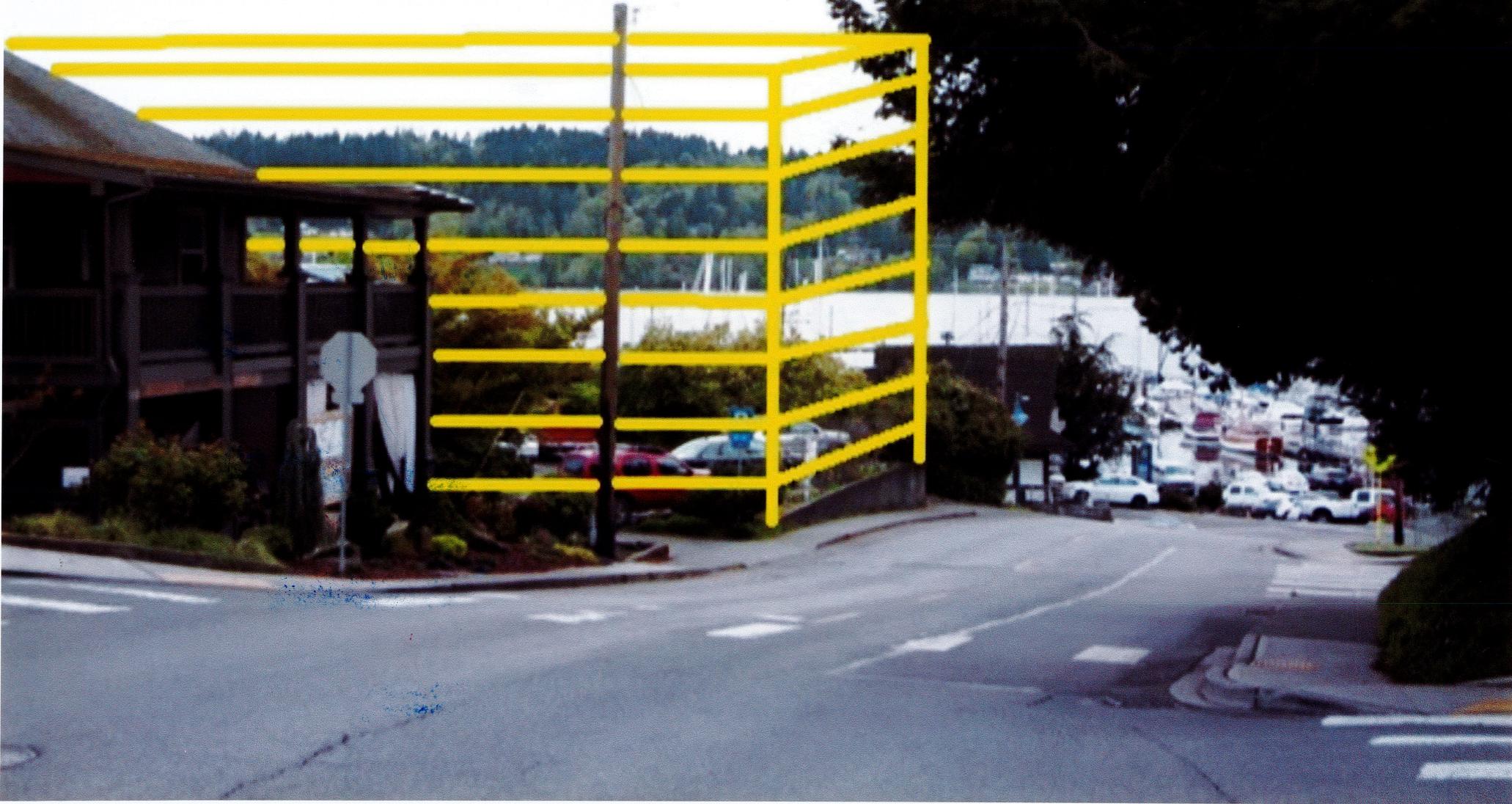


Provided as part of public comment by citizen on 6/6/18. Not to scale or representative of an approved building plan.

VANAHEIMR DEVELOPMENT

From Hostmark Street at 4-way stop

Provided as part of public comment by citizen on 6/6/18. Not to scale or representative of an approved building plan.



JUN 13

City of Poulsbo
Council Meeting

6/12/18

Council Members
Planning Staff
City of Poulsbo

RE: Retreat Topics and Proposed Commercial Code C1 Update

Dear City Councilmembers,

The Council Retreat held on Saturday, June 2, 2018 was effective and much appreciated. The communication and discussion amongst you occurred with ease. For the most part, the topics were focused and purposeful. I am writing today to clarify about some items that councilmembers may have been misinformed. These items are significant to the development of Poulsbo's downtown and important in the adoption of the Commercial Code C1 Regulations. Please make this letter part of the record for the Commercial Code as well as the all the letters I've written to date.

1. **Views.** At the Retreat, the Poulsbo Council discussed views of the historic First Lutheran Church from across the bay and mentioned a citizen and his mailbox view. Councilmembers agreed that, "views did not exist in the Poulsbo city code." This is not true. There are important facts related to views that can be found in the Poulsbo City Code and/or Comprehensive Plan.
 - a. **Real Estate taxes** are paid by your city constituents **for water and mountain views only.** The City receives a portion of these taxes, and therefore this is in the city code. There are no real estate taxes for any other views. Views (mountain and/or water) are determined by the County as part of the land value, to obtain Market Value for the property. To summarize, there is a scale of values for views 1-9 (3 is missing). 1 being the lowest and 9 being the highest. Each property is determined to have a rating. Mine for example is an 8. That 8 relates to 95% that is added to my base land value. 2019 Real Estate tax land value is \$151,260. This does not include the house value. Losing this view is significant and costly. Rachel Stapleton, Kitsap County Assessor Supervisor, has agreed to answer any questions.
 - b. **SEPA is a Poulsbo City Code** – SEPA is conducted for each Code update or development project, or at least is supposed to be, and includes analysis of Views (water, mountains or other significant views, like Poulsbo's Lutheran Church) in the Aesthetic Portion of SEPA. City of Poulsbo SEPA regulations come from a requirement of WA State SEPA (State Environmental Policy Act), which is a requirement of federal NEPA laws (National Environmental Policy Act). Again, SEPA requires views to be analyzed, as well as many other environmental issues. SEPA requires impact analysis and mitigation determination for each environmental issue. The first mitigation step is not to do anything. The State has a handout that is helpful in understanding SEPA.
 - c. **City of Poulsbo Comprehensive Plan** – has statements about views and their protection. Poulsbo views are mentioned more than 20 times in the Comprehensive Plan. As you know, the Comprehensive Plan is the **guiding document for the City** and established by the Poulsbo City Council. The Comprehensive Plan establishes the goals by which the regulations are to be followed. Even "Public Viewsheds" from Fjord Drive, extending from Hostmark Avenue south to the City limit, were established.

2. Commercial Code C1

- a. **Data.** The Mayor said that “commercial development in downtown Poulsbo is too much and more residential is needed.” Is there data for this? Does the data relate to small towns? Does the data state the purchase power of residences is different if the apartment dwellers are a few blocks away? Please supply the data that supports this statement and provide it to the council, homeowners, businesses, as well as others, before the council approves the Commercial C1 Code.
- b. **Commercial Regulation Adoption.** One councilmember said that “we are moving expeditiously to complete the regulation before the development.... We are going to finish the code (commercial C1) by the end of June.”
There is much needed rethinking and relooking at the downtown. A Poulsbo study was done in the mid 2000’s asking citizens what they wanted in Poulsbo. Citizens said they wanted the downtown to stay the same. I do not believe this has changed. Has the council asked the citizens?
Poulsbo city staff wrote a statement prior to the proposed Commercial Code that one of the reasons the Commercial Code was being changed was because there were “-changes in ownership of the properties...” This should never be a reason for changing a code.
- c. **Front Street.** In the Retreat, the Mayor asked, “Should Front Street be pedestrian only?” Councilmember Stern said, “Wes and Mike might be afraid of this.” Wes and Mike are developers of a number of properties (Vanaheimr on Hostmark and Fjord), including new owners of downtown properties along Front Street.
- d. **Undergrounding Utilities.** Some councilmembers discussed that maybe citizens should pay for putting utilities underground on their streets. I read a Poulsbo code that said undergrounding of utilities on a street where development would occur requires the developer to make these improvements.

I have written, spoken to and pleaded with the Poulsbo City Council to rethink the development in downtown Poulsbo. Please, I ask again, relook at the downtown, ask for data about commercial and residential development in a small town, and hoist a balloon or something so you can see the height of potential buildings in various downtown locations. Then review the proposed Commercial Code (C1) to make sure Poulsbo stays the same.

Under the C1 Code, preserving views, limiting buildings to two stories, preserving commercial usage (two stories with possible living space on second floors) and preserving the historic nature of the downtown will protect downtown Poulsbo!

Sincerely,

Cindy Baker
(Owner of 18750 Fjord Drive NE, Poulsbo)
206-819-2027

Presentation to the Poulsbo City Council, June 12, 2018

JUN 13

City of Poulsbo
Council Meeting

The C1 Code Amendments are by far the most important decision you as the Poulsbo City Council will make!! This C1 Code is the turning point – either you want to keep Poulsbo's downtown as a Small Norwegian Village, per the Comprehensive Plan, or turn the downtown into an ordinary town. How you vote on the C1 Code will send a message and decide the future of downtown Poulsbo. Do not take me wrong, I believe in development, but conducted in the right place and the right way.

For 3+ years I have sent letters to the City of Poulsbo, made council presentations, talked with the planning staff (Karla, Barry), met with the Mayor for more than an hour in her office, and at my request, stood with Mike Brown, developer, on my deck so he could see the issues. I have spent hours researching the development of Poulsbo's downtown, the Comprehensive Plan and the C1 code. Last week's council meeting was the first time I truly felt heard by two councilmembers. Yet, I ask, is it too late for them to understand my comments?

Has the council, mayor, planning commission, or city planning staff floated a balloon(s) or raised a crane to assess height, visited decks and walked the streets to get a sense of views, asked planning staff to prepare a range of ideas from no change to large change development. Has the council told staff what they want to maintain the City of Poulsbo Downtown C1 as is?

The problem is money. Money gain for two city properties may be good for the short-term but not the long term benefit!!

You, the council, represent the citizens, ALL 10,400+. You also represent commercial owners, visitors, boaters, etc. You have been told many things that are not true, including but not limited to GMA rules, view regulations, density, etc.

What can you do if you want to save the downtown C1 as a small Norwegian City.

1. Delay the Council Hearing for the C1 Code. Delay review and SEPA for any projects in the C1 area.
2. Notify ALL city residents and owners (commercial, residential, etc.) about possible changes in the C1. Get their input for now and in the future. If you make the wrong decision, you cannot take it back.

3. Ask yourselves, "Do I want apartment buildings in the C1 area?" Would you make the same decisions if money weren't a problem?

4. Get some additional data

- Float balloons or use cranes to look at heights
- Determine if apartment buildings built in downtown will change the appearance of the C1 area. What would happen if they get moved a small distance away?
- Determine how the money from the sale of the properties will help in the short term vs long-term.
- Review the buildable lands map – it indicates property that is available for development. Ask staff to create additional buildable lands data.
- Please re-read my February, 2016 letter, as well as all other communication.
- Do you want Poulsbo citizens and owners to help with costs?
- 5. Determine what you want in the downtown C1 area
- What **height** do you want buildings?
 - State what height
 - Be sure that the height is measured from existing grade not finished grade
 - Be sure height includes all extras (HVAC, etc., anything on the top of the building). And make sure those extras are attractive.
 - Do not allow setbacks on upper floors of buildings. It is not enough to reduce the impact.
 - Do not allow flat roofs on buildings. This does not fit Poulsbo or Norwegian style.
 - Make sure all buildings will fit the Poulsbo Norwegian style.
- What **Density** is appropriate?
 - Do not use density calculations for the downtown C1. State in the new C1 code that only appropriate commercial activity will

reside on the first floor of buildings and residential or commercial activity on the second floor. Don't allow third floor buildings because they will change all of downtown.

- **Parking** – additional parking is not needed if you leave Poulsbo downtown without change. Apartment buildings built outside the downtown C1 area can have parking garages or underground parking.
- **Transportation – do not allow any additional residences except on second floors.** Remember, the Hostmark/Fjord/4th street intersection is already an F-rated. This is the worst rating, so why add more traffic?
- **Have Hearings** for all developments in the C1, except inside modifications to buildings and minor outside improvements.
- **Make sure SEPA** occurs for all development projects in the C1
 - NOTE: SEPA must analyze views impacts, under the Aesthetic Section. There are specific questions that must be asked. See letter regarding Retreat Topics attached.
- **Appeals** to either a development or its SEPA should not cost any money, especially \$2000+
- Tell planning staff to write a C1 code that fits what you want, without loopholes.

You have one downtown! It is precious. It is the most important thing the City of Poulsbo has. If developed the way it is proposed, it cannot be taken back. Let me repeat, it cannot be taken back. You can put apartment buildings in any other place in Poulsbo, just not the C1 zone. Growth in Poulsbo does not have to happen in the downtown!!!! The Growth Management Act does not require that. Keep Poulsbo the same.

Cindy Baker
Owner of 18750 Fjord Drive NE
206-819-2027

, 2018

Received at

JUN 13

Council, Planning Commission, Karla Boughton, and Planning Staff
Poulsbo, Washington

City of Poulsbo
Council Meeting

RE: Vanheimr project plan comments and submittal future SEPA

Here I am, 2 years later, writing again about the proposed project on the Old Police Station property (now named Vanheimr). During the 2 years, I have tried to get the Council to understand that Poulsbo is very unique. Keeping the downtown area at a low height and bulk is paramount to continuing Poulsbo's success and is also a requirement. The rest of the city could be increased in size and bulk, with much less intrusion.

Please read what I previously wrote (attached, February 23, 2016) and the following comments about the design. My previous letter does not appear to have been taken seriously. Although I have owned my house for only 13 years, I have always wanted to return. That may be different now because it seems as though Poulsbo is about to become another ordinary town. I plead with you not to ruin Poulsbo. Money comes in many forms, but apartments in this area will not provide the income you desire.

The following are comments on the NOA for Vanheimr. Please include these and the former document in any other phase of the project, including SEPA, etc.

1. Can you please explain in detail how the developer calculated units per acre on the 0.57 acre property? The acres and units do not add up. Also, when showing calculations, please separate the property, showing how units were calculated in the area of shoreline setback versus the non-shoreline setback area. No matter what I do, I cannot obtain the same results as seen on A-1 and A-4 pages of the developer plans.
2. On the upper page of A-1, the developer indicates that there are 5 studio, 17 -1 bedroom, 3- 2 bedroom and 2 hospitality rooms. This equates to 27 units, yet below the Poulsbo picture on the same A-1 page, the developer says the development is a 25 unit complex. If units have a kitchen, as the hospitality units do, they must be counted as units. The developer cannot take out the kitchens in the project design, then add them back later.
3. Parking also seems to have been calculated incorrectly. I do not believe bicycle racks can be used as a parking stall. Please clarify and see page A-1.
4. **I am again including my previous letter of Feb 23, 2016 (Please attach it to this set of comments)**, which stresses the incompatibility of the development on bulk/scale and views. Mitigation must be included for view impacts and SEPA must analyze and include the analysis as part of the decision making.
5. The developer tells people that he reduced the number of units from 48 to 25. He was not allowed to have 48 units. Staff should help explain this.
6. Please explain lot coverage for the area of shoreline setback and the non-shoreline area. I do not believe the lot coverage is correct. The regular area is 80% as I understand.
7. Fjord Drive has been a walking trail and major street since Poulsbo's inception. The Drive has been mentioned many times in the Comprehensive Plan, Parks Plan, etc. so why is the

- dumpster/recycle indicated outside, near Fjord Street for the citizens continually walk by and view? Move the trash facility inside the garage so it is not seen on a daily basis.
8. On the A-2 page, as well as other pages, the metal design is similar to many other apartment buildings in the Seattle/King County and Kitsap County areas. Please explain how this building is special and fits with the SMALL, fishing village concept explained throughout the Comprehensive Plan.
 9. On the A-4 page, a large commercial portion of the project (Retail/Commercial Space) is located in the Shoreline setback area. I do not believe this is allowed.
 10. What is the Water Quality mitigation for exposed pipe? Is the exposed pipe allowed? Is the developer planning to dump directly into Liberty Bay? Is this allowed by Ecology?
 11. Site plans were posted March 1, 2018, but the NOA was sent on March 23, 2018. Why?
 12. The focus of the project is on Hostmark. Does the developer and city think Fjord should not have the same attention? Fjord is important and should have equal attention. It is also a "viewshed," according to the city. City restrictions should apply. No views from Fjord toward or through the project have been provided, even though requested nearly 2 years ago and then again 1 year ago.
 13. What did the Shoreline official say about the project and allowance in the setback?

June 13, 2018

Received at

JUN 13 2018

City of Poulsbo
Council Meeting

Received at

JUN 13 2018

City of Poulsbo
Council Meeting

Dear Poulsbo City Council Members:

I ask you to please carefully consider how each of the updates to the C-1 District in the Commercial Code will benefit not only the developer and the City of Poulsbo proper financially but also the citizens who make up this wonderful town and the downtown area.

Having two story buildings, not higher, INCLUDING current developments in the C-1 District will transition nicely from the Downtown Shop Front Overlay. We won't have the downtown with huge, tall buildings surrounding it.

Making the building height limit in C-1 and Downtown at 25' allows for two story buildings that again transition nicely from Downtown to C-1 and keep both areas proportionate to each other. Another bonus is a 25' building height limit also keeps the iconic, historic 1st Lutheran Church visible from all areas without added language in the code.

For mixed use in C-1 having commercial on the first floor and residential units or commercial on the second floor, NOT big standalone apartment buildings with some commercial as now proposed fits next to Front Street.

The City needs these larger apartment style buildings in other areas of Poulsbo close to reliable transit, grocery stores, gas stations and other services and where traffic is NOT already a major concern, NOT in C-1 Downtown where none of this exists and where traffic already is maxed out and a grave concern.

Please include more language in the Code that the C-1 buildings' style, structure and size nicely flow from the Downtown, not be the drastic difference the current Commercial Code Draft allows and the proposed current developments show.

I ask you in the updated Commercial Code to have density calculated the way it is usually done, by unit's per acre, NOT by height and parking and then setbacks. Using height and parking has given us the development at the Old Police Station and at the Old City Hall. They aren't built YET. Once they are, it will be too late. Unit's per acre would not support these, but does support the Downtown look and feel.

Lynn Myrland

JUN 13

City of Poulsbo
Council Meeting

., 2018

Dear Poulsbo City Council Members:

My name is Lynn Myrvang. I want to be very clear. I am pro development. In 1966 my family moved here to take over a small dwindling business, Bauer's Bake Shop. My father has been a developer all these years. Development is good.

This Commercial Code update was primarily started because the Old Police Station was purchased from The City with a contingency and then the same developer purchased numerous properties in Downtown. He met with the Planning Department and staff for several years and offered developments that were not covered in the current code. We would not be here today discussing this if this had not happened.

Developing the Old Police Station site and the Old City Hall site are both great ideas. My concern is how the developments at both of these sites and the proposed developments along 3rd Avenue and at the corner of Moe Street fit adjacent to the downtown as we know it today. Is there a nice flow from the eclectic, colorful, smaller buildings downtown to these three proposed sites? Right now with the developments planned to go there, there isn't. Instead we move from the downtown immediately to large, multi-story buildings with 26 – 84 apartment units.

Does it make sense to build 12 apartment townhouses on 3rd Avenue right next to the commercial Front Street with the parking for them on the downtown side of the large wall and access to their parking next to Boehm's Chocolates, or is it more forward thinking to have in the code that 3rd Avenue will be commercial on the first floor with residential or commercial on the second floor? In deciding, do we look at just today's market, today's need for housing and how the numbers look today or do we look at today's market and the future market and how those numbers will look to determine what to do with 3rd Avenue and the other developments?

Right now the building on the corner of Moe Street houses all commercial. The proposal to build a building there that is convertible, meaning built to commercial code but leased at residential until the developer shows the market deems commercial is profitable will cut off the commercial buildings on the opposite side of 3rd Avenue causing reverse blight. In many ways it will be much more difficult to change from residential to commercial on 3rd Avenue at the corner of Moe Street.

Please consider having the updated code for mixed use be commercial on the first floor in C-1 so that we continue on 3rd what we already have next to it on Front Street.

Comprehensive Plan, Chapter 7- Housing

Future growth projects 149 new housing units will be needed within the City of Poulsbo by 2036.

The developments currently on the table for Downtown Poulsbo and the C-1 District - Vanahheimr Apartments (26 units), 3rd Avenue (12 units), units above commercial downtown (10-15), Moe Street Development (20 units) and the Old City Hall Development (84 units) will EXCEED the 149 unit need well before 2036. Do we need 157 new units right in Downtown Poulsbo and the adjacent C-1 District?

Future Housing Projections

The Growth Management Act requires that each county and its cities plan to accommodate the growth that is projected over a 20-year horizon. In Kitsap County, the county and its cities collaboratively decide how to allocate its 20-year population projection. For Poulsbo, the 2036 total population (city limits + urban growth area) that it must plan for is 14,808. When current year (2016) population (from city limits and unincorporated urban growth area) is subtracted from the 14,808, a net growth of 4,182 persons is identified. This number will decrease by the amount the City's population grows in a year.

The new persons growth of 4,182 can be translated into housing units by dividing the new growth by an average household size. Table HS-1 illustrates that the City of Poulsbo and its urban growth area must be able to have capacity to accommodate 1,818 additional housing units.

Received at

Table HS-1 Housing Units Needed

Population Distribution	2036 New Growth	New housing units needed by 2036
Poulsbo City	342	149
Poulsbo UGA	3,840	1,670
TOTAL	4,182	1,818

JUN 13

City of Poulsbo
Council Meeting

2036 Net Growth/2.3 hhs* = New housing units

*Average household size used is 2.3, as set forth in the 2014 Kitsap County Buildable Lands Report (BLR), Appendix A. See Comprehensive Plan Section 3 for further discussion on BLR.

Discrepancies: Poulsbo Municipal Code and the Poulsbo Comprehensive Plan, Transportation with current developments

Poulsbo Municipal Code, K-10, pg 30: Vehicular access on 3rd Ave shall be combined into no more than two access points *and shall be located and designed to minimize pedestrian and vehicle conflicts.*

Already, there are pedestrian and vehicle conflicts at the proposed 3rd Avenue Development vehicle entrance at Front Street and alongside Boehm's. There is not capacity at the corner of Moe Street and 3rd Avenue to minimize pedestrian and vehicle conflicts with the added Moe Street/3rd Avenue and Old City Hall developments. Not addressed in this updated draft is this same issue at the Old City Hall and the Old Police Station. We simply do not have road space to add more lanes to mitigate these.

2016 Poulsbo Comprehensive Plan, Point 4.2, pg 70: Poulsbo faces a number of challenges in achieving the community's desired land use vision, while accommodating the population and economic growth that is expected over the next twenty years.

Bullet two: *Accommodating Poulsbo's share of housing growth, which will primarily be located in large areas of undeveloped and/or vacant land where streets constructed to City standards do not currently exist.*

Four developments, two very large are planned for the Historic Downtown Poulsbo along with the new residential units above the Shop Front Overlay. We have undeveloped and/or vacant land within walking distance of downtown Poulsbo where these huge developments can go.

Bullet three: *Improvement of the City's existing local access streets, while also ensuring new streets are constructed to maintain appropriate level of service.*

We cannot construct new streets in the Downtown to maintain appropriate level of service because we do not have the space.

Bullet four: *Providing neighborhood secondary roadway access and improved emergency access, while improving pedestrian mobility.*

156 Plus residential units with the added vehicles and pedestrians *in such a confined space* will not support improved emergency access. We also will need a new fire truck with a taller ladder.

Point 4.3, pg 72, STREETS: *City streets must be available to accommodate the transportation demand generated by the land use policies.*

Downtown Poulsbo City streets already cannot meet this criteria.

Policy TR-1.2, pg. 72, line 5: Concurrency shall be the minimum required.

(Concurrency is one of the goals of the Growth Management Act and refers to the timely provision of public facilities and services relative to the demand for them. To maintain concurrency means that adequate public facilities are in place to serve new development as it occurs or within a specified time period. The Growth Management Act (GMA) gives special attention to concurrency for transportation.)

RCW 36.70A.070(6)(b): The GMA requires that transportation improvements or strategies to accommodate development impacts need to be made concurrently with land development. "Concurrent with the development" is defined by the GMA to mean that any needed "improvements or strategies are in place at the time of development, or that a financial commitment is in place to complete the improvements or strategies within six years."

RCW 36.70A.070(6)(b): As part of the requirement to develop a comprehensive plan, jurisdictions are required to establish level-of-service standards (LOS) for arterials, transit service, and other facilities. Once a jurisdiction sets an LOS, it is used to determine whether the impacts of a proposed development can be met through existing capacity and/or to decide what level of additional facilities will be required. Transportation is the only area of concurrency that specifies denial of development if LOS standards cannot be met.

The developments planned for Downtown Poulsbo are unable to fulfill these requirements. The downtown C-1 District does not have additional space to make these improvements.

Policy TR-1.2, pg. 73, last paragraph: The City may use any and all authority granted to it under state law to require mitigation of the traffic impacts of development, including but not limited to, the State Environmental Policy Act, the State Subdivision Act, and the Growth Management Act.

The scope of the proposed developments in C-1 and the Shop Front Overlay require mitigation.

Received 6/13
CC Workshop

June 12, 2018

City of Poulsbo Planning and Economic Development Department
200 NE Moe Street
Poulsbo, WA 98370

Dear Planning and Economic Development Department and Poulsbo City Council:

During your consideration of the Commercial Code Amendments, I am asking you to think about the concerns raised by your residents and delay your decisions on this document, particularly the C1 portion, until mine and others concerns have been resolved. I believe the decisions you make will have a lasting impact on downtown Poulsbo as we know it. These impacts may be good and keep 'Little Norway' as we now know it, or they may completely change its iconic nature and not in a positive manner. However, they should be made with the future of downtown Poulsbo in mind, not on what is financially feasible today.

My first concern is the method by which population density is now calculated. I have gone to numerous dictionaries and sources and found there are up to eight definitions for density. There are definitions relating to physics, chemistry, etc. but the most pertinent one for us is "*The number of individuals, such as inhabitants or housing units, per unit area.*" The important portion of this definition is "per unit area". At this time you are being asked for your definition of density. I strongly disagree with the current "height, parking and off-set" as the methodology to define density now being used by the Planning Department. We need to first determine the acreage of the C1, next determine what a maximum density for this unique commercial area is and then assess each development application with how many people or units each new development will add to the downtown area. When the maximum density is reached, any additional residential units must be turned down. This is the only way we can keep the C1 unique and a place where people want to visit and shop. Not one that is strangled by traffic, where no one can find a place to park and where it is unsafe to walk.

At this time, there are two development applications (Old Police Station and Old City Hall) submitted. One proposes 84 residential units with commercial space and the other 25 units plus commercial. Other proposals believed to be in the queue include Moe Street, 3rd Avenue townhouses and revival of second stories in the Shop Front Overlay. These are expected to add approximately 45+ units. All told this adds 154+ residential units to C1. In the Comprehensive Plan on Housing (Chapter 7), there is a section on GMA housing requirements and what they mean to the City. By 2036, the City is to increase residential units by 1819 units. 1670 are to be in the UGA and the remaining 149 are to be found within the City limits. If you look at the fore mentioned number of units proposed for C1, you will see, in approximately the next five years, developers want to put more than 149 units in one area -- the C1. Shouldn't the majority of these new residential units go in residential zoning or in commercial zones that have services

such as grocery stores, gas stations, etc.? Putting all the units in C1 will forever change downtown and if that happens, we can never go back to Little Norway.

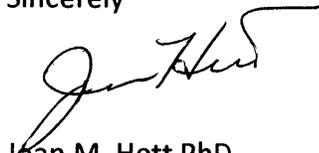
My next concern is the potential damage any construction along 3rd Avenue between Hostmark and Moe might cause the home owners along 4th Avenue. I have attached the Potential Geologic Hazards map from the Comprehensive Plan. You will note all of 3rd Avenue from Hostmark to Moe is within a hazard zone and the zone extends south including the Old Police Station site. The Planning Department has already stated they will not allow underground parking along 3rd Avenue which is a good thing but the Moe Street proposal has undergrade parking which I believe could have detrimental effects on those living or working on the east side of 3rd. During the winter of 2006-2007 there was a large slide just southeast of this property and the City was required to build a massive retaining wall. Even underground utilities along 3rd Avenue may have a detrimental effect on our homes unless the necessary mitigation is required.

In the Comprehensive Plan, Chapter 5 on the Natural Environment, it states *"The Critical Areas Ordinance shall provide standards that assist in protecting human life, property and essential services from potential geologically hazardous areas. Site-specific studies submitted with development proposals in areas mapped as geologically hazardous shall be required to evaluate the risk, potential impacts and identify necessary mitigations of the proposed development."*

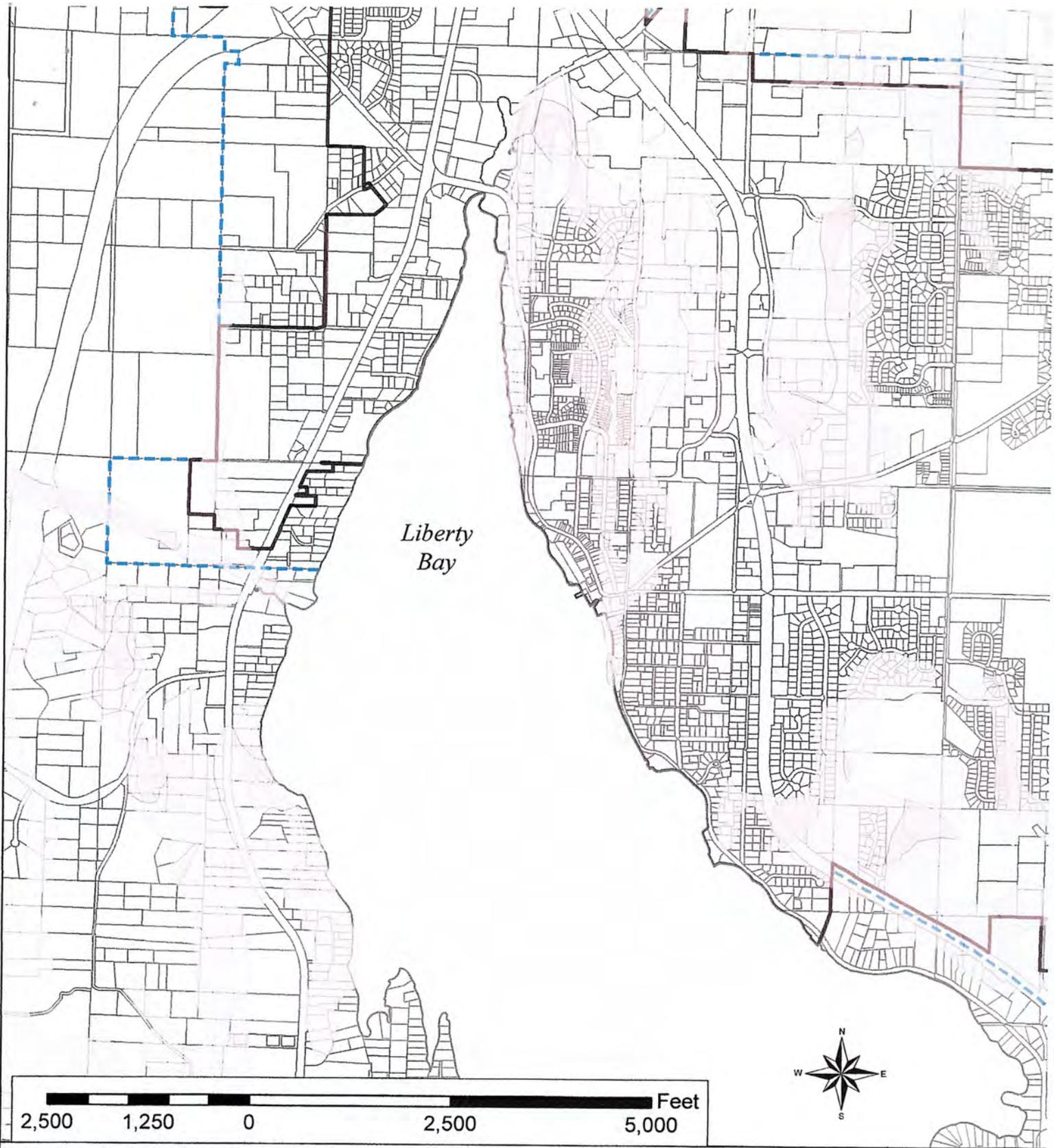
It is my understanding that the development application for the Old Police Station site (within the geologically hazardous area) did not include a risk evaluation. So, please include a required geotechnical evaluation for all applications lying within a geologically hazardous zone and not rely on people remembering it is required by the Comprehensive Plan. These evaluations must be done for all proposed development along 3rd Avenue to protect our homes on 4th.

Thank you for listening to us and reading our letters. I do hope you will incorporate our concerns in the amended commercial code.

Sincerely



Joan M. Hett PhD
18917 4th Ave NE
Poulsbo, WA



Critical Area Map Series Primary Map Sources and Original Scales:

Delineated Wetlands compiled using Plat Maps from the City of Poulsbo Planning Department.
 Hydric Soils United States Department of Agriculture, Soil Conservation Service in cooperation with the Washington State Department of Natural Resources and Washington State University Agricultural Research Center 1977 1:24,000
 W.S.D.N.R. Hydrography, Washington State Department of Fish and Wildlife 1:24,000
 Deeter, J. 1979, Quaternary Stratigraphy of Kitsap County Appendix III, p 149-159 and Plate 9
 Welch, W.B., Frans, L.M., and Olsen, T.D., 2014, Hydrogeologic framework, groundwater movement, and water budget of the Kitsap Peninsula, west-central Washington: U.S. Geological Survey Scientific Investigations Report 2014-5106, 44 p., <http://dx.doi.org/10.3133/sir20145106>. Prepared in cooperation with the Kitsap Public Utility District.
 Kitsap County Assessor's Tax Maps 1:12,000 (Kitsap County IT, GIS Division)

* Note: Saltwater wetlands are not represented on this map, however, they are of concern within the Shoreline Management Act.

This critical area map is for planning. These maps are not to be used for legal purposes. Features, infrastructure, and other information was derived from various sources, not from a field survey or review to verify information.

City of Poulsbo
 Print

From: [Nikole CH. Coleman](mailto:Nikole.CH.Coleman)
To: [Nikole CH. Coleman](mailto:Nikole.CH.Coleman)
Subject: FW: Commercial District Ordinance Update
Date: Friday, June 15, 2018 2:58:46 PM

From: Ed Stern
Sent: Tuesday, June 12, 2018 3:45 PM
To: Karla Boughton <kboughton@cityofpoulsbo.com>; Helen M. Wytko <hwytko@cityofpoulsbo.com>
Subject: Fwd: Commercial District Ordinance Update

Just received the below.

thanks,
Ed

Sent from my iPhone SE
(please excuse dictation errors)

Begin forwarded message:

From: Jim Absher <jlabsher@gmail.com>
Date: June 12, 2018 at 3:20:26 PM PDT
To: estern@cityofpoulsbo.com
Subject: Commercial District Ordinance Update

Councilman Stern,

I saw the June 6 council meeting where you discussed changes to the downtown commercial district, specifically the 3rd street apartments and the storefront overlay.

One thing that strikes me as important, if the 3rd street apartments are approved, they should have a westward facing facade that blends with the current theme of Norwegian architecture that the council is proposing for all buildings downtown.

In many of the photographs one sees of downtown, especially from the west side of Liberty Bay, a viewer sees the water, downtown, and church. If 3 story apartments were to go in above downtown that had a modern look they could ruin that view, which is one seen by many online, those on cruise ships, and also in tourism booklets.

By incorporating rules into the downtown ordinance that specify any buildings visible from downtown, or in the downtown area that are visible from across the water conform to the Scandinavian waterfront architectural standard you would preserve what makes this community a place tourists love to visit and spend their money in, and a great place for people like myself and my family to call home.

Thank you.

FYI, I am an absentee homeowner, moving in shortly, my address is 18455 8th Ave,
NW.

June 18, 2018

Dear City Councilmembers and Planning and Development Department:

Thank you for listening to all of us over the last few weeks. I hope that our comments have helped and I encourage you to keep the several changes you made to date.

Please keep the height of any new buildings in the C1 to 30 feet with an additional 5 feet for a pitched roof. Also, thank you for agreeing that conversions were not the best option for mixed use buildings and that commercial use on the first floor is the best use for these buildings. I particularly like these options, because they will ease the residential density in the downtown area.

I am still not happy with the recommended methodology for controlling density. If this is the accepted method, please consider a density limit at least for the C1. Just because there are no limits on commercial zones now, doesn't mean you can't add one, at least to ensure quality of life in downtown. The GMA in RCW 36.70A.115 doesn't say where cities shall "provide sufficient capacity of land suitable for development within their jurisdictions to accommodate their allocated housing and employment growth." As I have already pointed out, the developments under consideration or proposed now for the downtown area add MORE THAN ALL the in-city GMA residential units required by 2036.

In my oral testimony on 5/16/18, again on density concerns in the downtown, the staff response included the statement: "Mixed-use is a common development type and important tool for creating walkable neighborhoods near good and services." I don't disagree but are there 'good and services' downtown for full time residents within walkable distances? Let's find a way to get developers interested in building housing in the other commercial areas. I know College Marketplace in the original Olhava Master Plan had blocks set aside for residential units. Would Olympic College be interested in student housing? How about affordable housing for Walmart, Home Depot and PetSmart employees? There is vacant land just north of Poulsbo Village – why not an apartment building here? If residential units are more easily funded as testified to by a developer, why not offer incentives for apartments in the other commercial zones, particularly affordable housing units?

The other concern I keep coming back to is slope stability. In the letter I gave you last week, I enclosed a copy of the Geological Hazards Area Map (CAO Fig. 5) found on the Planning Departments web site. In the staff answer to my oral testimony on 3/13/18, the staff wrongly answered that the properties on the west side of 3rd are not included in the potentially hazardous zone. I brought the map to Ms. Boughton's attention and she said they would correct their statement. At the time I am writing this letter, the Public Comment Matrix has not been updated but I am sure it will be. The potential hazard along the entire section of 3rd Avenue, including the south side of Hostmark, on both sides of the street can endanger our homes along 4th. It is for this reason, I would like to see no underground or undergrade structures along 3rd Avenue unless a full geotechnical report is done and any mitigation required agreed to by all parties involved.

Once again – Thank you for your time and effort on a document that has the potential to change downtown Poulsbo forever and if not done carefully, change it into a area that it is not the iconic place we all love.

Sincerely

Joan Hett, PhD

18917 4th Avenue NE



June 19, 2018

Good Evening Madam Mayor and Council Members,

I apologize that I am unable to attend this evenings meeting in person as I am traveling. I do want to take the opportunity however to urge you to carefully consider the ramifications that some of the potential changes to the C-1 zone will have on the future of Poulsbo. As you know Sound West Group has acquired a significant foot print in the core of downtown Poulsbo. Our investment in Poulsbo will ultimately be in the range of twenty-five (25) million dollars. As you have heard me say many times, we are committed to being responsible partners in the community and truly believe that the eclectic nature of Poulsbo is what makes it so attractive to tourists and locals alike. We are sincerely committed to honoring that authenticity of Poulsbo and will continue to work hard with planning staff and design professionals to ensure that our projects are consistent with the historic character of Poulsbo.

As I am sure you are all aware the “devil is in the details” with any type of code decision and the unintended consequences can be counterproductive to the intended goals. To that point I offer a couple of thoughts;

1. There has been an interest in adopting the “Langley” height model which allows a 30’ height for buildings with flat roofs and 35’ for those with pitched roofs. This would appear to encourage pitched roofs. However, depending on the definition of “pitched roof”, it would only encourage such roofs on very narrow buildings as wider buildings which are more common in commercial construction would have a higher profile roof suppressing the occupiable space below. Further suppression of the lower levels encourages surface parking and substandard ceiling heights for what would be considered truly functional in a commercial tenant space.
2. I am concerned about the requirement to have commercial space on the first floor on 3rd Avenue and Moe Streets. I believe that this requirement will lead to one of two eventualities neither of which is particularly desirable. The first is nothing gets built. The status quo on 3rd Avenue. A street that is woefully in need of some TLC and visually borders on blight. The second is that indeed commercial space is constructed to meet the code and that vacant space competes with the existing inventory in downtown or as is more likely remains



vacant. As you know tenants and landlords struggle a bit in Poulsbo. Commercial rents in downtown Poulsbo are some of the lowest in Kitsap County, on par with Kingston and downtown Port Orchard. More space will exacerbate that issue. I believe that the ability for conversion to the commercial uses when the time is appropriate helps mitigate this issue. The mixing of the uses is also in keeping with the transitional nature of 3rd Avenue being sandwiched between the more valuable Front Street shopfronts and the residential uses to the East. The other valuable quality to the conversion model is that if the first floor is built to commercial standard for parking there is actually a net surplus of parking as the residential interim use will not have the demand for parking that the commercial standard would require.

I know that everyone on the council truly has the best interest of Poulsbo in their hearts. I also know that when making changes to code like this it is impossible to contemplate all the unintended consequences and that seemingly small changes can have big impacts. Please be sure that you take the time necessary to thoroughly work through the potential impacts and possibilities. I would welcome the opportunity to discuss any of these points in person in greater detail if that would be helpful.

Thank you for your careful consideration,

Sincerely,

Michael Brown
Sound West Group