

**From:** [Helen M. Wytko](#)  
**To:** [Nikole CH. Coleman](#)  
**Subject:** FW: City of Poulsbo - NOA w/ SEPA Commercial Code Update  
**Date:** Wednesday, March 14, 2018 1:32:15 PM

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## Helen Wytko

Poulsbo Planning and Economic Development  
Phone: 360-394-9748  
200 NE Moe St  
Poulsbo, WA 98370

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**From:** Miles Yanick <milesyanick@milesyanick.com>  
**Sent:** Wednesday, March 14, 2018 1:18 PM  
**To:** Helen M. Wytko <hwytko@cityofpoulsbo.com>  
**Cc:** Karla Boughton <kboughton@cityofpoulsbo.com>  
**Subject:** RE: City of Poulsbo - NOA w/ SEPA Commercial Code Update

Helen,

After reading the Optional DNS report it appears the City has adequately “reviewed the proposed amendments for probable environmental impacts” and has found that there will be none and intends to issue a determination of non-significance. It then can be implied from the issuance of this DNS that; if a project in the zones identified is compliant with all the zoning criteria in the zoning ordinance it then it must be concluded that there would be no significant environmental impacts caused by the development and therefore no SEPA or related review would be required.

Miles Yanick

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**From:** Helen M. Wytko [<mailto:hwytko@cityofpoulsbo.com>]  
**Sent:** Friday, March 09, 2018 4:29 PM  
**Cc:** Nikole CH. Coleman  
**Subject:** City of Poulsbo - NOA w/ SEPA Commercial Code Update

Please see the attached Notice of Application with Optional DNS for the 2018 Commercial Districts Ordinance Update.

Thank you,

## Helen Wytko

Poulsbo Planning and Economic Development  
Phone: 360-394-9748

200 NE Moe St  
Poulsbo, WA 98370

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**From:** [Karla Boughton](#)  
**To:** [Nikole CH. Coleman](#)  
**Subject:** FW: Future Development in downtown Poulsbo  
**Date:** Friday, March 23, 2018 11:09:24 AM

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-----Original Message-----

From: vrobinson7@cinci.rr.com <vrobinson7@cinci.rr.com>  
Sent: Friday, March 23, 2018 11:05 AM  
To: Becky Erickson <berickson@cityofpoulsbo.com>; Karla Boughton <kboughton@cityofpoulsbo.com>  
Cc: Marla S. Powers <mpowers@cityofpoulsbo.com>; tscott.robinson@gmail.com; Kenneth Thomas <kthomas@cityofpoulsbo.com>; Connie C. Lord <clord@cityofpoulsbo.com>; Connie C. Lord <clord@cityofpoulsbo.com>; gnstul@cityofpoulsbo.com; Jeff R. McGinty <jmcginty@cityofpoulsbo.com>; David Musgrove <dmusgrove@cityofpoulsbo.com>; Abby M. Garland <agarland@cityofpoulsbo.com>  
Subject: Future Development in downtown Poulsbo

Dear Planning and Economic Development Department, Poulsbo Planning Commission and Poulsbo City Council:

As the leaders of the wonderful town and community of Poulsbo, Washington, we thank you for all your hard work and efforts to keep our town beautiful, enjoyable, and productively solvent. That is not an easy task in this moment of American history. While Poulsbo is reminder of simpler times, with its wonderful and proud Scandinavian roots, it is understandable that there will be a need at times to make changes and allow in new developments that help keep our community functioning well.

While new developments can bring a financial energy to the area, it is our hope that those changes do not negatively affect homes owners and businesses that are already invested in our community. You hold a great responsibility to those who voted your leadership into office to make sure that this town continue to be healthy and safe. Bringing new financial security into our community by energizing us economically is a good thing, as long as it does not create a loss to those who have already invested their hard work and time into building a life here.

As 4th street home owners, we are concerned about how the underground parking on 3rd street will affect the integrity of our homes and land. What will be done to keep the land from shifting or sliding down the hill? We agree that more parking is needed in downtown Poulsbo. If parking can be created safely and without an added financial burden to the tax payers and the city, then we are being progressive in a positive way. If our homes become casualties, or worse lives are lost in any possible tragedies from the lack of necessary physical support, then our progress will have a limited shelf life and be too costly. While this is always a consideration, it is especially important in an area so close to a major fault line and so close to the water. We hope that our leaders will leave nothing to chance that affects our safety or become a financial burden for our residents down the road.

We have the very same concerns about the underground parking on the development at Hostmark and 3rd street. Environmental and geological studies must be completed and taken into consideration so that the shops, parking, and apartments add to the wellness of our community without a risk of safety. Any needed safety measures must be worked through and in place before any building begins. The people of Poulsbo are depending on this.

We understand that there are many layers to these projects and many, many things have to be taken into consideration so that these buildings and parking structures will add to the prosperity of Poulsbo. The responsibility is heavy and remain on your shoulders to be vigilant and secure Poulsbo through changes that will affect our town for many, many decades into the future.

Again, thank you for all you do for our community. Our family looks forward to meeting you all at the next meeting.

Sincerely,

Scott and Virginia Robinson

RECEIVED

MAR 23 2018

PED Department

March 23, 2018

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

Dear Planning and Economic Development Department, Poulsbo Planning Commission and Poulsbo City Council:

The residents along 4<sup>th</sup> Avenue NE between Hostmark and Moe Street, as well as other residents are extremely concerned about changes in the Commercial District (C-1) Code Ordinance. Although there are many concerns, this letter only covers those related to the environment as directed by the NOA and ODNS.

Table 18.80.030 Commercial Zoning Districts Use Table pg. 5: Residential Use in C-1 redefines Mixed-Use Structure in 18.80.080 Additional standards and provisions for C zoning districts pg. 29

K. 1. and states, "The mixed-use site shall only be permitted in the C-1 zoning district on lots with frontage on 3<sup>rd</sup> Avenue." When looking at the standards for mixed-use buildings, the code says if there is underground parking, the developer may add 10 feet to the 35 foot maximum building height. It is our understanding this means the developer can excavate underground parking below the existing grade and add three to four stories above grade. We recognize that the new amendments will only allow a 35 foot height limit, but the developer can still have underground parking. We are also concerned that any amendments now being discussed need to have the approval of City Council and as the process is not finalized until mid-2018, any applications for Mixed-Use Structures prior to City Council approval will be governed by the existing code.

Digging underground parking structures along 3<sup>rd</sup> Avenue between Hostmark and Moe Street we believe could place our homes in jeopardy. There is a retaining wall along a portion of 3<sup>rd</sup> Avenue. Digging beside it will, we believe, threaten its integrity, and as it holds 3<sup>rd</sup> Avenue in place, the roadway and the houses east of it will be in danger of sliding and or settling. This wall was built many years ago and even now has cracks. Undermining the west side could be disastrous.

If one examines the Geological Hazard Areas Map for the City of Poulsbo, published by the City, 3<sup>rd</sup> Avenue from Hostmark Street to well past Moe Street is in a, "Potential Geological Hazard zone." It is our understanding this classification is in part because the underlying strata consists of glacial till overlain by a layer of clay. In 2006, a mudslide occurred on City property just north of the 3<sup>rd</sup> Avenue Fishline building. The City constructed a huge retaining wall to keep further slides from occurring. More recently, one of the residents was ordered to stop clearing the blackberries on the slope in front of his home because the City employees felt there was the potential for erosion or a slide onto 3<sup>rd</sup>.

The Amendments to the Commercial Districts Code 2018 seems to encourage multi-use buildings along 3<sup>rd</sup> and do not exclude underground parking. Our fear is underground parking will require impermeable walls to keep the tidal underground water from flooding any underground structures. These walls will then dam groundwater, forcing it back upslope between the glacial till and clay under our homes.

Once the clay layer is saturated, we have the potential for more slides and severe damage to our homes.

We know the City is aware of the slide potential, so the Commercial Districts Code for C-1 must take this hazard under consideration when reviewing any development that involves digging west of the retaining wall along 3<sup>rd</sup> Avenue. The City defines geological hazardous areas in the 2017 Critical Areas Ordinance Update Section 16.20.155 pg.18 which states, "Development in geological hazardous areas may be permitted when an approved geotechnical or geological report indicates that the development can be engineered to pose no significant threat to public health or safety." We do hope that the City plans to protect the residents living along 3<sup>rd</sup> and 4<sup>th</sup> Avenues.

When reviewing the SEPA Environmental Checklist for these amendments, we noted that the City recognizes that one of the reasons for these amendments is, "ownership change and potential redevelopment in the C-1 Downtown/Front Street zoning district;"

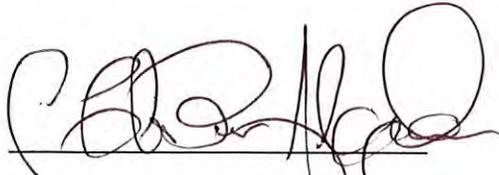
Then on the same SEPA Environmental Checklist under B. Environmental Elements at 1.b. What is the steepest slope of the site (approximate percent slope?), it states, "There are areas within the City limits with slopes exceeding 40 percent, and potential geological hazard areas are mapped on the City's Critical Area Maps. At the time of the development proposal additional information on slopes will be required. Future development will require additional environmental review." Again, we sincerely hope the City of Poulsbo plans to protect the residents living along 3<sup>rd</sup> and 4<sup>th</sup> Avenues.

It is our understanding there is an application for development for a property on the corner of 3<sup>rd</sup> Avenue and Moe Street opposite City Hall. Is there an environmental review being done for this development?

We thank you for giving us the opportunity to comment on these documents. If you have any questions or need clarification on any of our comments, you can contact Joan Hett at [joanhett@comcast.net](mailto:joanhett@comcast.net) or 360-779-6742.

Sincerely,

SEE ATTACHED SIGNATURE PAGE



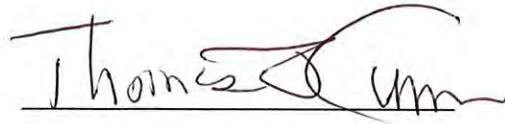
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Jeff Alexander, Master Lithographer



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Sara Alexander, Damage Estimator



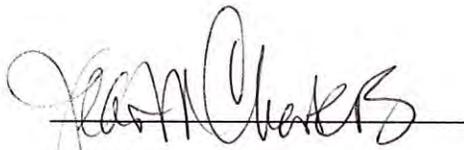
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Thomas Curran, Oral Surgeon



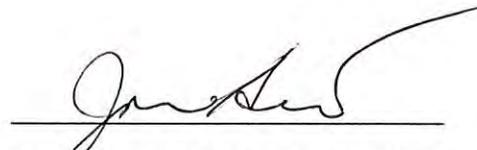
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L'Lani Curran, Elder North Point Church



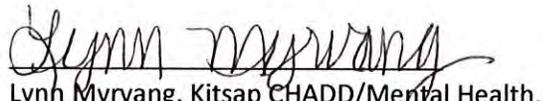
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Jean Charters, Masters in  
Information Sciences, Librarian  
Maritime Museum/Poulsbo  
Historical Society



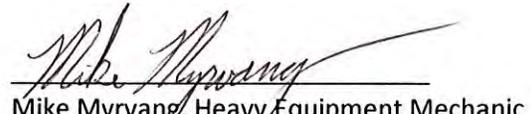
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Joan Hett, PhD, retired Plant Ecologist,  
Poulsbo Tree Board, Fish Park Steering  
Committee



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Lynn Myrvang, Kitsap CHADD/Mental Health,  
Volunteer Coordinator, Event Coordinator,  
Chef



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Mike Myrvang, Heavy Equipment Mechanic



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Brian Smith, BS Geology, Captain Delta Airlines



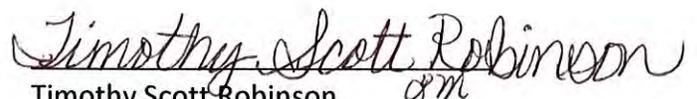
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Margaret Smith, Retired Supervisor,  
Associated Grocers



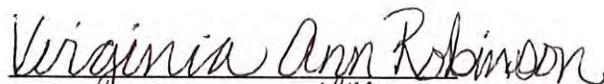
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Lana Swann, Volunteer



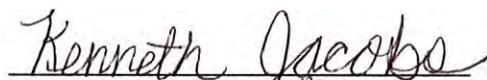
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Timothy Scott Robinson *dm*



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Virginia Ann Robinson *dm*



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Kenneth Jacobs *dm*

**From:** [Karla Boughton](#)  
**To:** [Nikole CH. Coleman](#)  
**Subject:** FW: Vanheimr project NOA issued  
**Date:** Tuesday, March 27, 2018 8:23:37 AM  
**Attachments:** [Letter\\_City of Poulsbo Old Police Station.pdf](#)

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Please include the attached letter as a public comment exhibit on the Commercial Code update.

Thanks,

**Karla Boughton**

Planning and Economic Development Director

City of Poulsbo

200 NE Moe Street

Poulsbo WA 98370

(360) 394-9748

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**From:** Cindy Baker <cindy.baker@comcast.net>  
**Sent:** Monday, March 26, 2018 7:15 PM  
**To:** Karla Boughton <kboughton@cityofpoulsbo.com>  
**Cc:** cindy.baker@comcast.net  
**Subject:** RE: Vanheimr project NOA issued

Hi Karla, thank you for sending this notice about the Vanaheimr project. Unfortunately, I had to do quite the search to find a SEPA decision (Optional DNS) that is not part of the project (NOA with SEPA for the Commercial Code Update), yet may influence what happens for the development of the Old Police Station. As requested long ago, I asked that the letter I wrote on February 23, 2016 be included under any decision that would affect my property, especially including the Old Police Station development across the street and impacts to views. Was that letter reviewed for SEPA? The letter identifies View Impacts as a big issue.

As you know, what is being proposed at the old Police Station property would completely block my view. The developer told me 2 years ago that the architect would visit my property to see the impact. That has never happened, even after I asked again at the community meeting last year. In addition, the developer said that if he paid me for my impacts (he knows they exist), then I would need to support his project completely. As you know, I do not believe projects of this scale are appropriate for the immediate Poulsbo downtown area (C1). Out a few blocks yes for this scale of development, but not in the downtown which is supposed to represent the history of the city as a fishing village. I spoke with Nicole from your office today and she said that "Views" are not part of SEPA and do not have to be reviewed under SEPA. That is not true.

RCW 43.21c.031 is the citation and WAC 197-11-960 is the key state codes. Under Aesthetics, the state provides guidance for Environmental elements checklist. I will specifically go to Section B. What Views in the immediate vicinity would be altered or obstructed? Describe both scenic and non-

scenic views that will change ... The SEPA guidance continues under Section C. Proposed measures to reduce or control aesthetic impacts. Mitigation for impacts to aesthetic resources could include: .....aesthetic design of structures, minimizing view obstructions, and preserving character of the area. The viewshed is highly valued by persons ...living in a proposal's area. It is best to consider adverse effects to viewsheds early in the design and approval processes. It is disappointing and frustrating to have issues such as view impacts and no one appears to address the issue, from the developer to the city staff.

“Views” MUST be reviewed for this (Commercial Code Update) as well as all projects (Vanheimr) and not just a quick decision. This should be done for the entire code update. Nothing should be decided surreptitiously to hide future decisions.

I will be sending you comments regarding the Vanheimr project design tomorrow. Please include this e-mail as part of SEPA for the Commercial Code Update. I have included the letter I wrote again.

Think this is my 5<sup>th</sup> time to the city.

Cindy Baker  
1007 U Street NW (owner of 18750 Fjord Drive NE, Poulsbo)  
Auburn, WA 98001  
206-8189-2027

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**From:** Karla Boughton [<mailto:kboughton@cityofpoulsbo.com>]  
**Sent:** Friday, March 23, 2018 12:31 PM  
**To:** [cindy.baker@comcast.net](mailto:cindy.baker@comcast.net)  
**Subject:** Vanheimr project NOA issued

Hello Cindy,  
I hope this email finds you well.

I wanted to let you know that the City has technically completed the Vanaheimr site plan and shoreline permit and issued the Notice of Application. You can find the NOA and application materials at this link under the Notice of Application tab:

<https://cityofpoulsbo.com/planning-economic-development-current-applications-notices/>

Thank you,  
**Karla Boughton**  
Planning and Economic Development Director  
City of Poulsbo  
200 NE Moe Street  
Poulsbo WA 98370  
(360) 394-9748

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February 23, 2016

Mayor Becky Erickson  
City Council Members  
Planning Director Berezowsky  
Planning Commission Members

RE: Proposed Development on the City's Old Police Station Property

Dear Mayor, Councilmembers, Commissioners and Director:

This letter expresses concern regarding re-development of the city's Old Police Station property in downtown Poulsbo (367 NE Hostmark and possible adjacent parcels). The city is currently negotiating the sale of its property with Sound West Group, who desires to build an apartment building of up to four (4) stories in height, as many as 48 residential units (apartments), first floor, street level commercial uses, and associated parking with possible garage access off Fjord Drive.

All or a portion of the proposed development property is:

- zoned C1 (Commercial Downtown/Front Street); 0.57 acres
- in the 200 foot shoreline jurisdiction zone, with an HI (High Intensity) environmental designation
- in the Shoreline buffer (125 feet from the OHWM—Ordinary High Water Mark)
- surrounded by four single family residences (Residential Low), one Medium Residential Historic Building, and three C1 Commercial properties and
- fronted by Fjord Drive to the East and Hostmark Street to the North

Concerns for re-development of this property include (1) incompatibility with the historic character of Poulsbo's fishing village past, including inappropriate and disproportionate residential density and excessive bulk and scale (e.g. building height and lot coverage) at this specific location, (2) view obstructions of Liberty Bay, Olympic Mountains and marine boating from properties nearby, adjacent to and across the street from the development and view obstruction from a designated viewshed roadway (Fjord Drive); plus inconsistencies with Shoreline Substantial Development rules (3) commercial uses that could create impacts to existing businesses and empty storefronts on Front and Anderson Streets and (4) increases in traffic that would cause greater impacts to intersections already at LOS F (worst rating).

At a minimum the above categories require detailed analysis and mitigation by the city of all potential impacts prior to any approval of this or any other proposed development of this site. Avoidance of impacts is the first mitigation the city has under SEPA (State Environmental Policy Act). Further I am anticipating the city will require a hearing(s) for both the Development and the Shoreline Substantial Development so the public has open input to the city's decisions.

Below are brief descriptions of potential impacts from any re-development and excerpts from the City's Comprehensive Plan, Land Use Plan, Zoning Code, Shoreline Master Plan and Development Standards etc., which for the most part seem contradictory to the size and scale of this development.

## 1. INCOMPATIBILITY WITH CHARACTER OF DOWNTOWN POULSBO AND INAPPROPRIATE RESIDENTIAL DENSITY

Poulsbo is not Bremerton, Silverdale or Port Orchard. It is a unique place, setting itself apart from these cities by continuing to have a “*small town appearance*” (2015 Poulsbo Comprehensive Plan). On the Old Police Station property, there is little way a 2-4 story residential apartment building(s) with commercial uses would fit the image of a small fishing village or small quaint city.

First, the property itself is an issue. The topography is higher in elevation than the lower portion of downtown Front Street, for which the “generic” codes were written. When developing codes, there are always cases where the generic standards do not fit the circumstances. This is one of those cases. The city’s Land Use policies indicate that the downtown area shall identify appropriate development standards for height and scale, however, the focus of the standards was based on the lower, flat area of downtown around Front Street, not the elevated property off Hostmark or Fjord. The height and scale of development on the Old Police Station site will create a huge eyesore, protruding high and out-of-proportion to the city’s scale and viewshed. This development would forever change the image of downtown Poulsbo as a whole.

Second, the proposed residential density is excessive for this location. Even 10 units or less is likely too much. The surrounding residential densities are mostly Residential Low (1-4 units/acre), with one existing Historic building at Residential Medium. Further, residential density on this site is limited by a number of restrictions. The HI designation allows only about 4 residential units on the lower half of the property and would override any C1 allowed densities. [Note PMC 16.08.180 (B)(2) states that where there is a conflict with regulations, the more stringent shall apply.] For the upper half of the property, the C1 zone standards would apply. Those standards allow development based on site restrictions and dimensions. To begin, residential properties adjacent to the site would require a 10-foot side yard setback along the entire southern property boundary and possibly the same setback on the eastern property boundary, depending on interpretation. Next maximum lot coverage in the HI designation is 50% in the 125 foot setback and 80% of the remaining 200 foot Shoreline Jurisdiction Zone (PMC 16.08.220(C)). An additional restriction exists with the requirement of at least 25% of new square footage to be “*permanently occupied and maintained as water-enjoyment and/or water related uses*” PMC 16.08.250 (D).

However, with all the restrictions stated above, there are still exceptions to the height and setback requirements allowed at the discretion of the Planning Director. Chapter 18.310.010 allow for increased height but most importantly any “increased height shall be reviewed for bulk scale and compatibility to surrounding structures and may not be allowed if impacts cannot be adequately mitigated.” In addition, and “*to ensure compatibility with surrounding properties, the review authority may decrease the height of any building that is 10 feet higher than a single family residential (SFR) located within 25 feet of the proposed building.*” There is an SFR located within 25 feet.

This all sounds good except that any building height at this location would have a significant effect, by completely blocking views and substantially changing the character of downtown.

### **Solution:**

The city does have options. There are many nearby places in the city that can handle the bulk and height of this development and that would not have the same adverse impacts. The development

could be located nearer to the city's Transit Center and still be within walking distance, but not change the overall character and view of downtown Poulsbo. Other areas of the city are more suited for the scale, height and density of the development which the developer says is needed to "make the project viable." The city could trade their property for another, then offer bonus density for development in other locations.

The city can also use SEPA and the Shoreline Substantial Development laws to provide additional oversight, including the ability to impose stricter requirements for impacts not covered by the city's code. These are called mitigation measures. *"Mitigation is the avoidance, minimization, rectification, compensation, reduction, or elimination of adverse impacts to built and natural elements of the environment."* State law says, *"Additional mitigation can be applied to a proposal with the use of SEPA substantive authority, based on identified potential adverse impacts related to the proposal and the agency's adopted SEPA procedures" (WAC Chapter 197-11).* Note that *"Avoidance" is the preferred mitigation measure.*

**Below are Policies and Regulations Related to Incompatibility and Inappropriate Residential Density**

If developed much more than what is present on the site today the development would not meet the following goals or policies as examples:

**Community Key Goals – Community Character, the city intends to**

- i. *Maintain the positive identifiable images and features that make Poulsbo memorable*
- ii. *Respect the character of the City's downtown, waterfront, and residential areas, while allowing for new development, expansion, and renovation that considers the scale and character of the area.*

**Historic Resources and Landmarks**

*History is a major aspect of Poulsbo that gives it depth, diversity and uniqueness. Different parts of the city have their own individual mixture of past events, people, buildings and celebrations. Most people are familiar with many visible historic landmarks in Poulsbo.....The City can enrich the lives of its citizens and its appeal to visitors by commemorating its past.*

**2015 Comprehensive Plan:** *The city's residential character has been, and continues to be, single-family detached neighborhoods, which have established and maintained the low-density character of the city. While the city's residential developments since 1994 continue to meet state and local minimum urban density standards, the low-density appearance of the city ..... contributes to the City's "small town" appearance. The preservation of this landscape is paramount to maintaining the character of the city that is relished by those that live here and those who visit. ....*

**GOAL CC-5** *Preserve and enhance the existing character and scale, pedestrian friendly and community-oriented Downtown Poulsbo.*

**Policy CC-5.2** *Maintain the Downtown as a primary identifying feature of Poulsbo, setting it apart from the rest of the City through control of such characteristics as height, scale, and intensity.*

**Policy CC-5.8** *The City's design standards for Downtown Poulsbo should be evaluated to ensure that redevelopment in the Downtown will retain its intimate, pleasant and pedestrian-scale character.*

*Height, street frontage design .....should be assessed.*

**PMC 16.08.240**

C. *Residential Density.*

4. *In the HI environment, the maximum density of residential development as part of a mixed use development per Section 16.08.250 is **fourteen dwelling units per acre**, or the limit of the residential percentage cap in the mixed use development standards in Title 18, whichever is more restrictive. No minimum density is established.*

**7.2 Plan Context (Goal)**

*Encouraging and allowing mixed use development in the city, while ensuring compatibility and appropriate scale.*

**7.3 Goals and Policies (Accommodating Need).**

*Poulsbo provides a full range of housing opportunities to meet the needs of the people who would call Poulsbo "home." Strong neighborhoods in which residents care about and invest in their community and participate in community affairs are an important component of Poulsbo's livability. Stable and healthy neighborhoods are built on friendships, a sense of community, and freedom from encroachment by incompatible land uses.*

*..... Poulsbo's metamorphosis from a small town to a small city with urban centers, requires that it seek innovative and creative ways to develop additional housing that is compatible with existing neighborhoods.*

**2. VIEW BLOCKAGE/PRESERVATION OF GATEWAYS; INCONSISTENCIES WITH SHORELINE RULES.**

Another substantial issue is view related. Of particular significance is the fact that the city established "public viewsheds" from "Fjord Drive, extending from Hostmark Avenue south to the city limit," with the intent "to promote an aesthetically attractive view of Liberty Bay ...from public parks and major public streets" (PMC 16.08.360A2). The city also designated Fjord Drive as a proposed/existing shared use path in the Shoreline Master Program (Exhibit Y). The proposed development, if allowed, would completely block the viewshed on the northern most end of Fjord Drive (Hostmark south to NE Eliason Street). This violates the intent of the code, to protect the views of Liberty Bay from major roads. Further, the northern portion of Fjord Drive is a gateway into downtown Poulsbo, and should be protected. Note, there is a conflict between the HI designation standards that apply to the lower half of the property and the code text that says "views from Fjord, extending from Hostmark south to the city limit," to Liberty Bay shall be protected. There is a general rule (and in most cases specifically stated) that the more restrictive standard shall apply and therefore, the views from Fjord Drive to Liberty Bay should be protected.

Further, the approximate 160 degree view from Fjord and from my property, as well as other surrounding properties and thus the views as you enter downtown Poulsbo on Fjord and maybe Hostmark cannot be replaced once a building of any size and scale is constructed on the development property. It would be senseless for the city to allow a use that is totally inappropriate for the property and against their own policies. Further, and this may be an unfair statement, but is the city pushing an inappropriate development because they need to sell their own property when they might not allow another owner the same privileges of constructing an out of scale, inappropriate development?

Interestingly, I called about this project last year and explained where I lived and the impacts to my property if the project was approved. The planner spoke to Planning Director Berenzowski who relayed back that impacts to one or two residential properties didn't matter. Really? That is not what the policies and codes say. Wonder if it would matter had the properties been a councilmember's. I invite any and all councilmembers or planning commissioners or others to visit my deck, so they can see the impacts. I have also attached a photo from my deck. The development would preserve no view. Please contact me if you would like to see the view that will be impacted. I already met on my deck with one of the developer/contractors, Mike Brown. He was surprised at the view impacts.

**Solution:**

In order to fully assess the impacts, the city must require the developer to provide renderings (photos with a realistic sketch of the development superimposed) to determine the level of impacts to the views from many nearby locations. Further, Kitsap County, who assesses real estate taxes for Poulsbo, uses “views” as part of their Property Assessments. The development site itself has a view rating of 9 of 10 (10 being highest); my property across the street on Fjord has a view rating of 8 of 10. The development will completely block the view from mine as well as adjacent residential properties. These incredible views will be lost forever, plus the value of the property will be significantly diminished without these views. As I have stated on three occasions, the site’s elevation difference from lower downtown creates the fundamental problem of too tall and out of scale development that will have significant effects on the entrance to downtown. The overall feel of a small town will be permanently lost and the important views of Liberty Bay and the Olympic Mountains as you enter downtown from Fjord will be lost.

**Below are Policies and Regulations on View Blockage and Inconsistencies with Shoreline rules.**

*2015 Comprehensive Plan: ..... the low-density appearance of the city ..... contributes to the City’s “small town” appearance. The preservation of this landscape is paramount to maintaining the character of the city that is relished by those that live here and those who visit. ....*

**Policy CC-2.2** *Identify public view opportunities unique to Poulsbo such as those of the Olympic Mountains and Liberty Bay,*

**Policy NE-8.4**

*When new development or redevelopment is proposed, designated public access and designated public views shall be preserved, and enhanced when possible.*

**Policy NE-8.5**

*As set forth in WAC 173-26-211(5)(d) or as subsequently amended, new uses in the HI environment should be prioritized. First priority should be given to water-dependent uses. Second priority should be given to water-related uses and third priority to water enjoyment uses. New non-water oriented uses are allowed under the following circumstances: as a minor part of mixed use development that includes water-dependent uses; when accessory to uses that are water-dependent, water-related or for water enjoyment; when the site is physically separated from the shoreline from another property or public right-of-way; or when there is no direct access to the shoreline from the site.*

**Policy NE-8.6**

*Full utilization of the area designated as the HI environment should be achieved before further expansion of the HI environment is allowed unless it is demonstrated that the demand for water-oriented commercial uses cannot be satisfied within the existing HI environment designation.*

**Policy NE-8.7**

*Existing non-water oriented uses in the HI environment, such as restaurants and retail shops, may continue to operate under the provisions of the City’s zoning ordinance. Redevelopment, should be encouraged as water related or water enjoyment uses that will take advantage of water views, and provide public views and public access where feasible.*

**Policy NE-8.8**

*Compatibility of adjacent land uses and activities in the HI environment shall be encouraged through the design and location of new development and redevelopment, as well as landscaping, visual screening, signage, and lighting, to minimize potential adverse impacts to neighboring properties and protect the aesthetic qualities of the shoreline.*

**Policy LU-3.5**

*In order to retain the pedestrian-friendly scale in the C-1 (Downtown/Front St) zoning district, the City's zoning ordinance shall identify appropriate development standards for height and scale of new development and redevelopment in this district.*

**Policy LU-3.6**

*Provide development standards that identify appropriate uses, building heights, setbacks, access, landscaping, signage, parking and other appropriate standards, for commercial development.*

**16.08.170 Shoreline environment designations.**

*Environment designations are applied to all of the city's shoreline areas based upon habitat characterization, land use, and location of shoreline buffers. Within the city's jurisdiction, these include: shoreline residential-1 (SR-1), shoreline residential-2 (SR-2), high intensity (HI), .....The environment designations are as follows:*

*B. High Intensity (HI). The high intensity (HI) shoreline environment provides for those areas of existing moderate commercial and mixed commercial/residential development. This environment allows for optimum use of shoreline areas that are presently developed with commercial uses, while seeking opportunities to protect habitat and ecological functions from further degradation. The identified HI areas include the downtown waterfront and an area near the head of Liberty Bay.*

**16.08.180 Shoreline use table.**

*A. The shoreline use table below indicates appropriate shoreline uses in each of the city's environmental designations, subject to restrictions indicated in Sections [16.08.190](#) through [16.08.320](#), and is applicable to the following:*

*B. The following requirements apply to all proposed uses, activities and developments:*

*2. If there is any conflict between the shoreline use table and the written provisions of this chapter, or between this chapter and other city regulations, the more stringent requirement or regulation shall apply unless otherwise indicated in this chapter.*

**16.08.200 Shoreline development and use standards—All environments and uses.**

*The following standards in this section apply to all development, uses and activities within the shoreline zone that are commenced, constructed, altered or expanded after the effective date of this shoreline master program:*

*A. Shoreline Buffers and Setbacks.*

*D. Public viewsheds and designated public view corridors, as identified according to Section [16.08.360](#), shall be protected and preserved in all shoreline environment designations.*

**16.08.220 Lot coverage by buildings and structures.**

*The following maximum lot coverage limitations apply to new development, redevelopment and expansion of existing development after the effective date of this master program, for permitted and conditionally permitted land uses within the specified environments, .....*

*C. HI environment: From zero to one hundred twenty-five feet from the OHWM, maximum lot coverage shall be fifty percent. From one hundred twenty-five to two hundred feet from the OHWM, maximum lot coverage shall be eighty percent if the property is within the downtown core and fifty percent in all other areas.*

**16.08.230 Height regulations.**

*The following height regulations apply to new development and expansion of existing development after the effective date of this master program.*

*A. General. Building and structure height shall be calculated according to the definition in Chapter 18.08, and shall comply with the standards in subsections B through H of this section,*

*B. Development in all environments is also subject to the height regulations in the zoning code. Where there is a conflict between this chapter and the zoning code regarding height regulations, the more stringent requirement shall apply.*

*E. HI environment: Within one hundred twenty-five feet of the OHWM, maximum height shall be twenty-five feet. In other areas, maximum height shall be thirty-five feet.*

**16.08.240 Residential land uses.**

*B. In the HI environment, new multifamily residential units may be permitted only as part of a mixed use development that complies with the requirements of Section [16.08.250](#).*

*C. Residential Density.*

*4. In the HI environment, the maximum density of residential development as part of a mixed use development per Section [16.08.250](#) is **fourteen dwelling units per acre**, or the limit of the residential percentage cap in the mixed use development standards in Title [18](#), whichever is more restrictive. No minimum density is established.*

*E. No new or expanded development associated with a residential use or a non-water-dependent component of a commercial or mixed use development shall be permitted waterward of the OHWM.....*

**16.08.250 Mixed land uses.**

A new mixed use development, or an expansion to an existing development that will contain mixed uses, may consist of any combination of residential, commercial, marina or recreational uses as allowed in the underlying zoning category and standards, with the following requirements:

D. If the subject property in any environment is separated from Liberty Bay by another property or a public right-of-way, an area or areas equivalent to at least twenty-five percent of the new or additional square footage shall be permanently occupied and maintained as water-enjoyment and/or water-related uses. The area(s) may be located within a building and/or outdoors.

**16.08.360 Public viewsheds and public view corridors.**

The city does not establish, protect or maintain views from private property. However, public views of the shorelines and water on both public and private property shall be designated and maintained to enhance the public's ability to see and enjoy the shorelines and waters of Liberty Bay.

A. Within the two-hundred-foot shoreline jurisdiction, the city has established public viewsheds from the following public streets and public properties to the Liberty Bay shoreline:

2. Fjord Drive, extending from Hostmark Avenue south to the city limit;

B. Intent. The intent of the viewshed designation is to promote an aesthetically attractive view of Liberty Bay and the shoreline environment from public parks and major public streets near the shoreline, with limited visual obstruction from buildings and other structures.

**16.09.090 Developments and uses located both inside and outside of the shoreline.**

When a proposed development or use includes both shoreline and nonshoreline areas, and any type of shoreline permit is required, the shoreline permit must be obtained before any part of the development, including the development activity that is entirely confined to the upland areas, can proceed. (Ord. 2012-10 § 3 (Exh. B) (part), 2012)

**16.09.110 General review criteria for all substantial development permits.**

WAC [173-27-150](#) establishes that a minor shoreline substantial development permit or a shoreline substantial development permit may only be granted when the proposed development is consistent with all of the following:

A. The policies and procedures of the Shoreline Management Act;

B. The provisions of Chapter [173-27](#) WAC;

C. Chapter [16.08](#);

D. Any conditions attached by the city to the permit approval as necessary to ensure compliance with the Act and Chapter [16.08](#). (Ord. 2012-10 § 3 (Exh. B) (part), 2012)

**16.09.130 Shoreline substantial development permits (Type III).**

A. Applicable Development Activities. A development activity that meets one or more of the following criteria shall be processed as a shoreline substantial development permit if it does not qualify for a shoreline exemption or a minor shoreline substantial development permit.

B. Review Process. A shoreline substantial development permit shall be processed as a Type III quasi-judicial permit application, according to the requirements of Section [19.01.040](#) and Chapter [173-27](#) WAC. The decision maker shall be the city hearing examiner, and appeals shall be heard by the city council. (Ord. 2012-10 § 3 (Exh. B) (part), 2012)

**WAC 173-27-140 Review criteria for all development.**

(1) No authorization to undertake use or development on shorelines of the state shall be granted by the local government unless upon review the use or development is determined to be consistent with the policy and provisions of the Shoreline Management Act and the master program.

(2) No permit shall be issued for any new or expanded building or structure of more than thirty-five feet above average grade level on shorelines of the state that will obstruct the view of a substantial number of residences on areas adjoining such shorelines except where a master program does not prohibit the same and then only when overriding considerations of the public interest will be served.

### **3. COMMERCIAL USE IMPACTS**

The requirement to place commercial uses at street level on this site along Hostmark is not practical but even less so on Fjord. Again, the property sits much higher and is very different than the lower level of the downtown area around Front Street. Because of this, patrons of the downtown area are less likely to use these more out of the way commercial storefronts. In addition, there are plenty of commercial spaces on the main, lower portion of the downtown area, some of which are currently vacant. Why add more commercial spaces when there are current vacancies? Also, parking would be more difficult, since there is currently no room for parking on Fjord or Hostmark nor would it be constructible in the future.

#### **Below are Policies and Regulations on Commercial Uses.**

There is a conflict in the code between the text of the C-1 zone (PMC 18.80.020. Purpose) which omits any mention of mixed use development as an intended use and the Commercial Zone District Use Table (PMC Table 18.80.030) which permits mixed use development. Further supporting that C1 should not have mixed use is the fact that the text in the C-2 specifically mentions mixed-use.

#### ***Policy CC-3.1 and LU-3.7***

*Design standards for commercially zoned areas shall be developed to continue the northwestern architectural style of the existing commercial areas, and the Scandinavian small fishing village scale architectural style of downtown Poulsbo.*

#### ***PMC 18.80.010 Zoning districts.***

*The city's comprehensive plan establishes the commercial land use designation that supports the provision of commercial goods and services for Poulsbo. The commercial designation has been further refined into four commercial zoning districts on the city's zoning map based on geographic areas of the city, and are identified as:*

- A. C-1: Downtown/Front Street.*
- B. C-2: Viking Avenue.*
- C. C-3: SR 305 corridor.*
- D. C-4: College MarketPlace.*

#### ***PMC 18.80.020 Purpose.***

*A. The general purpose of the city's commercial districts is to provide the necessary commercial goods and services for the Poulsbo and greater north Kitsap communities. The commercial districts provide for the location of retail sales and services, professional services and offices, food and drinking establishments, lodging, personal and health services, arts, amusement, medical facilities, educational and recreational uses among others.*

***B. The C-1 commercial district*** *applies to the geographic area of Downtown/Front Street, and intends to:*

- 1. Encourage high quality and recreation amenities, tourist-oriented and commercial development which will enhance public access and the use of the shoreline.*
- 2. Encourage a wide range of activities that make downtown Poulsbo the cultural, civic, heritage and waterfront heart of the community.*
- 3. Provide a full range of commercial services, tourism, recreation and entertainment activities to support downtown visitors, residents and workers.*
- 4. Ensure that projects are designed using consistent architectural design and consistent with the scale and design of downtown.*

**4. TRAFFIC IMPACTS, INCLUDING EXISTING LOS F RATED INTERSECTION (WORST RATING)**

Traffic is one of the two biggest impacts for development on this property. Significant traffic increases would occur at the intersection of Hostmark and Fjord. The intersection is already at the worst rating for traffic congestion (LOS F). The city’s own policies and codes would not allow for the development to occur without mitigation. Often times cities allow mitigation in the form of financial payments, for which improvements would be made at other locations. Mitigation would need to occur at Hostmark and Fjord. However, there does not appear to be enough room to allow for appropriate mitigation to handle the substantial increase in the number of vehicular trips caused by the development. There is currently no street parking, let alone enough width for improvement without taking a portion of a historic as well as other properties. There appears to be no solution to the increase in traffic, except significantly minimize the development or locate it elsewhere. Even if mitigation is somehow conducted at Fjord and Hostmark, it would be out of scale for quaint Poulsbo.

As a side note, when I called the city several years ago to see if I could have a second unit (duplex or ADU—Accessory Dwelling Unit; allowed per code) in my single family residence across the street from the proposed development, with access off Hostmark, I was told by the city planner that the traffic was so bad on Hostmark that the ADU might not be allowed. What? I would not have added any more vehicle trips because I currently have enough off-street parking for 10 vehicles.

**Below are Policies and Regulations on Traffic and Transportation.**

**GOAL TR-3**

*Develop a concurrency ordinance to ensure consistent level of service on City-owned streets, and as mandated by the Growth Management Act (GMA).*

**Policy TR-3.1**

*The City shall adopt and enforce a concurrency ordinance which prohibits development approval if the development causes the level of service on a City-owned transportation facility to decline below LOS E, unless transportation improvements or strategies to accommodate the impacts of the development are made concurrent with the development, as set forth in Policy.*

**Policy TR-3.2**

*A concurrency level of service standard of LOS F is established for the following:*

- .....
- *all legs of Front, Fjord and Hostmark intersection(s);.....*
- *LOS failures where corrective action is not physically or technically feasible, or fails to satisfy warrants or design requirements*

**CONCLUSION**

**Based on city goals, policies and codes, the city should not allow a development on this property that would forever change the character of the downtown area or block protected viewsheds. If the development is allowed, the view and traffic impacts cannot be mitigated, except to avoid the development and move it elsewhere.** This may be an unfair statement, but would the city allow this same development to be built if the city did not own the property and need to sell it?

Cynthia Baker letter regarding  
Development at Old Police Station site

Please include me as a party of record and submit this letter to any decision-makers and at any hearings for any development on this property, including but not limited to Council Meetings, Planning Commission Meetings, Hearings, and Shoreline Notifications. I would also appreciate being personally notified of any hearings, since according to the developer, my property is likely the most impacted. A meeting with the city to discuss the matters of this letter would be appreciated, especially to discuss compliance with city codes.

Thank you for your consideration in this important matter, not only to me, but hopefully to all citizens of Poulsbo.

Cynthia L. Baker (owner at 18750 Fjord Drive NE, Poulsbo)  
1007 U Street NW  
Auburn, WA 98001  
206-819-2027

Department of Ecology  
West Sound Group Developer  
Department of Ecology

City of Poulsbo Planning Commission

April 10, 2018

Re: Proposed Third Avenue Guidelines

Members of the Commission,

We are part of the design team working on the Front Street/Sound West Properties project in Old Town Poulsbo. This project will include restoration of several of the historic buildings along Front Street and new housing units to the rear along Third Avenue. The site design includes new frontage improvements along Third Ave, as well as a series of pedestrian spaces linking Third Avenue to Front Street. When completed, the project will add vitality to the heart of Poulsbo while honoring its maritime history.

We come before you tonight to address some concerns we have related to the proposed zoning changes for Third Avenue. In general we support the changes as proposed and believe they will result in setting a more appropriate residential character for Third. The reduction in building height to 35' will allow for residential uses, while reducing impacts to views from the neighborhood above. The ability to place residential uses at grade along Third Avenue will provide an effective transition from the residential neighborhood along 4th to more intense commercial uses along Front Street.

Our concerns are related to the portion of our site which fronts both Third Avenue and Moe Street. We are now caught between two different code objectives: the more residential nature proposed for Third Ave and the existing mixed-use C-1 zoning along Moe. This corner site is currently required to comply with C-1 zoning. The C-1 code requires retail below residential. Forcing the corner site to have retail is problematic since, like Third Ave, this location is too far from the desirable retail corridor. We are left with two poor choices; either we don't build the project or risk having vacant retail spaces.

Here is what we recommend the zoning code allow:

- 1) Allow projects which have at least one frontage along Third Avenue to have the choice to either comply with proposed Third Ave zoning OR C-1 zoning.
- 2) Allow the 35' building height in Third Avenue AND C-1 zones

Thank you for your consideration. We look forward to collaborating with you and the planning staff to realize the vision for this project and support the goals of these planning codes.

Charles Wenzlau, Architect

Mike Brown, Sound West Group



VICINITY MAP

02/28/2018

# MOE STREET MIXED-USE

POULSBO, WA

RE: ~~XXXXXXXXXX~~ Viking, The  
Hagwell's address!

PO Box

2017

Rita Hagwell  
PO Box 1141  
Poulsbo, WA 98370



April 3, 2017

West Poulsbo LLC

Jeffrey and Lucinda Hartman  
336 Cajon Terrace

La Guana, California 92651

Mr and Mrs Hartman:

Your company has  
ownership of the bottom of  
Marelaine Lane. This

was bought from  
Mrs + Mr. Ulmer. I believe  
they paid taxes on 1/2  
of Marelaine Lane.

Enclosed are the papers  
that show we improved/worked  
on the other half of  
Marelaine Lane. This is our part  
of lane. We paved and then  
paved again in 1991. We  
paid for the electric pole.  
We put our well and water  
rights facing Marelaine Lane.  
Now we have a problem

(2)

My car cannot remain clean on the outside because of the pot holes full of dirt. There are also sinkholes

I am disabled and am concerned about the condition of the bottom half of this lane. The pot holes ~~are~~ <sup>dirt</sup> turn into a sink hole or holes.

Since Marianne Lane is my only <sup>entrance</sup> ~~exit~~ <sup>entrance</sup> I became concerned about my safety to ~~exit~~ the area.

I already had to replace a tire that was less than a year old because of lane conditions.

I have spent much money clearing a walking path. My part of Marianne Lane is fine because we have kept it up to a above average condition.

Please send people to repair this section of Marianne Lane.

Hagwell paved twice, bought electric/telephone pole, placed well with water rights all on Marianne Lane  
A to Hagwell

Home 19301 Viking Way NW

Poulsbo WA 98370

Mailing P O Box 1141

Poulsbo WA 98370

Aug 30, 2017

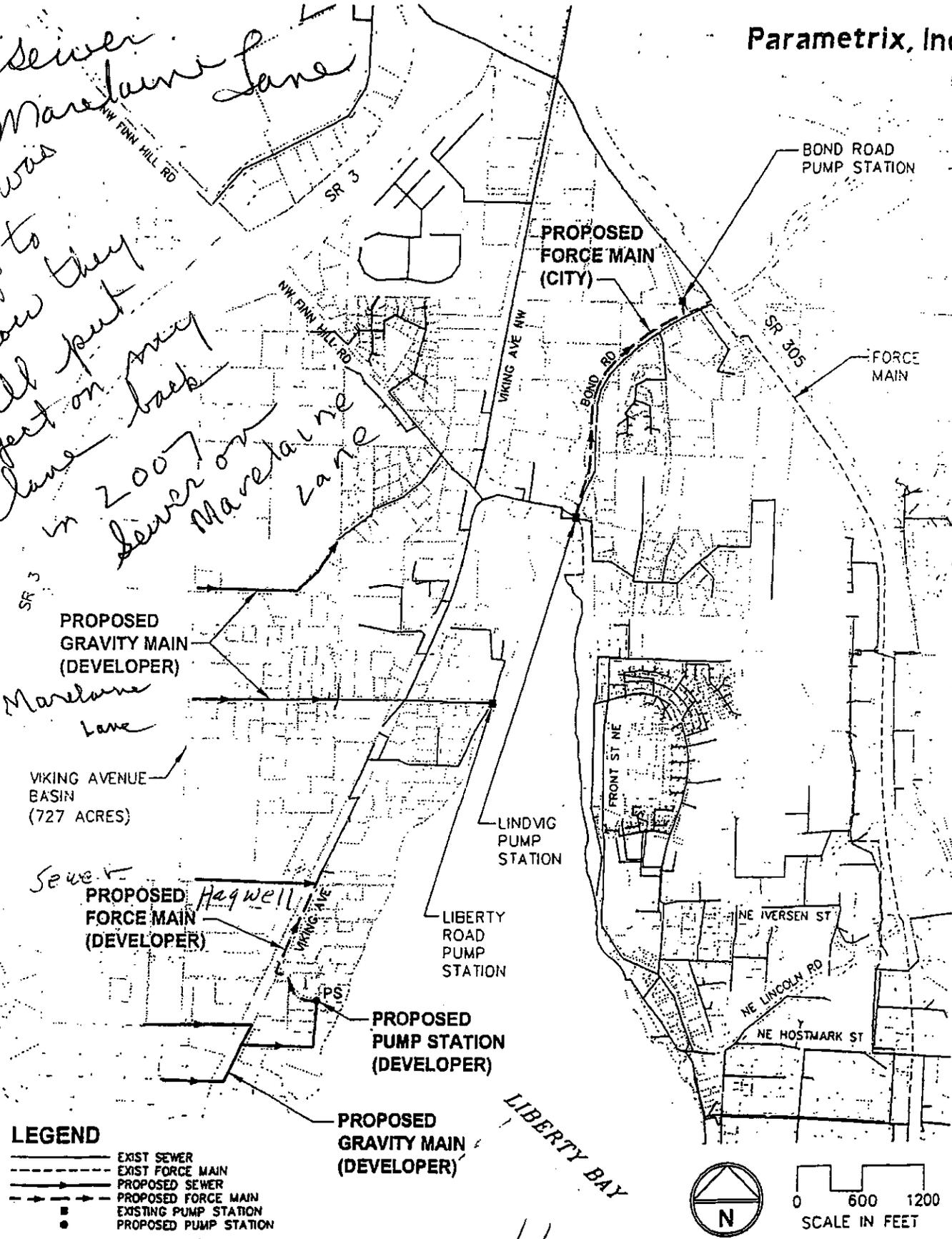
Poulsbo Police Safety Inspector  
Dear Sir / Ms.:

I am concerned  
about sinkholes on  
my only entrance / exit  
on Marélaire Lane!

There are (2) two  
sinkholes that look  
very dangerous. A tree  
could fall on a person  
A tree could fall and  
block my only entrance  
and exit

Enclosed are papers  
that show how much the  
Hagwell's improved Marélaire  
Lane. I assume the bottom  
half is owned by Jeff Hartman  
and possibly of Johnson's Brad Watts.  
The rain can determine  
how dangerous this section is!

*This was sewer map to show they will put project on my lane in 2007 sewer on Marelaine Lane*



SR32103800-001-07  
DATE: Apr 24 2007 - 11:09am  
PLOTTED BY: mcmoney  
IMAGES: FINN HILL SS AS-BUR 1-1  
SR32103800-001-07

**LEGEND**

- EXIST SEWER
- EXIST FORCE MAIN
- - - PROPOSED SEWER
- - - PROPOSED FORCE MAIN
- EXISTING PUMP STATION
- PROPOSED PUMP STATION



0 600 1200  
SCALE IN FEET



**CITY of POULSBO**  
COMPREHENSIVE SEWER PLAN



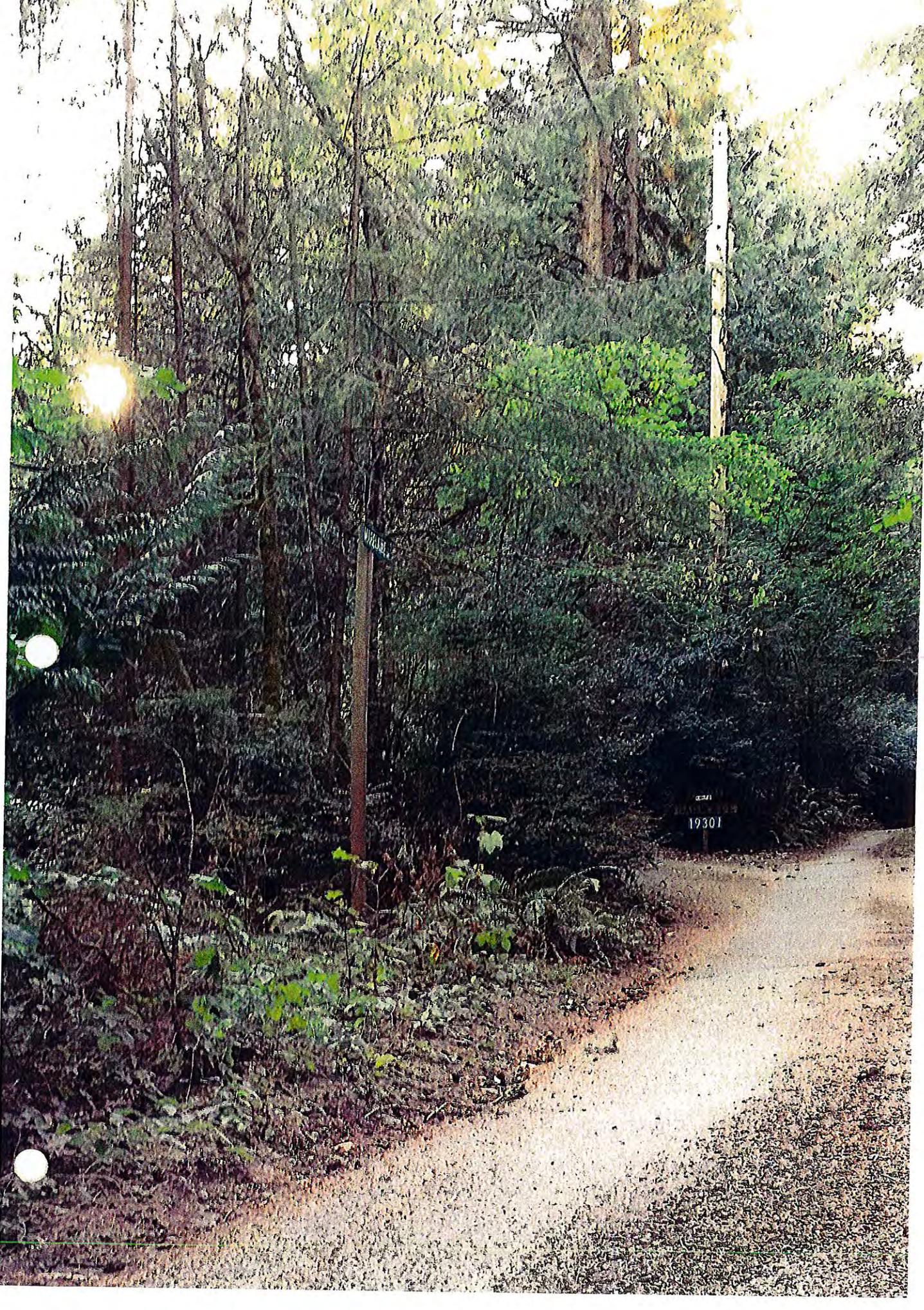
Mr. Gilbert Hagwell  
PO Box 1141  
Poulsbo WA 98370-0076

Avenue Basin

FIGURE 41

MARELAINE LANE

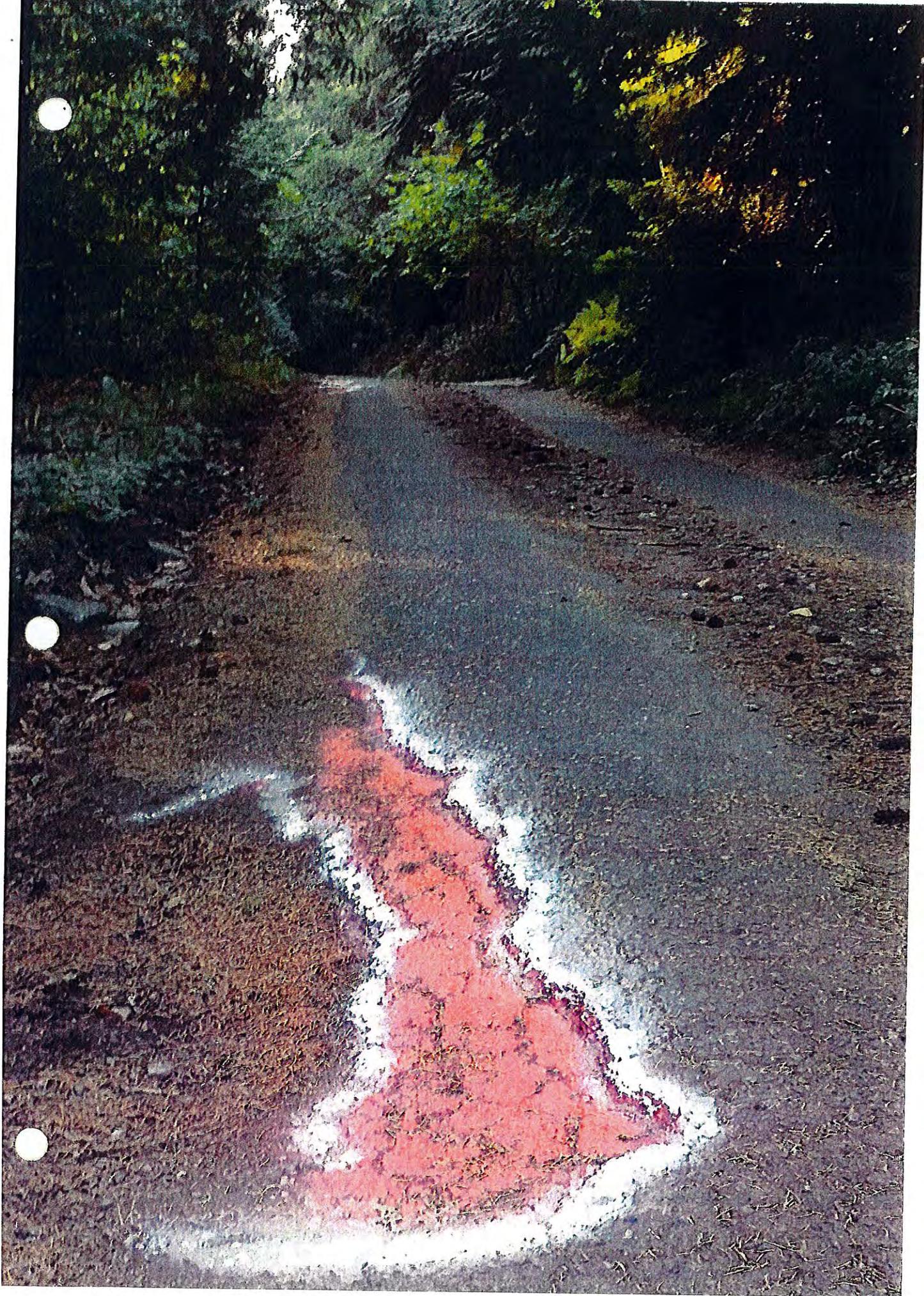
9/10/18



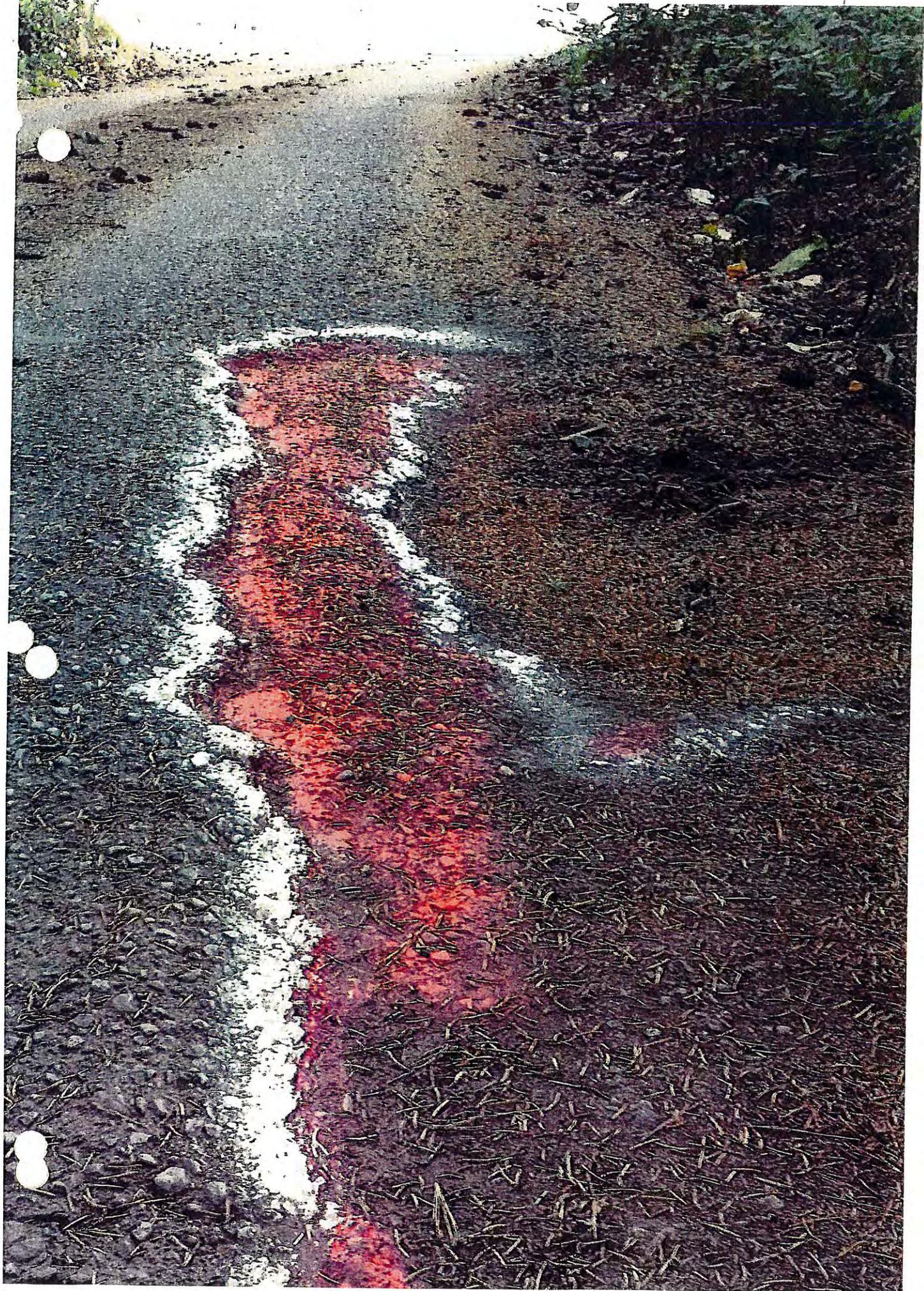
Hagwell's Copy











7016 1970 0000 7247 0739

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

**CERTIFIED MAIL**



116 1970 0000 7247 0739

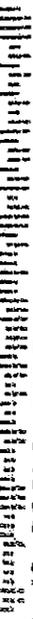
*Rita Stegmann*  
PO Box 1141  
Poulsbo WA 98370-0076



*Rita Stegmann  
Poulsbo WA  
98370-0076*

98370-0111

BC: 98370011111



\*2152-04388-07-13

NIXIE

911 DC 1

7205/07/17

RETURN TO SENDER  
REFUSED  
UNABLE TO FORWARD



1000



92951

U.S. POSTAGE  
PAID  
POULSBO, WA  
98370  
APR 13, 17  
AMOUNT  
**\$4.05**  
R2305M147637-11

Date: April 18, 2018

To: City of Poulsbo Planning Commission

Subject: **2018 Commercial District Update/Mixed-Use Regulations**

The concept of mixed-use has generally meant retail on the street level and residential on the upper floors. This concept from a planning perspective accomplishes two important elements of a vibrant urban city or town. First it provides housing to meet the great demand by the population to live downtown for the social camaraderie and convenience of services, goods and dining. The vibrancy of the town is from its people and the aesthetics is from the buildings and public spaces. Second is the economy that cities need and derive by commercial activities. Thus it is important for there to be adequate and useful areas for commercial development.

**By far the largest, and sometimes only, demand for structures is for housing** and the creation of places for people to live in towns will eventually create a need for services but the people need to come first and cause new demand.

Cities and Towns all across the country are **witness to mixed-use projects with empty retail space and they are seeing that utilizing the retail spaces in the short term as flexible spaces** that allow residential for overnight and short term or long term use can accommodate the current market realities and provide more living choices while still allowing redevelopment over time as demand increases and it will. The interim residential spaces would be constructed so as to meet the building codes required at the time of a change in use and also would meet the parking requirement for future conversion to non residential uses.

From the early development of cities until World War II all cities began as shops with apartments on the upper floor since infrastructure was not affordable for outlying development. After WW II the housing boom aided by the automobile created a mass exodus to the suburbs and retail followed leaving many towns with a significant amount of their buildings vacant or significantly reduced rents. Seldom do buildings get torn down when a new one is built and that has led to a significant over capacity of existing commercial buildings throughout the United States. In addition the new dynamics of shopping has eroded the demand and need for brick and mortar stores as well as the growing prospects to work remotely. **These dynamics appear to be expanding.**

Poulsbo has not experienced the vacancy many urban areas have in large part due to its quaint, historic and compact downtown commercial district, being Front Street. It has been subject to reduced rents. These reduced rents are approximately half of the required rent necessary to support new construction costs and requirements. This affects the ability to build new buildings which cannot command, in most instances, rental rates to break even.

I have attached a concept picture of a project I am proposing on Jensen Way which includes 4 townhouses with 500 s.f. of office/retail on the street level. I am pricing out the development and construction cost and I am certain the commercial spaces will not come close to breakeven especially since the location on Jensen misses out on nearly all of the Front Street shopping traffic.

These units will be built on individual lots and would be available to individual home buyers. It will be challenging for them to have a lender understand that a portion of the building needs to be rented to a business once an appraisal addresses comparable rents.

**This, I believe, is a good example of where flex spaces could work. This project is designed to meet live/work/commercial codes and parking to commercial requirements.**

I have attached a compilation of conversations by those involved in mixed-use development which carries a common tone by many.

**I would appreciate your consideration of allowing flexibility for mixed-used development that provides for future conversion in a thoughtful way.**

Respectfully,

Gary Lindsey  
360-509-7649  
[glindseyinc@gmail.com](mailto:glindseyinc@gmail.com)

## A Discussion of Mixed-Use Challenges

These are excerpts taken from an article written by a forum called *Strong Communities*:

.....but perhaps you live in a really exceptional city: you have a developer with expertise plus a busy urban retail corridor. You still need market rents on retail that are high enough not only to cover construction costs, but also the additional operating expenses unique to retail, including new management costs, marketing, and leasing commissions, as well as new costs like tenant improvements. If you have been paying any attention to commercial real estate markets lately, you know that this is not the case, even in most highly desirable urban retail clusters, let alone in smaller towns and less desirable retail submarkets. This means two things: First, it means that rents are low. Second, since it's a renter's market, landlords won't be able to defray costs by off-loading things like property taxes and tenant improvements onto retail tenants. **For these reasons, mandated ground-floor retail acts as a huge negative drain on a project,** diverting valuable space from productive uses (e.g., residential and office spaces) toward unproductive uses (retail).

If margins are already thin, this forced set-aside can and does kill projects. But if margins are a little larger and developers are clever, they will build the retail and let it sit vacant. Why? Because they must build it to build the associated profitable use—housing—but the costs of operating and marketing retail (tenant improvements, in particular) and the risk of signing an unprofitable lease in a bad market make keeping the space occupied a bad deal. Thus, the brand new retail space sits vacant.

**In the end, nobody is happy:** developers are forced to lose money on retail space that shouldn't be built, while residents have to suffer a new drain on the streets.

Ground-floor retail is great, but it shouldn't be everywhere. Even in the most urban of cities like Paris there are long stretches of street with no ground-floor retail. To magnify the issue, the US is horribly over-retailed already, even in urban areas. **Anybody familiar with these recent mixed-use buildings knows that the ground floor retail areas are almost never fully occupied and are often empty wastelands.**

Better than \*required\* ground-floor retail would be a requirement for direct sidewalk access from exterior ground units. Then they could also be used for offices or housing for people with mobility limitations, offering flexibility, while still permitting use as ground floor retail if it becomes economically viable. So require the efficiency of direct sidewalk access, but allow the residents to find the best use.

Great point, I often think how much more engaging street-friendly residential (e.g. porches, windows, etc.) would be than vacant (and sometimes even occupied!) GFR.

The primary issue is to get away from regulating \*uses\* and instead focusing on design and form, which is what form-based codes are intended to do. **Well-designed and simple frontages can flip uses through all different kinds of market conditions,** from residential to retail to office, and all still contribute to urban life. This is part of the culture of shifting to thinking about design first.

.....**Does your town actually need more retail space** in the first place? It seems ludicrous to me that we're mandating building retail space when we already have twice as much per-capita retail space than any other country and almost any city in the country has a glut of retail space.

Your point about Seattle is true and significant. Seattle mandated ground floor commercial in commercial zones in the 1990s. The experience of high commercial vacancy **led the city to soften the rules to require tall ground floor ceilings but add flexibility in use, so that the ground floor units could be used as residential until there is sufficient demand for commercial.**

Seattle still has low-density neighborhoods. Where you have 40' zoning on a minor arterial backed by single family, 5000-SF lots, you are not going to have enough effective demand for extensive retail. You need higher density on the arterial plus higher density on surrounding blocks to make it work. There is also the narrowing of retail categories since the 1990s. The neighborhood bookstore, pet shop, office supply store, etc. are all gone. The only categories left are those that can't be outsourced: fitness, restaurant, nail/hair salon, and the like. And a lot of those business can't afford \$25 rent.

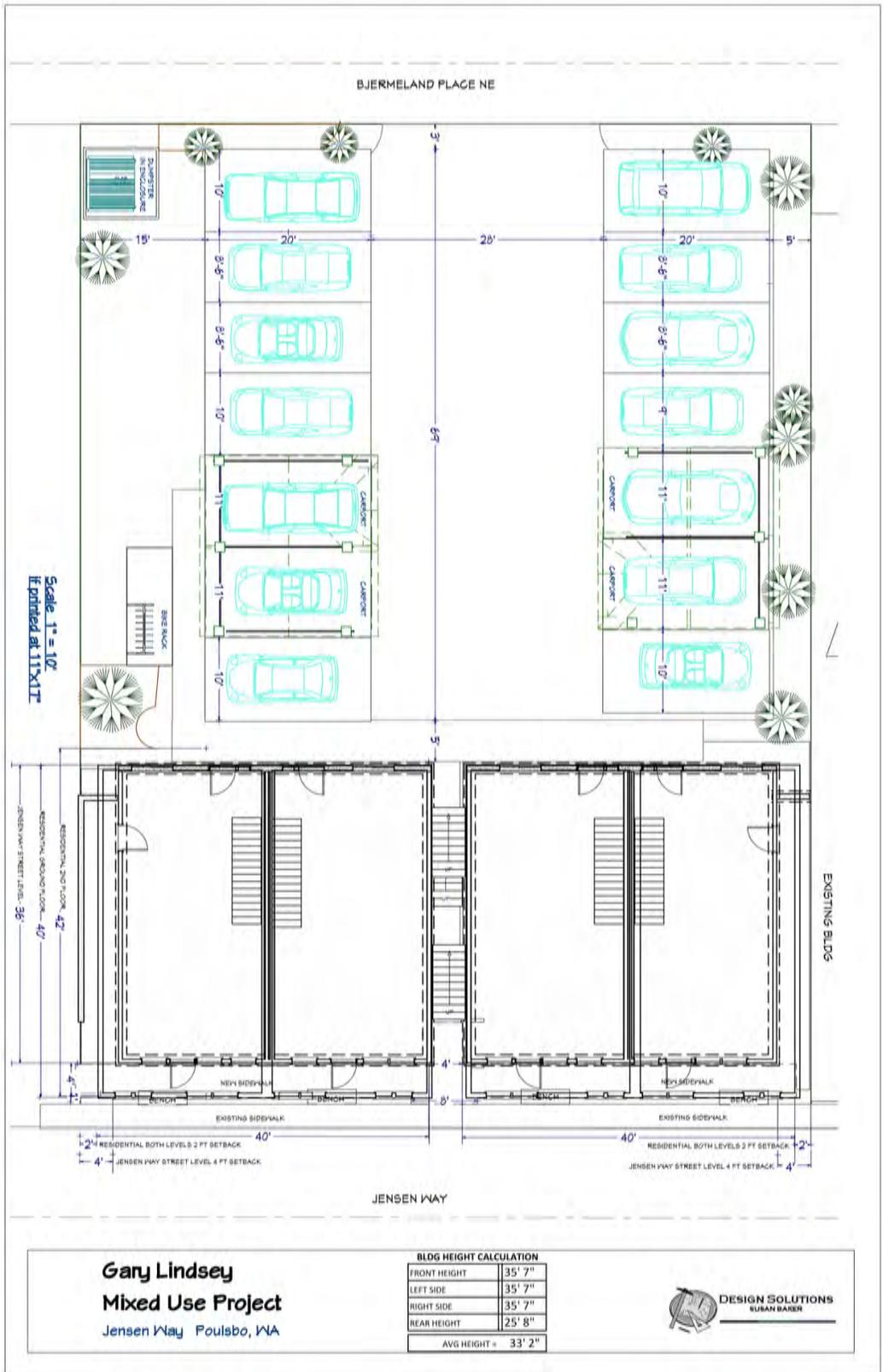
Nevertheless, Vancouver BC does ground floor retail about as well as anywhere, with few vacancies that I could see on a recent trip. They have long, uninterrupted pedestrian-oriented retail street fronts, with few interruptions for driveways or surface parking along the frontage. Also they permit taller buildings and seem to have smaller residential lots plus widespread accessory dwelling units, providing more effective demand.

.....Well, space is still space, and we have far more retail space than we need. Insisting developers build more when there's already a glut is just top-down idiocy of the first degree.

Plus, Retail left the urban neighborhoods for the exurban fringe, leaving a lot of vacant GFR to begin with. **Simply building more GFR in new buildings isn't likely to bring it back if nothing else has changed.**

Finally, why does retail have such a magic hold over people's thinking? Retail, retail, retail. How many shoe stores and coffee shops does a town need? What do the residents in that town do to earn the money to buy the shoes and coffee? Where do they do that activity that brings money into the community?





City of Poulsbo Planning Commission

April 20, 2018

Re: C-1 Mixed-Use Requirements

Members of the Commission,

We are part of the design team working on the Front Street/Sound West Properties project in Old Town Poulsbo. We are submitting these comments in response to the last workshop related to the zoning code update. Our comments are directed at the mixed-use requirement in the C-1 zone.

In general we support the changes as proposed and believe they will result in setting a more appropriate residential character for Third. The 35' building height will allow for residential uses, while reducing impacts to views from the neighborhood above. The ability to place residential uses at grade along Third Avenue will provide an effective transition from the residential neighborhood along 4th to more intense commercial uses along Front Street.

Our concerns are related to the portion of our site which fronts both Third Avenue and Moe Street. We are now caught between two different code objectives: the more residential nature proposed for Third Ave and the existing mixed-use C-1 zoning along Moe. This corner site is currently required to comply with C-1 zoning. The C-1 code requires retail below residential. Forcing the corner site to have retail is problematic since, like Third Ave, this location is too far from the desirable retail corridor. Secondly, the steep grade along Moe make retail frontage impractical. Our proposed project will still comply with the horizontal mixed concept which allows residential to occur behind the historic building along Front Street. We have attached a rendering showing the condition with commercial along Moe and what it would look like if it was residential along the sidewalk.

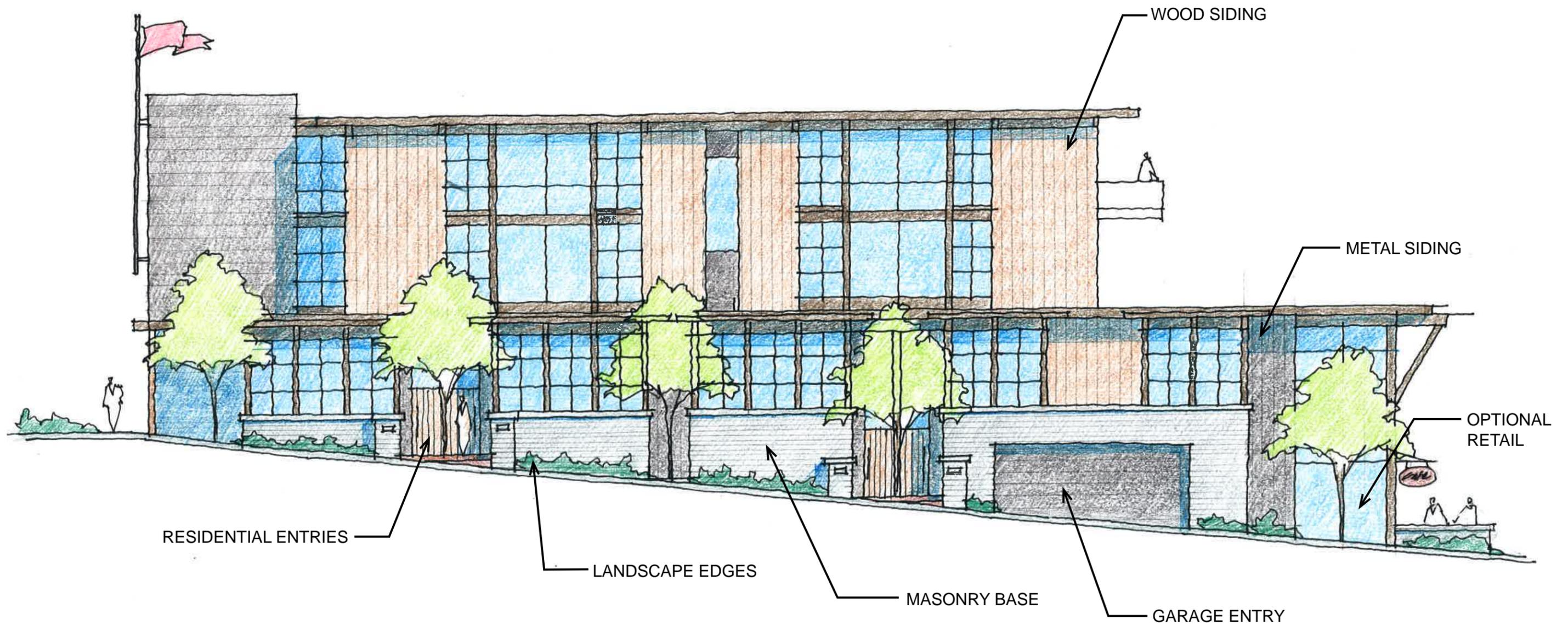
Here is what we recommend the zoning code allow:

- 1) Allow projects which have at least one frontage along Third Avenue to have ground floor residential.
- 2) Allow projects which have through lots (after aggregation) between Front and Third to have horizontal mixed use.

Thank you for your consideration. We look forward to collaborating with you and the planning staff to realize the vision for this project and support the goals of these planning codes.

Charles Wenzlau, Architect

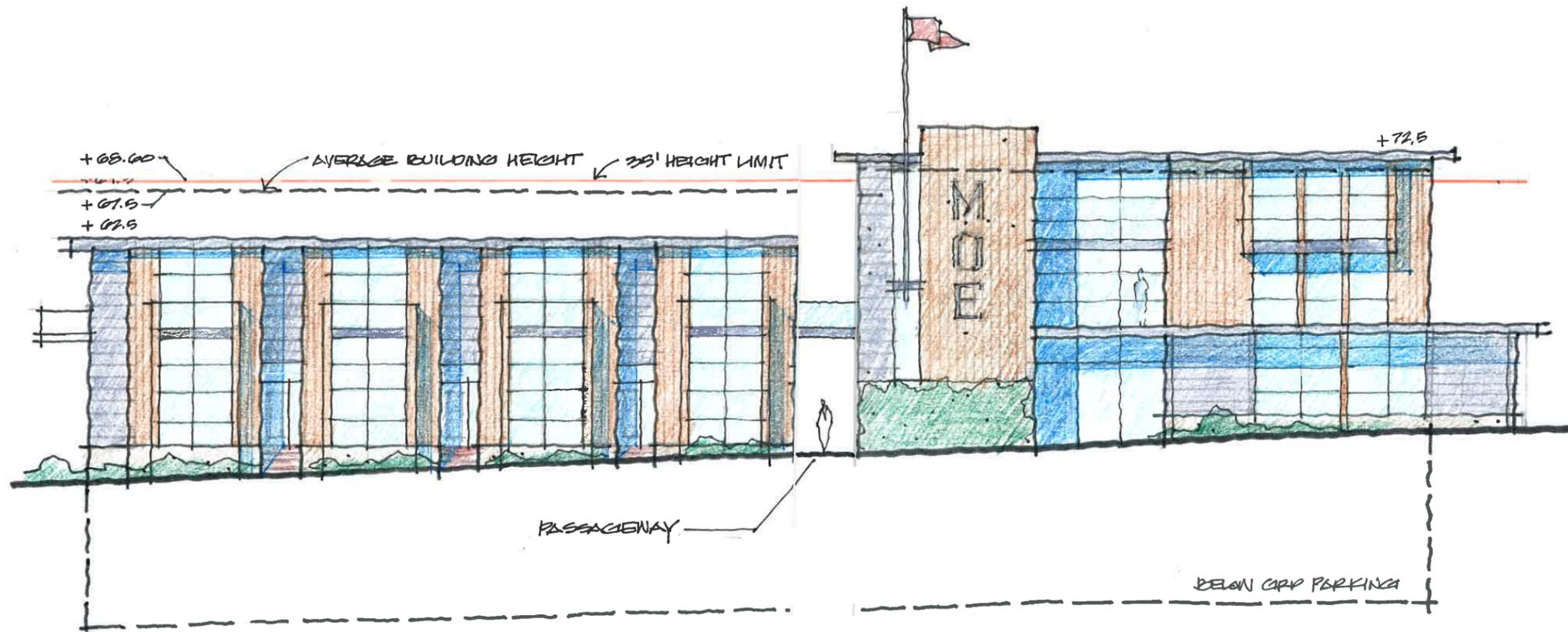
Mike Brown, Sound West Group



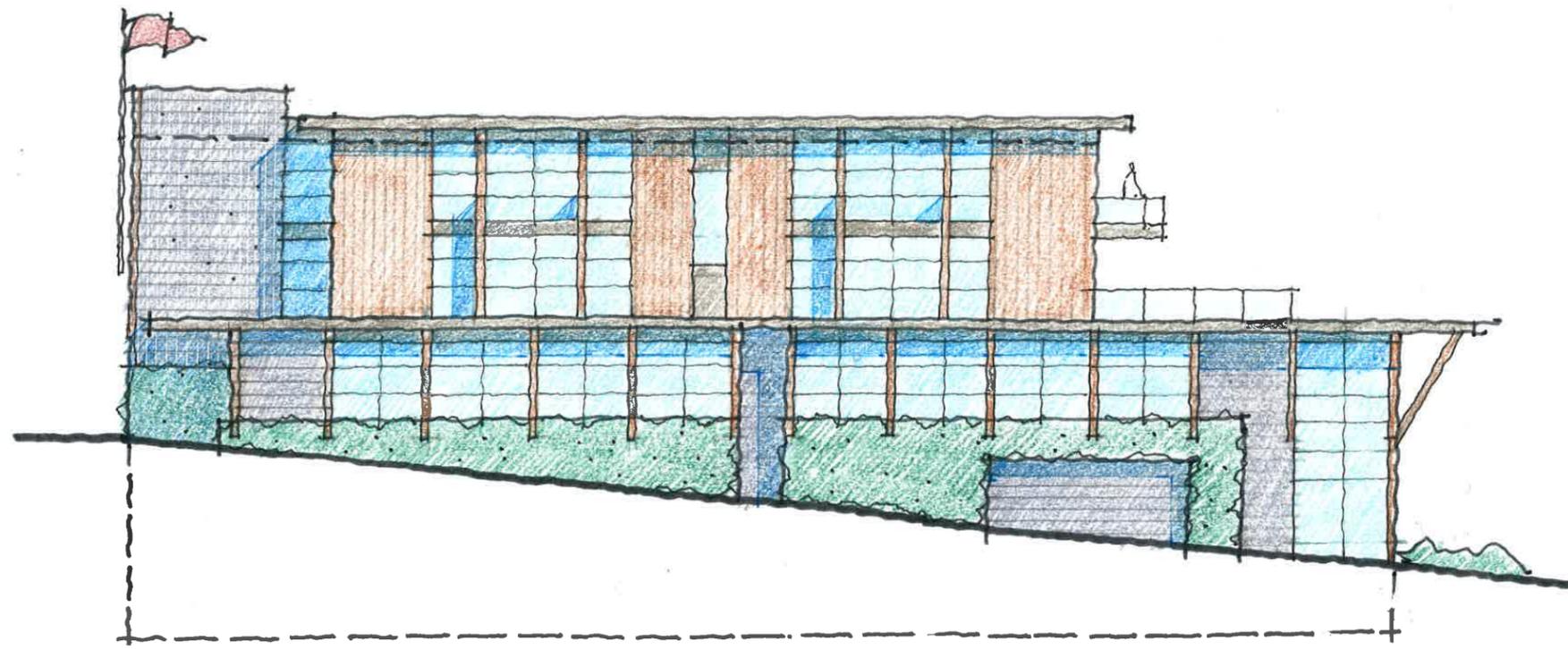
MOE STREET FRONTAGE W/ RESIDENTIAL GROUND FLOOR

04/19/2018

**MOE STREET APARTMENTS**  
POULSBO, WA



VIEW FROM 3RD AVE



VIEW FROM MOE STREET

ELEVATIONS

MOE STREET MIXED-USE  
POULSBO, WA

1/16" = 1' 02/28/2018

May 8, 2018

Planning Commission Members, City of Poulsbo  
RE: 2018 Commercial Code Update Hearing

Dear Commissioners,

Whether visiting or living in the City of Poulsbo, the downtown area is one of the most special and serene places in the Northwest and its coastline. People boat to, shop in, and recreate through Poulsbo. There are a few cities in the NW that have what Poulsbo has. It represents what the founders intended – a small, Norwegian heritage town.

With this in mind, the City of Poulsbo has a lot of land outside the immediate downtown area, like where the Albertsons use to be. This land is where apartments above two stories should be built. Those buildings could be within walking distance of downtown and close to the bus system to Bainbridge Island and Seattle, etc. and not ruin the ambience of the downtown. Although there is great need to house residents, there is plenty of room outside the downtown core. The current handful of second floor apartments is fine, but 3 stories will change the city permanently. It can't be taken back. (I realize this is a side note, but -- I reviewed the most recent drawings (NOA) of the apartment/commercial building proposed at the old police building location. The proposed building was completely out-of-scale, showed no special heritage design, and further large waste cans were shown on Fjord Drive! Just an example of how the city will be treated. Is there no regard for the city's uniqueness?)

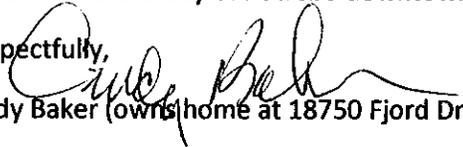
I appreciate that the city staff is trying to adjust the proposed and current regulations for height. The study that was done by Lindsey is interesting -- height of 5 of 7 buildings were in or under the 20-27 foot level and only 2 were above 30. Those are exceptions. I would suggest again, that the commission and staff float balloons or get a crane to show the height. I think some may be surprised.

Lastly, there was a recent study, if I am correct, that showed the economics of putting large apartment buildings in downtown areas (except large cities) may not be working. Apartment dwellers (outside of large cities) are generally not big spenders. Mixed use may not be the right answer.

**Suggestions:** making an error of this kind can't be taken back.

1. float balloons or get a crane to show the potential heights -- stand and look, it is quite high for the scale of this city.
2. survey ALL the buildings in the City
3. if 35' is allowed, then allow 35 feet ONLY if there is no view blockage and all impacted citizens agree it can be built.
4. Look for other places to build above 2 stories, 20 feet. They exist. Do a study. Ask staff.
5. Save the City of Poulsbo downtown!!!!

Respectfully,

  
Cindy Baker (owns home at 18750 Fjord Drive NE)

If you would like to talk, please ask the Community Development Director for my number.

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](mailto: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](mailto:berickson@cityofpoulsbo.com)  
[mlund@cityofpoulsbo.com](mailto:mlund@cityofpoulsbo.com)  
[kboughton@cityofpoulsbo.com](mailto: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 over a vertical line.

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.

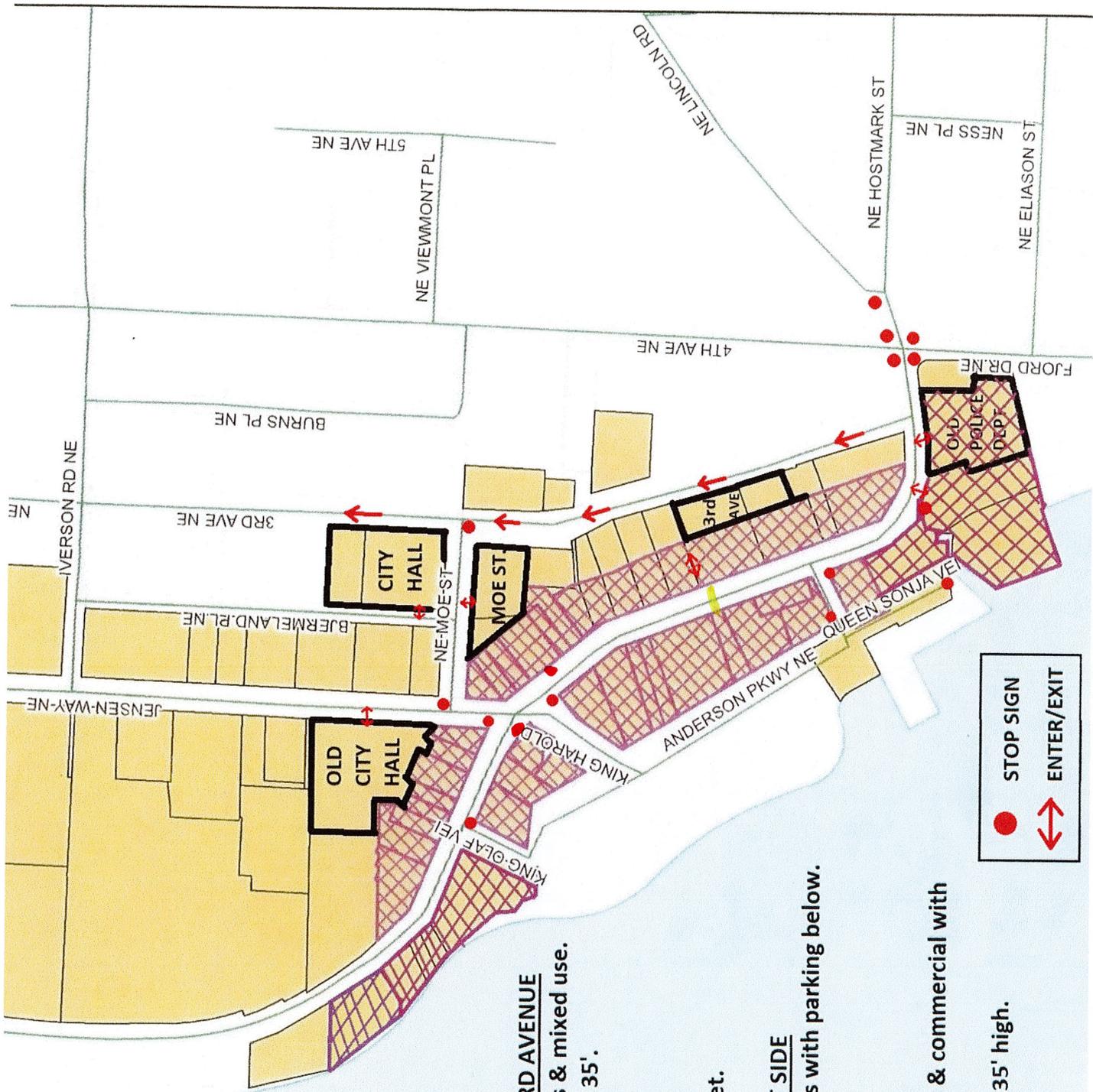
"Averaged" 35' high.

## OLD POLICE STATION SITE

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

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

Liberty Bay



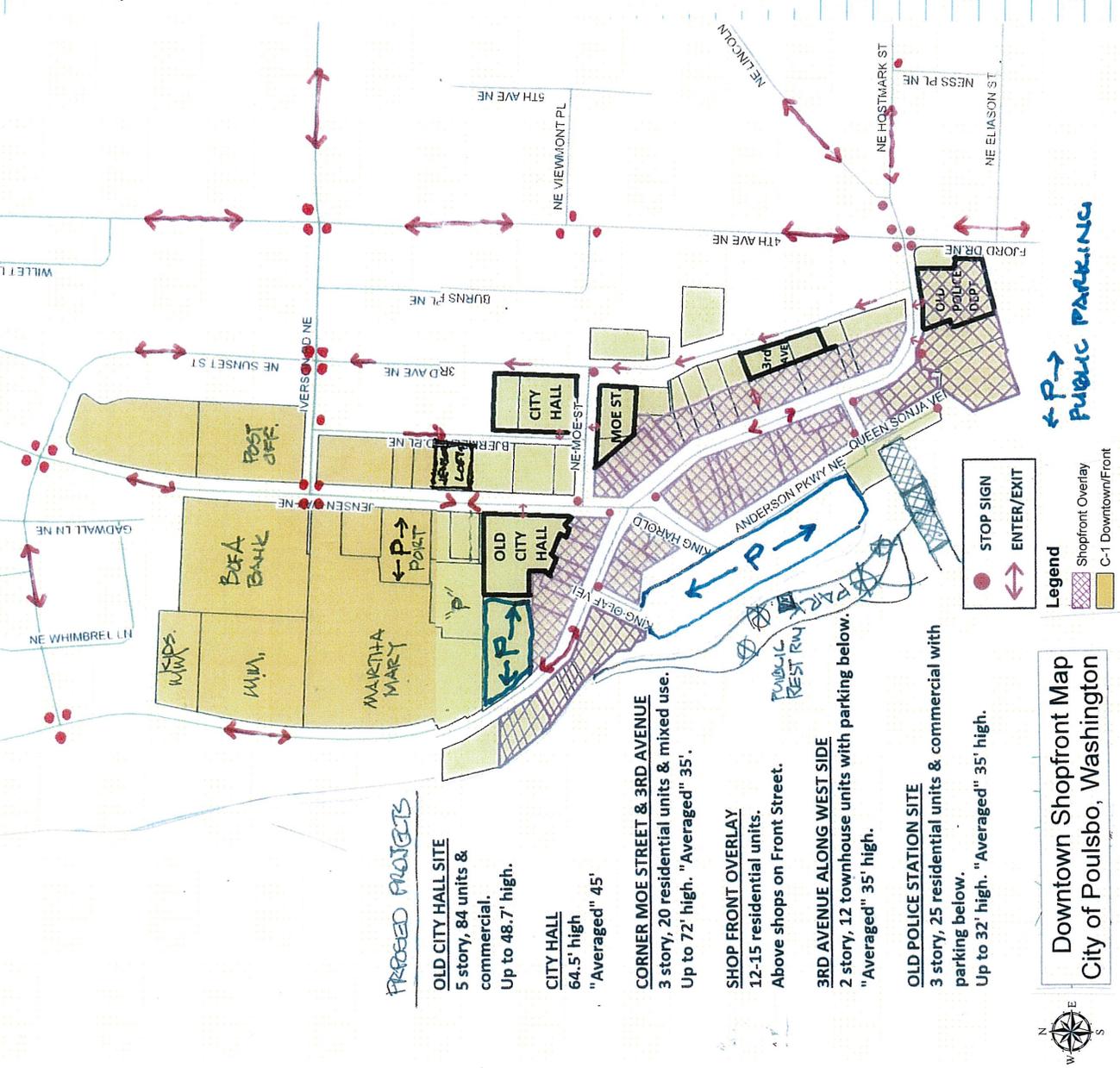
05-30-18 Red Meetings Public Comment

**COMMENTS & CONCERNS**

1. THE NEED FOR AN UNDERSTANDING THAT THE FOLLOWING CONCERNS ARE FULFILLED PRIOR TO APPROVAL OF DEVELOPMENT PROJECTS.
  - A CITY SENGERS BOTH SANITARY AND STORM WATER ARE MORE THAN ADEQUATE TO HANDLE LOADS + OVER LOADS FUTURE SOYERS
  - B THE CITY WELLS AND AQUAFERS AND DISTRIBUTION IS SIZED FOR LOADS FOR NEXT 50 YEARS,
  - C THE CITY ROADWAYS AND DISTRIBUTION OF TRAFFIC CAN HANDLE SAFELY WITH SEASONAL, EVENT/SOYER LOADS.
  - 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 BUS 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.

G,  
H,  
I.

PREPARED BY: **CAIN MYRVANS TOM HENDERSON 5-30-18**



**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.  
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.

**Downtown Shopfront Map**  
City of Poulsbo, Washington



05-30-18 Red Meeting Public Comment



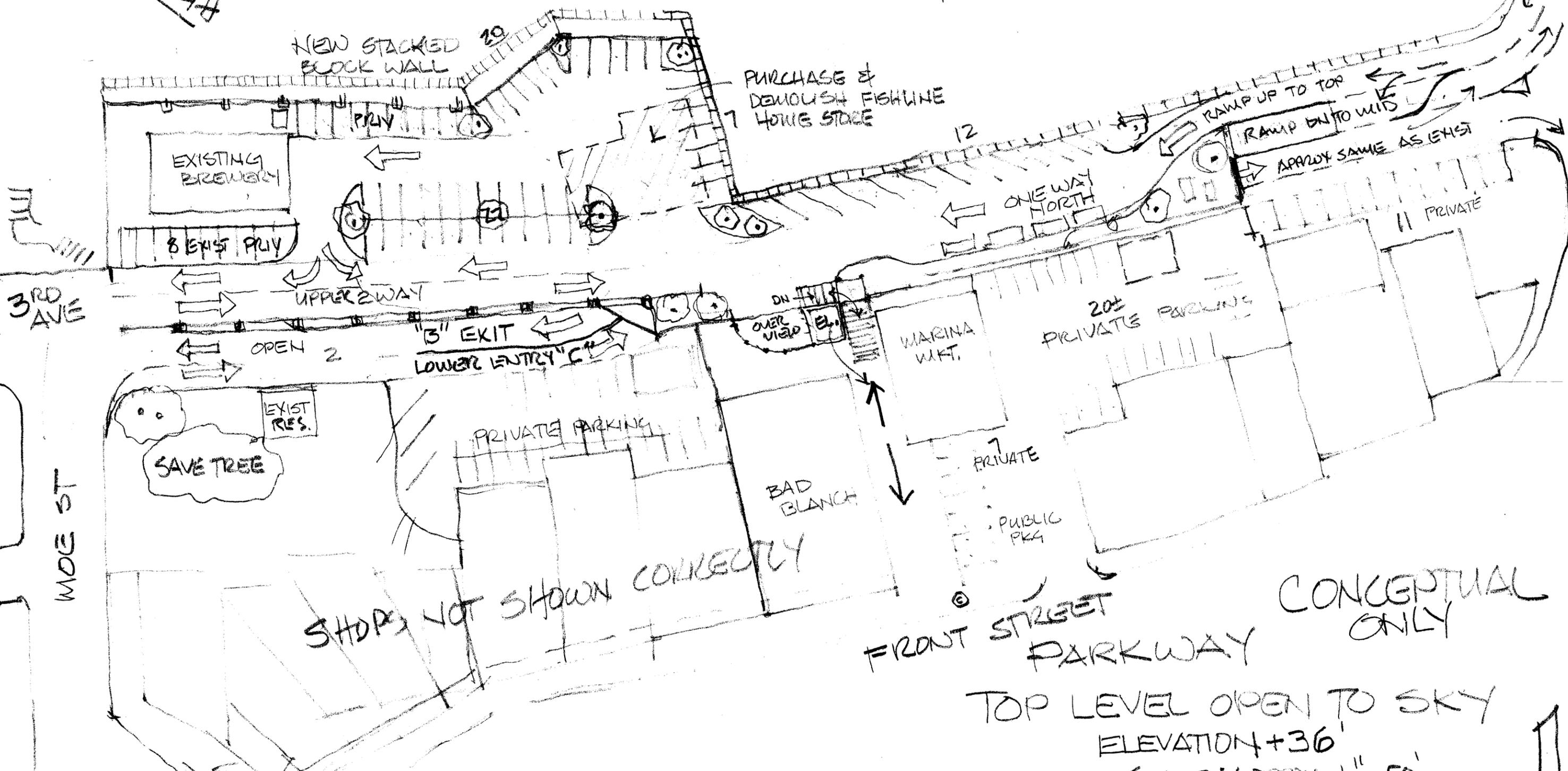
05-30-18 PEP Meeting Public Comment

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



3RD AVE

MOE ST

EXIST RES.

SAVE TREE

SHOP NOT SHOWN CORRECTLY

DN OVER VIEW EL.

WARRINA WKT.

BAD BLANCH

PRIVATE

PUBLIC PKG

FRONT STREET PARKWAY

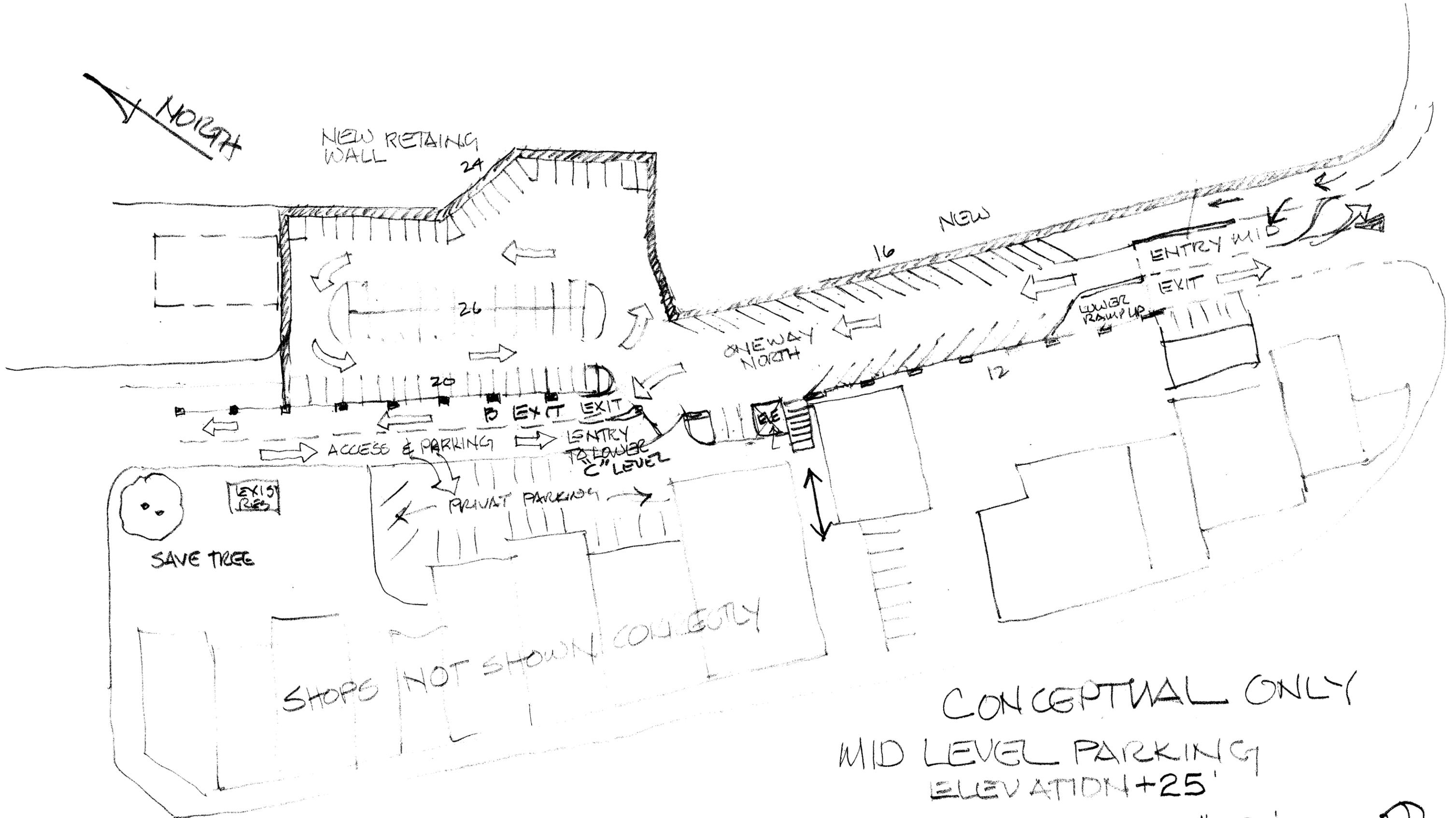
CONCEPTUAL ONLY

TOP LEVEL OPEN TO SKY  
 ELEVATION +36'

SCALE: APPROX 1" = 50'

CITY OF POWLSBO 2025 PARKING SOLUTION

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

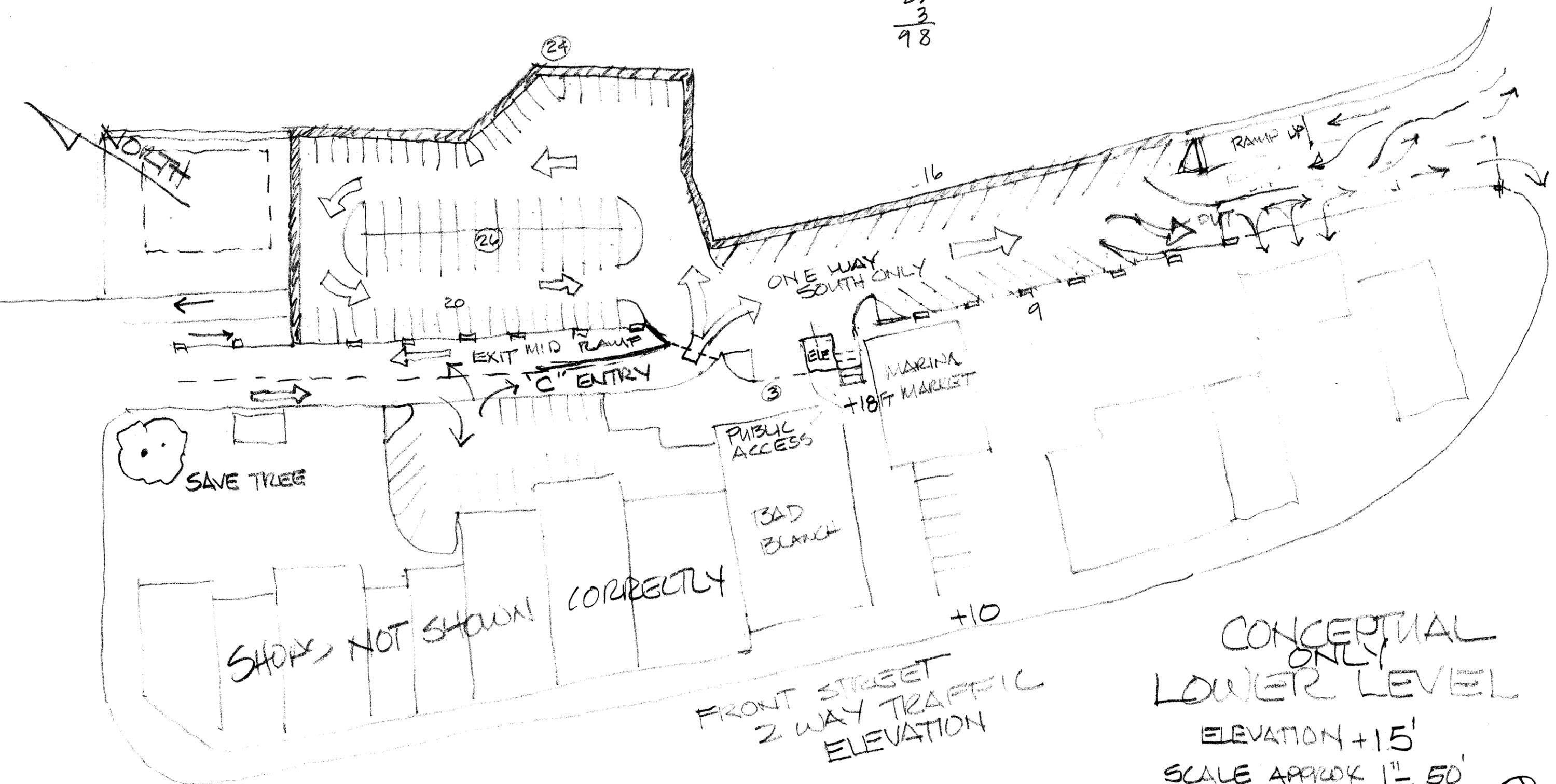


CONCEPTUAL ONLY  
 MID LEVEL PARKING  
 ELEVATION +25'  
 SCALE APPROX 1" = 50'

REV 0510-17  
 GTH 11-10-14

2

PARKING 24  
 26  
 20  
 25  
 3  
 98

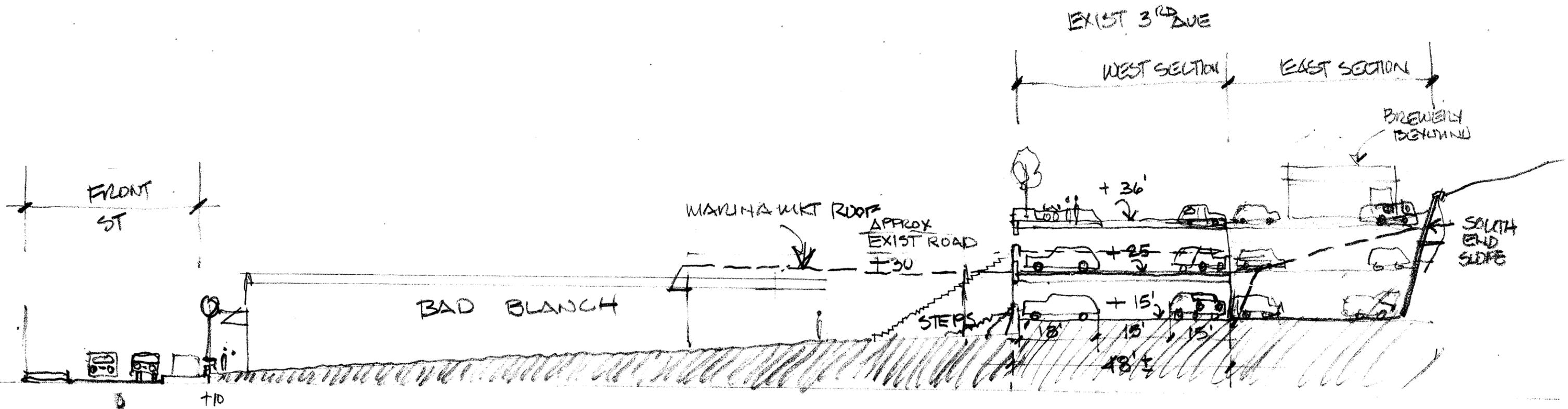


CONCEPTUAL  
 ONLY  
 LOWER LEVEL

ELEVATION +15'  
 SCALE APPROX 1" = 50'

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

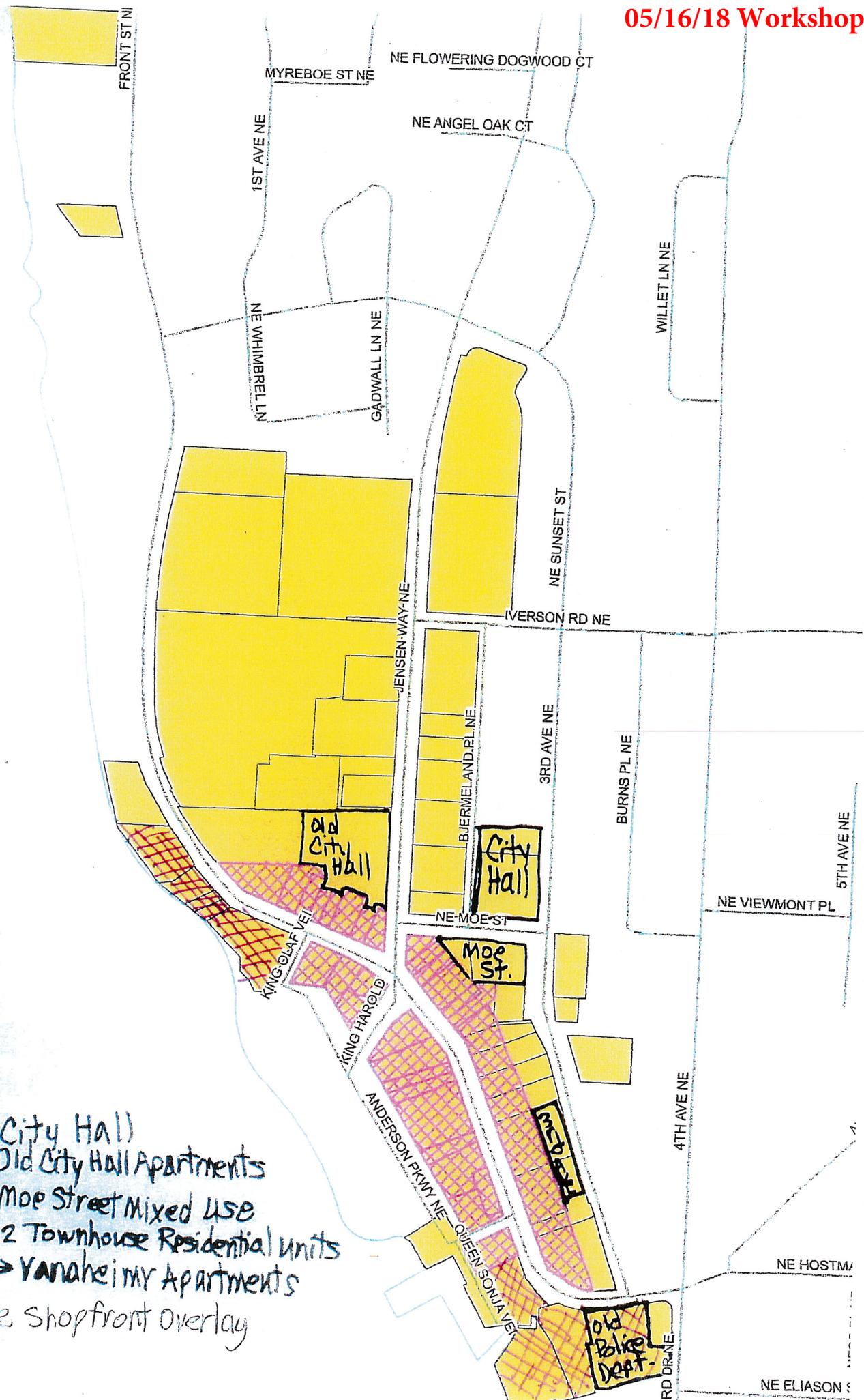
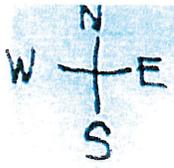
3



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.

**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'.

*Liberty Bay*

**SHOP FRONT OVERLAY**

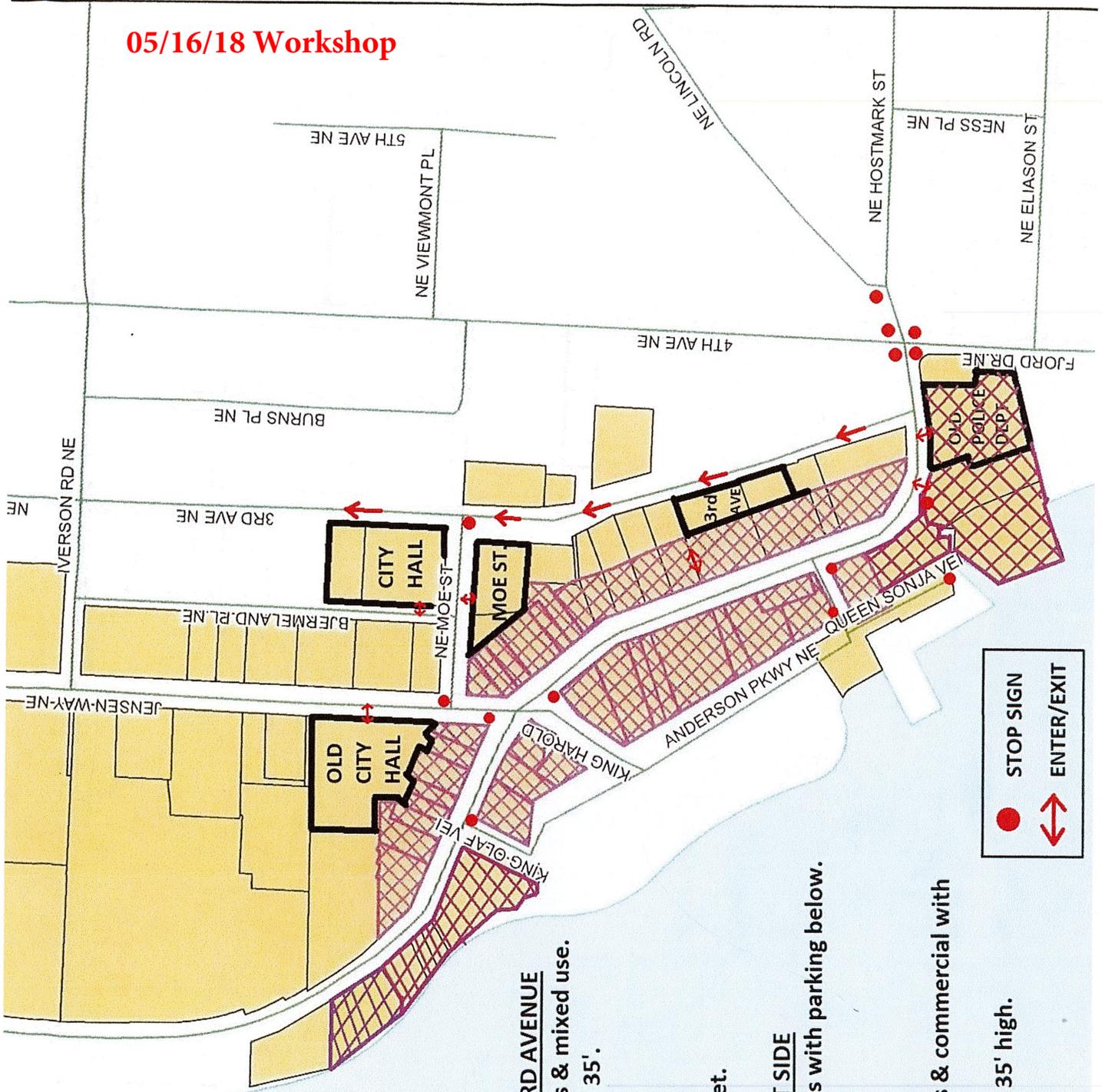
12-15 residential units.  
Above shops on Front Street.

**3RD AVENUE ALONG WEST SIDE**

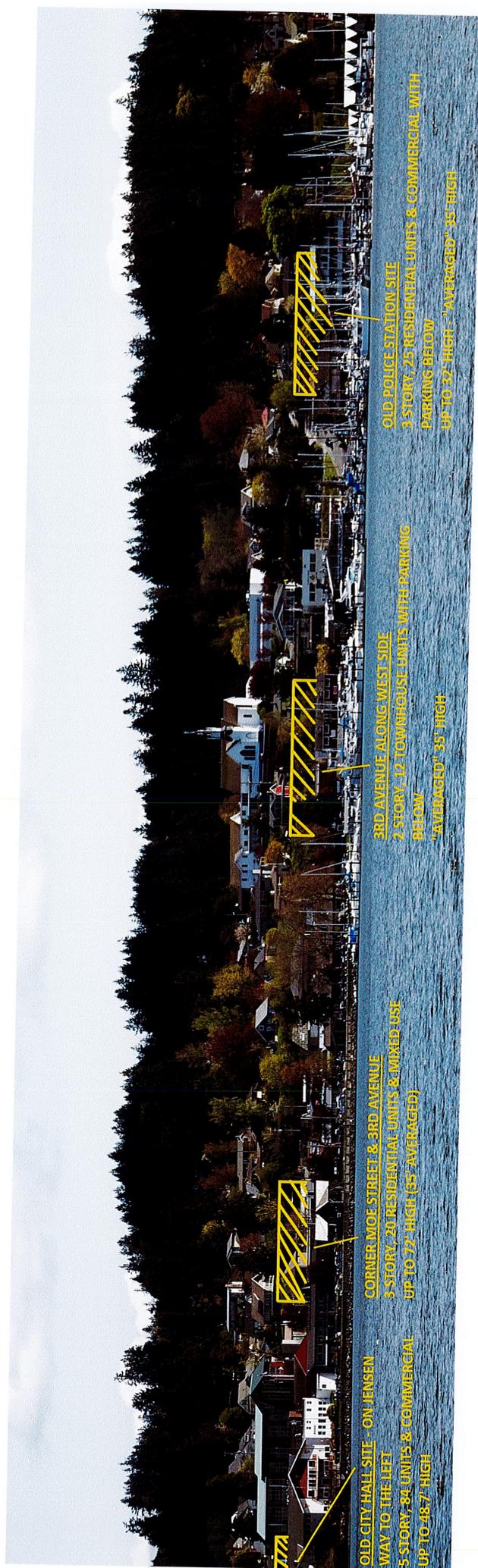
2 story, 12 townhouse units with parking below.  
"Averaged" 35' high.

**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

05/16/18 Workshop

# 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

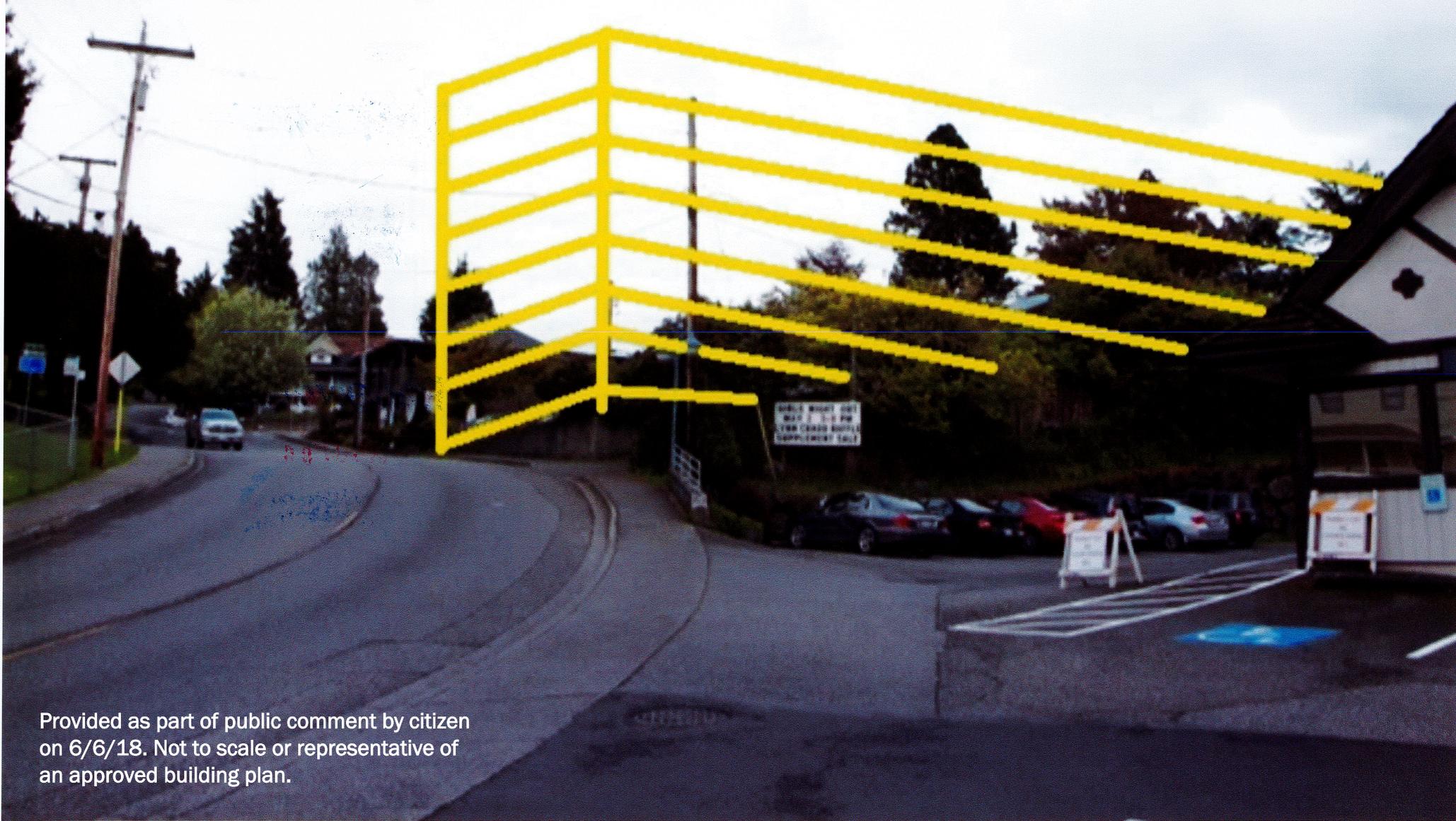
# OLD CITY HALL DEVELOPMENT From Front Street & Jensen Way



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

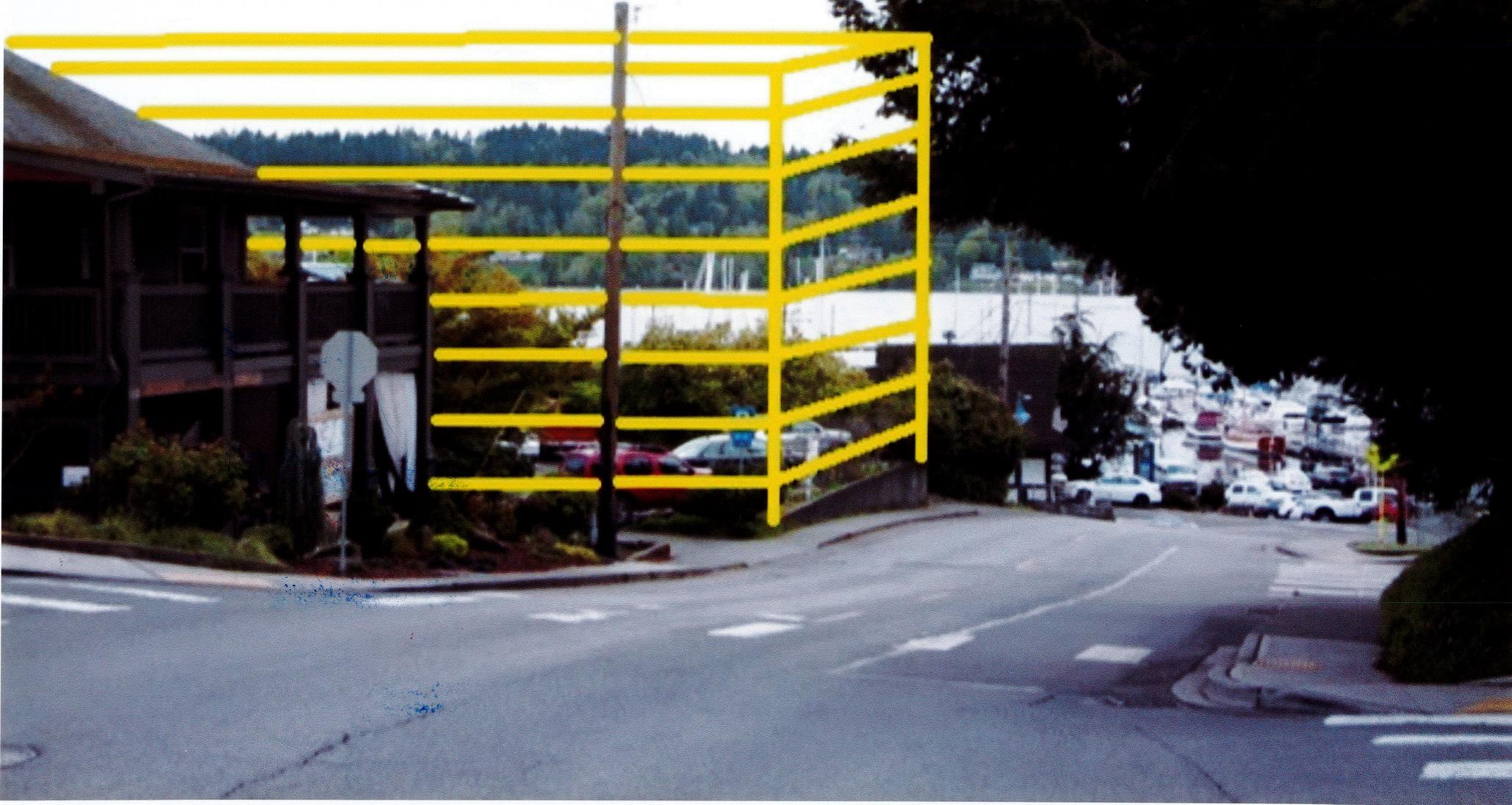


Provided as part of public comment by citizen on 6/6/18. Not to scale or representative of an approved building plan.

# 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 1<sup>st</sup> 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 Myrking

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 3<sup>rd</sup> 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 3<sup>rd</sup> 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 3<sup>rd</sup> 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 3<sup>rd</sup> 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 3<sup>rd</sup> Avenue causing reverse blight. In many ways it will be much more difficult to change from residential to commercial on 3<sup>rd</sup> 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 3<sup>rd</sup> 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
<b>TOTAL</b>	<b>4,182</b>	<b>1,818</b>

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 3<sup>rd</sup> 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 3<sup>rd</sup> Avenue Development vehicle entrance at Front Street and alongside Boehm's. There is not capacity at the corner of Moe Street and 3<sup>rd</sup> Avenue to minimize pedestrian and vehicle conflicts with the added Moe Street/3<sup>rd</sup> 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, 3<sup>rd</sup> 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.

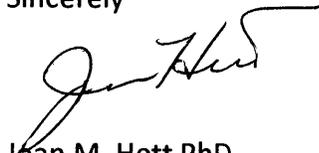
My next concern is the potential damage any construction along 3<sup>rd</sup> Avenue between Hostmark and Moe might cause the home owners along 4<sup>th</sup> Avenue. I have attached the Potential Geologic Hazards map from the Comprehensive Plan. You will note all of 3<sup>rd</sup> Avenue from Hostmark 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 3<sup>rd</sup> 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 3<sup>rd</sup> 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."*

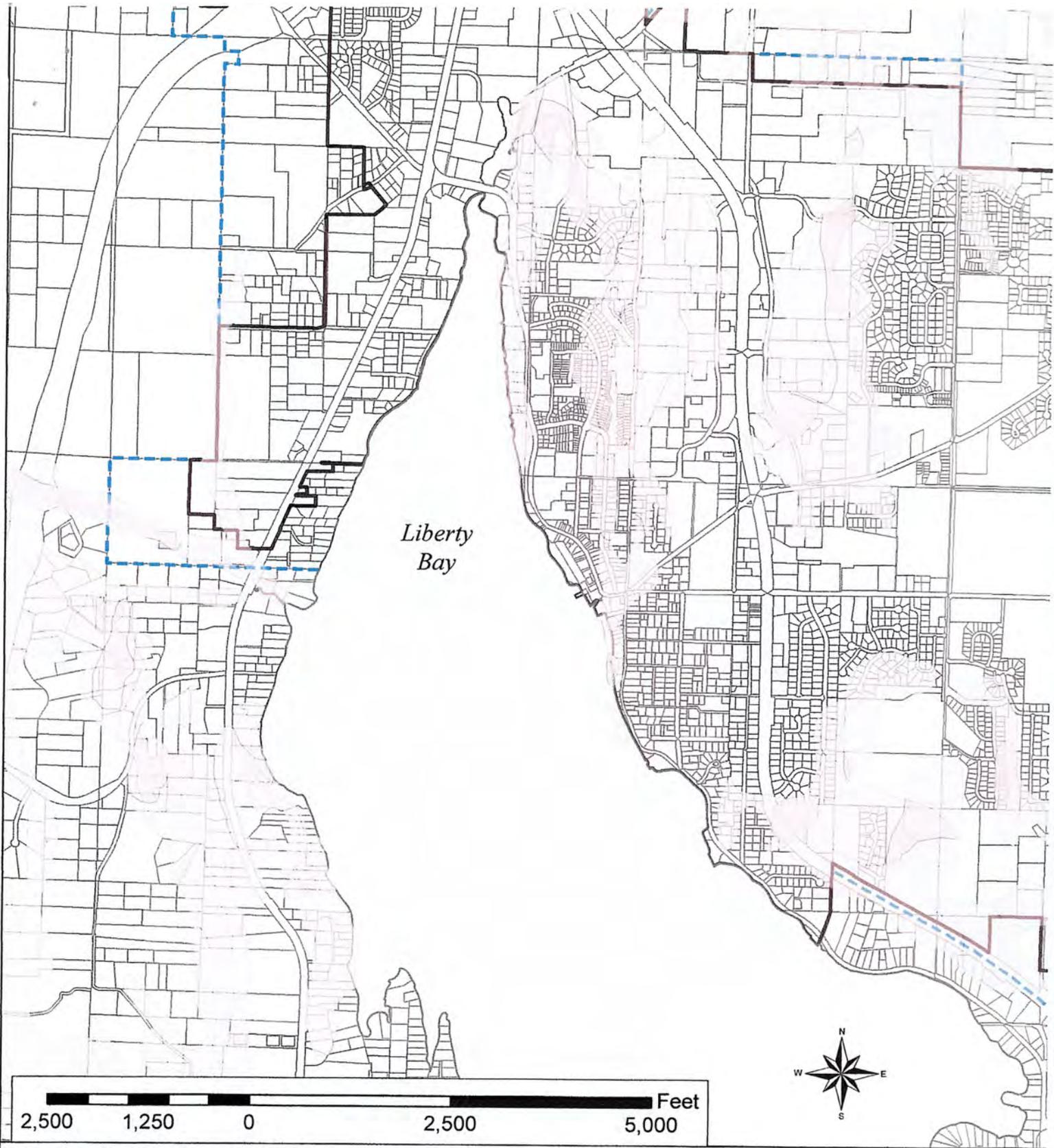
It is my understanding that the development application for the Old Police Station site (within the geologically hazardous area) did not include a risk evaluation. So, please include a required geotechnical evaluation for all applications lying within a geologically hazardous zone and not rely on people 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 4<sup>th</sup>.

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 4<sup>th</sup> 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  
 Planning Department

**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

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**From:** Ed Stern  
**Sent:** Tuesday, June 12, 2018 3:45 PM  
**To:** Karla Boughton <[kboughton@cityofpoulsbo.com](mailto:kboughton@cityofpoulsbo.com)>; Helen M. Wytko <[hwytko@cityofpoulsbo.com](mailto: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](mailto:jlabsher@gmail.com)>  
**Date:** June 12, 2018 at 3:20:26 PM PDT  
**To:** [estern@cityofpoulsbo.com](mailto: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.