

**PORT TOWNSEND HEARING EXAMINER
PUBLIC HEARING AGENDA
CITY HALL COUNCIL CHAMBERS, 540 WATER STREET**

Public Hearing

3:00 p.m.

April 29, 2024

- Attend in person or virtually via computer or tablet at <https://zoom.us/j/98187633367> enter the Webinar ID 98187633367
- Phone only (muted - listen-only mode) United States: Local Dial In – 1(253)215-8782,,98187633367#
- Submit public comment to be included in the meeting record to: <https://publiccomment.fillout.com/cityofpt>
- If you are experiencing technical difficulties, please attempt all methods listed above before reporting any issues to: clerksupport@cityofpt.us

I. Call to Order/Introductions

II. Continuation of Public Hearing

- A. LUP22-019 Preliminary Plat and Plat Alteration- The Plat of Pods at the Vineyards**
1. Staff Report
 2. Testimony by the Applicant
 3. Public Testimony
 4. Rebuttals
 5. Hearing Examiner Summary

III. Adjournment

Americans with Disabilities Act

In compliance with the Americans with Disabilities Act, those requiring accommodation for this meeting should notify the City Clerk's Office at least 24 hours prior to the meeting at (360) 379-5083.

Findings of Fact

Procedural

Application, Project Summary and Review Process

1. Davos Capital LLC, with partners Steve and Ann Raab (collectively “Applicant”), have submitted application for a preliminary Plat with Plat Alteration (“Plat”) named *Pods at the Vineyard* (“PAV”) (Exhibit A – *Preliminary Plat application with cover letter, rain garden and prairie habitat source material, and revised Plat/Plat Alteration map*; Exhibit B – Site Plan, Shts. 1-4 including Tree Conservation and Landscaping, subject *property deeds, topographic survey map*; Exhibit C - Revised Preliminary Civil Plans, dated Jan. 17, 2024; and, Exhibit D – Revised Stormwater Plan and Report, dated Jan. 17, 2024. PAV creates 17-lots for detached residential development over roughly three (3) + acres. One (1) lot at PAV already contains an existing single-family residence. The property’s current legal description is on pg. 1, above, and in the deeds of Ex. B to this staff report.
2. The lots at PAV range in size from 5,007 to 10,900 square feet (sf) with most being sized between 7,000 to 7,500 sf. As detailed below, most lots will gain vehicular access from a new 50’ wide right-of-way (ROW) dedication with road improvements for Landes St. New Landes St. runs south from existing 35th St. and the Plat’s north boundary to an existing section of Landes St. at the Plat’s south boundary. As proposed, newly dedicated Landes St. will be improved with a 16’ wide paved road and alternating sides of city standard concrete sidewalk and on-street parking.
3. 35th St. is a paved city-maintained road from San Juan Ave, roughly ¼ mile to the east, to approximately 75’ east of new Landes St. In all, approximately 380’ of concrete sidewalk currently exists on 35th St.’s north side; about 160’ of that length lies opposite the PAV site. The remaining non-motorized facilities in 35th St. are currently gravel or worn dirt surface. As it abuts their site, PAV will match and extend the 35th St. improvements – including sidewalk on the north side - before turning onto new Landes St.
4. Two (2), or as many as three (3), lots will gain vehicular access via Kuhn St. or Kuhn St. in concert with the 33rd St. ROW. Kuhn St. is a city-maintained paved roadway while 33rd St. is considered an unopened ROW. As a corner lot, proposed Lot C3 will be able to gain access via either 35th St. or Kuhn St. Lot C5 and the existing home it contains already gain access via driveways onto both Kuhn and 33rd Sts. Lot C4 will access Kuhn St. by a private driveway extension in 33rd St.
5. Several existing platted ROW’s in Tibbals 2nd Addition which have limited functionality are being vacated through the Plat/Plat Alteration review; however, one area of proposed vacation is mistakenly shown incorporated into PAV. The subject ROW involved is the east

½ of Landes St. lying south of 33rd St., together with the east ½ of Landes St. lying between the centerline of 33rd St. and the south line of 33rd St., as platted within Tibbals 2nd Addition. Unless the abutting owner to this portion of platted Landes St. agrees in writing to allowing all the subject Landes St. ROW to accrue to the PAV site, this portion of the proposed vacation area must be removed from the Plat Alteration request and the Final Plat/Plat Alteration map. If the abutting owner is willing to allow PAV's acquisition of all platted Landes St., the owner's authorization must be in a form acceptable to the city attorney.

6. Utilities will be extended from the north and east via existing and proposed ROW's. Portions of the new sewer service will require use of a shared low pressure main with individual pump services for each lot and residence. Stormwater for road runoff will be addressed via rain gardens. On-site stormwater management will also be addressed via individual rain gardens on each lot.
7. All preliminary plat requests are classified as Type III permit applications under Port Townsend Municipal Code (PTMC) 20.01. Type III permit applications are reviewed and processed by PCD staff, who prepare a recommendation to the Port Townsend Hearing Examiner. Notice of a Type III application is provided to adjacent property owners and the general public seeking comments. Notice is also provided when the time and date for the required open record public hearing. Following the public hearing, the Hearing Examiner issues a written decision on the Type III permit application. Decisions of the Hearing Examiner on Type III permit applications are final, unless appealed to Superior Court. Once all conditions of preliminary plat approval are met, the Applicant submits for Final Plat approval. This step is done by City Council Resolution as a Type IV action (PTMC 20.01.040) prior to filing the Final Plat map with the Jefferson County Auditor.

Public Notice and Comment

8. On March 4, 2022, the preliminary Plat/Plat Alteration application was submitted. Following City requests for additional information and/or plan corrections, the applications were determined technically complete on April 25, 2022. A *Notice of Application* was published, mailed, and posted on-site May 4, 2022 (Exhibit E – *Notice of Application*). The *Notice* provided an initial 20-day public comment period ending May 24, 2022.
9. Several public comments covering a variety of topics were received during the initial *Notice* period (Exhibit F – *Public Comments*). The Applicant's Agent, Terrapin Architecture, provided a written response on comments received up to May 24, 2023 (Exhibit G – *Applicant Response to Public Comment, dated June 13, 2023*). Additional public comment was received in response to staff's issuance of a mistaken public hearing date. These later comments are also made a part of Ex. F. Below is a Table summarizing the comments received and provides a staff response:

LUP22-019, Staff Report Table 9.1 - PUBLIC COMMENT RESPONSE TABLE			
Letter	Commenting Party	Comment	City Response
9.1.1	Helen Kolff, EcoVillage	<p>Potential Parking on 35th St. removes on-street parking assigned to RW.</p> <p>2-way traffic through the development is needed.</p> <p>The alternative Tree Conservation Plan (TCP) is inadequate. More trees should be planted not fewer.</p> <p>The lack of a public path along Landes St. is a concern.</p>	<p>On-street parking may occur along any Port Townsend roadway so long the location is safe and, for new developments, on-site parking requirements are met. ¹</p> <p>The new Landes St. has a minimum traveled way width of 16', which allows for 2-way traffic even at the project's southern end.</p> <p>Alternative TCP are expressly allowed for areas that have historically not had trees.</p> <p>Non-motorized improvements are included along alternating sides of Landes St. and in 33rd St. A final location for these will be reviewed as part of the subsequent SDP review.</p>

¹ Ord. 3306 was adopted March 27, 2023 to increase residential building capacity. One technique for achieving this goal includes the reduction of on-site single-family residential parking. PAV's Applicant may elect to vest to the parking standards of Ord. 3306 by requesting to do so in writing. Alternatively, the Applicant may choose to remain vested under the prior standard(s). Whichever code the Applicant chooses to vest to must be continuously applied to all lots within the Plat/Plat Alteration.

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		Stormwater management at the end of 35 th St.	There is no indication that stormwater runoff past the new terminus of 35 th Street will pose a runoff issue.
9.1.2	Sandra Stowell	Posting the Notice of Application was inadequate.	Author acknowledges the initial Public Notice sign for PAV was placed “near” the property which is the minimum required by code. Staff will provide two (2) Notice board signs for future postings of the site; however, no error in city code was made as part of this initial <i>Notice</i> . ² Additional Notice was provided via legal ad and US Mail to adjacent property owners (APO). As the author is not an original APO, they were made a Party of Record to the project.
9.1.3	Charlene & Charles Law	The authors want: Safe, quiet streets with more cycling & fewer cars.	There is no indication that the 17 lot, single family project will generate more vehicular traffic than what is anticipated by the Comprehensive Plan. Narrow streets, like the one proposed, are believed

² An error was made later in issuing the *Notice of Public Hearing* and providing an incorrect hearing date.

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		Over-night night vacationers living in someone's backyard.	to encourage cycling & walking. There is no indication in the PAV submittal that suggests "1-night vacationers" will dominate occupancy of the resulting dwellings; however, city code does allow for the establishment of tourist accommodations via a Conditional Use Permit (CUP) process.
		Wants more beautiful flora & fauna not asphalt & cement	As an Urban Growth Area (UGA), paved and concrete surfacing is expected and needed for long term public service needs and maintenance. Landscaping intermixed with these surfaces is also expected and important. The project will be conditioned to ensure landscaping is installed consistent with city code.
		Wants affordable homes not millionaire homes.	At present, nothing in city code requires a project be developed with affordable housing. The ultimate selling price for homes in the project will be subject to the real estate market.

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		<p>Wants pedestrian friendly sidewalks and trails, not dead end cutoffs.</p> <p>Wants full SEPA review done for the project.</p> <p>Preserve older growth trees and study the need for more planted trees that are resilient to climate change.</p>	<p>Aside from the driveway serving 2 lots in the 33rd St. ROW, the project design does not include any “dead ends”. Pedestrian improvements are planned along the north side of 35th St., along alternating sides of Landes St. and within the 33rd St. ROW.</p> <p>As the project has only 17 lots, it is categorically exempt from review under SEPA.</p> <p>Per the applicant’s rebuttal to received comments, no existing trees are being removed. Those that exist on future lots will be protected via covenants. Six (6) new trees will be planted and the prairie-like conditions of the site retained to the extent possible.</p>
9.1.4	Geralynn Rackowski	<p>Blind intersection at 35th St. & San Juan is a hazard. Students walk and ride on the San Juan sidewalk & can’t be seen until a</p>	<p>Public Works staff finds the project and its revised engineering (Ex. B) satisfactory for moving the Preliminary Plat process forward.</p> <p>Further revisions may be required as part of the</p>

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		<p>car is in the crosswalk.</p> <p>35th St. is icy at times & it gets no sun.</p> <p>New Landes St. connection to existing Landes St. is narrow with poor sight lines for 2-way traffic; Consider making new Landes St. 1-way going south.</p> <p>Can an 8" sewer line with the minimum slope accommodate up to 32 homes? Is one pumping station sufficient?</p>	<p>subsequent Street and Utility Development permit (SDP).</p> <p>Public Works staff has not been contacted previously about a safety issue at the sidewalk section referenced by the author. At best, staff can monitor the facility in question and decide if further steps are needed.</p> <p>Public Works staff is satisfied the road section shown for the south end of Landes St. can be built safely as a 2-way roadway.</p> <p>Public Works staff is satisfied that, as revised, the sewer proposal for PAV is adequate for the project moving forward in the Preliminary Plat process. The subsequent SDP required for utility and road construction will specify any further revisions necessary to the plans.</p>

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9.1.5	<p>RW Board of Directors (BOD) letter with individual RW resident Exhibit comments:</p> <p>Ex. A – Peter Lauritzen</p>	<p>BOD letter introduces Exhibit comments, notes the preliminary plat submittal does not conform to minimum submittal requirements and requests denial of the application.</p> <p>Project proposes new trail across privately held, RW land.</p> <p>ROW for Landes at south end of PAV is too narrow for vehicles and pedestrian use.</p> <p>Relocate trail proposed in 33rd St. to avoid RW assigned parking for Lots 4,5 & 6.</p>	<p>The referenced trails are still shown but clearly labeled now as not available to the public. As this area lies outside of PAV, illustrating these trails is immaterial and are not being relied on in staff's Hearing Examiner recommendation.</p> <p>A design acceptable to Public Works staff includes two (2) 8' wide travel lanes, even at the southern section of Landes St.</p> <p>Final non-motorized design and construction will accommodate, to the extent possible and</p>

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		Trail shown as a RW public trail from south end of Kuhn St. does not exist.	practical, existing improvements (both natural and man-made). The subject trail section has been removed from PAV plans.
	Ex. B – Douglas Milholland	The proposed gravity sewer main on Parcel # 991-100-029 will require fill.	Public Works staff is satisfied with the 1/17/24 revisions to the civil engineering plans (Ex. B) for moving forward with the land division process. Further design refinements may be required during review and approval of the subsequent Street and Utility Development permit (SDP).
	Ex. C – Kathy Taylor	Pre-App. Report indicates a sidewalk is required on one side of the new internal road	Ex. B has concrete sidewalk on alternating sides of new Landes St. Concrete sidewalk will also be installed along the north side of 35 th St. to match existing sidewalk.
		Plans for street sections show conflicting information. The south end	Public Works staff is satisfied with the 1/17/24 revisions to the civil

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	Ex. D. – Sandra Stowell	<p>of Landes St. is too narrow for a roadway.</p> <p>A conflicting number of lots are described as being served by the new Landes St.</p> <p>Traffic calming measures are warranted at 35th and San Juan.</p> <p>Tree Conservation Plan (TCP) is insufficient.</p> <p>The PAV proposal is using the public benefits created by adjacent lands while providing</p>	<p>engineering plans (Ex. B) for moving forward with the land division process. Further design refinements may be required during review and approval of the subsequent Street and Utility Development permit (SDP).</p> <p>The number of lots gaining access to new Landes St. is immaterial. Corner lots will be allowed to access onto either public street.</p> <p>Due to the modest size of this subdivision, no Traffic Impact Analysis (TIA) was required by the Public Works Dept. Accordingly, no analysis of traffic calming needs was performed.</p> <p>See author’s comments and staff response under Letter 9.1.6.</p> <p>As a standard subdivision or “Plat”, PAV is not held to the same “public benefit” standards typically seen in a residential Planned Unit Development (PUD).</p>

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	Ex. E-1 – Susan E. Wallace	nothing in return. The proposal offers little in the way truly “green” aspects or affordability. Maintenance of rain gardens will be expensive and Accessory Dwelling Units (ADU) are not guaranteed.	Consistent with the city’s Parks, Recreation and Open Space (PROS) Plan, the PAV subdivision is within ½ mile of a formal outdoor space at Blue Heron Middle School. Rain garden maintenance will be assigned to a Homeowners Association (HOA). ADU construction is not guaranteed for any project due to a variety of factors
	E-2 – GERALYNN RACKOWSKI	Same comments as those found in Letter 9.1.4.	See responses to author’s Letter 9.1.4.
9.1.6	Sandra Stowell	Inadequate Notice provided. Only 1 sign was used.	The Public Hearing was opened & continued to improve Notice & ensure all Parties of Record are included. City code does not require more than 1 public notice sign. Two (2) signs were used to post the April 29, 2024 hearing.

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9.1.7	<p>Notice of Appearance; Rosewind (RW) Comments and Objections to Plat Application</p> <p>Michael W. Johns, Counsel for RW</p>	<p>Comments and Objections were made regarding:</p> <p>a. Improper Public Hearing date Notice;</p> <p>b. Lack of a staff report available electronically; and,</p> <p>c. The Plat submittal fails to meet city code requirements.</p>	<p>The Public Hearing Notice error was noted by staff in opening the August 19, 2022 proceeding. That hearing was then continued to a date to be determined.</p> <p>The staff report was available electronically approximately 1 week prior to the continued hearing of April 29, 2024.</p> <p>As the Applicant notes (Ex. F), content items required on a Preliminary Plat are to be provided <i>“on one or more sheets...”</i>. Staff agrees with Applicant’s revisions to the Preliminary Plat map (Ex. A) and the preliminary engineering (Ex. B) to include missing or unclear Preliminary Plat content items.</p>
	Kathryn Taylor – attached to Letter 9.1.6.	<p>Comments supplement author’s prior letter. Author incorporates Applicant’s public comment responses (Ex. F), notes the Public Hearing</p>	<p>Applicant’s response to public comments received prior to Sept. 1, 2022 have been made part of the record (Ex. F).</p> <p>The Public Hearing Notice error was noted by staff in opening the August 19, 2022. The hearing was</p>

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		<p>Notice error and provides information related to RW parking.</p> <p>Author maintains:</p> <p>a. The submitted road section(s) are inaccurate;</p> <p>b. The submitted Tree Conservation and Landscaping Plan (Ex. F, Sht. 4) is inadequate as it was not prepared by either a landscape design professional, arborist or tree service provisional architect.</p> <p>c. Ex. B, Site Plan Sht. 4 is deficient in terms of</p>	<p>then continued to a date to be determined.</p> <p>As revised, Public Works staff finds the submitted road sections (Ex. B) satisfactory for moving forward with the Preliminary Plat process. Additional revisions may be required as part of the subsequent Street and Utility Development permit (SDP).</p> <p>Staff concurs with Applicant's responses (Ex. F) to author's issue. It is acceptable for a licensed architect to prepare the subject plan.</p> <p>Several standard plan content items were waived by staff at the preliminary Tree and Landscaping</p>

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		<p>content. New buried utilities as drawn may damage roots on trees slated for preservation.</p> <p>d. Trails are inaccurately labeled. Any trail work in 33rd St. must preserve parking set aside as part of the RW development.</p>	<p>review level as allowed per PTMC 19.06.110D. A watering system and specific tree unit credit (t.u.c.) calculations can be required on the final plan. The final plan submittal will also require details on tree protection measures where necessary.</p> <p>Staff will recommend the Hearing Examiner adopt a condition that requires a minimum number of t.u.c. be provided for on each lot.</p> <p>Staff believes that, with the revised submittals, all mislabeled trail sections have now been corrected and/or omitted.</p> <p>Review and approval of the subsequent SDP will any trail relocation needed to address existing and permitted ROW improvements.</p>
	Doug Milholland– attached to Letter 9.1.6.	Comments of the author focus on sewer along with the grading/fill activity	As revised, Public Works staff finds the submitted sewer profile and details (Ex. B) satisfactory for moving forward with the Preliminary Plat process. Additional revisions may be

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		<p>associated with that installation.</p> <p>Will the fill needed trigger SEPA review?</p>	<p>required as part of the subsequent Street and Utility Development permit (SDP).</p> <p>The categorical threshold adopted by the city under SEPA for landfill and excavation activities is 1,000 cubic yards. The Responsible Official does not consider the work at PAV to be subject to SEPA.</p>

10. On August 17, 2022, a *Notice of Public Hearing* on the project was issued with an error made concerning the hearing date (Exhibit H– *Notice of Public Hearing*). The *Notice* was published in the local newspaper of record, mailed to adjacent property owners, other parties of record and posted on or near the site. Due to a hearing date publication error and other factors, the August 19 hearing was opened and continued to a date to-be-determined. A continued hearing date will be set once a complete pre-hearing record became available.

11. Following review and acceptance by staff of Applicant’s revised submittals, a *Notice of Continued Public Hearing* was issued April 17, 2024 for a April 29, 2024 continued hearing date (Exhibit I– *Notice of Continued Public Hearing*). It was published in the local newspaper, mailed to adjacent property owners and other parties of record, and posted on or near the site.

Substantive

Underlying Zoning, Allowed Uses and Prescriptive Standards

12. The PAV site is zoned R-II (Medium Density Single-Family). Standard R-II zoning allows both attached and detached single-family dwellings (attached single-family includes duplexes, triplexes, and fourplexes) up to eight units per 40,000-sf of land area (i.e., 5,000-sf minimum lot size, or approximately 8 dwelling units within 1 block of platted land). This zone allows 4 or fewer single-family dwellings within 1 structure with sufficient lot size - 10,000 sf for a duplex; 15,000 sf for a triplex; and 20,000 sf for a fourplex. With all lots ≥ 5,000 sf in size, PAV is consistent with the minimum lot size required for the R-II zone.

13. Maximum lot coverage in the R-II zone is 35% (up to 40% with an ADU) with a maximum building height of 30 ft. The revised engineered stormwater plan (Ex. B) documents the suitability for each lot to accommodate roof run off via conceptual rain garden sizing and depth. Rain gardens are also proposed to address road runoff from the new Landes St. improvements.
14. Prescriptive minimum building setbacks on the resulting lots are: *Front*: 20 ft. if a garage faces street right-of-way (ROW) , otherwise 10 ft. *Rear*: 10 ft. *Side*: 5 ft., or 10 ft. if abutting a street ROW. Building envelopes that reflect these setbacks are shown on the face of the preliminary plat for each lot (Ex. A).³

Existing and Surrounding Zoning & Land Uses

15. Zoning for most surrounding lands is also R-II (Medium Density Single Family). There are two (2) nearby residential Planned Unit Developments (PUD’s); the Rosewind PUD and the EcoVillage PUD. With lot sizes and residential uses that meet minimum R-II standards, PAV’s is consistent and compatible with the adjacent zoning designation, the 2 PUD overlays, nearby residential development and anticipated Comprehensive Plan land uses.

Parking Requirements - On-site and On-street

16. Based on the application submittal date, two (2) on-site parking spaces are required for each new single-family dwelling. With a single or two car standard garage setback of 20,’as many as 2 to 4 on-site parking spots per residence may be created. Under City code in effect at the time of PAV’s submittal, each Accessory Dwelling Unit (ADU) generates a need for one (1) additional on-site parking space.

Landscaping and Tree Conservation – PTMC 19.06

17. All preliminary plat applications require the concurrent submittal, review and approval of a preliminary Tree Conservation Plan (TCP). Each preliminary TCP must be designed consistent with the city’s Tree Conservation code ⁴ A TCP was submitted for this project showing existing trees and those planned for removal (Ex. B). Tree standards for an R-II zone subdivision are 40 tree units per 40,000 square feet of area.⁵ Projects can achieve their required tree standard either by retaining on-site trees or by planting new trees.

³ Ord. 3306 was adopted March 27, 2023 to increase residential building capacity. One technique for achieving this goal includes the reduction of residential zone side yard setbacks. PAV’s Applicant may elect to vest to the setback standards of Ord. 3306 by requesting to do so in writing. Alternatively, the Applicant may choose to remain vested under the prior standard(s). Whichever code the Applicant chooses to vest to must be continuously applied to all lots within the Plat/Plat Alteration.

⁴ PTMC 19.06

⁵ PTMC 19.06.120.D (1)

Commented [EB1]: Suggest adding “In the intervening time between vesting a plat application and the public hearing continuation, the City enacted several ordinances affecting setbacks through ordinance 3323. Consequently, ADU’s may have a 5-foot rear and side yard setback minimum with no door or garage door facing the rear or side property line respectively.” Port Townsend does not feature a waiver of vesting code for this preliminary plat application; however, it’s important to note that these relaxed setbacks for ADU’s will be allowed should the plat be approved. (in other words, the building envelopes shown on the plat may be superseded by future zoning code.

Based on the lot sizes proposed, a minimum of 118 tree unit credits is normally required for the Pods TCP.

18. PAV's submittal (Ex. B) seeks approval of an Alternative TCP *"to maintain and enhance existing prairie landscape..."* The city's Tree Conservation code recognizes that some properties and their uses may conflict with the planting of dense tree stands. These may involve areas of town that historically have had few trees or are dependent upon open space and solar access. In these circumstances, an Alternative TCP that deviates from the code's strict retention and/or replanting standards may be proposed.⁶
19. It is unclear how forested the PAV site was at the time of pre-European contact; however, it now has a scattered mix of prairie grass, native brush and several mature trees and native brush. The preliminary TCP includes areas of restored *"dry upland prairie"* and five (5) newly planted ROW trees (Doug Fir).
20. The Hearing Examiner, upon recommendation of the PCD Director, may approve use of an Alternative TCP upon showing to her/his satisfaction that:⁷
 - a. Due to the physical characteristics of the site, or those of contiguous properties, and/or due to the design goals of a particular development (including but not limited to preserving solar access or maintaining the character of open grassland areas), strict adherence to the tree conservation standards set forth in subsections A, B, D through G of this section would be inappropriate or unnecessary to achieve the purposes of this title or would be unreasonably burdensome upon the applicant;
 - b. The alternative plan is consistent with the purposes of this chapter expressed in PTMC 19.06.010; and,
 - c. Alternative plans must provide environmental, recreational, agricultural, and/or aesthetic benefits that are equal or greater to the tree retention standards contained in the tables in this section.
21. Staff recommends the Hearing Examiner find the Alternative TCP satisfies the code provisions referenced in Findings of Fact (FOF) #20, above, and can be approved subject to conditions. The Alternative TCP aids in applicant's prairie restoration goals for the development. Furthermore, it, is consistent with the purposes of tree conservation set out in PTMC 19.06.010 in providing environmental and aesthetic benefits equal to or greater than strict adherence to prescriptive tree standards. In reviewing this Alternative TCP, staff recommends that a minimum of one (1) tree unit credit (t.u.c.) be planted or

⁶ PTMC 19.06.

⁷ PTMC 19.06.120

retained on each lot that is <6,000 sf in size and two (2) t.u.c. be retained or planted on each lot that is ≥6,000 sf in size as part of the building permit review process. An exception to the Plat's TCP requirements is warranted for Lot C5 as it is already developed. Future uses of Lot C5 will remain subject to the city's Tree Conservation or other landscaping requirements in effect at the time a development permit is sought. As proposed, the Applicant shall propose a covenant for review and approval by city PCD staff which identifies those trees on the individual lots that are being retained in perpetuity. Once language for the covenant is approved by the city, the terms will be executed during recording of the Final Plat. Language that allows for removal of a retained tree in cases of disease, dying or hazardous circumstances are acceptable within the covenant but replanting is also required. As a condition of Final Plat approval, a note will be placed on the face of the Plat map stating a TCP is in place for the development and tree planting may be required with future development.

Project Specifics for:

Homes and other structures

22. Dwelling units at PAV will vary in size depending on resulting lot area, building envelope allowance and owner decisions. Home construction standards will be subject to a set of private Covenants, Conditions and Restrictions (CC&R's) governed by a Homeowners Association (HOA). HOA obligations, or equivalent organization acceptable to the City, is necessary for long-term maintenance of all shared improvements (except as noted below) with trails and stormwater facilities, and on-street vegetation.

Streets

23. Interior access to PAV lots is provided via a combination of new and existing public roads and 1 private driveway in the 33rd St. ROW. Primary access to most lots will be from a re-aligned Landes St. right of way (ROW), between 35th St. and Woodland Ave. Here, the Applicant proposes a road section that combines various details from the city's Engineering Design Standards (EDS)(Ex. C). Its design provides on-street parking and 6' wide concrete sidewalk alternating on opposite street sides with a pedestrian crossing at Landes and 33rd Sts. In general, these road sections are acceptable to Public Works staff with the exceptions and conditions noted below.
24. Public Works staff found the proposal is consistent with the planned housing density for the area. Anticipated traffic volumes are not expected to adversely impact adopted Levels of Service (LOS) on connecting public facilities. With only 17 lots, PAV falls below the threshold which requires a Traffic Impact Analysis (TIA). Roads will be built to acceptable Public Works standards and, subject to conditions, anticipated non-motorized connections are made.

25. Final street parking locations will be determined as part of the subsequent Street and Utility Development Permit (SDP) process. Staff discussed with the Applicant and recommended maintaining flexibility with driveway placement to allow occasional parking on either side of the street for traffic calming. Engineered raingardens are proposed at PAV for street runoff stormwater along Landes St.

Water (including fire hydrants) and Sewer

26. Water service to the PAV subdivision will be provided via new public and private improvements. New public water mains will be installed south of 35th St. in the newly aligned Landes St. and eastward in 33rd St. to connect with an existing main in the Kuhn St. ROW. Final water system improvements and design will be determined by Public Works staff during review of the subsequent Street and Utility Development permit (SDP) review. Private service connections and side service lines leading to a meter box will be identified and installed as part of the SDP process. Fire flow is available adjacent to the site via water main extensions within the site. Fire hydrants will be installed in accordance with the City's EDS.
27. Sanitary sewer service can be provided to PAV via low-pressure improvements in Landes and 33rd Sts. Individual lots will be connected to a 4" force main via individual on-site pumps. The city has agreed to assume responsibility for the force main but all other sewer-related improvements are an ongoing responsibility of the individual lot owner(s) or the HOA. Any public ROW used for private utilities may be required to acknowledge responsibility for their ongoing maintenance. Final design and responsibilities for the low pressure sewer infrastructure will be determined as part of the subsequent SDP process and shown on the final Plat.

Stormwater drainage facilities.

28. The submittal includes a preliminary engineered drainage plan and report (Ex. D). The design includes rain gardens in ROW to address stormwater flows. Rain gardens have also been conceptually sized for each individual lot based on allowable lot coverage.
29. Public Works staff have reviewed Ex. C and indicate it is acceptable for continuing with the Preliminary Plat/Plat Alteration process.

Comprehensive Plan Analysis

30. Proposals like PAV are clearly contemplated and encouraged by the City's Comprehensive Plan. Overall, the chief basis for housing policies contained in these local plans originates from Goal #4 of the Growth Management Act (GMA) itself, which states:

“Encourage the availability of affordable housing to all economic segments of the population of this state; promote a variety of residential densities and housing types; and encourage preservation of existing housing.”

31. The 1996 Comprehensive Plan contains numerous references on the need for more and varied housing types, including specific Goals and Policies on how to achieve it. A selection of those most applicable to this proposal, along with other Goals and Policies not directly related to housing (including references from the Non-Motorized Plan) are below:

Residential Lands:

Goal 7: *To accommodate the population growth objectives for the City of Port Townsend and to further the objectives of the Housing Element of this Plan.*

Policy 7.1: *Assure a wide range of housing opportunities throughout the entire community, while preserving and creating distinct residential neighborhoods.*

Policy 7.16: *Ensure that each neighborhood is provided with adequate open space, natural buffers, and public recreational facilities.*

Goal 9: *To accommodate the population growth objectives for the City of Port Townsend and to further the objectives of the Housing Element of this Plan.*

Housing Types

Goal 4: *To promote a variety of housing choices to meet the needs of Port Townsend residents and to preserve and encourage socio-economic diversity.*

Transportation

Goal 1: *To promote a balanced, affordable, reliable, convenient and efficient transportation system which supports the Land Use Element and Community Direction Statement of the Port Townsend Comprehensive Plan.*

Goal 4: *To develop a fully integrated local street system which accommodates various transportation modes depending upon individual neighborhood characteristics.*

Policy 4.3: *Encourage the use of "narrow streets" to help retain the City's small town atmosphere and to minimize the amount of paved area to reduce construction costs, storm water runoff and heat buildup. The level of service for collectors, local access roads or residential streets should reflect a balance between safety, efficiency, and the maintenance of small town character.*

Policy 4.8: *Encourage applicants for new subdivisions ... to build streets on a grid or a modified grid pattern.*

Goal 5: *To create a safe and convenient environment for walking and bicycling through the construction of pedestrian and bicycle facilities which are integrated with roads and other transportation facilities.*

Policy 5.3: *Provide pedestrians and bicyclists with a system of facilities, incentives, and services that fully support trip-making connections between residential areas, employment centers, shopping, recreational facilities, schools, public transit and other public services within the City. The City should develop a safe and convenient environment for walking and bicycling by:*

- a. *Physically separating pedestrian and vehicle (including bicycles) traffic:*

Policy 5.5: *Walkways and bikeways should be required where appropriate in ... subdivision and plat approvals.*

Non-Motorized Transportation Plan

NMTP Policy 1.2: *Require that public walkways and bikeways be located within dedicated public easements or rights-of-way.*

NMTP Policy 1.4: *Where appropriate to mitigate the impacts of a development, require development to dedicate easements and/or construct portions of the Non-Motorized System which may include: neighborhood connectors, the Multi-Use Trail, shortcuts, sidewalks or pathways.*

NMTP Policy 1.7: *Require pedestrian and bicycle friendly design features to be incorporated into development so as to minimize the potential for pedestrian and vehicle conflicts.*

NMTP Policy 1.13: *Where required, pedestrian and bicycle access to and through new subdivisions and Planned Unit Developments (PUDs) should be aligned in directions where future non-motorized connections are likely to occur.*

Analysis of PTMC 18.16.050, Preliminary Plat Approval Criteria

32. Hearing Examiner approval is required to subdivide or alter any property into nine or more parcels, lots, tracts or sites (i.e., a preliminary Plat/Plat alteration).⁸ The City's adopted criteria for preliminary plat approval are quoted in FOF #29 thru #34, below. Each approval criteria are quoted (in *italics*) and followed by a staff response.
33. PTMC 18.16.060A (1) –*The proposed subdivision conforms to all applicable city, state and federal zoning, land use, environmental and health regulations and plans, including, but not limited to, the following:*
 - a. *Port Townsend comprehensive plan;*
 - b. *Port Townsend zoning code;*

⁸ PTMC 18.16.

- c. *Engineering design standards;*
- d. *Critical Areas Ordinance (Chapter 19.05 PTMC);*

Conformance with Adopted Plans and Regulations. As the preceding Findings demonstrate, the proposed preliminary Plat/Plat Alteration conforms with, and is clearly contemplated by, the City's Comprehensive Plan and zoning code.

Preliminary utility and stormwater plans were submitted with the preliminary Plat/Plat Alteration. These preliminary plans have been reviewed by City staff and, subject to approval conditions, will comply with the City's Engineering Design Standards (EDS) except where granted a city-initiated waiver.

- 34. PTMC 18.16.060A (2) - Utilities and other public services necessary to serve the needs of the proposed subdivision shall be made available, including open spaces, drainage ways, streets, alleys, other public ways, potable water, transit facilities, sanitary sewers, parks, playgrounds, schools, sidewalks and other improvements that assure safe walking conditions for students who walk to and from school;

Adequacy of Infrastructure and Utilities. Per the preceding Findings, utilities and other necessary public services are generally available, or can be reasonably made available through conditions, to serve the needs of the proposed Plat/Plat Vacation. Walkways will be provided to enhance safe walking conditions to school, the closest of which is roughly ¼ mile to the north.

- 35. PTMC 18.16.060A (3) - Conservation of existing trees, and/or the planting of new trees, shall be provided consistent with Chapter 19.06 PTMC, Article III, Standards for Tree Conservation;

Tree Conservation. Per FOF #13 to #17, above, the applicant's Alternative Tree Conservation Plan (TCP) (Ex. B) is acceptable subject to conditions. The Alternative TCP meets the required showings for approval set out in PTMC 19.06.120C(2); however, staff recommends a minimum number of tree unit credits be retained or planted on each lot depending on lot size as part of the building permit process. During Final Plat approval, a note on the face of the recorded Plat map will advise potential purchasers a TCP is in place for the development and the preservation and/or planting of trees may be required for future development. Given the above, this criterion is satisfied.

- 36. PTMC 18.16.060A (4) –*The probable significant adverse environmental impacts of the proposed subdivision, together with any practical means of mitigating adverse impacts, have been considered such that the proposal will not have an unacceptable adverse effect*

upon the quality of the environment, in accordance with Chapter 19.04 PTMC and Chapter 43.21C RCW;

SEPA Review: The project is exempt from review under the State Environment Policy Act (SEPA). This criterion is satisfied.

37. PTMC 18.16.060A (5) - *Approving the proposed subdivision will serve the public use and interest and adequate provision shall be made for the public health, safety, and general welfare.*

Public Interest. Subject to conditions, the proposal serves the public use and interest by increasing the quality and availability of Port Townsend housing. PAV will create 17 new residential lots for housing. The lots and other site amenities within the Plat/Plat Alteration have been thoughtfully designed and arranged. An appropriate level of public services and utilities will be made available to the new lots prior to the time of final Plat/Plat Alteration recording. Conditions to ensure the private maintenance of certain facilities such as landscaping, buffer areas, non-hard-surfaced pathways and stormwater infrastructure have been addressed. Therefore, this criterion is satisfied.

38. PTMC 18.16.060 (B): *Notwithstanding approval criteria set forth in subsection A, in accordance with RCW 58.17.120, as now adopted and hereafter amended, a proposed subdivision may be denied because of flood, inundation or swamp conditions. Where any portion of the proposed subdivision lies within both a flood control zone, as specified by Chapter 19.05 PTMC and Chapter 86.16 RCW, and either the one percent flood hazard area or the regulatory floodway, the city shall not approve the preliminary plat unless it imposes a condition requiring the applicant to comply with Chapter 19.05 PTMC and any written recommendations of the Washington Department of Ecology. In such cases, no development permit associated with the proposed subdivision shall be issued by the city until flood control problems have been resolved.*

Flooding. The FEMA Flood Insurance Rate Map (Panel 53031CO068C, dated 6/7/2019) indicates the subject property is not within the Special Flood Hazard Area. Therefore, this criterion is satisfied.

Analysis of PTMC 20.01.235, Type III Review Approval Criteria:

39. PTMC 20.01.235D (1): *The development is consistent with the Port Townsend Comprehensive Plan and meets the requirements and intent of the Port Townsend Municipal Code;*

As previously discussed, the project as conditioned is consistent with the Comprehensive Plan and with the Port Townsend Municipal Code (PTMC).

40. PTMC 20.01.235D (2): *The development is not detrimental to the public health, safety and welfare;*

As discussed above, the project as conditioned will not be detrimental to the public health, safety or welfare.

41. PTMC 20.01.235D (3): *The development adequately mitigates impacts identified under Chapters 19.04 (SEPA) and 19.05 (Environmentally Sensitive Areas) PTMC;*

The project is categorically exempt from review under SEPA and there are no known Critical Areas on the site.

42. PTMC 20.01.235D (4): *For subdivision applications, findings and conclusions shall be issued in conformance with PTMC Title 18 and RCW 58.17.110;*

FOF #32 thru #38, above, demonstrate PAV conformance with the City's subdivision code (PTMC Title 18). The project also conforms to the applicable provisions of State subdivision law (RCW 58.17), including RCW 58.17.110 which requires appropriate provisions be made regarding the proposed subdivision.

City Required Permits

1. *Type III review and approval for the preliminary Plat/Plat Alteration;*
2. *Street and Utility Development permit, including (where applicable);
Clearing, Grading and Erosion Control;
Street Parking Plan Review and Approval;
Street Lighting Plan Review and Approval; and,
Non-Motorized Transportation Plan Review and Approval;*
3. *Final Landscaping Plan and Tree Conservation Plan Review and Approval.*

Once the above city approvals have been obtained:

4. *Type IV Final Plat/ Plat Alteration approval; and,*
5. *Individual Building Permits for each lot with associated Street and Utility Development Permits for utility connections to each.*

Conclusions

1. The proposed residential Plat/Plat Alteration is a permitted use within the underlying R-II

zone, subject to a Type III review and approval.

2. The project is categorically exempt from review under the State Environment Policy Act (SEPA) as is proposing fewer than 20 lots and/or dwelling units.
3. Pursuant to PTMC 18.16, RCW 58.17.110, and RCW 58.17.215 and as conditioned below, the proposed development includes appropriate provisions for the public health, safety and general welfare.
4. The Plat/Plat Alteration will not be materially detrimental to uses or property in the immediate vicinity of the subject parcel. The project involves residential development within an area designated for such.
5. As conditioned, Pods at the Vineyard has merit and value for the community as a whole. It develops residential lands at a density and arrangement anticipated by the Comprehensive Plan. Development impacts are addressed by existing development standards in effect and the conditions of approval outlined below.
6. Pods at the Vineyard is consistent with the goals and policies of the *1996 Port Townsend Comprehensive Plan* as well as all applicable criteria and standards of the Port Townsend Municipal Code.

STAFF RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions and the following recommended conditions, staff recommends approval of the Pods at the Vineyard Plat/ Plat Alteration permit, Application No. LUP22-019.

RECOMMENDED CONDITIONS

GENERAL

1. Development shall be carried out in substantial conformance with the revised preliminary Plat/Plat Alteration site plans and Stormwater Report (Ex. A - D), including the preliminary Tree Conservation and Landscaping Plan (Ex. B), except where modified by these conditions of approval or by the subsequent Street and Utility Development permit (SDP). The Plat Alteration portion of this approval includes the lots and rights-of-way shown on the preliminary plat map unless superseded by Condition No. 2, below.
2. As part of the Plat Alteration, the east ½ of Landes St. ROW lying south of 33rd St., together with the east ½ of Landes St. lying between the centerline of 33rd St. and the south line of 33rd St., does not automatically attach to the PAV site by law. Unless the

abutting owner to these portions of platted Landes St. agrees in writing to transferring all of the subject Landes St. ROW to the PAV site, this portion of the proposed vacation area must be removed from the Plat Alteration request and the Final Plat/Plat Alteration map. If the abutting owner is willing to allow PAV to acquire all of platted Landes St., the transfer procedures must be done in a manner acceptable to the city attorney.

3. The subsequent SDP will determine which portions of the installed sewer infrastructure must be maintained by the individual lot owners and/or the Homeowners Association (HOA) and which portions will have maintenance assumed by the city. Any private maintenance obligation shall be placed into a set of Covenants, Conditions and Restriction (CCR's) and the documents establishing the HOA.
4. As with the sewer infrastructure at PAV, the resulting HOA is responsible for maintenance of all stormwater rain gardens installed within street rights-of-way per the approved SDP. Individual lot owners are responsible for the rain garden(s) on their respective home sites. All sidewalks within the project, the abutting lot owners are responsible for cleaning of the non-motorized improvements per PTMC 12.12.030.
5. The Applicant's request for a slightly modified city road standard with sidewalk, landscaping and on-street parking on alternating sides of the new 50 ft. wide rights of way is approved in concept as shown on the submitted plans (Ex. C). Final locations for sidewalks, plantings and on-street parking will be determined as part of the subsequent SDP process. Staff will work with the Applicant to maintain flexibility with driveway placement to facilitate these improvements.
6. Final Plat/Plat Alteration approval shall be presented by the Applicant as required by city code and shall indicate the precise location of all required dedications and easements per these conditions of approval. Interior streets, sidewalks and trails within public ROW or public easements shall be open to the public and signed accordingly at all times. All required infrastructure improvements as set forth in these conditions and the subsequent SDP must be installed or bonded for prior to final Plat/Plat Alteration approval.
7. The Applicant shall have applied for final Plat/Plat Alteration approval within five (5) years of date preliminary approval.⁹

⁹ RCW 58.17.140(3)(a)

PRIOR TO ISSUANCE OF BUILDING PERMITS

8. The Applicant shall apply for and receive final Plat/Plat Alteration approval prior to the issuance of any new building permits. To receive final Plat/Plat Alteration approval, all required improvements set forth in the subsequent Street and Utility Development permit (e.g., street, driveway and utility improvements) and per an approved Final Landscaping Plan must be installed (with conveyance and acceptance by the City as applicable) or bonded for. The amount of the performance security for any bonded items shall be based upon the current cost estimate of all materials and construction costs, including applicable tax. The performance security shall consist of a performance bond in a form acceptable to the City Attorney and in an amount acceptable to the Director and consistent with city code. Cash deposited in an escrow account may also be accepted by the city. All required landscaping plantings shall be installed within six months of approving the performance security unless a longer time period is agreed to by the PCD Director.

OTHER LANDSCAPING-RELATED CONDITIONS

9. Prior to issuance of a Street and Utility Development permit (SDP) for the project, the applicant shall prepare and submit a Final Landscaping and Tree Conservation Plan (TCP) for review and approval by the PCD Director. The submitted Final Landscaping and TCP must be prepared with sufficient detail on specific plant species, sizes, spacing and quantities to allow for adequate review by PCD. It must also include a proposed irrigation plan that will be installed as part of the installation, a table of tree unit credits (t.u.c.) assigned to each lot and details on tree protection measures to be used. The submitted plan must be prepared using a scale capable of being read without magnification of either the plan text or planting area illustrations. The Final TCP must include a commitment to planting or retaining at least one (1) tree unit credit (t.u.c.) per residential lot that is <6,000 sf in size. Two (2) t.u.c. are required per residential lot >6,000 sf in size with the exception of Lot C5 which is exempt from the approved tree conservation requirements of the plat as is the lot is already developed. Future uses of Lot C5 remain subject to the city's Tree Conservation or other landscaping requirements in effect at the time a development permit is sought. As proposed by the Applicant, they shall propose a covenant for review and approval by city PCD staff which identifies those trees on individual lots that will be retained in perpetuity. Once language for the covenant is approved by the city, the terms will be executed during recording of the Final Plat in a manner acceptable to the city. Language allowing for removal of a retained tree in cases of disease, dying or hazardous circumstances are acceptable within the covenant but replanting is also required. A notation on the face of the final Plat/Plat Alteration map as required by PTMC 19.06 will provide future purchasers with reference to the resulting TCP requirements.

10. All required landscaping in street ROW's shall be continually maintained in a healthy growing condition by the Homeowner Association (HOA). Dead or dying trees, shrubs or groundcover shall be replaced immediately, and the planting areas shall be routinely maintained. Revisions to the approved Landscaping Plan may also be required if the Director determines that the installed landscaping has failed to perform as designed.
11. For landscaping approved within the adjoining street rights-of-way including the in-street rain gardens, the Applicant shall provide a 3-year financial guarantee for their survivability. Trees or other approved plantings that die or become diseased within the guarantee period shall be replaced and shall initiate a subsequent 3-year period starting on the date of replacement.

PRIOR TO ROADWAY, PATHWAY AND INFRASTRUCTION CONSTRUCTION

12. To ensure compliance with City Engineering Design Standards, together with the public and private street and utility installations required by this decision, the following plans must be prepared, incorporated into and submitted with a completed application for a **Street and Utility Development Permit (SDP)**. These plans shall be in substantial in conformance with the preliminary drawings submitted as part of the application (Ex. C) except where modified by these approval conditions. These plans must be reviewed and approved by City engineering staff, and constructed or bonded for by the Applicant prior to final approval of any development phase.
 - a. **Engineered plans for the public streets** serving this project including but not limited to the location of all driveways, turn around areas, sidewalks , and drainage facilities;
 - b. **Engineered plans for water service and sewer service** for the project including provisions for fire hydrant(s);
 - c. A **final engineered stormwater drainage plan and report** including construction drawings complying with the requirements of the Puget Sound Stormwater Management Manual and the Port Townsend Engineering Design standards must be submitted to PCD and approved by Public Works staff prior to issuance of any building permits. Said plan and report shall include detailed operation and maintenance (O & M) provisions for the completed facilities which will become a responsibility of the PAV HOA to ensure. Once approved by City engineering staff, the O&M provisions must be formatted by the applicant (or their engineer) in a manner which facilitates their incorporation into the required HOA documents and CC&R's.
 - d. A **final engineered non-motorized trail plan** meeting all applicable requirements of City-adopted plans (Non-Motorized Transportation and the EDS) and the plans approved by this decision.
 - e. **Any Street lighting** shall be dark sky compliant and minimized in conformance with the City's Street lighting policy (Ordinance 3271).

CONDITIONS RELATED TO THE PLAT/PLAT ALTERATION

13. The Applicant shall provide a mylar or other city-accepted reproduction of the Plat/Plat Alteration to PCD for review and approval (5 paper copies and one electronic .pdf version) as part of the final Plat/Plat Alteration approval process. Said mylar shall contain the acknowledged signatures of all parties having an ownership interest in the subject property as evidenced by an A.L.T.A. plat certificate prepared by a local title company. Said plat certificate, or any update provided, shall be less than 30 days old. The approved Plat/Plat Alteration shall not become effective until the mylars required for recording have been filed with the Jefferson County Auditor. While the City will assist in recording the Plat/Plat Alteration mylar, the Applicant is responsible for all fees associated with recording. All property taxes due and owing on the subject property must be paid in full prior to obtaining the signature of the Jefferson County Treasurer.

OTHER/ONGOING CONDITIONS

14. Future occupancy of any units shall be subject to all applicable provisions of the Port Townsend Municipal Code (PTMC), including zoning, subdivision and the Engineering Design Standards.
15. If the Applicant proposes to add any development signage, it may be necessary to obtain a sign permit. Please contact the PCD Department for signage requirements prior to ordering, fabricating or installing any signs.

Appeal to Superior Court

Pursuant to PTMC Chapter 20.01, Article V, Hearing Examiner decisions may be appealed by parties of record to Superior Court under the Land Use Petition Act of Washington (RCW 36.70C). Such appeal must be filed with the Jefferson County Superior Court within 21 calendar days after the date of the decision.

Exhibits

Exhibit A – *Preliminary Plat application with cover letter, rain garden and prairie habitat source material, and revised Plat/Plat Alteration map*

Exhibit B – *Site Plan, Shts. 1-4, including Tree Conservation and Landscaping, subject property deeds, topographic survey map*

Exhibit C – *Revised Preliminary Civil Plans, dated Jan. 17, 2024*

Exhibit D – *Revised Stormwater Plan and Report, dated Jan. 17, 2024*

Exhibit E – *Notice of Application, dated May 4, 2023*

Exhibit F – *Public Comments*

Exhibit G – *Applicant's Response to Public Comment, dated June 13, 2023.*

Exhibit H - *Notice of Public Hearing, dated August 17, 2023.*

Exhibit I - *Notice of Continued Public Hearing, dated April 17, 2024.*

DOCUMENTS/REFERENCES:

City of Port Townsend Comprehensive Plan (1996)

City of Port Townsend Zoning Ordinance - Title 17 (amended April, 1997)

City of Port Townsend Engineering Design Standards (1997)

City of Port Townsend Critical Areas Ordinance – Chapter 19.05

City of Port Townsend Tree Conservation Ordinance – Chapter 19.06



PRELIMINARY LONG PLAT APPLICATION

Property address or general location (cross-streets): 3 CITY BLOCKS LOCATED BETWEEN 32ND AND 35 th STS, AND BETWEEN ADJACENT ^{TO KUANS ST} AND LANDES ST.		Office Use Only Permit # _____ Associated Permits: _____ _____ _____ _____
Existing Legal Description(s) (or Tax #): Parcel Number: <u>997 400 601</u> Addition: <u>HL TIBBALS 2ND.</u> Block(s): <u>6, 7, 8</u> Lot(s): _____		701 801 803
Please describe (attach additional pages if necessary): THE PROPOSAL IS TO RE-PLAT THESE 3 BLOCKS TO CREATE A WIDER R.O.W. FOR LANDES ST (50' INSTEAD OF 24') AND PROVIDE SLIGHTLY LARGER LOTS THAT ARE SUITABLE FOR A HOUSE + ADU.		
Property Owner: Name: <u>DAVOS CAPITAL LLC</u> Address: <u>P.O. Box 9150</u> City/St/Zip: <u>SANTA FE NM 87504</u> Phone: <u>505-660-8868</u> Email: <u>dholland@davos.us</u>	Contact/Representative (if different): Name: <u>TERRAPIN ARCHITECTURE PC</u> Address: <u>727 TAYLOR ST.</u> City/St/Zip: <u>PORT TOWNSEND, WA 98368</u> Phone: <u>360-379-8090</u> Email: <u>richard@terrapin-arch.com</u>	
Have any known wetlands or their buffers been identified on the property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, attach wetland report.		
Are there any steep slopes (greater than 15%) on the property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, attach geotechnical report.		
Does the applicant, or anyone connected with the applicant or the development (any person, family member, firm, corporation), have an interest by reason of ownership, contract for purchase by agreement or option in any land within 200 feet of any portion of the subject property? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes If yes, describe:		
I swear and certify that this information is correct. (Signature of applicant) _____		

I verify the property affected by this application is the exclusive ownership of the applicant(s), or that I have submitted the application with the written consent of all owners of the affected property.

Print Name: DAVID HOLLAND for DC, LLC

Signature: [Signature] for Davos Capital, LLC Date: March 3, 2020

See attached for details on plan submittal requirements and cost.

3.2.2033

Steve and Ann Raab grant permission to Davos Capital, LLC and David Holland to include lot 1 to 8 of Tibbals 2nd Addition Blk 6 in the Pods at the Vineyard subdivision proposal.

Ann S. Raab

 3.2.22

Steven D. Raab

 3-2-22



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Page 1 of 1
05/25/2006 11:22A
SMD 32.00

Jefferson County Aud JEFFERSON TITLE CO I

WHEN RECORDED RETURN TO:
DAVOS CAPITAL, LLC
P. O. BOX 9150
SANTA FE, NM 87504

Jefferson County Excise Tax
Aff # 106694 Date 5/25/06
Tax \$ 1,120.00 Sales Armt \$ 400,000
By S. Hathaway Deputy Treasurer

Recorded at the request of:
JEFFERSON TITLE COMPANY
68703

STATUTORY WARRANTY DEED

Assessors Tax Parcel ID#997400803

THE GRANTOR, JOSEPH W. CLOUSE and DARCI J. CLOUSE, husband and wife

for and in consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION

in hand paid, convey and warrant to **DAVOS CAPITAL, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY**

the following described real estate, situated in the County of Jefferson, State of Washington:

Lots 1 and 2, Block 8 in H. L. Tibbals, Jr., 2nd Addition, as per plat recorded in Volume 1 of Plats, page 46, records of Jefferson County, Washington.

SUBJECT TO: COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS UNDER AUDITOR'S FILE NO. 410965.

DATED: MAY 17, 2006

Joseph W. Clouse
JOSEPH W. CLOUSE

Darci J. Clouse
DARCI J. CLOUSE



STATE OF WASHINGTON
COUNTY OF Jefferson

On this day personally appeared before me JOSEPH W. CLOUSE AND DARCI J. CLOUSE to me known to be the individual described in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 19th Day of May, 2006.

Vicky J. Lockhart
Notary Public in and for the State of Washington,
Residing at 1111 1/2 Ave
My commission expires 12/01/06

WHEN RECORDED RETURN TO:
DAVOS CAPITAL, LLC
P. O. BOX 9150
SANTA FE, NM 87504

Jefferson County Excise Tax
Aff # 106693 Date 5/25/06
Tax \$ 17,800 Sales Amt \$ 1,000,000
By S. Harkin Deputy Treasurer

Recorded at the request of:
JEFFERSON TITLE COMPANY
68703 **STATUTORY WARRANTY DEED**

Assessors Tax Parcel ID#997400601/701/801

THE GRANTOR, JOSEPH W. CLOUSE and DARCI J. CLOUSE, husband and wife, SARAH E. CLOUSE, PERSONAL REPRESENTATIVE OF THE ESTATE OF ROBERT J. CLOUSE and SARAH E. CLOUSE, as her separate estate

for and in consideration of TEN DOLLARS AND OTHER VALUABLE CONSIDERATION
in hand paid, convey and warrant to **DAVOS CAPITAL, LLC, A NEW MEXICO LIMITED LIABILITY COMPANY**

the following described real estate, situated in the County of Jefferson, State of Washington:

PARCEL A:
Lots 1 through 8, Block 6 in H. L. Tibbals, Jrs. 2nd Addition, as per plat recorded in Volume 1 of Plats, page 46, records of Jefferson County, Washington.

PARCEL B:
Lots 1 through 8, Block 7 in H. L. Tibbals, Jrs. 2nd Addition, as per plat recorded in Volume 1 of Plats, page 46, records of Jefferson County, Washington.

PARCEL C:
Lots 3 through 8, Block 8 in H. L. Tibbals, Jrs. 2nd Addition, as per plat recorded in Volume 1 of Plats, page 46, records of Jefferson County, Washington.

SUBJECT TO: COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS UNDER AUDITOR'S FILE NO. 410965.

DATED: MAY 17, 2006

Joseph W. Clouse
JOSEPH W. CLOUSE

THE ESTATE OF ROBERT J. CLOUSE,
DECEASED

Darci J. Clouse
DARCI J. CLOUSE

BY: Sarah E. Clouse
SARAH E. CLOUSE, PERSONAL REPRESENTATIVE

Sarah E. Clouse
SARAH E. CLOUSE



STATE OF WASHINGTON
COUNTY OF Jefferson

On this day personally appeared before me JOSEPH W. CLOUSE, DARCI J. CLOUSE AND SARAH E. CLOUSE to me known to be the individual described, in and who executed the within and foregoing instrument and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed,

for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 19th Day of May, 2006.

Vicky J. Lockhart
Notary Public in and for the State of Washington,
Residing at 1414 1/2 1st St NW
My commission expires 12-01-06.

When recorded return to:

Mr. and Mrs. Steve D. Raab
606 Roosevelt St
Port Townsend, WA 98368

READ AND APPROVED

[Handwritten signature]
[Handwritten signature]

Filed for Record at Request of
Jefferson Title Company, Inc.
Escrow Number: 84063DF

Statutory Warranty Deed

THE GRANTOR Davos Capital, LLC, a New Mexico Limited Liability Company for and in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION in hand paid, conveys and warrants to Steven D. Raab, as his separate estate and Ann S. Raab, as her separate estate the following described real estate, situated in the County of Jefferson, State of Washington.

Abbreviated Legal: 1-8, Blk. 6, Hl. Tibbal's 2nd

Tax Parcel Number(s): 997 400 601

Lots 1 through 8, Block 6 in H.L. Tibbal's Jr., 2nd Addition, as per plat recorded in Volume 1 of Plats, page 46, records of Jefferson County, Washington.

Situate in the County of Jefferson, State of Washington.

Subject to: As fully described on Exhibit "A" attached hereto and made a part hereof

Grantees herein reserve a Right of First Refusal to purchase Block 7 in H.L. Tibbal's Jr. 2nd Addition.

Dated December 13, 2017

Davos Capital LLC

By: David Holland, Managing Member

STATE OF Washington }
COUNTY OF _____ } SS:


I certify that I know or have satisfactory evidence that David Holland
_____ is/are the person(s) who appeared before
me, and said person(s) acknowledge that _____ signed this instrument, on oath stated _____
is/are authorized to execute the instrument and acknowledge that as the
Managing Member of Davos Capital LLC
to be the free and voluntary act of such party(ies) for the uses and purposes mentioned in this instrument.

Dated: _____

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

EXHIBIT A

1. Any claim to (a) ownership of or rights to minerals and similar substances, including but not limited to ores, metals, coal, lignite, oil, gas, uranium, clay, rock, sand, and gravel located in, on, or under the Land or produced from the Land, whether such ownership or rights arise by lease, grant, exception, conveyance, reservation, or otherwise; and (b) any rights, privileges, immunities, rights of way, and easements associated therewith or appurtenant thereto, whether or not the interests or rights excepted in (a) or (b) appear in the Public Records.

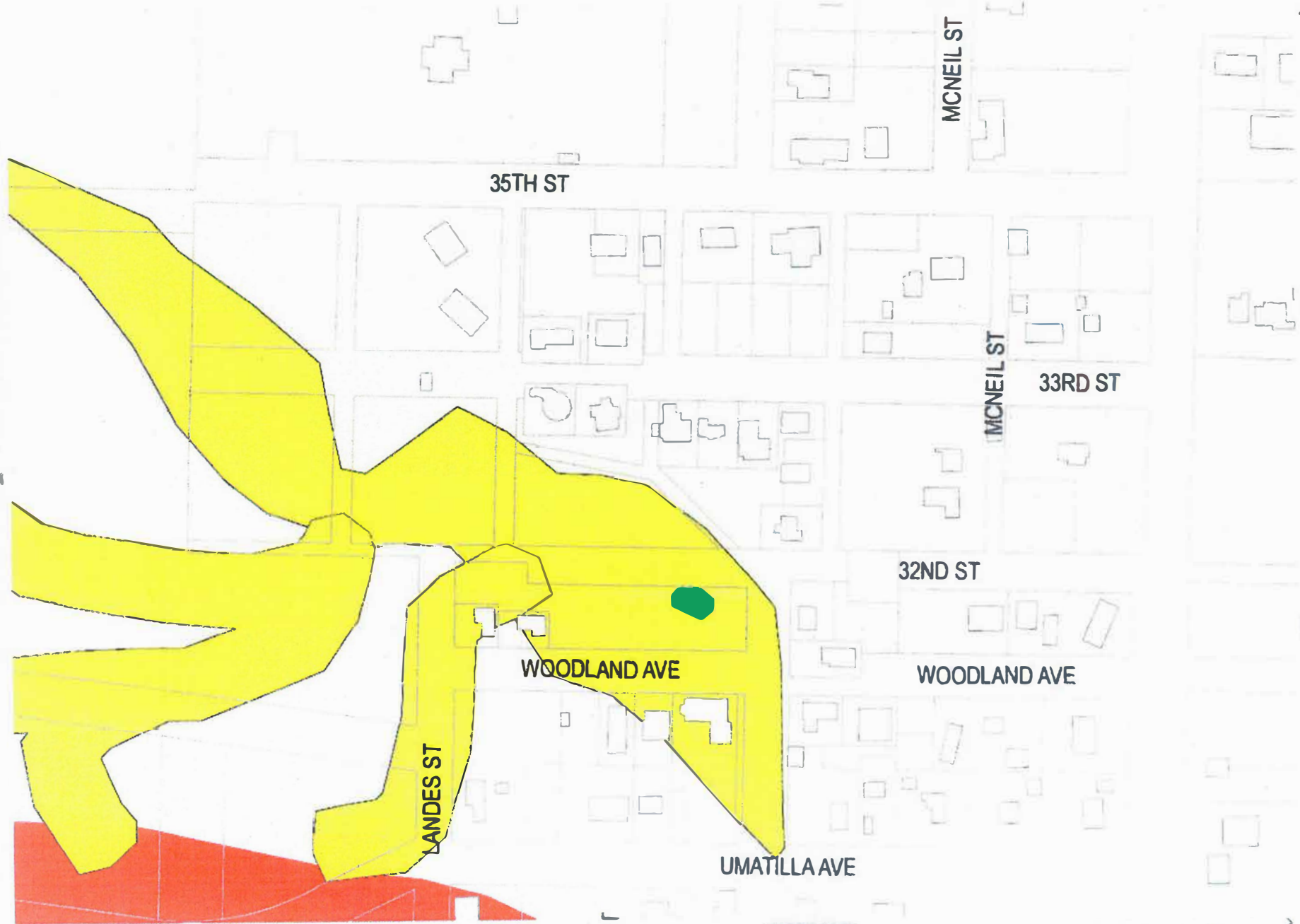
Initial 
S.H.

Initial 
S.D.R.

Initial 
A.S.R.



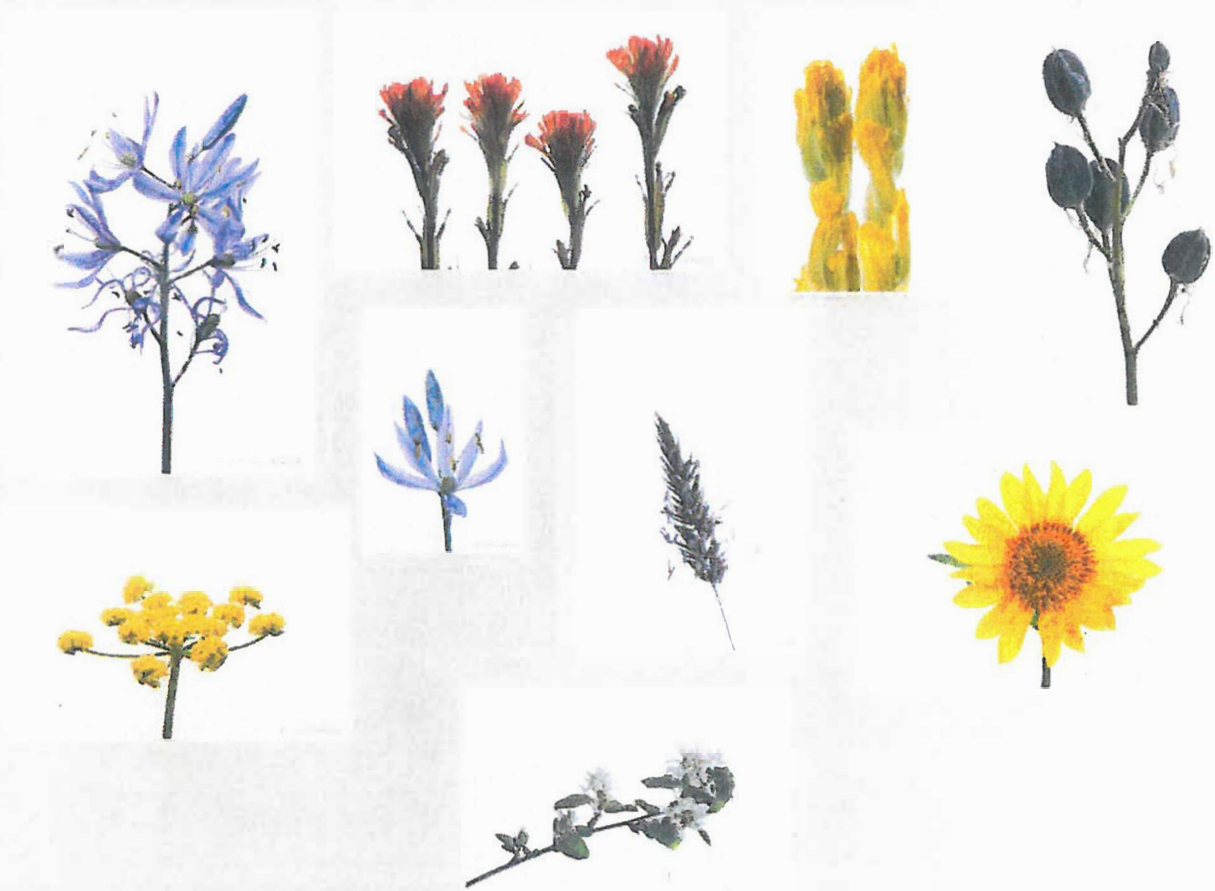
x



100.00 x 100.00 in



Thurston County Government
Prairie Plant Manual



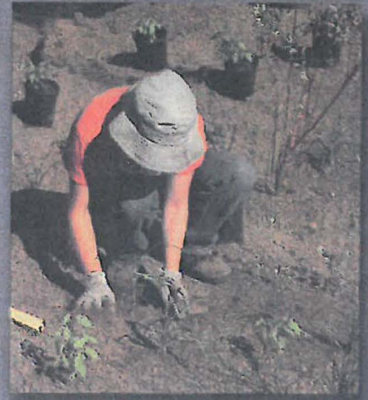
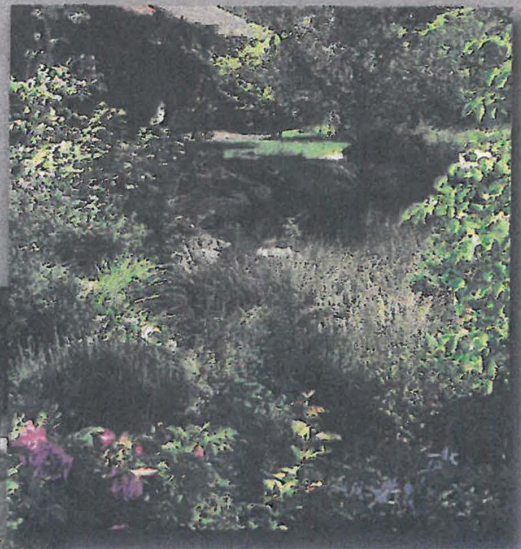
A visual guide to the Target Prairie Plants in the
Critical Areas Ordinance.

Prepared by Marisa Whisman

Rain Garden

Handbook for Western Washington Homeowners

**Designing your landscape
to protect our streams,
lakes, bays, and
wetlands**

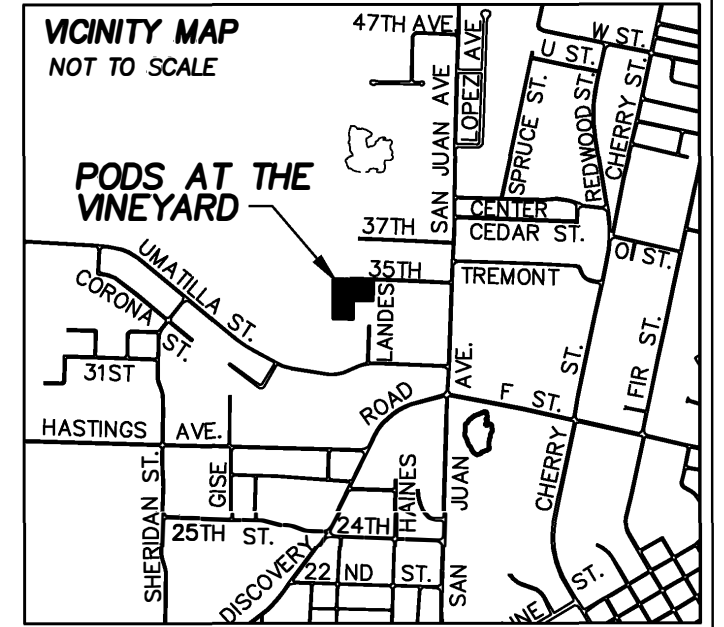


LEGAL DESCRIPTIONS:

THE FOLLOWING DESCRIBED REAL ESTATE, SITUATED IN THE COUNTY OF JEFFERSON, STATE OF WASHINGTON:
 PARCEL A:
 LOTS 1 THROUGH 8, BLOCK 6 IN H.L. TIBBALS, JRS. 2ND ADDITION, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 46, RECORDS OF JEFFERSON COUNTY, WASHINGTON.
 PARCEL B:
 LOTS 1 THROUGH 8, BLOCK 7 IN H.L. TIBBALS, JRS. 2ND ADDITION, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 46, RECORDS OF JEFFERSON COUNTY, WASHINGTON.
 PARCEL C:
 LOTS 3 THROUGH 8, BLOCK 8 IN H.L. TIBBALS, JRS. 2ND ADDITION, AS PER PLAT RECORDED IN VOLUME 1 OF PLATS, PAGE 46, RECORDS OF JEFFERSON COUNTY, WASHINGTON.
 SUBJECT TO: COVENANTS, CONDITIONS, RESTRICTIONS AND/OR EASEMENTS UNDER AUDITOR'S FILE NO. 410965. (REF. A.F.N. 511558)

**PODS AT THE VINEYARD
 PRELIMINARY PLAT MAP**

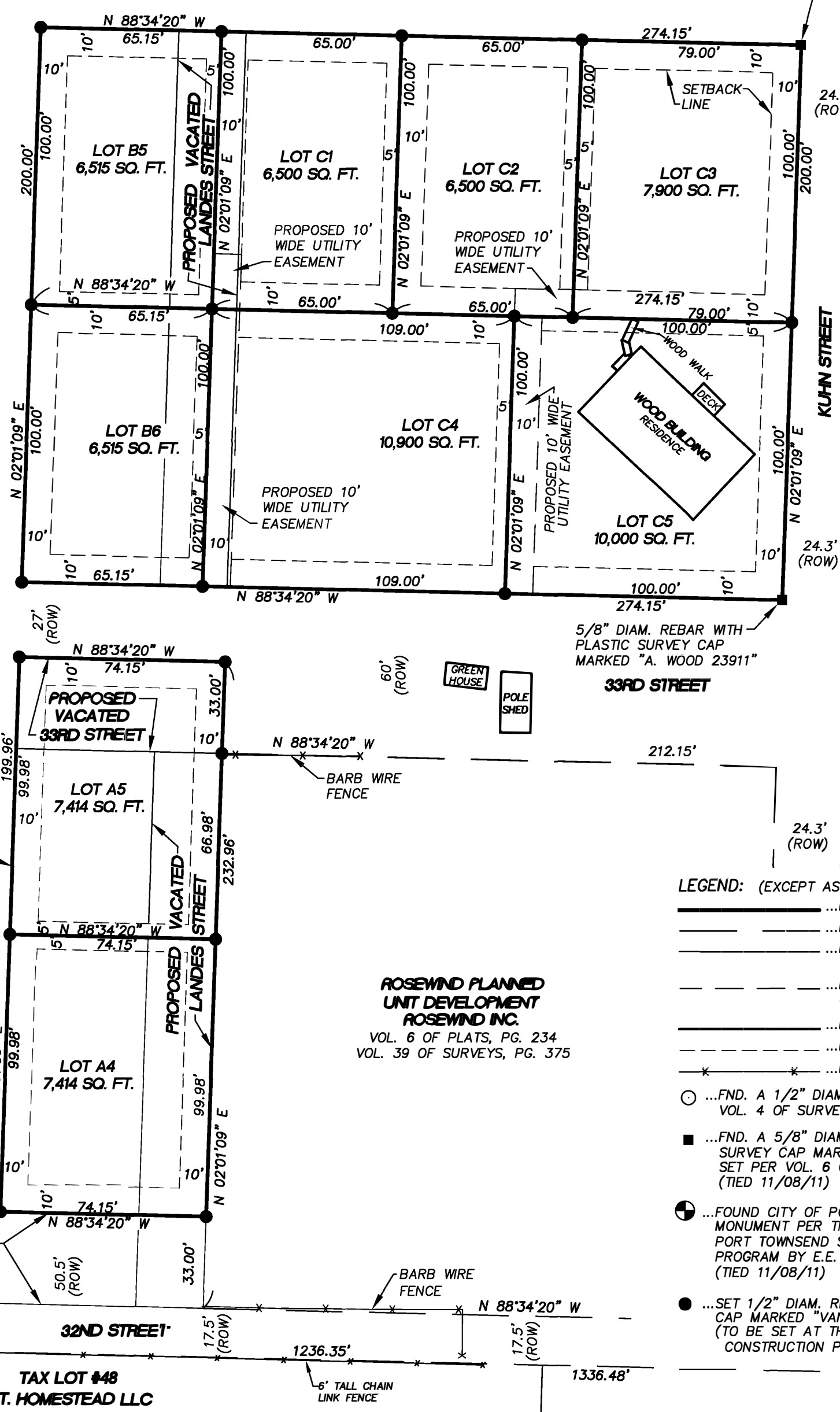
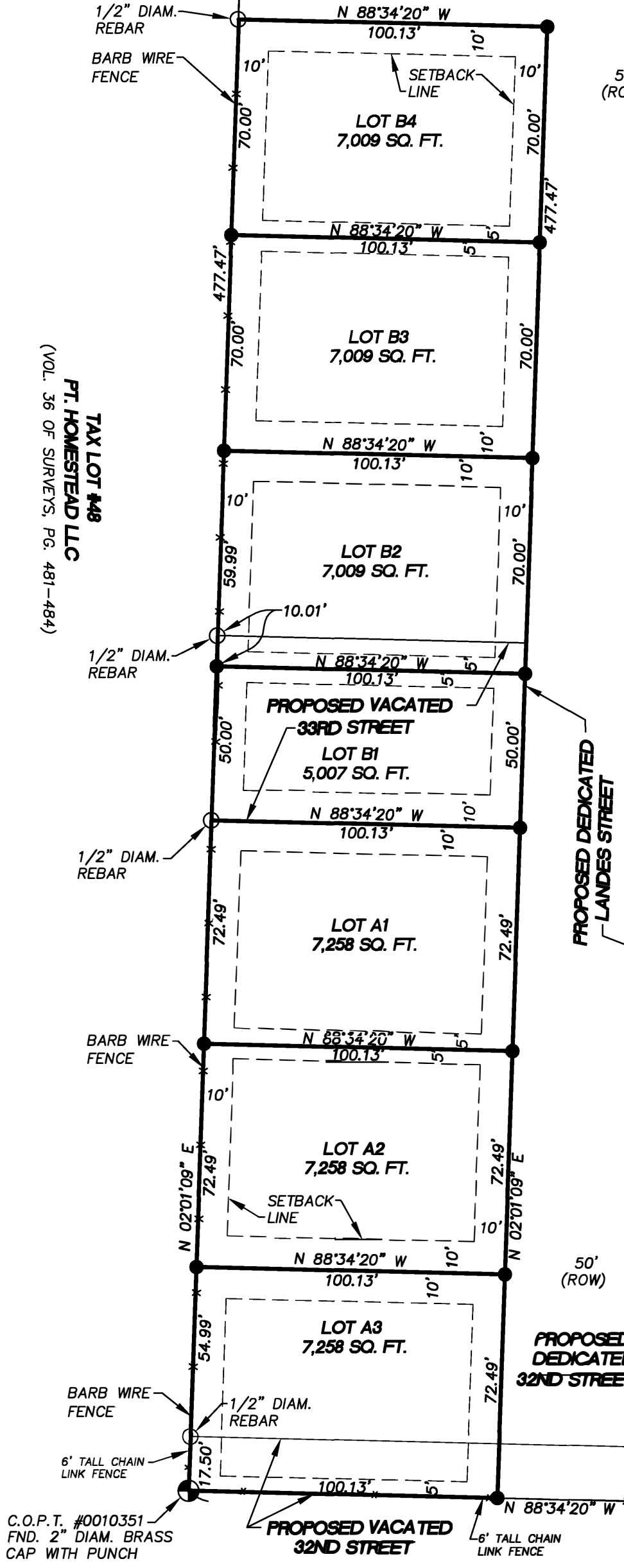
IN
 S.E. 1/4, N.E. 1/4, SECTION 3, TOWNSHIP 30 NORTH, RANGE 1 WEST, W.M.
 CITY OF PORT TOWNSEND, JEFFERSON COUNTY, WASHINGTON
 PREPARED FOR
DAVOS CAPITAL LLC
 P.O. BOX 9150
 SANTA FE, NM 87504



**PORT TOWNSEND ECOVILLAGE
 BINDING SITE PLAN**
 VOL. 1 B.S.P., PG. 107-111

EQUIPMENT:
 TRIMBLE S6 3" ROBOTIC TOTAL STATION
 TRIMBLE TSC2 DATA COLLECTOR

DUNDEE PLACE
 VOL. 2 PLATS, PG. 52



PROCEDURES:
 THIS MAP IS BASED ON A GROUND SURVEY UTILIZING CONVENTIONAL TRAVERSE METHODS WITH CLOSURES THAT MEET OR EXCEED THE STANDARDS CONTAINED IN WAC 332-130-090.

NOTES:
 1) FOR ADJOINING SURVEYS OF RECORD SEE: BOOK 1 OF B.S.P., PG. 107-111; BOOK 6 OF PLATS, PG. 234-235; BOOK 4 OF SURVEYS, PG. 209; BOOK 15 OF SURVEYS, PG. 189-190; BOOK 36 OF SURVEYS, PG. 481-484; BOOK 39 OF SURVEYS, PG. 375; RECORDS OF JEFFERSON COUNTY, WASHINGTON.
 2) FRONT BUILDING ENVELOPE SETBACKS AS SHOWN ARE 10'. GARAGE SETBACK REQUIRE 20' SETBACKS

ROSEWIND PLANNED UNIT DEVELOPMENT
 VOL. 6 PLATS, PG. 234
 VOL. 15 OF SURVEYS, PG. 189-190

C.O.P.T. #0010350
 FND. 2" DIAM. BRASS CAP INSIDE STEEL CASE AT THE INTERSECTION OF SAN JUAN AVE. AND TREMONT ST.

- LEGEND: (EXCEPT AS OTHERWISE INDICATED)**
- BOUNDARY LINE
 - EDGE OF RIGHT OF WAY
 - EDGE OF PROPOSED VACATED RIGHT OF WAY
 - PROPOSED 10' WIDE UTILITY EASEMENT
 - BUILDING LINE
 - BUILDING SETBACK LINE
 - FENCE LINE
 - ...FND. A 1/2" DIAM. REBAR VOL. 4 OF SURVEYS, PG. 29 (TIED 11/08/11)
 - ...FND. A 5/8" DIAM. REBAR WITH PLASTIC SURVEY CAP MARKED "A. WOOD LS 23911" SET PER VOL. 6 OF PLATS, PG. 234-235 (TIED 11/08/11)
 - ...FOUND CITY OF PORT TOWNSEND STREET MONUMENT PER THE UNRECORDED CITY OF PORT TOWNSEND STREET MONUMENTATION PROGRAM BY E.E. ANDERSON, L.S. 11520. (TIED 11/08/11)
 - ...SET 1/2" DIAM. REBAR WITH PLASTIC SURVEY CAP MARKED "VAN ALLER PLS 35986" (TO BE SET AT THE END OF THE CONSTRUCTION PHASE)

ROSEWIND PLANNED UNIT DEVELOPMENT
ROSEWIND INC.
 VOL. 6 OF PLATS, PG. 234
 VOL. 39 OF SURVEYS, PG. 375

BASIS OF BEARINGS:
 WASHINGTON COORDINATE SYSTEM OF 1983, ADJUSTMENT 1991, NORTH ZONE, NORTH AMERICAN DATUM (NAD 83/91). DETERMINED FROM FIELD MEASUREMENTS TO CITY OF PORT TOWNSEND GEODETIC CONTROL POINTS #0010311, #0010350 AND #0010351.
 SEE VOL. 19 OF SURVEYS, PAGES 61-70 FOR FURTHER INFORMATION REGARDING GEODETIC CONTROL POINTS.

APPROVED BY THE CITY OF PORT TOWNSEND:

DEVELOPMENT SERVICES DEPARTMENT DIRECTOR _____ DATE _____

AUDITOR'S CERTIFICATE

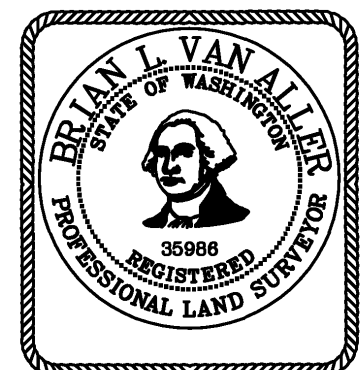
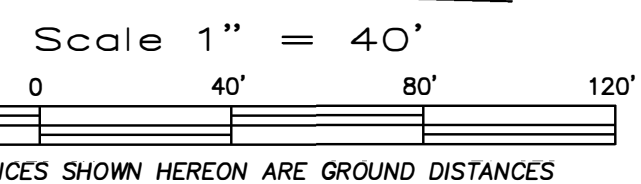
FILED FOR RECORD AT THE REQUEST OF DAVOS CAPITAL LLC, THIS _____ DAY OF _____, 2023, AT _____ MINUTES PAST _____ O'CLOCK _____ M., AND RECORDED IN BOOK _____ OF PLATS, AT PAGE _____, UNDER AUDITOR'S FILE NUMBER _____, RECORDS OF JEFFERSON COUNTY, WASHINGTON.

DEPUTY COUNTY AUDITOR _____

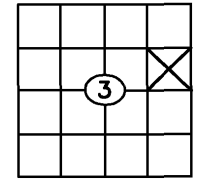
SURVEYOR'S CERTIFICATE

I, BRIAN L. VAN ALLER, REGISTERED AS A LAND SURVEYOR BY THE STATE OF WASHINGTON, CERTIFY THAT THIS LAND SUBDIVISION IS BASED ON AN ACTUAL SURVEY OF THE LAND DESCRIBED HEREIN CONDUCTED BY ME OR UNDER MY SUPERVISION; AND DECLARE THAT THE DISTANCES, COURSES AND ANGLES ARE SHOWN HEREON CORRECTLY; AND THAT ALL REQUIRED STAKES AND MONUMENTS HAVE BEEN PLACED ON THE GROUND AS DEPICTED ON THIS PLAT.

BRIAN L. VAN ALLER LS 35986 DATE 7/24/23

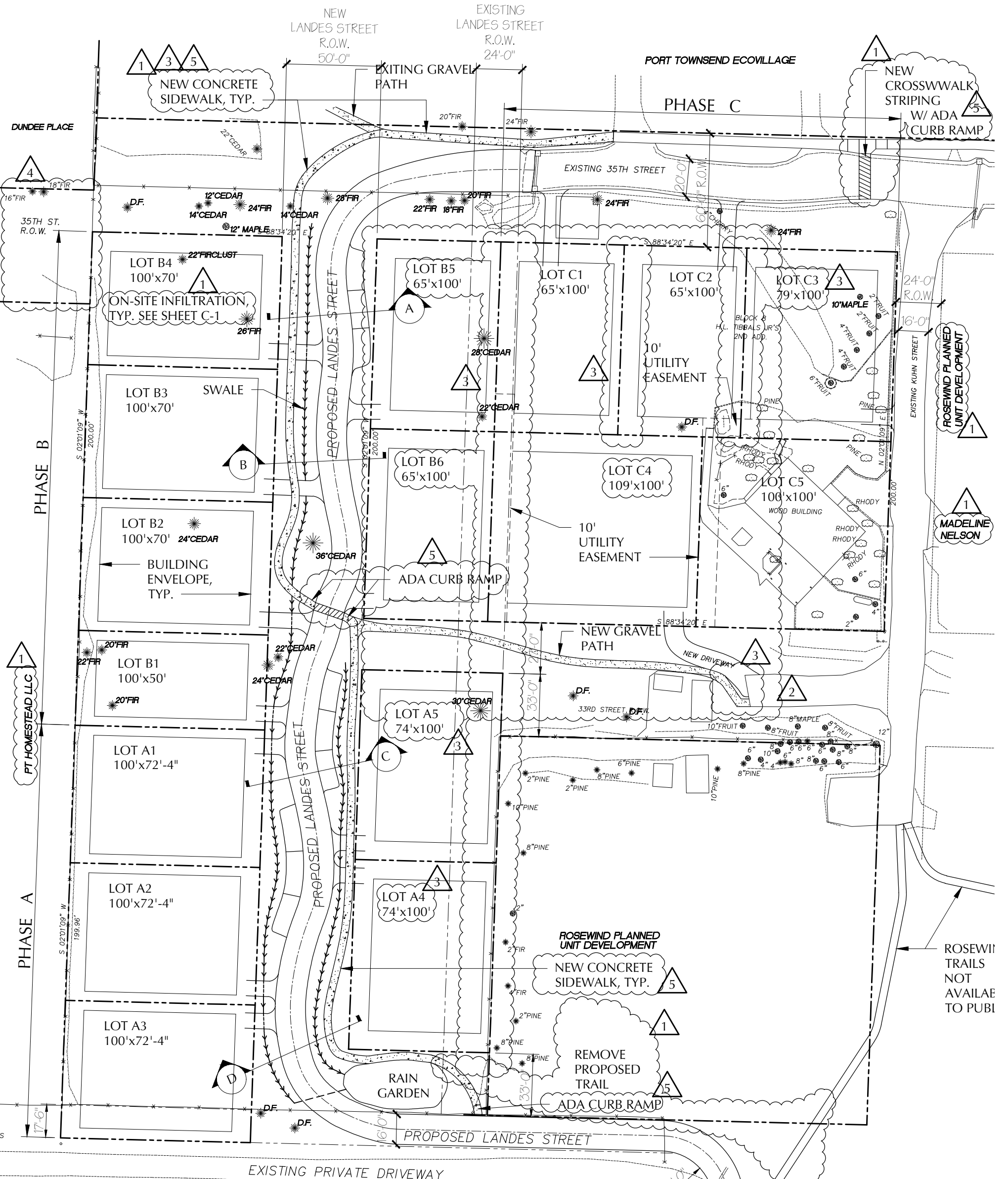


S.R.A. FILING DATA
 SECTION INDEX
 T 30 N, R 1 W, W.M.



SHEET 1 OF 2
 JOB NO: 00551

Van Aller Surveying
 P.O. Box 757 • Carlsborg, WA • 98324
 PHONE: (360) 683-3438 FAX: (360) 683-3241



PROPOSED STORMWATER STRATEGY

- EACH LOT TO INFILTRATE STORM WATER ON SITE
- LANDES STREET RUNOFF GOES TO RAIN GARDEN ADJACENT TO 32ND STREET RIGHT OF WAY

LANDES STREET IMPERVIOUS AREA INCLUDING PARKING = 10,616 SF
 REQUIRED RAIN GARDEN AREA @ 6%-9% = 637-955 SF
 PROPOSED RAIN GARDEN AREA = 1,100 SF APPROX.
 (SEE CIVIL SHEET C2 FOR ADDITIONAL INFORMATION)

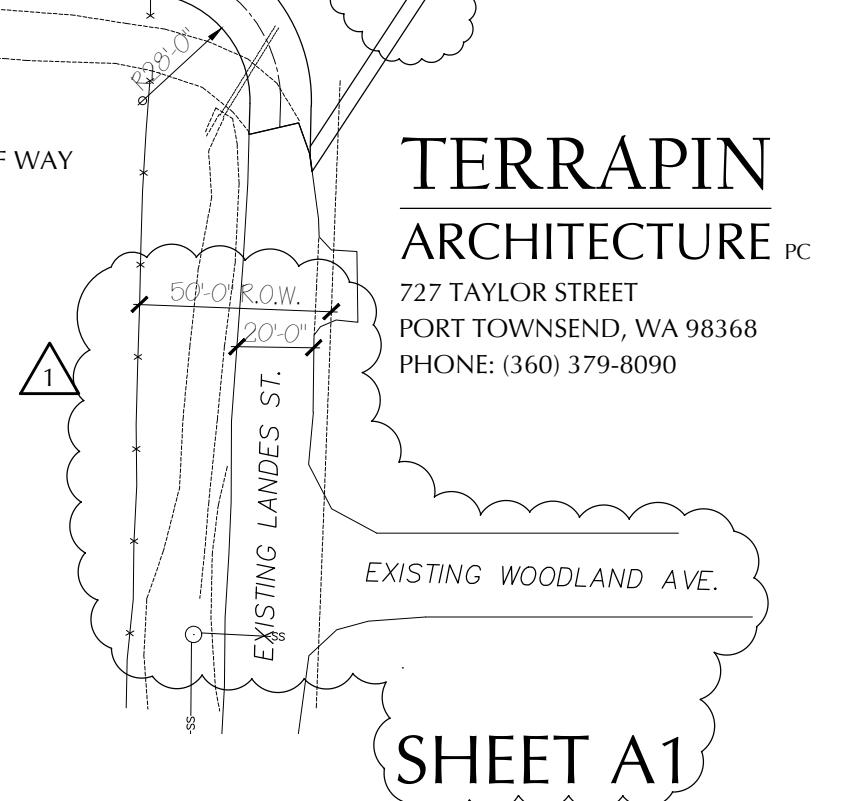
TERRAPIN ARCHITECTURE PC
 727 TAYLOR STREET
 PORT TOWNSEND, WA 98368
 PHONE: (360) 379-8090

PODS AT THE VINEYARD
 PROPOSED PHASES: A, B, & C
 MARCH 1, 2022

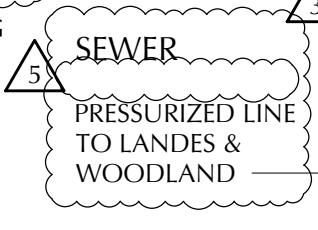
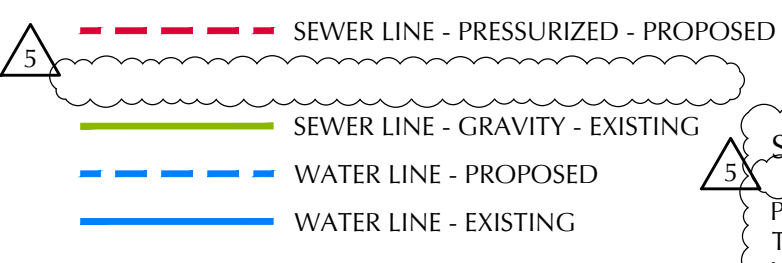
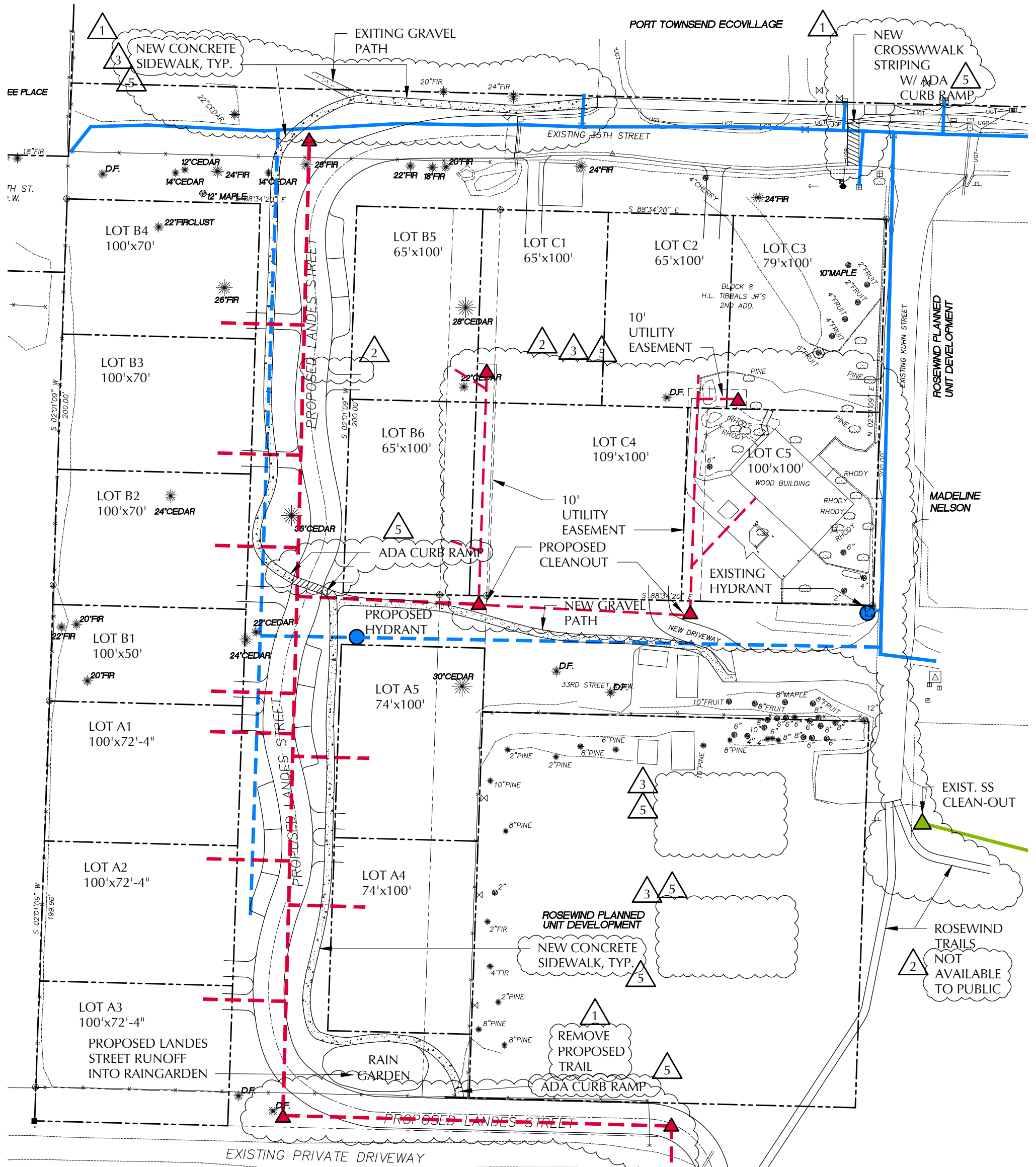


SCALE: 1" = 50'

- 1 3-13-23 REVISION 1
- 2 3-30-23 REVISION 2
- 3 7-14-23 REVISION 3
- 4 9-19-23 REVISION 4
- 5 11-28-23 REVISION 5



SHEET A1



TERRAPIN ARCHITECTURE PC
 727 TAYLOR STREET
 PORT TOWNSEND, WA 98368
 PHONE: (360) 379-8090

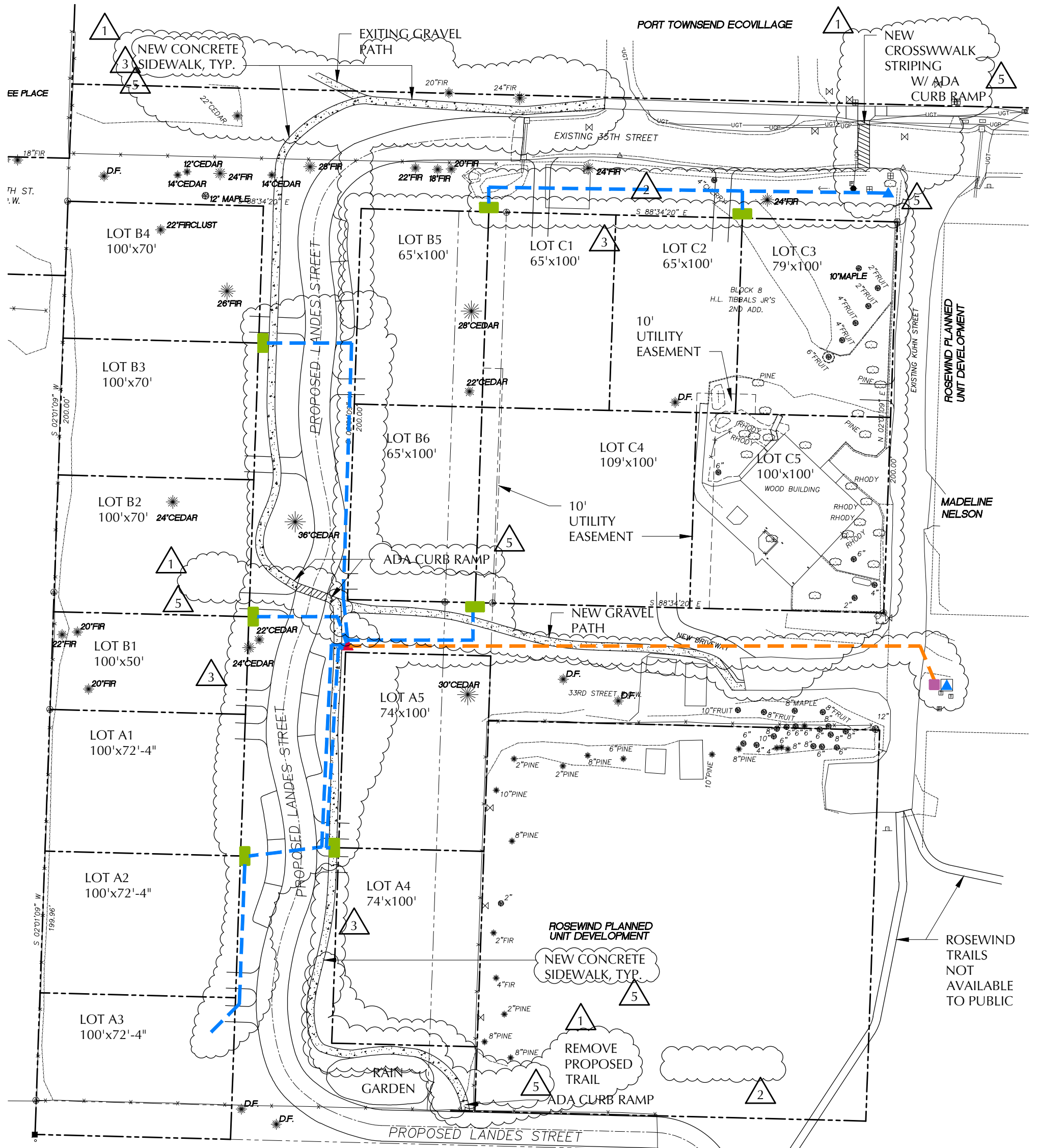
**PODS AT THE VINEYARD
 PROPOSED SEWER & WATER LAYOUT
 MARCH 1, 2022**

- 1 3-13-23 REVISION 1
- 2 3-30-23 REVISION 2
- 3 7-14-23 REVISION 3
- 5 11-28-23 REVISION 5



SCALE: 1" = 50'
 0' 50'

EXISTING WOODLAND AVE.



▲ EXISTING PAD-MOUNT TRANSFORMER
▲ NEW PAD-MOUNT TRANSFORMER
■ PRIMARY JUNCTION VAULT
■ SECONDARY VAULT
--- PRIMARY WIRE
--- SECONDARY WIRE

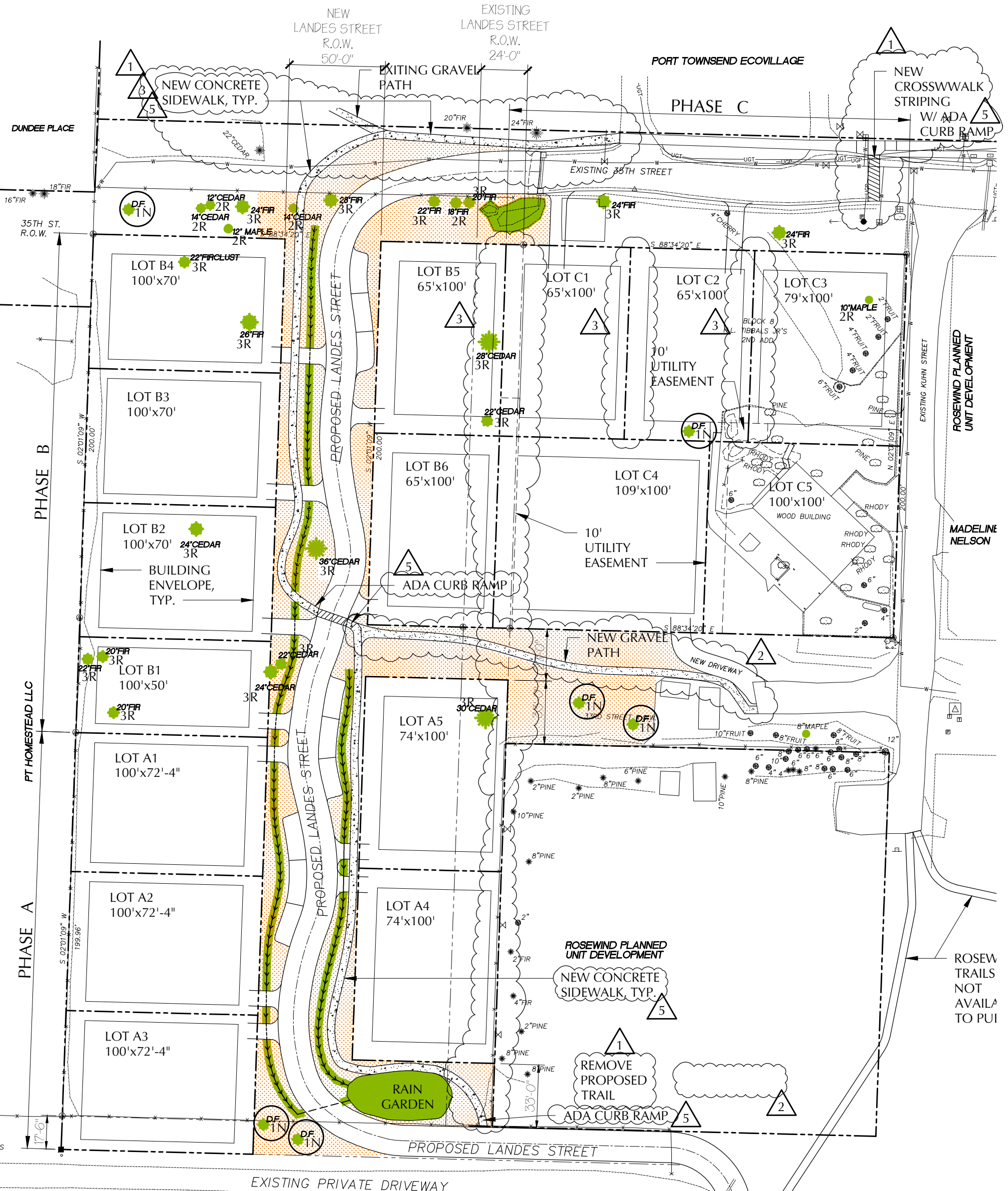
TERRAPIN
ARCHITECTURE PC
 727 TAYLOR STREET
 PORT TOWNSEND, WA 98368
 PHONE: (360) 379-8090

PODS AT THE VINEYARD
PRELIMINARY POWER/CABLE LAYOUT
MARCH 1, 2022



SCALE: 1" = 50'
 0' 50'

- 1 3-13-23 REVISION 1
- 2 3-30-23 REVISION 2
- 3 7-14-23 REVISION 3
- 5 11-28-23 REVISION 5



TREE CONSERVATION AND LANDSCAPE PLAN:
 TO MAINTAIN AND ENHANCE EXISTING PRAIRIE LANDSCAPE AN ALTERNATIVE TREE CONSERVATION PLAN, PER PTMC 19.06.120 SECTION C, IS PROPOSED:

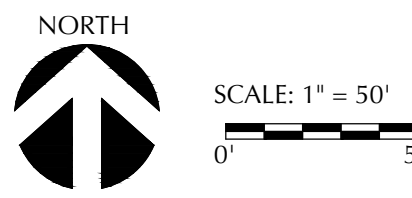
- TREES RETAINED: 18 @ >20" DIA = 54 UNITS AND 6 @ 7-19" DIA = 12 UNITS, TOTAL RETAINED TREE UNITS = 66
- SIX NEW DOUGLAS FIR TREES = 6 UNITS
- TOTAL TREE UNITS = 72
- RESTORE UPLAND PRAIRIE IN R.O.W. AREAS

RESTORE DRY UPLAND PRAIRIE
 DRAINAGE SWALE
 3R OR 2R RETAINED TREE UNITS
 (1N) NEW TREE UNITS

PODS AT THE VINEYARD

PROPOSED PHASES: A, B, & C

MARCH 1, 2022



- 1 3-13-23 REVISION 1
- 2 3-30-23 REVISION 2
- 3 7-14-23 REVISION 3
- 5 11-28-23 REVISION 5

TERRAPIN ARCHITECTURE PC
 727 TAYLOR STREET
 PORT TOWNSEND, WA 98368
 PHONE: (360) 379-8090

1

PRELIMINARY LANDSCAPE GUIDELINES:

1. Upland Dry Camas Prairie:

For the most part, this landscaping strategy will be located within rights-of-way where the ground will be disturbed by road and walkway construction.

- a. Remove and discard/compost non-native plants and grasses
- b. Preserve and stockpile existing topsoil
- c. After installation of roadways, walkways, and drainage swales, spread the stockpiled prairie topsoil in the remaining right-of-way areas.
- d. Plant the prairie topsoil as a restored dry upland prairie, using the Greenpod Phased Development Plant Assessment, prepared by Olympic Wetland Resources, LLC, as a resource.

All plant species chosen for the prairie are found in our local native prairie or on the Quimper Peninsula. Initial planting within the prairie should be completed once all roadways and swales are established, soils mounded in garden beds, and invasive species are removed. Roemer's fescue is the main foundation of the prairie and should be the dominant species with the other flowering species planted around this clump grass.

Scientific Name	Common Name	Kah Tai Prairie	Type	deer Resistant
<i>Camassia leichtlinii</i>	Great camas		Herb	
<i>Camassia quamash</i>	Common camas	KTP	Herb	
<i>Cerastrium arvense</i>	Field chickweed	KTP	Herb	
<i>Erigeron speciosus</i>	Showy fleabane	KTP	Herb	
<i>Festuca roemeri</i>	Roemer's fescue	KTP	Herb	R
<i>Lomatium nudicaule</i>	Pestle parsnip	KTP	Herb	R
<i>Lomatium utriculatum</i>	Desert parsley	KTP	Herb	R
<i>Solidago canadensis</i>	Canada goldenrod	KTP	Herb	

2. Roadside Drainage Swale

In roadside locations as shown on the Preliminary Site Plan

- a. Shape the swales to direct roadway runoff to the Rain Garden at the southern end of the property
- b. Partially fill the swales with a mix of excavated soil and compost
- c. Use the Rain Garden Handbook for Western Washington as a resource

Swales are designed to retain water with excessive run-off and eventually flow to the rain garden at the bottom of the slope. Recommended plants include species that are now growing on site (yarrow and tall Oregon grape). At the bottom of the swale wetland species are recommended and include sedge, rush, and aster.

Scientific Name	Common Name	Kah Tai Prairie	Type	deer Resistant
<i>Achillea millefolium</i>	Yarrow	KTP	Herb	R
<i>Aster subspicatus</i>	Douglas aster		Herb	
<i>Camassia quamash</i>	Common camas	KTP	Herb	
<i>Carex obnupta</i>	Slough sedge		Herb	R
<i>Eriophyllum lanatum</i>	Woolly sunflower	KTP	Herb	
<i>Juncus effusus</i>	Soft rush		Herb	R

3. Rain Garden

Rain garden size, depth, slopes, etc. to follow Civil engineering plans to achieve designed capacity.

a. Use the Rain Garden Handbook for Western Washington as a resource for shape and rain garden soil mix. Unless directed otherwise by the Civil Engineer or a qualified designer or landscape architect, use plants suggested by the Greenpod Phased Development Plant Assessment.

Scientific Name	Common Name	Kah Tai Prairie	Type	deer Resistant
Bottom of Rain Garden Zone 1				
<i>Carex obnupta</i>	Slough sedge		Herb	
<i>Lonicera involucrata</i>	Black twinberry		Shrub	
<i>Physocarpus capitatus</i>	Pacific ninebark		Shrub	
<i>Rubus spectabilis</i>	Salmonberry		Shrub	
Lower part of slope Zone 2				
<i>Cornus sericea "Kelseyi"</i>	Dwarf redosier dogwood		Shrub	
<i>Corylus cornuta</i>	Hazelnut		Shrub	R
<i>ibes sanguineum</i>	Red flowering currant		Shrub	
<i>Rubus spectabilis</i>	Salmonberry		Shrub	
Upper parts of slope Zone 3				
<i>Gaultheria shallon</i>	Salal		Shrub	R
<i>Mahonia aquifolium ***</i>	Tall Oregon grape	KTP	Shrub	
<i>Oemleria cerasiformis</i>	Indian plum		Shrub	
<i>Polystichum munitum</i>	Sword fern		Shrub	R
<i>Ribes sanguineum</i>	Red flowering currant		Shrub	

*** Tall Oregon Grape is growing on site and will easily adapt to any restoration sites including swales and prairie

Recommended Trees Optional (adapted to drying hot summers after established)

<i>Quercus garryana</i>	Garry Oak
<i>Pinus contorta</i> Shore	Pine Recommended

Native Grasses (optional)

<i>Deschampsia cespitosa</i>	Tall hairgrass
<i>Danthonia californica</i>	California oatgrass

TERRAPIN
ARCHITECTURE PC
 727 TAYLOR STREET
 PORT TOWNSEND, WA 98368
 PHONE: (360) 379-8090

PODS AT THE VINEYARD

MARCH 1, 2022

1 3-13-23 REVISION 1

1

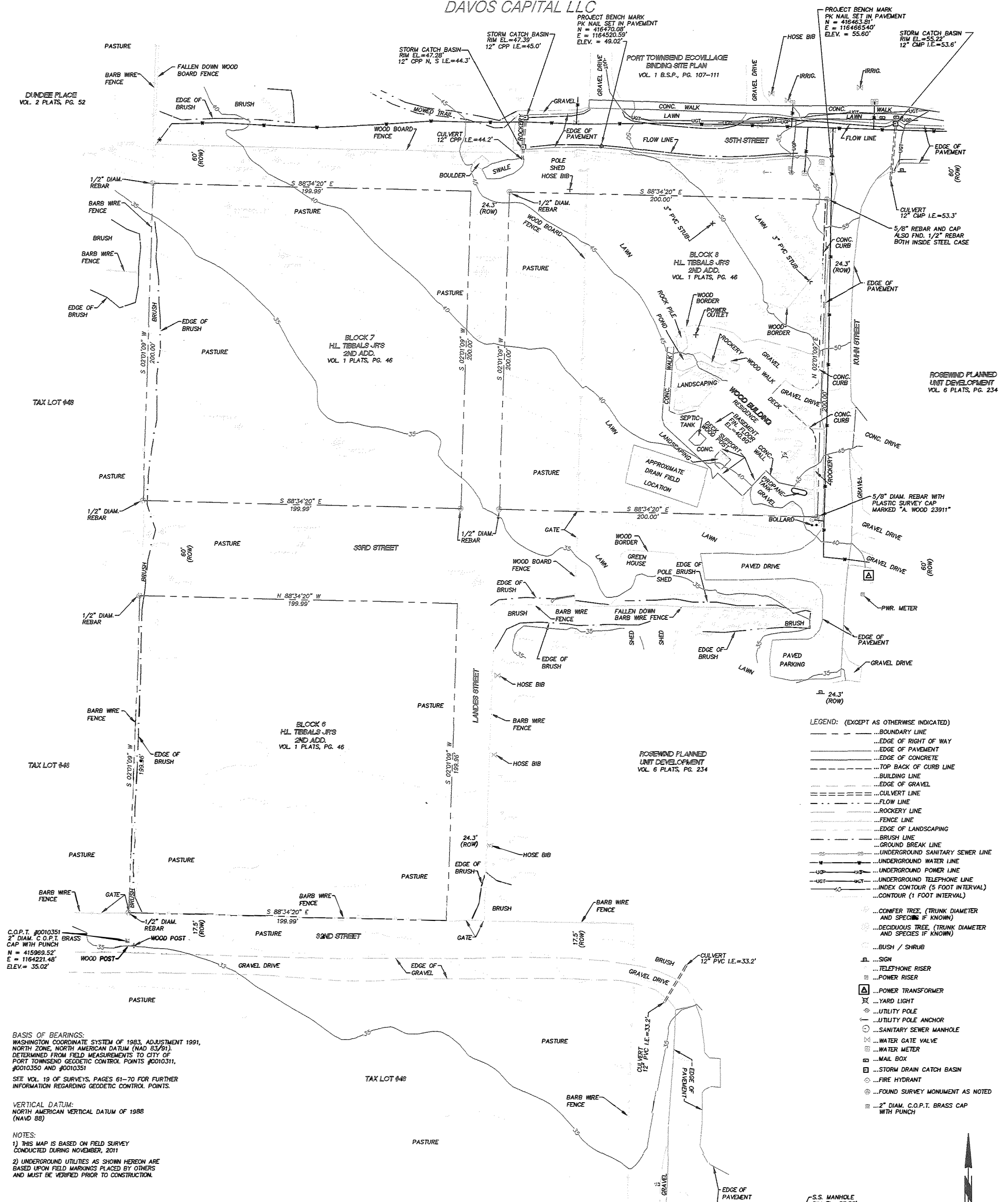
SHEET A5

PROCEDURES:
THIS SURVEY IS BASED ON A GROUND SURVEY UTILIZING CONVENTIONAL TRAVERSE METHODS WITH CLOSURES THAT MEET OR EXCEED THE STANDARDS CONTAINED IN WAC 332-130-090.

EQUIPMENT:
TRIMBLE SS 2" ROBOTIC TOTAL STATION
TRIMBLE TSC2 DATA COLLECTOR

DATE OF SURVEY:
NOVEMBER, 2011

BLOCKS 6, 7 AND 8
H.L. TIBBALS JR'S 2ND ADDITION
IN THE
N.E. 1/4, SECTION 3, TOWNSHIP 30 NORTH, RANGE 1 WEST, W.M.
CITY OF PORT TOWNSEND, JEFFERSON COUNTY, WASHINGTON
PREPARED FOR
DAVOS CAPITAL LLC



- LEGEND: (EXCEPT AS OTHERWISE INDICATED)
- BOUNDARY LINE
 - EDGE OF RIGHT OF WAY
 - EDGE OF PAVEMENT
 - EDGE OF CONCRETE
 - TOP BACK OF CURB LINE
 - BUILDING LINE
 - EDGE OF GRAVEL
 - CULVERT LINE
 - FLOW LINE
 - ROCKERY LINE
 - FENCE LINE
 - EDGE OF LANDSCAPING
 - BRUSH LINE
 - GROUND BREAK LINE
 - UNDERGROUND SANITARY SEWER LINE
 - UNDERGROUND WATER LINE
 - UNDERGROUND POWER LINE
 - UNDERGROUND TELEPHONE LINE
 - INDEX CONTOUR (5 FOOT INTERVAL)
 - CONTOUR (1 FOOT INTERVAL)
 - COMFER TREE (TRUNK DIAMETER AND SPECIES IF KNOWN)
 - DECIDUOUS TREE (TRUNK DIAMETER AND SPECIES IF KNOWN)
 - BUSH / SHRUB
 - △ SIGN
 - TELEPHONE RISER
 - POWER RISER
 - ⊠ POWER TRANSFORMER
 - ⊠ YARD LIGHT
 - UTILITY POLE
 - UTILITY POLE ANCHOR
 - SANITARY SEWER MANHOLE
 - WATER GATE VALVE
 - WATER METER
 - MAIL BOX
 - ⊠ STORM DRAIN CATCH BASIN
 - FIRE HYDRANT
 - FOUND SURVEY MONUMENT AS NOTED
 - 2" DIAM. C.O.P.T. BRASS CAP WITH PUNCH

BASIS OF BEARINGS:
WASHINGTON COORDINATE SYSTEM OF 1983, ADJUSTMENT 1991,
NORTH ZONE, NORTH AMERICAN DATUM (NAD 83/91).
DETERMINED FROM FIELD MEASUREMENTS TO CITY OF
PORT TOWNSEND GEODETIC CONTROL POINTS #0010311,
#0010350 AND #0010351

SEE VOL. 19 OF SURVEYS, PAGES 61-70 FOR FURTHER
INFORMATION REGARDING GEODETIC CONTROL POINTS.

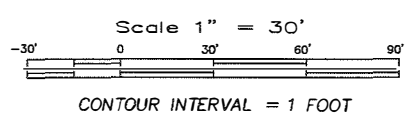
VERTICAL DATUM:
NORTH AMERICAN VERTICAL DATUM OF 1988
(NAVD 88)

NOTES:
1) THIS MAP IS BASED ON FIELD SURVEY CONDUCTED DURING NOVEMBER, 2011
2) UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED UPON FIELD MARKINGS PLACED BY OTHERS AND MUST BE VERIFIED PRIOR TO CONSTRUCTION.



I HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR LICENSED TO PRACTICE IN THE STATE OF WASHINGTON AND DECLARE THAT THIS MAP CORRECTLY REPRESENTS A TOPOGRAPHIC SURVEY PERFORMED IN NOVEMBER, 2011 UNDER MY SUPERVISION, AND MEETS OR EXCEEDS INDUSTRY STANDARDS FOR TOPOGRAPHIC SURVEYS OF ITS CLASS; PERFORMED AT THE REQUEST OF DAVOS CAPITAL LLC IN NOVEMBER, 2011.

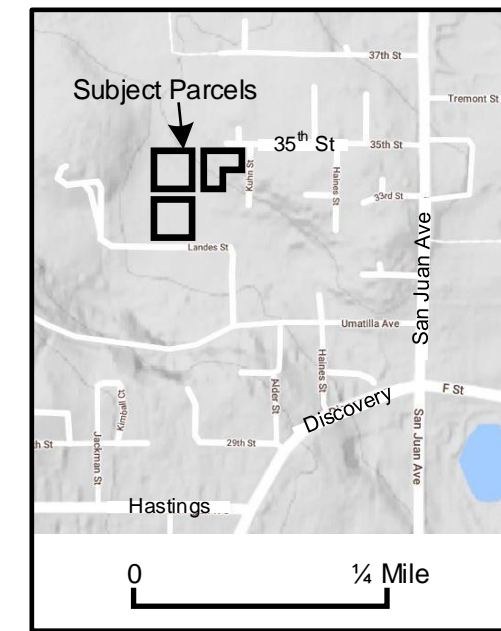
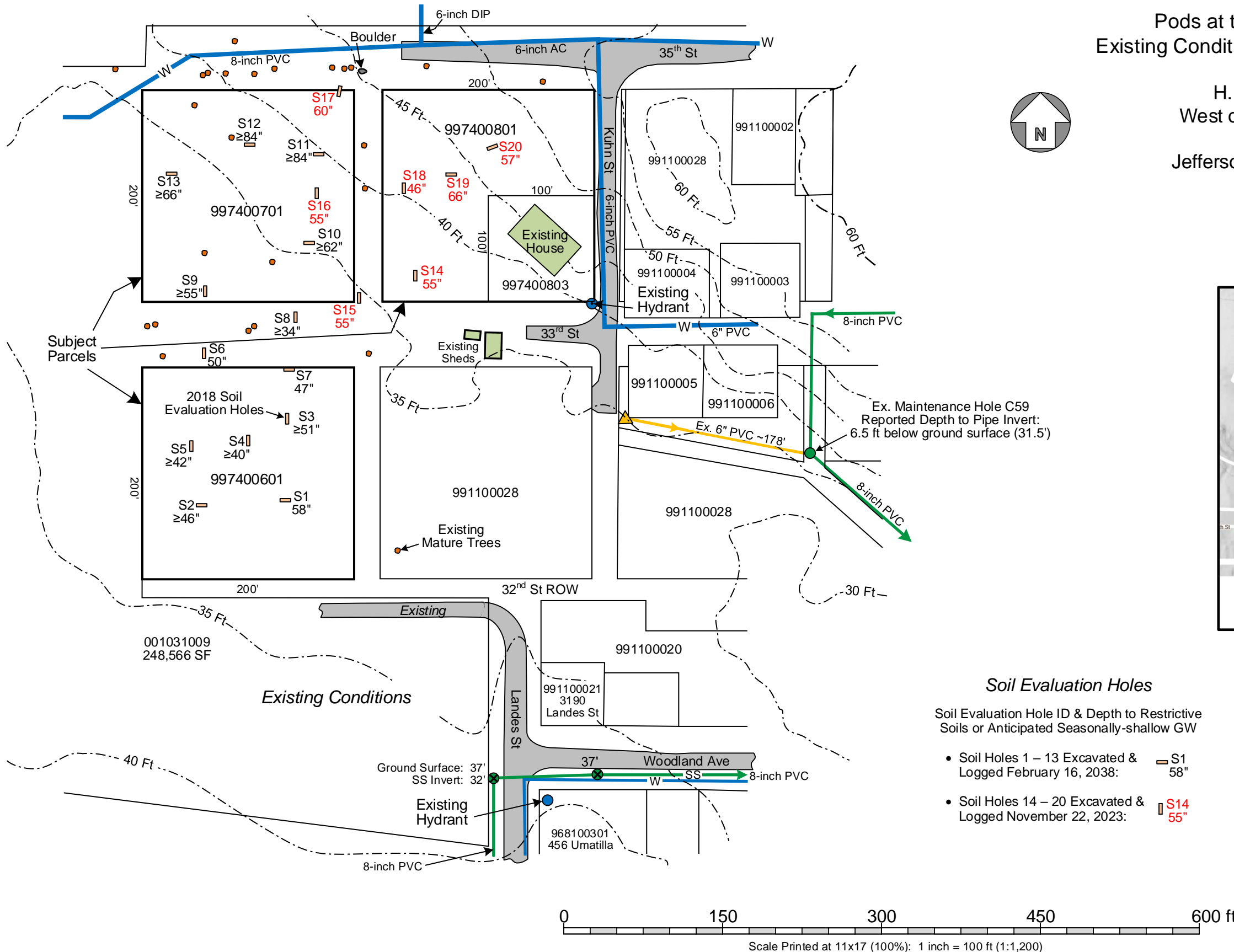
BRIAN L. VAN ALLER LS 35986 DATE _____



SHEET 1 OF 1	VAN ALLER SURVEYING P.O. BOX 757 * CARLSBORG, WA. * 98324 PHONE: (360) 683-3438 * FAX: (360) 683-3241	TITLE: TOPOGRAPHIC MAP BLOCKS 6, 7 AND 8 H.L. TIBBALS JR'S 2ND ADDITION	REVISIONS: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>DATE</th> <th>MARK</th> <th>NOTE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	DATE	MARK	NOTE															
		DATE	MARK	NOTE																	
CLIENT: DAVOS CAPITAL LLC P.O. BOX 9150 SANTA FE, NM 87504																					

Pods at the Vineyard Civil Engineering Sheet C1
 Existing Conditions with **Soil Evaluation Hole Locations**
 Preliminary Long Plat Application
 H. L. Tibbals Jr. Second Addition Blocks 6 - 8
 West of Kuhn Street, Between 32nd St and 35th St
 Port Townsend, WA 98368
 Jefferson County Parcels 997400601, -701 & -801

Elevations and boundaries from Jefferson County On-line GIS
 Sanitary sewer and water mains locations from ArcGIS.com



Project Location

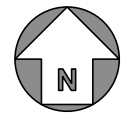
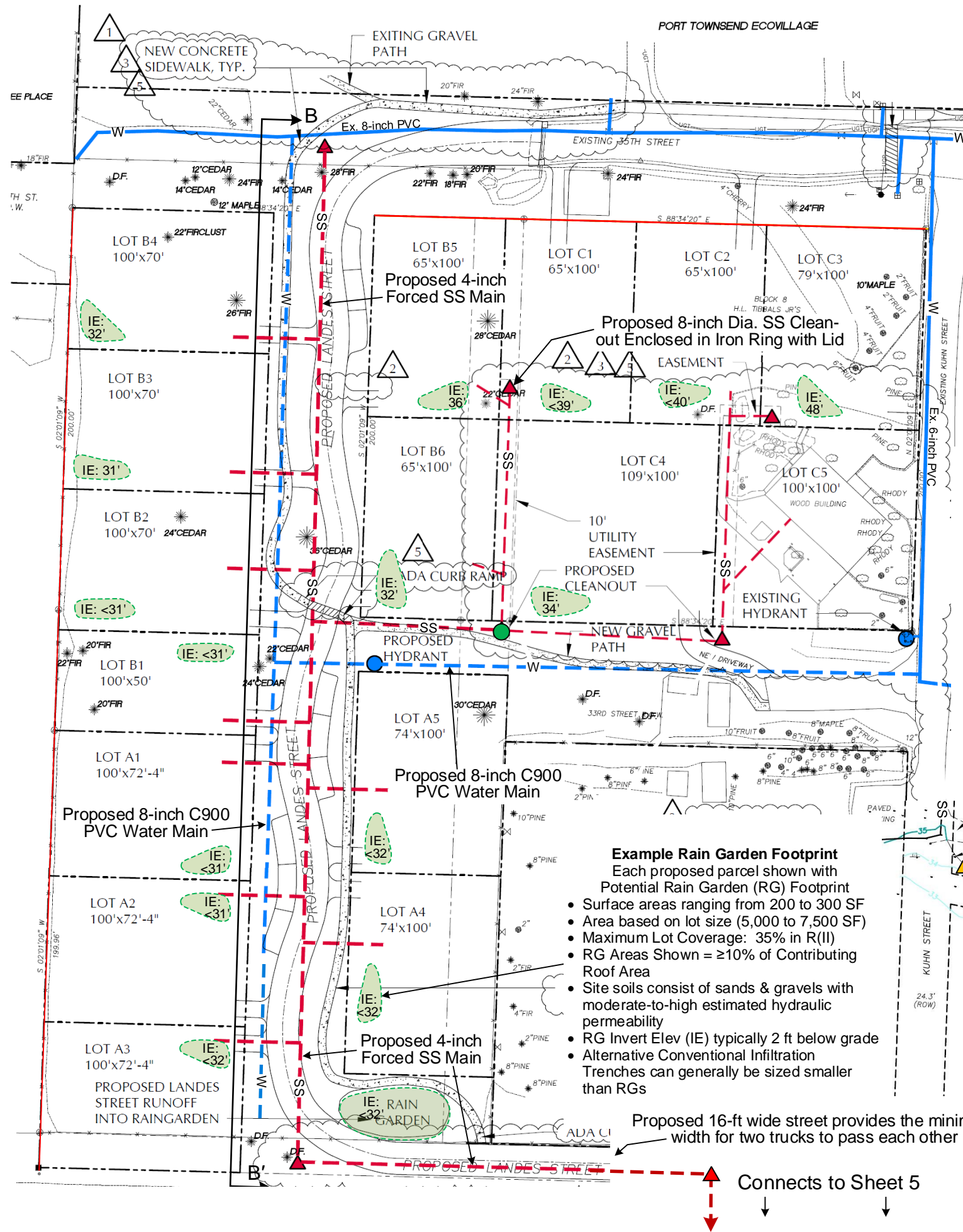
Soil Evaluation Holes

Soil Evaluation Hole ID & Depth to Restrictive Soils or Anticipated Seasonally-shallow GW

- Soil Holes 1 – 13 Excavated & Logged February 16, 2038: S1 58"
- Soil Holes 14 – 20 Excavated & Logged November 22, 2023: S14 55"



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 ev_sorensen@hotmail.com 360-821-9960
 February 3, 2023
 Updated December 22, 2023



See Sheets C3, C4, & C5 for Cross Sections

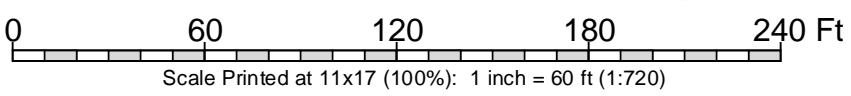
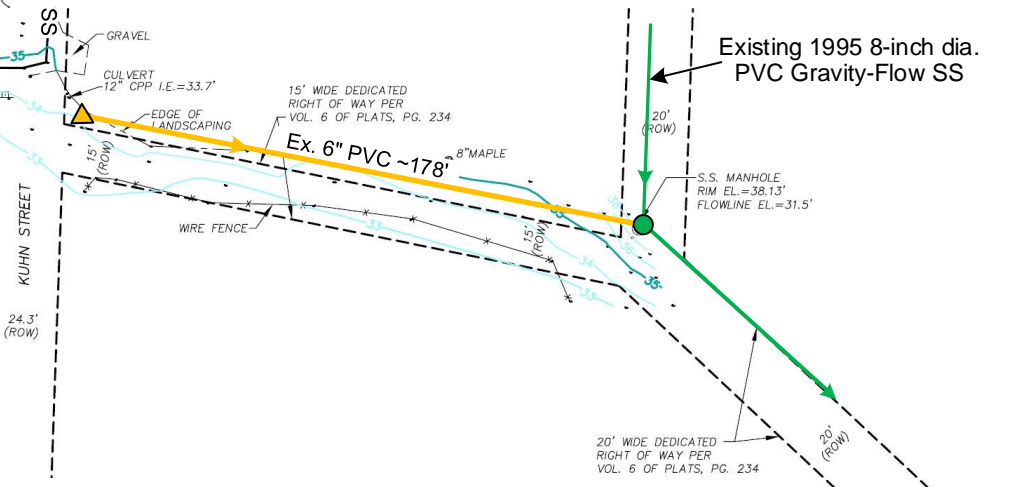
Pods at the Vineyard Civil Engineering Sheet C2
Proposed Sanitary Sewer and Water Main Layouts
 Preliminary Long Plat Application
 H. L. Tibbals Jr. Second Addition Blocks 6 - 8
 West of Kuhn Street, Between 32nd St and 35th St
 Port Townsend, WA 98368
 Jefferson County Parcels 997400601, -701 & -801

Background Images: Terrapin Architecture's Proposed Sewer & Water Layout, March 1, 2022, with overlays from Brian Van Aller's Topographic Surveys, November 2011 with Additional Area Added November 2022

- Proposed Sanitary Sewer (SS) System Notes**
- Proposed Lots will each require a private, on-site, SS lift station to pump wastewater into the proposed low-pressure forced main.
 - This proposed forced main would discharge into the existing gravity-flow SS main at Landes St. & Woodland Ave.
 - All proposed private on-site sewage lift stations would be owned & maintained by the respective lot owners.

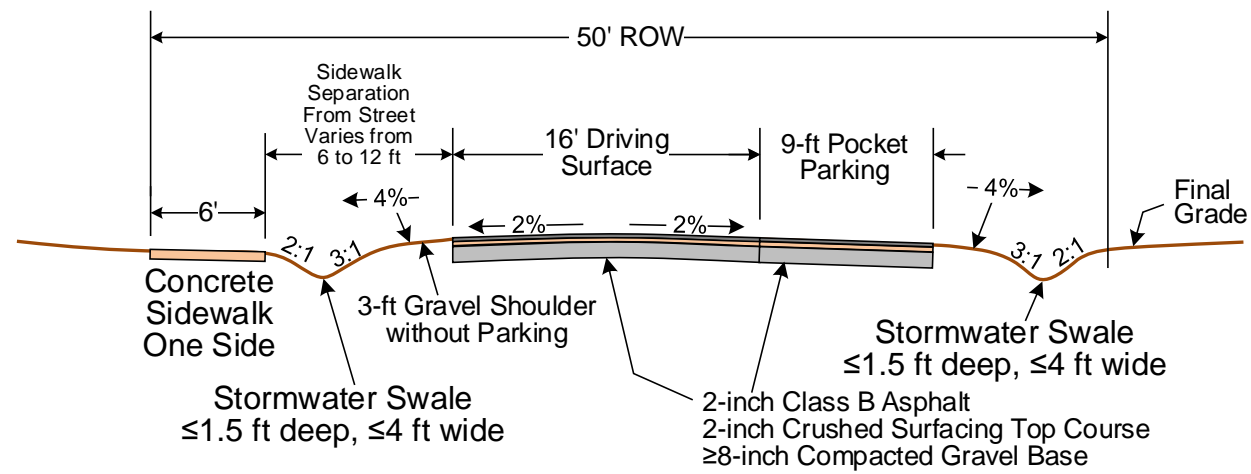
Example Rain Garden Footprint
 Each proposed parcel shown with Potential Rain Garden (RG) Footprint

- Surface areas ranging from 200 to 300 SF
- Area based on lot size (5,000 to 7,500 SF)
- Maximum Lot Coverage: 35% in R(II)
- RG Areas Shown = $\geq 10\%$ of Contributing Roof Area
- Site soils consist of sands & gravels with moderate-to-high estimated hydraulic permeability
- RG Invert Elev (IE) typically 2 ft below grade
- Alternative Conventional Infiltration Trenches can generally be sized smaller than RGs

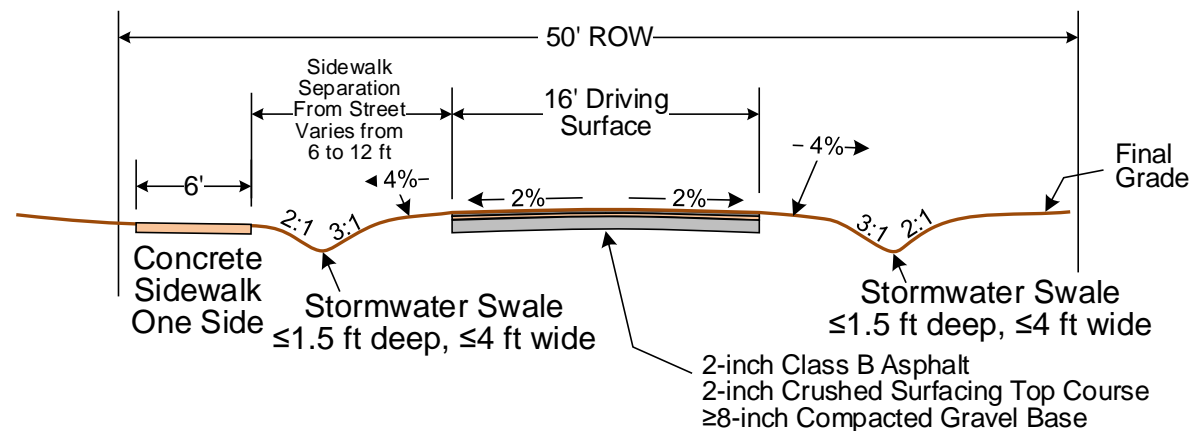


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 February 3, 2023
 Revised May 8, 2023
 Revised July 7, 2023
 Revised December 22, 2023

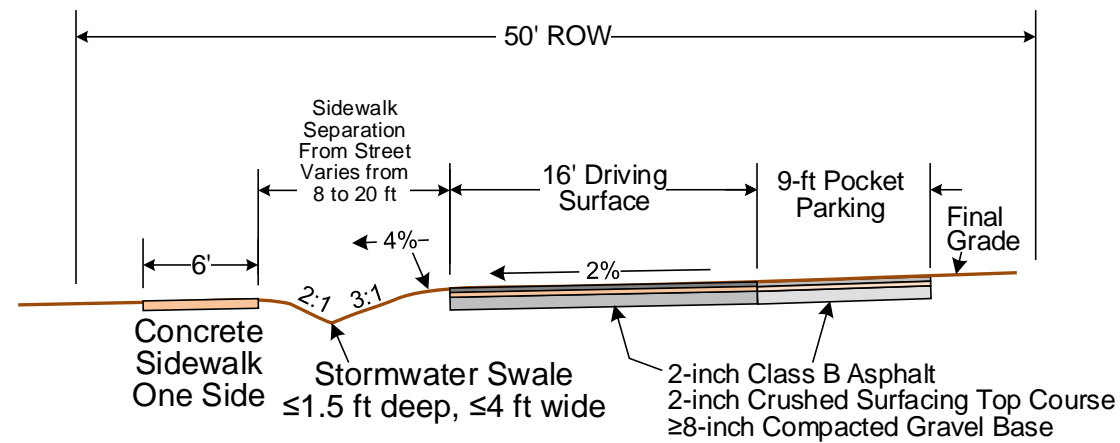
Proposed 16-ft wide street provides the minimum width for two trucks to pass each other
 Connects to Sheet 5



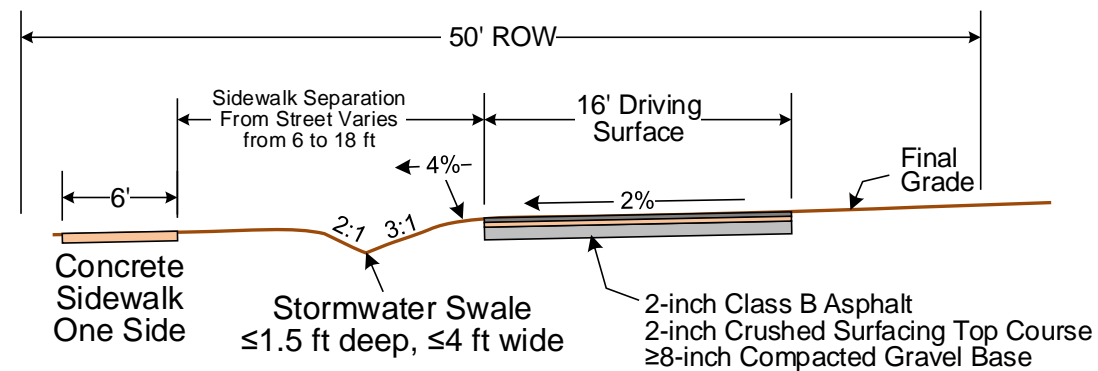
Modified PW Standards T-6/T-9 for Local Access
Symmetrical Gradient & Pocket Parking
Single-Lane Two-Way Edge Lane Road



Modified PW Standards T-6/T-9 for Local Access
Symmetrical Gradient
Single-Lane Two-Way Edge Lane Road



Modified PW Standards T-6/T-9 for Local Access
Cross-Gradient & Pocket Parking
Single-Lane Two-Way Edge Lane Road



Modified PW Standards T-6/T-9 for Local Access
Cross-Gradient
Single-Lane Two-Way Edge Lane Road

- Notes:
1. Sidewalks shall be constructed in accordance with Public Works Standard Detail T-15.
 2. Sidewalks shall be ramped at crosswalks per Public Works Standard Detail T-16 Curb Ramps, and shall be ADA-compliant.
 3. Proposed Single-Lane Two-Way Edge Lane Roads are designed to be shared by motorized and non-motorized traffic, and to allow two large vehicles to pass each other.
 4. Right-of-Way shall be revegetated with native shrubs, ground covering plants, grasses and trees.

Pods at the Vineyard Civil Engineering Sheet C3
Proposed Street Sections: Modified Public Works
Street Standard T-6; Proposed Trail Cross-Section
Preliminary Long Plat Application
H. L. Tibbals Jr. Second Addition Blocks 6 - 8
West of Kuhn Street, Between 32nd St and 35th St
Port Townsend, WA 98368
County Parcels 997400601, -701 & -801

- Proposed Pedestrian Pathway Cross-Section**

5-ft Wide Non-Motorized Trail
≥4 inches ¼"-minus imported, compacted & graded (after removal of 2-3 inches of topsoil)

Cross-Gradient

 - ≤2% Cross-Slope
 - Lateral drainage achieved without crown, enhanced by well-draining soils
 - ADA-Compliant

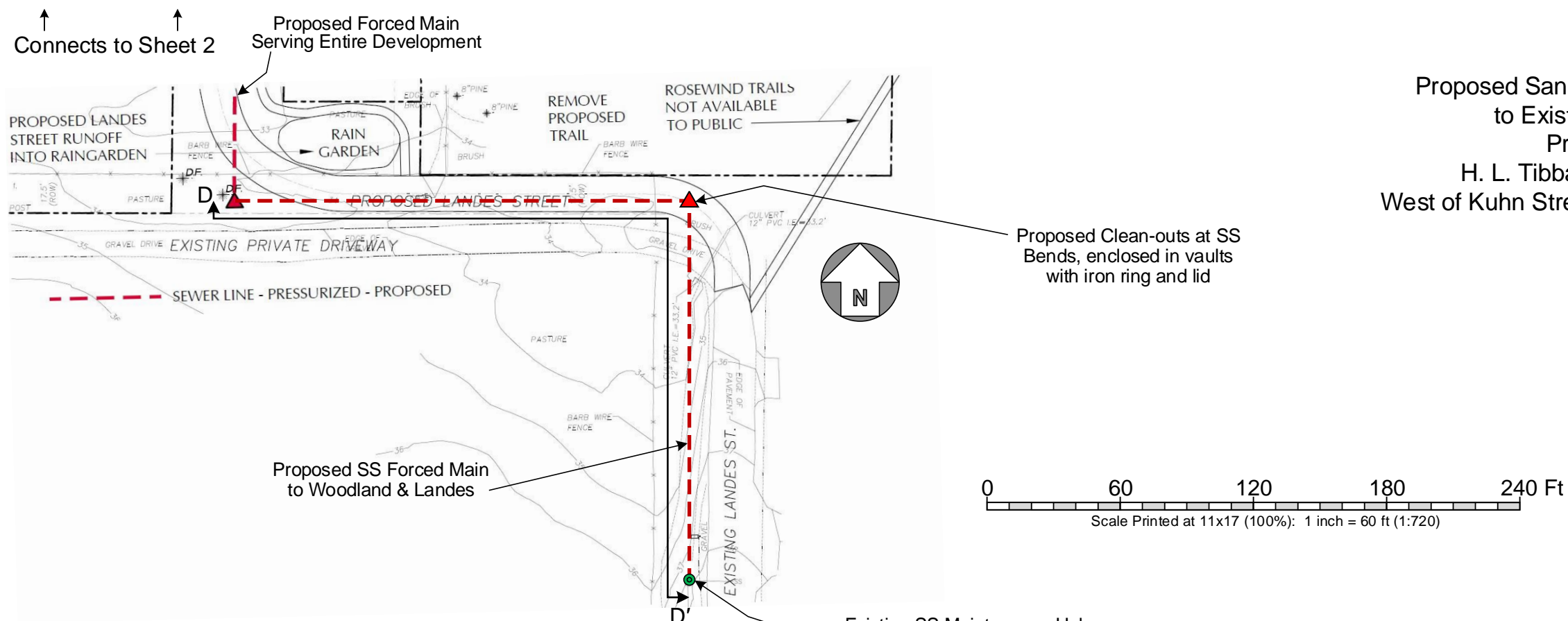
Symmetrical Gradient (Horizontal)

 - Trail crowned for lateral drainage
 - ≤2% Slope to each side
 - ADA-Compliant

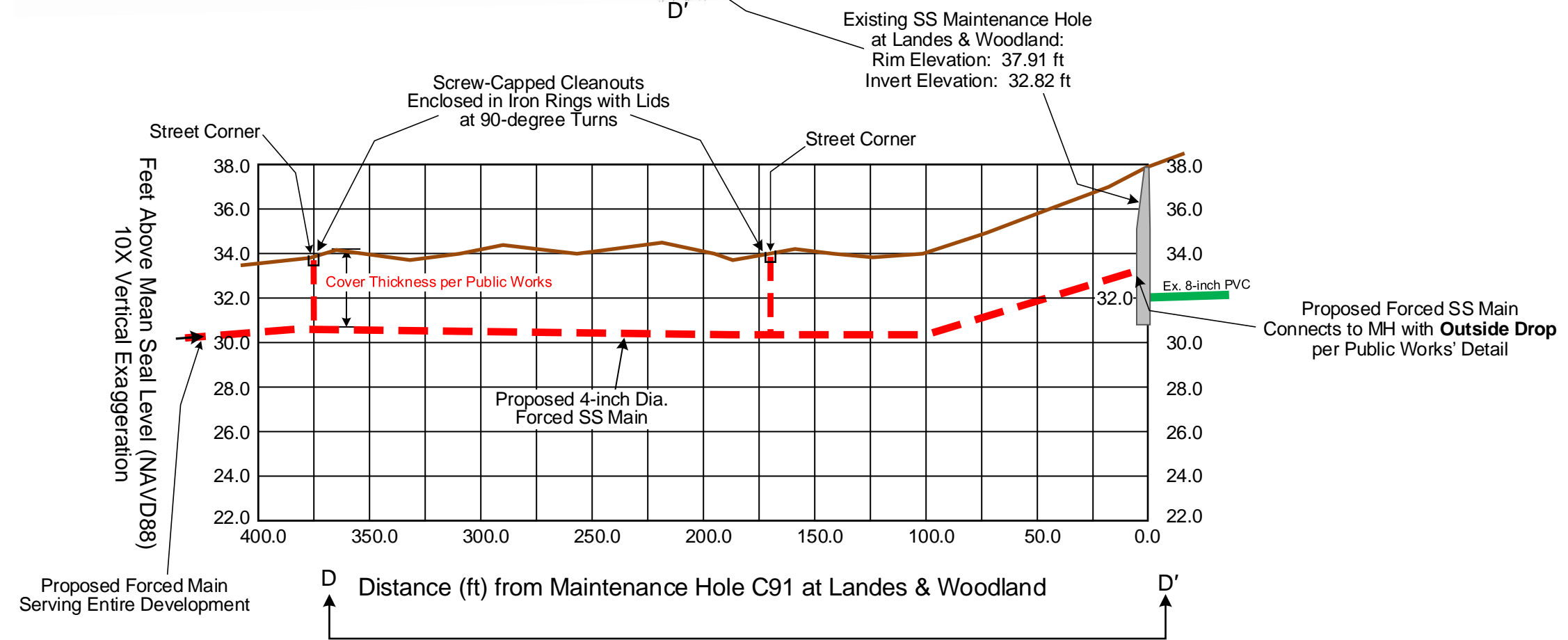


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January 12, 2022
Revised February 16 2023
Revised December 22, 2023

Pods at the Vineyard
 Civil Engineering Sheet C5
 Proposed Sanitary Sewer Forced Main Route
 to Existing MH at Landes & Woodland
 Preliminary Long Plat Application
 H. L. Tibbals Jr. 2nd Addition Blocks 6 - 8
 West of Kuhn Street Between 32nd St and 35th St
 Port Townsend, WA 98368
 Jefferson County Parcels
 997400601, -701 & -801



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 June 16, 2023
 Revised December 22, 2023



Pods at the Vineyard Stormwater Report for Preliminary Plat

Prepared for:

Ann & Steven Raab and Davos Capital LLC
Owners of Tibbals 2nd Addition Blocks 6, 7 & 8
Jefferson County Parcel Numbers 997400601, -701, & -801

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December 2023

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Roof Downspout Flow Control 9

Driveway Run-Off Treatment and Flow Control 9

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Introduction

In this report, we discuss existing and proposed conditions that will affect stormwater management after development of the proposed plat. We present conceptual plans for stormwater management based on these conditions, without presenting highly detailed designs. In general, site conditions are very well suited for on-site stormwater management, including treatment where needed, and flow control, with the ultimate goal of protecting water quality while providing 100% on-site infiltration.

Project Overview

The proposed Pods at the Vineyard project area is in central Port Townsend and is zoned R-II - Single Family Residential (5,000 ft² minimum lot size). The proposed Long Plat would create 15 individual parcels served by proposed utilities and a proposed street. This long plat would occupy three blocks originally platted as part of Tibbal’s Second Addition and Recorded in Jefferson County in May of 1888. Land area of the proposed individual lots would range from 5,007 ft² to 10,900 ft², with an average of about 7,160 ft² per lot.

Existing Conditions

The three previously platted blocks comprising the proposed plat are currently undeveloped, excepting the southeast quadrant of Block 8, an existing 100-ft by 100-ft parcel at 409 35th St in Port Townsend with an existing single-family residence (Jefferson County parcel number 997400803). Blocks 6 & 7 and the undeveloped portion of Block 8 were previously used as animal pasture. These blocks are thickly vegetated with grasses, a few shrubs and several mature trees. Locations of mature trees are shown on the various site plans.

Ground Elevations in the proposed development range from about 32.5 ft above mean sea level (AMSL) in a location between Blocks 6 & 7, up to about 55 ft AMSL in the northeast corner of Block 8. Slopes range from very gradual, 0 to 2%, in the central and south areas, up to 10% in the northern ends of Blocks 7 & 8.

On-site Topographic Basin A relative topographic basin exists toward the western end of the 33rd Street right-of-way (ROW) between Blocks 6 & 7. The low elevation in this relative basin is about 32.5 ft AMSL. Moving west from this low area into the existing vineyards, the ground elevation rises gradually but steadily at a couple percent in the first hundred ft outside the project area, before rising steeply.

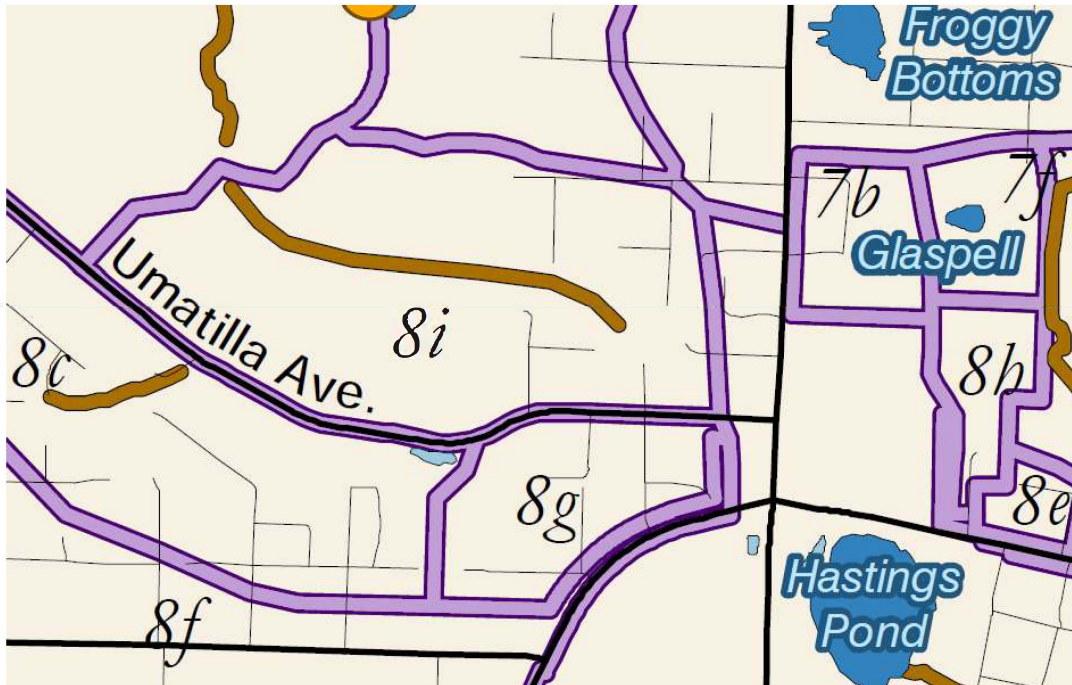
The ground elevation southeast of this on-site topographic low is located along the eastern edge of Block 6. Here the ground elevation rises to about 33 to 34 ft AMSL before dropping off gradually to the east into Rosewind Community Commons.

There is no evidence of standing water in this low area, consistent with the highly permeable soils found throughout the project area (discussed below).

Offsite Analysis

The project area is located immediately west and northwest from a relatively confined drainage basin that includes Rosewind Community Commons (Commons). The low elevation point in the neighboring Commons, approximately 500 ft east-by-southeast from the southern extent of the proposed development, has an elevation of only about 26 ft AMSL. This basin is labeled "8i" and outlined in purple in the map excerpt below taken from Port Townsend's 2019 Stormwater Management Plan¹. The brown line depicts a theoretical central surface flow path through the sub-basin toward the local topographic low in Rosewind Commons.

¹ Map excerpted from Port Townsend's 2019 city-wide Stormwater Management Plan prepared by Paramatrix of Seattle, *Figure 11-Catchment Nodes*, page 3-17 (PDF page 43).



There is no evidence of surface flow leaving sub-basin 8i into other identified basins or sub-basins, indicating that under current conditions, all stormwater infiltrates within the basin.

Soils

In February 2018, during the wet season, we evaluated soil in 13 soil evaluation holes machine-excavated throughout Blocks 6 & 7 to depths ranging from 46 to 84 inches below grade. Soil logs were dominated by non-hydric medium-grained sandy soils with varying gravel content. No groundwater was encountered in any holes. We observed sporadic mottling, a secondary indicator of prolonged historical saturation, in only three of 13 holes, beginning at depths of 30, 42 and 66 inches below grade. Most holes showed no secondary indicators of repeated seasonal saturation to their full excavation depths, ranging from 46 to 84 inches below grade.

On November 22, 2023, we machine-excavated and logged an additional seven holes in Block 8, to excavation depths ranging from 45 to 66 inches below grade, and wide enough to enter and examine exposed soils. In all holes, we found soils very similar to Blocks 6 & 7, dominated by non-hydric medium-grained sands with varying gravel content. Only in Soil Holes S16 & S18 did we encounter any restrictive material (likely to impede groundwater seepage), at 55 and 46 inches below grade, respectively. The shallower medium-grained gravelly soils in both holes were unrestrictive, easy to excavate and lacking any indicators of past saturation.

Summarizing, site soils are very well suited for on-site stormwater infiltration. Soil evaluation hole locations are shown on Civil Engineering Sheet 1.

Summary of Stormwater Manual Minimum Requirements

With greater than 5,000 ft² of proposed impervious surfaces, all nine (9) of the Minimum Requirements (MRs) for stormwater management, as outlined in the Washington Department of Ecology's Stormwater Management Manual for Western Washington (the Manual), apply to the proposed project. Each of the nine MRs is addressed here, respective to the proposed project:

Minimum Requirement (MR) #1: Preparation of Stormwater Site Plans: During the applicant's pending Street & Utility Development permitting process with Port Townsend Public Works, we will provide additional design details, specifications, and precise locations of proposed stormwater features, both temporary and permanent. These features include temporary erosion & sediment control measures, as well as permanent roadside filter strips, bioretention cells & bioretention swales (all discussed in subsequent sections).

MR #2: Construction Stormwater Pollution Prevention and Temporary Erosion & Sediment Controls:

Element 1 (E1): Preserve Vegetation/Mark Clearing Limits prior to clearing topsoil and vegetation — No tree removal is needed. Weeds, short shrubs, ground-covering plants, and a minimal thickness of topsoil will require removal to accommodate the proposed development.

E2: Establish Construction Access Construction access including a de-mudding area shall be established at the north end of the project area off existing 35th Street. Construction vehicles shall be free of excess mud upon leaving the site.

E3: Control Flow Rates — There are no existing concentrated surface flows at the site. Stormwater run-off shall remain dispersed throughout the site. Highly permeable native soils readily infiltrate dispersed surface discharges.

E4: Install Sediment Controls -- When additional surfaces are disturbed during construction, install a surface sod berm silt barrier or silt fence downhill of the area wherever ample vegetated downhill surfaces cannot be preserved or do not exist.

E5: Stabilize Soils -- Stabilize temporarily exposed soils by hand-watering and establishing living cover with grass and ground-covering vegetation as quickly as possible. Hand-water soil piles as needed during dry season. Divert stormwater discharges away from soil piles during wet season.

E6: Protect Slopes -- Not Applicable. There are no steep slopes on or near the subject properties.

E7: Protect Drain Inlets -- Not Applicable. There are no nearby stormwater drain inlets or catch basins needing protection.

E8: Stabilize Channels and Outlets -- Not applicable for this site.

E9: Control Pollutants -- Prevent discharge or release of all pollutants, including motor oil and construction debris. Instruct all personnel as to this policy.

E10: Control De-Watering -- Not applicable for this site; no dewatering expected.

E11: Maintain BMPs -- All Temporary Erosion & Sedimentation Control Features must be inspected regularly and maintained & repaired as needed.

E12: Manage the Project -- Assess conditions regularly and frequently and adjust construction stormwater management features as needed.

E13: Protect Low Impact Development BMPs -- Avoid unnecessary ground disturbances.

MR #3: Source Control of Pollution -- Prevent discharge or release of all pollutants, including motor oil and construction debris. Instruct all personnel as to this policy. After construction is completed, all unsurfaced ground shall be landscaped with vegetation and/or rockery. Parking areas shall be maintained by immediately cleaning any releases of oil, other hydrocarbons, or chemicals and by collecting debris regularly.

MR #4: Preservation of Natural Drainage Systems and Outfalls — There are no surface features that convey natural drainage, nor any stormwater outfalls. Most stormwater transport from the site occurs by seepage downward and laterally through existing permeable site soils. The natural soil structure shall be preserved in undeveloped areas to the maximum extent possible.

MR #5: On-site Stormwater Management — Stormwater shall be dispersed, treated naturally and infiltrated on-site to the maximum practical extent.

MR #6: Runoff Treatment -- Runoff from the proposed street and parking areas would be treated by sheet flow across vegetated surfaces to remove solids and encourage infiltration into >3 ft of medium sands.

MR #7: Flow Control – Control of stormwater flow shall be achieved by routing run-off through existing vegetated surfaces which will dampen sheet flow, and into proposed infiltration features (rain gardens, dry wells or infiltration trenches).

MR #8: Wetlands Protection -- Not applicable; no wetlands present.

MR #9: Operations and Maintenance — Restore and maintain native vegetation to provide stormwater flow attenuation and natural treatment. Proposed filter strips, bioretention features and catch basins, if any, shall be maintained per Manual guidance, or better.

Water Quality Analysis & Design

With greater than 5,000 ft² of proposed street, considered a pollution generating impervious surface (PGIS), enhanced treatment of street run-off is required, per the Manual. We propose to provide vegetated strips and bioretention swales along the proposed street, to dampen, cleanse and infiltrate stormwater run-off. We propose at least three threshold discharge areas (TDAs) for the proposed street & sidewalk traversing the development. Proposed retention & infiltration facilities for each TDA would be sized and configured for the TDA's contributing area and topography. The proposed TDAs are listed in the following table:

Proposed TDA	Description	Proposed Street & Sidewalk Dimensions	PGIS Area (street)	Non-PGIS Area (sidewalk)
1	~100 ft westward extension of 35 th Street at north end of Block 8	~100 ft x 20 ft (average ¹) ~130 ft x 6 ft	~2,000 ft ²	~800 ft ²
2	~380-ft Segment of proposed street from N. end to middle of Block 6	380 ft x 20 ft (average ²) 380 ft x 6 ft	7,600 ft ²	2,280 ft ²
3	~200 ft segment of proposed street at south end of project	200 ft x 16 ft 160 ft x 6 ft	3,200 ft ²	960 ft ²
		Totals:	12,800 ft ²	4,040 ft ²

Notes:

- 1 – Street width at beginning of extension (at west end of existing 35th St) is approximately 22 ft wide tapering to 16 ft wide within development area.
- 2 – Average street width of 20 ft for TDA #2 includes nine pocket parking spaces measuring 9 ft wide by 20 ft long.

Proposed Permanent Stormwater Best Management Practices (BMPs) for Street Run-off

In most circumstances, the Manual requires pre-treatment of pollution-bearing stormwater prior to infiltration. We propose to utilize the following treatment BMPs from Ecology's Stormwater Manual to treat stormwater run-off from the proposed street:

BMP T9.40: Vegetated Filter Strips (Manual p. 875): Vegetated strip along street shoulder would receive disperse sheet flow from asphalt & gravel shoulder. Runoff Treatment is provided by passage of water over the vegetated surface, through grasses and other ground covering plants, and infiltration through soil.

BMP T7.30: Bioretention (Manual p. 774): Bioretention features in street ROWs would retain, naturally treat & infiltrate stormwater. *Bioretention Cells* provide treatment and in-situ infiltration. *Bioretention Swales* provide natural treatment, infiltration, flow control and conveyance. Both features may be utilized to receive street run-off. Treatment mechanisms include filtration, adsorption, and biological action.

BMP T5.13: Post-Construction Soil Quality and Depth (Manual p. 927): Naturally occurring soil and vegetation provide the best natural stormwater treatment. However, when they cannot be preserved, "establishing post-construction soil quality and depth regains greater stormwater functions in the post development landscape, provides increased treatment of pollutants and sediments that result from

development and habitation, and minimizes the need for some landscaping chemicals, thus reducing pollution through prevention.”²

Bioretention Sizing for Treatment Using the Department of Ecology’s 2012 Western Washington Hydraulic Model (WWHM2012), a computational tool for modelling stormwater systems, proposed bioretention swales and cells can be analyzed for their treatment capacities and sized appropriately. An alternative approach to sizing treatment features follows simplified guidance from the Rain Garden Handbook for Western Washington³. Rain gardens, essentially bioretention cells, are sized as a percentage of contributing area and based on rainfall region, soil type (used to predict infiltration rates), and performance goals.

Flow Control Analysis & Design

In addition to water quality concerns, flow control is necessary to manage stormwater. This section discusses aspects of flow control relevant to the proposed project.

100-Year Predicted Storm Event Volume The predicted 100-year storm event for Port Townsend is 2.5 inches in 24 hours. With approximately 17,000 ft² of impervious surface in the proposed street & Sidewalks, this theoretical event would generate a stormwater volume of about 3,500 gals in 24 hours.

Proposed Sidewalk Drainage Design The proposed impervious sidewalks and (essentially) impervious compacted gravel trails are impervious surfaces but will not generate pollution. Vegetated surfaces adjacent to these pedestrian routes will receive and dampen dispersed run-off. Trail & sidewalk surfaces will be elevated above adjacent ground elevations. With their elongated configurations, these features do not need swales adjacent to them for flow control.

Proposed Street Drainage Design The natural site gradient will allow convenient positioning of roadside bioretention cells and bioretention swales. Vegetated filter strips along these proposed impervious surfaces will dampen and direct sheet flow away from driving surfaces and into these bioretention features. The bioretention swales will be constructed with high-level overflows connecting to rip rap-protected flow channels leading to downhill swales. In this arrangement, the lowest elevation feature has the potential to receive additional flow and must be up-sized accordingly.

Hydrologic Analysis for Flow Control Design. Proposed bioretention swales that will retain, infiltrate and convey stormwater, can be sized for flow control using Ecology’s WWHM2012 computational model. Alternately, as with treatment design, the Rain Garden Handbook provides a different method for flow control design, as discussed above³.

² BMP T5.13 Post-Construction Soil Quality and Depth description from the Washington Department of Ecology’s *Stormwater Management Manual for Western Washington*, Volume V, Chapter 11, Page 927.

³ Rain Garden Sizing Chart, from the *Rain Garden Handbook for Western Washington* published by the Washington Department of Ecology and Washington State University Extension, Chapter 1, pages 21-22 (PDF pages 27-28).

Stormwater Management on Proposed Individual Lots

Favorable soils found throughout the project area extend into each of the proposed 16 lots. As such, 100% on-site stormwater management for all proposed properties should be feasible, to manage roof downspout flow and driveway run-off.

Roof Downspout Flow Control In some cases, direct downspout dispersion onto vegetated downhill flow paths extending at least 50 ft within the respective parcels may be feasible. Where 50-ft flow paths cannot be created within an individual lot, other options for managing downspout flow exist, including dry wells, infiltration trenches and rain gardens. In the Civil Set accompanying this report, example rain garden footprints are depicted in each proposed lot. These stormwater features are generally larger than similar capacity infiltration trenches or dry wells. Thus, the example rain gardens represent the likely highest required space within a given lot to accommodate any of the recommend stormwater infiltration features.

Driveway Run-Off Treatment and Flow Control As described in the Manual's BMP T5.12: Sheet Flow Dispersion, driveways can be lined with adjacent vegetated strips, in the downhill direction, to dampen, treat and infiltrate driveway run-off. Individual property owners will be responsible for configuring their lots to accommodate driveway run-off within their parcel boundaries, using this BMP or another approved method. High level overflows may be configured to overflow into adjacent street swales. However, with highly permeable site soils, private property retention & infiltration features can be sized to minimize or essentially eliminate the chance of high-level overflows.

Conclusions

The proposed long plat is within a relatively enclosed basin without an overland discharge. The enclosed basin extends off-site to the southeast, into a lower elevation area within the neighboring Rosewind Community Commons that also shows no indications of overland discharges.

Non-hydric sandy soils with varying gravel content occur ubiquitously throughout the project area. These highly permeable soils typically greater than 4-ft thick in the shallow unsaturated zone appear to absorb, infiltrate and convey all incident stormwater.

Site soils and topography are well suited to manage stormwater on-site, with Manual-recommended BMPs to treat run-off from pollution generating impervious surfaces, and to control flows.

Detailed designs of proposed roadside stormwater management features will be presented in the pending Street & Utility Development Permit application and are presented conceptually in the attached Civil Set.

Pods at the Vineyard Stormwater Report for Preliminary Plat

Prepared for:

Ann & Steven Raab and Davos Capital LLC
Owners of Tibbals 2nd Addition Blocks 6, 7 & 8
Jefferson County Parcel Numbers 997400601, -701, & -801

And:

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December 2023

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Introduction

In this report, we discuss existing and proposed conditions that will affect stormwater management after development of the proposed plat. We present conceptual plans for stormwater management based on these conditions, without presenting highly detailed designs. In general, site conditions are very well suited for on-site stormwater management, including treatment where needed, and flow control, with the ultimate goal of protecting water quality while providing 100% on-site infiltration.

Project Overview

The proposed Pods at the Vineyard project area is in central Port Townsend and is zoned R-II - Single Family Residential (5,000 ft² minimum lot size). The proposed Long Plat would create 15 individual parcels served by proposed utilities and a proposed street. This long plat would occupy three blocks originally platted as part of Tibbal’s Second Addition and Recorded in Jefferson County in May of 1888. Land area of the proposed individual lots would range from 5,007 ft² to 10,900 ft², with an average of about 7,160 ft² per lot.

Existing Conditions

The three previously platted blocks comprising the proposed plat are currently undeveloped, excepting the southeast quadrant of Block 8, an existing 100-ft by 100-ft parcel at 409 35th St in Port Townsend with an existing single-family residence (Jefferson County parcel number 997400803). Blocks 6 & 7 and the undeveloped portion of Block 8 were previously used as animal pasture. These blocks are thickly vegetated with grasses, a few shrubs and several mature trees. Locations of mature trees are shown on the various site plans.

Ground Elevations in the proposed development range from about 32.5 ft above mean sea level (AMSL) in a location between Blocks 6 & 7, up to about 55 ft AMSL in the northeast corner of Block 8. Slopes range from very gradual, 0 to 2%, in the central and south areas, up to 10% in the northern ends of Blocks 7 & 8.

On-site Topographic Basin A relative topographic basin exists toward the western end of the 33rd Street right-of-way (ROW) between Blocks 6 & 7. The low elevation in this relative basin is about 32.5 ft AMSL. Moving west from this low area into the existing vineyards, the ground elevation rises gradually but steadily at a couple percent in the first hundred ft outside the project area, before rising steeply.

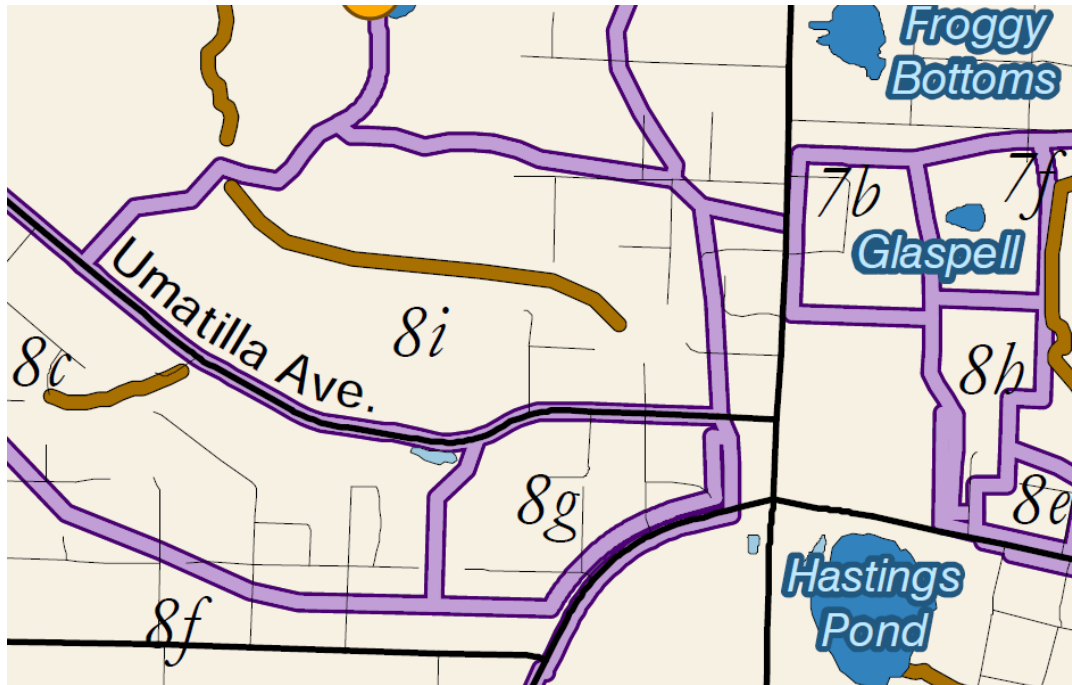
The ground elevation southeast of this on-site topographic low is located along the eastern edge of Block 6. Here the ground elevation rises to about 33 to 34 ft AMSL before dropping off gradually to the east into Rosewind Community Commons.

There is no evidence of standing water in this low area, consistent with the highly permeable soils found throughout the project area (discussed below).

Offsite Analysis

The project area is located immediately west and northwest from a relatively confined drainage basin that includes Rosewind Community Commons (Commons). The low elevation point in the neighboring Commons, approximately 500 ft east-by-southeast from the southern extent of the proposed development, has an elevation of only about 26 ft AMSL. This basin is labeled "8i" and outlined in purple in the map excerpt below taken from Port Townsend's 2019 Stormwater Management Plan¹. The brown line depicts a theoretical central surface flow path through the sub-basin toward the local topographic low in Rosewind Commons.

¹ Map excerpted from Port Townsend's 2019 city-wide Stormwater Management Plan prepared by Paramatrix of Seattle, *Figure 11-Catchment Nodes*, page 3-17 (PDF page 43).



There is no evidence of surface flow leaving sub-basin 8i into other identified basins or sub-basins, indicating that under current conditions, all stormwater infiltrates within the basin.

Soils

In February 2018, during the wet season, we evaluated soil in 13 soil evaluation holes machine-excavated throughout Blocks 6 & 7 to depths ranging from 46 to 84 inches below grade. Soil logs were dominated by non-hydric medium-grained sandy soils with varying gravel content. No groundwater was encountered in any holes. We observed sporadic mottling, a secondary indicator of prolonged historical saturation, in only three of 13 holes, beginning at depths of 30, 42 and 66 inches below grade. Most holes showed no secondary indicators of repeated seasonal saturation to their full excavation depths, ranging from 46 to 84 inches below grade.

On November 22, 2023, we machine-excavated and logged an additional seven holes in Block 8, to excavation depths ranging from 45 to 66 inches below grade, and wide enough to enter and examine exposed soils. In all holes, we found soils very similar to Blocks 6 & 7, dominated by non-hydric medium-grained sands with varying gravel content. Only in Soil Holes S16 & S18 did we encounter any restrictive material (likely to impede groundwater seepage), at 55 and 46 inches below grade, respectively. The shallower medium-grained gravelly soils in both holes were unrestrictive, easy to excavate and lacking any indicators of past saturation.

Summarizing, site soils are very well suited for on-site stormwater infiltration. Soil evaluation hole locations are shown on Civil Engineering Sheet 1.

Summary of Stormwater Manual Minimum Requirements

With greater than 5,000 ft² of proposed impervious surfaces, all nine (9) of the Minimum Requirements (MRs) for stormwater management, as outlined in the Washington Department of Ecology's Stormwater Management Manual for Western Washington (the Manual), apply to the proposed project. Each of the nine MRs is addressed here, respective to the proposed project:

Minimum Requirement (MR) #1: Preparation of Stormwater Site Plans: During the applicant's pending Street & Utility Development permitting process with Port Townsend Public Works, we will provide additional design details, specifications, and precise locations of proposed stormwater features, both temporary and permanent. These features include temporary erosion & sediment control measures, as well as permanent roadside filter strips, bioretention cells & bioretention swales (all discussed in subsequent sections).

MR #2: Construction Stormwater Pollution Prevention and Temporary Erosion & Sediment Controls:

Element 1 (E1): Preserve Vegetation/Mark Clearing Limits prior to clearing topsoil and vegetation — No tree removal is needed. Weeds, short shrubs, ground-covering plants, and a minimal thickness of topsoil will require removal to accommodate the proposed development.

E2: Establish Construction Access Construction access including a de-mudding area shall be established at the north end of the project area off existing 35th Street. Construction vehicles shall be free of excess mud upon leaving the site.

E3: Control Flow Rates — There are no existing concentrated surface flows at the site. Stormwater run-off shall remain dispersed throughout the site. Highly permeable native soils readily infiltrate dispersed surface discharges.

E4: Install Sediment Controls -- When additional surfaces are disturbed during construction, install a surface sod berm silt barrier or silt fence downhill of the area wherever ample vegetated downhill surfaces cannot be preserved or do not exist.

E5: Stabilize Soils -- Stabilize temporarily exposed soils by hand-watering and establishing living cover with grass and ground-covering vegetation as quickly as possible. Hand-water soil piles as needed during dry season. Divert stormwater discharges away from soil piles during wet season.

E6: Protect Slopes -- Not Applicable. There are no steep slopes on or near the subject properties.

E7: Protect Drain Inlets -- Not Applicable. There are no nearby stormwater drain inlets or catch basins needing protection.

E8: Stabilize Channels and Outlets -- Not applicable for this site.

E9: Control Pollutants -- Prevent discharge or release of all pollutants, including motor oil and construction debris. Instruct all personnel as to this policy.

E10: Control De-Watering -- Not applicable for this site; no dewatering expected.

E11: Maintain BMPs -- All Temporary Erosion & Sedimentation Control Features must be inspected regularly and maintained & repaired as needed.

E12: Manage the Project -- Assess conditions regularly and frequently and adjust construction stormwater management features as needed.

E13: Protect Low Impact Development BMPs -- Avoid unnecessary ground disturbances.

MR #3: Source Control of Pollution -- Prevent discharge or release of all pollutants, including motor oil and construction debris. Instruct all personnel as to this policy. After construction is completed, all unsurfaced ground shall be landscaped with vegetation and/or rockery. Parking areas shall be maintained by immediately cleaning any releases of oil, other hydrocarbons, or chemicals and by collecting debris regularly.

MR #4: Preservation of Natural Drainage Systems and Outfalls — There are no surface features that convey natural drainage, nor any stormwater outfalls. Most stormwater transport from the site occurs by seepage downward and laterally through existing permeable site soils. The natural soil structure shall be preserved in undeveloped areas to the maximum extent possible.

MR #5: On-site Stormwater Management — Stormwater shall be dispersed, treated naturally and infiltrated on-site to the maximum practical extent.

MR #6: Runoff Treatment -- Runoff from the proposed street and parking areas would be treated by sheet flow across vegetated surfaces to remove solids and encourage infiltration into >3 ft of medium sands.

MR #7: Flow Control – Control of stormwater flow shall be achieved by routing run-off through existing vegetated surfaces which will dampen sheet flow, and into proposed infiltration features (rain gardens, dry wells or infiltration trenches).

MR #8: Wetlands Protection -- Not applicable; no wetlands present.

MR #9: Operations and Maintenance — Restore and maintain native vegetation to provide stormwater flow attenuation and natural treatment. Proposed filter strips, bioretention features and catch basins, if any, shall be maintained per Manual guidance, or better.

Water Quality Analysis & Design

With greater than 5,000 ft² of proposed street, considered a pollution generating impervious surface (PGIS), enhanced treatment of street run-off is required, per the Manual. We propose to provide vegetated strips and bioretention swales along the proposed street, to dampen, cleanse and infiltrate stormwater run-off. We propose at least three threshold discharge areas (TDAs) for the proposed street & sidewalk traversing the development. Proposed retention & infiltration facilities for each TDA would be sized and configured for the TDA's contributing area and topography. The proposed TDAs are listed in the following table:

Proposed TDA	Description	Proposed Street & Sidewalk Dimensions	PGIS Area (street)	Non-PGIS Area (sidewalk)
1	~100 ft westward extension of 35 th Street at north end of Block 8	~100 ft x 20 ft (average ¹) ~130 ft x 6 ft	~2,000 ft ²	~800 ft ²
2	~380-ft Segment of proposed street from N. end to middle of Block 6	380 ft x 20 ft (average ²) 380 ft x 6 ft	7,600 ft ²	2,280 ft ²
3	~200 ft segment of proposed street at south end of project	200 ft x 16 ft 160 ft x 6 ft	3,200 ft ²	960 ft ²
		Totals:	12,800 ft ²	4,040 ft ²

Notes:

- 1 – Street width at beginning of extension (at west end of existing 35th St) is approximately 22 ft wide tapering to 16 ft wide within development area.
- 2 – Average street width of 20 ft for TDA #2 includes nine pocket parking spaces measuring 9 ft wide by 20 ft long.

Proposed Permanent Stormwater Best Management Practices (BMPs) for Street Run-off

In most circumstances, the Manual requires pre-treatment of pollution-bearing stormwater prior to infiltration. We propose to utilize the following treatment BMPs from Ecology's Stormwater Manual to treat stormwater run-off from the proposed street:

BMP T9.40: Vegetated Filter Strips (Manual p. 875): Vegetated strip along street shoulder would receive disperse sheet flow from asphalt & gravel shoulder. Runoff Treatment is provided by passage of water over the vegetated surface, through grasses and other ground covering plants, and infiltration through soil.

BMP T7.30: Bioretention (Manual p. 774): Bioretention features in street ROWs would retain, naturally treat & infiltrate stormwater. *Bioretention Cells* provide treatment and in-situ infiltration. *Bioretention Swales* provide natural treatment, infiltration, flow control and conveyance. Both features may be utilized to receive street run-off. Treatment mechanisms include filtration, adsorption, and biological action.

BMP T5.13: Post-Construction Soil Quality and Depth (Manual p. 927): Naturally occurring soil and vegetation provide the best natural stormwater treatment. However, when they cannot be preserved, "establishing post-construction soil quality and depth regains greater stormwater functions in the post development landscape, provides increased treatment of pollutants and sediments that result from

development and habitation, and minimizes the need for some landscaping chemicals, thus reducing pollution through prevention.”²

Bioretention Sizing for Treatment Using the Department of Ecology’s 2012 Western Washington Hydraulic Model (WWHM2012), a computational tool for modelling stormwater systems, proposed bioretention swales and cells can be analyzed for their treatment capacities and sized appropriately. An alternative approach to sizing treatment features follows simplified guidance from the Rain Garden Handbook for Western Washington³. Rain gardens, essentially bioretention cells, are sized as a percentage of contributing area and based on rainfall region, soil type (used to predict infiltration rates), and performance goals.

Flow Control Analysis & Design

In addition to water quality concerns, flow control is necessary to manage stormwater. This section discusses aspects of flow control relevant to the proposed project.

100-Year Predicted Storm Event Volume The predicted 100-year storm event for Port Townsend is 2.5 inches in 24 hours. With approximately 17,000 ft² of impervious surface in the proposed street & Sidewalks, this theoretical event would generate a stormwater volume of about 3,500 gals in 24 hours.

Proposed Sidewalk Drainage Design The proposed impervious sidewalks and (essentially) impervious compacted gravel trails are impervious surfaces but will not generate pollution. Vegetated surfaces adjacent to these pedestrian routes will receive and dampen dispersed run-off. Trail & sidewalk surfaces will be elevated above adjacent ground elevations. With their elongated configurations, these features do not need swales adjacent to them for flow control.

Proposed Street Drainage Design The natural site gradient will allow convenient positioning of roadside bioretention cells and bioretention swales. Vegetated filter strips along these proposed impervious surfaces will dampen and direct sheet flow away from driving surfaces and into these bioretention features. The bioretention swales will be constructed with high-level overflows connecting to rip rap-protected flow channels leading to downhill swales. In this arrangement, the lowest elevation feature has the potential to receive additional flow and must be up-sized accordingly.

Hydrologic Analysis for Flow Control Design. Proposed bioretention swales that will retain, infiltrate and convey stormwater, can be sized for flow control using Ecology’s WWHM2012 computational model. Alternately, as with treatment design, the Rain Garden Handbook provides a different method for flow control design, as discussed above³.

² BMP T5.13 Post-Construction Soil Quality and Depth description from the Washington Department of Ecology’s *Stormwater Management Manual for Western Washington*, Volume V, Chapter 11, Page 927.

³ Rain Garden Sizing Chart, from the *Rain Garden Handbook for Western Washington* published by the Washington Department of Ecology and Washington State University Extension, Chapter 1, pages 21-22 (PDF pages 27-28).

Stormwater Management on Proposed Individual Lots

Favorable soils found throughout the project area extend into each of the proposed 16 lots. As such, 100% on-site stormwater management for all proposed properties should be feasible, to manage roof downspout flow and driveway run-off.

Roof Downspout Flow Control In some cases, direct downspout dispersion onto vegetated downhill flow paths extending at least 50 ft within the respective parcels may be feasible. Where 50-ft flow paths cannot be created within an individual lot, other options for managing downspout flow exist, including dry wells, infiltration trenches and rain gardens. In the Civil Set accompanying this report, example rain garden footprints are depicted in each proposed lot. These stormwater features are generally larger than similar capacity infiltration trenches or dry wells. Thus, the example rain gardens represent the likely highest required space within a given lot to accommodate any of the recommend stormwater infiltration features.

Driveway Run-Off Treatment and Flow Control As described in the Manual's BMP T5.12: Sheet Flow Dispersion, driveways can be lined with adjacent vegetated strips, in the downhill direction, to dampen, treat and infiltrate driveway run-off. Individual property owners will be responsible for configuring their lots to accommodate driveway run-off within their parcel boundaries, using this BMP or another approved method. High level overflows may be configured to overflow into adjacent street swales. However, with highly permeable site soils, private property retention & infiltration features can be sized to minimize or essentially eliminate the chance of high-level overflows.

Conclusions

The proposed long plat is within a relatively enclosed basin without an overland discharge. The enclosed basin extends off-site to the southeast, into a lower elevation area within the neighboring Rosewind Community Commons that also shows no indications of overland discharges.

Non-hydric sandy soils with varying gravel content occur ubiquitously throughout the project area. These highly permeable soils typically greater than 4-ft thick in the shallow unsaturated zone appear to absorb, infiltrate and convey all incident stormwater.

Site soils and topography are well suited to manage stormwater on-site, with Manual-recommended BMPs to treat run-off from pollution generating impervious surfaces, and to control flows.

Detailed designs of proposed roadside stormwater management features will be presented in the pending Street & Utility Development Permit application and are presented conceptually in the attached Civil Set.

**CITY OF PORT TOWNSEND
NOTICE OF APPLICATION
File No.
LUP22-019 (Long Plat/Plat Alteration)**

Proposal: Pods at the Vineyard, a 17 lot Long Plat/Plat Alteration.

Applicant(s):	Greenpod Development c/o Anne & Steve Raab 606 Roosevelt St. Pt. Townsend, WA 98368	Davos Capital LLC c/o Dave Holland PO Box 9150 Santa Fe, NW 87504
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Agent(s):	Richard Berg, Terrapin Architecture 360-379-8090 richard@terrapin-arch.com	Everett Sorenson, P.E. 360-821-9960 everett@streamlineenv.com
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Dates:	Application:	March 4, 2022
	Determined Complete:	April 25, 2022
	Notice of Application:	May 4, 2022

Location: Lots 1 through 8, inclusive, within Blocks 6, 7 & 8, Tibbals 2nd Addition. Jefferson County tax parcels for the 3 Block project site are 997-400-601, 997-400-701, 997-400-801 and 997-400-803. The site lies west of the Rosewind Planned Unit Development (PUD), between 35th and 32nd Streets.

Description: Pods at the Vineyard is a Plat/Plat Alteration of a three (3) Block project site together with several intervening rights-of-way. Overall, it will create 17 new residential lots, one of which already contains an existing single-family residence. Most of the new lots will be served by a newly dedicated internal 50—ft. wide right-of-way (ROW); however, some lots would continue to be served via existing platted ROW's in 33rd, 35th and Kuhn Streets. Utilities would be extended from the north and east via these existing and proposed dedicated ROW's. Portions of the sewer service will require use of a shared force main.

Special studies or plans supplied with the application include: a preliminary Plat/Plat Alteration site plan with a project narrative, proposed utility alignments, a preliminary storm drainage map and report from a licensed civil engineer, and a Tree Conservation Plan. Other permits (including other agencies) required but not included in the application, to the extent known by the City may include a Street and Utility Development permit, building permit(s), and clearing and grading permit(s).

As the project includes a partial street vacation, an open-record public hearing before the City's Hearing Examiner is required. The Hearing Examiner is the final decision maker on the proposal. A date for the public hearing has not been set yet. Once a hearing date is set, separate public Notice of the date, time and location will be provided. If preliminary Short Plat and Minor Variance approvals are granted to the project, administrative (i.e., staff) approval of the final short plat will be necessary to demonstrate all conditions of the preliminary approvals have been satisfied.

Location of Documents Available for Review: City of Port Townsend
Development Services Department
250 Madison Street, Ste. 3
Contact: John McDonagh, Senior Planner
(360) 344-3070

Any person has the right to submit comments, receive notice of and participate in the public hearing, request a copy of the application, and appeal the decision. The initial comment period expires **May 24, 2022**; however, comments may be made up to the close of the open record public hearing. Written comments received by the Development Services Department no later than 4:00 p.m. of the above date will be included with staff's recommendation to the Hearing Examiner.

A consistency statement will be made following review of the application with the density and use provisions of the underlying R-II zoning district (PTMC 17.16), the approval criteria for a short subdivision (PTMC 18.12) and Minor Variance (PTMC 17.86), the Tree Conservation Ordinance (PTMC 19.06), the Engineering Design Standards and the City's Comprehensive Plan.

A final decision on the applications will be made within 120 days of the date they were determined complete.

LUP22-019

Why I'm against this McMansion Pods at the Vineyard Project on 35th St.

- because my neighbors say they want safe, quiet streets with more cycling and less cars and trucks.
- because my neighbors say they want a community not one-night vacationers living in someone's backyard.
- because my neighbors say they want beautiful flora and fauna not asphalt and cement.
- because my neighbors say they want affordable housing not millionaire homes.
- because my neighbors say they want pedestrian-friendly sidewalks and trails not dead end cutoffs.
- because my neighbors say they want a full SEPA review rather than taking just the word of the architect.
- because my neighbors say they want older growth trees to remain and also studies to evaluate the need to have additional trees planted that are more resilient to climate change/global warming.

...and you should always listen to your neighbors.

- Charlene & Charles Law
133 35th St. Port Townsend

RECEIVED

MAY 24 2022

CITY OF PORT TOWNSEND
DSD

Date: 5/19/22
To: City of Port Townsend
Development Services Department
Attn: John McDonagh

RECEIVED MAY 20 2022

From: Port Townsend EcoVillage

Re: LUP22-019 Pods at the Vineyard, Preliminary Long Plat Application

To whom it may concern,

We have just reviewed in detail the plans submitted by Terrapin Architecture for the Pods At The Vineyards (PAV) development. This is the first time that we have seen any of the details of this development that is across the street from us, the Port Townsend EcoVillage, and that will have some major impacts on our community as well as the community of RoseWind, which is also across the street from us. We wish to express our concerns and ideas and provide the following input:

1. Parking on 35th Street - Will it be prohibited? We have safety concerns!

We are seriously concerned about the safety for bikers, pedestrians and vehicles if PAV residents or their guests are allowed to park on 35th Street.

Lots C1, C2, and C3 are all directly across from the main parking lot of the Port Townsend EcoVillage. This lot serves not only the residents and guests of about 15 dwelling units, but also access to our common house. There are 6 EcoVillage dwelling units with frontage along 35th Street. The most westerly of these is directly across from where Kuhn Street enters 35th Street. Although our PUDA with the city does not specifically prohibit those living along 35th Street from parking on the street, we encourage all of our residents to park in the lot as much as is practical. Because the street is fairly narrow, we never park on the south side of the street out of respect for those living in the two RoseWind lots on 35th.

The PAV plans show driveways for lot C1 and C2 coming directly off 35th Street, where the road is only 20 feet wide. Lot C3 is on the corner of 35th and Kuhn Streets and has a driveway off Kuhn where the road is only 16 feet wide. City Engineering Design Standards specify "*streets constructed less than 26 feet wide may be required to be posted with no parking if access for emergency vehicles becomes restricted.*" (p. 6-10) The fire lane for emergency vehicles to access our common house and 5 EcoVillage dwelling units is through our parking lot. Cars parked on the south side of 35th Street might well restrict access into the fire lane.

These lots are from 7,000 to 7,200 square feet each, specifically "*encouraging buyers to build both a residence and an ADU.*" (Letter from Terrapin Architecture to the City, 3/3/22) Thus, we can anticipate 6 dwelling units on those 3 lots. The city code regarding ADUs requires 2 on-site parking spaces for the primary residence and 1 additional on-site space for the ADU. (PTMC 17.72).

P. I.

Where will guests park if not on the street? Around the corner on newly proposed Landes Street the plan calls for 9, specific on-street parking pullouts, but those are ostensibly meant to serve the dozen lots that front onto Landes. We have spaces reserved for our guest parking in the EcoVillage lot. Perhaps lots C1, 2 and 3 should be required to have 4 on-site parking spaces since their large size leaves plenty of space.

2. One way street with a bike lane within PAV. - This will increase safety and allow the placement of a Complete Street.

One way to potentially increase the safety on 35th Street as well as on the relocated Landes Street would be to have all of the traffic into and out of PAV go in one direction. This could start at the current end of 35th Street. That would reduce the amount of 2-way traffic on the 20-foot wide section of 35th St. It would allow for a dedicated bike lane on the right side of the even narrower 16-foot wide Landes St. Traffic would be more predictable for bikers, pedestrians and cars entering 35th Street from the EcoVillage parking lot, and from the RoseWind and PAV lots that front on both 35th and Kuhn streets.

Having the flow of traffic go north-south in the PAV development, and thus east-west on 35th Street, might be the best option. The Ecovillage parking lot circulation is counter-clockwise with the exit farthest to the west along a densely forested area. Sight-line for exiting cars is much better looking towards the East for approaching traffic. In addition, for delivery trucks and other large vehicles coming up from San Juan Avenue and making wide turns to enter the EcoVillage lot, it would be best to have less head-on traffic. This is also true for emergency vehicles accessing the EcoVillage fire lane described in concern #1 above.

In May of 2021, the Port Townsend/Jefferson County joint Climate Action Committee adopted a document called Jefferson County, Washington, 2020 Greenhouse Gas Community Emissions Reduction Opportunities.

https://2020.org/wp-content/uploads/2021/07/2020_JeffCo_GHG_Reduction_Opportunities_Approved_051121.pdf

Chapter XII on page 13 describes the benefits of what are called "Complete streets". *This strategy calls for implementing a Complete Streets program. A Complete Streets approach integrates people and place in the planning, design, construction, operation, and maintenance of our transportation networks. This helps to ensure streets are safe for people of all ages and abilities, to balance the needs of different modes, and to support local land uses, economies, cultures, and natural environments. The National Complete Streets Coalition, which launched this movement in 2004, promotes the development and implementation of Complete Streets policies and professional practices. Approximately 1500 municipalities across the country, including Port Townsend, have adopted Complete Streets ordinances or policies.*

3. Tree Conservation Plan - We need more, not fewer trees to help mitigate the global climate crisis.

Although it is a novel approach to revert part of Happy Valley to its native prairie condition, we have serious concerns about this strategy. This plan asks for fewer than the existing number of trees. The global climate crisis calls for more trees, not more native prairies.

According to the proposed plan, there are 7 trees wider than 7" in diameter on what will become private lots. We should assume that there will not be a monitored and enforceable, legally recorded restriction on tree removal that will preserve trees on the private lots. None of them will be required to remain indefinitely and yet 6 of them are counted as "3R retained tree units", and 1 as a "2R retained tree unit".

The six of equal to or larger than 20" in diameter represent a total of 18 tree units. The additional 10" diameter maple counts as 2 tree units. Our interpretation of the plan is that only 12, 3R trees and 5, 2R trees will be on public land. That means that of the currently present 66 tree units, only 46 units will actually be retained. Twenty (20) tree units will be lost and yet the proposed plan is to replace them with only 6 tree units.

In the fall of 2007, Jefferson County and the City of Port Townsend made a joint commitment **to achieve a community-wide standard of cutting greenhouse gas emissions to levels 80% lower than 1990 levels by the year 2050** (Appendix A, County Resolution No. 44-07; City Resolution No. 07-022). This was at the time the largest commitment by any city or county in the country to deal with the problem. It is currently seen by most experts as not enough to prevent the worst effects of climate disruption.

In 2011 the city and the county adopted an ambitious Climate Action Plan. <https://www.cakex.org/documents/climate-action-plan-port-townsendjefferson-county-washington>. On Page 44 of the plan it encourages the development of "complete streets" as described in concern #3 above. *Increase non-motorized transportation infrastructure by fully implementing existing plans in PT. Build "complete streets" with facilities for pedestrians and bicycles.*

On Page 46 it describes the continuing need to increase, rather than decrease trees. *Increase tree planting requirements or incentives for all public and private projects, including transportation projects that incorporate the use of trees. Tree lined corridors provide a carbon sponge and increase the attractiveness of the area.* This is especially true in urban areas where heat island effects can be significant and where cool shade is increasingly important given the climate change predictions for this region. The city website states: *Climate change presents a significant challenge for communities and urban systems worldwide. Climate change impacts such as increased rainfall intensity, storm surges, flooding, and urban heat island effects are affecting communities worldwide. The effects of a disrupted climate will likely intensify over the coming decades.* <https://cityofpt.us/engagept/page/climate-change>

4. Public Paths and Bike Lane

The residents at the EcoVillage know that there is no public trail across Rosewind at the end of Kuhn St. and always use the public trail further to the East. We can see that there is only a 16-foot ROW at the very south end of the proposed Landes St. relocation where it makes 2 right angle bends and temporarily runs East West. If traffic were restricted to one way, this short section of roadway could perhaps be only 10 feet wide, allowing space for a path that does not encroach on Rosewind property. In addition, this would contribute to the complete street concept further described in concern #2 above.

5. Stormwater catchment and rain garden and native prairie at the end of 35th street - How will it be affected and who will maintain it?

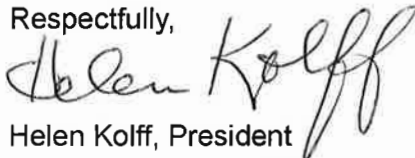
The EcoVillage installed the rain garden that is currently at the end of 35th street, as well as the drainage system that captures street runoff on the north side of that street and directs it into the rain garden on the south. It is not clear how this stormwater catchment system will be affected by the increased paving on 35th St. or if the rain garden will need to be expanded. In addition, will PAV now be responsible for future maintenance of that rain garden and surrounding vegetation? Will they have an association or some other form of organization that will take responsibility for things like this long-term? Who will maintain the native prairie that is proposed if they are allowed to do so? As described in #3 above (Tree Conservation Plan), we have serious concerns about the community benefits of this alternative proposal as compared to a robust tree conservation plan.

In summary, we have 5 serious concerns:

1. Potential parking on 35th street.
2. Two way traffic through the development.
3. The alternative tree conservation plan.
4. The lack of a public path along Landes Street.
5. Stormwater management at the end of 35th Street.

Some of these are definitely safety concerns. We believe that all of the recommendations mentioned above will reduce the impact of this development on the Port Townsend community. We would be happy to walk the area with city staff so that you can see the primary area of our concern. Please contact Kees Kolff kkolff@olympus.net if you have any questions or would like to meet with us.

Respectfully,



Helen Kolff, President
Port Townsend EcoVillage

Cc: Anne and Steve Raab, Dave Holland and Richard Berg

RECEIVED MAY 24 2022

City of Port Townsend
Development Services Department
621 Sheridan St, Port Townsend, WA 98368

May 23, 2022

Project: Pods at the Vineyard
Project address: blocks 6, 7, 8 Tibbals second addition

My name and address: Geralynn Rackowski. 311 33rd St PT

Traffic, parking and sewer are my biggest concerns.

Parking:

Most homes in PT have 2 vehicles and many have RVs and/or trailers. With a house plus ADU there does not appear to be adequate parking on lot or on street.

Traffic

- A. The blind intersection on 35th exiting to San Juan is currently a serious hazard.
1. Blue Heron School kids walk and ride down the sidewalk and you can't see much of the sidewalk until you pull into the crosswalk. Lots of other walkers and runners too. Hedges could be cut down on the north side, but there is a tall rockery on the south.
 2. 35th St is an ice sheet from the time it gets icy until the temperature rises above freezing since it gets no sun. It is very steep the half block before the intersection
 3. There is no sidewalk on most of 35th and lots of pedestrians.

B. Connecting the new Landes to the existing Landes is too narrow with poor sight lines for two way traffic plus no room for a pedestrian path

A and B might be solved by making new Landes one way from 35th to the existing Landes.

Sewer

Can an 8" sewer line with the minimum slope handle up to 32 new units?
Is one pumping station sufficient?

Thank you, Geralynn Rackowski – 360-385-1206



STATE OF WASHINGTON
CITY OF PORT TOWNSEND

In re the Matter of:

GREENPOD DEVELOPMENT
c/o Anne Raab and Steve Raab

-and-

File No. LUP22 -019

DAVOS CAPITAL LLC
c/o Dave Holland

SWORN STATEMENT OF DOUG MILHOLLAND

I, Douglas Milholland, declare under penalty of perjury that:

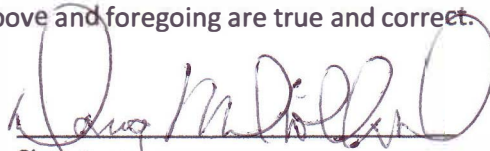
1. I reside at 343 35th St., Port Townsend, Washington.
2. I am a founding member of Rosewind, a nonprofit mutual corporation, hereinafter referred to as "RW" and I have lived here since 1996. I am currently a member of the RW community's board of directors.
3. RW is a consensus governed co-housing community. RW membership considers, and comes to consensus to buy or sell property, install trails, etc. The board of directors is the legal entity charged with responsibility of preserving the commons for members who own the same as tenants in common. The board of directors responded to this matter at the request of the community as a whole because:
 - a. Pods at the Vineyard, hereinafter referred to as "PATV," proposed trails through RW were seen as takings.
 - b. The RW commons, though park-like and inviting, is not a public park.
 - c. Despite filing multiple site development plans with the city over the past few years PATV has not presented any of its proposals to the RW board of directors.
 - d. The RW community and board of directors nominated a task force to monitor progress of the PATV development. As part of that task force's work it did regular document requests at the city to determine the status of the development.
 - e. The RW community and board of directors has never received any plans, descriptions, drawings, or technical language regarding the proposed development from the city and/or the developers and their consultants until the notice of filing of the pending application under review was mailed in May 2022.
 - f. As such neither the RW community nor its board of directors has ever been requested to consider any proposals from PATV or the city.
4. In 1993 RW hired two of its members, Jim Rogers and myself, to be RW's liaisons to City Inspectors and Shold Construction Inc. during their installation of roads, water and sewer infrastructure at RW.

5. Both Jim and I were licensed general contractors, part of Blue Heron Construction Inc., familiar with building commercial and residential structures, from design, dirt work, to final occupancy.
6. I participated in designing RW, hiring, advising and reviewing Polaris Engineering and Surveying Inc's work that was required by the City of Port Townsend for creating a Planned Unit Development.
7. We assisted RW throughout the city review process and infrastructure development. We celebrated when RW was accepted as complete and satisfactory by the City and Jefferson County.
8. I submitted a comment on this matter that is dated May 24, 2022. By way of this affidavit, I wish to amend and supplement that comment by submitting the same to the Hearing Examiner in this matter, specifically regarding PATV proposed connection to the city sewer using the "Truck access lane" city ROW. (parcel 991100029).
 - a. PATV's document C-1's finding of fact states that the station 59 manhole has rim elevation of 38.04 and an invert elevation of 30.84 (see my May 24, 2022 submission for my workup of C-1)
 - b. These numbers are the mathematical base for PATV's sewer calculations, proposed heights of manhole covers, invert depths, pipe pitch, and finished grade.
 - c. Photocopies of sections of the Polaris Sewer Plan, the Polaris Sewer As-built document and excerpts from the Port Townsend Engineering Standards and www.codepublishing.com are part of this document.
 - d. Shold Construction did not install the sewer lines to lots 4, 5 and 6 per original plan.
 - e. Because of steep up and down topography a substitute location for the sewer line serving lot 4 was chosen to avoid the necessity of installing a lot 4 sewer pump.
 - f. The As-built shows that a 6" main supplied feeder lines to lots 4, 5 & 6.
 - g. These run on RW common land, not a city ROW.
 - h. No municipal request was made to reopen the PUD in order to relocate the Truck Access Lane ROW to where the contractor placed the 6" line.
 - i. RW was required by the city to dedicate a truck access lane for sewer maintenance trucks use, not for infrastructure burial.
 - j. The truck access lane was probably required to deal with sewage that might stall on the 380' minimal 0.4% sewer grade section RW installed starting at Umatilla.
 - k. PATV's Document C-1 proposed a 203' 0.45% section running under the Truck access lane for carrying pulsed sewage from an additional 30 to 40 residences. This allowable but at low grade also might stall.
 - l. My experience as a contractor and my knowledge of the sewer lines in question suggest to me that a study of pulsed sewage flow characteristics in minimal sewer grade sections would be appropriate under these circumstances.
 - m. In all cases where a line is to be placed in an easement, "the easement is to be shown with measurement information to accurately lay it out prior to constructing the pipeline." (See city code excerpt below). C-1 does not do this.

- n. Although I do not know how the city actually cleans a stalled sewer main, the following <https://www.codepublishing.com> (extract below) describes how two trucks are used for cleaning new sewer lines prior to acceptance. is probably how dealing with stalled sewage is done: "Cleaning shall be done using "a high-pressure jet cleaning machine, producing a minimum of 800 psi. Wastewater and debris shall not be permitted to enter sewer lines in service but shall be removed by a "sucker truck" at the lowest manhole of the extension."
- o. While sheet C-1 describes "approximate ground heights" city codes require "finished ground elevation" over the pipe be specified, pipe pitch noted. C-1 does not describe finished ground elevation or pipe pitch.
- p. Since the required "finished ground elevation" language was not used, what is meant is not clear.
- q. Does PATV intend C-1's approximate ground surface will be, more or less, finished ground elevation?
- r. Or does PATV maintain **this is** the existing ground height, and will serve to safely install their 203' 8" main?
- s. Using of the Jefferson County's Laserfiche on-line surveying tool I found the height of land on the truck access lane where PATV proposes placing the first 203' of their 8" main averages 2.72' lower than C-1 declares is the "approximate ground height." This is a significant difference.
- t. Does PATV intend to change the existing truck access finished ground height by an average of 2.72'? If so, it should be clearly stated. These grade changes would negatively impact RW members use and enjoyment of the RW community garden.
- u. Sheet C-1 states rim elevation at their sewer maintenance hole at 203' is 34.3'. Laserfiche found the current ground level at the 203' manhole was 32.87'. This is a difference of 1.43'. C-1 showed 2' of cover where Laserfiche found 6".
- v. If 2.72'+- of soil is added to the truck access in order to provide bedding and cover for the pipe it will have to be compacted, then excavated for sewer main installation, then recompacted.
- w. The municipal codes specify "**Backfill shall be compacted to 95% density under roadways and traveled ways.**" This might be necessary for heavy sewer maintenance vehicles.
- x. PATV's preliminary long plat application states that minor cut and fill will not exceed SEPA thresholds. Will this be true if the truck access lane finished ground height changes by 3.42' in places?
- y. To replace the 6" main that RW installed with a new 8" main would require relocating the Truck Access Lane ROW, a RW PUD amendment. If this were to occur the new 8" main could be buried with no additional backfill.
- 9. After further review of the sewer proposal I noticed that RW's sewer as-built states that station 59 manhole cover elevation is 37.10' and invert out elevation is 28.24'.

- (a) Comparing these critically important numbers with PATV's C-1's numbers are confusing since a 2.6' difference in height at the PATV's point of connection between its sewer system and RW's sewer must be corrected in the application.
- (b) I searched the source given on C-1 for station 59 information and found: <https://cityofpt.maps.arcgis.com/apps/webappviewer/index.html?id=c97326061f314c4d841b12e829161a9b>. A print from that city mapping service that focused on station 59 Sewer Maintenance Hole is part of this document.
- (c) This map has a technical detail box with six screens – but Rim elevation and Invert elevation are not given on any of them. I was unable to confirm C-1's statement of fact.
- (d) Depending on which invert number is correct many decisions follow: ROW location requirements, depth of cut and slope of pipe, types, compaction and volume of backfill, finished ground elevation, SEPA review yes or no and any change of grade remediation that might be required.
- (e) If the RW C59 as-built invert height is correct, sheet C-1 must be recalculated, redrawn, and replaced. All decisions coming from C1 would be revisited.

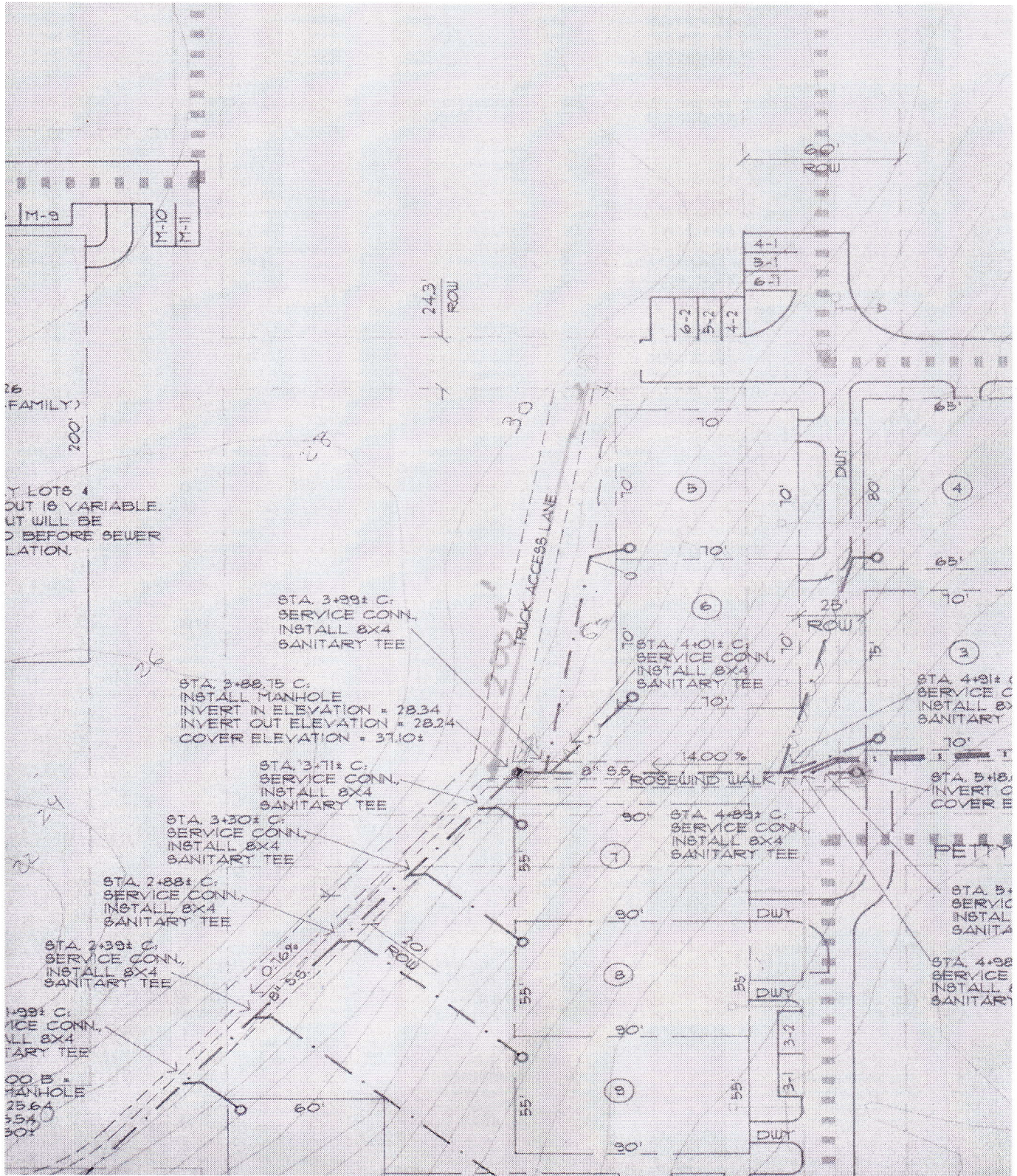
I, Doug Milholland, declare on this 31st day of August 2022, under penalties for perjury under the laws of the state of Washington that the above and foregoing are true and correct.



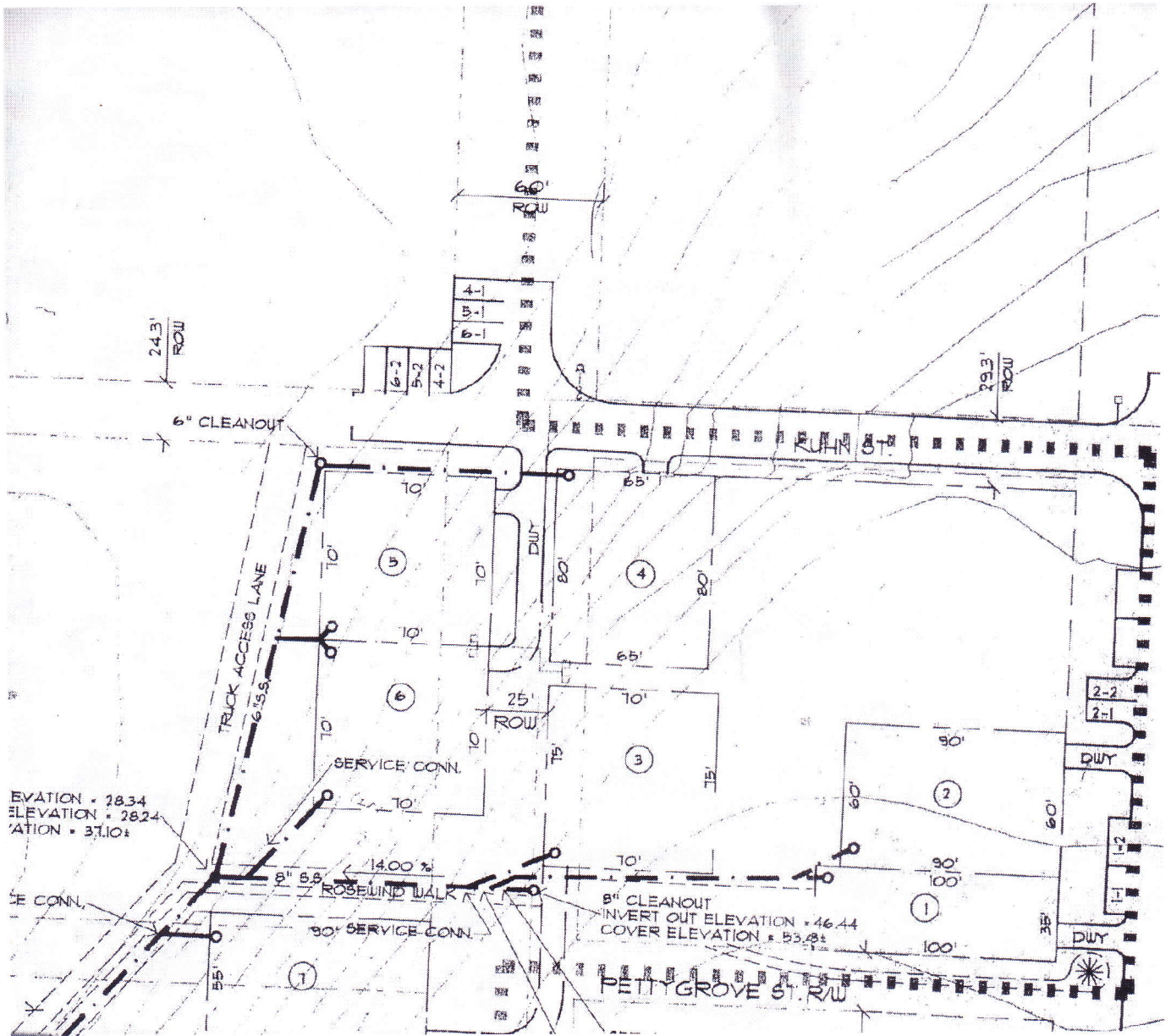
Signature

345 35th ST. P.T.

Address



Rosewind's proposed sewer plan



Rosewind Sanitary sewer as-built

https://cityofpt.us/sites/default/files/fileattachments/public_works/page/6251/dsdengstandards.pdf

WASTEWATER

City of Port Townsend 3-7 April 1997

Engineering Design Standards

(page 67)

6. Gravity Sewer Mains

a. Size

i. Sewer mains shall be sized for the ultimate development of the tributary area.

iii. The minimum pipe size for sanitary sewer mains shall be 8 inches in diameter, except that a 6-inch sewer may be approved in limited instances where the sewer has no potential to be extended to serve future customers.

iv. The minimum size service connection lateral in the street right-of-way shall be 6 inches and the minimum size for a service lateral on private property shall be 4 inches in accordance with the Standard Details. The depth at the property line shall be 5 feet, except as approved by the City

Engineer. Sewer connections to the main shall be made with a wye connection. All new main connections to existing mains shall require the installation of a new maintenance hole if not made at an existing maintenance hole.

v. All nonferrous pipe shall be installed with metal wire and tracer tape as shown on the Standard Details and described in Chapter 1.

vi. **Gravity sewer mains shall typically have a depth of 5 feet.** Actual depth will be determined by the slope, flow, velocity, and elevation of the existing system as proposed by the applicant and approved by the City.

b. Slope

i. All sewers shall be designed and constructed to give mean velocities, when flowing full, of not less than 2.0 feet per second, based on Mannings' formula using an "n" value of 0.013. **The following are minimum slopes which should be provided; however slopes greater than these are desirable.**

(1) 8-inch Mains: 0.40 feet per 100 feet.

(2) 10-inch Mains: 0.28 feet per 100 feet.

(3) 12-inch Mains: 0.22 feet per 100 feet.

(4) 15-inch mains: 0.15 feet per 100 feet.

(5) 18-inch mains: 0.12 feet per 100 feet.

(6) 21-inch mains: 0.10 feet per 100 feet.

WASTEWATER

City of Port Townsend 3-6 April 1997

Engineering Design Standards

(page 65)

vii. Plans shall include specific city standards for such items as maintenance holes, drop connections, side sewers, etc.

viii. **Plans shall show invert elevations of the main at the outlet and all inlets of each maintenance hole, slope of the main, and surface elevations of the maintenance hole lid.** In the profile view, the **finish ground elevation over the pipe** shall be shown as well as crossings

of other existing or proposed utilities. Stationing of side sewers from the downhill maintenance hole is required. Drawings shall show mainline connection depth and distance from nearest maintenance hole, the street that mainline connection is made in and the nearest cross street shall be identified. Drawings will show and label all connections and pipe diameters.

ix. In all cases where a line is to be placed in an easement, **the easement is to be shown with measurement information to accurately lay it out prior to constructing the pipe line.**

e. Inspection: All sewer system installations shall be inspected and approved by the City. It is the responsibility of the developer or contractor to notify the city 24 hours in advance of necessary inspections at the proper point in construction. All excavations must be left open until inspection is complete.

iii. Backfill

(1) Backfill material shall be per WSDOT/APWA 7-08(3) and as shown on the standard Drawings

(2) **Backfill shall be compacted to 95% density under roadways and traveled ways.** Controlled density backfill may be proposed as an alternate for road cuts. Compaction to 90% may be allowed where no roadways, driveways or vehicular travel will occur.

(3) **Backfill to the elevation necessary to apply required surface treatment**

City of Port Townsend 3-10 April 1997

Engineering Design Standards

<https://www.codepublishing.com/UT/EagleMountain/html/EagleMountain15/EagleMountain1545.html>

15.45.090 Cleaning.

After the sewer lines have been laid and the trench backfilled, they shall be thoroughly cleaned and tested for leakage and alignment in the presence of the city engineer or his/her designee before acceptance by the owner. Cleaning shall be done using a **high pressure jet cleaning machine, producing a minimum of 800 psi. Wastewater and debris shall not be permitted to enter sewer lines in service, but shall be removed by a "sucker truck" at the lowest manhole of the extension.**

Screenshot from the City of Port Townsend Utilities ArcGIS



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**STATE OF WASHINGTON
CITY OF PORT TOWNSEND**

In re the Matter of:)	
)	File No. LUP22-019
GREENPOD DEVELOPMENT, c/o)	
Anne Rabb & Steve Raab)	NOTICE OF APPEARANCE
)	ON BEHALF OF ROSEWIND
-and-)	
)	
DAVOS CAPITAL LLC, c/o Dave)	
Holland)	
)	

PLEASE TAKE NOTICE that MICHAEL W. JOHNS of Roberts, Johns & Hemphill, PLLC, hereby enters his appearance as the designated representative of Rosewind in the above-entitled matter and requests that notice of any and all further action, except original process, be served upon the undersigned attorney at the address stated below.

DATED this 16th day of September, 2022.

ROBERTS JOHNS & HEMPHILL, PLLC



MICHAEL W. JOHNS, WSBA #22054
Attorneys for Rosewind

7525 Pioneer Way, Suite 202
Gig Harbor, WA 98335

NOTICE OF APPEARANCE ON BEHALF
OF ROSEWIND -- 1

ROBERTS JOHNS & HEMPHILL, PLLC
7525 PIONEER WAY, SUITE 202
GIG HARBOR, WASHINGTON 98335
TELEPHONE (253) 858-8606
FAX (253) 858-8646

1
2 CERTIFICATE OF SERVICE:

3 I declare under penalty of perjury of the laws of the State of
4 Washington that on September 1, 2022, I caused to be served a
5 copy of this document upon the following:

6 Applicant(s): Greenpod Development
7 c/o Anne & Steve Raab
8 606 Roosevelt St.
9 Pt. Townsend, WA 98368

10 Agent(s): Richard Berg, Terrapin Architecture
11 360-379-8090
12 richard@terrapin-arch.com


13 Applicant(s): Davos Capital LLC
14 c/o Dave Holland
15 PO Box 9150
16 Santa Fe, NW 87504

17 Agent(s): Everett Sorenson, P.E.
18 360-821-9960
19 everett@streamlineenv.com

20 John McDonagh, Senior Planner, 344-3070
21 jmcDonagh@cityofpt.us

22 Courtesy Copy to:

23 Phil Olbrechts, Hearing Examiner
24 olbrechtslaw@gmail.com

25 
26 Kristine R. Pyle

NOTICE OF APPEARANCE ON BEHALF
OF ROSEWIND -- 2

ROBERTS JOHNS & HEMPHILL, PLLC
7525 PIONEER WAY, SUITE 202
GIG HARBOR, WASHINGTON 98335
TELEPHONE (253) 858-8606
FAX (253) 858-8646

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**STATE OF WASHINGTON
CITY OF PORT TOWNSEND**

)	
)	
In re the Matter of:)	File No. LUP22-019
)	
GREENPOD DEVELOPMENT, c/o)	ROSEWIND COMMENTS AND
Anne Rabb & Steve Raab)	OBJECTIONS TO PLAT
)	APPLICATION
-and-)	
)	
DAVOS CAPITAL LLC, c/o Dave)	HEARING DATE: 09/02/2022
<u>Holland</u>)	

Rosewind, a non-profit corporation, by and through its attorneys, Roberts Johns & Hemphill, PLLC and Michael W. Johns, submits the following comments and objections to the Plat Application of Greenpod Development and Davos Capital, LLC (collectively referred to herein as "Applicant"). These comments and objections supplement those Rosewind previously submitted on May 24, 2022.

As set forth below, Rosewind objects to the currently scheduled hearing as the Applicant failed to provide all interested parties with the notice required under the Port Townsend Municipal Code ("PTMC"), and the City of Port Townsend's staff report has not been made available electronically via the City

1
2 Council meeting calendar. If, however, the Hearing Examiner allows the
3 hearing to proceed as scheduled, Rosewind hereby advises the Hearing
4 Examiner that the undersigned will not be able to attend the hearing due to
5 previously scheduled travel.

6
7 **THE APPLICANT HAS FAILED TO PROVIDE THE REQUIRED NOTICE OF
8 THE SEPTEMBER 2, 2022 HEARING**

9 PTMC 20.01.190.A mandates that the notice of a public hearing must
10 contain the date, time and place of the hearing. PTMC 20.01.190.B.2 further
11 mandates that notice of public hearing shall be mailed to all owners of property
12 within 300 feet of any portion of the subject property and any person who
13 submits written comments on an application, while PTMC 20.01.190.C.1
14 requires that the notice also be posted on the property as required by PTMC
15 20.01.160(A)(1).

16 The Applicant failed to comply with the above requirements. The notice
17 of hearing that it posted on its property stated that the date of the hearing was
18 to be August 19, 2022, as did the notice of hearing that it mailed. (Exhibits A
19 and B to the Declaration of Kathryn Taylor filed herewith).

20 Washington courts have imposed qualitative due process notice
21 requirements for zoning actions that extend beyond formal statutory notice
22 requirements. In addition, the courts have held that notice must apprise
23 interested citizens of the nature and purpose of the hearing so they can
24
25

1
2 participate effectively. *Barrie v. Kitsap Cy.*, 84 Wn.2d 579, 584-86, 527 P.2d
3 1377 (1974); *Glaspey & Sons, Inc. v. Conrad*, 83 Wn.2d 707, 711-12, 521 P.2d
4 1173 (1974); *Port of Edmonds v. Northwest Fur Breeders Coop., Inc.*, 63 Wn.
5 App. 159, 166-67, 816 P.2d 1268 (1991). If notice fails to apprise parties of the
6 nature and purpose of proceedings, the good intentions of officials in satisfying
7 statutory requirements are irrelevant. *Barrie*, 84 Wn.2d at 584-86.

9 Because the applicant here has failed to provide the required notice of
10 the September 2, 2022 hearing as mandated by PTMC 20.01.190, the
11 scheduled hearing must be continued until such time as the Applicant has
12 provided the required notice of the hearing to all parties in interest.

13 **THE CITY HAS FAILED TO MAKE ITS STAFF REPORT AVAILABLE**
14 **ELECTRONICALLY**

15 The notice of hearing that was published in the Port Townsend Leader
16 stated that the City of Port Townsend's staff report would be made available
17 electronically via the City Council meeting calendar. However, as of that date
18 of this objection, the staff report has not been available on the City Council
19 meeting calendar, or anywhere else to Rosewind's knowledge. Rosewind and
20 all other interest parties have thus been deprived of the opportunity to prepare
21 for the hearing or provide any response to any comments found in the staff
22 report.
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2 This failure to make the staff report available to interested parties is
3 especially prejudicial in this case, because Rosewind has learned through its
4 own efforts that substantial communications have passed between the
5 Applicant and City staff without notice or copies being provided to other
6 interested parties. For example, Rosewind has learned that the Applicant's
7 project architect, Richard Berg, on June 13, 2022 submitted a lengthy
8 memorandum to City staff. In this memorandum Mr. Berg responded to many
9 of the comments raised by interested persons who had submitted written
10 comments on the application, though neither Mr. Berg nor City staff sent copies
11 of that memorandum to Rosewind or other persons who had submitted written
12 comments, and the City did not make Mr. Berg's memorandum available in the
13 electronic file for the Pods at the Vineyard plat application.
14
15

16 Rosewind therefore requests that the currently scheduled hearing be
17 continued until after the City staff report has been made available to the public.

18 **THE PROPOSED PLAT FAILS TO MEET THE REQUIREMENTS OF THE**
19 **PTMC**

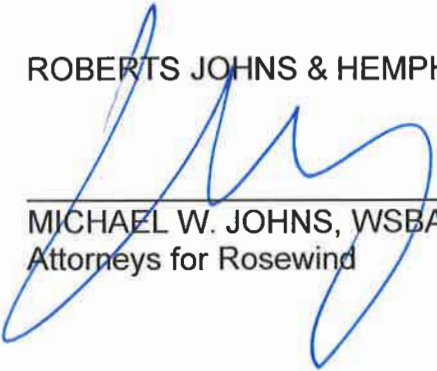
20 For all the reasons stated in the Comment filed by Rosewind on May 24,
21 2022, and in the Sworn Statements of Doug Milholland and Kathryn Taylor filed
22 herewith, the Pods at the Vineyard plat application does not meet the explicit
23 requirements of the PTCM.
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Rosewind therefore respectfully requests that the pending plat application for the Pods at the Vineyard be denied.

DATED this 1 day of September, 2022.

ROBERTS JOHNS & HEMPHILL, PLLC



MICHAEL W. JOHNS, WSBA No. 22054
Attorneys for Rosewind

1
2 CERTIFICATE OF SERVICE:

3 I declare under penalty of perjury of the laws of the State of
4 Washington that on September 1, 2022, I caused to be served a
5 copy of this document upon the following:

6 Applicant(s): Greenpod Development
7 c/o Anne & Steve Raab
8 606 Roosevelt St.
9 Pt. Townsend, WA 98368

10 Agent(s): Richard Berg, Terrapin Architecture
11 360-379-8090
12 richard@terrapin-arch.com


13 Applicant(s): Davos Capital LLC
14 c/o Dave Holland
15 PO Box 9150
16 Santa Fe, NW 87504

17 Agent(s): Everett Sorenson, P.E.
18 360-821-9960
19 everett@streamlineenv.com

20 John McDonagh, Senior Planner, 344-3070
21 jmcdonagh@cityofpt.us

22 Courtesy Copy to:

23 Phil Olbrechts, Hearing Examiner
24 olbrechtslaw@gmail.com

25 
26 Kristine R. Pyle

RECEIVED MAY 24 2022

STATE OF WASHINGTON

CITY OF PORT TOWNSEND

In re the Matter of:

GREENPOD DEVELOPMENT
c/o Anne Raab & Steve Raab

-and-

DAVOS CAPITAL LLC
c/o Dave Holland

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File No. LUP22-019

COMMENT

ROSEWIND, a nonprofit mutual corporation, hereinafter referred to as "Rosewind," objects to the above-captioned proposal LUP22-019 presented by GREENPOD DEVELOPMENT, c/o Anne Raab and Steve Raab, and DAVOS CAPITAL LLC, c/o Dave Holland, hereinafter referred to as "Applicant." Rosewind's observations and objections are submitted in the form of comments pursuant to Port Townsend Municipal Code (PTMC) 20.01.150(F)

A. Confusing references to name of development:

- 1) The March 3, 2022 "Preliminary Long Plat Application" is marked "PODS AT THE VINEYARD" that is signed by Dave Holland of Davos Capital and submitted by Richard Berg.
- 2) Five plan sheets were submitted for "GREENPOD DEVELOPMENT" by Mr. Berg.
- 3) Rosewind submits that documents should uniformly identify the name of the development being proposed to avoid confusion in these proceedings and those that may follow.

B. Preliminary plat map fails to meet criteria contained in PTMC.

- 1) PTMC 18.16.040 sets forth requirements for preparing the preliminary plat map (hereinafter referred to as "PPM").
- 2) PTMC 18.16.040C provides: A preliminary plat shall be 18 inches by 24 inches in size, allowing one-half-inch borders, and if more than one sheet is needed, each sheet shall be numbered consecutively and an index sheet showing the entire property and orienting the other sheets, at any appropriate scale, shall be provided. In addition to other map submittals, the applicant shall submit one copy of each sheet reduced to 8-1/2 inches by 11-1/2 inches in size. If more than one sheet is required, an index sheet showing the entire subdivision with street and highway names and block numbers (if any) shall be provided. Each sheet, including the index sheet, shall be of the above specified size.
- 3) The PPM submitted in relation to LUP22-019 is part of the city record.
- 4) Said PPM is identified as page one of two. The PPM's index sheet is not in the file.
- 5) PTMC 18.16.050 is entitled "Preliminary plat – Contents."

- 6) PTMC 18.16.050(A)(3) provides that the PPM shall include “the name, address, stamp and signature of the professional engineer or professional land surveyor who prepared the preliminary plat...”
- 7) The PPM is not signed.
- 8) PTMC(A)(5) provides that the PPM shall identify “all land, trees, and tree canopy intended to be cleared; the trees or tree canopy intended to be preserved per PTMC 19.06.120, Tree conservation standards; and the location of the proposed access to the site for clearing and grading during site development and construction...”
- 9) The PPM does not meet the requirements of PTMC 18.16.050(A)(5). There is no indication on the PPM or elsewhere in the documents submitted as part of this project which trees, if any, will be cleared. Canopies of existing trees are not defined, described, or measured in this PPM. The PPM also does not identify how the developer will access the site during grading and construction.
- 10) PTMC 18.16.050C(2) provides that the PPM shall state the “names of all adjoining property owners, or names of adjoining developers...”
- 11) None of the property owners abutting Applicant’s site are correctly identified.
- 12) PTMC 18.16.050C(5) provides that the PPM shall identify the “location, widths and purposes of any existing easements lying within or adjacent to the proposed subdivision...”
- 13) The PPM filed by the Applicants specifically states that it does not even purport to show the location of all easements that might affect this site.
- 14) PTMC 18.16.050C(6) provides that the PPM shall show the “location, size and invert elevations of sanitary sewer lines and stormwater management facilities lying within or adjacent to the proposed subdivision or those which will be connected to as part of the proposed subdivision...”
- 15) The PPM does not show these locations, sizes, and invert elevations of sanitary sewer lines and stormwater management facilities lying within and adjacent to the site, or those with which the Applicant seeks to connect.
- 16) PTMC 18.16.050C(7) provides that the PPM shall show the “location and size of existing water system facilities including all fire hydrants lying within or adjacent to the proposed subdivision or those which will be connected to as part of the proposed subdivision...”
- 17) The PPM does not include the required information regarding existing water system facilities.
- 18) PTMC 18.16.050C(10) provides that the PPM shall set forth the “location, size and description of all significant trees as defined in PTMC 18.04.060 lying within existing public rights-of-way to be improved within or adjacent to the proposed subdivision...”
- 19) The PPM makes no reference to trees.
- 20) PTMC 18.16.050(D)(4) provides that the PPM shall show the “boundaries, dimensions and area of public and common park and open space areas...”
- 21) The PPM makes no reference to areas of public and common park and open space areas.
- 22) PTMC 18.16.050(D)(6) provides that the PPM shall show the “proposed final contour lines at intervals of five feet for average slopes exceeding five percent, or at intervals of

two feet for average slopes not exceeding five percent. Final contours shall be indicated by solid lines. Contour lines shall be labeled in intervals not to exceed 20 feet..."

- 23) The PPM makes no reference and fails to show slopes and/or contours.
- 24) PTMC 18.16.050(D)(9) provides that the PPM shall show "proposed location and description of all water system improvements, including all proposed fire hydrants..."
- 25) The PPM fails to show water system improvements.
- 26) PTMC 18.16.050(d)(10) provides that the PPM shall show the "proposed location and description of all sewer system improvements, including profiles, and, if needed, all pump stations and their connections to the existing system..."
- 27) The PPM does not show any details regarding the sewer system improvement.
- 28) PTMC 18.16.050(D)(11) provides that the PPM shall show the "proposed location and description of all stormwater management system improvements..."
- 29) The PPM does not show details regarding the stormwater management system.
- 30) PTMC 18.16.050(D)(12) provides that the PPM shall show "proposed street cross-sections, showing proposed bicycle and pedestrian pathways and sidewalks (if applicable) ..."
- 31) The PPM does not show street cross-sections or pathways.
- 32) Despite repeated and numerous document requests and a full review of this file (LUP22-019) Rosewind has not been able to find many of the facts and much of the information that city ordinance requires be in the PPM.
- 33) Rosewind's ability to respond to the Applicant's proposal has been substantially prejudiced because materials facts and/or key information missing from the PPM cannot be ascertained from other documents in the file. For example, Rosewind does not know what, if anything, the index sheet of the PPM shows. The same is true of Sheet #2 of the PPM which is also unavailable for public inspection.
- 34) Rosewind ability to respond is also substantially prejudiced by way of misinformation in the PPM including, but not limited to ROWs and site improvements:
 - i. the PPM identifies a 60-foot ROW on 33rd Street ROW east of Kuhn that does not exist; and,
 - ii. the "pole shed" shown above Lot C1 on the December 2021 PPM does not exist even though it is marked with solid lines which pursuant to PTMC 18.16.050C(14) is supposed to remain in place.

- C. Rosewind objects to the trails proposed by the Applicant that traverse and cross the Rosewind PUD. The basis of Rosewind's objection is contained in the comment letter prepared by Peter Lauritzen, which is attached hereto and marked as Exhibit "A". Rosewind adopts said comment letter and incorporates the same as part hereof.
- D. Rosewind objects to the sewer system proposed by the Applicant. The basis of Rosewind's objection is contained in the comment letter prepared by Douglas Milholland, which is attached hereto and marked as Exhibit "B". Rosewind adopts said comment letter and incorporates the same as part hereof.

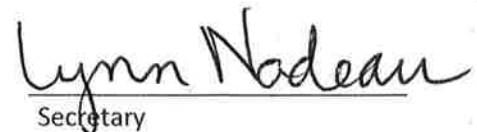
- E. Rosewind objects to the "Proposed Landes Street" presented by the Applicant. The basis of Rosewind's objection is contained in the comment letter prepared by Kathy Taylor, which is attached hereto and marked as Exhibit "C". Rosewind adopts said comment letter and incorporates the same as part hereof.
- F. Rosewind objects to the Tree Conservation and Landscape Plan proposed by the Applicant. The basis of Rosewind's objection is contained in the same comment letter prepared by Kathy Taylor, which is attached hereto and marked as Exhibit "C". Rosewind adopts said comment letter and incorporates the same as part hereof.
- G. Rosewind objects to the overall site design presented by the Applicant for this location. The basis of Rosewind's objection is contained in the comment letter prepared by Sandra Stowell, which is attached hereto and marked as Exhibit "D". Rosewind adopts said comment letter and incorporates the same as part hereof.
- H. Additional comments marked as Exhibit "E" are from Rosewind members and they are included herewith and included as part of the Rosewind Comment
- I. Rosewind invites representatives of the city of Port Townsend to visit the Rosewind Co-Housing Community to discuss concerns raised herein.

Rosewind respectfully requests that the city deny the pending application for the joint and several reasons stated in this Comment.

This Comment has been approved by the Board of Directors of Rosewind on the 24th day of May 2022.

The undersigned certifies that she is the properly elected and qualified Secretary of the books, records, and seal of Rosewind, a nonprofit corporation duly conformed pursuant to the laws of the state of Washington, and that said meeting of the Rosewind Board of Directors was held in accordance with state law and with the Bylaws of the above-named corporation.

I, as authorized by Rosewind, hereby execute, and file this Comment with the city of Port Townsend, Washington.


Secretary

Certificate of Service

The undersigned has prepared a true and accurate copy of this Comment and then mailed the same on the 24th of May 2022, to the following persons:

Anne and Steve Raab
606 Roosevelt St.
Port Townsend WA 98368

Dave Holland
PO Box 9150
Santa Fe NM 87504

Richard Berg
727 Taylor St.
Port Townsend WA 98368

Everett Sorenson
715 Grant St.
Port Townsend WA 98368

EXHIBIT A

City of Port Townsend
Development Services Department
250 Madison Street, Ste. 3

Date: May 24, 2022

Subject: Pods at the Vineyard LUP22-019 Long Plat Alteration

I would like to comment on the trails proposed in the above development plan. I served on the city's Non-Motorized Transportation Advisory Board for eight years, was chair for five years and for my service received the city's Barbara Marseille Volunteer Award in 2009. For 22 years I have lived at RoseWind Cohousing, which is situated adjacent to the proposed new development.

During my time on the Non-Motorized Board, many development plans were reviewed by the Board, and never can I remember a new trail being proposed across a neighbor's private property. Yet this is what the above development proposes just north of the east-west section of the proposed Landes St. This would necessitate the removal of several large trees and a thicket as well as violate a private portion of RoseWind. Note that RoseWind already offers many trails open to the public. RoseWind walk is a relatively wide trail that is carefully maintained by RoseWind members, with packed gravel fines that allow it to be used by a variety of wheeled vehicles. This trail is placed so that it goes all the way from Umatilla St. to 35th street, crossing only one driveway. Four other trails crossing RoseWind land and connecting to street ends are also available to the public.

The east-west portion of the proposed Landes St., with a 17'6" ROW, is too narrow for safe two-way vehicle traffic plus trail traffic even with traffic calming added. Fences will probably exist on both sides, eliminating use of the shoulders for passing. Sight lines are poor around the corners and bypassing large trucks will be impossible.

The new trail proposed along the 33rd St. ROW as currently routed goes right through the clustered parking places assigned to RoseWind lots 4,5 and 6 at the southeast corner of the 33rd St. ROW. The trail needs to be routed further north in the ROW to miss these parking places and several trees. Also, this trail needs to terminate at Kuhn St. rather than meander somewhat ambiguously around the clustered parking area at the south end of Kuhn St., which is RoseWind land.

The proposed development plan indicates a RoseWind public trail going southeast from the south end of Kuhn St. along the sewer ROW. No such trail exists, and the area is signed as private land.

Please consider these concerns in reviewing and correcting the planning documents.



Peter Lauritzen

325 33rd St.

Port Townsend, WA 98368

360-379-2987 (Home)

206-799-0727 (Cell)

May 24, 2022
343 35th Street
Port Townsend, WA 98368

City of Port Townsend Hearing Examiner

I used the Public Land Records Laserfiche open data portal to study the Pods at the Vineyard (PAV) sewer proposal where the 203' section of their 594' 8" diameter gravity Sanitary Sewer is proposed on parcel 991100029.

I created laserfiche map(*1) and a sewer study graph (*2) comparing the Pods at the Vineyard's Civil Engineering Sheet C1 data. (*3) I also transferred data onto PAV's Sheet C1) cross sectional graph to provide clarity for the Port Townsend Public Works department's review.

The proposed sewer line needs added soil to have a depth of fill of 1' over 125' of the run. To have 2' of soil will require fill for approximately 175'

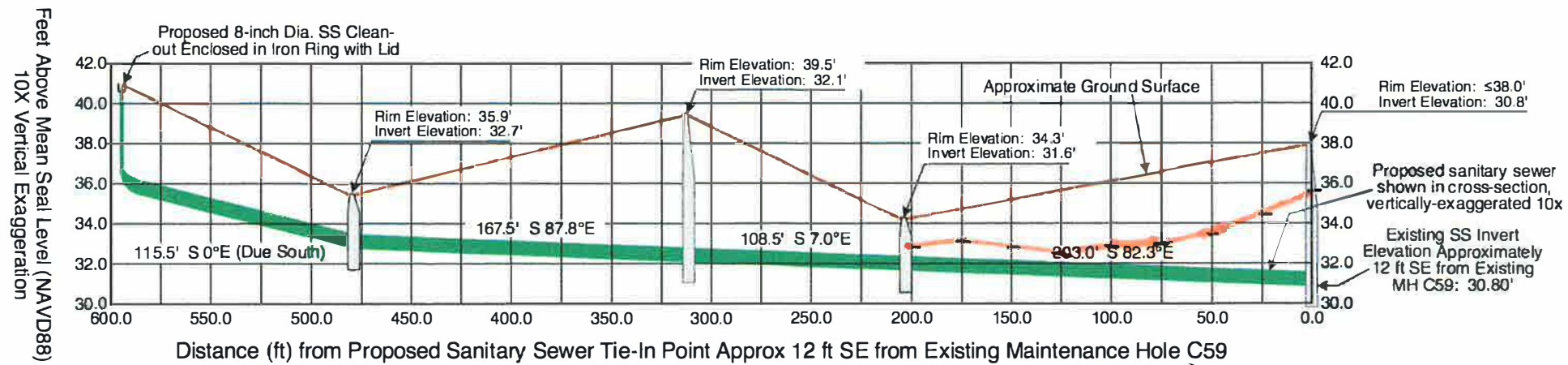
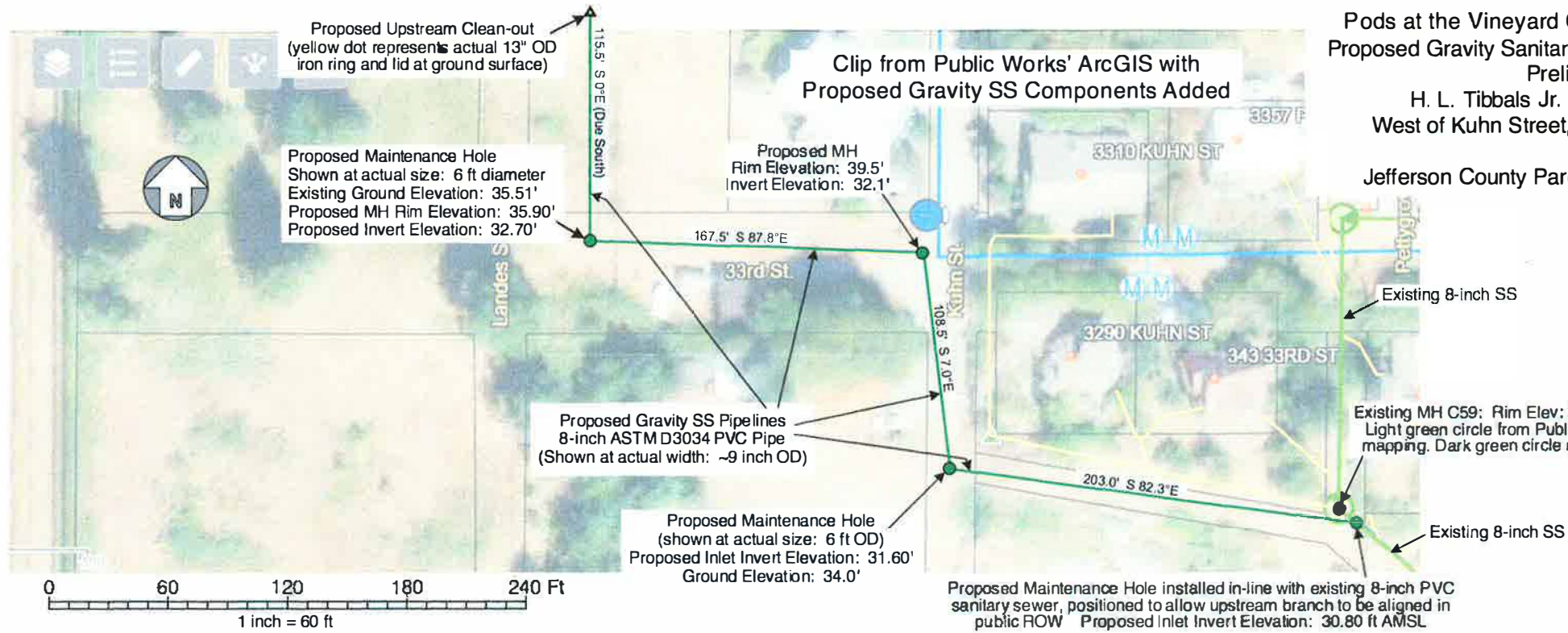
Sincerely,



Douglas Milholland
Project supervisor during installation of RoseWind's infrastructure in 1995.

- *1 Laserfiche map
- *2 Sewer study graph
- *3 Pods at the Vineyard's Civil Engineering Sheet C1

Pods at the Vineyard Civil Engineering Sheet C1
 Proposed Gravity Sanitary Sewer Layout & Elevations
 Preliminary Long Plat Application
 H. L. Tibbals Jr. Second Addition Blocks 6 - 8
 West of Kuhn Street, Between 32nd St and 35th St
 Port Townsend, WA 98368
 Jefferson County Parcels 997400601, -701 & -801



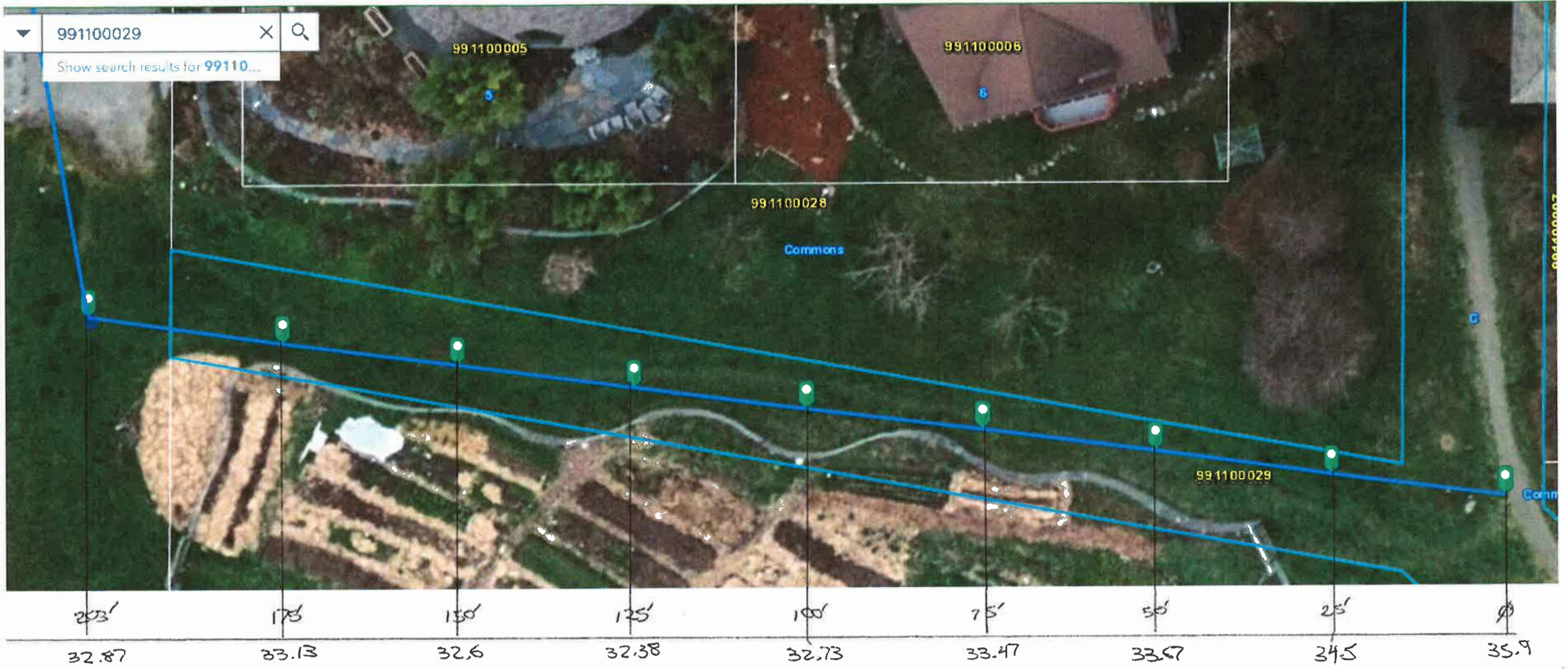
laserfiche

Proposed 594 ft Long, 8-inch Diameter Gravity Sanitary Sewer
 Including Four Proposed Maintenance Holes and Clean-out
 Vertically Exaggerated Cross-Section



Drawn by Everett A. Sorensen, P.E.
 Evergreen Engineering Services
 715 Grant Street
 Port Townsend, WA 98368-2405
 ev_sorensen@hotmail.com
 360-821-9960
 January 12, 2022

* 2



City of Port Townsend
 Development Services Department
 250 Madison Street, Ste. 3
 ATTN: John McDonagh, Senior Planner

EXHIBIT C

Date: May 24, 2022

Subject: LUP22-019 "Pods at the Vineyard", a 17 lot Long Plat/Plat Alteration

To whom it may concern,

Having reviewed many of the plans and documents pertaining to LUP22-019, I want to provide comments, express concerns and present some questions pertaining to just several aspects of the development proposal.

Proposed Landes Street (50' ROW, 16' paved driving surface) -

1. Conflicting Street Standards information:

- Per the "Pre-Application Conference Report" (PRE21-003, signed by Lance Bailey, DSD Director and dated 07/23/2021), under INFRASTRUCTURE 1. Streets and Driveways (pg 4 of report) --
 - *"The road section to be built will be a T-8 with pockets of on-street parking and a 6' sidewalk."*
- Per the letter dated March 3, 2022 from Richard Berg/Terrapin Architecture and David Holland/Davos Capital, LLC (applicant) submitted with the Preliminary Long Plat Application --
 - *"PAV is therefore proposing a T-9 street for vehicular and bike traffic"*
- Per "Pods at the Vineyard Civil Engineering Sheet C2" submitted with the Preliminary Long Plat Application, the Proposed Street Sections are "Modified Public Works Street Standard T-6"; and the 4 details provided on that sheet all state "Modified PW Std T-6 for Local Access" showing road sections with 50' ROW.

Questions -

- a. Why does the Civil Engineering sheet C2 provide details for Modified T-6 when the applicant's letter states that they are proposing a T-9 street for vehicular and bike traffic?
- b. What sections of the proposed Landes Street are to be T-9 (as stated in the March 3 2022 letter) if any, and where are the corresponding engineering details for the T-9 section?
- c. Why does the PAV plans not conform to the City's review statement that the road section to be built will be a T-8, when the plat/plat alteration plans are essentially the same design as was reviewed by the City during the pre-app process in 2021?
- d. How am I, or anyone else, supposed to comment on the proposed road having different t types of streets proposed but no definitive plans to review?

2. Conflicting Street Design Standards and Details – Civil Engineering Sheet C-2

- Per City of PT Engineering Design Standards Table 6-1 Minimum Street Standard, for a T-6 street the pavement width is 22 feet, without any stated allowance for reduction in pavement width. The PAV's

Civil Engineering Sheet C2 shows a 16-foot paved driving surface, rather than the minimum 22-foot. The proposed street details are nonconforming to the T-6 design standards.

- a. Note - The T-8 Standard Detail states a minimum pavement width of 26 feet, but allows for pinch points, bulbs, pocket parking, etc. to be used to reduce pavement width. Table 6-1 Minimum Street Standard Summary *does not* provide for a reduction in pavement width for the T-6.
 - b. The T-9 Standard Detail states a minimum pavement width of 16 feet. T-9 is what the March 3 2022 letter states the PAV is proposing, but the Civil Engineering sheets do not provide any details for a T-9.
- How am I, or anyone else, supposed to comment on the proposed road having conflicting types of street standards proposed but no definitive plans to review?

3. Conflicting number of lots served by the proposed Landes Street:

- a. Per the letter dated March 3, 2022 from Richard Berg/Terrapin Architecture and David Holland/Davos Capital, LLC (applicant) submitted with the Preliminary Long Plat Application, the “proposed portion of Landes Street will serve just 11 lots”. However, the accompanying plans (Sheets 1 – 4) from Terrapin Architecture show 12 lots with driveway access on Landes St (Lots B1-B7, and Lots A1-A5).
 - It is unclear if one of the 12 lots might have the option of driveway access from a street other than Landes. As it is uncertain, how am I supposed to comment other than to point out the conflicting number of lots between the project documents?

4. Roadway extension westward from the existing 35th Street hammerhead turnaround, and relocation of the sidewalk/path from the driveway of the PT EcoVillage (PTEV) parking lot:

- The applicant’s plans do not explain nor illustrate how the new roadway extension will impact the existing stormwater catchment system and rain garden at the western street end of the current hammerhead turnaround on 35th.
 - a. **Question** - How will this system be affected and who will be responsible for the on-going maintenance?
- The plans show a relocation of the existing pathway from the western end of the existing hammerhead turnaround in order to pave the new roadway. Note that this pathway, as well as the remainder of 35th Street is designated as a Safest Route to School and shown on the Non-Motorized Transportation Plan.
 - a. **Concern** - The proposed relocated path appears to be extremely close to the north edge of the proposed roadway, lacking in minimum safe distance between motorized and non-motorized travel.

5. Proposed Pathway along Landes Street – crossing near Lots B2 and B7

- We are concerned that the location of the proposed pathway crossing Landes Street in front of Lots B2 and B7 - where driveways are indicated for both of these lots – may result in unsafe conditions.

- a. **Question** - Will these driveways loop within the lot or have adequate turnaround within the lot so that vehicular traffic from these lots enter the street forward rather than via backward movement at the crossing?

6. Proposed 16' Street in 17.5' ROW (32nd Street ROW)

- The existing 32nd Street ROW is only 17.5' wide, with an existing metal fence along the south side (PT Vineyard fencing). PAV is proposing a 16'-wide two-way street within that ROW.
 - a. **Concern** – This is too narrow of a ROW width to safely support vehicle traffic, compounded by two limited-visibility curves.
 - b. **Concern** – The proposed 16'-wide street curves to join the existing 20'-wide Landes Street at the same junction point that the PT Vineyard driveway is entering the exiting Landes Street.
 1. **Question** – What will be the impact to the existing culvert that runs under the PT Vineyard gravel driveway within the existing Landes St ROW? Who will be responsible for maintaining the culvert?

7. Traffic Impact on 35th Street and San Juan Avenue

- **Concern** – PAV replat will create 17 lots ranging in size from ~5,000sf to ~10,000 and per the March 3 2022 letter from the applicants they will encourage buyers to build both a residence and an ADU. The potential is therefore 34 Dwelling Units. This will increase the traffic on 35th Street as well as at the intersection at San Juan Avenue. We encourage the City to require some form(s) of traffic calming be put in place as part of this development.

Proposed Tree Conservation Plan

8. The "Tree Conservation and Landscape Plan" (Sheet 4) is insufficient to meet application requirements and PTMC requirements.
 - The Preliminary Long Plat Application Submittal Requirements (revised 7/19/2021) states: "Tree Conservation plan - Identification of all land, trees and tree canopy intended to be cleared; the trees or tree canopy intended to be preserved and trees to be planted per PTMC 19.06.120, Tree Conservation Standards; and the location of the proposed access to the site for clearing and grading during site development or construction. The plan the required Tree Conservation plan should be combined with the preliminary Landscaping Plan and **must be prepared by a landscape design professional, arborist or tree service professional**. The site must be marked or flagged to show the centerline of all proposed roadways as well as the project boundaries. (See PTMC 19.06.110 for specific requirements for all Tree Conservation Plans)."
 - a. **Concern** – The Tree Conservation Plan submitted by Terrapin Architecture (Sheet 4) has no acknowledgement or indication that it was prepared by a landscape design professional, arborist or tree service professional.

- b. **Concern** – The submitted plan does not include the location of the proposed access to the site for clearing and grading during site development or construction, as required.
- c. **Concern** – The submitted plan does not include the Calculation of net site area [PTMC 19.06.110(A)7(a)]
- d. **Concern** – The submitted plan does not include the site topography at a contour interval of 10 feet [PTMC 19.06.110(A)9]
- e. **Concern** – The submitted plan does not include the required watering plan for the proposed new tree plantings [PTMC 19.06.110(A)14]
- f. **Concern** – required Field Marking of Site Features (PTMC 19.06.110(C) has not been performed.

9. Tree Sizes and Canopies

- **Concern** - The identification/size/dimensions of the existing trees appears to be based on a topographic survey performed in 2011; which means that the information being relied upon for the Tree Conservation Plan is more than a decade old.

10. Proposed New Tree Plantings

- **Concern** – The submitted plans state that “SIX NEW DOUGLAS FIR TREES” (equivalent of 6 units) will be planted, 5 of which are proposed to be planted in Rights-of-Ways (1 in 35th St ROW, 2 in 33rd St ROW, 2 in Landes St ROW). However, Douglas Fir Trees are not on the Street Tree List for the City of Port Townsend (Engineering Design Standards Chapter 6 – Appendix D).
- **Concern** – Who will be responsible for the watering of the new trees proposed to be planted in the 33rd ROW, where RW is the adjoining parcel to the south and Lot C4 is the adjoining parcel to the north?

Other Concerns

- 11. Proposed Rain Garden – according to the plans on Sheet 1, the proposed rain garden area is approximately 1,100 sf., and a listing of possible plants on Sheet 5. However, we are concerned that there is relatively no other details provided as to depth, slopes, soil mix, overflow design, etc.
- 12. Roadside drainage swale at the southwest corner of the proposed Landes St ROW (near Lot A3) appears to be lower in elevation than the proposed Rain Garden. Concern – how will the swale at that area be able to direct runoff to the Rain Garden.
- 13. Sheet 2 “Proposed Sewer & Water Layout” – this sheet indicates a new Maintenance Hole just south of the existing Kuhn Street, but does not provide any details as to Ground Elevation, SS Invert Elevation, etc. as are provided for the other proposed new maintenance holes. Also, the proposed Water Line does not extend in proximity to Lot A3.

14. Sheet 3 "Preliminary Power/Cable Layout" – this sheet indicates two new Transformers in the 33rd Street ROW, north of Lot A5, that will deliver power to all but 4 of the new lots. However, the plans do not identify the electrical power extensions necessary to those two new transformers.

I hope that these comments, concerns and questions will be taken under consideration by staff when reviewing this application and drafting their recommendation to the Hearing Examiner.

Respectfully submitted,

Kathy Taylor
3357 Pettygrove St
Port Townsend, WA 98368
512.585.5284

To: City of Port Townsend
From: Sandra Stowell, 316 33rd St, Port Townsend
Date: 24 May 2022

EXHIBIT D

COMMENT

The land adjacent to the proposed development is owned and used by three entities: the Port Townsend Vineyard, the Port Townsend EcoVillage, and Rosewind Cohousing. Each of these has been developed with long-term environmental considerations. And each offers real benefits to the broader Port Townsend community, not just to the landowners. Any new development here has excellent role models in these immediate neighbors

Unfortunately, the proposed development, Pods at the Vineyard, does not make use of these good examples. Instead, Pods' developers propose making full use of every square foot of land for new residents while taking public street ROW to meet drainage, tree conservation, and other requirements.

The adjacent landowners have built homes and community with healthy open green space, have legal commitments to growing food organically, without poisons, and have maintained existing trees and added new ones. The Vineyard is a local business Port Townsend can be proud of. The EcoVillage members have gone out of their way to live lightly on the land and offer affordable residences. RoseWind maintains a multi-block public trail to a high standard and even invites immediate neighbors to enjoy parts of their commonly owned green space for special events and occasions. All three respect a healthy nighttime environment with a commitment to responsible lighting (Dark Sky).

However, the developers for Pods at the Vineyard appear to be offering all the neighboring benefits as advantages for their own subdivision. They have appropriated the Vineyard's name as a marketing tool. They propose using RoseWind private property, currently a wild hedgerow, for a Pods trail, and changing existing informal footpaths into heavier use public trails. At the same time they offer nothing in return; there are just no benefits to the wider community in their proposal!

The Pods development has no green space of its own but instead takes public spaces in order to maximize buildable lots. It seems likely that there will be 17 large expensive homes, in an institutional suburban-style development. There is nothing to enforce building any affordable ADUs on these slightly larger lots without real constraints in the form of covenants. The new development will add car traffic without improving existing sub-par roads, while those residents who walk or bicycle would be directed east onto RoseWind private property by proposed new trails on adjacent land.

This development, as proposed, is out of character with the neighborhood and with Port Townsend development goals.

Port Townsend is in the middle of a struggle to combine environmentally sustainable development with creating more affordable homes for real working people. The proposed development contributes nothing toward either of these critical goals.

EXHIBIT E
ADDITIONAL COMMENTS

EXHIBIT E-1

City of Port Townsend
Development Services Department
250 Madison Street, Ste. 3

RE: LUP22-109 Pods at the Vineyard

May 24, 2022

In asking for approval of their proposed development, Raab and Holland seem to implicitly and explicitly color their request with suggestions of ecological and social virtue. Although the developers may personally hold such values, I find no evidence of such values in their proposed plans, and would caution against letting such implications influence the evaluation.

Use of the terms "pods" and "greenpod" could imply that "green" construction will characterize the housing on the site. I see no indication that "greenpod" construction will be required. As far as I can tell, they plan to sell lots, and buyers will be able to build anything legal.

Affordable housing is very much needed in PT, but this will not be inexpensive. Developers need to come out ahead after buying the land and installing the infrastructure, both costly in this case. (As are Greenpod houses, if used.)

What does it mean that "marketing" "encourages" building ADUs? This seems meaningless, as any single family residence in PT is allowed to have an ADU. And presumably anyone buying a lot there will have their own reasons for wanting or not wanting an ADU. Constructing an ADU is a significant expense— an extra bathroom, kitchen appliances, etc. Plus maintaining it. Sound-insulating, and sound infiltration anyway. If rented, landlord-tenant relations and responsibilities. I see no reason to count on this "encouragement" as adding to the supply of affordable housing in PT.

It sounds good that there is a "tree conservation plan". However, the description of the existing trees is ten years out of date, and walking the site it appears there may be numerous very large trees in areas slated for building. It also sounds good that there is to be a "rain garden" and a "prairie." But who will maintain these areas? Without diligent upkeep such areas will rapidly become overgrown patches of invasive weeds. The plants referenced may be difficult to obtain and maintain: they may be just expensive deer food. It seems highly unlikely that the proposed landscaping would become legitimate "prairie."

I hope the evaluation of this project will not be confused by any implication that it would add to Port Townsend's stock of affordable housing, or be significantly "green", but will recognize it as the commercial venture it is.



Susan E Wallace
3357 Pettygrove St
Port Townsend WA 98368
susanwallace.atx@gmail.com
512.626.7872

To: City of Port Townsend
From: Geralynn Rackowski, 311 33rd St, Port Townsend
Date: 24 May 2022

EXHIBIT E-2

COMMENT

Project: Pods at the Vineyard

Project address: blocks 6, 7, 8 Tibbals second addition

I have several concerns. Traffic, parking and sewer are my biggest concerns.

Parking:

Most homes in PT have 2 vehicles and many have RVs and/or trailers. With a house plus ADU there does not appear to be adequate parking on lot or on street.

Traffic:

A. The blind intersection on 35th exiting to San Juan is currently a serious hazard.

1. Blue Heron School kids walk and ride down the sidewalk and you can't see much of the sidewalk until you pull into the crosswalk. Lots of other walkers and runners too. Hedges could be cut down on the north side, but there is a tall rockery on the south.

2. 35th St is an ice sheet from the time it gets icy until the temperature rises above freezing since it gets no sun. It is very steep the half block before the interaction.

3. There is no sidewalk on most of 35th and lots of pedestrians.

B. Connecting the new Landes to the existing Landes is too narrow with poor sight lines for two-way traffic and no pedestrian path

Sewer:

Can an 8" sewer line with the minimum slope handle up to 32 new units?

Is one pumping station sufficient?

May 24, 2022

Page 1 of 3

**To: City of Port Townsend
Development Service Department**

re: LUP22-019 (Long Plat/Plat Alteration) for Pods at the Vineyard Proposal

The developers making this proposal have provided inadequate notice and information. One clear example of this is the single Public Notice posted near the NW corner of the proposed new subdivision.

The single posted notice is located on a dead end section of Kuhn St., only just momentarily visible to those passing on 35th St., if they happen to look in that direction!

Only four neighboring households actually pass this posted sign in order to reach their homes. However the proposed development will have a significant impact on many other neighbors.

There is no sign posted anywhere near the south end of the proposed development, where a problematic intersection is proposed.

I include photos taken at the north end of "Pods at the Vineyard" from 35th St, and also photos take on Landes at the south end.

This is just one example of the incomplete and confusing information provided by the developers for this proposed subdivision.

Thank you,
Sandra Stowell
sjstowell1000@gmail.com
(360)554-8071

316 33rd St.
Port Townsend

RECEIVED

MAY 24 2022

CITY OF PORT TOWNSEND
DSD



Photos taken 5/10/22 from 35th St, of the single posted public notice for LUP22-019 which proposes several street vacations.

The sign shown at left is on Kuhn St. It can be briefly glimpsed from 35th by passing traffic, but is easy to miss.

There is no sign on 35St where the street is proposed to be extended to a relocated new section of Landes.

The photo at lower right shows Kuhn from 35th. The only posted public notice sign is largely obscured by overgrown shrubs at this angle, and is not visible from 35th by drivers traveling east from the EcoVillage community parking lot.





Photos taken 5/12/22, from the 3100 & 3200 blocks of Landes St. There was and is no public notice sign posted. This is within a block of one partial street vacation of the 32nd St ROW.

Photos show the location of a problematic new intersection at Landes and 32nd St (labeled as "proposed Landes St" on the developer's documents).

The proposal would create a very narrow 2-way street alongside the existing Vineyard driveway, and appears to open a public trail thru what is now a signed courtesy footpath, all at one intersection.

STATE OF WASHINGTON
CITY OF PORT TOWNSEND

In re the Matter of:

GREENPOD DEVELOPMENT
c/o Anne Raab and Steve Raab

-and-

File No. LUP22 -019

DAVOS CAPITAL LLC
c/o Dave Holland

SWORN STATEMENT OF KATHRYN TAYLOR

I, Kathryn Taylor, declare under penalty of perjury that:

1. I reside at 3357 Pettygrove St., Port Townsend, Washington.
2. I currently serve as a member of the Board of Directors of Rosewind, a nonprofit mutual corporation, hereinafter referred as "RW".
3. The RW community and board of directors nominated a task force to monitor progress of the Pods At The Vineyard (PATV) proposed development. I have been a member of that task force since May 2021.
4. As part of that task force's work it submitted regular open records requests to the City of Port Townsend to stay apprised of the progress of the PATV proposed development, determine the status of such development, and to report those findings to the RW board of directors and community.
5. I have submitted 4 open records requests specific to the PATV proposed development, spanning from 12/15/2021 to 08/22/2022.
6. On August 22, 2022 I received in the mail a Notice of Public Hearing for The Plat of Pods at the Vineyard, which notice stated that the hearing on the application would take place on August 19, 2022. A true and correct copy of that Notice is attached hereto as Exhibit A.
7. On August 22, 2022 I also observed the Notice of Public Hearing for The Plat of Pods at the Vineyard that was posted at 32nd St. ROW and Landes St. and which also stated that the hearing on the application would take place on August 19, 2022. True and correct copies of photographs of that Notice are attached hereto as Exhibit B.
8. On August 22, 2022 I submitted an open records request via the City's online Public Records Request portal (<https://cityofporttownsendwa.nextrequest.com/>) asking to schedule a time to come in to review the file for LUP22-019.
9. On August 23, 2022 the City responded to that request by providing a link to the Development Services Department's webpage that contains selected documents related to LUP22-019 (<https://cityofpt.us/development-services/page/pods-vineyard>), the same set of documents that were made available on that webpage in May 2022. No appointment time(s) were provided. Refer to Exhibit C.
10. Between July 2021 and June 28 2022, I reviewed the files associated with Pre-Application Meetings PRE19-003 (2019) and PRE21-003 (2021) in person, at city hall, as well as the Preliminary Long Plat Application LUP22-019 (2022) of the PATV development.
11. I submitted a comment on this matter that is dated May 24, 2022. By way of this sworn statement I wish to amend and supplement that comment for purposes of submitting the same to the Hearing Examiner in this matter.
12. On June 19 2022, I submitted Request 22-256 that stated "I would like to review in person all the documents in the file for LUP22-019, including all comments received to date in response to the Public Notice of this project, as well as any email correspondence between DSD staff and any of the applicants related to LUP22-019 since 05/13/2022."

13. In response to the second portion of my request for any email correspondence, the city produced a file containing internal and external email correspondence. Included in this was an email with an attached six (6) page responsive document from the PAVT applicants' representative, Richard Berg, to the city planner, John McDonagh.
14. This email, dated 06/14/2022, was not copied and placed in the LUP22-019 file that I reviewed in person on June 28 2022. A copy of said email and the responsive document is attached hereto, incorporate as part hereof, and marked as Exhibit "H".
15. Mr. Berg's response includes numerous material representations of fact and related factual arguments that do not appear in the application deemed complete by the city on April 25 2022. Said responsive document was never served upon RW or any of its members who had already commented of-record as a party to this matter. Nor was it ever served upon the PT EcoVillage or other commenters in this matter.
16. Neither the general public nor other keenly interested stakeholders were on notice of Mr. Berg's communication with the city after notice of the application was served and comments were filed.
17. PATV proposes to move the currently platted Landes Street 24' ROW to the west and establish a new ROW between 32nd Street and 35th Street.
 - a. PATV's project narrative dated May 3, 2022 and signed by Richard Berg and David Holland, submitted with the Preliminary Long Plat Application, proposes a **T-9 street** for vehicular and bike traffic, with a separate compacted gravel fines pathway.
 - b. PATV's "Pods at the Vineyard Civil Engineering Sheet C2" drawn, stamped and signed by Everett A. Sorrensen, P.E., states "Proposed Street Sections: Modified Public Works **Street Standard T-6**". Each of the four street sections drawn on Sheet C2 state "Modified PW **Std T-6** for Local Access".
 - c. In five (5) places on the Civil Engineering Sheet C2 the proposed Landes Street is incorrectly identified as a modified street standard T-6.
 - d. On Sheet 1 of the "Greenpod Development" plans, stamped and signed by Richard Berg, principal architect with Terrapin Architecture PC, the proposed Landes Street has four cross sections labeled "A", "B", "C" and "D". Cross section "A" is located between Lot B4 and Lot B5; cross section "B" is located between Lot B3 and Lot B6; cross section "C" is located between Lot A1 and Lot A5; cross section "D" is located between Lot A3 and Lot A4.
 - e. PATV's Civil Engineering Sheet C2 contains details for four street cross sections labeled "A", "B", "C" and "D".
 - f. Typically, each of these labeled street cross section details would correspond to the associated labeled sections on Sheet 1 of the site plan.
 - g. The street section detail drawn and labeled "A" on Sheet C2 **is not an accurate drawing** of the section of Landes Street drawn and labeled "A" on Sheet 1 of the Greenpod Development site plan. The section detail on Sheet C2 shows two stormwater swales whereas the site plan Sheet 1 only shows one stormwater swale.
 - h. The street section detail drawn and labeled "B" on Sheet C2 **is not an accurate drawing** of the section of Landes Street drawn and labeled "B" on Sheet 1 of the Greenpod Development site plan. The section detail on Sheet C2 shows two stormwater swales whereas the site plan Sheet 1 only shows one stormwater swale.
 - i. The street section detail drawn and labeled "C" on Sheet C2 **is not an accurate drawing** of the section of Landes Street drawn and labeled "C" on Sheet 1 of the Greenpod Development site plan. The section detail on Sheet C2 only shows one stormwater swale whereas the site plan Sheet 1 shows two stormwater swales.
 - j. Additionally, the section detail drawn and labeled "C" on Sheet C2 shows a 6' pathway on the west side of the street whereas the site plan Sheet 1 shows the pathway on the east side.
 - k. The street section detail drawn and labeled "D" on Sheet C2 **is not an accurate drawing** of the section of Landes Street drawn and labeled "D" on Sheet 1 of the Greenpod Development site

- plans. The section detail on Sheet C2 only shows one stormwater swale whereas the site plan Sheet 1 shows two stormwater swales.
- l. Additionally, the section detail drawn and labeled “D” on Sheet C2 shows a 6’ pathway on the west side of the street whereas the site plan Sheet 1 shows the pathway on the east side.
 - m. None of the four street section details drawn by the professional engineer on Sheet C2 are accurate drawings of the corresponding sections of Landes Street on Sheet 1 of the Greenpod Development site plans.
 - n. PATV is proposing a 16’ paved driving surface for two-way traffic for the new Landes Street, including 140’+- length of roadway within the existing 32nd Street ROW that is only 17.5’ wide.
 - o. This stretch of ROW has an impenetrable 6’ tall chain-link fence on the south boundary, erected by the owner of the property adjacent to the ROW on the south - PT Homestead LLC (aka Port Townsend Vineyards).
 - p. RW has concerns about constructing a two-way 16’ wide street in such a limited ROW, as there will only be 1.5’ (18”) of available “shoulder” and the south side of the street will be restricted by the existing impenetrable chain-link fence.
 - q. City of Port Townsend Public Works has experimented with Edge Lane Roads (ELR), performing a temporary test installation on two blocks of Blaine Street (for approximately 4 weeks) and plans to install on portions of three selected existing streets in September 2022. This was presented to City Council during their July 5th 2022 meeting.
 - r. ELRs are not recommended for streets having below 20’ in available width (per the [2020-02-11_edge_lane_road_design_guide.pdf](#) available the Advisory Bike Lanes’ Design Guidance webpage <https://www.advisorybikelanes.com/design-guidance.html>, which the City is using as a resource for design and implementation of ELRs).
18. PATV’s “Greenpod Development” site plan Sheet 4, stamped and signed by Richard Berg, principal architect with Terrapin Architecture PC, is labeled as a “TREE CONSERVATION AND LANDSCAPE PLAN”. Sheet 5, stamped and signed by Richard Berg, principal architect with Terrapin Architecture PC, is titled as “Preliminary Landscape Guidelines”.
- a. The Submittal Requirements Checklist, that is part of the Preliminary Long Plat Application form in the Tree Conservation Plan item on page 3 that the **“the required Tree Conservation plan should be combined with the preliminary Landscaping Plan and must be prepared by a landscape design professional, arborist or tree service professional.”**
 - b. On page 3 of the Pre-Application Conference Report for Pre-App # PRE21-003, in the section “TREE CONSERVATION REQUIREMENTS (PTMC)”, it is stated **“A qualified arborist, landscape design professional, or tree service professional must prepare the plan”**.
 - c. **PTMC 19.06.110 B** stipulates “Tree conservation plans shall be drawn to scale and include a north arrow. For residential subdivisions, public projects, multifamily, mixed use, and commercial projects, **tree conservation plans shall be prepared by a landscape design professional, arborist, or tree service professional.**”
(<https://www.codepublishing.com/WA/PortTownsend/html/PortTownsend19/PortTownsend1906.html#19.06.110>)
 - d. PAVT’s proposed “TREE CONSERVATION AND LANDSCAPE PLAN”, Sheet 4, is not in compliance with the requirements of PTMC 19.06.110.
 - e. PAVT’s proposed “TREE CONSERVATION AND LANDSCAPE PLAN”, Sheet 4, is not in compliance with the Submittal Requirements in the Preliminary Long Plat Application.
 - f. PAVT’s proposed “TREE CONSERVATION AND LANDSCAPE PLAN”, Sheet 4, does not adhere to the Tree Conservation Requirements specified in the Pre-Application Conference Report.

- g. As such, the PAVT's proposed Tree Conservation and Landscape Plan should not be considered as meeting the preparation requirement.
- h. Per **PTMC 19.06.110** (Tree conservation plans – Contents) A.2, the approximate location of construction staging areas should be shown on the tree conservation plan.
- i. PAVT's proposed "TREE CONSERVATION AND LANDSCAPE PLAN", Sheet 4, does not show any construction staging areas.
- j. Per **PTMC 19.06.110** (Tree conservation plans – Contents) A.7a, the Calculation of net site area determined by subtracting the area of public and private road rights-of-way should be shown on the tree conservation plan.
- k. PAVT's proposed "TREE CONSERVATION AND LANDSCAPE PLAN", Sheet 4, does not show any such calculation.
- l. Per **PTMC 19.06.110** (Tree conservation plans – Contents) A.7b, the Calculation of tree unit credits should exclude existing trees in adjacent opened or unopened rights-of-way.
- m. PAVT's proposed "TREE CONSERVATION AND LANDSCAPE PLAN", Sheet 4, calculation of tree unit credits appears to *include* existing trees in adjacent opened or unopened rights-of-way.
- n. Per **PTMC 19.06.110** (Tree conservation plans – Contents) A.9, the tree conservation plan shall show the site topography at a contour interval of 10 feet.
- o. PAVT's proposed "TREE CONSERVATION AND LANDSCAPE PLAN", Sheet 4, does not show topography at a contour interval of 10 feet.
- p. Per **PTMC 19.06.110** (Tree conservation plans – Contents) A.14, "A watering plan is required for tree conservation plans that propose new tree plantings. The plan must provide for the adequate watering of the newly installed trees at the time of planting and through the dry periods (typically May through September) for a minimum of three years."
- q. PAVT's proposed "TREE CONSERVATION AND LANDSCAPE PLAN", Sheet 4, indicates that Six New Douglas Fir Trees (equaling 6 tree units) will be planted – five in existing ROWs and one on Lot C2.
- r. Neither the proposed "TREE CONSERVATION AND LANDSCAPE PLAN", Sheet 4, nor the "Preliminary Landscape Guidelines", Sheet 5, provide any watering plan, and therefore is **not in compliance** with section PTMC 19.06.110 of the municipal code.
- s. PAVT's proposed "TREE CONSERVATION AND LANDSCAPE PLAN", Sheet 4, states that 18 trees @ > 20" DIA are to be retained, equivalent to 54 tree units.
- t. PAVT's "PROPOSED SEWER & WATER LAYOUT" Sheet 2, stamped and signed by Richard Berg, principal architect with Terrapin Architecture PC, shows the proposed pressurized sewer line to run extremely near or through the Critical Root Zone of two (2) existing trees – a 36" Cedar between Lot B2 and Lot B7) and a 28" Fir near the proposed north cleanout in the 35th St ROW.
- u. Placement of the proposed pressurized sewer line puts these two retained trees (totaling 6 tree units) at risk of surviving the infrastructure development.
- v. PAVT's "PROPOSED SEWER & WATER LAYOUT" Sheet 2 shows the proposed new water line to run extremely near or through the Critical Root Zone of the 22" Cedar just east of Lot B1 at the tee of the proposed waterline.
- w. Placement of the proposed water line puts this retained tree (totaling 3 tree units) at risk of surviving the infrastructure development.
- x. PTMC 19.06.150 (Protection of trees before and during development) C. states "Tree protection area shall be clearly shown on all applicable site development, preliminary plats, and construction drawings."
<https://www.codepublishing.com/WA/PortTownsend/html/PortTownsend19/PortTownsend1906.html#19.06.150>
- y. Tree Protection Area is **not shown** on any of the PAVT's site plans or preliminary plat documents, and therefore is **not in compliance** with this section of the municipal code.

- z. PAVT's proposed "TREE CONSERVATION AND LANDSCAPE PLAN", Sheet 4, states that six new Douglas Fir Trees (= 6 Units) will be planted, five of these in existing and newly dedicated ROW's.
 - aa. City of Port Townsend Public Works publishes an "Approved List of Trees in the ROW". Douglas Fir tree is not included in the approved list.
 - bb. PAVT's "Preliminary Landscape Guidelines" Sheet 5, under 3. Rain Garden, states "Rain garden size, depth, slopes, etc. to follow Civil engineering plans to achieve designed capacity."
 - cc. PAVT's Preliminary Long Plat Application documents do not include any civil engineering plans for the proposed rain garden.
19. PATV's "Greenpod Development" site plan Sheets 1 through 4, stamped and signed by Richard Berg, principal architect with Terrapin Architecture PC, indicates a series of proposed trails and presumed trails available to the public.
- a. The "NEW ROSEWIND TRAIL?" (on PATV's "Greenpod Development" Sheets 1 through 4 site plans) drawn east-west through an existing barb wire fence and continuing along the south portion of RW privately owned common land.
 - b. RW community nor its board of directors has never ever entertained the prospect of an east-west trail through that area of common land, nor have we ever been requested to consider such a proposal by PATV or the City of Port Townsend.
 - c. The "NEW ROSEWIND TRAIL?" is erroneous and misleading, and should be removed from PATV's Sheets 1 through 4 prior to any form of approval of these plans and the Preliminary Long Plat Application.
 - d. PATV's "Greenpod Development" Sheets 1 through Sheet 4 mistakenly identify two "ROSEWIND TRAILS AVAILABLE TO THE PUBLIC".
 - e. RW, per the approved Planned Unit Development Application, created and maintains one north-south public path known as "RoseWind Way" from 35th Street at the north to Umatilla at the south. Additionally, short trails connecting from Haines St to RoseWind Way and from Woodland St to RoseWind Way.
 - f. These public trails are shown on the City of Port Townsend's Trails Directory webpage (https://cityofpt.us/parksites?tid=All&tid_1=821&keys=) and a screenshot of the City's designated public trails in and around the RW area is provided in Exhibit D following this statement.
 - g. These public trails are shown on the City of Port Townsend's "Street and Trail Map (January 2016) available online at [http://weblink.cityofpt.us/WebLink/0/edoc/85821/Street%20and%20Trail%20Map%2011x17%20January%202016\).pdf](http://weblink.cityofpt.us/WebLink/0/edoc/85821/Street%20and%20Trail%20Map%2011x17%20January%202016).pdf) and a screenshot of the City's designated public trails in and around the RW area is provided in Exhibit E following this statement.
 - h. The "ROSEWIND TRAILS AVAILABLE TO THE PUBLIC" is misleading and erroneous and be removed from PATV's Sheets 1 through 4 prior to any form of approval of these plans and the Preliminary Long Plat Application.
 - i. PATV's Sheets 1 through 4 contain a new proposed trail in the 33rd St ROW, from the proposed new Landes St ROW to Kuhn St.
 - j. RW has three parking spaces designated on the south portion of the 33rd St ROW west of Kuhn St (south of the existing hammerhead turnaround).
 - k. On December 6 1993, City Council adopted the findings, conclusions and conditions and granted RW's Planned Unit Development Application #9106-04. (pages 7-27 of the pdf of the 12/06/1993 minutes available online <http://weblink.cityofpt.us/WebLink/0/doc/7202/Page1.aspx>)
 - l. Included in the listed findings was "Exhibit C Planned Unit Development Site Plan and Plan of Roads, Parking and Paths, dated November 22, 1993". (This plan designated the 51 parking spaces that the City required of the RW PUD.) See Exhibit F following this statement.
 - m. Three of those City-approved 51 parking spaces in the PUD Site Plan are located in the 33rd St ROW west of Kuhn St and south of the hammerhead turnaround. See Exhibit G following this statement.

- n. Today, that area is mowed and maintained by RW and is used not unfrequently as parking for RW members, their guests and contractors.
- o. PAVT should relocate that portion of their proposed trail in the 33rd St ROW, and Sheets 1 through 4 redrawn prior to any approval of these plans and the Preliminary Long Plat Application.

I, Kathryn Taylor, declare on this 1st day of September 2022, under penalties for perjury under the laws of the state of Washington that the above and foregoing are true and correct.

Kathryn Taylor
Print


Signature

3357 Pettygrove St, Port Townsend WA 98368
Address

Exhibit A - mailed Notice of Public Hearing (received August 22, 2022)

NOTICE OF PUBLIC HEARING
The Plat of Pods at the Vineyard
File No. LUP22-019, Preliminary Plat and Plat Alteration.

On Friday, August 19, 2022, beginning at or about 2:00 p.m., the Port Townsend Hearing Examiner will hold an open-record Public Hearing to consider the above referenced application involving a new residential development described below.

The Hearing will be held virtually, but based at 540 Water Street, 2nd Floor in Council Chambers. The public may also attend in person. For your convenience, the Hearing Examiner's Rules of Procedure are enclosed and may be found at <http://weblink.cityofpt.us/WebLink/0/doc/120437/Page1.aspx>

Hearing Details: As noted above, this Public Hearing will be held virtually by webinar but interested parties can attend in person. Persons wanting to participate virtually have the following options:

- View via computer or tablet at <http://joinwebinar.com> enter the 9-digit Webinar ID 578-066-435. Members of the public are unmuted at the time for public comment.
- Listen by phone only (muted) United States: +1 (914) 614-3221
Access code: 942-105-283# Local Dial in (360) 390-5064
View via live
- Submit public testimony at least two hours prior to the hearing (by 12:00 pm) to have the written testimony included into the hearing record. Send those emails to: publiccomment@cityofpt.us.
- Live streaming (listen only) is available from the following link. Agendas and documents are linked for attendees and the public. Once the meeting has been started, click on the link to the meeting when it says "In Progress/View Event."
<https://cityofpt.us/citycouncil/page/agendasminutesvideos>.

The staff report will be made available electronically via the City Council meeting calendar (www.cityofpt.us) or in the Development Services Department at 250 Madison Street, Suite 3, Port Townsend. All interested parties may join the virtual Hearing and provide oral or written testimony.

Project Description: Pods at the Vineyard is a Plat/Plat Alteration of a three (3) Block project site together with several intervening rights-of-way. Overall, it will create 17 new residential lots, one of which already contains an existing single-family residence. Most of the new lots will be served by a newly dedicated internal 50—ft. wide right-of-way (ROW). Some lots will continue to be served via existing platted ROW's in 33rd, 35th and Kuhn Streets. Utilities will be extended from the north and east via these existing and proposed dedicated ROW's. Portions of the sewer service will require use of a shared force main.

Exhibit A (cont.) - mailed Notice of Public Hearing (received August 22, 2022)

Applicant(s): Greenpod Development c/o Anne & Steve Raab 606 Roosevelt St. Pt. Townsend, WA 98368	Davos Capital LLC c/o Dave Holland PO Box 9150 Santa Fe, NW 87504
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Agent(s): Richard Berg, Terrapin Architecture 360-379-8090 richard@terrapin-arch.com	Everett Sorenson, P.E. 360-821-9960 everett@streamlineenv.com
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Location/Legal Description: Lots 1 through 8, inclusive, within Blocks 6, 7 & 8, Tibbals 2nd Addition. Jefferson County tax parcels for the 3 Block project site are 997-400-601, 997-400-701, 997-400-801 and 997-400-803. The site lies west of the Rosewind Planned Unit Development (PUD), between 35th and 32nd Streets. Complete legal descriptions for the site are in the project file available at the City's Development Services Department.

Staff Contact: John McDonagh, Senior Planner, 344-3070

Date: August 17, 2022

Exhibit A (cont.) - mailed Notice of Public Hearing (received August 22, 2022)



 City of Port Townsend

 250 Madison Street, Suite 3

 Port Townsend, WA 98368

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US POSTAGE

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 FIRST CLASS MAIL

 fee

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 09/19/2022 ZIP 98368

 043M30210114

Kathryn Taylor & Susan Wallace

 3357 Pettygrove Street

 Port Townsend, WA 98368-5011



98368-501157

Exhibit B - posted Notice of Public Hearing (located at 32nd St ROW & Landes St)

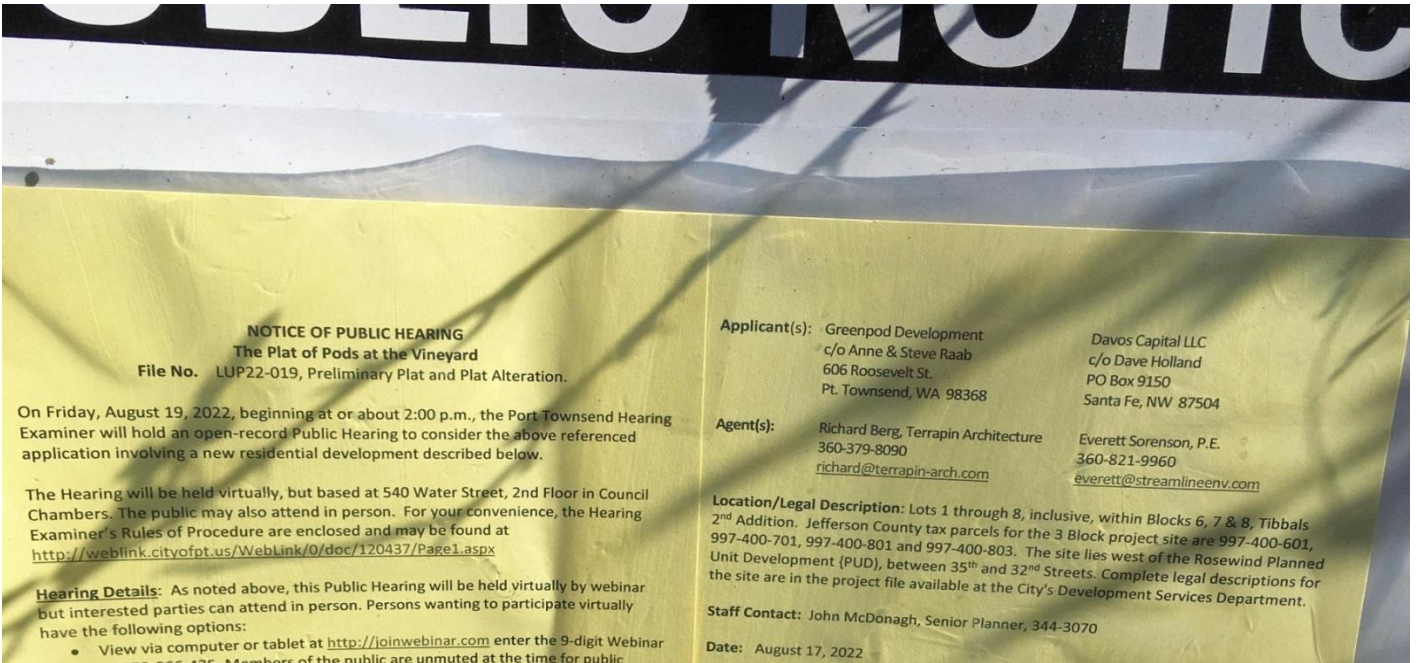


Exhibit C – Open Records Request 22-350

8/24/22, 1:08 PM

Request 22-350 - NextRequest - Modern FOIA & Public Records Request Software

[Skip to main content](#)

Public Record Requests

Port Townsend WA



Request Visibility: Unpublished

Request 22-350 Open



Dates

Received
August 22, 2022 via web

Requester

Kathy Taylor

3357 Pettygrove St, Port Townsend, WA, 98368

Request

Greetings!

I would like to schedule a time to come in to review the file for LUP22-019.

I received a copy of the Notice of Public Hearing in the mail today (Monday, Aug 22). The Notice, dated 8/17, states that the public hearing was to be held on Friday 8/19 on or about 2pm.

Please provide several day/time options that are available for viewing the file.

Thanks!

Staff Assigned

Departments
No departments assigned

Point of contact
Debbie Ritter

Timeline

Documents

Document(s) Released to Requester Requester + Staff
<https://cityofpt.us/development-services/page/pods-vineyard>

External Message Requester + Staff
Hi

Please use the attached link to access the records that are responsive to this request. If for any reason you need to recreate the search, go to the city website (cityofpt.us), click 'Departments,' then click 'Development Services.' Next, on the left under Department News, click "Development Project Under Review." After

Exhibit C (cont) – Open Records Request 22-350

8/24/22, 1:08 PM

Request 22-350 - NextRequest - Modern FOIA & Public Records Request Software

you click that, you will see two columns, one 'Title,' and the other 'Attachment.' Scroll down to where you see 'Pods at the Vineyard' in the Title column and click on that. You will not see the permit number you asked for, but the records in that folder are responsive to that permit application.

We believe we have responded fully to this request. If for some reason you are unable to access records online, please contact us before September 7 and we will make other arrangements. Thank you.

August 23, 2022, 12:21pm by Debbie Ritter, Unknown (Staff)

 External Message 

Requester + Staff

This acknowledges receipt of your records request received by the City of Port Townsend. We will be in contact with you to either provide the desired records or to estimate a timeframe in which we will reply.

If you have questions about your request in the meantime, please contact Deborah Ritter at 360 302 2195. Thank you.

August 22, 2022, 6:05pm

 Request Opened

Public

Request received via web

Exhibit D – City of Port Townsend – Trails Directory screenshot of RW area

(https://cityofpt.us/parksites?tid=All&tid_1=821&keys=)

The screenshot displays the 'PARKS, TRAILS & FACILITIES' section of the City of Port Townsend website. At the top, there are browser tabs for 'Street and Trail Map 11x17 (Janu...' and 'Parks, Trails & Facilities | City of P...'. The address bar shows the URL 'cityofpt.us/parksites?tid=All&tid_1=821&keys='.

The main heading is 'PARKS, TRAILS & FACILITIES'. Below this, there is a filter section with 'Amenities' set to 'Trails' and a search bar. The search bar contains the text 'Rosewind'. To the right of the search bar are 'Apply' and 'Reset' buttons.

The map shows a street grid in the Rosewind area. A green circle highlights a specific location near the intersection of Haines Street and 35th Street. Other streets visible include 37th Street, Kuhn St, Landes St, Umatilla Avenue, Alder Street, 30th Street, Pacific Avenue, Milo Street, Tremont Street, San Juan Avenue, Valley Trail, Quimper Village, and Colinwood Farm. The map also shows a blue trail line and a red dashed line.

Exhibit E – City of Port Townsend – 2016 Street and Trail Map – screenshot of RW area

[http://weblink.cityofpt.us/WebLink/0/edoc/85821/Street%20and%20Trail%20Map%2011x17%20\(January%202016\).pdf](http://weblink.cityofpt.us/WebLink/0/edoc/85821/Street%20and%20Trail%20Map%2011x17%20(January%202016).pdf)

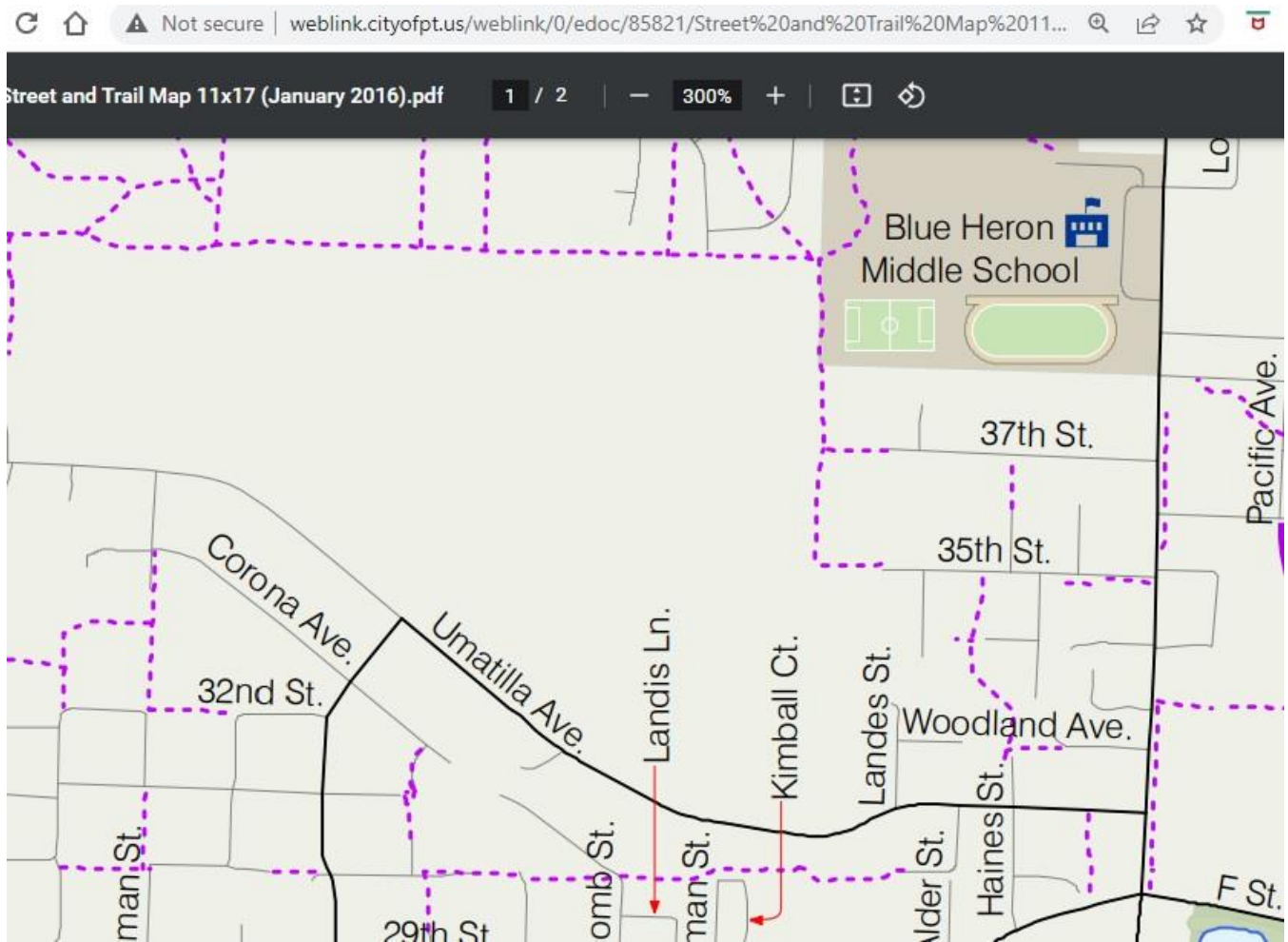


Exhibit F – City Council Minutes – 12/06/1993 – “Exhibit C Planned Unit Development Site Plan and Plan of Roads, Parking and Paths, dated November 22,1993.”

<http://weblink.cityofpt.us/WebLink/PDF/b5n3znzxeqhvadeeti4nzcc0/1/12061993.pdf>

weblink.cityofpt.us/WebLink/PDF/b5n3znzxeqhvadeeti4nzcc0/1/12061993.pdf

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6. The applicant has submitted a petition dated May 28, 1991, to amend the official zoning map of Port Townsend by the overlaying of a PUD pursuant to Chapter 17.40 PTMC. These Findings and Conclusions are based on this application (Exhibit B); the Findings and Conclusions of the Planning Commission dated June 25, 1993 (Exhibit G); the revised PUD site plan dated November 22, 1993 (Exhibit C); together with public testimony received and the supplemental information included in the following attached exhibits:

Exhibit A Legal Description of Property dated November 22, 1993.

Exhibit B Planned Unit Development application dated June 11, 1991.

Exhibit C Planned Unit Development Site Plan and Plan of Roads, Parking and Paths, dated November 22, 1993.

Exhibit D Site Plan showing setbacks, revised November 22, 1993.

Exhibit G – Screenshots of 3 parking spaces in 33rd St ROW from “Exhibit C Planned Unit Development Site Plan and Plan of Roads, Parking and Paths, dated November 22,1993.” Approved by City Council.

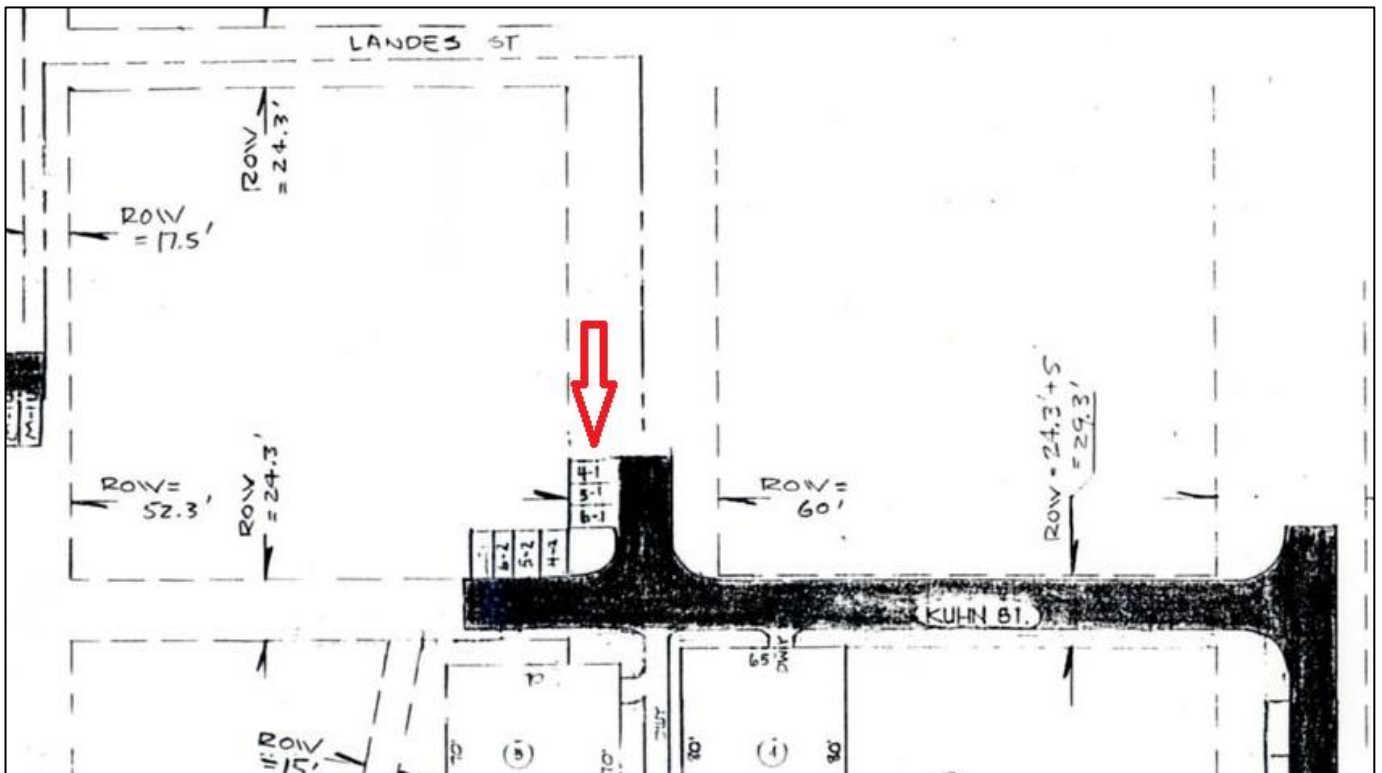
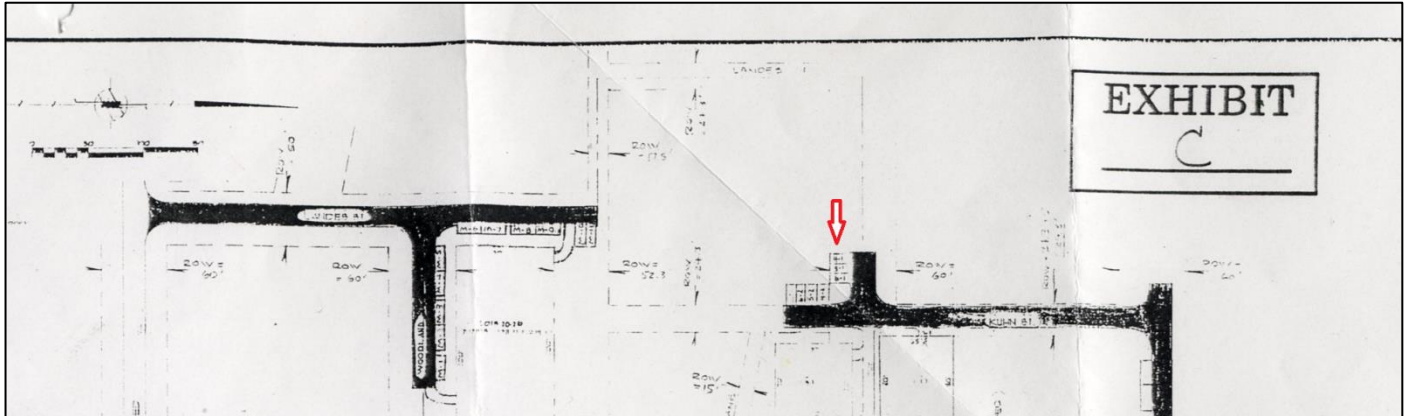


Exhibit H – June 14th Email and six(6) page responsive document, from Richard Berg

From: Richard Berg
To: John McDonagh
Cc: David T. Holland; Ann Raab
Subject: Pods at the Vineyard
Date: Tuesday, June 14, 2022 4:38:29 PM
Attachments: [Public comment response 6-13-22.pdf](#)

CAUTION: External Email

Hi John,

Here is a memo I put together on behalf of Dave Holland and Ann Raab, in response to the public comments that were received about Pods at the Vineyard. Hopefully this can go into the record for review by the Hearing Examiner, along with the public comment letters.

Please let me know if you need a hard copy as well as this PDF.

Thanks,
Richard

Richard Berg
Terrapin Architecture PC
727 Taylor Street
Port Townsend, WA 98368
360-379-8090
terrarinarchitecture.com



TERRAPIN

ARCHITECTURE_{PC}

Richard Berg, Principal Architect
Amy I. Dahlberg and Tamara Halligan, Associates

June 13, 2022

This memo from the proponents of Pods at the Vineyard (PAV) is in response to public comments received during the comment period for the subdivision application for the “Pods at the Vineyard” development on blocks 6, 7, and 8 of the H.L. Tibbals Jr.’s 2nd Addition in the City of Port Townsend, LUP22-019.

I. COMMENTS FROM PORT TOWNSEND ECO VILLAGE, dated 5/19/22

1. Parking on 35th Street

PAV comment: 35th Street is a public street. PAV will have no say over whether public users, whether they be guests at PAV residences or not, park on the edges of 35th Street. PAV has no specific intention for use of the 35th Street ROW for parking. As required by code, there will be at least 2 on-site parking spaces on each PAV lot, and 3 on-site spaces if there is an ADU on the lot. There are 9 street parking spaces provided on Landes St. that are intended for use by guests to the neighborhood.

If the City determines that either 35th Street west of Kuhn, or Kuhn Street itself, are too narrow to provide street parking plus emergency vehicle access, then per the Engineering Design Standards, the City will make a decision about posting “No Parking” signs in those locations.

PAV intends that the eventual owners of all lots in the development will provide on-site parking *as required by the City zoning code*. Providing more than what is required will be up to each individual property owner. Providing more on-site parking than what is required will cover more of each site with impervious surface, degrading the ability of the property to absorb runoff and intensifying stormwater management issues for the property.

2. One-way street with a bike lane

Landes Street has been conceived as a narrow, multi-modal street, with use shared by pedestrians, bicycles, scooters and skateboards, and slow-moving vehicles, without any striping. This type of street is typical of most residential streets in Port Townsend, (those that are not designated as any level of thoroughfare), and Port Townsend residents are mostly used to driving, walking, and biking on these back- and side- streets without incident. In this case, the narrow street and meandering shape are recognized traffic-calming measures, and are intended to function as such for the proposed Landes Street.

To borrow from information prepared for the San Juan Discovery project also currently under review for development in the City of Port Townsend, the following are excerpts from the Terra Soma Memo submitted with that project’s PUD application:

Exhibit H (cont.) - June 14th Email and six(6) page responsive document, from Richard Berg

“People have always lived on streets. They have been the places where children first learned about the world, where neighbors met, the social centers of towns and cities.” -

Donald Appleyard, *Livable Streets*, 1981

These words by Donald Appleyard remind us that streets are for people, not just cars. They should be places where we come together to play, socialize, and build community, and where young and old alike improve physical, social and creative health. In addition, streets by design should help restore our climate. Thus, the guiding design principle for neighborhood residential streets should be livability, i.e. streets that prioritize people walking, biking, playing and socializing, first.

THE MODEL

The shared street—known as *woonerfs* or residential yards in the Netherlands—is a place where people walking, biking, and playing share the same space as people driving. Shared streets are also called *living streets* or *home zones*. The choreography of movement is strongly influenced by street design where traffic speed is engineered to be slow— 10 mph— both through physical and visual treatments.

Thus, PAV has no interest in painting a line down the middle of the street, creating a bike lane on one side and one-way traffic on the other side. The rationale for both one-way streets and bike lanes is to separate, and by virtue of separation, allow both the cars and bikes to move faster. That is antithetical to PAV’s conception of Landes Street.

3. Tree Conservation Plan

The Port Townsend EcoVillage’s assertion that the PAV Tree Conservation Plan “asks for fewer than the existing number of trees” is in error. The Tree Conservation Plan calls for all of the existing trees on the site to be preserved, and for 6 additional trees, which will eventually grow large like the existing trees, be added. Preservation of the existing trees located on what will become private property can be achieved through covenants on the property at the time of the sale.

Preserving the look and feel of the existing landscape on the site, as part of the historic Happy Valley dry upland prairie, is important to the proponents of PAV, and is consistent with the Port Townsend Tree Conservation code, PTMC 19.06. See the following excerpt:

C. Alternative Tree Conservation Plans. (PTMC 19.06.120)

1. Some lots, sites or land uses provide valuable open space functions, including but not limited to maintaining view corridors, that may conflict with the planting dense stands of trees. **Examples include portions of town that historically have had few trees, such as Happy Valley;** or, some land uses, such as crop or tree farming or gardening, small animal husbandry, recreational play fields, etc., which are dependent upon open space and solar access. Alternative tree conservation or planting plans that do not meet the strict requirements of the tables of this section may be proposed in such circumstances.

Generally, the tree conservation ordinance calls, on property that initially has few trees, to plant two new trees for each tree to be removed. The PAV plans call for all existing trees to be maintained, so no new trees are required under that provision. However, PAV will voluntarily plant 6 new Douglas Fir trees that will eventually grow to the size of the existing trees, while maintaining the character of the site, which is characterized by small groupings of 2-3 large evergreens, or single large evergreens, scattered throughout a grassland environment.

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Plans for the extension of 35th Street to the new location of Landes should not affect the current drainage of 35th Street runoff into the existing rain garden in any way. The newly extended portion of 35th Street will drain into Landes and into the roadside swales along Landes.

The existing rain garden is located in the 35th Street ROW and it is the City of Port Townsend's responsibility to maintain the rain garden, unless there is an agreement with PT EcoVillage with regard to its maintenance. If such an arrangement exists, we are unaware of it.

II. **COMMENTS FROM ROSEWIND COHOUSING, received by City of PT 5/24/22**

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Exhibit H (cont.) - June 14th Email and six(6) page responsive document, from Richard Berg

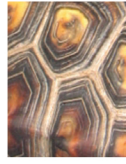
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That kind of development is certainly not the intention of the PAV proponents, but decisions about how and to whom the lots will be marketed, and how PAV may be able to influence the way in which the lots will be developed and built out, is not part of this application for a subdivision. That has to do with vision, marketing, and community building, and those aspects of this development are not part of this City process.

With regard to Geralynn Rackowski's comments, the City has zoning standards for on-site parking, and the individual lot owners will have to meet those standards when they develop the lots. If the intersection of 35th Street and San Juan Avenue is problematic, then perhaps the City of Port Townsend needs to consult with the neighbors and study the situation, and perhaps some improvements can be proposed. If, in fact, current residents on 35th Street dislike that intersection, particularly in icy conditions, then PAV will provide a way for those residents to leave the neighborhood via a link to Umatilla Avenue. It seems like that would be considered an improvement.

In closing, the proponents of PAV would like to reiterate that the way in which the residential lots in PAV will be developed is **not** a part of this subdivision application, and public benefits are not required by the City of Port Townsend, because this is not a Planned Unit Development. That being said, the proponents' vision for Pods at the Vineyard is that they will be able to begin development by building out at least some of the lots as model homes, or built for Greenpod clients that are already interested in living at the development. These properties will feature small-to-medium sized, environmentally sustainable Greenpod homes, and will include another Greenpod ADU on the same property. There is certainly no guarantee, but the hope is that starting in this way will encourage a community of like-minded homeowners to inhabit this development, with the intention of becoming good neighbors with the folks at both Rosewind and the EcoVillage.



TERRAPIN

ARCHITECTURE_{PC}

Richard Berg, Principal Architect
Amy I. Dahlberg and Tamara Halligan, Associates

June 13, 2022

This memo from the proponents of Pods at the Vineyard (PAV) is in response to public comments received during the comment period for the subdivision application for the “Pods at the Vineyard” development on blocks 6, 7, and 8 of the H.L. Tibbals Jr.’s 2nd Addition in the City of Port Townsend, LUP22-019.

I. COMMENTS FROM PORT TOWNSEND ECO VILLAGE, dated 5/19/22

1. Parking on 35th Street

PAV comment: 35th Street is a public street. PAV will have no say over whether public users, whether they be guests at PAV residences or not, park on the edges of 35th Street. PAV has no specific intention for use of the 35th Street ROW for parking. As required by code, there will be at least 2 on-site parking spaces on each PAV lot, and 3 on-site spaces if there is an ADU on the lot. There are 9 street parking spaces provided on Landes St. that are intended for use by guests to the neighborhood.

If the City determines that either 35th Street west of Kuhn, or Kuhn Street itself, are too narrow to provide street parking plus emergency vehicle access, then per the Engineering Design Standards, the City will make a decision about posting “No Parking” signs in those locations.

PAV intends that the eventual owners of all lots in the development will provide on-site parking *as required by the City zoning code*. Providing more than what is required will be up to each individual property owner. Providing more on-site parking than what is required will cover more of each site with impervious surface, degrading the ability of the property to absorb runoff and intensifying stormwater management issues for the property.

2. One-way street with a bike lane

Landes Street has been conceived as a narrow, multi-modal street, with use shared by pedestrians, bicycles, scooters and skateboards, and slow-moving vehicles, without any striping. This type of street is typical of most residential streets in Port Townsend, (those that are not designated as any level of thoroughfare), and Port Townsend residents are mostly used to driving, walking, and biking on these back- and side- streets without incident. In this case, the narrow street and meandering shape are recognized traffic-calming measures, and are intended to function as such for the proposed Landes Street.

To borrow from information prepared for the San Juan Discovery project also currently under review for development in the City of Port Townsend, the following are excerpts from the Terra Soma Memo submitted with that project’s PUD application:

“People have always lived on streets. They have been the places where children first learned about the world, where neighbors met, the social centers of towns and cities.”
 Appleyard, *Livable Streets*, 1981 - Donald

These words by Donald Appleyard remind us that streets are for people, not just cars. They should be places where we come together to play, socialize, and build community, and where young and old alike improve physical, social and creative health. In addition, streets by design should help restore our climate. Thus, the guiding design principle for neighborhood residential streets should be livability, i.e. streets that prioritize people walking, biking, playing and socializing, first.

THE MODEL

The shared street—known as *woonerfs* or residential yards in the Netherlands—is a place where people walking, biking, and playing share the same space as people driving. Shared streets are also called *living streets* or *home zones*. The choreography of movement is strongly influenced by street design where traffic speed is engineered to be slow—10 mph—both through physical and visual treatments.

Thus, PAV has no interest in painting a line down the middle of the street, creating a bike lane on one side and one-way traffic on the other side. The rationale for both one-way streets and bike lanes is to separate, and by virtue of separation, allow both the cars and bikes to move faster. That is antithetical to PAV’s conception of Landes Street.

3. Tree Conservation Plan

The Port Townsend EcoVillage’s assertion that the PAV Tree Conservation Plan “asks for fewer than the existing number of trees” is in error. The Tree Conservation Plan calls for all of the existing trees on the site to be preserved, and for 6 additional trees, which will eventually grow large like the existing trees, be added. Preservation of the existing trees located on what will become private property can be achieved through covenants on the property at the time of the sale.

Preserving the look and feel of the existing landscape on the site, as part of the historic Happy Valley dry upland prairie, is important to the proponents of PAV, and is consistent with the Port Townsend Tree Conservation code, PTMC 19.06. See the following excerpt:

C. Alternative Tree Conservation Plans. (PTMC 19.06.120)

1. Some lots, sites or land uses provide valuable open space functions, including but not limited to maintaining view corridors, that may conflict with the planting dense stands of trees. **Examples include portions of town that historically have had few trees, such as Happy Valley;** or, some land uses, such as crop or tree farming or gardening, small animal husbandry, recreational play fields, etc., which are dependent upon open space and solar access. Alternative tree conservation or planting plans that do not meet the strict requirements of the tables of this section may be proposed in such circumstances.

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NOTICE OF PUBLIC HEARING
The Plat of Pods at the Vineyard

File No. LUP22-019, Preliminary Plat and Plat Alteration.

On Friday, August 19, 2022, beginning at or about 2:00 p.m., the Port Townsend Hearing Examiner will hold an open-record Public Hearing to consider the above referenced application involving a new residential development described below.

The Hearing will be held virtually, but based at 540 Water Street, 2nd Floor in Council Chambers. The public may also attend in person. For your convenience, the Hearing Examiner's Rules of Procedure are enclosed and may be found at <http://weblink.cityofpt.us/WebLink/0/doc/120437/Page1.aspx>

Hearing Details: As noted above, this Public Hearing will be held virtually by webinar but interested parties can attend in person. Persons wanting to participate virtually have the following options:

- View via computer or tablet at <http://joinwebinar.com> enter the 9-digit Webinar ID 578-066-435. Members of the public are unmuted at the time for public comment.
- Listen by phone only (muted) United States: +1 (914) 614-3221
Access code: 942-105-283# Local Dial in (360) 390-5064
View via live
- Submit public testimony at least two hours prior to the hearing (by 12:00 pm) to have the written testimony included into the hearing record. Send those emails to: publiccomment@cityofpt.us.
- Live streaming (listen only) is available from the following link. Agendas and documents are linked for attendees and the public. Once the meeting has been started, click on the link to the meeting when it says "In Progress/View Event."
<https://cityofpt.us/citycouncil/page/agendasminutesvideos>.

The staff report will be made available electronically via the City Council meeting calendar (www.cityofpt.us) or in the Development Services Department at 250 Madison Street, Suite 3, Port Townsend. All interested parties may join the virtual Hearing and provide oral or written testimony.

Project Description: Pods at the Vineyard is a Plat/Plat Alteration of a three (3) Block project site together with several intervening rights-of-way. Overall, it will create 17 new residential lots, one of which already contains an existing single-family residence. Most of the new lots will be served by a newly dedicated internal 50—ft. wide right-of-way (ROW). Some lots will continue to be served via existing platted ROW's in 33rd, 35th and Kuhn Streets. Utilities will be extended from the north and east via these existing and proposed dedicated ROW's. Portions of the sewer service will require use of a shared force main.

Applicant(s): Greenpod Development
c/o Anne & Steve Raab
606 Roosevelt St.
Pt. Townsend, WA 98368

Davos Capital LLC
c/o Dave Holland
PO Box 9150
Santa Fe, NW 87504

Agent(s): Richard Berg, Terrapin Architecture
360-379-8090
richard@terrapin-arch.com

Everett Sorenson, P.E.
360-821-9960
everett@streamlineenv.com

Location/Legal Description: Lots 1 through 8, inclusive, within Blocks 6, 7 & 8, Tibbals 2nd Addition. Jefferson County tax parcels for the 3 Block project site are 997-400-601, 997-400-701, 997-400-801 and 997-400-803. The site lies west of the Rosewind Planned Unit Development (PUD), between 35th and 32nd Streets. Complete legal descriptions for the site are in the project file available at the City's Development Services Department.

Staff Contact: John McDonagh, Senior Planner, 344-3070

Date: August 17, 2022

NOTICE OF CONTINUED PUBLIC HEARING**The Plat of Pods at the Vineyard****File No.** LUP22-019, Preliminary Plat and Plat Alteration.

On Monday, April 29, 2024, beginning at or about 3:00 p.m., the Port Townsend Hearing Examiner will hold an open-record Public Hearing to consider the above referenced application involving a new residential development described below.

The Hearing will be held virtually, but based at 540 Water Street, 2nd Floor in Council Chambers. The public may also attend in person. For your convenience, the Hearing Examiner's Rules of Procedure are enclosed and may be found at <http://weblink.cityofpt.us/WebLink/0/doc/120437/Page1.aspx>

Hearing Details: As noted above, this Public Hearing will be held virtually by webinar but interested parties can attend in person. Persons wanting to participate virtually have the following options:

Public Accommodations for this meeting:

- The public may attend in person or virtually via computer or tablet at <https://zoom.us/j/98187633367> (enter the Webinar ID 981 8763 3367)
- Phone only (muted listen-only mode) United States: Local Dial In – 1(253)215-8782,,98187633367#
- Live stream (listen only): <https://cityofpt.us/citycouncil/page/agendasminutesvideos>.
- Submit public comment to be included in the meeting record to: <https://publiccomment.fillout.com/cityofpt>

The staff report will be made available electronically via the City Council meeting calendar (www.cityofpt.us) or in the Planning and Community Development (PCD) department at 250 Madison Street, Suite 3, Port Townsend. All interested parties may join the virtual Hearing and provide oral or written testimony.

Project Description: Pods at the Vineyard is a Plat/Plat Alteration of a three (3) Block project site together with several intervening rights-of-way. Overall, it will create 17 new residential lots, one of which already contains an existing single-family residence. Most of the new lots will be served by a newly dedicated internal 50—ft. wide right-of-way (ROW). Some lots will continue to be served via existing platted ROW's in 33rd, 35th and Kuhn Streets. Utilities will be extended from the north and east via these existing and proposed dedicated ROW's. Portions of the sewer service will require use of a shared force main.

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Staff Contact: John McDonagh, Senior Planner, 344-3070

Date: April 17, 2024