



June 17, 2026

Job No. 2090-004-022

Ms. Nikole Coleman, AICP
Planning Manager
City of Poulsbo
200 NE Moe St
Poulsbo, WA 98370

**RE: Pinnacle at Liberty Bay - Request for Revisions #3
P-06-20-25-03 - Response Letter #3**

Dear Ms. Coleman:

ESM Consulting Engineers, LLC, is submitting the following responses to the Request for Revisions #3 Memo, that was received from you dated June 5, 2026. In an effort to provide concise and direct responses, we have copied the review comments below in *italics* and our responses are in **bold**.

Planning and Economic Development Department Review

Reissue of Notice of Application

1. *Based on the revised materials submitted, the proposal has changed from what was originally noticed. Consistent with the requirements of Chapter 36.70B RCW to ensure the public is accurately informed and provided with a meaningful opportunity to comment, the City will re-issue a revised Notice of Application on June 17th. Staff will coordinate with you on updated notice materials. The two-week comment period will close July 1, 2026.*

RESPONSE: Acknowledged.

SEPA Issuance

2. *The SEPA determination shall be issued on June 17th. The two-week comment period will close July 1, 2026.*

RESPONSE: Acknowledged.

Stream Typing

3. *All plans, exhibits, and supporting reports shall be revised to consistently identify streams using the approved stream classifications (e.g., Stream Fs1, Stream Ns1, Stream Ns2) and depict the corresponding buffer widths. All future civil, grading,*

utility, stormwater, landscaping, restoration, habitat management, and construction plans shall be consistent with the peer review findings and PMC Chapter 16.20. This revision is necessary to ensure consistent application of stream classifications, buffer requirements, and critical area protection measures throughout future permitting and project implementation. This item can be conditioned to be due at the time of Tree Cutting and Clearing and permit submittal.

RESPONSE: Plans have been updated to reflect correct typing and buffers.

Individual Identity

4. *Many of the proposed home designs appear similar in overall form and architectural treatment. Please provide a detailed narrative demonstrating how each proposed elevation achieves distinct visual differentiation in compliance with PMC 18.260.060(F). For example, several "B" and "C" elevations across Plans 1-4 appear to repeat similar design elements with minimal differentiation. The narrative should clearly identify how each elevation varies in building form, rooflines, façade articulation, materials, colors, and architectural details, and how these differences meet the intent of providing visual variety across the subdivision. This item can be conditioned to be due prior to the first building permit submittal.*

RESPONSE: The stated code reference is regarding landscape standards. Assuming the intended code reference is PMC 18.260.060(E), a narrative will be provided prior to hearing further assisting in documenting compliance with Architectural Variety requirements.

Other

5. *Please revise the preliminary subdivision application to include updated project numbers on the bottom of the first page. The application is not required to be signed again.*

RESPONSE: Application form has been updated to reflect current calculations.

Notes

6. *The following will be a condition of approval for this preliminary subdivision:*

"Prior to issuance of any building permit for Lots 52-56, the applicant shall demonstrate compliance with Kitsap Public Health District (KPHD) Drinking Water Supply Regulations (Ordinance 2018-01) for development within the 100-foot sanitary control radius of an existing Group B public water system well. Compliance shall include:

1. *Recorded Plat Restriction: The final plat shall clearly state that Lots 52-56 are ineligible for building permit issuance unless and until the water system*

is no longer classified by KPHD as a public water system, or the well is formally decommissioned, as confirmed in writing by KPHD.

2. *KPHD Approval: Any restrictive plat language, covenant, or notice addressing the sanitary control area shall be reviewed and approved in writing by KPHD and recorded prior to, or concurrently with, final plat approval.*

No vertical construction shall occur on Lots 52-56 until the above requirements are satisfied."

RESPONSE: Please update the referenced lots to Lots 51-54.

7. *The following will be a condition of approval for this preliminary subdivision:*

"A Final Landscape Plan shall be submitted at the time of tree cutting and clearing permit application and shall be subject to City review and approval. The plan shall be prepared in accordance with the City of Poulsbo Street Tree List (2024) and Beneficial Planting Under Trees (2024) guidance documents, including compliance with recommended species selection, spacing, and planting requirements. The plan shall also demonstrate appropriate distances from infrastructure, utilities, and improvements, and identify adequate planting areas to support long-term tree health and viability."

RESPONSE: Acknowledged.

8. *The following will be a condition of approval for this preliminary subdivision:*

"Soft Surface Trail: The five (5) foot wide soft surface trail shall be constructed with a gravel surface or better, as determined by the City. Final trail alignment, surface material, and signage shall be reviewed and approved through the Tree Cutting and Clearing permit. The trail surface shall be designed to accommodate anticipated pedestrian and/or bicycle use and to minimize long-term maintenance needs. The HOA shall be responsible for ongoing maintenance of the trail in a safe and usable condition."

RESPONSE: No "Trail" is proposed. The preliminary construction detail referring to "soft surface trail" is for minor walking paths within the pocket parks and for a portion of the exercise circuit around the stormwater pond. Neither of these proposed locations are intended for bicycle use. This proposed condition should be removed.

9. *The following language will be required on the face of the final plat:*

"Critical Area Buffer Building Setback Notice (Wetland and RMZ): Lots 56-62, 95, and 127-129 contain yard areas within the required fifteen (15) foot building or impervious surface setback measured from the edge of a wetland buffer and/or Riparian Management Zone (RMZ). A minimum setback of fifteen (15) feet from the edge of all wetland buffers and RMZs is required for buildings and impervious

surfaces. This setback area is intended to remain predominantly free of structures and impervious surfaces, and may only be used for low-impact uses such as landscaping, native vegetation, and passive open space. Minor structural or impervious surface intrusions, including but not limited to fire escapes, open or uncovered porches, landings, walkways, stairways, retaining walls, fences, and patios, may be permitted within the required setback subject to City review and approval of a critical area or habitat management plan demonstrating that such intrusions will not adversely impact the wetland or RMZ. Where applicable, the required setback may meet or contribute to yard setback requirements of Title 18. The setback shall be clearly identified on all applicable site plans or development drawings at the time of building permit review."

RESPONSE: Acknowledged.

Engineering Department Review

Site Plan

1. *Tracts L, M and N appear to be longer than 150ft, which triggers hammerhead/turnaround requirements for each of these streets per Poulsbo fire code.*

RESPONSE: Tracts L and N are revised to less than 150'. A hammerhead turnaround has been added to Tract M.

2. *Private roads within tracts require sidewalk on one side per PMC 18.260.120(B)(4).*

RESPONSE: Access tracts serving more than 2 lots are proposed to include a 16' paved travel land with a flush 5' concrete sidewalk. The combination provides a 21' fire lane within a 22' tract.

3. *Road D appears to be longer than 500ft. The maximum length of any dead-end street is 500 feet per Poulsbo Construction Standards (Sec. 2 C.7).*

RESPONSE: The project intends to comply with 500' maximum dead-end street requirement.

4. *Please include profile views for all streets in revisions. Crest and Sag curves shall be included for each profile.*

RESPONSE: Profile views are being prepared and will be provided per this most recent request.

5. *Please include grading and profile details for all road intersections to ensure feasibility of meeting ADA requirements.*

RESPONSE: The project intends to comply with ADA requirements. Detailed ramp designs will be completed during construction plan development.

6. *Civil drawings shall be revised to show the classification of Stream C as Fish Bearing, not NS1.*

RESPONSE: Plans have been revised to reflect Stream C classification as Fs1.

7. *The City recognizes that a memo claiming infeasibility of the Baywatch street connection was submitted with the latest submittal package for this project. The City has not been provided with sufficient information to provide a determination if this crossing is infeasible. As presented thus far it appears there may still be a feasible connection.*
- a. In accordance with the City's comprehensive plan and PMC 17.80.060 a street connection to Baywatch is required. This road would need to meet the requirements of a neighborhood road classification with 50' of right of way.*
 - b. As both current primary entrances/connections to the neighborhood are provided from a singular public street and do not meet the separation requirements to meet the standards of providing two access points, a second access point/connection is required. The Baywatch connection will meet this requirement.*
 - c. If infeasibility of a street connection to Baywatch Court is demonstrated successfully, additional mitigation measures will be required per PMC 17.80.050(C)(2)(b).*
 - d. If infeasibility of all the above is successfully demonstrated and in accordance with our comprehensive plan and policies and goals and in accordance with PMC 17.80.060 a non-motorized connection to the adjacent Baywatch development will be required.*

RESPONSE: 17.80.060(A)(1) states that when topography or natural features make the planned alignment impractical, the City Engineer may approve an alternate street alignment or connection that is consistent with the intent of the planned alignment. With Barrantes Creek now determined to be a fish-bearing stream, a Road D punch-through to Baywatch Ct is "impractical" as demonstrated in the Applicant's technical justification letter and additional information provided to Public Works as it cannot be constructed to accommodate required traffic. The Applicant's resubmittal also included analysis of the alternate connections which would be provided to SR 305 to show that all concurrency and traffic standards can be met.

17.80.060(A)(2) requires that any required improvement be related in nature and extent to the impact of the development. Setting aside for the moment that no crossing can be built which meets City standards, a full creek crossing to Baywatch Ct would function as a broader system improvement is not related in nature and extent to the impact of the development. To the extent Mr. Ranes' comments

suggest the connection is needed for emergency response, the Applicant has provided analysis showing minimal changes in emergency vehicle response times will occur without the connection, and that while marginally increased, all emergency response times to the subdivision will remain well within relevant standards without the Baywatch connection.

Stated another way, the additional connection is not reasonably necessary due to the impacts of development on emergency services - which in addition to the code, is a requirement of state law under RCW 82.02.020 for the City to impose a condition requiring it. Further, even if the connection were feasible under applicable road standards, permitting and constructing such a connection over a fish bearing stream is extraordinarily burdensome and costly. The City cannot impose conditions on the project which lack nexus and proportionality with the proposed development without violating not only RCW 82.02.020 but also the state and federal constitutions. See *Douglass Props II, LLC v. City of Olympia*, 16 Wn. App. 2d 158, 169, 479 P.3d 1200 (2021); *Burton v. Clark County*, 91 Wn. App. 505, 524, 958 P.2d 343 (1998). The U.S. Supreme Court has also made clear that an individualized determination of nexus and rough proportionality is required even to impose a legislatively adopted standard, such as a street connection adopted in the code or comprehensive plan. *Sheetz v. Cnty. of El Dorado*, 601 U.S. 267, 276-280 (2024). The City has made no such determination here.

Under 17.80.060(B)(1) and (2), new subdivisions must connect to or provide a future connection to adjacent property, and public streets and utilities are to be extended to the property boundary. The Applicant's current Road D design does exactly that: it extends street and utilities toward the southerly boundary and preserves the future connection point without constructing it today.

The Applicant is not asking to be exempted from connection requirements under PMC 17.80.060(B)(6). Instead, we seek to implement connectivity through an alternate alignment as allowed by 17.80.060(A)(1) and (2) and (B)(1) and (2).

The proposed road system connects to two public streets - NE Crystallia Ct and the terminus of Johnson Rd NE/Johnson Parkway NE. The project includes the dedication and construction of a new public road segment connecting the current terminus of Sunrise Ridge Ave NE to the roundabout at Johnson Rd NE/Johnson Parkway NE. Neither PMC nor the Poulsbo construction standards appear to specify a separation requirement between the two connection points. However, we have reviewed the "remoteness" requirement in the 2021 IFC and determined that fire code related separation requirements are met. An exhibit will be prepared to support this finding for the future public hearing.

8. *Phasing - When projects are proposed to be phased, each phase as it progresses is required to standalone and meet all requirements as though each subsequent phase may not be constructed. As currently proposed, it does not appear that phase 1 would meet all requirements on it's own, such as two roadway*

connections. Please demonstrate how phase 1 would meet all requirements as an independent construction project.

RESPONSE: Phase 1 is revised to include construction of Road A and water main connection to Baywatch to enable water looping connection and two access points. Road D will for utility maintenance access only until Phase 3 is constructed. Revised sheets depicting the above will be provided.

Transportation

1. *The connection to Baywatch is a required roadway connection, as discussed above. As requested by the applicant the current design is being fully reviewed as it is designed. Updated site plan and TIA with Baywatch connection eliminated was forwarded to our peer review team for their updated comment. The updated site plan and TIA will require a second peer review due to the scale of the change. A scope and budget with the required escrow has been included in this response package. Review of the updated site plan and/or TIA does not acknowledge or accept the roadway design as meeting standards, PMC, or comprehensive plan. Until the connection is fully determined infeasible, the current design is not supported.*

Comment noted; see prior response and earlier submittal. Understood that TIA requires second peer review.

Stormwater

1. *Public works will not accept the proposed access road for storm pond due to its length and grade. The final storm pond access point shall be approved by public works (Construction standards section 5-B).*

RESPONSE: The proposed access road complies with all geometric criteria outlined in Poulsbo Construction Standards Section 5, featuring a 15-foot driving width and a maximum grade of 15%. To ensure traction and surface stability, the entire alignment is proposed to be paved.

While Section 5 does not establish a maximum approach length, the design includes an operational turnaround along the pond access road. This ensures that large maintenance vehicles can safely maneuver, turn around, and exit the facility in a forward-facing direction.

2. *Public works will not accept the current proposal that includes the pond access road crossing the emergency spillway. If access road will be crossing the emergency spillway, public works will require that this access road be reinforced to prevent damage to overall pond banks.*

RESPONSE: Agreed. To provide the necessary structural reinforcement and protect the pond bank, the access road crossing through the emergency spillway will be constructed using a rigid, reinforced concrete slab or similar. Furthermore,

the spillway cross-section will consist of shallow side slopes (approximately 10:1) to serve as drivable ramp.

3. *Storm vault on Sunrise Ridge was replaced by a storm pond for this most recent submittal. Storm ponds require a 20ft setback from any property lines per SWMMWW (BMP D.1 > V-12 Detention BMP's). The proposed location of the storm pond appears to be less than 20ft from lots 1-4.*

RESPONSE: While a 20-foot baseline is noted in the SWMMWW, the manual allows for reductions based on site-specific engineering, as demonstrated by the City's recent approval of the *Olympic Overlook* detention pond with a 6.5-foot setback.

The proposed preliminary layout maintains a functional separation from Lots 1-4. During the final engineering design phase, we will work with the City and our geotechnical engineer to perform localized slope-stability and structural evaluations. This final engineering will define the necessary setback required to provide pond safety.

4. *Page 15 of the stormwater report indicates that BMP T5.13 & T5.10C may be feasible and will be considered during future permit applications. If feasibility of these BMPs cannot be determined at this point, what will the plan be in the event these BMPs are deemed infeasible?*

RESPONSE: BMP T5.13 & T5.10C are almost always feasible to some extent (Soil amendments and perforated stub-out connection). However, the preliminary design of the plat's storm facilities do not rely on any BMPs to be feasible. All stormwater facilities are designed for full build out of the lots to maximum impervious as allowed by zoning.

5. *Note that the city will track impervious area by lot during building permit review. The design for each lot should include . This will be tracked by the future HOA, and will be reflected in the COA's for the project.*

RESPONSE: Noted. All stormwater facilities are designed for full build out of the lots to maximum impervious as allowed by zoning.

Sewer

1. *Sheet PP-26 - SSMH #10 appears to be >20' in depth. Per WSDOT Standard Plan B-15.20-01 max specified depth of Type 1 MH is 20'.*

RESPONSE: Agreed. Manholes greater than 20 feet will be revised from a Type 1 manhole to a WSDOT Type 2-54" Manhole.

Geotech

1. *Geotech Report Pg. 18 - Section 5.3 regarding Wall Considerations states that retaining walls of up to 10 feet may be incorporated into the site plan. However, the current site plan calls for retaining walls of up to 20 feet in multiple areas Please revise this portion Geotech report to address taller walls, or revise site plan.*

RESPONSE: Retaining walls in excess of 10' will be supported by supplemental geotechnical evaluation and subsequent detailed design.

2. *Geotech Report Pg. 14 - A 100 foot setback is recommended from the north and northwest areas of the site. Please confirm how the proposed site plan meets this setback recommendation.*

RESPONSE: The 11/24/25 letter from Geosyntec Consultants that specifies no setback or buffer supersedes the earlier recommendation.

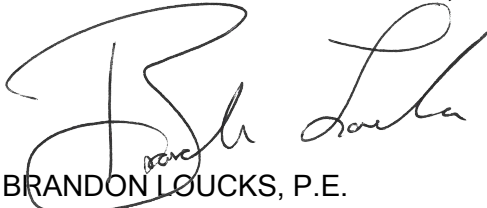
3. *Sec 6.3.1 of the provided Geotech report states that soils containing more than 5 percent fines cannot be used for structural fill. Pg. 10 of the Geotech report calls out all but one of the soil samples taken as having 5 percent or more fines. Use of these soils for structural fill is not permissible without amendment. Use of these soils for structural fill would require further analysis during grading review.*

RESPONSE: Acknowledged. Supplemental analysis regarding reuse of on-site soils during grading will be addressed during development of detailed construction plans.

If there are any questions or a need for further clarification, please feel free to contact me at (253) 838-6113 and we would be happy to discuss them with you.

Sincerely,

ESM CONSULTING ENGINEERS, LLC



BRANDON LOUCKS, P.E.
Project Manager

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