



NOTICE OF DECISION

Planning and Economic Development Department
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RELEASE OF CONCOMITANT AGREEMENT AND AMENDMENT TORVAL TERRACE / HARBOR VIEW | TYPE V APPLICATION

AND

PLAT VACATION OF TORVAL TERRACE SHORT PLAT | EXEMPT APPLICATION

Date of Notice of Decision September 5, 2019

File No.:	P-07-05-19-01	Application Type:	Type V and Exempt
Site Location:	9, 45, and 49 NE Torval Canyon Road, and vacant property Southeast of the Front Street and Torval Canyon Road intersection	Tax Parcel:	152601-1-147-2000 and 152601-1-146-2001
Property Owner:	Wing Point Properties, LLC; 321 High School Road NE, D3#332; Bainbridge Island, WA 98110		
Applicant/Agent:	John Bierly, Wing Point Properties		

Project Description:

Release of Concomitant Agreement: The proposal is to release a concomitant agreement and agreement addendum known as the "Torval Terrace Property Rezone", A request to vacate a subdivision known as the "Torval Terrace Short Plat" accompanies the concomitant agreement and agreement addendum release.

The concomitant agreement approved development of 18 apartment units in three buildings and associated improvements. The approved development was built according to the concomitant agreement addendum site plan. Concomitant agreements are recorded on the property; the Torval Terrace Property Rezone was approved and recorded in 1981 under Auditor File 8110280083, and addendum approved and recorded in 1982 under Auditor File 8210150072. The applicant wishes to clear the property title of the concomitant agreement and addendum for future development. Release of a concomitant agreement is a Type V permit and requires a public hearing before the City Council. *This application is not a proposal for development; any proposed development will be processed under a separate land use permit with its own noticing requirements.*

Plat Vacation: The proposal is to vacate a subdivision known as the "Torval Terrace Short Plat". A request to release a concomitant agreement and agreement addendum known as the "Torval Terrace Property Rezone" accompanies the subdivision vacation.

The subdivision approved segregation of the property into two lots with certain easements and requirements for development. The three existing residential buildings and other structures developed under the concomitant agreement site plan are located on lot B of the short plat; lot A remains vacant. The short plat was approved and recorded in 2009 under Auditor File 200910060082 and 200910060083.

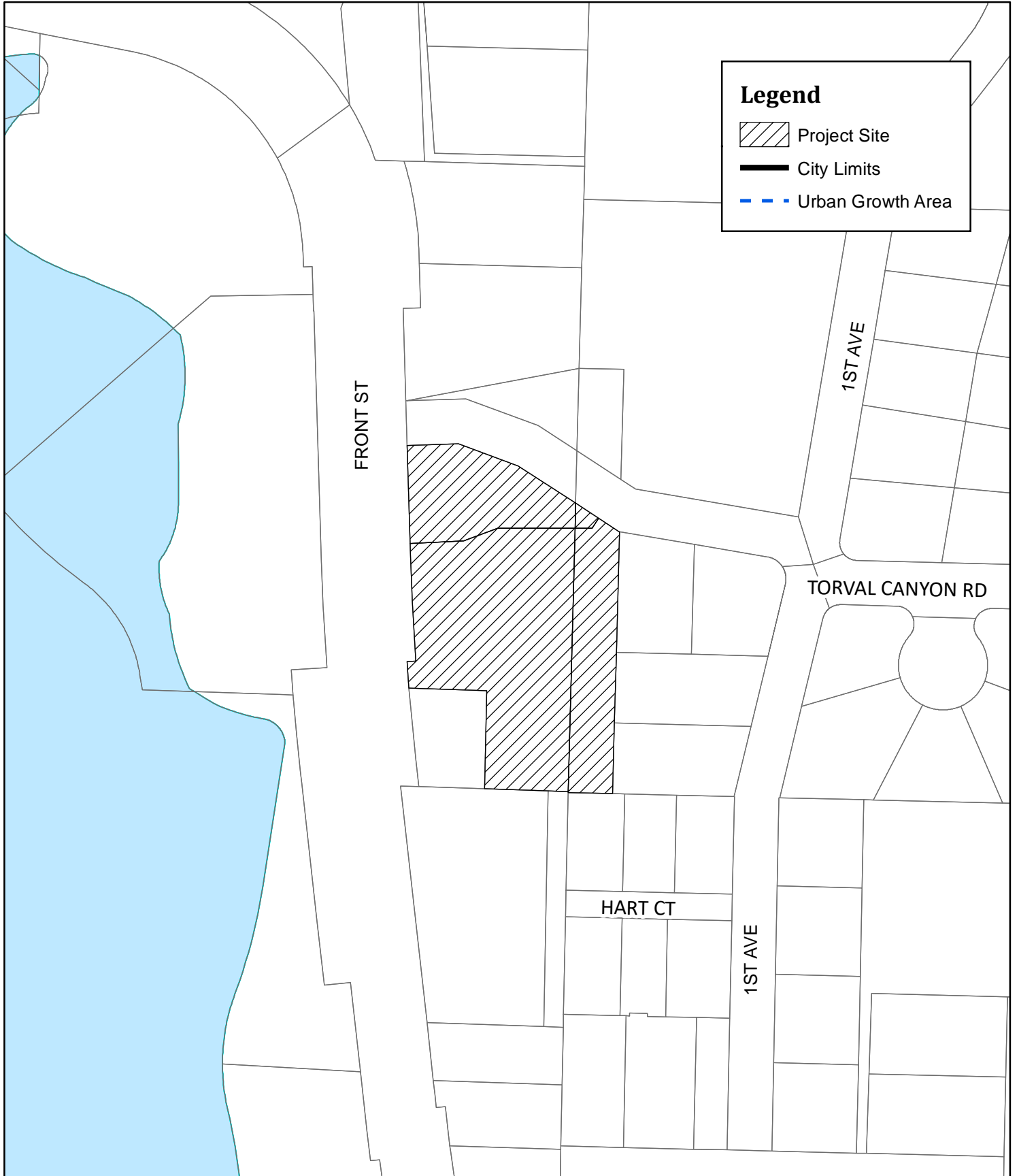
Release and Vacation: To review the concomitant agreement and addendum proposed to be released, and plat proposed to be vacated, they are available at the following webpage under the Notice of Application (NOA) heading for Torval Terrace / Harbor View Rezone Release of Concomitant Agreement and Plat Vacation.
<https://cityofpoulsbo.com/planning-economic-developmentcurrent-applications-notices/>






Approval Criteria:	<p>The Concomitant Agreement release proposal is subject to PMC 18.210.030, Release of Concomitant Agreements and PMC 19.40.060 Type V Permit Applications. SEPA is also required for concomitant agreement release per PMC Chapter 16.04.</p> <p>The plat vacation proposal is subject to PMC 17.90.030 Vacation of Recorded Land Division and is exempt from review under Title 19 Project Permit Application Procedures.</p> <p>The City Council has APPROVED the release of the concomitant agreement. This decision is represented in City of Poulsbo Ordinance 2019-17.</p>
Decision:	<p>The City Council has APPROVED the plat vacation. This decision is represented in the August 21, 2019 vote providing for plat vacation, subject to Conditions of Approval found in the staff report.</p>
Property Taxes:	<p>Affected property owners may request a change in valuation for property tax purposes notwithstanding any program of revaluation. Affected property owners may contact the Kitsap County Assessor's Office, MS-22, 614 Division Street, Port Orchard, WA 98366, (360) 337-7160.</p>
Appeal Authority:	<p>The decision is final. Per RCW 36.70A.290, appeals of Type V application are to be made with the Kitsap County Superior Court per PMC 19.70.050.</p>
Examination of File:	<p>The complete case file and conditions of approval may be examined at the PED Department, 200 NE Moe Street, from 8:30 a.m. to 4:30 p.m. Monday through Friday.</p>
Staff Contact:	<p>Edie Berghoff, Associate Planner; plan&econ@cityofpoulsbo.com; (360) 394 -9748</p>
Site Map:	<p>See attached.</p>

Project Site Map

City of Poulsbo Planning Department



Legend

-  Project Site
-  City Limits
-  Urban Growth Area

