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**Plat of Queen Mountain
Variance Request
BMC 13.04.070 (C)&(F)**

The Plat of Queen Mountain requests a variance from BMC 13.04.070(C)&(F). A modification is proposed to the residential access road from the extension of Iron Gate Road until it emerges through the existing wetlands and is fronted by proposed lots. The proposed road section is reduced to two travel lanes with sidewalk on one side of the road. The proposed road alignment assumes the future extension of Iron Gate Road to Hannegan Road will align directly west from Iron Gate Road's current terminus. This is consistent with past planning efforts the City of Bellingham has completed with surrounding property owners.

Please refer to Road Section Type 2 within the preliminary plat drawings.

This modification is consistent with the criteria for variances under BMC 23.48.040(A)(1)(a) and BMC 23.48.040(A)(2). Please accept this memorandum as a supplement to the project application narrative.

According to BMC 23.48.040(A)(1)(a) and 23.48.040(A)(2), *"The hearing examiner may grant a variance from any term of this title, except minimum lot size, if it is shown that the proposal is consistent with the following criteria":*

- 1. a. Because of unusual shape, the location of preexisting improvements, other extraordinary situation or condition, or physical limitation including, but not limited to, exceptional topographic conditions, geological problems, or environmental constraints, in connection with a specific piece of property, the literal enforcement of this title would involve difficulties, result in an undesirable land division or preclude a proposal from achieving zoned density; or*

Comment: The subject Property is clearly limited due to topography and environmental constraints. The property features slopes ranging from 15-50% and significant wetland and associated buffer area. The only feasible access point into the property is from Iron Gate Road at the southeast corner of the site. The proposed access road must then angle towards the northwest corner of the property, passing through existing wetland, to provide access to the developable uplands. The proposed road alignment and road section has been carefully designed to minimize direct wetland impact within the wetland region. The proposed road section eliminates parallel parking because lots are not proposed to front the road in this area. The sidewalk is proposed to be located at back-of-curb (no planter strip) to further reduce the constructed width. Enforcement of this title (i.e. constructing a

full road section) would require unnecessary difficulties related to direct wetland impacts and required mitigation. Any other road alignment will significantly increase direct wetland impacts.

b. The granting of the variance will establish a better lot design resulting in a development pattern found to be consistent with the neighborhood character including, but not limited to, development orientation to the road, setbacks, lot orientation, or other contextual element associated with the proposed development; and

Comment: By granting this variance, additional wetland forest tree canopy will be preserved which is a goal of the King Mountain neighborhood plan and adjacent residents. Effective road parking will not be impacted because lots are not proposed to front this area of the road. Access in-and-out of the plat will still be provided by two travel lanes and a sidewalk. This road is not anticipated to serve high amounts of traffic because it will terminate within the development.

2. *The granting of any variance will not be unduly detrimental to the public welfare nor injurious to the property or improvements in the vicinity and subarea in which the subject property is located. [Ord. 2018-12-036 § 2 (Exh. A)].*

Comment: The granting of the variance will not be unduly detrimental to the public welfare; rather it will improve public welfare by preserving existing greenspace and critical areas. The reduced road section and road alignment will provide the same level of service to pedestrians and motorists traveling in and out of the plat. Future extension of Iron Gate Road to the east will still be feasible from the Iron Gate Road's existing terminus.

