



Attachment F

Planning and Community Development Department

210 Lottie Street, Bellingham, WA 98225

Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: 711 (WA Relay)

REQUEST FOR INFORMATION

PDP2022-0011/DR2022-0023/SUB2022-0033/SEP2022-0032

Date of Notice: October 13, 2022

Date of Notice of Complete Application: 9/1/2022

Project Location: 3509 Meridian St., Bellingham WA 98225 Birchwood Neighborhood Area 5 Residential Multi zoning with a Planned use qualifier and high density designation.

Applicant: AVT Consulting LLC - Ali Taysi, 1708 F St., Bellingham WA 98225

Property Owner: Stream Real Estate Development c/o Marc Angelilo, 999 N Northlake Way, Suite 200, Seattle WA 98103

The Planning and Community Development Department (PCDD) has reviewed the application(s) referenced above. It has been determined that these application(s) do not supply sufficient information to prepare a permit decision compliant with applicable regulations of the Bellingham Municipal Code (BMC) and Comprehensive Plan.

Required Actions:

To continue review of the above application(s), please submit the following information electronically to the permit center (permits@cob.org) and the staff planner listed below.

1. **Planning Department:**

- a. Meridian St. and Birchwood Ave. are both arterial streets. Meridian St. is considered the front yard for setback purposes, therefore there is a 10' rear yard setback opposite the front yard. The proposed site plan shall incorporate a 10' rear yard setback or apply for a minor modification in accordance with BMC 20.28.030.B.3.
- b. The applicant should consider whether there is an opportunity to orient units towards Birchwood Ave. The Residential Multifamily Design Handbook standards discourages placement of parking near the street frontage and in front of proposed buildings. Fronting housing units on an existing street should be prioritized over fronting units internally off a new lane or common pedestrian path pursuant to BMC 20.28.010(B).
- c. The applicant shall be required to provide additional documentation identifying compliance with BMC 23.08.060.F.2.
- d. In order for the proposed open space easement area to count towards meeting the open space requirements for the project, the property owners of 3509 Meridian St. are required to have physical access to the easement area. Additionally, the open space easement area is required to be excluded from the required green factor score unless physical access can be provided for the project property owners.

- e. The applicant should consider revising the orientation of Building 2.5 to be oriented towards Meridian St. in accordance with BMC 20.28.140.F.1. Building 2.5 shall be revised to incorporate modulation in accordance with BMC 20.28.140.F.5.
- f. The applicant should consider whether there is an opportunity to meander the proposed pedestrian paths in order to preserve additional trees on site.
- g. Following a review of the proposal, there appear to be 84 trees proposed for preservation, 78 trees proposed for planting and approximately 306 trees proposed for removal. The applicant shall be required to identify a proposed tree planting plan to mitigate for the loss of trees on the subject property. The proposed tree planting plan shall be required to identify the type, size and location of the proposed replacement trees on and/or off the subject property.
- h. Staff recommends the tree planting plan incorporate a 3:1 replacement ratio for trees removed with a 30" or greater DBA and 1:1 replacement ratio for trees removed with less than a 30" DBA. Staff would also consider a proposal from the applicant to plant street trees throughout the Birchwood Neighborhood to help the neighborhood increase the existing tree canopy percentage from 31% towards the Citywide goal of 40% as identified in the City of Bellingham State of the Urban Forest Report 5/22.
- i. Following review of the tree preservation plan together with the arborist report, staff has concerns regarding the feasibility of the proposed preserved trees given their proximity to the proposed buildings and associated infrastructure. The arborist report does not appear to take into account the critical root zones when overlaying the tree preservation plan with the proposed development plan. The applicant shall be required to identify the trees proposed for preservation on the civil site plans. The arborist report shall be amended to include an analysis of a map of the civil site plans with the trees proposed for preservation identified and accounting for protection of critical root zones and individual tree risk assessments. Staff recommends the arborist report be amended to include an analysis of the tree health, risk assessment and recommendation for preservation or removal in order to help guide opportunities for additional tree preservation and successful long-term tree retention. Please see **Attachment 1** as an example of a recently approved Tree Retention Plan for consideration.
- j. As recommended in the pre-application meeting notes the applicant should consider orienting the common open space for the tenants internal to the site as opposed to fronting on Meridian St. to encourage use, function and incorporate significant tree preservation with the common open space amenity. The applicant should incorporate additional opportunities to preserve existing trees with a 30" DBA or greater throughout the project site.
- k. As proposed the applicant shall be required to submit a variance to BMC 23.04.090 if the proposal does not include infrastructure improvements around the entire Bellingham Golf and Country Club (BGCC) property. Staff anticipates sidewalk improvements will be required along Meridian St. from the subject property north to the intersection of Meridian St. and McLeod Rd.
- l. Provide documentation identifying compliance with BMC 23.08.030.E.1, including whether easements are needed for the BGCC north and west of the subject property.
- m. There is limited on-street parking in the vicinity and limited guest parking provided. The applicant is advised to consider opportunities for increased guest parking, tandem parking or pocket parking off of the private lanes. Alternatively, the applicant is advised to consider if the surface guest parking areas could be

eliminated and a parking easement/shared parking agreement can be established with the BGCC for temporary guest visitors of the project site to use the overflow gravel parking lot south of the BGCC clubhouse perhaps with a pedestrian path and access gate to the north end of the project site.

- n. Pursuant to BMC 20.28.050.G.3, common pedestrian corridors are required to be 10' wide. Pursuant to BMC 20.28.050.G, townhouses are required to be setback a minimum of 10' from the common pedestrian corridors. Pursuant to BMC 20.28.050.G9, the pedestrian paths are required to be setback 2' from property lines. Revised accordingly or request a minor modification in accordance with BMC 20.28.030.B.3.
- o. Consider revising the pedestrian path west of building 2.2 to connect to the private lane as opposed to into a parking stall.
- p. The applicant should consider incorporating windows (small/high), architectural features, etc. to break up the blank walls on the left and right townhouse elevations particularly on the units visible from the public right of way.
- q. The applicant is to confirm whether security fencing is required between the subject property and the BGCC site. Note: Townhouse unit front yards oriented towards common pedestrian paths are required to comply with 42-inch fence requirements unless approved through a departure.
- r. The applicant should consider opportunities to make the townhouse garage doors more pedestrian oriented such as the addition of windows, etc.
- s. The applicant should consider whether there is an opportunity to remove the brick underlayment from the sidewalk and incorporate a separated sidewalk with street trees or whether the location of underground power and telephone prohibits this.
- t. The applicant should consider adding a pedestrian door on the garage elevation of Buildings 2.1, 2.2, 2.3 and 2.4.
- u. The applicant should consider integrating a pedestrian access gate within the vehicular access gate off of Meridian St.
- v. Consider adding balconies or Juliet balconies on the third floor townhouse bedrooms facing the large lane to add more of a human presence.
- w. Consider material changes between vertical townhouse units to reduce the scale of the units.
- x. Note: Fencing in the front yard is required to be 60% opaque and limited to 42 inches unless approved through a departure.

2. Public Works Department:

- a. The applicant is required to identify the preferred roundabout proposal and proposed Right-of-Way dedication (Alternate 3) as determined by the Public Works Department for the intersection of Birchwood Ave. and Meridian St. on the site plan. The proposal will require dedication of approximately 5,894 sf of the subject property to accommodate the proposed roundabout as depicted in **Attachment 2**. The applicant should anticipate the roundabout proposal as depicted in **Attachment 3** for planning purposes.
- b. Following a preliminary review of the civil drawings they appear to meet utility separation requirements. Full review will be completed during the Public Facilities Construction Agreement review process.
- c. Note: Adequate easements are required to accommodate the proposed utilities.
- d. Note: Transportation Impact Analysis mitigation conclusions require approximately \$130,000; Right-of-Way dedication; SEPA mitigation \$30,000 for 0.5% proportionate share funding contribution toward \$6,000,000 Phase 2

roundabout. The real estate value of any Right-of-Way (ROW) dedication must be established by the City's real estate group. The Transportation Impact Fee (TIF) must be paid in full at the time of Building Permit issuance. If applicable, the value of ROW could discount the TIF as a future rebate.

- e. Stormwater review comments:
 - i. Address site suitability criteria. When a site investigation reveals that any of the applicable site suitability criteria cannot be met, appropriate mitigation measures must be implemented so that the infiltration BMP will not pose a threat to safety, health, and the environment.
 - ii. The proposed infiltration gallery may qualify as an Underground Injection Control Well and they must comply with Chapter 173-218 WAC and the State guidance for UIC Program.
 - iii. Any large centralized infiltration facility, like proposed, shall be designed to be set back 20' from building foundations at a minimum. (Manual recommends > 20 feet downslope and >100 feet upslope).
 - iv. The provided geotechnical report does not include an estimated infiltration rate, this is required and additional field testing will need to be done. Clarify how the initial BMPs shown were sized. It is also not clear if the proposed facilities will have more than 5' of separation from the seasonal high-water level or hardpan. If separation is less than 5' (down to 3') ensure a ground water mounding analysis is included per the Manual.
 - v. A groundwater mounding analysis may also be required if the infiltration BMP contributing drainage area is exceeding 1 acre. See Manual for more information.
 - vi. Note: Small on-site stormwater BMPs are preferred over large centralized facilities when feasible.

3. Fire Department:

- a. Secondary/emergency access is not sufficiently separated from only other access point to avoid sprinklering all dwelling units within the site. Per Bellingham Municipal Code (BMC) 17.20 Section 503.2.9, to be considered as a secondary access, the two access locations must be separated by a distance that is at least 50% of the parcel diagonal distance. In this case, the distance between the two accesses is roughly 30-35% of the parcel diagonal.
- b. Building elevations indicate that the 3-story townhouses will trigger the aerial apparatus access requirements. To avoid aerial apparatus access requirements, you must reduce building heights to 30 feet or less, as measured from the lowest level of fire department access to the eave line or top of the parapet.
- c. Individual townhouse access is problematic, especially along Meridian Street. Fire/EMS and Police will not be staging on Meridian Street to gain access to these townhouses. Based on plans submitted thus far, it appears that access to these townhouses from a staging location on the private road will require first responders to pass through gates - first out to the Meridian Street public sidewalk, then a gate to the individual townhouse. I believe we must assume that any gate accessible from Meridian Street will have an individual lock on it. Please provide greater clarity on how you intend for these gates to function, whether each private yard will be allowed to be fenced in, and what controls (i.e. CCRs, etc) will be in place to allow emergency services to gain access at a minimum (in addition to food and service deliveries, visitors, etc.). Ideas include adding an access door to each unit along the private drive, equipping each gate with a Knox

keybox, or revising walkways in a manner that allows unencumbered access to each townhouse's main entry while also meeting the 150-foot hose pull requirement from private drive staging locations. I think we also must assume that individual private yards will be fenced in the future, sending first responders on foot back out to Meridian Street in order to gain access.

- d. Driveways and any adjacent flush sidewalks need some type of delineation from one another to discourage parking on undersized driveways and spillover into the required 20-foot unobstructed width.
- e. Grasscrete is no longer allowed on a fire apparatus access road for a variety of reasons - unable to plow snow without damage, mats/pavers migrate and require routine maintenance that is rarely provided, grass/sod/dirt/mud over time extends above the mats/pavers reducing traction and "hiding" surface, etc.
- f. Please submit a road name request for the proposed internal road.
- g. Confirm the location and size of the proposed centralized mailboxes are acceptable with the Post Office.

Review of these application(s) cannot continue until this information is received and determined to be sufficient. Within 14 days of submitting the above information, the City will either determine that the information is sufficient or specify in writing what additional information is required. If the information is sufficient, processing of the application(s) will resume in accordance with BMC 21.10. This request for additional information is accordance with BMC 21.10.190 B. (4).

Pursuant to BMC 21.10.190 (C), the application(s) will expire and become null and void if all of the requested information is not submitted within 120 days from the date of this notice for request for information. At the applicant's request, the PCDD director may extend this 120-day period in accordance with BMC [21.10.080\(A\)](#). No further notice will be sent concerning this 120-day expiration timeline.

Please contact the staff member below if you have any questions regarding this notice:

Name: Ryan Nelson, Planner E-mail / Phone: rnelson@cob.org or 360-778-8368