



Planning and Community Development Department

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Determination of Non-Significance (DNS)

SUB2023-0031, DR2023-0018, CAP2023-0026, and SEP2023-0024

Date of Issuance of Threshold Determination: 4/23/2024

Project Name: 4193 Northwest Avenue Townhomes

Project Description: Proposed 20 lot infill toolkit cluster subdivision on an approximately sized 2.24-acre property abutting Arctic and Mahogany AVEs to the west, Northwest AVE to the east (both streets improved with full width travel lanes, curb, gutter, and sidewalk), and undeveloped Division RD to the north. The existing single-family residence (SFR) is proposed to be retained and incorporated into the subdivision and an accessory dwelling unit (ADU) is proposed above a new detached garage for the SFR. A total of 19 infill townhomes are proposed to be developed in accordance with BMC 20.28.140 on the other 19 lots.

Due to the presence of a wetland bisecting the subject property, the proposed subdivision is configured as two separate east/west development areas fronting Arctic/Mahogany AVEs and Northwest AVE respectively. Each development area is proposed to be developed separately, in two phases per BMC 23.16.010(E). Stormwater from the eastern portion of the site is proposed to discharge to the detention and treatment system being installed on the neighboring property to the south (4185 Northwest AVE), and stormwater from the western portion of the site is proposed to discharge to the City of Bellingham North End Regional Pond (NERP). The applicant is requesting a subdivision variance from improving the abutting Division RD right-of-way in order to avoid impacts to the wetland.

As analyzed by the project biologist, Miller Environmental Services LLC., wetland buffer impacts have been minimized as feasible; however, the proposed work necessitates wetland buffer reduction and impacts totaling approximately 8,330 square feet (sf). Proposed compensation for wetland buffer impacts includes onsite wetland buffer enhancement totaling more than 8,725 sf of buffer area currently rated as having a low habitat function.

A shared access lane with the southern neighbor (4185 Northwest AVE) is proposed off Northwest AVE and the existing driveway will be decommissioned. A Public Works administrative variance is requested in accordance with BMC 13.52.120 for a proposed secondary access off Mahogany AVE for the western development area. The applicant's traffic engineer has analyzed potential traffic impacts of the secondary access and recommends approval. A privately constructed and maintained trail with a public access easement is proposed through the west development area connecting Mahogany AVE to the southern property at 4197 Dover ST.

The 20-lot infill toolkit proposal requires preliminary cluster subdivision approval and approval of a subdivision variance to not improve Division RD per BMC 23.16.010(A) and BMC 23.48.040. Multifamily design review is required per BMC 20.25.020(B). A critical area permit is required per BMC 16.55.070(A). SEPA environmental review is required per BMC 16.20.090(D) and the WAC 197-11-800.

Project Location: 4193 Northwest AVE. Meridian Neighborhood, Area 2, zoned Residential Single Planned/Mixed, 3,600 square feet per unit for Infill Development Consistent with BMC 20.28.

Proponent: Ali Taysi, AVT Consulting, 1708 F Street, Bellingham WA 98225.

Lead Agency: City of Bellingham, Planning and Community Development Department (PCDD)

Environmental Information Considered:

- SEPA Environmental Checklist, prepared by Ali Taysi, AVT Consulting, dated June 8, 2023, updated December 17, 2023.
- Revised Preliminary Stormwater Analysis, prepared by Davis Philips, PE, with Freeland & Associates, Inc., dated November 29, 2023.
- Revised Project Plans inclusive of surveyed site plans, tree retention plan, floor plans, and building renderings, prepared by Freeland Associates and TRC Architecture, updated March 5, 2024.
- Revised Critical Area Report prepared by Miller Environmental Services, LLC, dated November 12, 2023.
- Revised Wetland Buffer Exhibit prepared by Freeland & Associated, dated March 2024.
- Revised Project Narrative prepared by Ali Taysi with AVT Consulting, dated December 19, 2023.
- City Request for Information Letter dated July 27, 2024.
- City Request for Information Letter dated February 2, 2024.
- Applicant Responses to City Request for Information Letter prepared by Ali Taysi with AVT Consulting, dated December 12, 2023.
- Applicant Responses to City Request for Information Letter prepared by Ali Taysi with AVT Consulting, dated March 19, 2024.
- Sanitary Services Approval Letter dated June 12, 2023.
- Multimodal Transportation Concurrency Certificate, CON2023-0008, issued June 27, 2023.
- Traffic Memorandum prepared by Kimley Horn, dated March 29, 2022.
- Subdivision Guarantee issued by Chicago Title Insurance Company, dated June 7, 2023.

The lead agency has determined that the requirements for environmental analysis, protection, and mitigation measures have been adequately addressed in the development regulations and comprehensive plan adopted under chapter [36.70A](#) RCW, and in other applicable local, state, or federal laws or rules, as provided by RCW [43.21C.240](#) and WAC 197-11-158. Our agency will not require any additional mitigation measures under SEPA. This decision was made after review of the environmental information considered on file with the lead agency. This information is available to the public at <http://www.cob.org/notices> or upon request.

- This DNS is issued after using the optional DNS process in WAC 197-11-355. A notice of Application and Optional DNS was issued on **1/19/2024**, there is no further comment period on the DNS.

Appeal Rights: Pursuant to BMC 16.20.210(D), there is no administrative appeal of this environmental determination.

Staff Contact:

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Responsible Official:

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Signature