



Planning and Community Development Department  
City of Bellingham

April 8, 2020

Mr. Morris Arthur  
1601 4<sup>th</sup> Street  
Bellingham, WA 98225

**RE: TRC review of a street vacation petition of an alleyway at 4<sup>th</sup> and Donovan**

Mr. Arthur:

On January 23, 2020 representatives from the Technical Review Committee (TRC) issued a recommendation of approval for your street vacation petition for a portion of alleyway abutting two properties you own.

The TRC is comprised of representatives from the Planning, Public Works, Fire, Parks and Legal Departments. The TRC determined that the subject alleyway is not necessary for future circulation or other public benefits and therefore recommended approval provided that an easement for the existing public water and sewer mains are retained. An easement for a public main is 20-foot wide (10-feet on each side). The Planning Department will notify private utilities of the vacation petition. If private utilities are present an easement may be necessary for those also, or, they could be moved at the sole expense of the petitioner, if the provider agrees.

The two properties that you own are located at 1601 4<sup>th</sup> Street (Parcel # 370211-485558) and an undeveloped property at Parcel # 370211-496561. These two properties are within the RT-3 zone of the Fairhaven Urban Village. This RT-3 zone requires a minimum of 5,000 square feet per residential unit.

1601 4<sup>th</sup> Street is approximately 9,980 square feet and the undeveloped parcel is approximately 2,500 square feet. The alley petitioned for vacation is approximately 2,000 square feet. If the alley were to be vacated and joined with the undeveloped parcel the new lot size would be approximately 4,500 square feet. This parcel would then be eligible for construction of a single-family residence.

Please note that the existing undeveloped parcel is non-conforming as to minimum lot size so therefore enlarging it reduces its nonconformity. Please also be aware of the 'easement' language above. It appears to constrict the potential development footprint on the subject alley and undeveloped lot.

If you decide to proceed with the vacation petition, please note the following:

1. Notify the staff planner so that application fees can be assigned to your street vacation petition. Total fee for the vacation petition will be \$4,131.00. Please also note that you should provide a

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response to each of the street vacation policies that are provided on the last page of the petition application.

2. An appraisal will be required in order to determine the fair market value of the subject right-of-way. The City arranges the appraisal from an on-call appraisers list. The petitioner is responsible for paying the fee for the appraisal.
3. Full payment of the appraised value of the subject right-of-way will be required prior to the closed record hearing where the City Council performs a first and second reading of the street vacation ordinance.
4. Easements for public or private utilities shall be retained – unless the owners of said utilities allow for relocation and shall be at the sole expense of the petitioner.

If you have additional questions, please contact me directly at 360-778-8359 or at [ssundin@cob.org](mailto:ssundin@cob.org)

Sincerely,

A handwritten signature in blue ink, appearing to read 'Sundin', with a stylized flourish at the end.

Steven Sundin, Senior Planner  
Planning and Community Development Department

C Alan Marriner, Deputy City Attorney