

**4241 NORTHWEST DRIVE
NORTHWEST DRIVE ITK DEVELOPMENT
TOWNHOUSES**

I. Subject Site / Properties Information

Address: 4241 Northwest Drive, Bellingham, WA 98226

Tax Parcel Number(s): 3802114351860000

Owner(s): Chay & Christina Tan & Ethan & Kelli Potts, 220 W Champion St, Suite, Bellingham, WA 98225

Applicant: Riley Marcus, AVT Consulting LLC, 1708 F Street, Bellingham, WA 98225

Agent(s): Same as Applicant

II. Subject Site / Property Description

The subject property is made up of one parcel addressed at 4241 Northwest Drive, located north of Mahogany Avenue and west of Northwest Avenue, in Bellingham, WA (the “Property”). The Property is approximately 164,883 square feet, or 3.78 acres in size. It is located within Section 11, Township 38 North, Range 02 East, W.M.

The Property is located within the Cordata Neighborhood in Area 20, with a Residential Single zoning designation. Use qualifiers for this zone include detached, cluster, cluster attached, and cluster detached; mixed: limited duplex and multifamily. This zone requires 7,200 SF/dwelling unit for detached and cluster lots up to 4,300 SF/dwelling unit using the cluster bonus provisions or adopted city TDR program. Lots not created by a cluster subdivision require 5,000 SF minimum detached lot size and a maximum density of 7,200 SF/unit. Special conditions for this zone include critical areas, neighborhood park, providing public trails, and limiting access on arterial streets.

The Property is currently developed with one single-family dwelling, detached garage, and shed. The site is vegetated with a mix of ground cover, pasture grass, shrubs, and trees. There are delineated and surveyed wetlands located within the Property, along the north and south property lines. The property is generally flat but does have gentle slope from the center of the site to the north, south, east and west.

Northwest Drive is paved with full width travel lanes but has not been improved with curb, gutter, or sidewalks along the frontage. Water utilities are located in Northwest Drive, Mahogany Avenue, and on adjacent properties to the west. Sewer utilities are located in Mahogany Avenue and in Cameo Lane to the west and south. Storm utilities are located within Northwest Drive, Mahogany Avenue, and on the adjacent properties to the west. There are two fire hydrants within 100 ft of the Property – both in front of the property across the street on Northwest Avenue.

Neighboring properties to the west and east across Northwest Avenue include residential uses in the form of single-family dwellings and multifamily apartment buildings and townhouses. Properties to the north and south are not developed.

III. Project Description

The proposed project is for the development of the Property with 34 Infill Toolkit Townhouses. The existing single-family dwelling at 4241 Northwest Drive is proposed to be retained.

The Townhouses will be developed in seven groups of buildings. All buildings will be 3-stories in height. Buildings 1 and 2 will be developed with 6-infill toolkit townhouses, Buildings 3 and 7 will be developed with 5-infill toolkit townhouses, and Buildings 4 - 6 will be developed with 4-infill toolkit townhouses. There will be two different designs of the townhouse buildings. Buildings 1-3 & 7 will be three stories in height with tandem 2 car garages and space for a parking stall in their private driveways. Buildings 4-6 will also be three stories in height but will have side-by-side attached garages, with no room for an additional parking stall in their driveways. The buildings will be clustered towards the center of the property to avoid the wetlands and wetland buffer areas to the north and south to the greatest extent practicable.

Access to the site will be from a new private driveway/lane extending west from Northwest Avenue. The driveway is proposed to be 20' wide, with 16' of asphalt drive lane and 4' of flush concrete sidewalk on the southern side. Two additional driveways are proposed to extend off this main driveway to serve four groups of buildings - these driveways also serve as fire and SSC turnarounds. Garbage and recycling will be located off the primary private driveway in two 8' x 22' enclosures.

The three groups of buildings located north of the primary private access lane, and building 7 along the east edge of the development, will have front entries oriented towards the primary private access lanes as well as guest parking in the driveways. The first townhouse in Building 1 will have its front entrance orienting towards Northwest with a direct pedestrian connection out to the public street. These units will have back porches oriented to private rear yards and preserved wetlands and buffers. Driveways for these units will be 9' in width and less than 50% of the width of the townhouse units (20'). Each unit will have a private sidewalk extending from a covered front porch to their driveway. Landscaping is proposed between these walkways and the private driveways for each unit. The remaining three groups of buildings located south of the primary private driveway will have their primary entries facing common pedestrian pathways with attached garages facing access driveways. These units will have covered front porches as well as man doors on the alleys next to each garage door. Each townhouse will have either a tandem (Buildings 1, 2, 3, and 7) or side-by-side (Buildings 4, 5, and 6) 2-car garages. The buildings on the north side of the primary private access lane (Buildings 1-3) will additionally provide a one-car parking stall in each unit's driveway (18' x 9' stall size). Eight guest parking stalls are provided along the south side of the new primary private access lane. Landscaping is proposed around units, along the driveways, around the garbage areas, and common areas. A trail connection is shown from the internal private sidewalks along the main driveway through to the southwest corner of the site and then offsite to connect to existing public sidewalks along Talus Way. The project will be designed to meet applicable FAR, Green Factor and usable open space requirements.

All units will have covered front porches, at least 40 square feet in size. Each building will have composition roofing, with some shed style roofing over some of the covered porches. Modulation will occur both in design, color of units, and materials. Hardie plank will be used for the siding, with vinyl windows. Stone veneer is proposed around some of the garage doors. The garage doors

will be steel and will have windows. Address numbers will be displayed above each entrance.

Water connection is proposed to extend in a new main from an existing main located offsite to the west, through the site, terminating just short of Northwest Drive. Additional short main extensions are proposed in each driveway. A new fire hydrant is proposed along the shared driveway. Sewer is proposed to connect to existing public infrastructure located offsite to the west in Talus Way and will be extended into the site. A new sewer main along Northwest is also proposed. There are existing easements in place that can accommodate these infrastructure connections. Frontage improvements will be provided along Northwest Avenue with new curb, gutter, and sidewalk. Storm for the project will connect to the storm in Northwest and will be extended throughout the site to connect to the existing storm in Talus Way. This storm system will connect to the North End Regional Pond.

The project is proposed as an Infill Toolkit cluster subdivision. Each townhouse unit is proposed to be on its own lot.

The project is designed utilizing mitigation sequencing to predominantly avoid and minimize impacts to critical areas. Development is centered in the site in the upland areas. No direct or indirect wetland impacts are proposed. Limited buffer reductions are proposed along some small buffer areas. Mitigation for these buffer reductions will occur in the reduced buffer areas through buffer enhancement and restoration. There are also two small areas where building setbacks from buffers are proposed to be reduced.

In addition to compliance with the applicable design standards, the City Design Review application forms require a discussion of the applicable Special Conditions, Prerequisite Considerations and Special Regulations, if any, identified in the zoning table. In Area 20 of the Cordata Neighborhood there are Special Conditions, Prerequisite Considerations, and Special Regulations identified in the zoning table. The Special Conditions include critical areas, neighborhood park, providing public trails, and limiting access points on arterials. The project has been designed with these Special Conditions in consideration. The project has been kept to the center of the property to the greatest extent feasible to avoid critical areas to the north and south. While no neighborhood park is proposed on the Property, the project will create a new sidewalk along its frontage on Northwest and provide additional pedestrian pathways to Talus Way which will create connection to the new neighborhood park planned to the northwest. The driveway for the existing single-family dwelling will connect to the new primary access lane for the project to reduce access points onto Northwest (only one access point is proposed). The Prerequisite Considerations include extension of water/sewer mains, and construction of sanitary pump station, and the improvement of Northwest to principal arterial standard. The project will extend both water and sewer mains onto the property from adjacent properties/right-of-way. No sanitary pump station is proposed; this Consideration is not applicable to this particular property. The frontage of the Property along Northwest will be improved to principal arterial standard, which curb, gutter, and sidewalk. Special Regulations include requiring duplex and multifamily projects to require design review approval, duplex and multifamily not to exceed 25% of the total allowed dwelling units for the entire site, duplex and multifamily building permits shall not be issued until at least 50 percent of the single-family or infill housing units have been constructed on site, no more than four single-family attached dwelling units allowed, and that infill housing forms are permitted. Currently, we are not proposing

any multifamily or duplex style buildings, and we are only proposing Infill Toolkit townhouses, and therefore most of the Special Regulations are not applicable to this project. As designed the project considers and follows all applicable Special Conditions, Prerequisite Considerations, and Special Regulations for Area 20 of the Cordata Neighborhood.

IV. Design Review

The proposed project is a multi-family residential development containing three or more dwelling units on a site and is therefore required to go through a design review approval process. Design of the buildings and site must be consistent with the Requirements identified in the City of Bellingham Multi-Family Residential Design Handbook (the “Handbook”). The Handbook identifies several requirements that must be met with the project design, and includes Guidelines that can be used to meet the Requirements. The following is a list of each Requirement in the Handbook with an accompanying discussion of how the building or site design incorporates the Guidelines and meets the intent of the Requirement. Individual Guidelines from the Handbook are not listed in this discussion. It should be noted that the project is an Infill Toolkit project consisting of attached single-family development. Infill Toolkit standards contained in BMC 20.28 govern site and building design, and as a result many of the MF Design Review standards have marginal applicability and should be considered in the context of the proposed housing form. Discussion of BMC 20.28 compliance is included in this narrative in Section V.

I. SITE DESIGN

A. Orientation

Orient buildings to public streets and open spaces in a way that corresponds to the site’s natural features and enhances the character of the street for pedestrians.

Comment: The existing single-family dwelling will remain oriented towards Northwest and is not proposed to be removed. Buildings 1 – 3, located north of the new primary private access road from Northwest, will be oriented towards this new access road, with their primary entrances facing south, with the exception that the end cap unit of Building 1 will be oriented towards Northwest. The main entrances of these buildings will all have pedestrian connection to the new private access road and a 4’ flush sidewalk will be located along the southern edge of this access road. Buildings 4-7 will be located south of the primary private access road and will be accessed from two new private driveways that will branch from the primary private access road. These units will have their primary entrances facing pedestrian pathways that connect to the sidewalk along the primary private access road, the sidewalks on Talus Way, and the new sidewalk on NW.

B. Neighborhood Connections

Provide functional pedestrian and vehicular connections to existing neighborhoods.

Comment: The Property has frontage along Northwest. The frontage of the property along Northwest will be required to be improved to include sidewalks. The proposed project will have pedestrian pathways throughout which will connect each unit to the new sidewalk along the

property's frontage on Northwest, and the existing sidewalk near the southwest corner of the property on Talus Way. There are two bus stops located approximately 350 to the north of the property and additional bus stops located approximately 1,000 feet to the south of the property. There is an existing bike lane south of the southeastern corner of the property on Northwest.

C. Parking Location and Design

Minimize the impact of parking facilities on the fronting street, sidewalk and neighboring properties by designing and locating parking lots, carports, and garages so that they do not dominate the street front.

Comment: The existing single-family dwelling has an attached garage that can fit two cars and a new driveway will be created which will additionally provide at least 2-3 additional parking stalls. Each of the new townhouse units will have tandem or side-by-side two car garages. Buildings 1-3 and 7 will also provide one additional parking stall in each unit's driveway. Eight guest parking stalls are proposed on-site, off the new primary private access road. Landscaping will be located on either side of each driveway, and around the guest parking areas, to provide screening.

D. Clearing and Grading

Preserve significant natural features whenever feasible and minimize changes to the natural topography.

Comment: Two wetlands have been located on the subject property. No impacts to these wetlands are proposed and only limited buffer reduction is proposed. These natural areas will be enhanced, preserved, and protected in perpetuity through a conservation easement. The property is relatively flat. The proposed buildings will be built at street grade. No significant changes will be made to the natural topography of the site.

E. Fences and Walls Adjacent to Streets

When using fences or walls, use designs and materials that will maintain a pedestrian scale along streets or public walkways.

Comment: No fencing or walls are proposed along any streets or public walkways, however, any fencing or walls proposed will use designs and materials that maintain a pedestrian scale.

F. Open Space and Recreational Area

Locate and design useable space to encourage its use for leisure or recreational activities.

Comment: Each lot will have a private front porch area and small rear yards will provide leisure and recreation space. All other spaces around the proposed townhouse units will be landscaped.

G. Mailboxes, Site Lighting, Bus Stops

Locate and design functions such as mailboxes and bus stops to promote ease of use and safety. Provide lighting adequate for the function without creating excessive glare or light levels.

Comment: One covered mail enclosure will be located near the entrance of the property on the south side of the new private access road off Northwest. Addresses will be clearly identified for each unit near the front entrance. There are two Whatcom Transit Authority stops located within 500' of the Property on Northwest. Exterior lighting will be typical of residential single-family development and all lighting shall be shielded to reduce glare. A photometric plan will be submitted at the time of building permit applications.

H. Trash and Recycling Storage

Provide adequate screening for trash and recycling facilities associated with multifamily developments.

Comment: Trash and recycling for the existing single-family dwelling will be taken out and picked up from the driveway entrance on the new private driveway. Two other consolidated garbage and recycling enclosures are proposed off the primary private access road and will be fenced on three sides, approximately 22' x 8' in size.

I. Landscape Design – Overall Project

Provide landscaping that is in scale with the buildings and spaces, and compliments the function of the space.

Comment: Landscaping in the form of shrubs and small trees will be provided around the buildings, private spaces, and parking areas. The remainder of the developed portion of the site will be lawn. Street trees will be provided along Northwest.

J. Landscape Design – Parking Areas

Use landscaping to help define, break up, and screen parking areas.

Comment: The existing dwelling will remain as is, however its parking area and driveway will be relocated so that the driveway is now accessed from the new private access road from Northwest. Landscaping will be located around this parking area to screen parking from Northwest and the new primary private access road. Landscaping is also proposed between each driveway for Buildings 1-3, and around all guest parking areas.

K. Signs

Minimize the amount of signage needed to identify the multifamily development.

Comment: The building addresses will be clearly visible from the street. No other signage is proposed at this time.

L. Sidewalk Design

Design sidewalks to be consistent with the existing or proposed street design for the subject area.

Comment: New sidewalk is proposed for the frontage of the property along Northwest. Additional pedestrian pathways will run throughout the proposed project and will connect each residential unit to the sidewalk on Northwest or to the sidewalk along Talus.

M. Site Drainage

When open storm water facilities are proposed to be located on the site, minimize negative impacts on natural site features and incorporate them into the overall landscape scheme.

Comment: No open storm water facilities are proposed in this design. The existing single-family dwelling ties into the existing storm water main in Northwest and the new townhouses will tie into the existing storm water main in Northwest and to the existing storm in Talus Way, which connects with the North End Regional Pond.

II. BUILDING DESIGN

A. Neighborhood Scale

The scale of those portions of the building facing an existing developed neighborhood shall conform to the scale established in the neighborhood or the scale identified for the district.

Comment: The neighboring properties and those in this area of the Cordata Neighborhood are developed with a mix of one-story to three-story residential single-family buildings and multifamily buildings. There are several large townhouse developments located to the west, along Talus Way and north of Costco. The proposed townhouse buildings are similar in height, bulk and mass to existing development in the district.

B. Neighborhood Compatibility

New buildings should reflect some of the architectural character of surrounding buildings when locating in a neighborhood where the existing context is well defined.

Comment: The character of this area is defined by a variety of single-family structures from different eras, in addition to new multifamily and townhouse developments to the west. Varied finish materials, roof pitches, building modulations and scale are present in the neighborhood. As designed, the townhouses share many design features with surrounding developed properties and are consistent in character with the development in the neighborhood.

C. Privacy

Orient buildings to provide for privacy, to the extent practical, both within the project and for adjacent residential uses.

Comment: The proposed townhouses will have small rear yards, rear upper decks, and attached garages. Some of the end units will have additional side yard private space. These areas will be screened with fencing and in many instances will be oriented to adjacent open spaces. The project will be screened from adjacent properties with landscaping and retained open spaces.

D. Facade and Articulation

Use architectural features that break up blank, flat walls and roofs and give the building a human scale.

Comment: The building facades will be modulated with different building materials, color, windows, and decks, gable end roof forms and bump outs on various levels

E. Windows

Provide articulation of the building facade by using well-proportioned and spaced windows.

Comment: Window spacing and sizing is similar to and consistent with those used in other residential developments in the area. Most of the windows are proportioned vertically and will be to human scale.

F. Building Foundations

Design a building foundation to blend visually with the site.

Comment: The building foundations will be primarily below or at grade, and not visible to the street. However, additional landscaping will be used around the townhouses, parking areas, and private useable spaces to help soften any potential exposed foundation locations.

G. Entries

Clearly define the main entrance of a building, orient it to a pedestrian walkway and enhance safety through lighting and visibility.

Comment: The main entrances of Buildings 1 through 3 will face south, oriented towards the new primary private access road. Buildings 4 and 7 will have their primary entrances facing west, oriented to a new pedestrian pathway for Building 4 and also to a new private access road for Building 7. Buildings 5 and 6 will have their primary entrances facing the same pedestrian pathway that runs between them. All primary entries will have a walkway that connects them to additional pedestrian pathways both on and off-site. Landscaping will be provided around each entry. Each unit will have a clearly defined front porch with pedestrian connection to the common sidewalks. Lighting will be provided on the front porches to enhance safety and visibility.

H. Building Materials

Use durable exterior finish materials that provide visual detail, reduce the perceived scale of the building through texture or pattern and appear similar to those used in the neighborhood.

Comment: The proposed exterior finish of the buildings will be durable and will provide visual detail. Buildings within the surrounding area do not have consistent exterior finish materials or colors, with a mix of wood siding, stucco, metal, and other materials. The proposed materials – fibre-cement siding, and composition roofing – are durable, include details, and draw influence from the surrounding buildings. They are consistent with development in the area.

I. Garages and Accessory Buildings

Design garages and carports in a way that does not dominate the streetscape or obscure building entries. Accessory buildings shall be subordinate in scale to the main buildings.

Comment: The existing accessory buildings for the existing single-family dwelling will be removed. The existing single-family dwelling with its attached 2-car garage will remain as-is. No other accessory buildings are proposed. The townhouse buildings will have their own attached garages, which will not dominate the streetscape or obscure building entries due to design (less than 50% of unit width, glazing in garage doors, defined front entries, landscaping, etc...).

J. Additions to Existing Structures or Site with Existing Buildings

When retaining existing structures, incorporate them into a project in a way that preserves their integrity and contributes to a desirable neighborhood character.

Comment: The existing single-family dwelling on the Property will be retained. All other accessory buildings and structures will be removed.

V. **Infill Toolkit**

The project is being proposed as an Infill Toolkit project pursuant to BMC 20.28. The homes are being proposed as “Townhouses” and must be shown to be consistent with the applicable criteria from BMC 20.28.050 and 20.28.140. The following is a discussion of the applicable Infill Toolkit Standards.

BMC Section 20.28.050 General Standards

A. Pedestrian-Oriented Design.

Comment: In general, the design of the project prioritizes fronting units on common pedestrian corridors and an internal lane. Due to the location of the existing retained single-family residence on the site, and the critical areas along the north and south property lines, there is limited frontage along Northwest Avenue, and most units are internal to the site. The end cap unit on the building that abuts Northwest is designed to be oriented to the public street, with a primary entry door and covered front entry porch facing the street. Intermediate roof lines with material change on this end cap will also contribute to street facing orientation. A private sidewalk will extend from this

entry directly to the proposed new public sidewalk on Northwest Avenue. The townhouse units along the north property line are oriented to the internal lane with primary entry doors and prominent covered front porches provided with direct pedestrian connection to the lane. The units in building 7 are also oriented to an internal lane, with similar design. Landscaping around these entries, glazing in the garage and man doors, and changes in siding material and color will help soften the appearance of these facades along the lane. These units all have private rear yards oriented to open spaces. The remaining units will be oriented to common pedestrian corridors with each unit having a covered front porch, primary entry door and small fenced front yard to delineate private and common spaces. For these units, the access drive lanes function like alleys and are not considered ITK lanes for code compliance (since these units front on common pedestrian corridors they do not need to front on lanes). In no instance is parking located between the dwelling units and the lane, except as allowed in BMC 20.28.050. In these instances, the width of garages and driveways are less than 50% of the unit width, and less than 12' in width. As noted, architectural and landscape details are incorporated for these units to minimize the visual presence of the garages and driveway parking stalls. No parking is located in between a dwelling unit and the lane outside of a driveway.

B. Density

Comment: The subject property is located within the Cordata Neighborhood Zoning, Area 20, with a Residential Single zoning designation. Per the zoning table in BMC 20.00 for this Area of the Cordata Neighborhood, 7,200 SF is required per dwelling unit for detached and cluster lots, up to 4,300 SF per dwelling unit using cluster bonus provisions. The subject property is approximately 164,883 in size, with an existing dwelling on-site, proposing 34 new Infill Toolkit Townhouses, which will result in an overall density of approximately 4,710 SF/ dwelling unit.

C. Lot Requirements.

Comment: The 34 townhouses and one SFR are proposed to be located on individual subdivided lots. There are no minimum lot dimensions, lot sizes, or minimum street frontage requirements unless otherwise specified in this chapter. BMC 20.28.140 Townhouse does not further specify additional lot size requirements. All dwelling units will be accessed from the new private drive lane from Northwest, which is a public right-of-way. Two additional private drives will run north south off the primary private drive lane that will be running east to west. Pedestrian access will be provided to all units with connection to common walkways and public sidewalks.

D. Subdivision.

Comment: All dwelling units will be located on their own lots. A preliminary subdivision application has been submitted along with the other applicable land use applications.

E. Common Facilities

Comment: The project anticipates preparing and recording a set of Covenants, as well as various easement documents, which will grant rights and responsibilities to the owners and tenants of each lot for use and maintenance. A homeowner's association that is compliant with WUCOIA

regulations will be incorporated for the project prior to final plat approval to regulate and enforce the Covenants and easements. Common lanes, garbage facilities, pedestrian facilities, landscaping, and other common project elements will be identified and managed through the HOA/Covenants.

F. Encroachments and Common Wall Development.

Comment: No encroachments into required yards are proposed. All townhouse units that have common walls (all units have at least one common wall as proposed) will have common wall agreements recorded on the title of the project prior to final occupancy of any affected unit. These agreements will be reviewed by the City. No required building setbacks from streets are proposed to be reduced at this time, however the building setback for the end cap unit fronting on Northwest Avenue is proposed to be greater than 20' (the maximum front yard setback). This setback will require a modification, discussed in this narrative below.

G. Private Lanes, Common Pedestrian Corridors, and Alleys.

Comment: Each lot and townhouse in the project abuts a street, lane, or common pedestrian corridor. Each unit in the project has direct access from a front porch to a pedestrian facility that accesses the street directly, or via a lane or common pedestrian corridor. A new private lane will extend from Northwest Drive into the property and will serve the proposed development. The lane will comply with the large lane requirements in Table 20.28.050, in that it will be 20' in width, however a minor modification is requested as only one 4' flush pedestrian sidewalk is proposed on one side. Two additional lanes running north to south will stem off the large lane and will also be 20' in width. These lanes will be in shared easements recorded against title and will be privately maintained. Buildings 1, 2, 3 and 7 will front on these lanes for access and code compliance. Buildings 4, 5 and 6 will front on common pedestrian corridors for front entry/pedestrian access and for code compliance. For these units the lanes will provide garage access only and are not considered frontage lanes for code compliance. All new lanes will be paved, and the flush pedestrian pathways proposed will be delineated with a change in material, color, or pattern.

H. Parking.

Comment: All townhouse units will be over 1,000 SF in size and will be required to provide 2 on-site parking stalls. Each unit will have its own attached 2-car garage. Buildings 1-3 & 7 will additionally have space for a third guest parking stall in their private driveways, which provide access to a garage. These stalls will be 18' deep minimum. Eight guest parking stalls are also proposed; however they do not comply with BMC 20.28.050(G)(8) in that no parking is allowed within the lane width, but may be allowed in a parallel pocket abutting a lane. We are proposing parking that is perpendicular to the lane and therefore we are requesting a modification, discussed in this narrative below.

I. Landscaping and Fencing

Comment: Landscaping will be provided to separate the parking and driveways between individual dwelling units and between each housing unit and abutting lanes/pedestrian corridors. Fencing will

be provided for the rear yards of Buildings 1-3, 6, & 7. Building 4 will have its front yard space fenced and Building 5 will not have any fencing. All fencing will be limited to 42 inches in height and no more than 60% opaque.

BMC 20.28.140 Townhouse Standards

A. Description. A townhouse is one of a row of homes sharing common walls, each with its own front and rear access to the outside.

Comment: The Property is currently 164,883 square feet in size. The existing single-family dwelling will become part of newly created Lot 35. Lots 1-34 will each be developed with a toolkit townhouse, located in attached blocks (rows), each with a front and rear entrance.

B. Site Requirements and Setbacks.

Comment: The proposed townhouses will each be located on their own lot. A preliminary plat map by Freeland has been provided on Sheet DR6 of the civil plans that have been submitted with this land use application. No ADUs are proposed at this time. The proposed plans comply with the listed setbacks shown in Figure 20.28.140(A), except for the end cap unit of Building 1, which exceeds the 20' maximum front yard setback and therefore a minor modification is requested, discussed in this narrative below.

C. Bulk and Massing.

Comment: Per BMC 20.28.140(C) the maximum number of attached dwelling units is eight. The maximum number of attached dwelling units proposed is six units. Also, per BMC 20.28.140(C), the maximum allowed floor area (FAR) is .75; the proposed plan is demonstrating a proposed FAR of .68, or 57,765 SF (exclusive of critical areas and the lanes). The height limit is 35 feet under BMC 20.08.020, definition 1, or 20 feet under definition 2 and the proposed project is proposing a maximum height of 34' – 4 ¼" using definition 1.

D. Usable Space, Open Space and Landscaping.

Comment: Per BMC 20.28.140(D)(1), each unit needs to provide at least 200 SF of private usable space. Buildings 1-3 & 7 will have rear yards at least 200 SF in size. Buildings 4 & 6 will have 200 SF of private usable space provided in each units' front yard. Building 5 will have 116 SF of private deck space and over 100 SF of front yard area per unit. All private usable space will be directly accessible from the dwelling unit. BMC 20.28.140(D)(2) additionally requires that a minimum of 30% of the site area shall be in open space consisting of landscaping or permeable materials. As designed, 65% of the site is reserved in open space, and a .4 Green Factor score is achieved.

E. Parking

Comment: A discussion of parking compliance is provided in this narrative in response to BMC 20.28.050.H, above.

F. Design Standards

Comment: All new units will have covered front porches that are at least 40 SF in size with minimum dimensions of 5'. Each unit will face a lane or common pedestrian corridor and each unit will have their own separate entrance. Townhouses will be modulated with bump outs, changes in siding material and color, gable end roof forms and other design components. We are proposing two garbage/recycling enclosures and have included a letter from SSC approving this design. Garbage and recycling enclosures will be screened.

G. Design Guidelines

1. Building Design.

a. Reduce the potential impact of new townhouse development on established and historic neighborhoods by incorporating elements and forms from nearby buildings of character. This may include reference to architectural details, building massing, proportionality, and use of high-integrity materials such as wood, brick, and stone. References to period architecture can be made in a contemporary manner.

b. Use lines and rhythms to create human scale streetscape. These may include vertical and horizontal patterns as expressed by bays, belt lines, doors, and windows.

Comment: The property is separated from surrounding development by wetlands, buffers, and open spaces. The project will have no impact on the established neighborhood, and there is no historic character in this area. The design of the units incorporates covered front entry porches, changes in siding material and color at the ground level and on vertical modules, glazing in garage doors, gable end roof forms, vertically oriented windows, and landscaping around units, all of which will contribute to a human scale along streetscapes and common pedestrian corridors.

2. Site Design.

a. Front yard parking aprons are not allowed.

b. Provide generous use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design.

Comment: No front yard parking aprons are proposed. A preliminary landscape plan has been prepared that incorporates areas of lawn, ground cover, shrubs and trees situated around all lanes, buildings, parking areas, the garbage enclosure and other areas. Fencing around unit front yards will be provided.

Minor Modification Requests from BMC 20.28

The overall project will require compliance with BMC 20.28 for Infill Housing; however three minor modifications are proposed for one of the front yard setbacks and for the primary access lane

- BMC 20.28.050(G) requires lanes serving over 6 dwelling units to comply with the “Large Lane” standards in Table 20.28.050, which requires Large Lanes to have 12-foot travel lanes, with 4 feet of pedestrian pathways on each side, for a total width of 20 feet. The subject plan is currently proposing a Large Lane with only one (1) 4’ wide flush pedestrian pathway along the south side.
- BMC 20.28.050(G)(8) states that no parking is allowed within the lane width but may be allowed in a parallel pocket abutting a lane. We are proposing eight guest parking stalls within a perpendicular pocket (not parallel) abutting the lane and therefore are requesting a minor modification to this standard.
- BMC 20.28.140(B) requires townhouses to have front yard setbacks with a minimum of 10’ to a maximum of 20’ to the property boundary line. The end cap unit of Building 1 faces Northwest Drive instead of the new Large Lane. The design of this unit results in the end cap unit being located approximately 29’ from Northwest.

Per BMC 20.28.030(B):

“Applicants may request minor modifications to the general parameters and design standards set forth in this chapter.”

Modifications must meet two specific criteria; an inline response to these criteria is provided below, which addresses the three minor modifications to the above infill toolkit criteria.

- 1. a. The site is constrained due to unusual shape, topography, easements, sensitive areas , the location of pre-existing improvements, or other extraordinary situation of condition, or*
- b. The granting of the modification establishes a better development pattern found to be compatible with adjacent development (existing and anticipated) including, but not limited to, pedestrian-oriented development, setbacks, lot orientation, or other contextual elements associated with the proposed development; and*

Comment: The proposed lane design includes a flush sidewalk on only one side as opposed to two. This approach results in a better design while still providing appropriate pedestrian connectivity. Due to the large number of units being served by the primary access lane (34), the Applicant feels it is appropriate to have a wider driving surface (16’) vs the 12’ surface required by the Large Lane design. A 12’ driving surface is narrow for the volume of traffic anticipated on this new Lane. Residents who live on the north side of the Lane can walk from their front entry sidewalks to the Lane, cross the Lane to the south side and follow the 4’ sidewalk on this side to exit to Northwest. If the lane were widened to accommodate a 16’ surface plus two 4’ flush sidewalks, this would push development further into the onsite critical areas, generating unnecessary and avoidable buffer impacts. For these reasons we believe that the proposed lane results in a better design and better satisfies contextual elements associated with the development.

The proposed perpendicular parking along the lane allows the project to maximize guest parking on the project site. If parallel parking were required, then only 3-4 guest parking stalls could be provided along the lane. The use of perpendicular parking results in a better design, providing a more appropriate number of guest parking stalls relative to the number of units, with limited impact on lane aesthetics. In addition, parallel parking would require guests to park, then drive to the end of the lane, execute a turnaround maneuver, and then exit the site. Perpendicular parking facilitates better maneuvering and better satisfies contextual elements associated with the development.

The end cap unit in Building 1 is located greater than 20' from Northwest Avenue to provide more privacy from the major arterial. Northwest Avenue is a highly trafficked road, with significant road noise, vehicle lights, exhaust and other impacts generated from vehicles. Providing a little extra space between this unit's front entry and the road will allow for more landscaping, more space, and will help to mitigate these impacts on the tenant. The arterial is not a residential street where "curb appeal" and "orientation" are as critical. Vehicles will be moving fast along Northwest, and due to wetlands to the north and south, only a small portion of the frontage will have units at all; with the proposed design components on the end cap unit, the required orientation will be maintained. The nature of Northwest Avenue is a unique physical circumstance and the proposed extra 9' of setback is appropriate in the context of this element of the development.

2. The modification is consistent with the purpose and intent of this chapter.

Comment: The purpose of the chapter is to facilitate infill development, that is in scale and character with surrounding development, and that efficiently utilizes existing infrastructure. All three modifications will facilitate contextually appropriate design while limiting critical areas impacts, improving resident and guest experience, and providing appropriate pedestrian-oriented design. There is no reason to believe that the modifications would create a conflict with the purpose and intent of the chapter.

VI. Subdivision Criteria

The project includes a 35-lot cluster subdivision (preliminary plat) that must be shown to be in compliance with applicable sections of BMC 23. When utilizing the Infill Toolkit regulations in BMC 20.28 many of the standards contained in BMC 23 are no longer applicable (for example, the minimum lot size, lot design standards, public infrastructure and frontage standards and landscaping standards contained in BMC 23.08.040-.080 are predominantly no longer applicable). BMC 23.08.060.F.2 does require a minimum of 15% open space for a cluster subdivision. The project as designed incorporates more than 15% open space, with most of this area over critical areas and buffers (significant natural features). The open space within critical areas and buffers is intended to be placed in a conservation easement for permanent protection. Additional open space areas are located within private and common yard areas and will be maintained by a Homeowners Association.

All subdivisions must be shown to be in compliance with the Performance Standards in BMC 23.08.030 and also the Decision Criteria in BMC 23.16.030. The following is a discussion of the projects' compliance with these Standards and Criteria.

BMC 23.08.030 Performance Standards

Any subdivision of land is required to meet certain performance standards outlined in BMC 23.08.030. The following is a discussion of these standards and the project's compliance with them.

B. Community Design

The City of Bellingham has adopted neighborhood plans for each of its 25 unique neighborhoods. Each applicant for a subdivision must make reference to the applicable policies for the neighborhood as outlined in the appropriate neighborhood plan and describe how the proposed adjustment or land division addresses the policies within the neighborhood plan.

Comment: The subject Property is located in the Cordata Neighborhood in Area 20, which has a Residential Single zoning designation, with a Medium Density. While this specific area of the Cordata neighborhood does not list any specific goals or policies, it does fall into the broad goal for the neighborhood that states that “*new residential, commercial, and industrial developments shall respect the scale of the existing and nearby neighborhoods under the previous development conditions.*” The plan calls for single family development in the form of infill toolkit townhouses. The properties to the east, on the other side of Northwest Drive, have been developed with single family dwellings. The properties to the west have been developed with multifamily residential units and townhouses. The townhouse units will have an average of three bedrooms, which is similar to that of the surrounding single family residential dwellings, yet will offer more density, which is more similar to that of the neighboring residential multifamily development. In the Housing portion of this neighborhood plan, it also states that “*the designs of new developments should consider utilizing the City's Infill Housing Toolkit, a chapter to the Bellingham Municipal Code that establishes special development regulations for a series of housing forms.*”

C. Natural features, that may or may not be regulated by other code provisions, including but not limited to trees, topography, shorelines, streams, wetlands, habitat, geologically hazardous areas, and associated critical area/shoreline buffers, should be incorporated into the overall land division design through preservation to the extent feasible.

Comment: The project design has utilized mitigation sequencing to predominantly avoid and minimize impacts to critical areas both on and off site. In those areas where impacts are proposed they are limited to buffer impacts, and these impacts are limited in nature, occurring mostly along the outer edges of the buffers. Larger intact wetland areas are avoided entirely. Mitigation for unavoidable impacts will occur on site through enhancement and restoration of remaining buffer areas. Mature trees are scattered across the site and some trees will require removal, however the majority of mature trees will be avoided and preserved in the remaining critical areas and open space areas. Mitigation for unavoidable tree removal will occur onsite at ratios exceeding 1:1. A conservation easement will be established over all critical areas and buffers after project completion in order to preserve these areas in perpetuity. There are no special habitat areas, streams, geohazard areas or shoreline areas on or adjacent to the property.

D. Clearing and Grading.

1. In addition to demonstrating compliance with the land clearing (Chapter [16.60](#) BMC), grading (Chapter [16.70](#) BMC) and Lake Whatcom Reservoir (Chapter [16.80](#) BMC) regulatory provisions, as applicable, the proposed layout of a land division should include the following standards:

a. Clearing and grading limits are established to avoid impacting critical areas and/or their associated buffers, natural features as identified in subsection [\(A\)](#) of this section and adjacent properties;

b. Good engineering practices have been implemented to ensure the proposed grading:

i. Is the least necessary to protect slope stability and prevent erosion;

ii. Will not result in the excessive use of retaining walls and/or rockeries along lot lines, project's exterior boundaries, streets and the exterior boundaries of the plat;

iii. Establishes suitable building sites, driveways, public streets, pedestrian corridors, and utilities that are not located on fill. The city may impose a condition of preliminary approval requiring the submittal of a geotechnical report prepared by a Washington State licensed geologist or geotechnical engineer for city review and approval; and

iv. Will not distribute site material resulting from grading to areas within the land division that would cause additional clearing or grading that would otherwise be unnecessary.

Comment: The proposed project has taken the natural environment into consideration for the overall design and layout of development. The development area is located in a portion of the site that is not encumbered with critical areas and is generally the most level portion of the site, reducing the need for grading (some grading will be inevitable for roads, utilities and units). Topography has been considered in the design, which incorporates shared access, limited on site stormwater facilities, and other design measures to reduce site clearing and grading impacts. The proposed development areas work with the natural contours of the land to reduce the need for retaining walls as much as possible (only one small retaining wall is proposed along the west side of the development) and to ensure that unit entries are oriented to internal lanes, common pedestrian corridors, or open space areas to the maximum degree possible. All plans have been prepared using best engineering practices by a professional civil engineer. All development will need to comply with appropriate grading plans including SWPPP, TESC and other BMP's and these additional exhibits will be submitted at the time of Building Permit submittal for each of the 34 townhouse units.

E. Dedication. Land dedicated for public infrastructure, including but not limited to right-of-way, utility, and parks and recreation purposes, is incorporated in the land division as necessary to:

1. *Rights-of-Way and Utilities. Serve all lots proposed within the subdivision and to provide for orderly extension of public infrastructure for anticipated development in accordance with BMC Title [13](#) and the comprehensive plan; except this requirement may be waived if the city engineer determines that additional right-of-way will not be necessary*

for the future traffic circulation of the city, or for future road widening to accommodate anticipated development in the vicinity.

2. Parks and Recreation. Provide open space, trail, and recreation facilities pursuant to the adopted parks, recreation, and open space plan of the comprehensive plan and construct the facilities according to the city's design standards for park and trail development, as amended.

Comment: No new dedications for public infrastructure will be required for this project. Proposed frontage improvements will be made within the existing Northwest Avenue right of way. The proposed sewer and water main extensions will be placed in public easements to be maintained by the City.

F. Pedestrian Features. Incorporate pedestrian features into the overall plat design that provide for networks of walking and bicycle facilities that create access to community services and amenities such as schools, parks, shopping centers, public transportation stops, bicycle and pedestrian corridors identified in the city's bicycle and pedestrian master plans within the proposed land division and to adjoining property that is not subdivided. Pedestrian features should be spaced at 500-foot intervals unless such an interval is not feasible due to a physical hardship that is not a result of the overall plat design.

Comment: New sidewalk is proposed for the subject property along the Northwest Drive frontage. The project will provide additional pedestrian connectivity to the sidewalk on Talus Way, which does provide sidewalk connectivity to the nearby Costco, Fred Meyer, and other services.

G. Streets. In addition to demonstrating compliance with BMC Title [13](#), Streets and Sidewalks, and the city's development guidelines and public works standards, the overall street layout for a division of land should incorporate the following:

1. Compliance with Comprehensive Plan and Neighborhood Plan. The alignment of arterial streets should be included in a location as nearly as possible with that shown in the most recently adopted city of Bellingham comprehensive plan, the appropriate neighborhood plan and zoning table (Chapter [20.00](#) BMC).

2. Vehicular and Pedestrian Circulation. Streets and trails proposed within a land division should:

- a. Extend to and connect with existing streets abutting its perimeter to provide for the logical extension of streets and utilities for coordinated development of contiguous tracts or parcels of undeveloped land.*
- b. Include a street network that provides multiple routes within and in/out of a proposed division of land with a grid pattern or a network modified grid of curvilinear streets and/or alleys unless there are physical limitations including critical areas, significant natural features, conflicts with the existing built environment, or adverse topography that prevents such a street pattern.*

c. *Avoid single points of access, cul-de-sacs, and dead-end streets, unless the city determines such extension is not necessary due to physical conditions that exist on or adjacent to the site.*

d. *Public and private trails should also be considered in the design of a street network.*

3. *Access to Local and Arterial Streets. The land division should show all access locations for all lots and proposed streets to maximize safety consistent with BMC Title [13](#).*

4. *Safety. Street layouts shall be designed to maximize safety for all modes of transportation. The applicant shall provide, to the extent feasible, a street layout that promotes visibility and reduces user conflicts through the placement of parking areas and the use of curb bulb-outs, landscaping strips, meandering sidewalks and other means of ensuring pedestrian safety and reducing vehicular speed through residential areas.*

5. *Street Trees. The overall street network is designed to accommodate street trees that can be evenly spaced through all existing and proposed street frontages. To ensure the location of these trees will not conflict with proposed utilities, the required street tree permit and landscape plan shall be reviewed concurrently with the public facility contract application for the required infrastructure. If a location conflict arises, the priority is to redesign the utility location first to ensure a consistent planting schedule for the required street trees. An alternative planting plan should only be allowed if the city determines that there are no other alternative utility designs that would avoid a conflict between the utilities and trees. [Ord. 2018-12-036 § 2 (Exh. A)].*

Comment: The proposed site design incorporates vehicular and pedestrian design components to ensure safe vehicular travel to and from the site and safe pedestrian travel within the site. Individual walkways from each townhouse will connect directly or indirectly to the sidewalks at Talus Way and on Northwest Avenue. New street trees will be installed along the site frontage. No new public streets are proposed with this subdivision but improvement to existing public streets will be made to add pedestrian facilities.

BMC 23.16.030 Decision Criteria

In addition to compliance with the performance standards, any subdivision is required to show compliance with Decision Criteria identified in BMC 23.16.030. The following is a discussion of the project's compliance with these decision criteria.

A. Preliminary plats shall be given preliminary approval, including preliminary approval subject to conditions, upon finding by the hearing examiner that all of the following have been satisfied:

1. It is consistent with the applicable provisions of this title, the Bellingham comprehensive plan and the Bellingham Municipal Code;

Comment: The preliminary Subdivision has been designed to be largely consistent with the applicable provisions of Title 23, the Comprehensive Plan, and all applicable sections of the BMC,

including but not limited to those related to lot size, setbacks, building envelopes, performance standards, utility and road abutment, environmental, and others. The design includes limited requests for departures from the applicable BMC 20.28 standards. The project represents context sensitive infill on an underdeveloped lot in an area with abutting infrastructure, with limited critical areas impacts. This is entirely consistent with the Land Use, Housing, Transportation and Environment Chapters of the Comprehensive Plan and is not in conflict with any other Chapter of the Comprehensive Plan.

2. *It is consistent with the applicable provisions of Chapter [23.08](#) BMC;*

Comment: The Subdivision is consistent with the provisions of Chapter 23.08 BMC, see criteria addressed in the proceeding section of this narrative, all plans, reports, and other relevant information provided with this application.

3. *The division of land provides for coordinated development with adjoining properties or future development of adjoining properties through, where appropriate, the extension of public infrastructure, shared vehicular and pedestrian access, and abutment of utilities;*

Comment: The preliminary Subdivision is designed to fit in with the existing infrastructure of the neighborhood. Public roads and utilities already abut the Property. This infrastructure can adequately serve the lots through proposed main extensions and public and private road improvements. No through connection for roads is necessary. Nothing in the design of the subdivision will preclude the orderly future extension of services in the area, as they are needed.

4. *Each lot in the proposal can reasonably be developed in conformance with applicable provisions of the BMC, including but not limited to critical areas, setbacks, and parking, without requiring a variance that is not processed concurrently with the subdivision application pursuant to Chapter [23.48](#) BMC;*

Comment: Each lot can be reasonably developed and meet applicable development criteria without requiring a variance. No variances are requested. Minor modifications are being requested from Infill Toolkit standards in BMC 20.28.

5. *There are adequate provisions for open spaces, drainage ways, rights-of-way, sidewalks, and other planning features that assure safe walking conditions for pedestrians, including students who walk to and from school, easements, water supplies, sanitary waste, fire protection, power service, parks, playgrounds, and schools;*

Comment: All provisions listed are adequately met through the project design. Each lot will provide adequate usable space, drainage facilities, public infrastructure improvements, pedestrian facilities and other improvements. The Property is located within the Alderwood Elementary School, Shuksan Middle School, and Squalicum High School districts. The nearest school, Shuksan, is located 1.3 miles away from the subject property and the furthest school, Squalicum High School, is located approximately 5.4 miles away. The nearest WTA bus stop are located approximately 400 feet to the northwest and 1,000 feet to the southwest on Northwest. These stops are served by Bus 27.

6. *It will serve the public use and interest and is consistent with the public health, safety,*

and welfare. The director shall be guided by the policy and standards and may exercise the powers and authority set forth in Chapter [58.17](#) RCW, as amended.

Comment: The proposed preliminary Subdivision will serve the public use and interest and is consistent with public health, safety, and welfare. It is consistent with applicable zoning regulations, Neighborhood Plan standards and other relevant codes. It is designed to be safe for residents and the public and accommodating of environmental features in the vicinity. It provides the opportunity for additional residential housing in a portion of the City that is adequately served with utilities and infrastructure, in an existing developing neighborhood.