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**TRANSMITTAL MEMORANDUM**

DATE: June 25, 2024

FROM: Riley Marcus, AVT Consulting LLC

TO: Ryan Nelson, City of Bellingham

RE: DR2024-0004/SUB2024-0016/CAP2024-0021/SEP2024-0010

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On May 20, 2024, we received a Request for Information (RFI) for DR2024-0004, SUB2024-0016, CAP2024-0021, and SEP2024-0010. In addition to the revised application materials, below please find a transmittal memo addressing all the RFI comments received.

***1. Planning Department***

*a. In order to comply with the Multifamily Residential Design Review standards for Building Design, the applicant should consider additional windows along the side elevation of the proposed buildings to break up blank, flat walls.*

Comment: Additional windows have been added to the side elevation of the proposed buildings to break up blank, flat walls. Please see Sheets A1.2, 1.3, 1.4, 2.0, 2.6, and 3.2.

*b. The applicant should consider whether there is an opportunity to obtain a pedestrian access easement from the western adjacent property which could minimize critical area and buffer impacts.*

Comment: The sidewalks on the Property to the west are private. Initial discussions with the property HOA about this issue was not encouraging. Due to the lack of interest from the neighbor, together with topography/grading issues on our Property and some proposed retaining walls, it is not feasible to connect to these sidewalks.

*c. The applicant should consider reducing the alley width from 20' to 16' between Buildings 4 and 5 unless required to meet Fire Apparatus Road Standards.*

Comment: To support fire access the alley is required to be kept at 20'. This comment is addressed in the F&A Response to Redlined Plans.

*d. The applicant should consider reducing the private lane width from 22' to 20' between Buildings 6 and 7 unless required to meet Fire Apparatus Road Standards.*

Comment: Inlaid sidewalks were added on both sides of the lane, however in order to provide sufficient back-up space behind the driveways, a 22-foot lane is proposed. This comment is addressed in the F&A Response to Redlined Plans.

*e. Please note there is a 10' rear yard setback required from the existing single-family residence to western property line. Confirm the proposed preliminary plat meets this requirement.*

Comment: The proposed preliminary plat and site plan set have been revised to comply with the 10' rear yard setback from the existing single-family residence. Please see Sheet DR6 for the updated preliminary plat.

*f. The applicant is required to revise the tree removal plan to maximize tree preservation associated with the project. There appear to be multiple trees outside of the development footprint and also within the 15' building setback from the wetland buffer which could potentially be preserved with best management practices associated with tree preservation. Provide the number of trees which will be preserved as part of the development and additionally the number of trees which will be replanted to mitigate for the loss of trees resulting from the project.*

Comment: The preliminary tree removal plan has been updated with minor changes. The revised design maximizes tree retention considering required critical areas and buffer avoidance and necessary cut/fill for grading due to site topography. We were able to retain two Fir trees near the private access lane's entrance on northwest, a 17" Alder along the northwest property boundary line, and a 22" Fir tree near the southwest corner of the property at the end of the lane. Please see Sheet DR5.

*g. In order to comply with the Multifamily Residential Design Review Standards for Site Design which require buildings to be oriented to public streets in a way that enhances the character of the street for pedestrians, the eastern unit of Building 1 is required to be redesigned. The applicant should consider additional architectural details in the form of a prominent roof pitch, additional windows and/or doors and deck/patio to enhance the pedestrian orientation in a more meaningful and deliberate way in accordance with the requirement. The applicant should move the townhouse to comply with the maximum 20' front yard setback. Note: The proposal requires a 15' dedication of right of way abutting Northwest Ave.*

Comment: The eastern unit of building 1 has been revised. Please see Sheets A1.2, 1.4, 2.2-2.4, and 2.6. We are proposing to dedicate 10' to the Northwest right of way, instead of 15', and are showing this on our plans.

*h. Pursuant to BMC 20.28.140.B.2, garages are required to be setback a minimum of 4' from the building face. The applicant is required to modify the proposal or request a minor modification.*

Comment: The garages have been revised to comply with the required 4' setback from the building face. See updated DR plans.

*i. The applicant is required to revise the proposed large lane to include sidewalks on both sides in accordance with BMC 20.28.050. Staff does not support the proposed minor modification to ensure consistency with other similar approved infill toolkit projects.*

Comment: The large lane has been revised to provide sidewalks on both sides of the drive lane. See updated DR plans.

*j. The applicant should consider demarcating the proposed guest parking accessed from the private lane with a different material and additional landscaping to screen vehicles from the public street and primary private lane.*

Comment: The proposed guest parking stalls will be installed in concrete (a different material than that of the drive lane, which is asphalt). Additional landscaping has been added to screen the parking areas from the public street. See updated DR plans.

*k. The applicant should consider whether there is an opportunity to provide additional guest parking within the proposed driveway for the retained single-family residence.*

Comment: The parking area for the existing single-family residence was revised so that additional guest parking stalls could be provided. Three parallel parking stalls are proposed along the lane in pockets.

*l. In order to comply with the Multifamily Residential Design Review Standards for Building Design and Infill Toolkit Townhouse Design Standards the applicant shall be required to revise the building elevations to provide greater modulation, articulation and altering roof types for the individual townhouse units. Please see **Attachment 1** for examples.*

Comment: The building elevations have been revised to provide greater modulation, articulation and altering roof types. Please see Sheets A1.2 - 1.4, 1.9 - 2.0, 2.5 - 2.6, 3.1 - 3.3, and 3.7 - 3.8.

*m. In order to comply with the Multifamily Residential Design Review Standards for Building Design the applicant should consider more vertically oriented windows in the proposed architectural design.*

Comment: The applicant team has considered adding more vertically oriented windows and, where possible, have incorporated them into our designs. See updated plans.

*n. Provide additional documentation confirming whether the required setback sidewalk, bicycle lane and street improvements abutting Northwest Ave. are within the existing developed road footprint. Additional development outside of the existing road footprint will require wetland and associated buffer mitigation in accordance with the requirements under the Critical Areas Ordinance (CAO) and a revised wetland mitigation plan consistent with the mitigation ratio requirements under BMC 16.55.350.*

Comment: Freeland & Associates created a Setback Sidewalk Exhibit that shows that only a portion of the frontage of the Property along Northwest could have a setback sidewalk. This is due to the location of the wetlands near the southeast and northeast corners of the Property, which would require direct impact if the sidewalk is setback in these areas. In addition, there are power pole conflicts in some locations along the frontage. The Setback Sidewalk Exhibit illustrates where a setback sidewalk could be provided while avoiding these impacts and features. The Applicant believes this would result in an odd sidewalk design and because of this we are proposing to maintain the curb line sidewalks along the edge of Northwest.

*o. The applicant shall be required to provide a detail of the proposed pedestrian corridors to ensure compliance with the requirements under BMC 20.28.050.G.9 or request a minor modification accordingly.*

Comment: Details of the pedestrian corridor are shown on Sheet DR2. The pedestrian corridor meets design requirements in BMC 20.28.050.G.9.

*p. In accordance with the Multifamily Residential Design Review Standards for Site Design the applicant should locate and design usable space to encourage its use for leisure or recreational activities. The applicant should consider whether the open space between Buildings 1 and 2 could be increased to accommodate common usable space.*

Comment: All usable open space is proposed as private. Due to the location of the critical areas on the Property and dedication to the Northwest right-of-way, there is limited room on the Property for common open space. The area between Buildings 1 and 2 is too narrow to accommodate functional common usable space and better serves the development as designed (as a landscaped area providing vegetation and privacy between the two buildings).

*q. Pursuant to BMC 20.28.050.I.1, one street tree shall be required for every 40' of street or lane frontage. Trees required along a lane or common pedestrian corridor.*

Comment: Sheet DR4 has been revised to show over 8 street trees along the lane frontage.

*r. Please see additional Design Review Team comments in **Attachment 2**.*

Comment: One comment received was that the width of the driveway does not comply with BMC 20.28.050(A)(4)(a), which requires the width of the garages and driveways accessing a

street or lane to be proportionally less than the width of the dwelling unit. The width of the dwelling unit, in this case, a unit in Building 3, is 20' in width. The redline on the marked-up plans by the City is showing 12', however the width of the driveway is actually 9' and the garage door will be a similar size, which is less than half of 20' wide. An additional comment received was "*recommend adding basketball hoops at the end of lane/alleys where no cars will be parked*". This is not a code requirement and will not be incorporated into our site plans, however the Applicant could consider incorporating basketball hoops once the project is completed. Sheet A3.0 has comments with regards to the exterior of the townhouses and the Architect has added more modulation and glazing to the designs.

Please see the attached document titled "4241 NW – F&A Response to Redlined Plans – RFI #1 – Freeland" for additional responses to the comments in Attachment 2.

*s. Note: The applicant has requested a minor modification for the proposed guest parking off of the private lane from the requirement under BMC 20.28.050.G.8.*

Comment: Noted.

*t. Note: The applicant has requested a minor modification from the maximum 20' front yard setback from the requirement under BMC 20.28.140.B.*

Comment: This minor modification is no longer needed as the site plan has been revised so that the front yard setback is less than 20'.

## **2. Public Works**

- a. The Applicant shall be required to dedicate 15' of additional right of way abutting the subject property for Northwest Avenue.*
- b. The proposed infrastructure improvements to Northwest Ave. shall be required to incorporate setback sidewalks.*

Comment: The Applicant is proposing to dedicate 10' to the Northwest Avenue right-of-way, instead of 15'. Due to the location of critical areas on the Property and an existing power pole, we are not proposing to incorporate setback sidewalks. Freeland & Associates have provided a Setback Sidewalk Exhibit that shows the only location where a setback sidewalk could be located on the Property.

## **3. Fire Department**

- a. Note: Street name application required for new private road.*
- b. Note: Address of the existing house will change. The owner shall submit a letter of no context for the change of the address.*
- c. Note: A private fire apparatus access road is required to be constructed to serve this site. Fire apparatus access roads shall meet the requirements in BMC 17.20 Chapter 5. The*

*fire apparatus access road shall be installed under an approved FIR-Fire Apparatus Access Road permit obtained from the Bellingham Fire Department.*

Comment: All Fire Department comments have been noted.

We believe these revisions address all the items identified in the RFI. Please continue your review and do not hesitate to contact me with any questions.

Thank you,

A handwritten signature in black ink, appearing to read "Riley Marcus". The signature is fluid and cursive, with the first name "Riley" and last name "Marcus" clearly distinguishable.

Riley Marcus  
AVT Consulting LLC

Attachments:

Sidewalk Exhibit – Freeland & Associates  
Updated Site Plan Set  
F&A Response to Redlined Plans