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December 26, 2024

**APPLICANT RESPONSE TO REQUEST FOR INFORMATION**  
**2825 Lindshier Ave Cluster Short Plat - SUB2024-0032 / CAP 2024-0036 / VAR2024-0036**

**Submittal #19** herewith, responses to the City RFI issued September 19, 2024:

1. Staff provided lengthy narrative expressing concerns regarding wetlands and associated buffers per BMC 16.55.350.

*Response:* Previous submittal #10, Critical Areas Report (Miller Environmental Services, LLC, 5/10/2024) delineated the wetlands. Submittal #11, Wetlands Buffer / Proposed Wetland Fill Exhibit (revised 8/21/2024) was re-reviewed by our design team to achieve the City's goal for additional housing on this site. The proposed fill areas and buffer impacts were revised. Attached **submittal #20**, Conceptual Mitigation Bank Use Plan (Ed Miller, PWS, 12/2/2024) reduced the direct wetland fill impact to 1,949 sq ft and the indirect mitigation to 4,722 sq ft., a total of 6,671 sq ft (2.3% of the entire 205,369 parcel). The total mitigation of 6,671 sq ft will be secured via the Lummi Nation wetland mitigation bank as recommended by City staff. The proposed wetland mitigation complies with BMC 16.55 and 23.08 enabling creation of the lots.

2. Staff cited code requirements for extending public infrastructure to all lots in the proposed cluster subdivision and requirements for creating buildable lots.

*Response:* See attached **submittal #21**, Cool Runnings Short Plat Preliminary Engineering (Sam Adams, PE, Complete Design Inc., 12/5/2024) detailing  $\frac{3}{4}$  standard street, water, sanitary sewer, stormwater services to all four lots per BMC 23.08.030.E.1.

Staff referred to BMC 23.08.030.G.2.a requiring infrastructure extension/connection to existing streets, see the previously submitted Subdivision Variance Application (submittal #16). The objective to preserve Wetland "F" in the Lindshier r.o.w. by limiting the east extension to approximately 175' east of Idell Ave. This provides a 100' buffer for Wetland "F" in the r.o.w. Likewise, the west extension of Lindshier improvements is limited to 230' (Lots 1-3 developable frontage) to avoid impacts to the existing City stormwater ponds in the Lindshier Ave. r.o.w.

Staff also referred to BMC 23.12.030.A for coordinated development with adjoining properties or future development. The above Preliminary Engineering shows the road and utilities extended along the Lindshier/Idell corner lot and the only two undeveloped lots with sole

access from Lindshier Ave (Lindshier Gardens Block 3, Lots 21 & 22). For decades, the existing houses further east of Lot 22 have used E Sunset Dr. for road access and utility service.

3. Staff cited code requirements for creating lots with buildable areas.

*Response:* Re staff citation of BMC 23.08.060.B for buildable lots at time of vesting, the Buildable Lot Area Exhibit (**submittal #22**) displays the setbacks for each lot with the addition of the 40' structure setback from the steep slope per the GeoTest geotechnical report (submittal #09). The setbacks and steep slope setback define the buildable areas, approximately 37,500 sq ft (18%) of the 205,369 sq ft total parcel. Lots 1-4 have buildable areas exceeding the 40' x 40' building envelope requirement for residential single cluster detached in BMC Table 23.08.060.A. Infill Toolkit housing forms (duplex / triplex / fourplex) are exempt from the building envelope requirement (Table 23.08.060.A). Each minimum lot size (BMC 23.08.050.A) is required to exceed the 7200 sq ft minimum specified in the Barkley Area 29 zoning table (BMC 20.00.015). Lots 1-4 exceed the 7200 sq ft lot minimum. Each lot has >60' frontage on Lindshier Ave with the required water, sewer, and stormwater utilities to be stubbed to each lot. A 3/4 street standard is proposed along a reduced length of the Lindshier Ave. frontage to avoid the impacts to the existing City stormwater facility adjacent Lot 1, and Wetland "F" adjacent to Lot 4. A variance application was submitted for the reduced Lindshier Ave. infrastructure and road length above.

4. Staff requested an inventory of all trees including potential Landmark Trees (Ord. 2024-07-022) and trees proposed for preservation, removal, and replacement.

*Response:* The Cool Runnings Short Plat application preserves the forested slope and lowlands (approximately 147,900 sq ft, 72% of the parcel) and clearing portions of proposed Lots 1-4 (approximately 57,475 sq ft, 28% of the parcel). The requested tree inventory focused on Lots 1-3 and the buildable portion of Lot 4, plus 25' along the perimeter. Attached **submittal #23** includes the tree survey (PowerTek Surveying, 12/2/2024) and the *Tree Inventory for Cool Runnings Short Plat* (Aubrey Stargell, Forester, Certified Arborist PN 6860A, TRAQ, 10/23/2024).

The tree inventory identified 215 trees in the 60,000 sq ft surveyed area. This is a rate of 156 trees/acre. Applying this rate to the 147,900 sq ft preserved forest area results in 530 preserved trees. Of the 215 trees in the surveyed area:

74 are outside of Lots 1-4 proposed clearing and are preserved.

141 are inside of Lots 1-4 proposed clearing, rated as:

- 40 are cottonwood, exempt from the Landmark Tree ordinance.
- 2 are preserved Legacy Trees
- 32 are rated dead or poor (fir, big leaf maple, paper birch, alder)
- 67 are rated fair or good (fir, big leaf maple, paper birch, alder)

During the recent City Council tree ordinance discussion, staff documented the current tree canopy in Bellingham is 40%. Council members requested a 45% canopy in future regulations. Canopy coverage for the subject short plat application is at least 72% (preserved forest), plus additional canopy from landscaping and street trees when developed, >80% overall.

5. Staff RFI (p. 3) states the “Critical Area Report for geologically hazardous area on the subject property appears to recommend preserving existing geologically hazardous area buffer....”

*Response:* Staff incorrectly interprets the Geotechnical Engineering Report (GeoTest, 6/8/2022) page 16 that specifies a 10’ vegetation buffer from the slope crest and a 40’ setback for buildings:

As stated above, landslide and erosion hazards have been identified at the subject property. Based on the fact that the majority of the subject area contains steep slopes, completely avoiding the potential landslide hazards is not feasible at the project site. GeoTest recommends a minimum horizontal setback of 40 feet be used in the design and construction of the proposed buildings. In addition, we recommend that the plans include a 10-foot non-disturbance zone from the slope crest for any site improvements. This will allow for a vegetated buffer to exist along the slope crest for stability and reduce risk of erosion in this area.

The 40’ structure setback is shown on the site plan. The 10’ vegetative buffer will be added.

6. Staff cited BMC 16.60 and 23.08.030 as a basis to restrict clearing to r.o.w. infrastructure for the short plat, delaying lot clearing until the building permit review.

*Response:* The Comprehensive Plan advocates residential infill opportunities where utilities exist, diverse housing forms, affordable housing for all income strata, and preservation of prominent environmental resources. BMC 23.08.020.A implements the goals:

- A. “The purpose of this chapter is to:

....

4. Promote subdivision design that efficiently utilizes the land while maximizing the overall unit yield.”

The Cool Runnings Short Plat design achieves this directive by implementing proven land management practices: confirm environmental features (topography, vegetation, drainage courses, erosion, wetlands); rely on geotechnical analysis to define steep slope protection and buildable areas; define protected / cleared forested; use existing utilities and rights of way; and determine resulting lots with buildable areas to address the Bellingham housing crises.

The geotechnical report identified three site characteristics: forested steep slopes, erosion, and stable uplands. The proposed short plat restricts development to the stable uplands and protects the forested steep slopes via the 40’ / 10’ buffers above. The geotechnical report (pages 15-16) defines additional drainage improvements to protect against erosion. One recommendation is for a curtain drain along the southern parcel line to intercept water from adjacent southern properties. If lot clearing is delayed until the building permit per the staff comment, the curtain drain will be damaged by land clearing heavy equipment and may not be correctly sized to meet the geotechnical purpose to collect water from southern properties. The correct construction sequence is to install the curtain drain after clearing the r.o.w. and lots to establish the correct curtain drain depth and exit point. The curtain drain would be installed simultaneously with road, utilities, and driveway curb cuts to stabilize the site.

7. Staff stated Lindshier Ave will need to be improved to ¾ street standard to use BMC 20.28.

*Response:* See item 2 above, ¾ street provided per attached Civil Engineering drawings and the variance application for the proper road improvement location. All housing forms permitted in BMC 20.28 infill toolkit can be constructed on the lots in the future.

8. Staff requested a trail easement across the northwest portion of the parcel.

*Response:* The PRO Plan (Amended 11/20/223) Recommended Facilities Plan Trails (page 38) recommends a north-south trail from E Sunset down the Trans Mountain pipeline easement on the adjacent City-owned 40-acre parcel (380316-072204, formerly DNR owned) to the proposed “Bay to Baker Trail” on N abandoned rail r.o.w. The City owns the adjacent 40-acre parcel (380316-200336, formerly DNR-owned).



Source:  
PRO Plan City of Bellingham, Amended November 20, 2023  
 Recommended Facilities Plan Trails (page 38)  
<https://cob.org/wp-content/uploads/2023-PRO-Plan-11.20.2023-1.pdf>

Staff requested a trail easement across the northwest corner of Cool Runnings Short Plat to connect the two City-owned 40-acre parcels. Standard Parks trail easements are 30’ wide, which will be provided with the final short plat.

9. Staff requested identification of the sewer main extension and stormwater infrastructure.

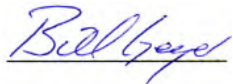
*Response:* See response to #2 above and related civil engineering drawings.

10. Staff requested a preliminary stormwater report from a PE per BMC 15.42.

*Response:* See attached **submittal #24** Preliminary Stormwater Report from Martin Kjelstad, PE, in accordance with BMC 15.42.

11. **Submittal # 25** attached, Cool Runnings Cluster Short Plat, Jeremy Disch, PLS, PowerTek Surveying, revised 11.26.2024.

Please call (360.224.6317) or email ([billgeyer@comcas.net](mailto:billgeyer@comcas.net)) if additional information is needed. We look forward to your earliest approval. Thank you,



Bill Geyer, AICP  
Geyer & Associates, Inc.

Cc: David Campbell & Kristin Danielson, Property Owners