



Permit Center
210 Lottie Street
Bellingham, WA 98225
phone: 360-778-8300
fax: 360-778-8301
www.cob.org

COMPREHENSIVE / NEIGHBORHOOD PLAN AMENDMENT
DOCKET APPLICATION FORM

TO BE COMPLETED BY STAFF
Date Received 3/30/12
Case Number 20N2012-00003

Use this form to request docketing of a proposed Comprehensive Plan and or Neighborhood Plan amendment(s). Applications may be submitted at any time but must be received by April 1 of each year for review during the following year. Please complete the following and attach additional pages as needed. Incomplete applications will not be accepted.

1. An application must include the following materials:

- Checkboxes for Docket Application Form and Fee payment calculated at 10% of the total comprehensive plan amendment fee.

(a) Non-site specific Comprehensive / Neighborhood Plan amendments:

\$1,594 base fee + \$255 notice fee x 0.1 = \$185 due at docket application.

OR

(b) Site specific Comprehensive / Neighborhood Plan amendments: #249.65

\$1,594 base fee + \$255 notice fee + \$213 per acre over first acre (\$12,750 max.) x 0.1 = fee due at docket application.

*Recognized Neighborhood Associations are exempt from this fee.

2. Applicant: Sunset Commons, LLC Phone: 676-1799
Address: 2200 Division St.
City/State/Zip: Bellingham, WA 98226
Email: cindy@greenbriarhomes.net Fax: 676-0751
Name of contact if applicant is a group: Dave Edelstein

I have read the application materials and acknowledge that if the proposed amendment is approved by the City Council for inclusion in the annual docket, a complete Comprehensive / Neighborhood Plan Application must be submitted within 30 days of the Council's docket decision or a date approved by the Planning and Community Development Director in order to continue to final review.

Applicant signature: [Signature] Date: 3-30-12

- Provide an explanation of how the proposed Comprehensive or Neighborhood Plan amendment meets one or more of the docking criteria listed in **Bellingham Municipal Code 20.20.030 A. (2)**. (Docketing criteria - page 4 attached)
- If the proposal includes general Comprehensive Plan or Neighborhood Plan amendments that are not site-specific, please describe your amendment proposal as specifically as possible and attach it to this form. If specific wording changes are proposed, show the changes in ~~strike~~ and underline format. Reference the location in the Plan where the change is proposed.

Complete the following sections if the proposal includes a site-specific amendment to a comprehensive plan land use designation.

Property Owner

Name: Sunset Commons, LLC Phone: 676.1799
 Address: 2200 Division St.
 City/State/Zip: Bellingham, WA 98226
 Email: cindy@greenbriarhomes.net Fax: 676.0751

Owner's Authorized Agent/Contact

Name: Dave Edelstein Phone: 676.1799
 Address: 2200 Division St.
 City/State/Zip: Bellingham, WA 98226
 Email: cindy@greenbriarhomes.net Fax: 676.0751

Property Information

- Assessor Parcel Numbers: (380319) 460321, 459346, 475321, 475348
- Attach a map (8.5" x 11") identifying the property included in the proposed amendment and showing parcels and streets located within and adjacent to the site.
- Neighborhood Name: Sunnyland Area Number: 1, 1A, 8
 Current Comprehensive Plan Land Use Designation: Area 1: Residential Single - medium density
Area 1A: " " - Low "
Area 8: " " Low "
- Proposed Comprehensive Plan Land Use Designation: Residential Multi - High Density
Area 1: Residential Single, Detached, 5000 sq. ft. min. detached lot size
- Current Zoning: Area 1A: " " " 10,000 " " " "
Area 8: " " " 20,000 " " " "
- Proposed Zoning: Residential Multi, Multiple, maximum density: 1 unit / 2,500 sq. ft. land.

Property Owner(s)

I am the owner of the property described above or am authorized by the owner to sign and submit this application. I grant permission for the City staff and agents to enter onto the subject property at any reasonable time to consider the merits of the application and post public notice. I certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete and correct.

I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project including, but not limited to, expiration notifications. If I, at any point during the review or process, am no longer the Applicant for this project, it is my responsibility to update this information with the City in writing in a timely manner.

Signature by Owner/Applicant/Agent: _____

Date: 3/29/12

City and State where this application is signed: Bellingham, WA

BELLINGHAM MUNICIPAL CODE

20.20.030 ANNUAL DOCKETING CRITERIA

A. The City shall use the following criteria in selecting proposals for inclusion in the annual docket of comprehensive plan/neighborhood plan amendments. In order to be included on the annual docket, a proposal must meet the following criteria:

- (1) The City has the resources, including staff and budget, necessary to adequately and comprehensively review the proposal within the timeframe of the annual review process; and
- (2) The proposal meets one or more of the following criteria:
 - a. The proposed amendment represents an issue appropriately addressed in the comprehensive plan or in a neighborhood plan;
 - b. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan;
 - c. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;
 - d. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the comprehensive plan or a neighborhood plan; or
 - e. State law requires, or a decision of a court or administrative agency has directed a change to the comprehensive plan or a neighborhood plan.

March 30, 2012

City of Bellingham
210 Lottie St.
Bellingham, WA. 98225

RE: Rezone Request

Please consider this letter a formal request for docketing a site specific comprehensive neighborhood plan amendment and concurrent rezone for the subject property shown on **Exhibit B** and generally described as portions of Areas 1 and 1A, and all of Area 8.

Our request is for Residential Multifamily High Density 2,500 sq. ft./unit; yielding approximately 70 residential units. Special Regulations should include a maximum of 30% of housing to be multi-family under BMC 20.32; remainder of housing to be BMC 20.28 Infill Toolkit. As a prerequisite condition, we will provide a public pedestrian/bicycle pathway connecting from East Illinois Street to East Sunset Drive.

This proposal meets several of the criteria in BMC 20.20.033 A.2. as follows:

a. The proposed amendment represents an issue appropriately addressed in the comprehensive plan.

Response: Comprehensive Plan Infill Strategy 1 states: "Make more efficient use of the remaining City land supply: facilitate development on existing lots of record; develop flexible code provisions that allow a range of housing types; adopt minimum density requirements; other steps necessary to make better use of the remaining land supply."

The subject property consists of over 4 acres of barren asphalt fenced off from the surrounding neighborhood to minimize nuisance activities. The proposal will provide quality residential infill; efficient use of land; innovative development strategies; a range of housing for different household types and incomes; and pedestrian/transit oriented development within close proximity to jobs, services, and recreation. Minimal new public infrastructure is necessary since the property is well connected by multiple City streets and fully serviced with existing utilities.

b. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan.

Response: See a. above.

c. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;

Response: The public interest is best serviced by considering this proposal as soon as possible so that a pent up demand for owner occupied, for sale housing of many different sizes, styles, and prices is addressed.

Bellingham's new zoning codes need to be brought to the land and people they are designed to serve. Further, this economic recession and housing slump will be stimulated by a much needed tax base.

d. The amendment addresses changing circumstances, changing community values, or corrects AND updates information in the comprehensive plan or a neighborhood plan.

Response: When we took title to the property from the State of Washington, the "Public" zoned portion of the property was automatically rezoned into a default zoning of 1 house per 20,000 sq. ft. (BMC 20.42.030 C). This "low density" zoning is uncharacteristic for unencumbered and fully serviced land located west of I-5 and in close proximity to the downtown. A change in zoning to a higher density is certainly called for.

The circumstances in our community have changed as population growth and a demand for services within walking distance has increased in response to growth management. Higher densities facilitate the desire for public transportation, bicycle, and pedestrian travel, and less reliance upon/need for motorized transportation.

The City has responded to these needs and growing expectations by creating new tools such as the Infill Toolkit to allow compatible "infill" with quality new development. This necessary step addresses the public sentiment for much needed workforce housing.

At over 4 acres, the property is large enough to warrant its own zoning subarea and establish its own character, while maintaining compatibility in design with adjacent residential uses. It would be a vast improvement over the property's existing character of a barren landscape.

As local residents and design/build developers for this site, we are keenly aware of the neighborhood concern for density. We consider the ownership of this property to be not only an opportunity but a privilege; to design and construct under the newly adopted infill regulations. Much effort has and will continue to be made for infilling with design characteristics compatible to the existing homes in the neighborhood. Attention to exterior home details as well as relative proximity are of great importance to the surrounding community. The unique features of the site are its proximity to major roads, bus service, utilities, and levelness without critical environmental constraints. It is also conveniently located in terms of easy access to commercial, medical, and personal services, employment, parks, and schools. As stewards of the development process, we owe it ourselves to work closely and in a cohesive manner to maximize the potential of the site for the betterment of the City of Bellingham.

In closing, we look forward to working with the City staff and neighbors to qualifying the newest and best zoning as a "...job well done..." By employing well planned zoning criteria and thoughtful and particular design development principles, we propose to build a team that will construct an exemplary infill to fit and compliment two of the finest neighborhoods in our community.

Sincerely,

Sunset Commons, LLC

Attachments:

Exhibit A - Applicable Comprehensive Plan Goals and Policies

Exhibit B - Maps

EXHIBIT A

Applicable Comprehensive Plan Goals and Policies

Chapter 2 - Land Use

B. Framework Infill Strategies

Infill Strategy 1 - Make more efficient use of the remaining City land supply: facilitate development on existing lots of record; develop flexible code provisions that allow a range of housing types; adopt minimum density requirements; other steps necessary to make better use of the remaining land supply.

Infill Strategy 4 - Evaluate potential density increases in existing residentially zoned areas of the City. Also, examine commercial or industrial zoned areas for potential rezone to residential to increase the amount of land available for housing. This step also relates to the urban village concept of the Community Growth Forum. Through the neighborhood planning process, other areas of the City appropriate for urban village mixed-use, higher density development would be identified, and master planned as described in the Growth Forum report. Also, some Bellingham neighborhoods (Samish, South, and Whatcom Falls for example) contain significant blocks of undeveloped land currently zoned for relatively low density development. These and other areas could be evaluated to determine if higher densities might be appropriate. Factors that could limit development potential, such as environmental constraints (wetlands, steep slopes) and infrastructure capacity (water, sewer, roads, parks, schools) would need to be considered in the process. Impacts on the supply of industrial zoned land should also be considered when industrial to residential rezones are proposed.

Section E. Residential Development Policies

LU - 24 Land suitability, existing development patterns, the capacity of existing and planned public facilities and projected population growth demands should all be considered when zoning densities are established.

LU - 25 Densities should be set to provide for an affordable housing stock that includes a range of housing types that meets the needs of all segments of the community.

Policy Section K, General Land Use

LU - 99 Development regulations, including the allowed density and intensity, should provide for and encourage the efficient use of land.

LU - 102 New urban development should be allowed only where the full range of urban facilities and services exists or can be provided.

LU - 103 All new housing developments should be arranged in a pattern of connecting streets and blocks with sidewalks and trails to allow people to get around easily by foot, bicycle, bus or car.

Section M, Comprehensive Plan and Neighborhood Plan Land Use Designation Policies

LU - 126 There are eight general land use categories (designations) on the comprehensive plan map and in the neighborhood plans. Single Family Residential; Multifamily Residential; Commercial; Industrial; Mixed Use; Urban Village; Institutional; and Public. The comprehensive plan recognizes that allowing or encouraging a mix of different types of land uses is an important strategy to achieving infill goals while maintaining and developing distinctive and efficient urban neighborhoods.

Multi-Family Residential – This designation should be applied to areas with higher concentrations of people within the City while encouraging a desirable living environment for the people living within and adjacent to this district. It is also intended to provide for a compatible mixture of residential housing types, typical accessory uses, public and semi-public uses, office uses, and some limited neighborhood commercial uses in appropriate areas. The low, medium, and high density ranges in the single family designation are used in this category as well.

The multi-family designation should be applied in or near urban centers and corridors where high levels of transit service are present or likely, and/or in areas near employment and commercial centers. The capacity of public facilities and services should also be considered when applying multi-family designations.

The multifamily low, medium, and high residential density designations listed above are summarized as follows:

Low Density = 7,201 + sq.ft. per dwelling unit (5 or less units per acre)

Medium Density = 3,600 to 7,200 sq.ft. per dwelling unit (6 to 12 units per acre)

High Density = 0 to 3,599 sq.ft. per dwelling unit (more than 12 units per acre)

EXHIBIT B

