



Bellingham Planning Commission Agenda

June 3, 2021, 7:00 PM

City Council Chambers, City Hall, 210 Lottie Street, www.cob.org

Call to Order

Roll Call

Approval of Minutes

Public Comment Period

Opportunity for citizens to speak informally to the Planning Commissioners on any subject not listed on the agenda. Speakers are allowed a MAXIMUM of three (3) minutes to address the Commission. Speakers will not be required to disclose their address.

WORK SESSION

(6/03/2021) CityView Proposal

Old/New Business

Adjournment

Next Scheduled Planning Commission Meeting
Thursday, June 10, 2021

Additional Information: Meeting materials are posted at meetings.cob.org. The Bellingham Planning Commission public hearings are broadcast live on BTV and on our website at cob.org/btvlive. Rebroadcasts occur on Sundays at 2 pm.

Accessibility: The City of Bellingham complies with the Americans with Disabilities Act. Elevator access to the second floor is available at City Hall's west entrance. Hearing assistance is available and a receiver may be checked out through the clerk prior to the evening session. For additional accommodations, contact Heather Aven at 778-8300 (voice), 778-8382 (TTY), or haven@cob.org at least 3 days prior to the meeting.

PLANNING COMMISSION AGENDA ITEM COVER SHEET

Meeting Date	Staff Contact
6/03/2021	Kathy Bell
Subject:	
CityView Proposal	
Summary	
A new residential multi-family project, known as CityView, consisting of 106 units on a vacant 11-acre parcel generally north of Consolidation Avenue between Puget and Nevada Streets in the Area 17 of the Puget Neighborhood.	
Attachments:	
<ol style="list-style-type: none"> 1. STAFF REPORT - CITYVIEW PROPOSAL 2. ATTACHMENT A - CITYVIEW PROPOSAL 3. ATTACHMENT B - CITYVIEW NARRATIVE 4. ATTACHMENT C - CITYVIEW RFI_JULY 6 5. ATTACHMENT D - MARCH 12 RESPONSE 	
Meeting Type	Category
Public Meeting	Legislative
Clearances	Date
<i>Kurt Nalbefeld</i>	5/26/2021
<i>Rick Sepler</i>	5/26/2021
Previous Commission Meeting or Action:	
Recommended Action:	
Review the matters of record and forward a recommendation to the Planning Director identifying what substantial planning issues or matters of public interest associated with the proposal should be considered and closely reviewed during the environmental and land use permit review of the proposal.	

1 **CITY OF BELLINGHAM PLANNING STAFF REPORT**

2	
3	Agenda Topic: <i>Public meeting – CityView planned development proposal</i>
4	
5	For: <i>June 3, 2021</i>
6	
7	Staff Contact: <i>Kathy Bell, Senior Planner</i>
8	
9	

10
11 **I. SUMMARY OF PROPOSAL – Attachment A**

12
13 A new residential multifamily project, known as CityView, consisting of 106 units on a vacant 11-
14 acre parcel generally north of Consolidation Avenue between Puget and Nevada Streets in the
15 Area 17 of the Puget Neighborhood. Please refer to the applicant’s description of the proposal
16 on **Attachment B** to this staff report.

17
18 Additionally, the proposal will include the construction of Consolidation Avenue from Nevada
19 Street to a distance necessary to access the proposal’s two driveways and a public trail from the
20 eastern terminus of Consolidation Avenue east to S 46th Street.

21
22 The proposal includes impacts to the buffer of one onsite wetland and to geologically hazardous
23 areas on the site. Mitigation for the wetland buffer impact is proposed onsite with mitigation for
24 the geologically hazardous areas impacts provided with best engineering practices.

25
26 Land use applications submitted for the CityView proposal include planned development, design
27 review, critical areas and an environmental checklist (SEPA). The applications, including all
28 materials submitted to support the applications, and public comments received in response to
29 the application materials as of the issuance date of this staff report are located on the [CityView](#)
30 [web page](#).

31
32 **II. PLANNING COMMISSION AUTHORITY AND ROLE**

33
34 The Planning Commission’s role in reviewing the CityView proposal is to: (1) review the written
35 record, which includes the applications, all materials submitted to support the applications, and
36 public comments received in response to the application materials and at the public meeting
37 and (2) make recommendations to the Planning Director identifying the substantial planning
38 issues and matters of public interest associated with the proposal that the City should be
39 considering during its environmental and land use permit review of the proposal.

40
41 The Planning Commission does not have authority to issue a SEPA threshold determination,
42 approve or deny land use applications, or conclude the merits of code compliance for the
43 CityView proposal.

44
45 **III. BACKGROUND**

46 July 2019: Land use applications were submitted to the city for planned development, residential
47 design review and critical areas.

48
49 August 2019: City determined the land use applications were not sufficient to continue review of
50 and issued a Notice of Incomplete Application (NOIA) requesting additional information.

1
2 February 2020: The applicant submitted a response to the city’s NOIA.

3
4 March 2020: The city determined the applicant’s response sufficiently addressed the NOIA and
5 deemed the applications complete. The applicant agreed to a voluntary 30-day stay of time for
6 application review to delay issuance of the public notice requesting public comment in response
7 to the COVID-19 pandemic.

8
9 April 24, 2020: The city issued a Notice of Application which established an opportunity for the
10 public to comment on the land use applications. Public comment received in response to this
11 notice is located on the [CityView web page](#).

12
13 May 2020: The director and PC chair exercised their authority in BMC 21.10.110(E)(2) to
14 require a public meeting before the Planning Commission, which effectively extended the public
15 comment period up to the close of the public meeting.

16
17 July 6, 2020: The city issued a Request for Information (July 6 RFI) in response to public
18 comment letters and city staff’s review of the land use applications. (**Attachment C**)

19
20 July 2020-March 2021: The city granted the applicant’s requests for extensions of the 120-day
21 time limitations established in the Request for Information.

22
23 March 12, 2021: The applicant submitted a response (March 12 Response) to the July 6 RFI.
24 (**Attachment D**)

25
26 May 19, 2021: The city issued the Notice of Public Meeting for the June 3 Planning Commission
27 meeting. The public comment received in response to the March 12 Response and Public
28 Meeting Notice as of the date of issuing this staff report is located on the [CityView web page](#).

29
30 **V. SUBSTANTIAL PLANNING ISSUES AND MATTERS OF PUBLIC INTEREST**

31
32 The city has received substantial public comment concerning the proposal. The July 6 RFI
33 (**Attachment C**) prepared by city staff requested the applicant respond to the public comment
34 by either including a specific reference tying the response back to the name/date of the
35 commenter or include responses by the general topics raised in the comment letters. The
36 applicant’s response to this request is provided in **Attachment D**.

37
38 The Planning Commission’s role is to review the matters of record that has been established for
39 the proposal and determine:

- 40
41 1. Is the list below a comprehensive summary of the substantial planning issues and
42 matters of public interest associated with the proposal? If no, what additional issues or
43 matters of public interest should be added?
44 2. Are there any additional issues or matters of public interest that staff should further
45 evaluate in response to the applicant’s March 12th Response and/or public comment
46 presented at the public meeting?
47

48 The applicant’s March 12th Response regarding public comment includes, but is not limited to,
49 the following general topics:
50

- 1 1. Drainage and stormwater runoff. Concerns included how site development may alter
2 groundwater and surface runoff leading to increased drainage issues to downhill
3 properties during construction.
- 4 2. Impacts to critical areas and geologically hazardous areas. Concerns included slope
5 stability of the site resulting from construction of the proposal, loss of wildlife, clearing
6 and grading.
- 7 3. Traffic and pedestrian safety. Concerns included the increased traffic volumes that
8 will be generated by the proposal, lack of pedestrian facilities in the neighborhood and
9 the safety implications of the increased traffic and lack of pedestrian facilities.
- 10 4. Scale of proposal and privacy. Concerns included the project's scale is out of
11 character with the neighborhood and the privacy of the residences in the adjacent
12 neighborhoods is affected by the height and close proximity of the proposed buildings.
- 13 5. Parking for vehicles and bicycles. Concerns included the proposal is not providing
14 sufficient vehicle or bicycle parking to support the development and this deficiency will
15 place overflow parking from the development onto the adjacent neighborhood streets;
16 parking demand will be higher than typical of an apartment use given the proposal's
17 unit layout and the site not being located in close proximity to transit.
- 18 6. Social behaviors concerning increased noise, littering and parking impacts on the
19 adjacent residential streets.
- 20 7. Affordability concerning the high rents the proposal will generate by leasing on a
21 room-by-room basis.

22 23 **VI. PUBLIC COMMENT**

24
25 All public comment received to date is located on the [CityView web page](#).

26 27 **VII. STATE ENVIRONMENTAL POLICY ACT (SEPA)**

28
29 The SEPA Official will issue an environmental threshold determination after this public meeting.
30 The Planning Commission's recommendation identifying the significant planning issues and
31 matters of public interest will be incorporated into the environmental determination. As required
32 by code, the threshold determination will be issued prior to the land use decision for the
33 proposal.

34 35 **VIII. CONCLUSION**

36
37 The public comment letters submitted to the City in response to the initial land use applications
38 for CityView raised a number of substantial planning issues and matters of public interest. At
39 Staff's request, the applicant provided a response to this public comment, which is included in
40 **Attachment D**.

41
42 At the conclusion of the public meeting, the Planning Commission should prepare a
43 recommendation to the Planning Director identifying the substantial planning issues and matters
44 of public interest associated with the CityView proposal. The Planning Director will consider the
45 Planning Commission's recommendations when issuing its SEPA threshold determination and
46 land use decision for the CityView proposal.

SITE DEVELOPMENT:
TOTAL SITE: 482,634 SF = 11.5 ACRES
PROPOSED: 249,407 SF = 5.4%
UNDISTURBED: 233,227 SF = 48.6%

COMMON USABLE AREA:
REQUIRED CUA: 16,500 SF
PROPOSED CUA: 16,500 SF
INTERIOR CUA: 5,000 SF
TOTAL CUA: 43,600 SF

PARKING: LOTS A-F:
REQUIRED: 1062; 212 / 318-166
ACTUAL: LOTS A-F: 249
VIA CONSOLIDATION AVE IMPROVEMENTS: 8
TOTAL PROVIDED: 251 / 251/198-8

ACCESSIBLE: 1
VAN: 7
EVCS (20%): 50
EVCS (5%): 19
(14 DEVCS + 1 EVCS)

BICYCLE SPACES:
REQUIRED: 249 x 10% = 25
EXTERIOR: 18
INTERIOR: 82
TOTAL PROVIDED: 160

* 4 BICYCLE SPACES PROVIDED ADJACENT TO EACH WEST FACING GROUND FLOOR UNIT.
INTERIOR STORAGE LOCKERS: 70

**PRELIMINARY
NOT FOR
CONSTRUCTION**

CityView Apartments
Design Review
4413 Consolidation Avenue
Bellevue, Washington

ISSUED FOR: DATE:
PIC RFI Submittal 2/20/20
PIC RFI Re-submittal 2/22/21

PROJECT NO.: 19-035
DRAWN: rjb
SCALE: 1" = 40'-0"

EXISTING SITE W/
PROPOSED
BUILDINGS &
IMPROVEMENTS

DRAWING TITLE
DRAWING NUMBER

dr 1.1

SITE PLAN
1" = 40'







March 12, 2021

PLEASE NOTE: This narrative has been revised from the previous version dated February 24, 2020.

Project Objectives/Narrative/Design Review for multi-family apartment complex known as CityView, Bellingham, WA.

Parcel number: 3803321721750000

The proposed project is located at 4413 Consolidation Avenue, Bellingham WA 98229. The site is +/-11.15 acres.

Unit count: 106 (all 3 bedroom, +/-1,170 SF each). Type A units: 6. Type B units: 70 Type C unit: 30

Puget Neighborhood, Area 17. Zoning: Residential Multi, Planned

DEVELOPMENT OBJECTIVES:

Our goal is to provide high quality apartments, in a safe and convenient location, with on-site amenities. Multi-family vacancy rates continue to hover at 1-2%, pushing rents to an all-time high. CityView's design will provide a welcome alternative to many Tenants facing high priced, outdated, and 'zero amenity' living options. This project will increase the current short supply of multi-family infill housing, a primary goal of Growth Management proponents. In turn, we believe it will help to lower the high living costs now faced by low-middle income Tenants.

PROJECT NARRATIVE:

The proposed project includes 3 buildings. Buildings A & B (20 units each) are identical 2.5 story, 35' foot tall (height definition #1) residential multi-family buildings. Each building (A and B) consists of 4 walk-up 'daylight' residential units on the basement level. The upper two levels contain 16 residential units. Each building has 4 secure entrances, 3 stairwells, and a riser/utility room. Building C is a 5.5 story, 65' tall (height definition #1) residential multi-family building. Building C consists of 6 walk up 'daylight' residential units on the basement level. The five upper levels contain 60 residential units. The building has 4 secure entrances, a riser/utility room, 3 stairwells and 2 elevators (1 gurney), as well as 3,000 SF of interior common usable area.

Total building area GSF is +/-160,000 SF (mid-wall to mid-wall), over 3 buildings. Lot coverage, including surface parking/drive lanes, buildings/walkways, and exterior usable space, is minimized at 51.4%. To avoid excessive clearing and to minimize the destruction of existing vegetation (per BMC 20.38.020), 48.6% of the site will be left in open space.

All three buildings have the main entrance located on the 2nd floor (Level 3), and centrally located on the east side of the buildings. Secure outdoor covered mailboxes are located in 3 convenient locations throughout the complex. A leasing/management office is located in the lobby of Building C, in addition to 3,000 SF of centrally located common area.

Two garbage/recycling enclosures are located mid-property with ADA routes to each. A large area of exterior common usable space (+/-40,600 SF) is located along the western boundary. This area is strategically located to maximize the buffer to our Nevada St./Marionberry Ct. neighbors. This usable area will include a loop system walking/jogging trail,



picnic tables and park benches. Landscaping will provide a relaxing environment. *Please note: Per BMC 20.32.040 f(2)a, Cityview's 43,600 SF of total usable space far exceeds the required usable area of 26,500 SF (106 x 250).

106 units, all 3 bedrooms, require a total of 212 parking stalls. 249 surface parking stalls are proposed, including 7 accessible (2 van accessible) and 13 electric vehicle charging stations. Additionally, 8 spaces provided via Consolidation Ave. improvements (north side only). The total number of bedrooms is 318, putting our stall/bedroom ratio at .81/1. Ingress/egress is via Consolidation Ave. Consolidation Ave. will be improved to ¾ city standard from Nevada St. to fully abut the 45th St right of way. 30' is dedicated along the Consolidation Ave. frontage, to 46th St. No parking and/or structures are located within the subsequent setback. City approved street trees will line the sidewalk of the Consolidation Ave. improvements. A fire lane loops from the entrance, and exits back to Consolidation Ave. A secondary fire lane (gated) is provided via the Nevada St connector. Riser rooms are located on the north end of each building. An emergency generator is located to the east of Building C. 160 bike racks, both interior and exterior, are located throughout the complex.

All utilities are available. City water, sewer and storm are in both Consolidation Ave. and/or Nevada St., both abutting the property. The project's primary storm outfall will be via Nevada St., near the proposed bio cell treatment facility. Power, phone, cable and natural gas are all available via Consolidation and/or Nevada St. Adequate fire flow is available via an 8" main in Nevada St. and/or the 10" main in Consolidation Ave. Per City IQ, 70 PSI is available from the 10" main in Consolidation Ave.



Planning and Community Development Department

210 Lottie Street, Bellingham, WA 98225

Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: 711 (WA Relay)

REQUEST FOR INFORMATION

PDP2019-0015/DR2019-0036/CAP2019-0037/SEP2019-0039

Date of Notice: July 6, 2020

Date of Notice of Complete Application: 3/9/2020

Project Location: 4413 Consolidation Avenue / Area 17, Puget Neighborhood; Residential-Multi, Planned with a 5,000 sf/unit overall density requirement.

Applicant: Morgan Bartlett, Jr.; 424 W Bakerview Road, Ste. 109, Bellingham WA 98226; (360)527-2777

Property Owner: Irving H Jr & Joan F Hawley TR; PO Box 29270, Bellingham, WA 98228-1720

Application Type: Planned development (PDP2019-0015)/Design review (DR2019-0036)/Critical area permit (CAP2019-0037)/SEPA checklist (SEP2019-0039)

The Planning and Community Development Department (PCDD) has reviewed the application(s) referenced above. It has been determined that these application(s) do not supply sufficient information to prepare a SEPA threshold determination, technical analysis for Planning Commission review and permit decision compliant with applicable regulations of the Bellingham Municipal Code (BMC) and Comprehensive Plan.

BMC 20.38.020 (A) states the planned use qualifier is intended for areas where review of pending development proposals is necessary to ensure that adequate provisions are taken to minimize possible detrimental effects and to provide a procedural framework which:

1. Permits diversity in the location of types of structures;
2. Promotes the efficient use of land by facilitating a more economic arrangement of buildings, circulation systems, land use and utilities;
3. Preserves to the greatest extent possible the existing landscape features and amenities and utilizes such features in a harmonious fashion;
4. Addresses site-specific opportunities and concerns;
5. Lessens development impacts to adjacent areas through site design and necessary mitigating measures.

BMC 20.38.040 (B) provides development aspects that must be, at a minimum, included in a permit decision, including a determination whether the proposed use is appropriate, height, yards, signs and infrastructure to ensure the proposal protects the public health, safety and

welfare and authorizes the permit to be conditioned to ensure compatibility with the city's adopted code and policy documents and to mitigate direct impacts resulting from the proposal.

BMC 20.28.050 (A) states that the code provisions of the planned development chapter are minimums and may be increased for a particular proposal where more stringent standards are necessary to protect neighboring properties, conform with existing development in the area, preserve natural resources or sensitive environments, provide for orderly development or conform with the comprehensive plan.

With all land use applications, it is the applicant's burden to demonstrate how a proposal meets code and addresses public concerns. It is strongly recommended that all responses provided to the information below take into consideration how the proposal, including any new information, addresses the specific code references above.

Required Actions:

To continue review of the above application(s), please submit the following information electronically to the city of Bellingham via permits@cob.org and copy kbell@cob.org:

Residential Use

Although not explicitly stated in the application materials, the proposed units are arranged in a layout consistent with the national trend for purpose built student housing and by its design, the units are likely to be rented by three persons not living in a traditional family unit. Adopted city codes and policy documents are based on the assumption that residential dwelling units will consist of households containing the historic, traditional family unit. The application materials do not provide sufficient information for the city to evaluate if the proposed use is appropriate or if the impacts from this type of residential use are adequately mitigated.

Action item: To fully assess the proposal for compliance and consistency with the code provisions stated above, submit a detailed response how the proposal with its unit layout is anticipated to function. If known, please include the anticipated terms of rental agreements, including duration, occupancy limitations, parking assignments, etc.

Critical Areas

The following RFI items are based on a site visit on June 26, 2020 with city staff, the applicant, and the applicant's consultants. The consultants included the project engineer, wetland biologist, licensed geologist, and ISA-certified arborist. City staff included the project manager, an arborist, and environmental planners. The purpose of the site visit was to look at the site characteristics while discussing the consultants' reports submitted for the proposal.

Public comments on the proposal express multiple concerns about the geologic stability of the site, drainage issues, wildlife and tree loss, among others. This RFI takes those concerns into account.

1. A geohazard assessment of the site was done and a report prepared and submitted with the applications (Geologically Hazardous Area Site Assessment, GeoEngineers, January 17, 2020). According to the geohazard report, the site has a typical slope of 20 to 22.5% with a thin band of slopes greater than 40% along the eastern margin. Slopes less than 30% are not considered erosion hazards as defined in BMC 16.55.420.A. Slopes equal to and greater than 40% are considered landslide hazards as defined in

BMC 16.55.420.B. The report described discreet areas of erosion hazard but these were not identified on the map.

Action Item: Provide an existing conditions topographic site map with the landslide hazard area (already mapped) and the erosion hazards (slopes 30%-40%). Provide the same map overlaid with the current development proposal.

2. The geohazard report states, "A geotechnical engineering report for the project will be completed at a future date as the project goes to design." Based on public comments expressing concerns about the geology of the site, and more specifically, slope stability and drainage (surface and groundwater), a geotechnical report is warranted at this point.

Critical area report requirements for technical information should be provided now to enable the project engineer and project geologist to coordinate their mitigation measures and to address public concerns.

Action Item: Submit a geotechnical engineering plan for the current development proposal. Use BMC 16.55.440.A—16.55.440.B as a checklist. Demonstrate compliance with the performance standards in BMC 16.55.450.A.1-4 for alterations that will occur in geologically hazardous areas.

3. BMC 16.55.460.A.4 prohibits removal of vegetation from an erosion or landslide hazard area or buffer unless otherwise approved. The city anticipates that some of the development footprint clearing will be in an erosion hazard; no clearing is planned for the landslide hazard.

The seasonal restrictions limit clearing between May 1st and September 30th. Much of the public comment, as well as statements in the geohazard report, is about surface and groundwater drainage once the development site is cleared of vegetation.

Action Item: The project geologist and engineer should provide specific BMPs for timing of the site clearing and grading. In addition, they should recommend measures to mitigate onsite and offsite drainage problems and make recommendations for the management of large volumes of excavated materials (stockpiling, transport, erosion control, etc.).

4. Preliminary Stormwater Site Plan (SSP). The SSP includes past studies and development proposals. Though some of the geologic information is the same, the SSP should include the geohazard report done for this proposal. Similarly, the project referenced (Figure 2) should be for the current proposal, not an earlier version.

According to the geohazard report, the primary erosion hazard at the site is from temporary conditions created during construction. The SSP report recommends that temporary erosion control measures should be used during construction depending on the weather, location, soil/rock type, and other factors. Public comments based on local observations express concerns about an increase in drainage problems on downslope properties.

Action Item: The project geologist and project engineer should collaborate to devise site specific BMPs to control surface and groundwater runoff during and after construction. Provide a section in both the geohazard report and the SSP that address BMC 16.55.440.A.2.i. “An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion.” [Note: This section of the BMC is part of the request under the second action item under “Critical Area” above.]

5. Tree Removal Plan. At the June 26th site visit, the arborists agreed on a hazard management approach for several tree groupings identified by the project arborist. The agreement was based on likelihood of tree survival, changes in hazard risk level, and opportunities to improve tree canopy over time. The goal of the arborists, city staff, and the applicant is to maintain healthy forest stands and associated understory and minimize risk to residents and buildings from tree failures.

Action Item: Amend the tree retention plan to annotate the specific management strategies for the stand of hardwoods on the north end, the seven Douglas fir trees, and the trees in the zone between the development and the neighboring properties fronting Nevada St. Identify trees that will be girdled and cut specifically as wildlife trees or provide a generic strategy about how wildlife trees will be chosen and created.

6. The trail connecting Consolidation Ave. to Puget St. is proposed in the Tree Retention Area. The trail design and location have not been finalized. The final design and location should be determined in the field with the project arborist, geologist, and engineer reviewing the potential location. A coordinated review will ensure that tree retention, drainage, and site stability concerns will be addressed.

Action Item: Make a note on the development plans that the trail location will be reviewed by the city after the three consultants have reviewed and commented on its design and location.

7. Tree Replacement Plan. The site visit clarified the need to locate replacement trees within the retention area, as opposed to the planting strip along the parking lot. The site’s logging history left a deciduous dominant forest of trees that are neither long-lived nor particularly robust. Therefore, the replacements should be native conifers chosen for the site conditions, such as Douglas fir, Grand fir, and western red cedar. Vine maple trees would be suitable along the westernmost edge of the “Tree Retention Area” (Sheet L1).

Action Item: Revise the Tree Replacement plan to include 130 trees, mostly native conifers, to be planted throughout the “Tree Retention Area”. The proposed replacement trees shown on L1 should be considered as part of the landscaping requirements specified in BMC 20.12.030 but not “replacement trees”.

Design Review

Pursuant to the Multifamily Residential Design Review Handbook, the following building design standards are not met and the proposal shall be revised to address the action items:

A. Neighborhood Scale

Requirement: 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. All stated guidelines are applicable to this requirement.

Action items: The buildings do not conform to the existing scale of the developed neighborhood. The building design shall be revised. This could be accomplished by revising the proposed buildings to include at least three or more distinct modules with each module establishing its own design chroma including but not limited to a base, roof form, window pattern, siding materials, color scheme, entry configuration, balcony treatments, etc. Other considerations may include more, smaller buildings that incorporate these same design standards.

B. Neighborhood Compatibility

Requirement: New buildings should reflect some of the architectural character of surrounding buildings when locating in a neighborhood where the existing context is well defined. All stated guidelines are applicable to this requirement.

Action items: The building elements listed in the guidelines must be incorporated into the modules noted above to form distinct modules that establish human scale and consistency with the established scale of the neighborhood. The building's fenestration should relate to each of these building elements for each module. Modify the plans to comply with these guidelines.

C. Privacy

Requirement: Orient buildings to provide for privacy, to the extent practical, both within the project and of adjacent residential uses. All stated guidelines are applicable to this requirement. The application materials did not include sufficient information to determine if the proposed hard and softscapes in the transition area between the single-family residences on Nevada Street and Marionberry Ct. and the site's improvements (buildings, common usable areas, parking lots, etc.) provides a solid, visual evergreen buffer that screens these residences from the proposal.

It is strongly encouraged that the use and location of walls be placed to use the site's existing grades in a terraced approach that will accommodate a mature evergreen landscape plan.

Action items:

1. Provide additional cross sections (typ.), no less than 6 sections, that demonstrate the view from the perspective of the single-family residences along the western edge of the proposal (on Nevada Street and Marionberry Ct.). The cross sections must include:
 - Clearing and grading limits.
 - Location and height of proposed retaining wall(s).
 - Landscaping at the time of installation, 5 and 10-year growth cycle and at maturity per the landscaping material required below.

2. Submit a landscape plan prepared by a landscape architect that demonstrates the single-family residences will be visually screened from the proposal. The landscape plan shall, at a minimum, include the following:
 - Clearing and grading limits in the transition area with an emphasis of retaining existing grades and/or vegetation and utilizing existing grades that necessitates lower retaining walls and fences in locations that maximize the potential to establish a visual buffer.
 - Height, location and design of proposed retaining walls and fencing. Per the design standards, clearing and grading should be minimized to reduce the height of retaining walls through terracing and benching with walls no taller than 5 feet, inclusive of the combined height of fencing.
 - Include plant species, size and quantity of landscaping in the transition area. The plant material shall be provided at a quantity that will provide a solid screen at maturity and include plant material that is predominately native evergreen trees and shrubs and include plants having seasonal interest for color and texture. The location of proposed retaining walls shall take into consideration the maturity of the landscape material.

Planned Development

Pursuant to Chapter 20.38 BMC, please address the following:

1. BMC 20.38.050 (B)(3) Density. The application materials include a density calculation based on the 176-unit reference shown on the recorded Cedar Ridge Division 2 final plat (AF# 202070360). On May 9, 2020, the application was amended via an email submittal requesting a density bonus pursuant to BMC 20.38.050 (B)(3)(c). The application materials must clearly state the proposed density.

Action item: Provide a statement clarifying the requested method to determine the proposal's base density.

2. BMC 20.38.050 (B)(8) Parking. The application materials state the proposal will provide 249 spaces for vehicle parking and 54 spaces for bicycle parking. The vehicle parking/bed ratio for vehicle parking is 0.78 and the bicycle parking/bed ratio is 0.12. Both ratios meet code but do not appear adequate to support the development.

The proposed vehicle parking ratio assumes a quarter of the proposed beds are either not being occupied or occupied by a person not owning a car. Public comment has raised concerns regarding the lack of onsite parking and the impacts the overflow parking will have on the existing residential streets.

Additionally, under the same assumptions, only 54 occupants would have options to conveniently store a bicycle. Bicycle parking should achieve a bicycle space per bedroom ratio of 0.5. An increased ratio is needed to support the application's justification that the site's proximity to transit, services and recreational opportunities will reduce the demand of vehicular usage. This ratio is consistent with the city's urban village standards that anticipate development similar to the proposal's density and for sites conveniently located to those services listed in the application materials.

Although, not explicitly stated in the application materials, the unit layout is appropriately designed consistent with the national trend for purpose built student housing and by its design, the units are likely to be rented by three persons not living in an historic,

traditional family unit. The parking standards in the Bellingham municipal code are based on an assumption that units are occupied by an historic, traditional family unit, not three persons living independently. The proposed ratio of both vehicle and bicycle parking spaces per bedroom does not provide adequate parking for proposal's assumed use.

Action item: Revise the proposal to increase the proposal's availability of both vehicular and bicycle parking, including but not limited to:

Vehicle parking:

- Construction of parallel parking along the northern frontage of the Consolidation Avenue improvements.
- Additional consideration could be to construct parallel parking along the southern frontage of the Consolidation Avenue improvements.

Bicycle parking:

- Construction of a separate bicycle storage building.
- Install bike racks in front of all ground floor units that accommodate 4 spaces for bicycles.
- Provide and/or increase bicycle storage located at or near each common building entrance.

3. BMC 20.38.050 (B)(12) Comprehensive Plan Elements. The Parks, Recreation & Open Space (PRO) Plan chapter of the comprehensive plan identifies a trail corridor in the Consolidation Avenue right of way. The application proposes to fulfill this provision by constructing a trail from the Nevada/Consolidation intersection east to Puget Street. The PRO Plan identifies this trail segment terminating at the Puget/Consolidation intersection. The entire length of Puget Street abutting the site lacks pedestrian and bicycle facilities and is not a suitable location for the terminus of a multimodal trail.

The trail's termination on Puget Street does not fulfill the intent of the PRO Plan to provide a continuous trail network or a safe connection to the Samish Crest Trail neighborhood connectors at the Byron/47th Street intersection. If stairs are proposed as part of this trail, the stairs should include a bike ramp (stramp) so that bicyclists coming from the Nevada St. bike boulevard and many of the other recreational opportunities in the area may utilize the trail connection.

Action item: Amend the trail alignment to provide a safe multimodal connection to the Samish Crest Trail neighborhood connectors at the Byron/47th Street intersection via 46th Street by either: 1) Extending the trail in the Puget Street right of way from its proposed terminus on Puget Street to provide a connection to the existing cul-de-sac bulb in the 46th Street right of way or 2) revise the trail's alignment to be entirely within the Consolidation Avenue right of way from Nevada Street to provide a connection to the existing cul-de-sac in the 46th Street right of way.

The trail shall be designed to meet the parks and recreation department development standards.

4. BMC 20.38.050 (B)(13) Street, Utilities, Access and Dedications.

Consolidation Avenue-The extension of Consolidation Avenue from Nevada Street through the intersection of 45th Street is necessary to continue the orderly extension of public infrastructure. The preliminary engineering plans did not provide sufficient

information to demonstrate that the proposed design of Consolidation Avenue at the 45th/Consolidation intersection allows the reasonable extension of 45th Street south to serve the undeveloped, platted lots.

Based on the assumed demand for parking discussed above and to deter unauthorized parking along the southern edge of the Consolidation Avenue improvements, a vertical curb is necessary.

Action item: Revise the preliminary engineering plans as follows:

- Demonstrate the 45th/Consolidation intersection provides for the reasonable extension of 45th Street south to serve those undeveloped platted lots on 45th Street.
- Include parallel parking along the northern edge of the site's Consolidation Avenue improvements.
- Include a vertical curb along the southern edge of the site's Consolidation Avenue improvements.
- If parallel parking is to be provided on the side of Consolidation Avenue, please include these revisions as well.

SEPA Checklist

1. In response to public comment and reports submitted with the application materials, the responses to the following SEPA checklist questions requires additional information that may also require revisions and/or additional mitigating conditions to adequately determine the proposal does not have a significant environmental impact:

- Water-3. C. 3) and 4) -Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site?

Action item: Please have a qualified professional respond to how the drainage courses of the surface flow, underground flow and onsite springs will be affected as a result of this development. Then address proposed measures to reduce or control the impacts. This is also further discussed above under the critical areas section of this document.

- Environmental health -7. b. 2) and 3) – What types of levels of noise would be created by or associated with the project on a short-term or long-term basis?

Action item: Please respond to the long-term noise created by this project post-construction. Identify proposed measures to reduce or control noise impacts.

- Land and shoreline use: 8. a. – Will the proposal affect current land uses on nearby or adjacent properties?

Action item: Describe how the proposal will or will not affect the current land uses on nearby or adjacent properties.

- Transportation: 14.b. – Is the site or affected geographic area currently served by public transit? If so, general describe. If not, what is the nearest transit stop?

Action item: Revise to address consistency with other SEPA questions that the site is served within a reasonable distance to the identified transit station, shopping, restaurants and services.

- Transportation: 14. f.- How many vehicular trips per day would be generated by the completed project or proposal?

Action item: Use the data from the TIA, include the daily and weekday PM peak hour total trips information from page 14 of the January 2020 TIA.

Provide a discussion in an addendum to the TIA that justifies the ITE classification used in the TIA for this proposal. This justification should consider the discussion above regarding typical occupancy of the units and the likelihood of persons living independently of each other and not as an historic, traditional family unit.

- Transportation: 14. h. – Proposed measures to reduce or control transportation impacts.

Action item: Provide a basis for demonstrating that bicycle parking for 54 +/- bicycles is an adequate number to effectively reduce or control transportation impacts based on how the site's and geographic topography, proposed occupancy of the proposal and its intended occupants, will affect the overall measures to reduce or control transportation impacts.

Respond to how the future, anticipated reduction of ridership of transit facilities could affect the transportation impacts resulting from this proposal.

Additionally, include an analysis of the available pedestrian and bicycle facilities on Consolidation Ave and Nevada St and their sufficiency to safely get a project resident to the transit center, shopping, restaurants and services specified in the checklist.

2. Revise the checklist or provide additional documentation, as necessary, to respond to this Request for Information.

Public Comment

The city has received a substantial amount of public comment in response to the notice of application. These comments are located on the city's [web page](#).

The Planning and Community Development Department (PCDD) has reviewed the public comments and finds that they identify potential impacts to the abutting and surrounding areas, how the proposal is not consistent with the comprehensive plan and/or how the proposal does not comply with the municipal code. The application materials do not adequately address some of the concerns raised.

Some of the concerns will be addressed with responses to the action items above. The concerns that are more general in nature are equally important and require a response to evaluate the proposal's impacts to the surrounding neighborhood and identify any mitigating conditions. In addition to the action items above, a written response to the public comments is necessary to ensure compliance with BMC 20.38.020 (A), 20.38.040 (B) and 20.38.050 (A).

Public comments that are specific to a study and/or report prepared by a qualified professional and submitted with the application materials must include a response from the qualified professional who prepared the report and include a statement which concern the report is addressing.

Action item: Submit a response to the public comment. The format of the written response should either include a specific reference tying the response back to the name/date of the commenter or include responses by the general topics raised in the comment letters. The city has identified the general topics raised in the public comment letter to be related to, but not limited to, the following:

1. Drainage and stormwater runoff.
2. Impacts to critical areas and geologically hazardous areas
3. Traffic and pedestrian safety
4. Scale of proposal/Privacy
5. Parking-vehicle and bicycle
6. Comprehensive plan consistency
7. Social behaviors
8. Affordability

As noted above, **with all land use applications, it is the applicant's burden to demonstrate how a proposal meets code and addresses public concerns.** It is strongly recommended that all responses provided to this Request for Information take into consideration how the proposal, including any new information, addresses the specific code and comprehensive plan references above.

Review of these application(s) cannot continue until this information is received and determined to be sufficient. Within 14 days of submitting the above information, the City will either determine that the information is sufficient or specify in writing what additional information is required. If the information is sufficient, processing of the application(s) will resume in accordance with BMC 21.10. This request for additional information is accordance with BMC 21.10.190 B. (4).

Pursuant to BMC 21.10.190 (C), the application(s) will expire and become null and void if all of the requested information is not submitted within 120 days from the date of this notice for request for information. At the applicant's request, the PCDD director may extend this 120-day period in accordance with BMC [21.10.080\(A\)](#). No further notice will be sent concerning this 120-day expiration timeline.

Please contact the staff member below if you have any questions regarding this notice:

Name: Kathy Bell, Senior Planner

E-mail / Phone: kbell@cob.org or 360-778-8347

REQUEST FOR INFORMATION

PDP2019-0015/DR2019-0036/CAP2019-0037/SEP2019-0039

Date of Notice: July 6, 2020

Date of Notice of Complete Application: 3/9/2020

Project Location: 4413 Consolidation Avenue / Area 17, Puget Neighborhood; Residential- Multi, Planned with a 5,000 sf/unit overall density requirement.

Applicant: Morgan Bartlett, Jr.; 424 W Bakerview Road, Ste. 109, Bellingham WA 98226; (360)527-2777

Property Owner: Irving H Jr & Joan F Hawley TR; PO Box 29270, Bellingham, WA 98228- 1720

Application Type: Planned development (PDP2019-0015)/Design review (DR2019- 0036)/Critical area permit (CAP2019-0037)/SEPA checklist (SEP2019-0039)

The Planning and Community Development Department (PCDD) has reviewed the application(s) referenced above. It has been determined that these application(s) do not supply sufficient information to prepare a SEPA threshold determination, technical analysis for Planning Commission review and permit decision compliant with applicable regulations of the Bellingham Municipal Code (BMC) and Comprehensive Plan.

BMC 20.38.020 (A) states the planned use qualifier is intended for areas where review of pending development proposals is necessary to ensure that adequate provisions are taken to minimize possible detrimental effects and to provide a procedural framework which:

1. Permits diversity in the location of types of structures;
2. Promotes the efficient use of land by facilitating a more economic arrangement of buildings, circulation systems, land use and utilities;
3. Preserves to the greatest extent possible the existing landscape features and amenities and utilizes such features in a harmonious fashion;
4. Addresses site-specific opportunities and concerns;
5. Lessens development impacts to adjacent areas through site design and necessary mitigating measures.

BMC 20.38.040 (B) provides development aspects that must be, at a minimum, included in a permit decision, including a determination whether the proposed use is appropriate, height, yards, signs and infrastructure to ensure the proposal protects the public health, safety and welfare and authorizes the permit to be conditioned to ensure compatibility with the city's adopted code and policy documents and to mitigate direct impacts resulting from the proposal.

BMC 20.28.050 (A) states that the code provisions of the planned development chapter are minimums and may be increased for a particular proposal where more stringent standards are necessary to protect neighboring properties, conform with existing development in the area, preserve natural resources or sensitive environments, provide for orderly development or conform with the comprehensive plan.

With all land use applications, it is the applicant's burden to demonstrate how a proposal meets code and addresses public concerns. It is strongly recommended that all responses provided to the information below take into consideration how the proposal, including any new information, addresses the specific code references above.

Required Actions:

To continue review of the above application(s), please submit the following information electronically to the city of Bellingham via permits@cob.org and copy kbell@cob.org:

Residential Use

Although not explicitly stated in the application materials, the proposed units are arranged in a layout consistent with the national trend for purpose built student housing and by its design, the units are likely to be rented by three persons not living in a traditional family unit. Adopted city codes and policy documents are based on the assumption that residential dwelling units will consist of households containing the historic, traditional family unit. The application materials do not provide sufficient information for the city to evaluate if the proposed use is appropriate or if the impacts from this type of residential use are adequately mitigated.

Action item: To fully assess the proposal for compliance and consistency with the code provisions stated above, submit a detailed response how the proposal with its unit layout is anticipated to function. If known, please include the anticipated terms of rental agreements, including duration, occupancy limitations, parking assignments, etc.

See included 'Action Item 1: Residential Use' for detailed response.

Critical Areas

The following RFI items are based on a site visit on June 26, 2020 with city staff, the applicant, and the applicant's consultants. The consultants included the project engineer, wetland biologist, licensed geologist, and ISA-certified arborist. City staff included the project manager, an arborist, and environmental planners. The purpose of the site visit was to look at the site characteristics while discussing the consultants' reports submitted for the proposal.

Public comments on the proposal express multiple concerns about the geologic stability of the site, drainage issues, wildlife and tree loss, among others. This RFI takes those concerns into account.

1. A geohazard assessment of the site was done and a report prepared and submitted with the applications (Geologically Hazardous Area Site Assessment, GeoEngineers, January 17, 2020). According to the geohazard report, the site has a typical slope of 20 to 22.5% with a thin band of slopes greater than 40% along the eastern margin. Slopes less than 30% are not considered erosion hazards as defined in BMC 16.55.420.A. Slopes equal to and greater than 40% are considered landslide hazards as defined in BMC 16.55.420.B. The report described discreet areas of erosion hazard but these were not identified on the map.

Action Item: Provide an existing conditions topographic site map with the landslide hazard area (already mapped) and the erosion hazards (slopes 30%-40%). Provide the same map overlaid with the current development proposal.

All landslide hazard areas (as defined by BMC 16.55.420.B) and erosion hazards have been identified and mapped in the included full Geotechnical Engineering Report.

2. The geohazard report states, "A geotechnical engineering report for the project will be completed at a future date as the project goes to design." Based on public comments expressing concerns about the geology of the site, and more specifically, slope stability and drainage (surface and groundwater), a geotechnical report is warranted at this point.

Critical area report requirements for technical information should be provided now to enable the project engineer and project geologist to coordinate their mitigation measures and to address public concerns.

Action Item: Submit a geotechnical engineering plan for the current development proposal. Use BMC 16.55.440.A—16.55.440.B as a checklist. Demonstrate compliance with the performance standards in BMC 16.55.450.A.1-4 for alterations that will occur in geologically hazardous areas.

A geotechnical engineering plan for the proposal has been completed by GeoEngineers, per BMC 16.55.440.A-16.55.440.B.

See included full Geotechnical Engineering Report.

3. BMC 16.55.460.A.4 prohibits removal of vegetation from an erosion or landslide hazard area or buffer unless otherwise approved. The city anticipates that some of the development footprint clearing will be in an erosion hazard; no clearing is planned for the landslide hazard.

The seasonal restrictions limit clearing between May 1st and September 30th. Much of the public comment, as well as statements in the geohazard report, is about surface and groundwater drainage once the development site is cleared of vegetation.

Action Item: The project geologist and engineer should provide specific BMPs for timing of the site clearing and grading. In addition, they should recommend measures to mitigate onsite and offsite drainage problems and make recommendations for the management of large volumes of excavated materials (stockpiling, transport, erosion control, etc.).

BMP's are included in both the Geotechnical Engineering Report and the updated Preliminary Storm Report. Please also see the attached letter from Cascade Engineering Group, 'Exhibit A'.

4. Preliminary Stormwater Site Plan (SSP). The SSP includes past studies and development proposals. Though some of the geologic information is the same, the SSP should include the geohazard report done for this proposal. Similarly, the project referenced (Figure 2) should be for the current proposal, not an earlier version.

According to the geohazard report, the primary erosion hazard at the site is from temporary conditions created during construction. The SSP report recommends that temporary erosion control measures should be used during construction depending on the weather, location, soil/rock type, and other factors. Public comments based on local observations express concerns about an increase in drainage problems on downslope properties.

Action Item: The project geologist and project engineer should collaborate to devise site specific BMPs to control surface and groundwater runoff during and after construction. Provide a section in both the geohazard report and the SSP that address BMC 16.55.440.A.2.i. "An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion." [Note: This section of the BMC is part of the request under the second action item under "Critical Area" above.]

BMP's are included in both the Geotechnical Engineering Report and the updated Preliminary Storm Report. Please also see the attached letter from Cascade Engineering Group, 'Exhibit A'.

5. Tree Removal Plan. At the June 26th site visit, the arborists agreed on a hazard management approach for several tree groupings identified by the project arborist. The agreement was based on likelihood of tree survival, changes in hazard risk level, and opportunities to improve tree canopy over time. The goal of the arborists, city staff, and the applicant is to maintain healthy forest stands and associated understory and minimize risk to residents and buildings from tree failures.

Action Item: Amend the tree retention plan to annotate the specific management strategies for the stand of hardwoods on the north end, the seven Douglas fir trees, and the trees in the zone between the development and the neighboring properties fronting Nevada St. Identify trees that will be girdled and cut specifically as wildlife trees or provide a generic strategy about how wildlife trees will be chosen and created.

See amended updated Tree Retention Plan.

6. The trail connecting Consolidation Ave. to Puget St. is proposed in the Tree Retention Area. The trail design and location have not been finalized. The final design and location should be determined in the field with the project arborist, geologist, and engineer reviewing the potential location. A coordinated review will ensure that tree retention, drainage, and site stability concerns will be addressed.

Action Item: Make a note on the development plans that the trail location will be reviewed by the city after the three consultants have reviewed and commented on its design and location.

A site visit took place on Tuesday, February 23rd, with the arborist, civil engineer, geologist and developer in attendance. The trail design and location were determined based on site slope, tree retention, drainage and site stability. It has been noted on all plans that the trail location has not been finalized.

See updated Preliminary Trail Plan.

7. Tree Replacement Plan. The site visit clarified the need to locate replacement trees within the retention area, as opposed to the planting strip along the parking lot. The site's logging history left a deciduous dominant forest of trees that are neither long-lived nor particularly robust. Therefore, the replacements should be native conifers chosen for the site conditions, such as Douglas fir, Grand fir, and western red cedar. Vine maple trees would be suitable along the westernmost edge of the "Tree Retention Area" (Sheet L1).

Action Item: Revise the Tree Replacement plan to include 130 trees, mostly native conifers, to be planted throughout the "Tree Retention Area". The proposed replacement trees shown on L1 should be considered as part of the landscaping requirements specified in BMC 20.12.030 but not "replacement trees".

The Tree Replacement plan has been updated to include 130 trees planted throughout the Tree Retention Area. These include 30 Pacific Yew (Taxus brevifolia), 52 Mountain Hemlock (Tsuga mertensiana), 37

Excelsa Western Red Cedar (Thuja plicata excelsa), and 11 Vine Maple (Acer circinatum).

See updated Tree Replacement Map and updated Landscaping Plan.

Design Review

Pursuant to the Multifamily Residential Design Review Handbook, the following building design standards are not met and the proposal shall be revised to address the action items:

A. Neighborhood Scale

Requirement: 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. All stated guidelines are applicable to this requirement.

Action items: The buildings do not conform to the existing scale of the developed neighborhood. The building design shall be revised. This could be accomplished by revising the proposed buildings to include at least three or more distinct modules with each module establishing its own design chroma including but not limited to a base, roof form, window pattern, siding materials, color scheme, entry configuration, balcony treatments, etc. Other considerations may include more, smaller buildings that incorporate these same design standards.

See included document 'Action Item 9: Neighborhood Scale' for detailed explanation.

B. Neighborhood Compatibility

Requirement: New buildings should reflect some of the architectural character of surrounding buildings when locating in a neighborhood where the existing context is well defined. All stated guidelines are applicable to this requirement.

Action items: The building elements listed in the guidelines must be incorporated into the modules noted above to form distinct modules that establish human scale and consistency with the established scale of the neighborhood. The building's fenestration should relate to each of these building elements for each module. Modify the plans to comply with these guidelines.

See included document 'Action Item 10: Neighborhood Compatibility' for detailed explanation.

C. Privacy

Requirement: Orient buildings to provide for privacy, to the extent practical, both within the project and of adjacent residential uses. All stated guidelines are applicable to this requirement. The application materials did not include sufficient information to determine if the proposed hard and softscapes in the transition area between the single-family residences on Nevada Street and Marionberry Ct. and the site's improvements (buildings, common usable areas, parking lots, etc.) provides a solid, visual evergreen buffer that screens these residences from the proposal.

It is strongly encouraged that the use and location of walls be placed to use the site's existing grades in a terraced approach that will accommodate a mature evergreen landscape plan.

Action items:

1. Provide additional cross sections (typ.), no less than 6 sections, that demonstrate the view from the perspective of the single-family residences along the western edge of the proposal (on Nevada Street and Marionberry Ct.). The cross sections must include:

- Clearing and grading limits.
- Location and height of proposed retaining wall(s).
- Landscaping at the time of installation, 5 and 10-year growth cycle and at maturity per the landscaping material required below.

In accordance with BMC 20.38.020(A.5), the transition area between the single-family residences on Nevada St and Marionberry Ct and the site's improvements has been redesigned to minimize development impacts. Cross sections have been provided that demonstrate the view from these residences along the western edge of the proposal.

See Landscape Buffer Plan L4-L6.

2. Submit a landscape plan prepared by a landscape architect that demonstrates the single-family residences will be visually screened from the proposal. The landscape plan shall, at a minimum, include the following:

- Clearing and grading limits in the transition area with an emphasis of retaining existing grades and/or vegetation and utilizing existing grades that necessitates lower retaining walls and fences in locations that maximize the potential to establish a visual buffer.
- Height, location and design of proposed retaining walls and fencing. Per the design standards, clearing and grading should be minimized to reduce the height of retaining walls through terracing and benching with walls no taller than 5 feet, inclusive of the combined height of fencing.
- Include plant species, size and quantity of landscaping in the transition area. The plant material shall be provided at a quantity that will provide a solid screen at maturity and include plant material that is predominately native evergreen trees and shrubs and include plants having seasonal interest for color and texture. The location of proposed retaining walls shall take into consideration the maturity of the landscape material.

Per BMC 20.38.040(B)(1)(f), an exhibit specifying the buffer area has been graphically depicted. Large retaining walls and fences from the previous proposal have been removed in favor of maintaining the existing grade to the maximum amount possible. Retaining walls in this area will not exceed 5 feet in height. The thick re-plant will provide a solid screen at maturity, with seasonal interest for color and texture.

See Landscape Buffer Plan L1-L6 and updated Preliminary Grading Plan.

Planned Development

Pursuant to Chapter 20.38 BMC, please address the following:

1. BMC 20.38.050 (B)(3) Density. The application materials include a density calculation based on the 176-unit reference shown on the recorded Cedar Ridge Division 2 final plat (AF# 202070360). On May 9, 2020, the application was amended via an email submittal requesting a density bonus pursuant to BMC 20.38.050 (B)(3)(c). The application materials must clearly state the proposed density.

Action item: Provide a statement clarifying the requested method to determine the proposal's base density.

See included document 'Action Item 12: Density Calculations' for a detailed response.

2. BMC 20.38.050 (B)(8) Parking. The application materials state the proposal will provide 249 spaces for vehicle parking and 54 spaces for bicycle parking. The vehicle parking/bed ratio for vehicle parking is 0.78 and the bicycle parking/bed ratio is 0.12. Both ratios meet code but do not appear adequate to support the development.

The proposed vehicle parking ratio assumes a quarter of the proposed beds are either not being occupied or occupied by a person not owning a car. Public comment has raised concerns regarding the lack of onsite parking and the impacts the overflow parking will have on the existing residential streets.

Additionally, under the same assumptions, only 54 occupants would have options to conveniently store a bicycle. Bicycle parking should achieve a bicycle space per bedroom ratio of 0.5. An increased ratio is needed to support the application's justification that the site's proximity to transit, services and recreational opportunities will reduce the demand of vehicular usage. This ratio is consistent with the city's urban village standards that anticipate development similar to the proposal's density and for sites conveniently located to those services listed in the application materials.

Although, not explicitly stated in the application materials, the unit layout is appropriately designed consistent with the national trend for purpose built student housing and by its design, the units are likely to be rented by three persons not living in an historic, traditional family unit. The parking standards in the Bellingham municipal code are based on an assumption that units are occupied by an historic, traditional family unit, not three persons living independently. The proposed ratio of both vehicle and bicycle parking spaces per bedroom does not provide adequate parking for proposal's assumed use.

Action item: Revise the proposal to increase the proposal's availability of both vehicular and bicycle parking, including but not limited to:

Vehicle parking:

- Construction of parallel parking along the northern frontage of the Consolidation Avenue improvements.
- Additional consideration could be to construct parallel parking along the southern frontage of the Consolidation Avenue improvements.

Bicycle parking:

- Construction of a separate bicycle storage building.
- Install bike racks in front of all ground floor units that accommodate 4 spaces for bicycles.
- Provide and/or increase bicycle storage located at or near each common building entrance.

The proposal has been amended to increase the availability of both vehicular and bicycle parking.

Vehicle Parking:

The previous proposal included 249 on site vehicle parking spaces, with a .78 space per bedroom ratio. 8 parallel spaces have been added along the site's northern Consolidation Ave frontage, bringing the total number of spaces to 257. With 318 bedrooms, this results in an increased parking to bedroom ratio of .81.

The following methods and site proximity details combine to reduce vehicular reliance and usage.

- *The project now contains 160 bicycle parking spaces, which achieves a .50 bicycle to bedroom ratio. The storage availability and ease of access for bicycles encourages bicycles as a means of transportation (See bicycle parking below for details).*
- *The project site is located within reasonable distance of public transit. The Lincoln Creek Park and Ride is approximately a 7 minute bike ride or a 13 minute walk. The site is also located within reasonable distance of shopping, restaurants and services (See Action Item 21 response for details). For example, Whole Foods and surrounding services can be reached via a 7 minute bike ride or 18 minute walk. The site location allows tenants to bike or walk to multiple destinations.*
- *Parking will be managed/regulated via parking passes.*

Bicycle Parking:

Bicycle parking has been amended to a total of 160 spaces (interior and exterior, bringing the space to bedroom ratio to .5, per City recommendation). Additional bike spaces have been added relative to the unit count of each building, building design and access routes to Consolidation Ave.

The City strategies for bicycle parking were each analyzed for the project:

- *In lieu of constructing a separate bicycle building, centralized interior storage has been added/increased proportionate to the number of units in each building. The interior bike rack locations allow ease of access as well as dry storage for all upper floor tenants.*
- *The basement ‘walk-up’ units of all buildings do not have access to the interior corridor, making exterior bicycle racks in front of them a logical addition. The western units on the 1st floor have access to the interior corridor and the centrally located interior bike racks.*
- *In Buildings A & B, bicycle storage has been increased at the eastern (central) building entrances through the addition of interior spaces. These locations provide convenient access for 1st and 2nd floor tenants. In Building C, bicycle storage is now located at each of the main building entrances. Interior racks near the western main entrance have been increased from 24 to 62.*

In Buildings A & B, bicycle racks accommodating 4 bicycles each have been added in front of the 4 basement units. The main building entrances of A & B, located on the 2nd floor, have 4 exterior bicycle racks and 10 interior racks. Both buildings A & B now each have a total of 20 exterior spaces and 10 interior spaces (60 combined).

In Building C, bicycle racks have also been added in front of the 6 basement units. This building has exterior racks accommodating 10 bicycles at the eastern entrance to the building on the 2nd floor. There are exterior racks accommodating 4 bicycles at the western entrance. In addition, the basement level of Building C now has 62 interior hanging bicycle spaces. The basement location is convenient for all upper floor tenants of the building via elevator access. The total number of spaces for Building C is 100.

3. BMC 20.38.050 (B)(12) Comprehensive Plan Elements. The Parks, Recreation & Open Space (PRO) Plan chapter of the comprehensive plan identifies a trail corridor in the Consolidation Avenue right of way. The application proposes to fulfill this provision by constructing a trail from the Nevada/Consolidation intersection east to Puget Street. The PRO Plan identifies this trail segment terminating at the Puget/Consolidation intersection. The entire length of Puget Street abutting the site lacks pedestrian and bicycle facilities and is not a suitable location for the terminus of a multimodal trail.

The trail’s termination on Puget Street does not fulfill the intent of the PRO Plan to provide a continuous trail network or a safe connection to the Samish Crest Trail neighborhood connectors at the Byron/47th Street intersection. If stairs are proposed as part of this trail, the stairs should include a bike ramp (stramp) so that bicyclists coming from the Nevada St. bike boulevard and many of the other recreational opportunities in the area may utilize the trail connection.

Action item: Amend the trail alignment to provide a safe multimodal connection to the Samish Crest Trail neighborhood connectors at the Byron/47th Street intersection via 46th Street by either: 1) Extending the trail in the Puget Street right of way from its proposed terminus on Puget Street to provide a connection to the existing cul-de-sac bulb in the 46th Street right of way or 2) revise the trail’s alignment to be entirely within the Consolidation Avenue right of way from Nevada Street to provide a connection to the existing cul-de-sac in the 46th Street right of way.

The Puget Neighborhood Plan: Parks, Recreation & Open Space Goal 2 is to provide neighborhood trails that provide accessibility and connectivity options within the neighborhood. One of the trail goals identified in the Neighborhood Plan is to connect Nevada St. to 46th St. via the Consolidation Ave. right of way. This goal will be met through the CityView site improvements. The trail alignment has been amended to provide safe multimodal connection to the Samish Crest Trail neighborhood connectors via 46th St.

See updated Preliminary Trail Plan.

The trail shall be designed to meet the parks and recreation department development standards.

4. BMC 20.38.050 (B)(13) Street, Utilities, Access and Dedications.

Consolidation Avenue-The extension of Consolidation Avenue from Nevada Street through the intersection of 45th Street is necessary to continue the orderly extension of public infrastructure. The preliminary engineering plans did not provide sufficient information to demonstrate that the design of Consolidation Avenue at the 45th/Consolidation intersection allows the reasonable extension of 45th Street south to serve the undeveloped, platted lots.

Based on the assumed demand for parking discussed above and to deter unauthorized parking along the southern edge of the Consolidation Avenue improvements, a vertical curb is necessary.

Action item: Revise the preliminary engineering plans as follows:

- Demonstrate the 45th/Consolidation intersection provides for the reasonable extension of 45th Street south to serve those undeveloped platted lots on 45th Street.
- Include parallel parking along the northern edge of the site's Consolidation Avenue improvements.
- Include a vertical curb along the southern edge of the site's Consolidation Avenue improvements.
- If parallel parking is to be provided on the side of Consolidation Avenue, please include these revisions as well.

The preliminary engineering plans have been revised in accordance with 20.38.050 (B)(13). The revised plans demonstrate that the 45th/Consolidation intersection provides for the reasonable extension of 45th St. south. Parallel parking has been added along the northern edge of the site's Consolidation Ave. improvements. A vertical curb is included along the southern edge of the site's Consolidation Ave. improvements.

See updated Preliminary Engineering Plan.

SEPA Checklist

1. In response to public comment and reports submitted with the application materials, the responses to the following SEPA checklist questions requires additional information that may also require revisions and/or additional mitigating conditions to adequately determine the proposal does not have a significant environmental impact:

- Water-3. C. 3) and 4) -Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site?

Action item: Please have a qualified professional respond to how the drainage courses of the surface flow, underground flow and onsite springs will be affected as a result of this development. Then address proposed measures to reduce or control the impacts. This is also further discussed above under the critical areas section of this document.

See updated Preliminary Stormwater Plan and letter from Cascade Engineering Group, 'Exhibit A'.

- Environmental health -7. b. 2) and 3) – What types of levels of noise would be created by or associated with the project on a short-term or long-term basis?

Action item: Please respond to the long-term noise created by this project post- construction. Identify proposed measures to reduce or control noise impacts.

2) The completed project will result in normal occupancy noise in the immediate area. Residents will be required, per their lease, to conform to all City of Bellingham noise ordinances (BMC 10.24.010(E) and BMC10.24.120(C)).

3) *Building design and placement, vegetation and site design are used to reduce noise impacts.*

The buildings have been oriented with main entrances facing east, away from the nearest neighbors on the westerly border. There are no balconies on the buildings, which limits occupancy noise. All buildings have exceeded the required setbacks (per BMC 20.38.050) from the western site boundary to further reduce noise impacts (Building A 160-190 ft, Building B 65-90 ft, Building C 210-250ft).

The large barrier of undisturbed native vegetation will diminish noise for the properties to the east of the project. The thick re-plant screen on the western edge of the property, as well as the vegetated large CUA will provide noise insulation for the properties to the west of the project.

The main entrances into the complex have been located on Consolidation Ave and do not face any existing homes. Parking lots A, B & D are buffered to the west by the placement of the buildings. Parking lots C, E & F are buffered by the thick re-plant screen.

• Land and shoreline use: 8. a. – Will the proposal affect current land uses on nearby or adjacent properties?

Action item: Describe how the proposal will or will not affect the current land uses on nearby or adjacent properties.

The nearby properties to the east are single-family homes (Puget St.). To minimize impacts to their use, a large native vegetated buffer will remain between Cityview and these adjacent properties. This dense forest provides a physical, visual and noise buffer.

The properties to the west are both single-family residential and multi-family apartment complexes. Impacts to these uses are minimized by providing a thick re-plant screen along the western border of the site, as well as locating the buildings 65-250 feet from the property line.

The property to the north is owned and operated by the City of Bellingham as “Hawley Open Space”. This large tract will remain unchanged and will continue as an area of natural preservation.

The adjacent properties to the south are a combination of single-family homes and undeveloped land. Future development of the vacant land will impact the single-family homes, however their current use will be protected by Cityview’s large outdoor usable area as well as retained forest buffers.

• Transportation: 14.b. – Is the site or affected geographic area currently served by public transit? If so, general describe. If not, what is the nearest transit stop?

Action Item: Revise to address consistency with other SEPA questions that the site is served within a reasonable distance to the identified transit station, shopping, restaurants and services.

The site is not directly served by public transit, however it is within reasonable distance. The Lincoln Creek Park and Ride is approximately a 7 minute bike ride or a 13 minute walk. The WTA routes with stops at this transit center include Puget St, Lincoln St, Western Washington University, Samish Way, Bill McDonald Parkway, as well as service to Mount Vernon. Select routes connect to Bellingham Station as well, for transfer service throughout the county. The transit center can be accessed via two routes, Consolidation Ave/Lincoln St and 43rd St/Byron. The Consolidation Ave/Lincoln St route has sidewalk throughout.

Shopping, restaurants, and services are accessible via public transit connections or within reasonable distance. Whole Foods Market and surrounding services is approximately a 7 minute bike ride or 18 minute walk. Lakeway Fred Meyer and surrounding services is approximately an 8 minute bike ride or 21 minute walk. Both shopping centers can be accessed via two routes. The Consolidation Ave/Lincoln

St route has sidewalk throughout. The Nevada St. route does not have sidewalk throughout and will be encouraged for bicycle transit only.

- Transportation: 14. f.- How many vehicular trips per day would be generated by the completed project or proposal?

Action item: Use the data from the TIA, include the daily and weekday PM peak hour total trips information from page 14 of the January 2020 TIA.

Provide a discussion in an addendum to the TIA that justifies the ITE classification used in the TIA for this proposal. This justification should consider the discussion above regarding typical occupancy of the units and the likelihood of persons living independently of each other and not as an historic, traditional family unit.

The ITE classification used is LU #221: standard multifamily housing mid-rise apartment complex. The definition for this category is a 3-10 story multi-family housing project. CityView is a 2.5 – 5.5 story multi-family housing project. Per the response to Action Item #1, CityView will house a variety of tenants and will be managed in strict compliance with the Federal Fair and Equal Housing Act.

See RFI Action Item 20: TIA Addendum.

- Transportation: 14. h. – Proposed measures to reduce or control transportation impacts.

Action item: Provide a basis for demonstrating that bicycle parking for 54 +/- bicycles is an adequate number to effectively reduce or control transportation impacts based on how the site's and geographic topography, proposed occupancy of the proposal and its intended occupants, will affect the overall measures to reduce or control transportation impacts.

Respond to how the future, anticipated reduction of ridership of transit facilities could affect the transportation impacts resulting from this proposal.

Additionally, include an analysis of the available pedestrian and bicycle facilities on Consolidation Ave and Nevada St and their sufficiency to safely get a project resident to the transit center, shopping, restaurants and services specified in the checklist.

(A) The previous proposal contained 54 bicycle spaces, which upon analysis by the City was determined to be inadequate (per the City comments in RFI Action Item #13). The current proposal amends bicycle parking to a total of 160 spaces, which achieves a .5 bicycle space to bedroom ratio.

As previously stated in the response to RFI Action Item 1, the complex will house a variety of renters. The bicycle parking needs of the tenants can be met in two ways. First, there are now 160 interior/exterior spaces throughout the 3 buildings. With an anticipated occupancy of 318, bike parking will be provided for 50% of tenants. Secondly, for tenants who want more storage, they have the option of leasing storage units (available on certain building levels), which they may use for a bicycle as well as other items.

All bicycle parking has been strategically located for convenient accessibility. Buildings A & B both have 4 exterior and 10 interior bicycle spaces located on Level 2. Building A has access to parking lot A and a sidewalk to Consolidation Ave. Building B has access to parking lot D and a sidewalk to

Consolidation Ave. These buildings also have racks accommodating 4 bicycles each located outside of the basement level units (4 units per building x 4 = 16). Buildings A & B have a combined total of 60 bicycle parking spaces.

Building C has 10 exterior spaces located on Level 2, with direct access to parking lot B and a sidewalk to Consolidation Ave. The remaining 4 exterior spaces and 62 interior spaces are located on the basement level. These spaces are convenient for all upper floor residents via elevator access. Access to Consolidation Ave is via sidewalk. Access to parking lot C is via ramp. Bike racks accommodating 4 bicycles each have been added to the 6 basement level units (6 units x 4 = 24), bringing the total spaces for Building C to 100.

(B) It is recognized that there is a current trend in reduction of transit ridership. However, it is anticipated that access to a major Park & Ride facility at Lincoln Creek will continue to make public transit a viable transportation choice for CityView residents. The facility is heavily serviced by WTA with stops including Puget St, Lincoln St, Western Washington University, Samish Way, Bill McDonald Parkway as well as service to Mount Vernon. Select routes also connect to Bellingham Station for transfer service throughout the county.

The Consolidation Ave improvements, the trail location and accessibility, as well as the ample secure bicycle parking will make CityView an attractive option for alternative transit.

(C) The site is not directly served by public transit, however it is within reasonable distance. The Lincoln Creek Park and Ride is approximately a 7-minute bike ride or a 13-minute walk. The transit center can be accessed via two routes, Consolidation Ave/Lincoln St and 43rd St/Byron. The Consolidation Ave/Lincoln St route has sidewalk throughout.

Shopping, restaurants, and services are all within reasonable distance to CityView. Whole Foods Market and surrounding services is approximately a 7-minute bike ride or 18-minute walk. Lakeway Fred Meyer and surrounding services is approximately an 8-minute bike ride or 21-minute walk. Both shopping centers can be accessed via two routes. The Consolidation Ave/Lincoln St route has sidewalk throughout. The Nevada St route has sidewalk for +/-50%, making it suitable for bicycle transit. The Samish Way corridor and surrounding services (including Taco Time, McDonalds, Rite-Aid, Haggen, REI and more) is approximately a 10-minute bike ride and can be accessed via multiple routes.

The amendment to the trail alignment (per RFI Action Item #14) also provides safe multimodal connections to the Samish Crest Trail neighborhood connectors, providing additional recreation opportunities and routes. The Samish Crest Trail is situated in the 113-acre Samish Hill Open Space and features viewpoints of the city and Bellingham Bay. Future proposed improvements by the City of Bellingham would extend this trail further to Lake Padden.

2. Revise the checklist or provide additional documentation, as necessary, to respond to this Request for Information.

Public Comment

The city has received a substantial amount of public comment in response to the notice of application. These comments are located on the city's web page.

The Planning and Community Development Department (PCDD) has reviewed the public comments and finds that they identify potential impacts to the abutting and surrounding areas, how the proposal is not consistent with the comprehensive plan and/or how the proposal does not comply with the municipal code. The application materials do not adequately address some of the concerns raised.

Some of the concerns will be addressed with responses to the action items above. The concerns that are more general in nature are equally important and require a response to evaluate the proposal's impacts to the surrounding neighborhood and identify any mitigating conditions. In addition to the action items above, a

written response to the public comments is necessary to ensure compliance with BMC 20.38.020 (A), 20.38.040 (B) and 20.38.050 (A).

Public comments that are specific to a study and/or report prepared by a qualified professional and submitted with the application materials must include a response from the qualified professional who prepared the report and include a statement which concern the report is addressing.

Action item: Submit a response to the public comment. The format of the written response should either include a specific reference tying the response back to the name/date of the commenter or include responses by the general topics raised in the comment letters. The city has identified the general topics raised in the public comment letter to be related to, but not limited to, the following:

1. Drainage and stormwater runoff.
2. Impacts to critical areas and geologically hazardous areas
3. Traffic and pedestrian safety
4. Scale of proposal/Privacy
5. Parking-vehicle and bicycle
6. Comprehensive plan consistency
7. Social behaviors
8. Affordability

Public comment general topics have been identified with responses attached. See Action Item 22: Public Comment.

As noted above, **with all land use applications, it is the applicant's burden to demonstrate how a proposal meets code and addresses public concerns.** It is strongly recommended that all responses provided to this Request for Information take into consideration how the proposal, including any new information, addresses the specific code and comprehensive plan references above.

Review of these application(s) cannot continue until this information is received and determined to be sufficient. Within 14 days of submitting the above information, the City will either determine that the information is sufficient or specify in writing what additional information is required. If the information is sufficient, processing of the application(s) will resume in accordance with BMC 21.10. This request for additional information is accordance with BMC 21.10.190 B. (4).

Pursuant to BMC 21.10.190 (C), the application(s) will expire and become null and void if all of the requested information is not submitted within 120 days from the date of this notice for request for information. At the applicant's request, the PCDD director may extend this 120-day period in accordance with BMC 21.10.080(A). No further notice will be sent concerning this 120-day expiration timeline.



March 4, 2021

Ms. Kathy Bell
Planning and Community Development Department
City of Bellingham
210 Lottie Street
Bellingham, WA 98225

Subject: CityView
Response to July 6, 2020 Request for Information

Dear Kathy:

This letter provides a response to your comments relating to civil design and stormwater management in your July 6, 2020 *Request for Information* regarding the subject project.

Following is a point-by-point response to the Request for Information:

Critical Areas Comment No. 3

BMC 16.55.460.A.4 prohibits removal of vegetation from an erosion or landslide hazard area or buffer unless otherwise approved. The city anticipates that some of the development footprint clearing will be in an erosion hazard; no clearing is planned for the landslide hazard. The seasonal restrictions limit clearing between May 1st and September 30th. Much of the public comment, as well as statements in the geohazard report, is about surface and groundwater drainage once the development site is cleared of vegetation.

Action Item: *The project geologist and engineer should provide specific BMPs for timing of the site clearing and grading. In addition, they should recommend measures to mitigate onsite and offsite drainage problems and make recommendations for the management of large volumes of excavated materials (stockpiling, transport, erosion control, etc.).*

Comment Response

The Preliminary Stormwater Site Plan (SSP), specifically Section 5.2 *Minimum Requirement #2: Construction Stormwater Pollution Prevention*, has been revised to address this comment. A preliminary Temporary Erosion and Sediment Control (TESC) plan is provided in the SSP's Figure 4, with accompanying site cross sections and TESC information provided in Figure 5. These figures show the type and location of typical BMPs that can be used during project construction. These BMPs provide recommended measures that will mitigate potential onsite and offsite drainage problems.

Critical Areas Comment No. 4

Preliminary Stormwater Site Plan (SSP). The SSP includes past studies and development proposals. Though some of the geologic information is the same, the SSP should include the geohazard report done for this proposal. Similarly, the project referenced (Figure 2) should be for the current proposal, not an earlier version.

According to the geohazard report, the primary erosion hazard at the site is from temporary conditions created during construction. The SSP report recommends that temporary erosion control measures should be used during construction depending on the weather, location, soil/rock type, and other factors. Public comments based on local observations express concerns about an increase in drainage problems on downslope properties.

Action Item: *The project geologist and project engineer should collaborate to devise site specific BMPs to control surface and groundwater runoff during and after construction. Provide a section in both the geohazard report and the SSP that address BMC 16.55.440.A.2.i. "An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion." [Note: This section of the BMC is part of the request under the second action item under "Critical Area" above.]*

Comment Response

The SSP, specifically Section 5.2 *Minimum Requirement #2: Construction Stormwater Pollution Prevention* and Section 5.4 *Minimum Requirement #4: Preservation of Natural Drainage Systems and Outfalls*, have been revised to address this comment. A preliminary Temporary Erosion and Sediment Control (TESC) plan is provided in the SSP's Figure 4, with accompanying site cross sections and TESC information provided in Figure 5. These figures show the type and location of typical BMPs that can be used during project construction. These BMPs provide recommended measures that will mitigate potential onsite and offsite drainage problems. As discussed in the SSP, these measures are also anticipated to reduce the amount of surface and subsurface flow that travels down the hillside.

Planned Development Comment No. 3

BMC 20.38.050 (B)(12) Comprehensive Plan Elements. The Parks, Recreation & Open Space (PRO) Plan chapter of the comprehensive plan identifies a trail corridor in the Consolidation Avenue right of way. The application proposes to fulfill this provision by constructing a trail from the Nevada/Consolidation intersection east to Puget Street. The PRO Plan identifies this trail segment terminating at the Puget/Consolidation intersection. The entire length of Puget Street abutting the site lacks pedestrian and bicycle facilities and is not a suitable location for the terminus of a multimodal trail.

The trail's termination on Puget Street does not fulfill the intent of the PRO Plan to provide a continuous trail network or a safe connection to the Samish Crest Trail neighborhood connectors at the Byron/47th Street intersection. If stairs are proposed as part of this trail, the stairs should include a bike ramp (stramp) so that bicyclists coming from the Nevada St. bike boulevard and many of the other recreational opportunities in the area may utilize the trail connection.

Critical Areas Comment No. 4

Preliminary Stormwater Site Plan (SSP). The SSP includes past studies and development proposals. Though some of the geologic information is the same, the SSP should include the geohazard report done for this proposal. Similarly, the project referenced (Figure 2) should be for the current proposal, not an earlier version.

According to the geohazard report, the primary erosion hazard at the site is from temporary conditions created during construction. The SSP report recommends that temporary erosion control measures should be used during construction depending on the weather, location, soil/rock type, and other factors. Public comments based on local observations express concerns about an increase in drainage problems on downslope properties.

Action Item: *The project geologist and project engineer should collaborate to devise site specific BMPs to control surface and groundwater runoff during and after construction. Provide a section in both the geohazard report and the SSP that address BMC 16.55.440.A.2.i. "An analysis of proposed surface and subsurface drainage, and the vulnerability of the site to erosion." [Note: This section of the BMC is part of the request under the second action item under "Critical Area" above.]*

Comment Response

The SSP, specifically Section 5.2 *Minimum Requirement #2: Construction Stormwater Pollution Prevention* and Section 5.4 *Minimum Requirement #4: Preservation of Natural Drainage Systems and Outfalls*, have been revised to address this comment. A preliminary Temporary Erosion and Sediment Control (TESC) plan is provided in the SSP's Figure 4, with accompanying site cross sections and TESC information provided in Figure 5. These figures show the type and location of typical BMPs that can be used during project construction. These BMPs provide recommended measures that will mitigate potential onsite and offsite drainage problems. As discussed in the SSP, these measures are also anticipated to reduce the amount of surface and subsurface flow that travels down the hillside.

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The trail's termination on Puget Street does not fulfill the intent of the PRO Plan to provide a continuous trail network or a safe connection to the Samish Crest Trail neighborhood connectors at the Byron/47th Street intersection. If stairs are proposed as part of this trail, the stairs should include a bike ramp (stramp) so that bicyclists coming from the Nevada St. bike boulevard and many of the other recreational opportunities in the area may utilize the trail connection.

SEPA Checklist Comment No. 1

In response to public comment and reports submitted with the application materials, the responses to the following SEPA checklist questions requires additional information that may also require revisions and/or additional mitigating conditions to adequately determine the proposal does not have a significant environmental impact:

Water-3. C. 3) and 4) -Does the proposal alter or otherwise affect drainage patterns in the vicinity of the site?

Action item: *Please have a qualified professional respond to how the drainage courses of the surface flow, underground flow and onsite springs will be affected as a result of this development. Then address proposed measures to reduce or control the impacts. This is also further discussed above under the critical areas section of this document.*

Comment Response

The SSP, specifically Section 5.4 *Minimum Requirement #4: Preservation of Natural Drainage Systems and Outfalls*, has been revised to address this comment. Section 5.4 discusses how the permanent stormwater system is anticipated to result in a reduction in the amount of surface and subsurface flow down the hillside and into the backyards of the homes fronting Nevada Street.

We trust this response answers your questions. Please contact our office with any additional questions you may have.

Sincerely,
CASCADE ENGINEERING GROUP, P.S., INC.

Craig R. Parkinson, P.E.
Principal Engineer

Cc: Mr. Morgan Bartlett

Public Comment

1) Drainage and stormwater runoff

The CityView site has been designed in accordance with BMC 20.38.050(B)(11), stating that “existing drainage courses of significance, topography, significant treed areas and other natural features should be saved, preserved and enhanced to the greatest extent possible consistent with reasonable and appropriate use of the subject site”. More than 50% of the site (5.42 acres) will remain in its natural vegetated state. All hazardous slope areas on the eastern site boundary and wetlands will be undisturbed. The existing course of drainage from Puget St. to wetland B will be preserved.

See updated Site Plan, Civil Engineering Plan, Preliminary Stormwater Plan and Critical Areas Report.

Per RFI Action Items #4 and #5, the project geologist and engineer have provided specific BMP’s for both the clearing and grading of the site as well as surface and groundwater runoff during and after construction. See RFI Response: Action Items #4 and #5.

Also included is a response from Cascade Engineering Group regarding some specific areas of comment. See Exhibit ‘A’.

Also included is a response from Miller Environmental Services, LLC regarding some specific areas of comment. See Exhibit ‘B’.

integrity of downstream channels and stormwater facilities. The proposed stormwater vault will incorporate a control structure to meter out stormwater discharge at the pre-development rate – meaning that rate associated with a forested condition. The metered discharge from the vault will then discharge into the city storm drain facility in Nevada Street. The final stormwater site design will include an analysis of downstream components of the existing storm drain system to ensure adequate capacity. Preliminary analysis indicates ample capacity of the existing storm drain system, and no changes to any downstream facilities are anticipated.

Comment 3: *Concerns have been raised from westerly neighbors (Nevada/Marionberry Ct.) about existing flood problems in yards and crawl spaces. Please explain how our stormwater plan will help reduce and/or eliminate these issues.*

Comment 3 Response:

The proposed project will capture all surface runoff currently flowing to the west from the development area. Runoff will be conveyed through an on-site storm drain system before discharging into the Nevada Street public storm drain facility. No runoff from the development area will discharge across the westerly property line. Properties directly west of the proposed development (houses fronting Nevada Street) may expect to see a significant reduction of surface runoff onto their property.

Properties on Marionberry Ct. bordering the subject property receive stormwater runoff from the existing wetlands, associated drainage basins, and/or ditches north of the development area. As the northern portion of the subject property will remain undisturbed, these drainage patterns will continue after completion of the project. The proposed project will not contribute additional stormwater to the northern, undisturbed, portion of the lot.

Comment 4: *Several neighbors are claiming that clearing and grading this site will increase runoff and erosion. Please clarify how our grading plan minimizes these potential issues.*

Comment 4 Response:

The primary erosion hazard at the site is from temporary conditions created during construction such as clearing, grading, excavation, and fill placement. Significant excavation of existing materials and placement of fill materials will occur as is required to achieve required grades. Provided typical erosion and sedimentation controls are implemented during construction, the project construction will not present a significant erosion hazard. Stormwater will be prevented from flowing across disturbed areas and will not be directed toward susceptible slopes during construction. Temporary erosion control measures are selected during construction depending on the weather, location, soil/rock type, and other factors. Temporary erosion protection (e.g., straw, plastic, or rolled erosion control products, sedimentation ponds) may be necessary to reduce sediment transport until vegetation is established or permanent surfacing applied. After construction all disturbed areas and embankments are required to be protected and/or vegetated before the rainy season. Appropriate best management practices (BMPs) will be incorporated into the Stormwater Pollution Prevention Plan (SWPPP) by the civil engineer for the project. During construction, the contractor will be subject to Department of Ecology regulations, which require performance-based testing of turbidity at all discharge points. Proper construction practices and monitoring procedures will manage the risks to the standard of practice.

Comment 5: *One comment pertains to the existing drainage ditch in the Consolidation Ave. ROW. It claims that our new trail will exacerbate the speed and volume of water running in this ditch. Can you please explain how we intend to collect this water via our Consolidation Ave. improvements, and redirect it into the City storm system? Finally, please clarify that our trail construction will not impact the existing drainage ditch.*

Comment 5 Response:

The Proposed development will not add additional stormwater to the existing ditch. The trail will be located north of the existing drainage ditch in Consolidation Avenue. Stormwater runoff from the trail will follow the natural drainage patterns to the northwest and not contribute to the existing ditch.

The existing ditch and vegetation appear to be stable and there is no evidence of erosion. The easterly portion of the ditch will continue to function in its current state. At the end of the Consolidation Avenue improvements, stormwater from the ditch will be collected in a piped storm drain system within Consolidation ROW and discharge to the existing ditch near the intersection of Nevada St and Consolidation Ave. At the discharge point a stilling well will be installed for energy dissipation of the stormwater to ensure stability of downstream ditches.

We trust this response answers your questions. Please contact our office with any additional questions you may have.

Sincerely,

CASCADE ENGINEERING GROUP, P.S., INC.



Craig R. Parkinson, P.E.
Principal Engineer

cc: Mr. Morgan Bartlett

February 5, 2021

Morgan Bartlett, Jr. - Director
Madrona Bay Real Estate Investments, LLC
424 W. Bakerview Road, Suite 109
Bellingham, WA 98226

SUBJECT: RESPONSE TO PUBLIC COMMENTS REGARDING THE CRITICAL AREAS REPORT ON THE CITYVIEW PROJECT

Public comments were received on the CityView Project concerning the Critical Areas Report completed for the project (Miller Environmental Services; June 12, 2019). These include:

1. Comment stating that Wetlands A and B are continuous and require a Category 1 buffer with no averaging allowed. Commenter also states that the 100 foot buffer around Wetland A is not adequate due to an inaccurate habitat function score.
2. Comment expressing concerns that the stormwater system has not addressed other groundwater aquifers on the site.

The project site is located on a steep hillside dominated by upland coniferous/deciduous forest habitat as described in the critical areas report. This includes dominant species such as red alder (*Alnus rubra*) big-leaf maple (*Acer macrophyllum*), paper birch (*Betula papyrifera*), western red-cedar (*Thuja plicata*), Douglas fir (*Pseudotsuga menziesii*), oceanspray (*Holodiscus discolor*), low Oregon grape (*Mahonia nervosa*), salmonberry (*Rubus spectabilis*), Himalayan blackberry (*Rubus armeniacus*), snowberry (*Symphoricarpos albus*) and sword fern (*Polystichum munitum*). Observed soils throughout the area were primarily well drained loams, consisting of dark brown (10YR 3/3) loam over a brown (10YR 4/3) loam. This includes the area between Wetlands A and B. This area, between Wetlands A and B, contains a mixture of the species described above, non-hydric soils and no indicators of wetland hydrology. The delineation site visit was conducted in April of 2019 (spring) and wetland hydrology was easily observed (where present) during the site visit - including within the delineated areas of Wetland A and B.

Additionally, the hydrology within Wetland B appears to be driven primarily by water moving downslope into Wetland B from a stormwater drain outfall along the western side of Puget Street. Hydrology within Wetland A appears driven by seepage of water out of the slope at locations in eastern portions (upslope) of the wetland. In general, water on the site moves west to east following the topography.

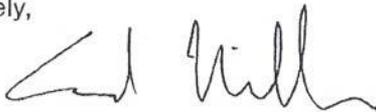
With respect to the Wetland A rating and habitat score, the rating form was included within the critical areas report including the rating form figures (Appendix D of the report). With respect to what we included on the Wetland A rating form: one habitat type was observed, forest - per the Ecology manual only the dominant Cowardin habitat type is noted - shrub or emergent forest understories are not counted as separate habitat types. Two hydroperiods were checked, saturated and occasional flooded, as was observed during the site visit and as expected from the steeply sloped nature of the wetland. Observed species richness appeared within the normal range for one habitat type and there was no interspersions of habitats as there was only one habitat type.

Habitat features noted included downed woody debris, standing snags, and no significant invasive species. The area within one kilometer of the wetland contained approximately 84 percent high intensity land use, as it is within a highly developed portion of Bellingham. The mapped habitat areas and spreadsheet were included with the rating form in Appendix D of the Critical Areas Report. Priority Habitats observed within the vicinity of the wetland included priority snags and logs and biodiversity areas/corridors. As noted, mature forest was not checked as the apparent density of mature trees in portions of the review area did not meet the size and density threshold and the area of mature trees (within Wetland A) was less than the 8-acre size threshold for this priority habitat type. It should be noted that the threshold size for a mature forested wetland is only one acre - much lower than the threshold for a mature forest priority habitat type.

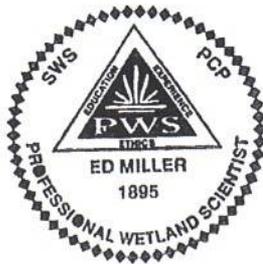
The previously completed and submitted critical areas report addressed wetland and habitat conservation areas. The wetland delineation methodology followed the City required U.S. Army Corps of Engineers Wetlands Delineation Manual and the Corps Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coast Region. Generally, this includes the observation and documentation of hydrology at or near the ground surface - where the water influences vegetation. This is not specifically a survey for groundwater or aquifers. Utilizing the indicators within the methodology: type of vegetation, soils within the upper 16 to 20 inches of the soil profile and observations of hydrology indicators - aquifers would only be noted if they were at or near the surface and created wetland conditions. Any deeper groundwater or aquifers, below the criteria for wetlands presence would not necessarily be observable with this methodology. Within the framework of the methodology and work completed, the site was walked in the spring of 2019 and in 2013 (prior delineation). No other areas of obvious hydrology were observed on the property, other than the features noted and documented within the critical areas report.

Please contact me at (360) 255-5799 or ed@millerenvironmental.org if you have any questions or would like to discuss these findings.

Sincerely,



Ed Miller, PWS
Senior Biologist



2) Greenspace/Wetlands

Per RFI Action Item #3, a Geotechnical Engineering Plan has been completed for the current development. See Geotechnical Engineering Plan.

Two existing wetlands were identified on the site, per the Critical Areas Report. Both wetlands will be preserved with the required buffers.

A response from Miller Environmental Services, LLC is attached and addresses some specific wetland comments. See Exhibit 'B'.

The site design leaves 5.42 acres of the 11.15 acre site as undisturbed greenspace. Select trees have been identified as hazards within this area and will be removed or minimized in height. Replacement trees will be planted at a 2.1 ratio. The site has been preserved to the greatest extent possible.

Also included is a response from Certified Arborist Patrick Sullivan regarding some specific areas of comment. See Exhibit 'C'.

There is an existing man-made trail within the Consolidation Ave. right of way. The CityView improvements will include a safe multi-modal trail connecting Consolidation Ave to 46th St. See updated Trail Plan.

January 27th, 2021
Patrick Sullivan, ISA Certified Arborist
RE: CityView public comment response

To whom it may concern,

Public comment noted specific concerns in the following areas: responsibility for monitoring, removal of trees between the complex and neighbors, replacement species for hardwoods, and details shown on the Tree Retention Map.

Of the 65 Douglas Fir trees, 59 trees were identified for removal as they have both a high likelihood of failure and a high likelihood of impact. 6 identified Douglas Fir trees (see updated Tree Retention Plan & Tree Retention Map) will be reduced in height to mitigate severe impacts, with the main stem left for wildlife activity. This course of action does not require on-going monitoring and poses the safest option, with minimal disturbance while retaining an environment suitable for wildlife.

Due to the proximity to existing homes along Nevada St. and Marionberry Ct., trees located along the project's western border pose a safety risk to life and property. To eliminate this risk, this area will be cleared. Larger tree stumps will be retained and minimal grading will occur to create a native understory. In addition, this transition area will be replanted to provide a solid visual screen at maturity (see Landscape Buffer Plan).

Per the updated Tree Retention Map, the stand of hardwoods will be replaced with Cypress trees rather than Snowberry. For species diversity, both fast and slow growing species will be planted (Leyland and Hinoki).

The tree retention area is shown on the Tree Retention Map and refers to 5.42 acres of the entire 11.15-acre site. The grading area, also shown on the Map, will be cleared and graded per the project grading plan. The critical root zone protection area is shown on the updated Tree Retention Map and replacement trees have been moved to the tree retention area. The fencing line (along western edge of tree retention area) and method (silt fence) are shown on the updated Tree Retention Map.



Patrick Sullivan
Certified Arborist #PN-7123A
Certified Tree Risk Assessor
(360) 920-6285



3) Traffic/Parking

Comments were received regarding the safety of neighbors in the vicinity of the CityView complex, due to increased traffic and narrow streets. The narrow streets are per City design, on page 16 of the Puget Neighborhood Plan, it is stated that the narrow streets create less impervious surface and stormwater impact, as well as provide a traffic calming effect to slow vehicles. As part of the CityView project, Consolidation Ave. will be improved from Nevada St. to 45th St., to the standard required by Ordinance 8027 (per BMC 20.38.050(B)(13c)). These improvements will include curb and sidewalk, which will increase pedestrian safety.

Per BMC 20.38.050(B)(8), proposals for planned development shall satisfy all parking regulations for similar uses contained in Chapter 20.12 BMC. Per this code, the required number of vehicle parking spaces is 212. CityView provides 249 surface parking spaces on site and 8 additional parallel spaces via the Consolidation Ave. improvements (north side only). Parking will be managed through the use of tenant parking passes.

The design of the CityView complex will improve pedestrian and bicyclist access, to help diminish the effects of vehicular traffic on adjacent

residential streets. This will be accomplished via:

- 160 convenient bicycle racks on site (a .5 bicycle to bedroom ratio), bicycles will be encouraged as an alternative method of transport. This is in accordance with the Puget Neighborhood Transportation Policies, PTP2, which states that, "Puget Neighborhood preference is to implement solutions that support a mode shift from motorized to walking, bicycling and transit".
- The construction of a trail between the subject site and 46th St. will provide safe multi-modal connection to the Samish Crest Trail. The Puget Neighborhood Plan identifies the construction of this trail as a parks, recreation and open space goal (PPG 2, Puget Neighborhood Plan, page 7).

Included is a response from Transpogroup that addresses some specific concerns related to the project TIA. See Exhibit 'D'.

MEMORANDUM

Date:	March 3, 2021	TG:	19082.00
To:	Morgan Bartlett		
From:	Dan McKinney, Jr and Kassi Leingang – Transpo Group		
Subject:	Response to Cityview Transportation Comments		

The following memo provides responses to transportation comments received for the Cityview project located at 1433 Consolidation Avenue. This includes public comments regarding the two topics of Trip Generation and Traffic Volumes.

Trip Generation

Comments were received related to the use of the ITE land use category used for calculating trip generation.

Response: Trip generation for the proposed project was calculated based on the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017). This is the current edition of ITE's Trip Generation Manual, a nationally recognized source for calculating trip generation rates and utilizes data collected throughout the county. The proposed project is a multifamily residential development with 106 units with no restriction to residents. The most applicable land use to the proposed development was ITE's Multifamily Housing (Mid-Rise) (Land Use 221) which has the following description:

Mid-rise multifamily housing includes apartments, townhouses, and condominiums located within the same building with at least three other dwelling units and that have between three and 10 levels (floors).

The weekday PM peak hour Multifamily Housing trip rate is based on a robust dataset with 60 studies of other multifamily projects across the nation with numerous similarly sized projects and therefore provides the best information available to estimate trips for this proposed multifamily development. Additionally, ITE is the typical source utilized for calculating trip generation for developments within the City of Bellingham and both the use of ITE and the Multifamily Housing residential trip rate were coordinated with City of Bellingham staff for this development.

Traffic Volumes

Comments were received questioning the timing of traffic counts relative to Western Washington University's academic calendar.

Response: Existing weekday PM peak period (4:00 to 6:00 p.m.) turning movement counts were conducted at the study intersections on June 5, 2019. These counts were collected while school was in typical session (prior to finals week) as the Spring quarter for Western Washington University went through June 14, 2019.

4) Scale/Privacy

Per RFI Action Item 9, a detailed response regarding Neighborhood Scale has been submitted. See RFI Response: Action Item 9.

Per the Design Review Handbook (C) Privacy: Buildings have been oriented to provide for privacy, to the extent practical, both within the project and for adjacent residential uses. The following measures have been taken to minimize and mitigate the impacts to neighboring properties.

- Generous setbacks have been observed on the westerly border. Building B (2.5 stories, closest to Nevada St./Marionberry Ct.) is 67 – 130 feet from the property line. Building A (2.5 stories) is 160 – 190 feet from the property line. The larger Building C (5.5 stories) is 200-250 feet from the property line.
- All buildings have been oriented with the main entrances facing east, away from the nearest neighbors on Nevada St./Marionberry Ct.
- On the westerly border, the site's existing grades will be used in a terraced approach that will accommodate a mature evergreen landscape. A thick re-plant screen will be added along the site border. See Landscape Buffer Plan for details and cross sections demonstrating the view from the perspective of the single-family residences on the western border.
- The large barrier of undisturbed native vegetation (5.42 acres) effectively minimizes privacy impacts for the site's eastern neighbors on Puget St. See updated Site Plan, Aerial, updated Landscape Plan and Tree Retention Map for details.
- Building B (2.5 stories) has been positioned as a transition building between Nevada St./Marionberry Ct. and the larger Building C.
- The large vegetated CUA is positioned between the parking lots and the western site border.

5) Comprehensive Plan Consistency

The Bellingham Comprehensive Plan: Housing Chapter identifies goals and policies for new development. The CityView Development aligns with many of those goals:

- Goal H-1: Ensure that Bellingham has sufficient quantity and variety of housing types and densities to accommodate projected growth and promote other community use goals.
*CityView will provide a unique housing choice that appeals to a variety of tenants. See Action Item 1; Residential Use.
- Policy H-3: Encourage well-designed infill development on vacant land or underutilized properties.
*The large subject site is currently vacant and the development will bring needed infill within the popular Puget Neighborhood.
- Goal H-2: Foster housing that is safe, healthy, livable, and affordable for all income levels in all neighborhoods.
*CityView will provide a safe, healthy, livable and affordable option. See RFI Response 22: Public Comment "Affordability" for details.
- Policy H-15: Support fair and equal access to housing for all persons, regardless of race, religion, ethnic origin, age, household composition or size, disability, marital status, sexual orientation or economic circumstance.
*CityView will be open to all qualified tenants under the Federal Fair and Equal Housing Act.
- Policy H-28: Protect and connect residential neighborhoods to retain identity and character and provide amenities that enhance quality of life.
*The Consolidation street improvements and the construction of the multi-modal trail to 46th St will connect residential neighborhoods within the Puget neighborhood. The addition of the trail will enhance the quality of life by providing additional recreational opportunity.
- Policy H-31: Promote high-quality design that is compatible with the overall style and character of the established neighborhood.
*CityView has been designed to achieve neighborhood compatibility per the Multifamily Design Review Handbook. See Action Item 10: Neighborhood Compatibility.
- Policy H-38: Increase the open space requirements for multi-family development.
*CityView will provide 1 acre of exterior common usable space as well as 3,000 SF of interior common usable space. In addition, over 50% of the site (5.42 acres) will remain in its natural vegetated state. See updated Site Plan and Aerial.

The Puget Neighborhood Plan recognizes the value of preserving existing green space and the scenic character of steep hillsides. The subject site is adjacent to the 'Hawley Property' on the northern site boundary. This Property is owned by the City and is an open space west of Puget St. and east of Nevada St. The northern 1/3 of the subject site will remain as green space, expanding the existing open space (see Aerial). CityView's site disturbance area is limited to the western half of the site, while easterly hazardous slope areas remain undisturbed.

The Puget Neighborhood Plan identifies goals for development within the Neighborhood. CityView design reflects many of these goals:

- Parks, Recreation & Open Space Goal 2(E): Construction of a trail within the Consolidation Avenue right-of-way from Puget Street to Nevada Street. (F) Encourage Developers to provide neighborhood trail connectors to improve non-motorized transportation links as development occurs.
*The proposal includes construction of a multi-modal trail between Nevada St. and 46th.
- Parks, Recreation & Open Space Goal 3: The Puget Neighborhood should continue to use practices which protect and preserve the environment.
*Over 50% of the site will be remain undisturbed native vegetation. Environmentally sensitive areas of the site will be preserved and protected.
- Utilities/Drainage Goal 1: All water channels should be kept open and supporting water flow at all times.
*There is existing drainage flow from Puget St. to Wetland B, this will remain undisturbed. Drainage outflow from a storm pond located above the south end of the site will be collected at 45th St. Please see updated Prelim. Stormwater Plan.
- Utilities/Drainage Goal 2: All new developments should be constructed consistent with the recommendations of the Watershed Master Plan, the Stormwater Comprehensive plan and stormwater development standards.
*See updated Preliminary Stormwater Plan.
- Drainage Policy A: Any new major development should submit a drainage plan in conformance with the City's storm water management code for approval by the Public Works Department. That plan should be implemented prior to, or concurrent with, development with the full cost of the plan being at the developer's expense.
*A Prelim. Stormwater Plan has been submitted and will be implemented concurrent with development at the developer's expense.
- Drainage Policy B: Storm sewers with run-off control should be installed at future development sites.
*See updated Prelim Stormwater Plan.

- Drainage Policy C: Creeks should be maintained for further protection of aquatic resources.

Adherence: The existing drainage outflow on the site will be protected and all appropriate wetland buffers will be observed. Please see updated Prelim. Stormwater Plan, updated Critical Areas Report.

- Transportation Goal 1: Expand Puget Neighborhood Transportation options to more fully support pedestrian, bicycle and transit travel for mobility within the neighborhood. By improving Consolidation Ave to 45th, curb and sidewalk improvements will increase pedestrian mobility. These street improvements also provide easier access for future development of the south side of Consolidation Ave. between Nevada St. and 45th. Additionally, the multi-modal trail will connect via Consolidation Ave to 46th St., and ultimately to the Samish Crest Trail. The CityView complex will include 160 bicycle parking spaces, which will help to promote bicycles as an alternative mode of transit.
- Transportation Policy 1: Develop and promote safe, efficient and appealing access for all users as redevelopment occurs in the urban village (Lakeway/Lincoln area). Access for non-motorized traffic within any commercial, multi-use or multi-family development should be direct to destination, easily accessible and safe.

*The creation of the multi-modal trail within the Consolidation ROW will provide a safe, direct and easily accessible route from Nevada St to 46th, with connection to the Samish Crest Trail.

- Transportation Policy 6: Promote the construction of sidewalks where they would connect neighborhood residents to services, or high-frequency transit, separate foot and motorized traffic, and/or provide needed connectivity.

*Consolidation Ave. improvements from Nevada St. to 45th St. will provide increased connectivity. Additionally, the multi-modal trail will extend further to 46th. St and existing neighborhood connectors.

- Transportation Policy 8: Identify and develop or improve pedestrian pathways in the undeveloped public rights-of-way (ROW) where they can improve pedestrian connectivity within long residential blocks. Provide low-impact surface mitigation that would improve rocky, narrow footpaths that can be muddy or slippery. Locations include Consolidation Avenue between Nevada St and 46th.

*This trail will be completed per both City and Parks Department standards. See Prelim. Trail Plan

6) Social Behaviors

CityView will house a variety of tenants. See RFI Response: Action Item #1 for a complete explanation about how CityView is expected to function.

CityView will be professionally managed by Real Property Managers, LLC, (www.rpmnw.com) owned and operated by Morgan Bartlett, Jr. (developer of CityView). All components of the Residential Landlord/Tenant Act will be observed and in addition, all rules of the lease will be enforced. This includes, but is not limited to the following examples taken from the current RPM residential lease.

- **Garbage:** Garbage service is limited to basic services only. Tenant agrees to dispose of their ordinary household trash by placing it in the trash receptacle (dumpster) provided by the Lessor. Any debris or discarded items on or about the premises will be removed at the Tenant's expense. Charges caused by noncompliance, including billing and administrative fees, may be withheld from the security deposit. Tenant is responsible for moving their household garbage to the dumpster. Any excessive or oversized items and/or furniture must be hauled away by the Tenant at their expense; failure to comply will result in a \$200 per occurrence fine.
- **Illegal Use:** Tenant shall not use the Property for any illegal purposes. Any resident engaged in any criminal activity on or near the property may be immediately evicted.
- **Parking:** Tenants may park only in designated parking spots. All vehicles must have current tags, be licensed and in operable condition. Tenant parking passes will be distributed to manage the parking lot.
- **Noise/Nuisance:** TV, stereo and musical instrument volumes shall be kept low enough so that minimal noise escapes from the Residence. Tenant shall not create or permit any other nuisance on the Property. A \$100 fine shall be imposed for the first violation. A \$300 fine shall be imposed for the second violation. Upon notification of a third violation, the Tenant may be evicted and forfeit return of the security deposit.
- **Guests:** Tenant is responsible for the conduct of all guests on the Property and shall insure that guests comply with all rules.

7) Affordability

The City of Bellingham Comprehensive Plan Land Use Policy LU-10 aims to “achieve a healthy mix of housing that is affordable to a wide range of incomes”.

Cityview’s unit layout allows each tenant to have private space (bedroom & bathroom) as well as access to the shared living room, kitchen, and laundry facilities. In addition, all Cityview tenants will enjoy both interior and exterior common areas. Ample bike storage will encourage residents to minimize vehicle usage, as Cityview is located within easy biking distance to shopping and services.

Due to these design features, Cityview will appeal to a wide range of tenants. However, the main attraction to Cityview will be economics. In Bellingham it now costs about \$1,500-\$2,000/month to rent a **one-bedroom apartment**, depending on location. For many people, regardless of age or job status, it is impossible to make ends meet under these housing circumstances. Alternative options need to be built that offer a nice place to live without an overwhelming price tag.

Cityview fills this need:

*As opposed to \$1,500- \$2,000 per month, each one-bedroom suite at Cityview will rent for \$650-\$800 per month.

*Tenants will be able to lease units as a whole, or individually. Most units will be leased to 2-3 people, depending on their needs and goals.**

*Cityview will appeal and cater to a wide range of incomes, from young professionals with limited resources, to 55+ ready to downsize, pay off the mortgage and skip the yard maintenance.

- Cityview. Yes, it’s your space.

**See RFI Response: Action Item #1 for a complete explanation about how CityView is anticipated to function.