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**Plat of Barkley Heights
Departure Request
BMC 20.28.140(C)(3)**

The Plat of Barkley Heights development at 3615 Chandler Parkway includes a proposed departure from BMC 20.28.140(C)(3) limiting Townhome building heights to 35 feet under BMC 20.08.020 definition No 1. and 20 feet under definition No. 2. We are requesting a modification from the requirement. The proposed Townhomes are typically 4-9' taller than these definitions, depending on specific lot characteristics. This modification is consistent with the criteria for modifications from BMC 20.28.030. Please accept this memorandum as a supplement to the project application narrative.

According to BMC 20.28.030(B), "*Applicants may request minor modifications to the general parameters and design standards set forth in this chapter*". Below is an inline response to each of the criteria and how the proposed modification and project will meet the criteria.

1. *The site is constrained due to unusual shape, topography, easements or sensitive areas.*

Comment: The subject Property is clearly constrained due to unusual shape, topography, easements, and sensitive areas. The property features curved boundaries that do not run parallel, slopes ranging from 15-50%, trail and access easements, and wetlands within the western half. These physical conditions dictate the site layout and limit the location of roads and determine where units can be constructed, specifically on areas of steeper slope. Based on these conditions, it is impossible to design a project that meets all the various design standards in BMC 20.28 while also ensuring that each Townhome meets height Definitions.

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

Comment: The proposed modification is entirely consistent with the purpose of this chapter. The purpose of the chapter is to provide for alternative and innovative housing forms to be developed in the City to meet the City's housing needs and to provide opportunities for tasteful infill of our developed neighborhoods. The proposed project includes infill of a site that would normally not be feasible using traditional lots or typical height Definitions due to the steep slopes. For example, if the proposed Townhomes were on relatively flat ground, their proposed heights would meet Definition 1. Also, the proposed total height of the Townhomes is consistent with typical townhomes constructed in Bellingham.

3. The modification will not result in a development that is less compatible with neighborhood land uses.

Comment: The proposed modification will not result in a development that is less compatible with neighborhood land uses. Typically, height restrictions are used to maintain character of the neighborhood and preserve views. The height of the proposed Townhomes is consistent with the surrounding proposed and existing houses. Also, the Townhomes will be set down into grade and will not be higher than typically expected from their surroundings. The proposed townhomes are very similar in height to the recently developed houses south on Sussex Drive. Finally, the proposed location of the Townhomes is west of proposed Small Houses that will be located higher up the slope, so there is no concern that views will be obstructed.

