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City of Bellingham
Planning & Community Development
210 Lottie Street
Bellingham, WA 98225

Attention: Kathy Bell, Senior Planner

Subject: Plat of Barkley Heights
Preliminary Plat Application
Project Overview
Performance & Decision Criteria

Dear Ms. Bell:

This letter is in regards to the Preliminary Plat Application submittal requirements for the proposed Plat of Barkley Heights. Please see Property Information, Property Description, Project Narrative, review of the Performance Standards criteria pursuant to BMC 23.08.030, and review of the Decision Criteria pursuant to BMC 23.168.030.

[Property Information:](#)

Address: 3615 Chandler Parkway, Bellingham, WA 98229
Tax Parcel Number:380316372176
Owner: Dominion Sustainable Development
Applicant: David Ebenal
Agents: Tony Freeland, Freeland and Associates, 2020 West Champion Street

[Property Description:](#)

The subject property is comprised of a single tax parcel and is located south of Bristol Way, north of Sussex Drive, and west of Chandler Parkway. The parcel is approximately 11.303 acres in size.

The property is in the Barkley Area 2 neighborhood and zoned Residential Multi, Planned. The average overall density is 10,000 square-feet/unit before density bonuses.

The property is currently undeveloped and is characterized by sloped topography to the east and 3 wetlands to the west. The Wetlands A, B, and D are categorized III, III, and IV respectively. The wetland system extends south off the property and ultimately forms the headwaters of Fever Creek to the south. A 30' access and utility easement is located on the western portion of the property running north-south through the wetland buffers, and a 20' trail easement runs east-west aligned with North Ridge park.

Recent single family development has occurred north and south of the property, leaving a dead-end connection from Sussex Drive to Bristol Way. Utilities are present in both of these rights-of-way (ROW). Less recently, Chandler parkway east of the site has been developed, leaving undeveloped frontage on Chandler Parkway to the northeast, and developed lots between the property and Chandler Parkway to the southeast.

Project Description:

The proposed project seeks to develop a tasteful infill of diverse housing types strategically located between dedicated open space and existing development. Careful consideration has been taken to minimize environmental impacts, integrate existing topography, create a natural extension of surrounding neighborhoods, and provide a dense and diverse housing stock.

The proposal consists of single family cluster lots (southeast region), infill toolkit single family lots (northwest region), and infill toolkit townhomes (central region, east of the wetlands). The wetlands and associated buffers to the west will be preserved within dedicated open space and a dedicated ROW will run north-south through the property connecting Sussex Drive and Bristol Way.

The project team has held multiple neighborhood meetings with the surrounding property owners and has stayed in close contact with neighborhood leaders to facilitate a project that is sensitive to all surrounding stakeholders. The design team has worked through many design iterations while thoughtfully considering neighborhood input, Bellingham comprehensive plan, and environmental impacts of the project.

The single family cluster lots have been intentionally chosen to limit impact to existing lots above on Chandler Parkway by utilizing their setback flexibility. The infill toolkit Small House lots are nestled into the sloping topography and curved boundaries between Chandler Parkway and proposed Sussex Drive due to their lot size flexibility. The infill toolkit Townhomes lots have been strategically placed at the east end of the wetland buffers to take advantage of their compact footprint to reduce buffer impacts and provide parking accessed from an alley.

The proposed cluster long plat layout has considered surrounding trail connections as required by the Comprehensive Plan. The informal north-south trail connection that currently utilizes a utility access

easement has been preserved and will be formally dedicated to the city as a trail easement. Also, space has been allocated for an east-west connection from Northridge park through the existing trail easement. It is important to note the proposal does not recommend constructing a trail connection within this easement between Sussex Drive and Chandler Parkway because of the severe grade change and proximity to existing houses. Instead, the existing east-west trail connection from Bristol Way to Chandler Parkway serves this purpose with less impacts. The proposal is open to a connection between Sussex Drive and the existing north-south trail assuming the design will be inviting to users and have minimal impact to wetland buffers.

The project will include engineered stormwater management facilities designed to meet Bellingham and Department of Ecology code requirements. Stormwater will be captured, treated, and detained before being released to the downstream storm network and maintaining existing hydrology to the wetlands.

Title 23 of the Bellingham’s Municipal Code describes the Land Division regulations that are applicable to this project. Section 23.08.030 identifies performance standards that must be considered. Responses to the performance criteria are described within the following paragraphs.

BMC 23.08.030 Performance Standards:

B. Community Design. The city of Bellingham has adopted neighborhood plans for each of its 25 unique neighborhoods. Each applicant for a subdivision must make reference to the applicable policies for the neighborhood as outlined in the appropriate neighborhood plan and describe how the proposed adjustment or land division addresses the policies within the neighborhood plan.

Response: **The proposed cluster long plat lies within Area 2 of the Barkley Neighborhood. The zoning designation is Residential Multi Planned with a density of 10,000 sq. ft. min per unit average overall density. The proposed project mix is single-family and multi-family units, utilizing Infill Toolkit and Single-Family Clustered Lots. There are a variety of Goals and Policies from this Plan that are applicable**

Goal No. 1: *An integrated open space and trail system should continue to be implemented as defined in the Parks, Recreation and Open Space chapter of the Bellingham Comprehensive Plan and the North Bellingham Trail Plan.*

AND

Goal No. 4: *Landscaping and passive recreation areas may be developed within the buffers if specifically approved through the planned development process. Development in buffers should not be allowed if it can result in a decline of vegetation in the buffer or reduce the effectiveness of the buffer. Development adjacent to the buffers should consider stormwater and buffer impacts.*

AND

Goal No. 5: *A trail network that provides connections to existing trails or creates pedestrian connections to neighborhood amenities should be planned for and provided as development occurs. The Open Space, Parks and Recreation element of the comprehensive plan recommends the construction and maintenance of trails as a citywide network of trail corridors and greenways.*

Response: The proposed long plat development has considered the existing trail in the 30' utility and access easement, and will dedicate it as a trail easement to the City. The City and Parks are still determining at the time of this narrative who will be responsible for trail improvements within. These trail improvements would complete trail access north to Bristol Way and east to Northridge Park.

The development has also been designed to account for the existing trail easement that runs East-West through the property. Planning and Parks Department are also currently working to determine if a trail connection should be built through the easement. The development is open to a trail connection heading west from Sussex drive (if it can be constructed in a manor that limits wetland buffer impacts and is inviting to users). Conversely, the development is against constructing a connection from Sussex Drive to Chandler Parkway because of the severe grade change and proximity to adjacent houses. The existing east-west connection from Bristol Way to Chandler Parkway is sufficient and the proposed Sussex Drive sidewalks will connect to this route.

The existing wetlands and a portion of the surrounding buffers will be transferred to Bellingham Land Trust, a non-profit corporation, preserving the land for public use and protection of the wetlands. This area includes the north-south trail easement mentioned above.

A portion of the wetland buffers are proposed to be impacted by the development. A mitigation plan is proposed that will add additional buffer area, enhanced existing buffer area, and restore buffer temporarily impacted during construction. The proposed stormwater site plan will be required to consider impacts on the buffers per Bellingham stormwater code. Also, as part of the wetland mitigation plan, certain design features, such as light reduction strategies, are proposed to reduce impact on the adjacent buffers.

Goal No. 2: *New development should implement strategies to preserve healthy trees on hillsides where views are desired.*



The project is proposing a 30' rear setback for the single-family clustered lots (standard setback distance is 10') to preserve the west facing views from the existing residences on Chandler Parkway. Trees will be preserved or planted to the maximum extent feasible within the increased setback area.

- C. Natural features, that may or may not be regulated by other code provisions, including but not limited to trees, topography, shorelines, streams, wetlands, habitat, geologically hazardous areas, and associated critical area/shoreline buffers, should be incorporated into the overall land division design through preservation to the extent feasible.

Response: Large portions of the site containing the wetlands, and associated buffers containing mature forest, are proposed to be preserved and will continue to function and serve the environment. The proposed lots are arranged in a manner that is sensitive to the natural landscape features. A retaining wall is proposed along the western edge of the lots to minimize the impact on the buffer by minimizing grading westward. Behind the retaining wall, the proposed buildings will be benched into existing grade to minimize bedrock impact and follow the existing topography. A geotechnical assessment has determined that the hillside is sufficiently stable and poses low risk for the proposed development.

D. Clearing and Grading.

1. *In addition to demonstrating compliance with the land clearing (Chapter 16.60 BMC), grading (Chapter 16.70 BMC) and Lake Whatcom Reservoir (Chapter 16.80 BMC) regulatory provisions, as applicable, the proposed layout of a land division should include the following standards:*
 - a. *Clearing and grading limits are established to avoid impacting critical areas and/or their associated buffers, natural features as identified in subsection (A) of this section and adjacent properties;*
 - b. *Good engineering practices have been implemented to ensure the proposed grading:*
 - i. *Is the least necessary to protect slope stability and prevent erosion;*
 - ii. *Will not result in the excessive use of retaining walls and/or rockeries along lot lines, project's exterior boundaries, streets and the exterior boundaries of the plat;*
 - iii. *Establishes suitable building sites, driveways, public streets, pedestrian corridors, and utilities that are not located on fill. The city may impose a condition of preliminary approval requiring the submittal of a geotechnical report prepared by a Washington State licensed geologist or geotechnical engineer for city review and approval; and*
 - iv. *Will not distribute site material resulting from grading to areas within the land division that would cause additional clearing or grading that would otherwise be unnecessary.*

Response: The contractor will be required to establish clearing limits as shown on future permit documents. Clearing limits will be restricted to only areas of road and home construction. The proposed ROW follows the existing contours of the hillside, minimizing the need

for grading and retaining walls within the ROW and adjacent lots. Retaining walls are not required along exterior boundaries. Housing will be stepped up the hillside to minimize excavation and fill. This effort reduces the amount of land disturbance, removal of existing trees and reducing the need for excessive retaining walls. Plans have been prepared by a civil engineer using best engineering practices and under consultation with the geotechnical engineer that has prepared the included geotechnical reports.

E. Dedication. Land dedicated for public infrastructure, including but not limited to right-of-way, utility, and parks and recreation purposes, is incorporated in the land division as necessary to:

- 1. Rights-of-Way and Utilities. Serve all lots proposed within the subdivision and to provide for orderly extension of public infrastructure for anticipated development in accordance with BMC Title 13 and the comprehensive plan; except this requirement may be waived if the city engineer determines that additional right-of-way will not be necessary for the future traffic circulation of the city, or for future road widening to accommodate anticipated development in the vicinity.*

Response: The proposed ROW is located through the center of the development and it provides a frontage for all proposed lots. Utilities are proposed within this ROW to serve all lots and connect to existing utility networks surrounding the project. The proposed road provides a clear and direct connection between two existing neighborhoods and completes the connection between two existing roads that currently dead-end.

- 2. Parks and Recreation. Provide open space, trail, and recreation facilities pursuant to the adopted parks, recreation, and open space plan of the comprehensive plan and construct the facilities according to the city's design standards for park and trail development, as amended.*

Response: The proposed plat layout has considered the existing trail easement. It allocates space for a trail to be constructed west from the proposed Sussex Drive ROW to the existing trail running north-south, and east to Chandler Parkway and the trail within Northridge Park (see commentary on the feasibility of this connection above). Also, as part of the development, the existing trail running north-south through the access easement will be improved to meet park standards.

F. Pedestrian Features. Incorporate pedestrian features into the overall plat design that provide for networks of walking and bicycle facilities that create access to community services and amenities such as schools, parks, shopping centers, public transportation stops, bicycle and pedestrian corridors identified in the city's bicycle and pedestrian master plans within the proposed land division and to adjoining property that is not subdivided. Pedestrian features should be spaced at 500-foot intervals unless such an interval is not feasible due to a physical hardship that is not a result of the overall plat design.



Response: The proposed cluster long plat includes sidewalks and trails that connect to the surrounding neighborhoods. From these points pedestrians can navigate the existing neighborhoods to nearby shopping, dining, movie theater, public transportation stops and schools. The proposed vehicle and pedestrian connections have an accessible driving and walking surface with sufficient lighting for security.

G. *Streets. In addition to demonstrating compliance with BMC Title 13, Streets and Sidewalks, and the city's development guidelines and public works standards, the overall street layout for a division of land should incorporate the following:*

1. *Compliance with Comprehensive Plan and Neighborhood Plan. The alignment of arterial streets should be included in a location as nearly as possible with that shown in the most recently adopted city of Bellingham comprehensive plan, the appropriate neighborhood plan and zoning table (Chapter 20.00 BMC).*

Response: The proposed cluster long plat completes the connection of Sussex Drive to Bristol Way in compliance with the comprehensive and neighborhood plans.

2. *Vehicular and Pedestrian Circulation. Streets and trails proposed within a land division should:*

- a. *Extend to and connect with existing streets abutting its perimeter to provide for the logical extension of streets and utilities for coordinated development of contiguous tracts or parcels of undeveloped land.*
- b. *Include a street network that provides multiple routes within and in/out of a proposed division of land with a grid pattern or a network modified grid of curvilinear streets and/or alleys unless there are physical limitations including critical areas, significant natural features, conflicts with the existing built environment, or adverse topography that prevents such a street pattern.*
- c. *Avoid single points of access, cul-de-sacs, and dead-end streets, unless the city determines such extension is not necessary due to physical conditions that exist on or adjacent to the site.*
- d. *Public and private trails should also be considered in the design of a street network.*

Response: The proposed cluster long plat completes the vehicular and pedestrian connection of Sussex Drive and is a logical extension of the existing street and utilities. The proposed connections allow access from the north and south and do not create dead-ends or cul-de-sacs. The proposed connection is located in a manner that is consistent to the natural features of the site, including the maximum preservation of the existing wetland. Trail access to the east and west have also been considered.

3. *Access to Local and Arterial Streets. The land division should show all access locations for all lots and proposed streets to maximize safety consistent with BMC Title 13.*

Response: Each lot will have access to the proposed streets. Access is shared where possible to limit the number of driveways. The proposed multi-family residential development is located near two significant arterial streets, Barkley Boulevard and Sunset Drive. Thus, improving the circulation within the neighborhood.

4. *Safety. Street layouts shall be designed to maximize safety for all modes of transportation. The applicant shall provide, to the extent feasible, a street layout that promotes visibility and reduces user conflicts through the placement of parking areas and the use of curb bulb-outs, landscaping strips, meandering sidewalks and other means of ensuring pedestrian safety and reducing vehicular speed through residential areas.*

Response: The proposed cluster long plat includes alleys and shared driveways to maximize safety for vehicles backing out of driveways and garages; for pedestrians and bikers and for children playing in front yards and on sidewalks. This has been achieved with a direct, and visually unobscured, new street extension between the existing two neighborhoods. The street extension is relatively straight and does not have abrupt turns or changes in grade. Parallel parking is proposed on one side, which will radius to pedestrian bulb-outs where the proposed alley entrances intersect Sussex Drive. Sidewalks are proposed on both sides of the road.

5. *Street Trees. The overall street network is designed to accommodate street trees that can be evenly spaced through all existing and proposed street frontages. To ensure the location of these trees will not conflict with proposed utilities, the required street tree permit and landscape plan shall be reviewed concurrently with the public facility contract application for the required infrastructure. If a location conflict arises, the priority is to redesign the utility location first to ensure a consistent planting schedule for the required street trees. An alternative planting plan should only be allowed if the city determines that there are no other alternative utility designs that would avoid a conflict between the utilities and trees. [Ord. 2018-12-036 § 2 (Exh. A)].*

Response: Street trees will be planted along the Sussex Drive right-of-way as proposed in the Landscape Plan and in accordance with the City of Bellingham Public Works Department. The ROW width provides adequate space to route utilities without conflicting with the proposed trees.

23.16.030 Decision Criteria

A. *Preliminary plats shall be given approval, including preliminary plat approval subject to conditions, upon finding by the hearing examiner that all of the following have been satisfied:*

1. *It is consistent with the applicable provisions of this title, the Bellingham comprehensive plan and the Bellingham Municipal Code;*



Response: The Plat has been designed to be consistent with the applicable provisions, Comprehensive Plan, and all applicable sections of the BMC.

2. *It is consistent with the applicable provisions of Chapter 23.08 BMC;*

Response: The Plat is consistent with the provisions of Chapter 23.08 BMC, see criteria addressed in the proceeding section of this narrative, all plans, reports and other relevant information provided with this application.

3. *The division of land provides for coordinated development with adjoining properties or future development of adjoining properties through, where appropriate, the extension of public infrastructure, shared vehicular and pedestrian access, and abutment of utilities;*

Response: The Plat is designed so the road is to full standard and is aligned with existing connection points to the north and south, completing Sussex Drive. Utilities will connect to the north and south as well.

4. *Each lot in the proposal can reasonably be developed in conformance with applicable provisions of the BMC, including but not limited to critical areas, setbacks, and parking, without requiring a variance that is not processed concurrently with the subdivision application pursuant to Chapter 23.48 BMC;*

Response: Each lot can be reasonably developed and meet applicable development criteria. Please see requested departures and variances included with this application.

5. *There are adequate provisions for open spaces, drainage ways, rights-of-way, sidewalks, and other planning features that assure safe walking conditions for pedestrians, including students who walk to and from school, easements, water supplies, sanitary waste, fire protection, power service, parks, playgrounds, and schools; and*

Response: All provisions listed are adequately met. See attached civil plans for details and design features. See relevant project information, plans, studies and reports for analysis of project compliance with all listed criteria.

6. *It will serve the public use and interest and is consistent with the public health, safety, and welfare. The director shall be guided by the policy and standards and may exercise the powers and authority set forth in Chapter 58.17 RCW, as amended.*



Response: The proposed Plat will serve the public use and interest and is consistent with public health, safety, and welfare.

B. Notwithstanding approval criteria set forth in subsection (A) of this section, in accordance with RCW 58.17.120, as amended, a proposed subdivision may be denied because of flood, inundation or presence of environmentally sensitive areas as regulated by Chapter 16.55 BMC. Where any portion of the proposed subdivision lies within both a flood control zone, as established pursuant to Chapter 86.15 RCW, and the area of special flood hazard as defined in Chapter 17.76 BMC, the city shall not approve the preliminary plat unless it imposes a condition requiring the applicant to comply with the applicable regulations in Chapters 16.55 and 17.76 BMC and any written recommendations from the Washington Department of Ecology. In such cases, no development permit associated with the proposed subdivision shall be issued by the city until flood control problems have been resolved.

Response: The project site is not located within a flood control zone and does not require any additional approval from the Washington Department of Ecology.

C. An applicant for a preliminary plat may request that certain requirements established or referenced by this title be modified. Such requests shall be processed according to the procedures and criteria for administrative modification or variances in Chapter 23.48 BMC. [Ord. 2018-12-036 § 2 (Exh. A)].

Response: See requested departures and variances submitted with this application.

Please let us know if you have any questions regarding this response.

Sincerely yours,



Tony Freeland, P.E

