

RESOLUTION NO. 19-94

RESOLUTION ACCEPTING PRELIMINARY PLAT OF HAWLEY'S REPLAT

WHEREAS, pursuant to Chapter 18.16 of the Bellingham City Code, Cypress Partners (Excell Development and Irv Hawley), proponents for the proposed subdivision, comprising 46.71 gross acres, located along the extension of Nevada Street, between Edwards Street and Consolidation Avenue, within the City of Bellingham, have made application for approval of a preliminary plat containing 123 units including 64 single family lots, 1 duplex lot, 1 triplex lot, 1 4-plex lot, and a 50 unit multi-family tract, and

WHEREAS, pursuant to Section 18.16.040 of the Bellingham City Code, the applicant met with the City's Technical Review Committee, and thereafter said Committee formulated certain conditions for consideration by the Planning Commission and City Council; and

WHEREAS, the developer met with the neighborhood to discuss the proposal; and

WHEREAS, the Bellingham Planning and Development Commission held a public hearing concerning the matter on March 17, 1994; and

WHEREAS, the Bellingham Planning and Development Commission recommended approval of the application subject to the conditions set forth in the Technical Review Committee recommendation, relocation of four lots, and dedication of open space; and

WHEREAS, said Preliminary Plat has been duly examined as a cluster subdivision and planned residential site plan; and

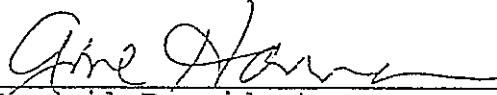
WHEREAS, an environmental checklist has been prepared and considered by the Responsible Official and a Determination of Nonsignificance has been issued; and

WHEREAS, the Bellingham City Council held a public hearing on April 25, 1994, concerning the above Preliminary Plat, NOW THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF BELLINGHAM:

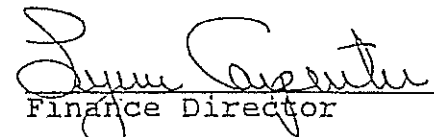
That the Preliminary Plat has been presented for acceptance, approval, and filing, as shown in Exhibit "A", and is hereby accepted, approved, and ordered filed, subject to the restrictions listed on Exhibit "B" attached hereto and made a part hereof by reference as though set forth fully herein. The property, in the city limits of the City of Bellingham, included in this plat is described in Exhibit "C".

PASSED by the council this 10th day of May, 1994.


  
Council President

APPROVED by me this 24th day of May, 1994.

  
Mayor

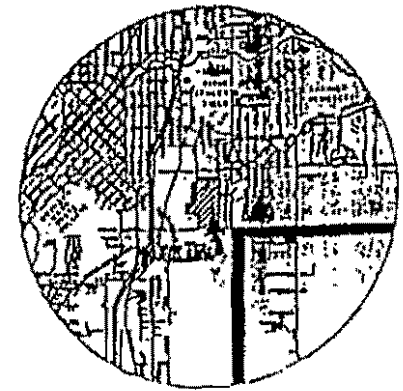
ATTEST:   
Finance Director

APPROVED AS TO FORM:

  
Office of the City Attorney

**EXHIBIT A  
HAWLEY'S REPLAT PRELIMINARY PLAT**

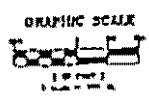
Lakeway Drive



**VICINITY MAP.**

**GENERAL NOTES:**

- PLAT AREA..... PHASE I - 8.6 AC. - PHASE II - 26.4 AC.
- LOT SUMMARY..... 14 SINGLE DET., 2 DUPLEX LOT, 3 TRIPLEX LOT, 14 (RESERVED LOTS), 10 (SPLIT LOTS), 127 UNIT TOTAL.
- LOT SIZE (TYPICAL SINGLE FAMILY)..... 1000 SQ. FT.
- GROSS DENSITY..... 148 UNITS PER ACRE
- ALLOWABLE DENSITY..... 127 UNITS PER ACRE
- ZONING..... R-1000
- SEWAGE DISPOSAL..... CITY OF BELLINGHAM
- WATER SUPPLY..... CITY OF BELLINGHAM
- DEVELOPER..... STEVEN HAWLEY; DEVEL. DEVELOPMENT CO. INC. 311 TELEGRAPH RD. BELLINGHAM, WA 98225 (PH. 875-1571)
- ENGINEER/SURVEYOR..... RONALD T. JAYSON & ASSOC. 311 GRAND AVE. SUITE C BELLINGHAM, WA 98225 (PH. 772-5700)



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# GENERAL NOTES:

PLAT AREA:..... PHASE 1 - 16.55 AC. - PHASE 2 - 30.16 AC  
LOT SUMMARY:..... 64 SINGLE DET.  
2 (1 DUPLEX LOT)  
3 (1 TRIPLEX LOT)  
4 (1 FOURPLEX LOT)  
50 (MULTI. UNITS)  

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123 UNITS TOTAL

LOT SIZE  
(TYPICAL SINGLE FAMILY)..... 5000 S.F.

GROSS DENSITY..... 3.65 UNITS PER ACRE  
ALLOWABLE DENSITY..... 8.7 UNITS PER ACRE  
ZONING..... RM - 5000  
SEWAGE DISPOSAL..... CITY OF BELLINGHAM  
WATER SUPPLY..... CITY OF BELLINGHAM  
DEVELOPER..... CYPRUS PARTNERS  
C/O EXXEL DEVELOPMENT CO. INC.  
335 TELEGRAPH RD.  
BELLINGHAM, WA. 98226  
PH. # 734-2872

ENGINEER/SURVEYOR..... RONALD T. JEPSON & ASSOC.  
222 GRAND AVE. SUITE C  
BELLINGHAM, WA. 98225  
PH. # 733-5760

**EXHIBIT "B"**

**Hawley's Replat Conditions:**

**General:**

1. The applicant or its successor in interest shall provide mitigation to the Bellingham School District at the building permit stage.
2. Bellingham Municipal Code Applicable Land Use Development Regulations:

Detached single family lots shall be subject to Standard Development Regulations found in Chapter 20.30.040. Attached single family structures shall be subject to regulations found in Chapter 20.32.045 C-J.

The duplex lot, triplex lot, and four-plex lot shall be subject to Standard Multi-Family Regulations found in Chapter 20.32.000.

The 50 unit multi-family tract shall be subject to Planned Development Regulations found in Chapter 20.38.050 B.

3. Two street trees shall be installed for each single family and duplex lot, one tree per each 50 feet of street frontage for the triplex and four-plex lots (however, each lot shall not have less than 2 trees). Street tree requirements for the 50 unit multi-family tract shall be those specified in Bellingham Municipal Code 20.12.030 for similar uses. Street trees shall be installed according to a plan approved by the City.
4. Internal cul-de-sacs shall be named by the Planning Commission prior to final plat consideration.

**Circulation Access:**

1. The existing Nevada Street right-of-way shall be vacated and a new 60 foot wide right of way shall be dedicated connecting Nevada Street between Edwards Street and Consolidation Avenue.
2. Within the plat, Nevada Street shall be constructed to 28' with concrete curbs, gutters, 5' foot wide sidewalks, street lighting, and enclosed storm drainage on both sides.
3. Nevada Street shall be improved to a minimum standard north of the plat to Lakeway Drive in any area where it is substandard.

4. All cul-de-sacs within the plat shall be constructed to 24' with rolled curb, 6 inch thick concrete sidewalk, street lighting, and enclosed storm drainage on both sides. Cul-de-sac rights-of-way shall be a minimum of 50 feet.
5. Consolidation Avenue shall be improved to 3/4 City standards of a 28' street adjacent to Phase 1.

**Signage and Pavement Markings:**

1. All street signs and pavement markings shall comply with Public Works Department standards.

**Lot Access:**

1. All corner lots shall access from the cul-de-sac street.
2. All Nevada Street driveways shall meet minimum stopping sight distance standards at 25 miles an hour.

**Water Quality Treatment:**

1. All street impervious surfaces are subject to water quality treatment prior to discharge to the existing public transport system.

**Transportation Impact Fees:**

1. A transportation impact fee for off-site impacts shall be collected at the time of building permit issuance. The fee shall include a cost component for the Samish Overpass project.

**Surface Water:**

- 1: A stormwater management plan shall be submitted and approved by the Public Works Department and Planning Division. The plan shall be in accordance with the State Dept. of Ecology Stormwater Technical Manual and the City of Bellingham Watershed Master Plan. The following elements must be addressed:
  - a) A permanent water quality facility shall be provided.
  - b) A stormwater detention facility meeting DOE criteria shall be provided. Alternative measures as outlined in the City of Bellingham Watershed master Plan may be substituted. Any alternative measures must be designed and implemented prior to final plat approval.

- c) An erosion and sedimentation control plan shall be submitted and approved prior to ground disturbance.
- d) There shall be provisions for positive lot drainage for all lots within the subdivision.

**Sanitary Sewer:**

1. All lots shall abut upon a publicly maintained sanitary sewer main capable of providing gravity service and conforming with Public Works Department improvement standards. All sewer mains, along with their size and location, shall be reviewed and approved by the Public Works Department. As required by the Public Works Department, sewer mains shall be extended where necessary to allow for future development around and adjacent to this plat.

**Water:**

1. All lots shall abut upon a publicly maintained water main. Water mains shall be extended from the existing mains in the Briarwood Plat to the existing main on Nevada Street. All water mains shall be sized and installed in accordance with Public Works Department standards and shall be approved by the Fire Marshall.

**Fire:**

1. The water supply for fire protection (fire flow) shall be a minimum of 750 gallons per minute at 20 pounds per square inch residual pressure. Fire hydrants shall be approved by the Fire Department, and shall be located no greater than 500 foot intervals.
2. Street names shall be selected to be consistent with the City's overall street naming plan and shall not conflict with names or homonyms already in Whatcom County.

**Wetlands:**

- 1: Wetland mitigation shall be addressed in a Wetland Permit approved by the Planning Division for the site.

**Landscaping/Vegetation:**

1. A clearing plan shall be submitted to the Department of Planning and Community Development for approval. Mature stands of trees shall be preserved and integrated with the site as approved by the City. Clearing shall not be permitted until after construction plans have been approved by the City, a bond submitted for construction,

and the erosion control plan approved and installed. Selective clearing of brush and trees shall not unnecessarily disturb ground cover and shall be limited to rights-of-way and utility easements until final plat approval, except as necessary to accommodate said construction and only as approved by the Public Works Department and so indicated on the approved construction plans. Additional clearing on any lot shall not occur until a building permit has been issued or a clearing management plan has been approved by the City.

**Parks:**

1. Approximately 15 acres of the site, as shown on Exhibit A, shall be dedicated to the City of Bellingham for open space purposes. This dedication will fulfil the applicant's open space/park dedication requirement for the entire Hawley's site.
2. The final plat shall provide public access from each cul-de-sac and along Nevada Street to the public open space area. Public access points to the open space area shall be provided in locations approved by the Planning Division and Parks Department.

**Future Phases:**

1. Additional administrative site plan review shall be required prior to development on the 50 unit multi-family tract.
2. Additional public review will be required prior to development of Area B as shown on the attached site plan.
3. Phasing of single family lots will be allowed consistent with a plan approved by the City. Preliminary plat shall be extended each time a final plat is recorded with the Whatcom County Auditor's Office.



## PARCEL A:

THE SOUTH HALF OF LOT 8, ALL OF LOTS 9 TO 24, INCLUSIVE, AND THE SOUTH HALF OF LOT 25 IN BLOCK 25; LOTS 7 TO 32, INCLUSIVE, IN BLOCK 26; ALL OF BLOCKS 33 AND 34; THE VACATED EAST 10 FEET OF MOORE STREET ABUTTING LOTS 1 TO 6 INCLUSIVE IN BLOCK 34 AND ABUTTING THE SOUTH HALF OF LOT 8 AND ALL OF LOTS 9 TO 16, INCLUSIVE IN BLOCK 25 AND ALL OF VACATED BLOCKS 27, 28, 31 AND 32, INCLUDING VACATED STREETS AND ALLEYS, ALL IN "CEDER ADDITION TO NEW WHATCOM," NOW A PART OF THE CONSOLIDATED CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON, AS PER THE MAP THEREOF, RECORDED IN VOLUME 4 OF PLATS, PAGE 20, IN THE AUDITOR'S OFFICE OF SAID COUNTY AND STATE.

LESS THE EAST 40 FEET OF BLOCKS 28 AND 31 AS DESCRIBED IN AUDITOR'S FILE NO. 1010691.

SITUATE IN COUNTY OF WHATCOM, STATE OF WASHINGTON

## PARCEL B:

A TRACT OF LAND SITUATED IN GOVERNMENT LOT 2, SECTION 32, TOWNSHIP 38 NORTH, RANGE 3 EAST OF W.M., DESCRIBED AS FOLLOWS:

ALL OF THE NORTH FIVE ACRES LYING WEST OF THE CENTRAL LINE OF PACIFIC STREET (EXTENDED) EXCEPT 30 FEET ALONG THE EAST SIDE WHICH IS LEFT FOR A STREET.

SITUATE IN COUNTY OF WHATCOM, STATE OF WASHINGTON

## PARCEL C:

A TRACT OF LAND IN GOVERNMENT LOT 1, SECTION 32, TOWNSHIP 38 NORTH, RANGE 3 EAST OF W.M., DESCRIBED AS FOLLOWS:

COMMENCING AT A STAKE 403.84 FEET EAST OF THE NORTHWEST CORNER OF SAID LOT 1; THENCE RUNNING EAST 913.76 FEET TO THE NORTHEAST CORNER OF SAID LOT 1; THENCE SOUTH 433.04 FEET; THENCE WEST 543.50 FEET; THENCE NORTH 120 FEET; THENCE WEST 370.26 FEET; THENCE NORTH 313.04 FEET TO THE POINT OF BEGINNING; CONTAINING 8.06 ACRES MORE OR LESS.

SITUATE IN COUNTY OF WHATCOM, STATE OF WASHINGTON

(CONTINUED)

EXHIBIT C - LEGAL DESCRIPTION  
(CONTINUED)

NO. 41125

PARCEL D:

GOVERNMENT LOT 2 IN SECTION 32, TOWNSHIP 38 NORTH, RANGE 3 EAST OF W.M., EXCEPTING THEREFROM THE TRACT CONVEYED TO WILLETTE WORNOTH, BY DEED RECORDED UNDER AUDITOR'S FILE NO. 211054, DESCRIBED AS FOLLOWS:

THE NORTH 5 ACRES WEST OF THE CENTERLINE OF PACIFIC STREET IN SAID GOVERNMENT LOT 2, EXCEPTING FROM SAID 5 ACRES THE EAST 30 FEET, WHICH IS TO BE LEFT FOR STREET.

EXCEPT, ALSO THAT PORTION LYING WITHIN THE "PLAT OF BROADVIEW ESTATES, DIVISION NO. 1," AS PER THE MAP THEREOF, RECORDED IN VOLUME 9 OF PLATS, PAGE 59, IN THE AUDITOR'S OFFICE OF SAID COUNTY AND STATE.

SITUATE IN COUNTY OF WHATCOM, STATE OF WASHINGTON