

## SUMMARY OF PLANNING COMMISSION WORK SESSION JUNE 3<sup>RD</sup>, 2010

### *Fountain District Urban Village Subarea Plan and Development Regulations*

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**Commissioners Present:** Tom Barrett, Chair; Sharon Robinson, Vice Chair; Danne Neill; Allen Matsumoto; Edie Norton.

**Absent:** Jim Bishop and Kurt Baumgarten

**Staff Present:** Katie Franks, Development Specialist II; Brian Smart, Planner II; Chris Comeau, Transportation Planner; Tara Sundin, Special Projects Manager; Heather Aven, Planning Commission Secretary.

A Planning Commission work session was held on Thursday, June 3<sup>rd</sup> to give commissioners the opportunity to discuss several topics identified during the public hearing on May 20<sup>th</sup>. (Click on links to view [Agenda](#) and [Comment Tracker](#).) Staff prepared presentation materials regarding the details, background studies, and the broader City-wide policies that informed the proposals in the Fountain District Urban Village Subarea Plan and corresponding development regulations. (Click to view [staff presentation](#).) Because it was a work session, no public comment on the Fountain District topic was taken during the meeting. Following a question and answer session with staff and a lengthy discussion between Planning Commissioners, the Commission is considering recommending a number of changes to staff's proposal. The Commission will consider taking action on these proposed changes following the June 17<sup>th</sup> public hearing.

- 1. Elm Street Corridor:** The proposal is to provide bike lanes on Elm Street between Broadway and Connecticut, which would require removal of on-street parking on one side of the street (see [staff presentation](#) for parking analysis). Commissioners discussed ways of adding parking in the area to mitigate potential impacts of removal of on-street parking along Elm Street.

Change Proposed: The following language will be added to Page 30 of the *Subarea Plan*, "Public Parking Policies":

- "Development of on-street parking on side streets within the Commercial Core and Commercial Transition areas is encouraged, where space allows, through the creation of diagonal parking."

Planning Commission asked staff to research the feasibility of declassifying Monroe Street between Meridian and Elm Streets, from an arterial to a residential street, to allow flexibility for on-street parking.

Change Proposed: The following language will be added to Page 30 of the *Subarea Plan*, "Public Parking Policies":

- "Consider reclassifying Monroe Street between Meridian and Elm from "arterial" to "residential." Work with property and business owners, residents, and the City Fire Department to explore additional parking opportunities that could be created in this portion of the Monroe Street right-of-way."

No other changes to proposal.

- 2. Maximum allowable height on Meridian Street:** Discussion of the proposed change from 35' to 45' maximum allowable height in the Commercial Core along Meridian, as well as the proposed change on the Haggen site from the existing "No Height Limit – Planning Director's Discretion" to a maximum allowable height of 55'. Under the topic of height, commissioners also discussed the proposal to limit maximum height at the "Fountain Galleria" site to 45'. This and several other sites in the southern end of the Commercial Core are currently zoned "No Height Limit – Planning Director's Discretion" (Click to view the [Existing Zoning Map](#) for current allowable maximum heights in the Fountain District Urban Village area.)

No change to proposal.

- 3. **Duplex Housing in Residential Transition 1 Areas:** Commissioners asked for more detail about design requirements under the Infill Toolkit Guidelines for duplex housing, and for comparison to the existing code requirements for these housing types. All duplexes will be required to meet the Infill Housing Toolkit guidelines.

No change to proposal.

- 4. **Create opportunities for additional parking within the district:** Public comment identified the need for additional parking in the southern end of the village area. Commissioners asked staff to bring information about potential opportunities in this area, and asked if a "Parking District" might be created similar to the two existing Fairhaven Parking Districts.

Change Proposed:

- "Land Use Classification #17. Parking Facilities" in BMC 20.37.220 Fountain District Urban Village – Permitted Uses from Not Allowed to as a Conditional Use in Commercial Transition areas. Parking Facilities (surface or structured) would be permitted subject to the Conditional Use provisions specified in BMC 20.16 and to general requirements for the use and the use area.

Land Use Classification:	Commercial Transition	Commercial Transition	Residential Transition 1	Residential Transition 2
17. Parking facilities	P	<del>N</del> <u>C</u>	N	N

No other changes to proposal.

- 5. **Additional Changes Proposed As Outlined in Public Comment Tracker:** The Planning Commission reviewed other changes outlined in the Comment Tracker (ADD LINK) and is considering the following changes to staff's proposal:

**Change Proposed:** Accommodating the needs of the City's Fire and Emergency Response Vehicles was tantamount in planning for the circulation and transportation element of the district. The last sentence of the first paragraph on Page 23 of the Subarea Plan Subarea Plan will be edited to read as follows:

- "Transit Service is available along Meridian and Elm Streets. Meridian and Elm Streets both serve the City's Fire and Emergency Response vehicles and Whatcom Transit Authority (WTA) bus service on a continuous basis."

**Change Proposed:** The following policy language be added to Page 24 of the Subarea Plan under "Circulation Policies:"

- "Consider creating traffic calming devices to discourage traffic from cutting through the residential area on Halleck Street at the south end of Peabody Street."

**Change Proposed:** Page 39 of the *Subarea Plan* identifies the Capital Improvement costs *“\*\*includes costs of sidewalk construction on one side W. Illinois Street from Cornwall Ave. to Lynn Street.”* Staff recommends that the following policy language be added to Page 26 of the *Subarea Plan* under *“Streetscape Policies:”*

- *“Construct sidewalks on the northern side of W. Illinois Street from Northwest Avenue to Lynn Street, and missing sidewalk section on the southern side of W. Illinois between Northwest and Cornwall Avenues.”*

**RECORD OF PROCEEDINGS OF THE  
PLANNING AND DEVELOPMENT COMMISSION  
CITY OF BELLINGHAM, WASHINGTON  
PUBLIC HEARING**

**THURSDAY  
May 20, 2010**  
Video-taped & Audio-recorded

**7:00 P.M.  
CITY COUNCIL CHAMBERS**  
[www.cob.org](http://www.cob.org)

**CALL TO ORDER:**

The meeting was called to order by Sharon Robinson, Vice-Chairman of the Planning Commission.

**ROLL CALL:**

Tom Barrett, Jim Bishop, Sharon Robinson, Kurt Baumgarten, Edie Norton, Allen Matsumoto, and Danne Neill.

*Present:* Jim Bishop, Sharon Robinson, Kurt Baumgarten, Allen Matsumoto, Edie Norton, and Danne Neill

*Absent:* Tom Barrett

*Staff Present:* Tim Stewart, Planning and Community Development Director; Tara Sundin, Special Projects Manager; Katie Franks, Development Specialist II; Brian Smart, Planner II; and Heather Aven, *City Recording Secretary*.

**APPROVAL OF MINUTES:**

No minutes submitted for approval.

**15 MINUTE PUBLIC COMMENT PERIOD:**

No testimony given.

**PUBLIC HEARING:**

**ZON2009-00001:** A public hearing to consider the adoption of the Fountain District Urban Village Subarea Plan and implementing development regulations. This includes new zoning for portions of land use Areas 3 and 8, and all of Areas 6 and 10 of the Columbia Neighborhood Plan; Areas 9, 10, 11, and 11A of the Cornwall Park Neighborhood Plan; a portion of Areas 3 and 8, and all of Areas 2 and 5 of the Lettered Streets Neighborhood Plan, and amendments to the Land Use Development Code. The area included in the proposal is generally located west of Meridian Street to Elm Street/Northwest Avenue, east of Meridian Street to Broadway Avenue, and south of W. Illinois Street to Broadway Avenue.

**STAFF PRESENTATION**

Katie Franks provided a PowerPoint that displayed an overview of the Fountain District project and touched on some of the process followed to date. She noted that this area was identified in the Bellingham Comprehensive Plan as an urban center, with the potential to become an urban village. She pointed out that the Columbia, Cornwall Park, and Lettered Streets neighborhoods have all been working on making this area better. She discussed the benefits and challenges that were discussed at the public meetings staff held.

Katie Franks compared the proposed boundaries, brought to the public in February 2009, with what is currently being proposed. She discussed the importance of an urban village offering multi-modal opportunities and discussed some of the constraints that this neighborhood presents. She explained how staff decided which areas would have more emphasis on the pedestrian, which areas would be focused on the bicyclist, and which areas would remain auto-centric.

Katie Franks pointed out that Elm and Meridian have some similar challenges when it comes to being pedestrian and bicyclist friendly. She stated that this challenge was addressed in the proposal by including language that provided for:

- wider sidewalks by encouraging building setbacks.
- pedestrian scaled features through the inclusion of lighting, seating, and signage.
- the addition of marked crossings and bulb-outs on the streets.
- street trees and landscaping, as well as striped bike lanes wherever possible.

Katie Franks continued her presentation and discussed some of the solutions staff is proposing along the Elm and Meridian corridors. She also talked about the parking and bike lane striping that would be added along Elm and the inclusion of bike boulevards along some of the low-traffic neighborhood streets.

Katie Franks acknowledged that although staff has tried to maximize parking in some areas, the proposed removal of parking along Elm/Northwest has been an issue for some of the residents. She stated that staff proposes diagonal on-street parking be added to the Commercial Core and the ½ block side streets that connect to it. She discussed the possibility of creating residential parking zones, providing secured bike parking infrastructure, and placing the parking to the side and rear of buildings. She also explained that, in an effort to encourage the re-use of existing buildings, the proposal includes a reduction to the minimum parking ratio for commercial uses. She discussed some of the objectives for the Fountain Plaza Park, as well as the parking surrounding it.

Katie Franks provided an overview of the Fountain District and explained the proposed zoning and what uses would be allowed in each of them. She also discussed the proposed height limits, the proposed setbacks and stepbacks for new development, and the different opportunity sites that staff identified. She commented on some of the development regulations that will be part of the Fountain District Urban Village.

### **PUBLIC HEARING OPENED**

**Sara Snow** expressed her concern about the parking being removed from Elm Street. She noted that some driveways are not wide enough for more than one car. She commented that if parking was not allowed on the street, it would prevent friends from visiting and garage sales from being held.

**Jim Straetmann** commented that the plan is great. He wanted to advocate for the insertion of traffic calming devices on Halleck, at the south end of Peabody.

**Mark Keller**, President of Columbia Neighborhood expressed their support for the proposed Fountain District Urban Village Plan. He stated that the Columbia Neighborhood Association is especially supportive of the proposed design standards and staggered setbacks and step-backs for new development. He stated that streetscaping and other public realm improvements envisioned in the plan, will encourage more pedestrian / bicycle traffic which will mitigate pollution and traffic congestion. He encouraged the Planning Commission to consider greater residential density than proposed by staff.

**Elke Daugherty** submitted written comment. She expressed her support for the encouragement of biking, the provision of attractive street-scaping, revitalizing the Fountain Plaza Park, and requiring design standards on new development. She stated that she participated in two of the focus group discussions, and recalls most participants felt the overall height of 45' and 55' allowed on the Hagen Site were too extreme for the neighborhood. She conducted her own survey and reviewed the results with the Commission. She commented that her neighborhood should not be used as a buffer to the residential neighborhood, and stated that development in the commercial core should consider that when building. She stated that the majority of the households she independently surveyed supported the

cottage and attached dwelling unit housing forms, but did not support duplexes. She suggested that the Commission impose a 35' height limit and only allow ADU and carriage housing forms be allowed from the infill toolkit.

**Mark Tucker** expressed his support for the bike route along Peabody Street. He stated in an effort to avoid lot consolidation, he encouraged the Commission to deny the inclusion of the duplex housing form. He noted that spreading out the density on a more equal level (including the 4 blocks east of Meridian and the 4 blocks east of Elm Street) would be a more effective way to plan for the Urban Village.

**Lee Posthumus** expressed her support for the increase in density; however, she would like the height limit to remain at 35', in the Commercial Core, in an effort to preserve the views along Vallette, Peabody, and Kulshan streets. She commented that, in her opinion, limiting the height to 45' should be acceptable for the Haggen Site.

**Jim Green**, Owner of Diamond Jim's Grill. He expressed his concern about the reduction of on-street parking and how it will affect his employees and the residents of the rentals above his establishment. He supported the revitalization of the Fountain Plaza Park, but pointed out that parking will still need to be provided.

**Peter Roberts**, President of Eldridge Historic Society. He submitted written comment; as well as page 2 of the petition Sara Snow circulated to preserve parking on Elm street. He read a letter written by Louise Bjornson and emphasized the danger to pedestrian traffic in areas that do not currently have on-street parking, because of the increased vehicular speed. He submitted her letter into the record. He cautioned the Commission to consider the unintended consequences of removing the parking along Elm and Northwest, and instead consider the concept of shared lanes. He requested that the recommendation, contained in the original draft plan, be used when it comes to Elm Street.

**Caryn Simmons** stated she would like to see height limited to 25' due to the character of this established neighborhood. She pointed out that anything higher would invade her privacy, cause light pollution, and produce shading, cause property values to plummet, and the character of the neighborhood will be affected. She commented that Kulshan and Peabody Streets need to be protected, and recommended a reduction in the height limit, in the Commercial Core, to 25'.

**Roger Spero** represented both Gloria Harden and the Deets family, both business owners in the neighborhood. He commented that, in his opinion, a two-story height limit should be imposed on new development along Peabody and allow height to go to 55' on the Meridian side. He suggested that a portion of the alley, behind Fountain Drug, be developed as a pedestrian corridor.

**Lee Walkup** commented on a past group of residents who had created a redevelopment plan in response to the City's efforts to remove parking; however, they were not supported by the City Council. He stated that, in his opinion, the removal of parking in the Fountain District, is a repeat of what happened along Broadway several years ago. He pointed out that the business owners do not feel they have the assurance from the City that local businesses are supported and the parking will not be removed; therefore they do not expand or re-develop.

**BREAK – 10 MIN**

**Norm Chamberlin** requested that his property at 1911 J Street be included in the Commercial Core, thereby staggering the boundary line. He owns the property adjacent to this site (1409 J Street), and wanted to have the same density and zoning on both.

**Mary Varco** expressed her concern regarding height along Meridian. She stated that, in her opinion, and increase in the height limit will compound the troubled parking situation that currently exists.

**Dan Lord** suggested that the bike route proposed to run along Elm street be relocated 3-4 blocks west, off a busy street. He suggested that new development be required to build the first floor underground, which would allow them to remain at a 35' height limit above ground.

**Aaron Booker** expressed his concern that sprawl will occur if the increased height limit is not implemented. He commented on the public process, and pointed out to the Commission that many people that attended the many meetings held, were in agreement with the plan; even though they all were not able to attend the public hearing.

**Frank Ordway**, Chairman of Transportation Commission stated that they are in support of all three transportation elements described in the plan. He clarified that despite the accusations that there are speeding and accident issues along Cornwall; both the Public Works and Police Departments have stated that evidence does not exist that speeds have increased, nor have accidents increased, along that corridor. He commented on other areas of the City where parking has been removed, and noted that the business owners have reported dramatic increases in their business. He pointed out that the goal of an urban village is to have a multi-modal mix of transportation opportunities, as outlined in the Bellingham Comprehensive Plan.

Jim Bishop wanted to know if Frank could explain why the bike lanes should not go on a parallel street rather than then a busy arterial street.

Frank Ordway replied that the Transportation Commission would like to see the main corridors have the focus due to the commuting aspect of these streets.

**Therese Kelleher** pointed out that cars already travel faster than the posted speed limit along Northwest; and the bicyclists she has observed in the past are not comfortable sharing the lane with those cars. She noted that Northwest is utilized by cyclists for connections to the county and downtown Bellingham, Whatcom Community College and Bellis Fair Mall, as well as Shuksan and Birchwood Schools, and the different employment opportunities in that area. She stated that studies have shown bicyclists are more apt to share the road with automobiles when the bicycle lanes are marked. She also commented that one existing parking stall on Northwest would accommodate 7-9 bicycles.

**Cliff Palmer** stated that, in his opinion, a height limit above 35' is inappropriate for this area. He explained that, based on his observations, the natural flow line for bicyclist ties in from Girard and Dupont (lower portion of Elm) and travels up Northwest; therefore, the proposed bike path along Peabody may not be that effective. He mentioned the concept of unintended consequences and how new development could result in both the loss of the existing neighborhood character; as well as, an increase in traffic. He commented on the fact that the Columbia Neighborhood Association does not represent the views of the entire neighborhood.

**Bill Henshaw** expressed his support of the overall plan; however, he recommended that the 45' height limit should be only allowed at the Haggen's and Fountain Drug sites. He stated that structured parking is not feasible in this economy, and instead suggested that the neighborhood and Planning staff work together to identify some parking lots that could be utilized in an effort to phase out parking in front of businesses. He expressed concern over the east/west connector streets and would like to see specifics included (sidewalks on both side of the street) in the plan for the arterials that run these directions.

**Public Hearing continued to June 17, 2010.**

**COMMISSION QUESTIONS / DISCUSSION:**

Sharon Robinson wanted to know if shared parking lots were considered.

Katie Franks replied that it was discussed at the public meetings, and the Fountain Galleria site was identified as a potential site.

Danne Neill noted that the Fairhaven Merchants had successfully implemented a parking district, and suggested staff consider that.

Sharon Robinson recommended that sidewalks be included along Illinois Street.

Katie Franks pointed out the place in the Sub-Area Plan where that concern was specifically addressed.

Tim Stewart commented that it is important to have it noted in the plan, since that is what feeds into the 6-Year Transportation Improvement Plan (TIP).

Sharon Robinson wanted to know how the sidewalk issue might get prioritized since the Sub-Area Plan is a 20-Year planning document.

Tim Stewart explained that the TIP is modified through an annual review process between the Public Works Department and the City Council.

Kurt Baumgarten wanted to know if any modeling of view corridors were done prior to the height limits being determined.

Tara Sundin responded that public territorial views were not raised as issues during the public meetings; therefore the main studies were concentrated around the height and bulk of the potential development that could happen. She clarified that Old Town view issues were centered around public view, not private resident views.

Sharon Robinson requested that the same views seen in the presentation be brought back again from different angles and directions, in a effort to gain a more comprehensive view.

Danne Neill wanted to see more information related to the general disagreement of the duplex and cottage housing forms if staff has that from their public meetings.

Tara Sundin stated that the topic of duplexes did not come up much in the public meetings.

Katie Franks clarified that only Residential Transition Area 1 (RT1) at Cornwall Park and the RT1 along Elm in the Columbia Neighborhood will allow for duplexes.

Tara Sundin explained that when a duplex is proposed for development in the RT1 Area, they will need to adhere to the design standards outlined in the Infill Toolkit.

Edie Norton wanted know how high the current buildings are that exist between the Haggens' and the Fountain Drug sites to help determine how significant a change in the height limit would be.

Alan Matsumoto stated that he would like to have the Transportation Commission materials in their entirety as soon as possible. He wanted to know if there was an economic analysis done for the Fountain District Urban Village height limits.

Tara Sundin stated that based on the information gathered through the Old Town and Samish Way Urban Village projects, staff felt confident that the proposed Floor Area Ratio (F.A.R.) was not high enough to justify additional analysis to be done.

**GENERAL BUSINESS:**

Planning Director's Report

Tim Stewart stated that when the Transportation Commission was created, their charge was to review all proposed plan amendments prior to it coming to Planning Commission, and forward their recommendation of approval or denial.

Tim Stewart announced that David Stalheim has been hired as the new Community Development Block Grant Manager, and he will begin his duties on June 21, 2010.

Staff Discussion

Commissioner Discussion

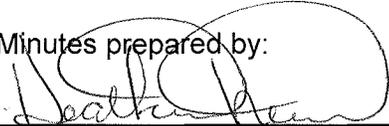
Jim Bishop requested that Tim address the serious accusations regarding the fact that height was never discussed during the public meetings and that the City is attempting to eliminate parking from all over Bellingham.

Tim Stewart replied that a memo can be prepared that he will include in the worksession materials.

**ADJOURNED: 9:35p.m.**

**NEXT MEETING: May 27, 2010 in City Council Chambers**

Minutes prepared by:

  
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Heather Aven, Recording Secretary

Minutes edited by Planning Commission members and various Planning Staff.

**RECORD OF PROCEEDINGS OF THE  
PLANNING AND DEVELOPMENT COMMISSION  
CITY OF BELLINGHAM, WASHINGTON  
PUBLIC HEARING**

THURSDAY  
June 17, 2010  
Video-taped & Audio-recorded

7:00 P.M.  
CITY COUNCIL CHAMBERS  
[www.cob.org](http://www.cob.org)

**CALL TO ORDER:**

The meeting was called to order by Tom Barrett, Chairman of the Planning Commission.

**ROLL CALL:**

Tom Barrett, Jim Bishop, Sharon Robinson, Kurt Baumgarten, Edie Norton, Allen Matsumoto, and Danne Neill.

*Present:* Tom Barrett, Sharon Robinson, Edie Norton, and Danne Neill

*Absent:* Jim Bishop, Kurt Baumgarten, and Allen Matsumoto

*Staff Present:* Tara Sundin, Special Projects Manager; Katie Franks, Development Specialist II; Brian Smart, Planner II; Chris Comeau, Transportation Planner; and Heather Aven, City Recording Secretary.

**APPROVAL OF MINUTES:**

Minutes from April 22, 2010 submitted for approval.

***MOTION: Sharon Robinson moved to approve the April 22, 2010 minutes with corrections.  
SECONDED. VOTE: ALL AYES***

**15 MINUTE PUBLIC COMMENT PERIOD:**

No testimony given.

**PUBLIC HEARING:**

**ZON2009-00001:** A public hearing to consider the adoption of the Fountain District Urban Village Subarea Plan and implementing development regulations. This includes new zoning for portions of land use Areas 3 and 8, and all of Areas 6 and 10 of the Columbia Neighborhood Plan; Areas 9, 10, 11, and 11A of the Cornwall Park Neighborhood Plan; a portion of Areas 3 and 8, and all of Areas 2 and 5 of the Lettered Streets Neighborhood Plan, and amendments to the Land Use Development Code. The area included in the proposal is generally located west of Meridian Street to Elm Street/Northwest Avenue, east of Meridian Street to Broadway Avenue, and south of W. Illinois Street to Broadway Avenue.

**STAFF PRESENTATION**

Katie Franks provided an overview of the worksession held on June 3, 2010. She talked about the public process followed to date and reviewed the four main topics that the Commissioners discussed during their worksession. She also highlighted the proposed changes made to both the Sub Area Plan and the Development Regulations based on public comment and Commissioner input.

**PUBLIC HEARING OPENED**

**Jeff Vernon** submitted written comment. He expressed his support for the proposed urban village and Infill Toolkit, as well as his concern that sprawl will occur in Bellingham as it has in other parts of Washington. He recommended that the definition of Floor Area Ratio (FAR) be changed to include the

footprint of the building and not just the floor area square footage. He also suggested that staff consider granting FAR credits for those structures that incorporate alternative energy sources.

**Elizabeth Starnes** expressed her concern about Meridian becoming a tunnel and requested that the height limit remain at 35' and not be allowed to go to 45'.

**Leslie McCullough** requested that the height be limited to 35' along Meridian. She suggested that the Commissioners consider the surrounding neighborhoods and preserve the closeness that they have.

**Mary Varco** commented that she would like the height limited to 35' including the "opportunity site" at Haggan.

**Bob Simmons** submitted written comment. He expressed concern that the residents along the adjacent streets were not invited to be as involved as the business owners along Elm Street, even though they are just as affected by a potential four-story building. He questioned if there has been enough mitigation planned for. He expressed concern over the potential blockage of light and views, the increased traffic and noise, and the loss of parking in the neighborhood. He suggested that more focus be turned to bringing businesses into the existing downtown rather than create other "downtowns" to compete with it.

**Dawn Pierce** expressed her opposition to any increase in the height limit. She commented that four-story buildings along Meridian would block the light and "dwarf" the homes on adjacent streets.

**Caryn Simmons** submitted written comment. She stated that the homes along Kulshan, Peabody, and Vallette streets will be directly impacted by an increase in the height-limit along Meridian. She requested that the home-owners be given the same consideration as the business owners have been given. She commented on some of the sacrifices that the home-owners will be asked to make including privacy, devaluation of property, loss of light and the opportunity for gardens, loss of parking in front of and next to their homes, and light, traffic and noise pollution. She also commented on the things that she was able to support including design standards and setbacks required within the existing height limit of 35', revitalization of downtown, and the reduction of sprawl. She encouraged the Commission to only allow for the increased height limit if and when it is necessary.

**Lee Posthumus** commented on the lot behind the Fountain Galleria and stated that if staff is still considering this as an option for public parking, there is not much room for growth as it currently sits about 1/3 full all the time. She pointed out that the commercial vacancy has decreased in the neighborhood and commented that they have achieved more of an urban village feel now than ever before. She requested that the height limit be capped at 35' and questioned how many units would be gained with the height at 45' versus 35'. She requested that the neighbors be listened to and reminded the Commission of the survey done by a Fountain District resident.

**Dan Moore** expressed his concern about a bike lane along Elm Street and wanted to know if the elderly or disabled had been considered when the issue of removing parking along Elm was proposed.

**Aaron Booker** submitted written comment. He expressed his support for the plan and an increase in the height limit; however, he has concerns about the removal of parking on the Elm and Northwest corridor. He spoke to the Commission about unintended consequences and encouraged them to consider what might be developed several years in the future. He stated that he supports the opportunity for FAR incentives for including green infrastructure. He pointed out that the few residents that have provided testimony at the Planning Commission meetings do not represent the views of over 100 public meeting attendees, which all supported the increase in height limit and density.

**Robert Ball** stated his opposition to an increase in the height limit along Meridian. He pointed out that a four-story building would not be appropriate in the neighborhood.

**Ted Matts** pointed out that several neighbors still do not understand what is going on. He requested that more public process be done. He also expressed his opposition for an increase in the height limit to 45'.

**Don Kerherer, representing Haggen**, reviewed the public comment that the Haggen Corporation submitted and discussed the changes that they would like to see made to the Sub Area Plan and the Development Regulations. He pointed out that staff accepted most of the suggestions; however, there is still one that the Haggen Corporation would like to have the Commission consider. He stated that the Sub Area plan currently reads "encourage upper-story housing and other mixed uses" under the Land-Use Site and Building Design Policies and Haggen requested that "encourage" be changed to "allow". He explained that this change would clarify that Haggen would not be in conflict with any of the plan's goals if they chose to develop another single-story building in the future. He expressed the company's concern regarding non-conforming buildings and how that might affect Haggen in the future if they choose to add on to the store.

Tara Sundin responded to some of the comments heard during the hearing. She explained that even though the Bellingham Comprehensive Plan identifies the Fountain District as a potential urban village site, it was not part of the work-program until the surrounding neighborhoods approached staff and requested that they begin to work on it in 2009. She clarified that the City is committed to the health of the Downtown area, and considers it an important part of Bellingham's character. She emphasized that Downtown cannot absorb all of the City's growth issues, and explained that just like in other parts of the City, individual property owners get to determine if the value of their one-story building is worth maintaining or redeveloping.

Edie Norton stated that one of the reasons that the neighborhood started to work on developing the idea of an urban village was to plan for and shape future development rather than have the development shape the neighborhood.

Katie Franks responded to the comment that commercial property owners were given special treatment over the residents living along the adjacent streets. She pointed out that extensive effort was given to communicate with every property-owner, resident, and business-owner over the course of the project. She explained that outreach to the public was done, including a survey related to the Infill Toolkit and a mailing to all of those affected property-owners.

Tara Sundin responded to the public comment regarding the number of units a 45' height limit could produce, she stated it would be between 200-400 units over the next 20 years. She reiterated that height limits directly impact the number of units possible.

### **STAFF RESPONSES / COMMISSION QUESTIONS:**

Tom Barrett asked staff to address what traffic mitigation is proposed for the residents along Kulshan, Peabody, and Vallette Streets.

Chris Comeau stated that there are not traffic mitigations proposed along any parallel streets to Meridian. He commented that if future funding allows, the speed-bump program could be reinstated. He explained that the Public Works Department works with the individual neighborhood associations to determine if the street they are requesting the mitigation for meets the necessary requirements.

Tom Barrett wanted staff to respond to the comments related to the "tunnel along Meridian". He stated that in his opinion, the number of property owners refusing to sell their property, the FAR of 1.5 in the

Commercial Core, and the setback requirements outlined in the development regulations will prohibit this from happening.

Tara Sundin replied that although staff does not feel that a tunnel will be created, they are hopeful that a few taller buildings will be developed over the next 10-15 years.

Edie Norton wanted to know what would happen if the Commission determined the height limit should remain at 35' now, but the need to raise it 45' presented itself in the future.

Tara Sundin replied that this exact process would have to be followed a second time. She commented that it is not easy to simply raise the height limit.

Sharon Robinson wanted to know why the 1.5 FAR would need to be changed if the height limit were reduced.

Tara Sundin responded that it would be unrealistic to build at 1.5 FAR without underground parking or parking structures being built, which is unlikely to happen.

Tom Barrett wanted to know why staff wanted "encourage" rather than "allow".

Tara Sundin clarified that the zoning already allows it. She explained that the Urban Village concept is to encourage mixed-use and since the plan will be around for awhile, staff felt it was important to have the "encourage" language included.

Edie Norton asked staff to explain what would be affected if the Commission decided to recommend a 45' height limit for the Haggen Site and the site near the fountain, and 35' along the remainder of Meridian.

Tara Sundin stated that due to the size of the Haggen property, 55' would allow for structured parking and an increase in flexibility. She clarified that the height is not mandatory, it is simply the maximum height a structure on that site can be.

Danne Neill wanted staff to speak to the green building incentives.

Tara Sundin stated that the fast-track permit pilot program is available for those developments that incorporate green building.

Tom Barrett wanted to know what the public process would be for design review.

Tara Sundin replied that the Design Review Board (DRB) consists of five members and although the public is invited to any meeting they hold, there are not public comment opportunities.

Brian Smart stated that the design review process is an administrative decision. He explained that the DRB makes their recommendation to the Director based on how closely the proposed project aligns with the design standards listed in the Urban Village section of the Bellingham Municipal Code.

***PUBLIC HEARING CLOSED***

## **COMMISSION DISCUSSION:**

Katie Franks explained the changes made to the Additions and Modifications To Existing Buildings section of the Bellingham Municipal Code. She stated that the original intent of the language was intended to apply to the existing single-family residential form in the Commercial Transition area along Elm and Meridian Streets. She also explained that clarification was made to the language referring to the additional guidelines and standards under the Applicability section.

Edie Norton commented on the public process and stated that she felt it was very inclusive. She stated that the Bellingham Comprehensive Plan is committed to urban village development as a way to have walkable services to the residents living in surrounding neighborhoods. She commented that development will happen over time, the FAR will help preserve some of the land, and it is important to shape the development of the future instead of letting it happen to the community. She expressed her support for the proposed plan and development regulations.

Sharon Robinson complemented staff on the public process that they provided. She pointed out that when the concept of Urban Villages first came about, one of the goals was that they would each be unique and individual to the neighborhood they are included in. She mentioned the differences between Fountain District and other urban villages developed within the City. She stated that she does not agree with the 45' height limit and noted that many of the urban village goals can be achieved with the Commercial Core remaining at 35'. She encouraged the Commissioners to plan for what they expect to happen, not plan and allow for something just because the possibility of it never happening exists. She recommended that green development be encouraged and suggested staff to consider that as an incentive to build to 45'.

Danne Neill stated that she disagrees with the comment that urban villages being built within the City would discourage the use of downtown. She suggested that small businesses be encouraged to grow so that large retail stores do not take over different parts of town. She pointed out that the 35' height limit would encourage more use of the lot space and bulkier buildings, verses the 45' that would encourage height. She emphasized that careful design guidelines and the 1.5 maximum FAR is absolutely necessary for the 45' height limit to be allowed.

Tom Barrett stated that the public process was very thorough and well-executed. He noted that the development along Meridian will be slow and given the design standards that will be required, may not even make it feasible to build. He expressed his disapproval for removing parking along Elm Street, but supports the plan overall.

***MOTION: Edie Norton moved to adopt the Findings of Fact, Conclusions, and Recommendations contained in the May 20, 2010 staff report as amended by the June 17, 2010 decision agenda and forward a recommendation of approval to City Council.***  
***SECONDED. VOTE: 3-1 (Robinson opposed)***

## **GENERAL BUSINESS:**

Planning Director's Report

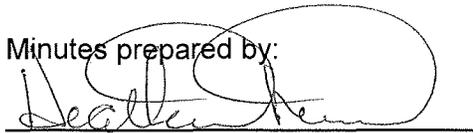
Staff Discussion

Commissioner Discussion

**ADJOURNED: 9:15p.m.**

**NEXT MEETING: June 24, 2010 in City Council Chambers**

Minutes prepared by:

A handwritten signature in black ink, appearing to read "Heather Aven", written over a horizontal line.

Heather Aven, Recording Secretary

Minutes edited by Planning Commission members and various Planning Staff.