



## Planning and Community Development Department

210 Lottie Street, Bellingham, WA 98225

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### REQUEST FOR INFORMATION

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

**Date of Notice:** June 24, 2021

**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:** MADRONA BAY REAL ESTATE INVESTMENTS LLC 424 W BAKERVIEW RD STE 109 BELLINGHAM WA 98226-8176

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

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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 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:

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 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.

**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.

## **BACKGROUND**

The following narratives, action items and responses were provided and associated with the July 6, 2020 Request for Information:

### **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.

**NOTE:** The city received Attachment 1 in response to this action item.

### **Planned Development**

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.

**NOTE:** The city received Attachment 2 in response to this action item.

**Planning Commission Recommendation**

On June 3, 2021, the Planning and Community Development Commission (Planning Commission) held a public meeting to identify the substantial planning issues and matters of public interest associated with the CityView proposal. At the conclusion of the public meeting and after reviewing the written record and taking public comment, the Planning Commission made a recommendation (Recommendation) to the Planning Director as to the substantial planning issues and matters of public interest associated with the proposal that the City should consider during its environmental and land use permit review of the proposal.

The Recommendation identified parking as a substantial planning issue and matter of public interest and recommended the Planning Director assess whether the number of proposed parking spaces is sufficient to accommodate the likely demand and use of the proposal.

The city acknowledges the applicant has stated the occupancy of the CityView proposal will not be restricted to only student housing. This is supported by both the responses the above July 6 RFI action items, Attachments 1 and 2, and the information the applicant presented at the June 3 public meeting. Lacking a target demographic to occupy the proposal, the city must assume there is a broad range of potential occupancy scenarios, including 100% of either all students, non-students renting rooms on an individual basis and those living in a traditional family scenario or any mixture of the above.

The City's July 6 RFI identified that the unit layout appears to be 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 applicant's response partially addressed the action item by identifying the need for additional vehicle parking by constructing 8 additional parking spaces in Consolidation Avenue adjacent to the site. But the response failed to state if the proposed parking count is sufficient for the intended use with the occupancy scenarios identified above.

The City's parking requirements are minimums and assume that units are occupied by an historic, traditional family unit and not three unrelated persons living independently. National trends for student housing and rooming and boarding living scenarios assess transportation and parking impacts on a per room, rather than a per unit, basis. By the applicant's own admission, the occupancy of the proposal is likely to contain a mix of the various demographics discussed above. Therefore, the proposed parking plan that is solely based on city code fails to adequately mitigate the possible impacts resulting from an occupancy scenario other than that of a traditional family unit.

## **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](mailto:permits@cob.org) and copy [kbell@cob.org](mailto:kbell@cob.org):

The city concludes the application materials do not provide sufficient information to evaluate whether the proposed parking is sufficient to mitigate the likely demand for parking based on the occupancy scenarios of the proposal. Without a stated intent as to the intended or projected occupancy by the various demographics identified in this notice, the city must evaluate the project's impacts by assuming a demographic with the highest anticipated demand and impact, student housing. The proposal is not sufficiently parked for this type of occupancy and, therefore, will have detrimental impacts to the surrounding single-family neighborhoods unless alternative information is presented to the city that further defines the projected occupancies of the CityView proposal.

**ACTION ITEM:** The application must provide a parking demand analysis prepared by a qualified professional that evaluates the proposal with an occupancy consisting of college students. The proposal shall be amended as necessary to reconcile the findings and conclusions of this analysis.

Alternatively, the applicant may provide a market study prepared by a qualified professional to establish the anticipated occupancy percentages of the various demographics discussed in this notice that could occupy the proposal. This study must also include a forecast of the anticipated demographics of the project's occupancy in the near and far term. The proposal shall be amended as necessary to reconcile the findings and conclusions of this study.

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 in 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](mailto:kbell@cob.org) or 360-778-8347

RFI Response: Action Item 1

**Action Item #1:** 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.

*Cityview will be leased and managed with strict adherence to Federal Law. Under the Federal Fair and Equal Housing Act, it is unlawful to discriminate for housing purposes on the basis of familial status (Title 42/Chapter 45/Subchapter 1/sections a-e). In addition, per BMC 20.08.020, the City definition of “family” means one or more persons related by blood, marriage, or adoption, or not more than three unrelated persons, living together within a single dwelling unit. To comply with these standards, CityView has been designed to appeal to a broad range of renters.*

*Cityview’s unit layout of 3 bedrooms and 3 bathrooms allows the use of both private tenant space and shared kitchen, living and laundry areas. This design will function well for a wide variety of tenants. The following are detailed and varied examples of how Cityview’s unit layout is anticipated (but not limited) to function:*

*Scenario 1: A young single professional named Joe works at a local grocery store. Joe makes an above average wage, but cannot afford to live on his own, as a studio apartment in a good neighborhood now costs about \$1,500 per month. Joe’s coworker Ryan is in a similar predicament. Joe and Ryan realize they can live at Cityview for about \$700 per month each, less than HALF of what it would cost to live on their own. They invite Ryan’s girlfriend April--a highly talented barista--to join them. They each enjoy their private bedroom and bathroom within the unit, while cooking meals and watching their favorite shows in the shared living space. Joe and Ryan commute to work, while April prefers to ride her bike or walk when the weather permits. All 3 roommates have a goal of saving enough money to buy a home, while enjoying their time living together.*

*Scenario 2: Amy, Jennifer and Michelle graduated from Sehome High School and decided to ‘stay local’. Amy attends Western Washington University, while Jennifer pursues a Culinary Arts degree from Whatcom Community College. Michelle has chosen to take a ‘gap year’ and some time to refresh after intense studies at Sehome. As roommates at Cityview, all 3 enjoy the quiet location and*

walking/biking distance to Fred Meyer and the many shops at Lakeway Center. With their shared kitchen, Jennifer tests her 'inspired recipes' on her eager and willing friends. Amy, an avid hiker, takes daily walks throughout Cityview's large outdoor common usable area, then tests her cardio strength via the project's trail connection to Samish Crest.

Scenario 3: Yara is a mother to her twin sons Amar and Nadim, who just turned 15. In 2012, Yara and her then 6 year old boys fled to Turkey along with thousands of other refugees. In 2016, under the Obama Administration U.S. resettlement program, the family found permanent refuge in Washington State. Yara works part-time for DSHS, and has a passion for assisting others while spending quality time with Amar and Nadim. Through the establishment of Cityview's "Safe Haven" program, Yara and her family live rent-free. 1 apartment at Cityview will be permanently set aside for this purpose, ensuring it functions as intended for many, many years. Another example of this unit function is the Marilyn Nold Scholarship, see [madronabayllc.com/building community](http://madronabayllc.com/building%20community).

Scenario 4: Kayla and Brianna grew up together and have been lifelong best friends. Both recently graduated from college with honors. Kayla landed an entry level position at a major accounting firm, while Brianna is pursuing her Master's in Political Science. Cityview is a perfect housing choice for them, as they have the third bedroom designed and set up as a home office/study. This way, they enjoy their own bedroom suites while building their careers and future safely from home.

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Each potential tenant will be required to complete an application and pass both background and credit checks. All leases will most likely be a 1-year term. There will be a max occupancy of 3 unrelated adults per unit, and parking will be managed/regulated via parking passes.

As seen on the attached Figure HH-1 from the United States Census Bureau, the percentage of married households ("historic traditional family unit") have been steadily declining. Meanwhile, the non-family households have been rapidly

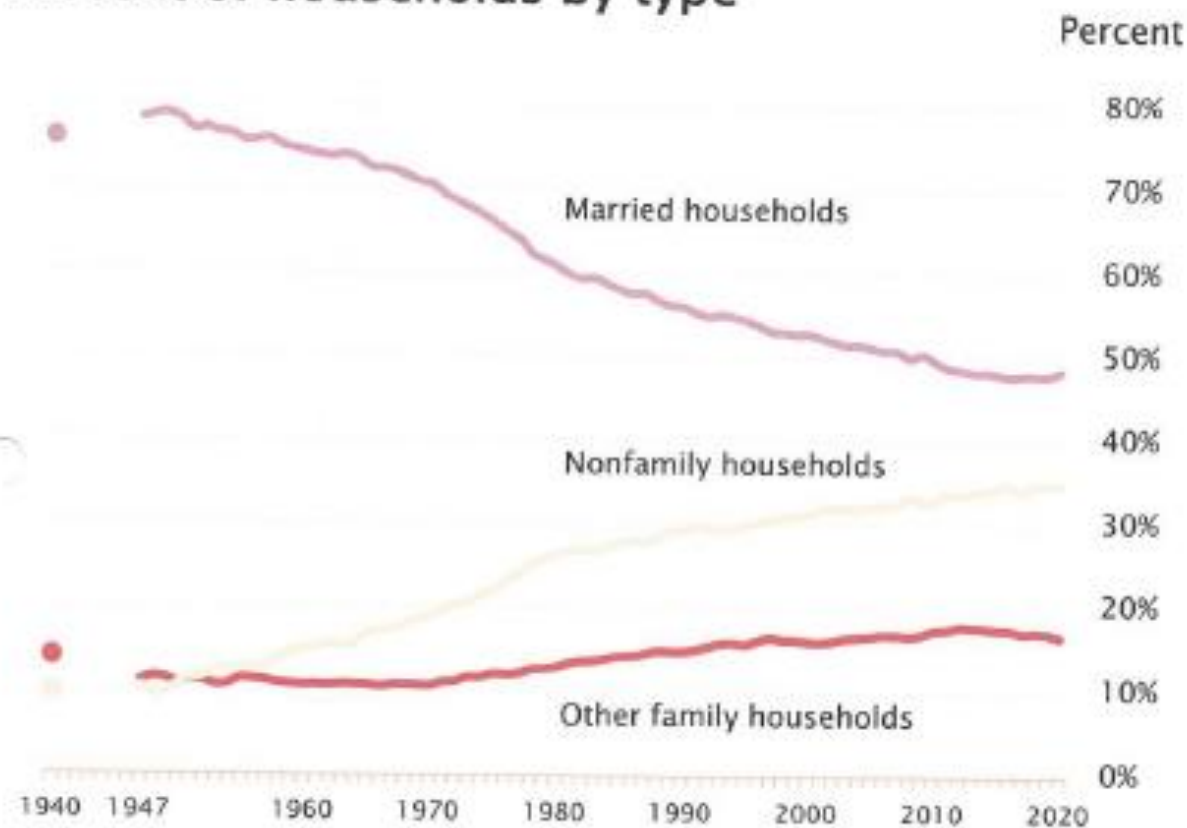
*increasing. Housing projects like CityView provide housing options that reflect this trend. As specified by the attached chart updated 12/19 from the National Multifamily Housing Council, apartment households have a variety of configurations. These statistics support that the “traditional family unit” represents the smallest number of apartment households. Additionally, per the article referenced below and pie chart attached from the National Apartment Association, the largest percentage of today’s renters are starting out singles at 29%, with young adult roommates at 21%, perma-renters at 16% and middle-income boomers at 11%.*

*The Puget Neighborhood is a preferred location for many renters and the construction of this project will provide additional options within this desirable area. Per the October 2020 Bellingham Housing Statistics there are currently 2,740 residential dwelling units in the Puget Neighborhood. 55% of those units (1,507) are currently rentals per the City of Bellingham Rental Registration & Safety Program. The CityView project is within Area 17 of the Puget Neighborhood. Per the Puget Neighborhood Plan, this area is “an ideal multiple housing area, being convenient to town, parks and commercial areas”.*

<https://www.naahq.org/news-publications/units/december-2018/article/today-renters-demographics>



**Figure HH-1**  
**Percent of households by type**



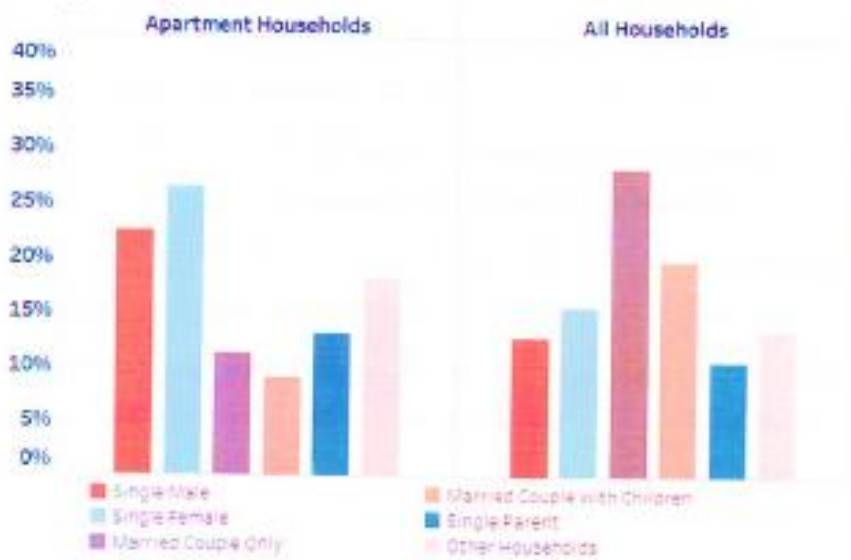
Source: U.S. Census Bureau, Decennial Census, 1940, and Current Population Survey, Annual Social and Economic Supplements, 1947 to 2020.



<https://www.emhc.org/research-insight/quick-facts-figures/quick-facts-resident-demographics/household-characteristics/>

James Devito - U.S. | Western Washington

### Living Arrangement



Source: EMHC analysis of 2020 American Community Survey metadata, US Census Bureau, updated 02/2023

🔗 + a b c d e

📄 Download the data from this chart.

### 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 45<sup>th</sup> 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 46<sup>th</sup> 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

<b>Date:</b> March 3, 2021	<b>TG:</b> 19082.00
<b>To:</b> Morgan Bartlett	
<b>From:</b> Dan McKinney, Jr and Kassi Leingang – Transpo Group	
<b>Subject:</b> 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.