CITY OF BELLINGHAM
WASHINGTON

Planning

Permit Center
210 Lottie Street
Bellingham, WA 98225
phone: 360-778-8300
fax: 360-778-8301
www.cob.org

RECEIVED
APR - 2 2012
CITY OF BELLINGHAM
BUILDING SERVICES DIVISION

COMPREHENSIVE / NEIGHBORHOOD PLAN AMENDMENT DOCKET APPLICATION FORM

TO BE COMPLETED BY STAFF
Date Received 4/2/2012
Case Number CPN2012-5

Use this form to request docketing of a proposed Comprehensive Plan and or Neighborhood Plan amendment(s). Applications may be submitted at any time but must be received by **April 1** of each year for review during the following year. Please complete the following and attach additional pages as needed. Incomplete applications will not be accepted.

1. An application must include the following materials:

   ■ Docket Application Form.
   ■ Fee payment calculated at 10% of the total comprehensive plan amendment fee.* The fee is not refunded if the proposal is not docketed. The fee is calculated as follows:

   (a) Non-site specific Comprehensive / Neighborhood Plan amendments:

   $1,594 base fee + $255 notice fee x 0.1 = $185 due at docket application.

   OR

   (b) Site specific Comprehensive / Neighborhood Plan amendments:

   $1,594 base fee + $255 notice fee + $213 per acre over first acre ($12,750 max.) x 0.1 = fee due at docket application. Final fees will be calculated at the time the application is submitted.

   *Recognized Neighborhood Associations are exempt from this fee.

2. Applicant: Jack Swanson Phone: (360)734-6390

   Address: 900 Dupont Street

   City/State/Zip: Bellingham, WA 98225

   Email: jos@belcherswanson.com Fax: 360-671-0753

   Name of contact if applicant is a group: _____

   I have read the application materials and acknowledge that if the proposed amendment is approved by the City Council for inclusion in the annual docket, a complete Comprehensive / Neighborhood Plan Application must be submitted within **30 days of the Council's docket decision or a date approved by the Planning and Community Development Director** in order to continue to final review. Failure to submit a complete application prior to the deadline may result in removal from the docket.

   Applicant signature: Jack O. Swan Date: 4/2/12

3. Provide an explanation of how the proposed Comprehensive or Neighborhood Plan amendment meets one or more of the docking criteria listed in **Bellingham Municipal Code 20.20.030 A. (2)**. (Docketing criteria - page 4 attached)

4. If the proposal includes general Comprehensive Plan or Neighborhood Plan amendments that are not site-specific, please describe your amendment proposal as specifically as possible and attach it to this form. If specific wording changes are proposed, show the changes in ~~strikethrough~~ and underline format. Reference the location in the Plan where the change is proposed.

Complete the following sections if the proposal includes a site-specific amendment to a comprehensive plan land use designation.

Property Owner See attached: Additional Property Owners

Name: Edgewater Park LLC (parcels 380318 438204 & 380318 470160) Phone: (360)927-3271

Address: 1702 Northshore Rd.

City/State/Zip: Bellingham, WA 98226

Email: _____ Fax: _____

Owner's Authorized Agent/Contact

Name: Associated Project Consultants, Inc., P.S., Douglas N. Campbell Phone: (360)671-1146

Address: 1401 Astor Street

City/State/Zip: Bellingham, WA 98225

Email: doug@apcengineers.com Fax: (360)671-1169

Property Information

1. Assessor Parcel Numbers: 380318 528244, 380318 550209, 380318 438204, 380318 470160, 381318 482132 and 380318 537194
2. Attach a map (8.5" x 11") identifying the property included in the proposed amendment and showing parcels and streets located within and adjacent to the site.
3. Neighborhood Name: King Mountain Area Number: 14A

   Current Comprehensive Plan Land Use Designation: Multi-Family Residential, Medium Density
4. Proposed Comprehensive Plan Land Use Designation: No Change
5. Current Zoning: Residential Multi, Mixed/Planned
6. Proposed Zoning: No Change

Additional Property Owners

Name: Sunrise Holding LLC (parcels 380318 528244 & 380318 550209) **Phone:** (360)297-3271

Address: 1702 Northshore Road

City/State/Zip: Bellingham, WA 98226

Email: _____ **Fax:** _____

Name: Ahi Ohana (parcel 380318 482132) **Phone:** _____

Address: 810 Gilbert Drive

City/State/Zip: Bellingham, WA 98226

Email: _____ **Fax:** _____

Property Owner(s)

I am the owner of the property described above or am authorized by the owner to sign and submit this application. I grant permission for the City staff and agents to enter onto the subject property at any reasonable time to consider the merits of the application and post public notice. I certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete and correct.

I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project including, but not limited to, expiration notifications. If I, at any point during the review or process, am no longer the Applicant for this project, it is my responsibility to update this information with the City in writing in a timely manner.

Signature by Owner/Applicant/Agent: Bruce Larsen Date: 4/2/12

City and State where this application is signed: Bellingham, WA

BELLINGHAM MUNICIPAL CODE

20.20.030 ANNUAL DOCKETING CRITERIA

A. The City shall use the following criteria in selecting proposals for inclusion in the annual docket of comprehensive plan/neighborhood plan amendments. In order to be included on the annual docket, a proposal must meet the following criteria:

(1) The City has the resources, including staff and budget, necessary to adequately and comprehensively review the proposal within the timeframe of the annual review process; and

(2) The proposal meets one or more of the following criteria:

a. The proposed amendment represents an issue appropriately addressed in the comprehensive plan or in a neighborhood plan;

b. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan;

c. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;

d. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the comprehensive plan or a neighborhood plan; or

e. State law requires, or a decision of a court or administrative agency has directed a change to the comprehensive plan or a neighborhood plan.

Applicant requests a comprehensive plan amendment for Area 14A of the King Mountain Neighborhood, as follows:

Zoning:	Use Qualifier
Use Qualifier:	Planned, Mixed, Neighborhood Commercial uses allowed, not to exceed 10,000 square feet of total floor area within Area 14A, office and medical laboratories allowed on the westerly portion of Area 14A shown on the attached Exhibit "1."
Density:	Shall be limited to the equivalent of 1 residential unit per 3,600 square feet of gross site area within Area 14A prior to any dedication of land for public purposes. For medical care facilities, the density is increased to 1 unit per 1,500 square feet of gross site area.
Special Conditions:	Buffering/screening of I-5 from adjacent single family designations required. Pedestrian improvements on the west side of James Street.
Special Regulations:	No minimum lot size, no public street frontage required for individual lots, reduced side yard setbacks permitted, no maximum lot coverage requirement, street standards may be reduced. Actual standards shall be established through the planned development process.

Explanation: Application for the current zoning, which was then located in Area 1, Mt. Baker Neighborhood, was made on September 23rd, 2005. After a lengthy period of evaluation, community discussion, public hearings by both Planning Commission and Council, Ordinance 2006-12-123 was adopted on December 11, 2006. That ordinance modified the zoning from residential single, 7,200 square foot per lot, to the present zoning which allows 5,000 square feet per residential unit of multi-family.

Present zoning has proved unworkable in several ways.

1. Requirement that development occur in accordance with the site plan included as Exhibit "A" to the ordinance has been a serious obstacle to development. That requirement needs to be deleted.

2. The applicant has added the former Orchard Drive right-of-way along the southerly boundary of Area 14A to the land package. While mentioned in the comprehensive plan as possibly industrial or residential, this property apparently has no zoning according to interpretations by the Planning staff. This needs to be remedied by including the right-of-way within the total property.

3. After consideration of development costs, both on and off site, required in connection with the former rezone, it is clear that the current zoning is unworkable. Market conditions have changed. Single families and cottage development are unfeasible at this time. The costs of development are so heavily front end loaded with off-site improvements, that financing is virtually impossible and development will not occur.

Discussion of docketing criteria:

The proposal meets one or more of the following criteria:

a. The proposed amendment represents an issue appropriately addressed in the comprehensive plan or in a neighborhood plan;

Discussion: The current requirement in the zoning that the site develop in accordance with the predetermined site plan has proved impossible and needs to be rescinded. Moreover, the applicant has acquired the adjoining Orchard Drive right-of-way, which according to prior Planning Department interpretations, has no zoning. Potential construction of the Orchard Street connector creates an entirely different set of uses which are appropriate, including medical care facilities, senior housing, and offices including medical office and medical laboratories. All of these uses will allow the hospital to better serve the community.

b. The proposal demonstrates strong potential to serve the public interest by implementing specifically identified goals and policies of the comprehensive plan;

Discussion: The King Mountain neighborhood now includes 830 acres recently annexed. Area 14A creates an opportunity to provide services for those new residents of the city which is in the public interest. Moreover, the combination of the Orchard Street connector and the proposed zoning change will provide an essential linkup in the transportation network to allow the public to better utilize the hospital complex.

c. The public interest would be best served by considering the proposal in the next amendment cycle, rather than delaying consideration to a future plan update process;

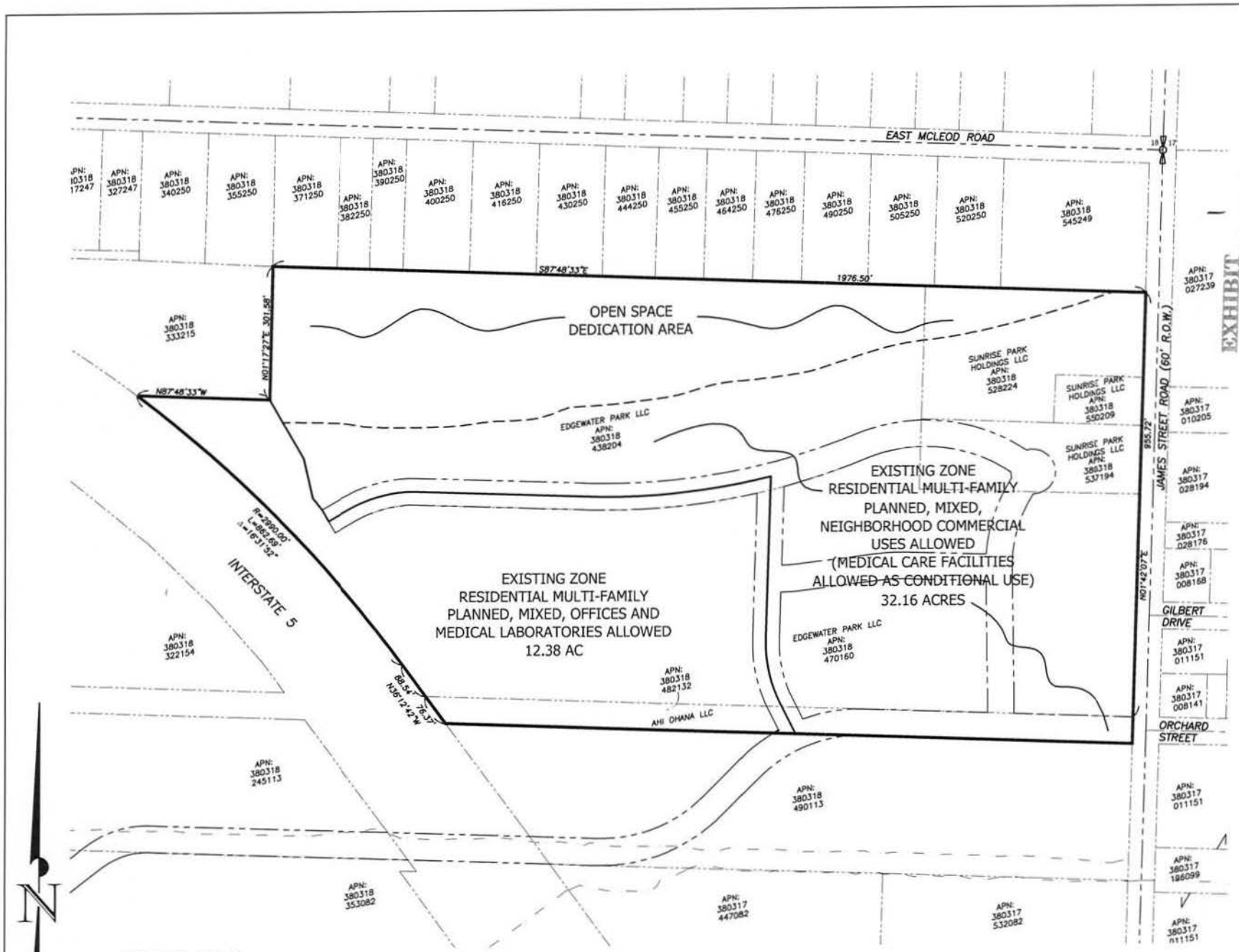
Discussion: The next plan update is scheduled for 2016. The applicant has no zoning for a portion of its property. Planning for the community's need for medical services and transportation to them continues. Appropriately zoned land has been largely used up. Acting now will assure a land supply for the near future. A good deal of activity is occurring in this area. Expansion of the hospital is being considered. The Orchard connector is also under consideration, which would provide a direct connection between this land and the rapidly developing hospital area.

d. The amendment addresses changing circumstances, changing community values, or corrects or updates information in the comprehensive plan or neighborhood plan;

Discussion: The applicant has acquired additional land since the property was previously rezoned. This property is further recognized as an appropriate place to provide residential and medical office activities, which would complement the hospital campus.

e. State law requires, or a decision of a court or administrative agency has directed a change to the comprehensive plan or a neighborhood plan.

N/A



REVISION:	DRAWN BY:	DATE:	CHECKED BY:	DATE:
1				
2				
3				
4				

ASSOCIATED PROJECT CONSULTANTS, INC., P.S.
CIVIL ENGINEERS, PROJECT AND LAND USE MANAGEMENT, BUILDING, STRUCTURAL, AND ENVIRONMENTAL SERVICES
1401 ASTOR STREET, BELLINGHAM, WA. 98225
PHONE (360) 671-1146 FAX (360) 671-1169
A·P·C INCORPORATED

HORIZONTAL SCALE: 1" = 200'
VERTICAL SCALE:
DRAWN BY: ADT
DATE: 03/20/2012
APPROVED BY:
NORTH ROTATION: & BASE POINT:

JOB NO.: 11-113
ACAD FILE:
CLIENT: EDGEWATER PARK LLC
PROJECT: COMPREHENSIVE/NEIGHBORHOOD PLAN AMENDMENT
TITLE: RE-ZONE MAP
SHEET: 1
OF: 1