



Dear Planning Commissioners,

I was unable to attend last Thursday's meeting as I was out of town. I understand that there was discussion about views and whether the City protects private and/or public views. Undoubtedly, the Planners told you that the City has no statutes protecting views. However, the City does "protect" views in certain situations and Fairhaven, North of Mill Avenue, is one of those situations.

- 1) The zoning in the area permits a maximum of 35' in building height.
- 2) The statute is even more specific and says, "In no case, shall the 35' height limitation be exceed for new construction and additions located north of Mill Ave. between 10th and 12ths Sts. or north of Harris Ave. east of 12th St. (20.00.070)
- 3) Mill St., between Finnegan Way (12th St.) and 11th St. is one of the steepest in Fairhaven assuring that views from Finnegan Way/12th St. are protected when a building is built to 35' on 11th St.

The City has protected our views by establishing the zoning regulations. To change those standards, after all surrounding properties have been developed in the past 12 years, is taking a property right that many purchased when they bought their properties north of Mill Ave. We knew what was allowed and we purchased with the knowledge that a 35' building could be built at 11th and Mill, and that a potential 35' building would not block our views.

Now, it seems, the rules may change. I ask that you remember that the area north of Mill Ave. has had different regulations from the rest of Fairhaven and you maintain the standard 35' in that area.

Thank you for your hard work on our neighborhood plan,
Barbara Zielstra

Fairhaven Plan Where will tall buildings fit?

Dear Commissioners,

The proposed building height of 66 ft. in the Historic Fairhaven and surrounding area is TOO HIGH. And will:

- Destroy our friendly village atmosphere
- Lower uphill property values by creating a tall wall along the waterfront – resulting in overall lower tax revenue for the city
- Create traffic congestion and more parking problems

The proposed 42 ft. height north of Mill Ave. is unnecessary.

- Both the Kulshan Building and Fairhaven Library have peaked roofs. Roofs in this area should be modulated between 35 and 40ft.reflecting the nearby historical buildings, or retained at 35 ft.

There is an alternative to the current Fairhaven Neighborhood Plan. Below are some suggestions as to where taller buildings might be more appropriate



We support an alternative solution to include all of the available land south of Harris between 4th and 8th streets in the Influence Area with the ability to develop to 40 ft. heights

- Fulfills the density requirements under the WA State growth management act.
- Provides opportunity to create new area of Fairhaven
- Provides points of interest when walking between Ferry Terminal and the historical part of Fairhaven and creates a “draw” into Fairhaven proper.
- Retains for mixed use with residential units. Why convert prime water view property for non water related industrial use?



We support including the area south of Fairhaven Parkway and west of 12th St. in the Influence Area, allowing for 35 - 40ft. heights.

- Including in architectural review area will provide a beautiful entry into Fairhaven.

3 May 2012

To: City of Bellingham Planning Committee Members
From: Josselyn Winslow
Re: Private Views

Does the Planning Department protect Private Views? The answer to that question from the Bellingham Planning Commission at their meeting on April 26, 2012 seems to indicate that the Planning Department accepts no responsibility to protect home owners who have invested in view property.

I find that difficult to understand when I look at the sales document for the units at Fairhaven Gardens Condominiums from March 30, 2005 (attached). It shows columns of information including "Unit Number" and "Views of what"? Our unit – listed as 308 (renumbered as 306) – shows that our view will be "Temporary Bay & 11th". All of the units on the 4th and 5th levels are to have continuing views.

How could the developer, David Ebenal, and the Muljat Group Realtor, Pete Coy, have listed these residential properties with information about the views if there had not been a city planning height restriction for new buildings? That plan, which limited the height of the Fairhaven Gardens building to 35 feet, also must have limited the height of other new buildings in our area to 35 feet. We were assured that we would have a view from our 4th floor roof garden.

We chose to move to Fairhaven Gardens because we would have a view of the water. We had enjoyed our view of Bellingham Bay since 1980 when we bought our home on South Hill. We were made very aware of the value of a view by the purchase price of our home and because we had to sign a release that allowed the home owners on the hill above us to top our trees so they could retain their view.

View property commands a higher price – and causes owners to pay higher taxes. Check out the Real Estate ads – and see that *view* is listed as a major selling point. Check Bellingham Herald stories. Read about condo residents who were chastised because they harmed a tree in Boulevard Park that blocked their *view*.

People with homes in and around the Fairhaven Urban Village value their views of the water. Why would the Bellingham Planning Commission not restrict the ability of the Planning Department to take valuable views from private property owners who paid premium prices for those views?

Josselyn Winslow
134 Finnegan Way #306 – Bellingham, WA 98225 – 360-734-9586 – jbwinslow@nas.com

cc: Mayor Kelli Linville
City Council Members

Fairhaven Gardens Condominiums

1135-11th Street, Fairhaven, Sale Status as of March 30, 2005

Unit #	BR	BA	Sq. Ft.	View of what?	Park Sp.	Priv. Deck	Sale Status	Unit Price
201	3	2	1430	11 th St, Temporary bay	2	no	Reserved	\$378,900
202	2	2	1650	11 th St, Temporary bay	1	no	For Sale, MLS	\$446,700
203	2	2	1470	11 th St, Temporary bay	1	no	Reserved	\$389,900
301	2	2	1190	Courtyard	1	no, AC	For Sale, MLS	\$297,700
302	2	2	1175	Courtyard	1	no	Reserved	\$287,900
303	1	1	865	Mill Ave.	1	no	Reserved	\$224,900
304	1	1	935	Mill Ave.	1	no	Reserved + Backup	\$242,900
305	1	1	930	Mill Ave.	1	no	Reserved + Backup	\$241,900
306	3	2	1480	Temporary Bay & 11th	2	no	Reserved+ Backup	\$421,900
307	3	2.5	1650	Temporary Bay & 11th	2	no	Reserved	\$470,900
308	3	2	1470	Temporary Bay, 11 th	2	no	For Sale, MLS	\$442,600
401	2	2	1425	Bay, Courtyard	1	no AC	Reserved+ Backup	\$420,900
402	2	2	1490	Finnegan Ave.	1	no	Reserved	\$394,900
403	2	1.5	1335	Finnegan & Mill Ave.	1	no	Reserved	\$373,900
404*	2	2	1100	Mill Ave., Key Bank	1	no	Reserved + Backup	\$285,900
405	1	1	865	Mill Ave.	1	no	Reserved + Backup	\$229,900
406	1	1	935	Mill Ave.	1	no	Reserved +2 Backup	\$247,900
407	1	1	930	Mill Ave, bay	1	big deck+AC	Reserved +3 Backups	\$342,900
501	3	2	1950	Bay, gardens, large deck	2	big deck+AC	Reserved + Backup	\$623,000
502	2	1.5	1335	Finnegan & Mill, small deck	2	yes+AC	Reserved	\$417,900
503	2	2	1185	Bay & Mill, small deck	2	yes+AC	Reserved + Backup	\$389,900

Backup

21
28



Drawings of this and other future buildings in Fairhaven may be viewed at my web site at www.Fairhaven.ws.
All questions should be addressed to Pete Coy, Muljat Group Realtors (360) 650-5487 or email: PeteCoy@aol.com

Call - 739-4100

Anne Cantrell,CCIM

May 3, 2012

Party of Record

4186 Stoney Brook Lane

Bellingham Wa

To Whom It May Concern:

I am a certified Commercial Investment Member with 20 years of commercial experience in Bellingham. I am concerned about a square footage restriction that is being considered in the zoning proposal RT-4

Commercial Investment has an important rule that has been ignored by this zoning proposal: Good investments drive good design. The restriction that is being proposed would limit options for attracting tenants that use in the range of 2500-3000 sq. ft., which are present in Fairhaven already without being a national tenant. There are many of these tenants as exhibited in the 12th street Village that anchors the other end of the block we are describing.

12th street village has an established presence with tenants that use 4400 sq. ft. And 2300 sq. ft. who are not big box, or national tenants. The Village is built with demising wall structures to accommodate tenants as they grow. This concept keeps vibrancy in the local Fairhaven economy rather than have tenants leave as they get successful and grow into larger space. I spoke with the owner of the property and they said that their tenants frequently "outgrow" their original space and add more space to accommodate their success.

I have worked with many medium box clients, and I can assure you that the average need in sq. footage for them is 10,000-11,000.

Blanket limits on sq. footage are not the correct filter to reach your objective of avoiding the character of Fairhaven be compromised. Fairhaven will be successful is we allow flexibility for small business to grow.

I would be in favor of eliminating the sq. footage requirement, or at the very least, using 8000 sq. ft. As a limit. Specialists in leasing, like me, know that good investments will assure Fairhaven vibrancy. Restrictions on a small company being allowed to grow in place will lower values on property and hurt the economy of Fairhaven.

Anne Cantrell



Anne Cantrell and Marta Brand

4186 Stoney Brook Lane

Bellingham WA 98229

May 3, 2012

To Whom It May Concern:

I would like to notify you that we are the registered Party Of Record for the property located at 1314 Old Fairhaven Drive, Bellingham Wa , legally described as Lots 1-4, Blk 126 Fairhaven Land company's second add to Fairhaven.

Regards



Anne Cantrell

Marta Brand





Fw: Fairhaven

Greg Aucutt to: Heather M Aven

05/07/2012 01:15 PM

Cc: Christopher J Behee, Kathryn E Franks, Chris J Koch, Jackie Lynch,
Kurt Nabbefeld, Jeffrey B Thomas

Pls post and send to the PC.

----- Forwarded by Greg Aucutt/planning/cob on 05/07/2012 01:14 PM -----

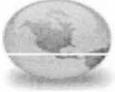
From: Kay McDade <kaymcdade@gmail.com>
To: GAucutt@cob.org
Date: 05/04/2012 07:44 PM
Subject: Fairhaven

Dear Planning Commission Members:

I understand that you are considering waiving height restrictions on a newly proposed building in Fairhaven. I am writing to urge you to NOT do so. A building taller than 3 or 4 stories would ruin the historical look and feel of Fairhaven and would be out of place architecturally.

Sincerely,

Katherine McDade
922 19th St.
Bellingham 98225



Comment to Planning Commission
janethsimpson@juno.com to: HAven

05/07/2012 08:56 PM

Commissioners,

I appreciate your recognition that Fairhaven has a special character and your addressing heights in a way that seeks to preserve that character and charm. I do urge you to make sure that the 75 foot Opportunity Sites include the some set back levels in keeping with those proposed for other heights. You might want to have some modeling of Harris done from the crest of 12th to see what a straight up 75 feet would do to block the views of Lummi and the Bay. The modeling already done was too far from 12th to really see this effect. The 75 foot height up against Harris plus the development below could create quite a tunnel effect as one came down Harris, especially as you move from 13th toward 11th.

Thank you,
Janet Simpson, 409 Cowgill, Bellingham, WA 98225

53 Year Old Mom Looks 33

The Stunning Results of Her Wrinkle Trick Has Botox Doctors Worried
consumerproducts.com



"Josseyln"
<jbwinslow@nas.com>
05/07/2012 09:06 PM

To <planningcommission@cob.org>
cc
bcc
Subject Fairhaven's Future - Two concerns

7 May 2012

To: City of Bellingham Planning Committee Members
From: Josselyn Winslow
Re: Fairhaven's future

I appreciate your taking note of the many voices that expressed concerns about views and height. Your votes on May 3rd should provide a more balanced plan as it moves forward.

I still have two concerns:

- I understand you will be discussing the use of the area by the water just east of the Ferry Terminal, where the Coast Guard vessels dock. That space provides a great place for a short walk. It is closer to town, and more accessible, than Marine Park. It is just across the railroad tracks from the bus station. It is an area where ducks – and an occasional otter – can be seen. And, because of all the parking space set aside for ferry passengers, is relatively isolated and unused, except for ferry docking days. If the Coast Guard boats were to move, the space between the ferry terminal and the boat launch – in front of old warehouse – could be turned into a small grassy park adjacent to the bay.
- With 75 feet as maximum height for the “Fairhaven Harbor” space – including the tennis club, what can the Planning Commission do to keep another fortress from overwhelming the area? Can you include stepped up heights and division of the overall mass for any buildings planned for that space so that the street view up Harris and the view from the bay will have eye-appeal?

Thank you.

Josselyn Winslow
134 Finnegan Way #306 – Bellingham, WA 98225 – 360-734-9586 – jbwinslow@nas.com

cc: Mayor Kelli Linville
City Council Members

Fairhaven Plan

Dear Commissioners,

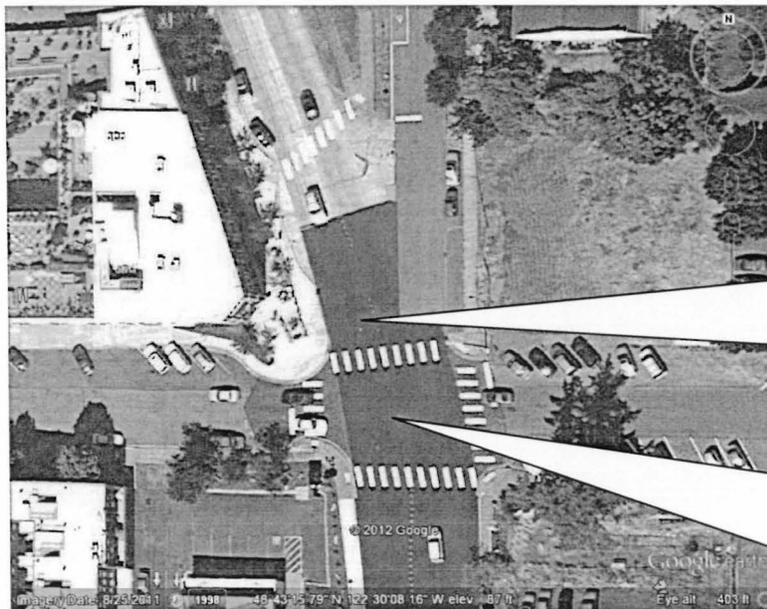
First, we want to thank the members of the Planning Commission for listening to our concerns about the proposed heights in Fairhaven. We appreciate your common sense discussion about appropriate heights in Fairhaven. Since you are now considering other aspects of the proposed Fairhaven Neighborhood Plan, we want to bring to your attention some remaining issues for your consideration.

Architectural guidelines requiring high ceilings:

- Allow flexibility in periphery (the 35' zone). Three stories fit comfortably in 35'.
- Small shops are needed, 12 or 14' ceilings will be uncomfortable in a small shop.
- Ceilings over 9 – 9.5 ft. for small condos of 1,000 to 1,500 sq. ft.
 - Appear uncomfortable and out of human scale
 - Increase heating costs.
- Tall ceilings work best in large spaces where the ceiling is in proportion to the sq. footage.
- Permit the architect and owner to determine how to proportion floors, especially. in perimeter area (the 35' zone)
- Remember that every extra foot diminishes views.

Traffic Intersection at Mill Ave., 12 St. and Finnegan Way

- 12 th street north and south
- Mill Ave. east and west
- Finnegan way
-



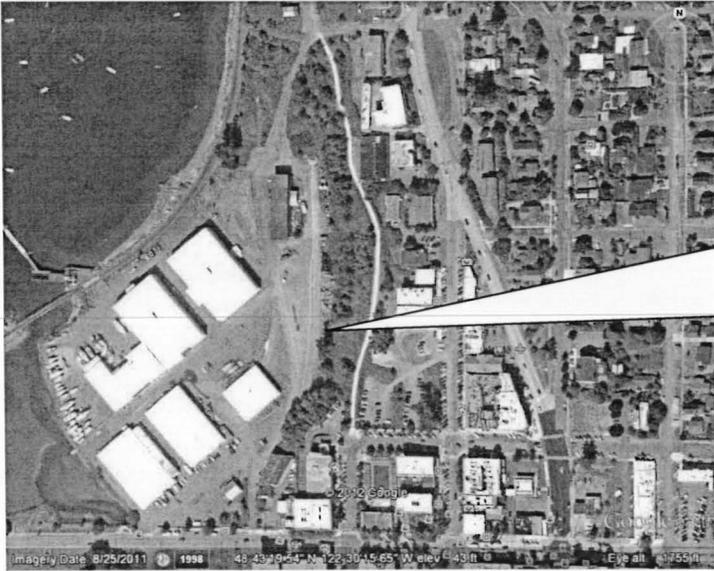
Dangerous five way intersection

- No stop signs for north south traffic
- 5 cross walks with poor lighting
- Heavy north south traffic on 12th and Finnegan Way

Why not install a Round About?

- Slows traffic
- Controls flow
- Creates fantastic entry into Fairhaven
- Local groups will plant and maintain
- Safer for pedestrians

Parking Plan



Fairhaven Needs a Parking Plan

- Parking on Port property adjacent to trail
- Roof could be a green park
- Easy access
- Enhance trail to provide easy walk into Fairhaven
- Pay for this with LID