

1 **Attachment C – Comp Plan Goals and Policies**

2
3 **Chapter 1 – Framework Goals and Policies**

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21 housing combine to create the complex mix that is downtown. Access to these features is
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25 community.

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Planning

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

Land Use Application

Check all permits you are applying for in the boxes provided. Submit this application form, the applicable materials listed in the corresponding permit application packet(s) and application fee payment.

<input type="checkbox"/> Accessory Dwelling Unit <input type="checkbox"/> Binding Site Plan <input type="checkbox"/> Clearing Permit <input type="checkbox"/> Conditional Use Permit <input type="checkbox"/> Critical Area Permit <input type="checkbox"/> Critical Area Exemption <input type="checkbox"/> Design Review <input type="checkbox"/> Grading Permit <input type="checkbox"/> Home Occupation <input type="checkbox"/> Institutional <input type="checkbox"/> Interpretation <input type="checkbox"/> Landmark – Historic Certificate of Alteration <input type="checkbox"/> Legal Lot Determination <input type="checkbox"/> Nonconforming Use Certificate	<input type="checkbox"/> Parking Adjustment Application <input type="checkbox"/> Planned Development <input type="checkbox"/> Rezone <input type="checkbox"/> SEPA <input type="checkbox"/> Shoreline Permit <input type="checkbox"/> Shoreline Exemption <input type="checkbox"/> Subdivision-Short Plat/Lot Line Adjustment <input type="checkbox"/> Subdivision-Preliminary Plat <input type="checkbox"/> Subdivision-Final Plat <input type="checkbox"/> Variance <input type="checkbox"/> Wireless Communication <input type="checkbox"/> Zoning Compliance Letter <input checked="" type="checkbox"/> Other: <u>COMPREHENSIVE PLANNED USE</u>	Office Use Only Date Rcvd: <u>7/6/09</u> Case #: _____ Process Type: _____ Neighborhood: _____ Area Number: _____ Zone: _____ Pre-App. Meeting: _____ Concurrency: _____
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Project Address: 0 BOULEVARD

Tax Assessor Parcel Number(s): 380 236 377214 0000

Project Description: REQUEST FOR REZONE OF PARCEL FROM LIGHT INDUSTRIAL TO MULTI-FAMILY

Applicant/Agent Primary Contact for Application

Name SUSIE & DONG LANDSEM
Address 1407 N. FOREST
City/State/Zip BELLINGHAM, WA 98225

Phone 360-733-2466
FAX 733-2064
Email dia@landsemarch.net

Owner(s) Applicant Primary Contact for Application

Name ROSEMARY BANDELL
Address 4382 PINE CREST
City/State/Zip VANCOUVER, BC CANADA
V6V-4L1

Phone _____
FAX _____
Email _____

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 inspection 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 Susie Landsem Date 7/6/09
City and State where this application is signed: Bellingham WA
City State



**PETITION FOR A CHANGE IN THE COMPREHENSIVE PLAN/NEIGHBORHOOD
PLAN LAND USE CLASSIFICATION**

PETITION

Honorable Mayor and
Members of the City Council
Bellingham, Washington

THE UNDERSIGNED PROPERTY OWNERS HEREBY PETITION the City
Council to change, by ordinance, the land use classification of the following
described property:

PROPERTY OWNER:

LEGAL DESCRIPTION:

ROSEMARY BANDELL
4302 PINE CREST
VANCOUVER, BC
CANADA V6J4K4

PLEASE SEE
ATTACHED.

1. Representative(s) for Petitioner (list name, address, and contact phone number)

SUSIE/DOUG LANDSEY, 1407 N. FOREST,
BELLINGHAM, WA 98225

2. Neighborhood and Area C.B.D. AREA 21

3. General Location of Subject Property 0 BOULEVARD

4. Total Property Size (in acres) 65% OF 1 ACRE

5. Existing Classification LIGHT INDUSTRIAL

6. Requested Classification MULTI-FAMILY/MIXED USE

7. Justification: Attach narrative explaining the reasons the plan amendment is appropriate. Address the factors and criteria in Bellingham Municipal Code (BMC) 20.20.060. PLEASE SEE ATTACHED

APPLICATION FOR COMPREHENSIVE PLAN AND NEIGHBORHOOD AMENDMENTS
B.M.C. 20.20.60

Mrs. Bandell, owner of Parcel #3802363772140000, located at 0 Boulevard, Bellingham, WA., is requesting to rezone the property to it's original zone of multi-family from it's recent rezone zone of light industrial development. Until 2005, the property was a part of the South Hill Neighborhood Association, and has now been displaced into the Central Business District. This request for rezone has been presented to the Planning Commission, and accepted by that entity to be docketed on their calendar for further consideration.

This request responds to the City of Bellingham's comprehensive goal to rezone Area 21 from a light industrial zone to a mixed-use/multi-family zone. It responds to the City of Bellingham and the Planning Department goals for urban infill. Mrs. Bandell is considering the concept for this project to develop some of the units for work/live purposes and residential units. This project encourages and provides access to jobs, stores and cultural opportunities within walking distance between two urban centers, while reducing traffic and automobile use.

The property is currently zoned as a light industrial developable parcel. The regulations for this sort of development are far less restrictive than the multi-family development. Light industrial requirements have essentially no height limit, except the 75' limit recently passed in Old Town. Light Industrial projects can stretch from property line to property line, with no setbacks. There is no design review for this type of development. In addition, parking limits are not as restrictive as those of multi-family. An industrial building on this site could be useful for its' owner, with the proximity to the railroad, but would add little enhancement to neighborhood.

Multi-family development is allowed to cover only 35% of a site, must adhere to a height limit of up to 45' and has to meet the restrictions set forth by the design review process through the Planning Department. As noted previously, the parking requirements are more stringent for this type of development. As stated before, this project responds to the goals of the community by providing low-impact infill.

This proposal has been presented to the Planning Commission. They considered the proposal worthy of docketing it on their calendar. The private property owner of this site wishes to create a pleasant and useful addition to the City of Bellingham. The development concept includes a maximum setback to reduce impact, and a public viewing area on the South side of the site, to provide an opportunity to enjoy Bellingham Bay. In addition, Mrs. Bandell wants to work with the City to provide appropriate landscaping with native plants and cover, and lighting to provide a low-impact project. She wants to provide a beneficial and sensitive project for the City of Bellingham. Granting this request will be an appropriate action by the City of Bellingham, further enhancing the quality of our lives.

Presented on behalf of Mrs. Rosemary Bandell, Owner

By: Susie Landsem

Douglas Landsem Architect AIA

1407 North Forest, Bellingham, WA 98225

(360) 733-2466 / dla@landsemarch.net



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APPLICATION FOR REZONE
(Process Type V-A)

(PLEASE PRINT CLEARLY OR TYPE IN BLUE OR BLACK INK)

Project Data:

- 1. Legal Description of subject property PLEASE SEE ATTACHED
2. Full legal description of all property represented in the application (attach if necessary)
3. Size of total land area represented in the application: 28,000 sq ft

LAND USE CLASSIFICATION:

- 4. Neighborhood Plan Name CENTRAL BUSINESS DISTRICT
5. Zoning Area Number Z1
6. Existing Zoning:
General Use Type LIGHT INDUSTRIAL
Use Qualifier MARINE INDUSTRIAL
Density N/A
7. Requested Zoning:
General Use Type MULTI-FAMILY/MIXED USE
Use Qualifier 2
Density 2,000 sq ft PER UNIT

8. Attach an explanation of how the proposed zoning change meets each of the criteria listed in the attached Bellingham Municipal Code 20.19.030 A-F and at least one of the criteria in G (1) - (3). PLEASE SEE ATTACHED.

9. Is the rezone request related to a development proposal for the property? YES
If so, please provide available plans and information about the project.
PLEASE SEE ATTACHED DRAWING. PROPOSED PROJECT WILL BE A LOW IMPACT CONDOMINIUM BUILDING ADDING TO CITY GOAL OF INFALL

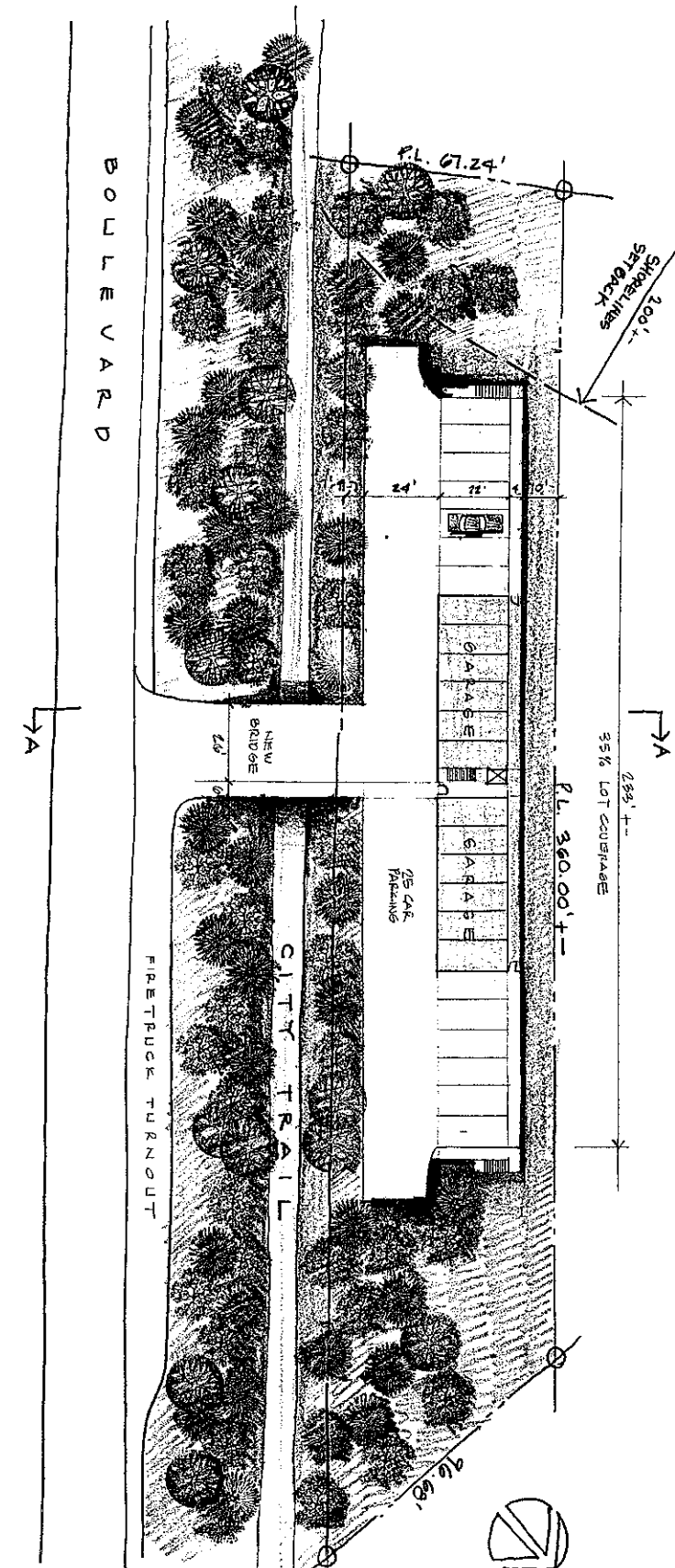
July 6, 2009
0 Boulevard, Bellingham, WA

Response to Bellingham Municipal Code 20.19.030

With Respect to Parcel #3802363772140000

- A. The comprehensive plan includes Area 21 to become zone for Mixed-Use / Multi-Family.
- B. This proposed rezone will not adversely affect the public safety, health or welfare.
- C. This rezone will address the goals of the City with urban infill as opposed to the current zoning of light industrial development.
- D. This site is suitable for a multi-family project. It sits between two urban districts and was, until 2005, part of the South Hill Neighborhood.
- E. Public facilities and utilities are already in place.
- F. There will be no material detriment to uses or property in the immediate vicinity.
- G. (2) This rezone request will correct a zone classification that was inappropriate when established
(3) The rezone will implement the policies of the comprehensive plan.

Prepared by: Susie Landsem
Douglas Landsem Architect AIA
1407 N. Forest, Bellingham, WA
(360) 733-2466



PROPOSED BUILDING FOR
 ROSEMARY BANDEL
 DOUGLAS LANDSEM ARCHITECT AIA.

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44



CBD

CBD Area 21 created in 2005. This subarea was formerly South Hill Area 1

Sehome

Parcel
380236
377214

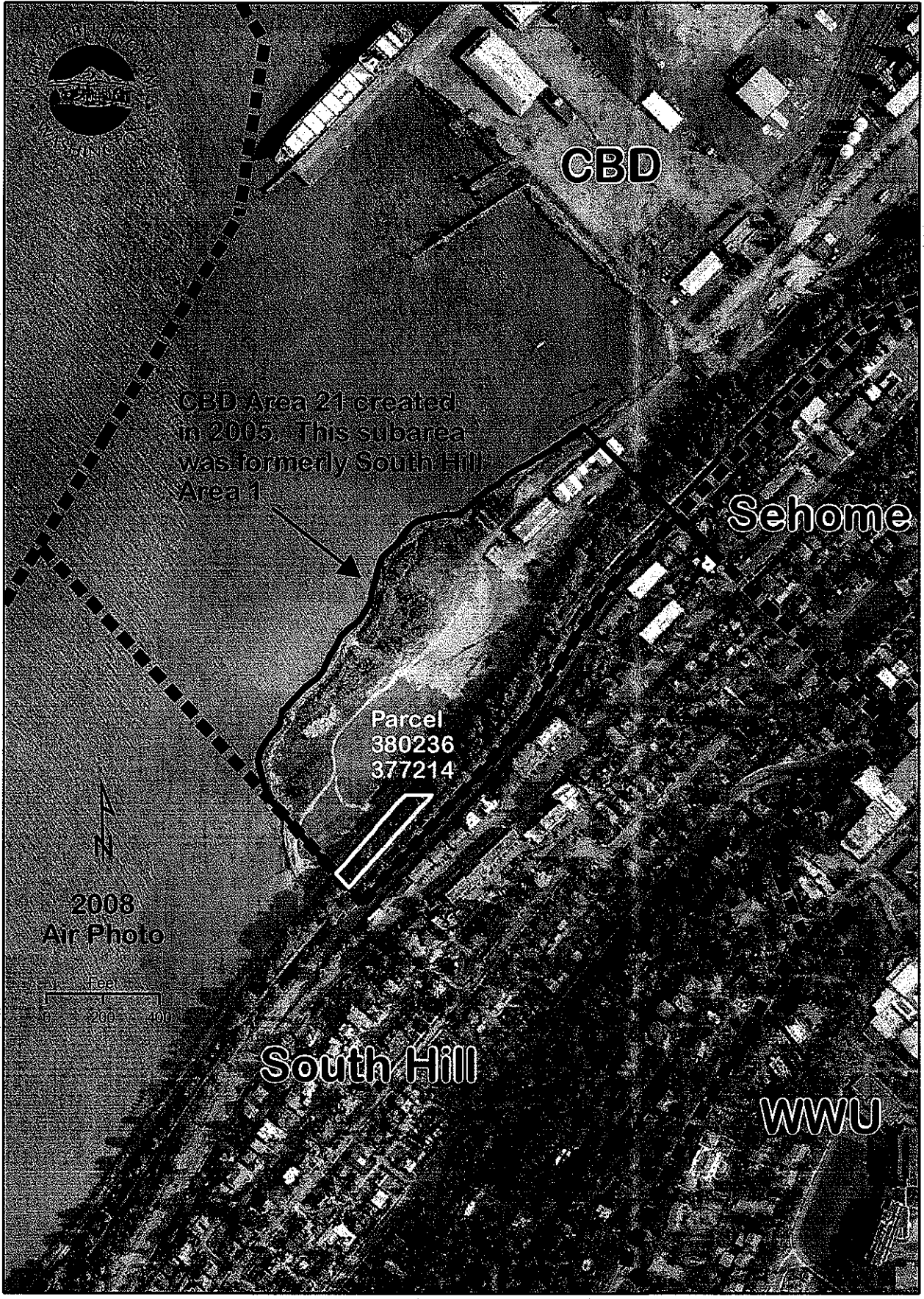


2008
Air Photo

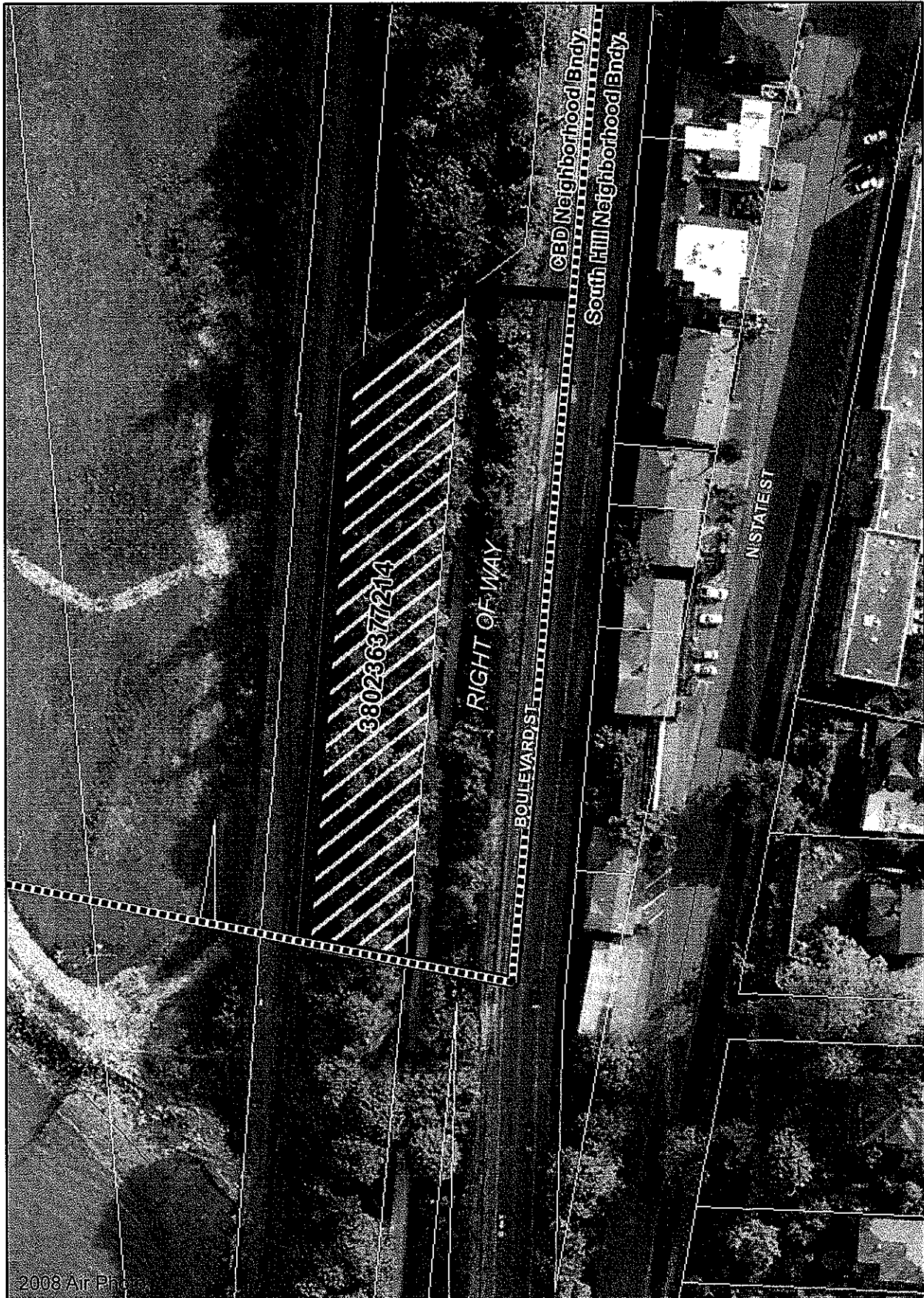


South Hill

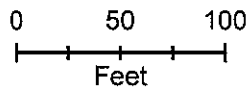
WWU



CBD Neighborhood, Area 21 (#09-P1):
Change from Industrial to Multi-Family



2008 Air Photo



Rezone Request Property

Rezone Request Area

October 2009

South Hill Neighborhood Association
Bellingham, WA

Mr. Tim Stewart
Director of Planning and Community Development
City of Bellingham
210 Lottie Street
Bellingham WA 98225

September 17, 2009

Dear Mr. Stewart:

The South Hill Neighborhood Association (SHNA) Land Use Committee has questions in regards to the proposed rezoning of the Bandel Property and the addition of this property to the South Hill Neighborhood.

In order for us to evaluate the impact of the rezoning to the South Hill Neighborhood and to the South Bay Trail, we need to have an estimate of reasonably foreseeable development that may result from the rezoning. We are aware that the decision issue is a rezone of the property from Industrial to Multi-Family housing. Yet, we believe that the merits of the proposed rezone pivot on the nature and type of development that may occur and the consequent impact of this development to the South Bay Trail and its users. We believe the City of Bellingham must weigh the interest of the applicants who is requesting an economic advantage for their property potentially at the expense of the City's investment in the South Bay Trail, and the large number of citizens who use it every day.

In order to make this analysis, we need to evaluate the potential rezoning to multi-family home impacts against the existing zoning and the probability that the site may or may not be developed under its current industrial zoning in the Central Business District.

Consequently, our questions involve the proposed development that may occur on the property if it was rezoned to multi-family housing and the private access over the trail is provided.

1. Process for obtaining private access: In the public hearing notes (February 19, 2009) for the request to docket this rezone, the applicant stated as a direct quote from the notes on the City's website: "Douglas Lansdem reiterated that one access bridge has been approved by the Parks Department." Is this a true statement, and if so, what are the conditions for this approval (size of bridge, right of way width, height above trail, etc)? We feel this record should be clarified. If this is not true, what is the process for providing access to the property? Is the requested access considered a part of a building permit for development after the rezone, or is the requested private access specified as a part of this rezone?
2. Investment and use of the South Bay Trail: It appears the City of Bellingham and the Greenway's program has a significant investment in the South Bay Trail and its developments. What approximately is this investment in the South Bay Trail? For

example, what is the initial cost for the right of way and the public improvements along the trail between Boulevard Park and the urban buildings of Bellingham at approximately Maple Street? Does the City have an estimate of the daily use of the South Bay Trail?

3. Potential grade/cut and visual impact to the South Bay Trail Right of Way: The exact location of the property is unclear along the South Bay Trail. At what we think is the approximate location of the property, the trail is cut into the sandstone formation along the northwest side of the trail. It is important to determine if the "cut" along the trail at this point will be eliminated by proposed development, or is this cut into the sandstone protected by the South Bay Trail right of way? To estimate this we need to know the width of the South Bay Trail right of way from centerline of the trail. What is the width of the South Bay Trail right of way at this location, and what would be the setback to any proposed development of the site for multi-family homes and under the current zoning of industrial?
4. Critical Area ordinance applicability: At a public meeting held for the proposed rezone, the applicant has indicated that he has tested the site and the site is conducive to construction consistent with multi-family zoning requirements. The indication is that the site has passed the critical area ordinance for steepness of slope and geological hazards, without any indication of stipulations or mitigations. Are we to assume by this assertion that the area has been surveyed for geological hazards (subsidence from the old coal mines in the area) and no hazards have been found, and no stipulations or mitigations will be required?
5. Height of Development: How high above the South Bay Trail will the proposed development be allowed. We understand that the estimate of height depends upon where one starts measuring, so it is confusing to us in determining how high this Multi-Family housing will be above the South Bay Trail. Please give us an estimate as to how high above the existing base of the trail will this development be allowed. Please confirm that under the current industrial zoning there is no height restriction, nor setbacks that are allowed. Does this also mean that under current industrial zoning, no mitigations or stipulations under the Critical Area ordinances would be allowed?
6. Access: We believe that the decision now is about a rezone, and the route of access is not being permitted or authorized at this time, we think (See question 1). Also, we fully understand that the City cannot deny the property owner reasonable economic use of their property. We do believe, however, that the City can stipulate the nature of that access. When the City rezoned this property as industrial within the Central Business District, the use of the parcel would logically be through the existing industrial property or along the Burlington Northern right of way, and towards the to-be-developed waterfront. Can the City of Bellingham stipulate that access be provided to the industrial property over the Burlington Northern Tracks rather than through a dedicated recreational right of way, which also creates a hazard along a major city arterial route (Boulevard)? We are requesting a confirmation as to whether or not this is a viable alternative for discussion at this time. If it is not, then please confirm that is not an alternative that could mitigate the potential development to the South Bay Trail and its users.

The SHNA has not yet taken a position as to whether we are for or against this proposed rezone. Before we take a position, we need additional information as requested. We believe that there is a high public interest value with this rezone due to the potential impact of proposed development to the South Bay Trail. The public interest values include the South Bay Trail, the City's investment in this right of way, and the high public use of the trail. These public interest concerns must be weighed against the economic advantages that the property owner is requesting. The SHNA strongly supports the rights and responsibilities that private property ownership entails. We also strongly support the continued quality of the recreation experience that the South Bay Trail provides to all of its citizens.

Thank you for any assistance you are able to provide.

Geoff Middaugh

Geoff Middaugh
Land Use Committee Member
South Hill Neighborhood Assoc

Cathy Cameron

Cathy Cameron
President
South Hill Neighborhood Assoc

cc: Paul Leuthold, Director, Parks and Recreation, City of Bellingham
Ray Ballweg, Vice President, Chair Land Use, SHNA



"Scott Jones"
<ScottJ@lummi-nsn.gov>
06/30/2009 10:27 AM

To <Knabbefeld@cob.org>
cc
bcc
Subject MIS2009-00043

Hi Kurt,

I attended last nights meeting at the library and would like to be put on the email list of the progress of the re-zone and permit process of the CENTRAL BUSINESS DISTRICT
MIS2009-00043 400 Blk_

Thanks,
Scott

Scott Jones D.D.S.
Staff Dentist, Lummi Tribal Health Center
scottj@lummi-nsn.gov
(360) 384-2233 x2556 (w)

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Steve Sullivan
<offthemap2k@gmail.com>
07/16/2009 10:55 AM

To planning@cob.org
cc
bcc
Subject Comment on "P-1 CBD Area 21/Bandel" application

I want to comment on the pending P-1 CBD Area 21/Bandel zoning change request. I hope this is an appropriate forum to do so, and if not, you could direct me to how I may.

While I am not a current Bellingham resident, I am a former resident, a frequent "tourist" visitor, and am planning to move back within the next few years. We visit monthly and spend a fair amount of dollars on our leisure visits. I think this request should be denied due to the negative impact on the public green space and the South Bay trail which we frequent on almost every trip (certainly Boulevard Park). While the desire to infill is a great goal, there are plenty of other non-used parcels that fill this criteria without compromising the precious little green space remaining in Bellingham. I cannot see how this project would not significantly diminish the green space/recreational space of this trail, which is so heavily used. For the profit of a few landowners, so many would suffer. Please deny this rezone on the basic of the overall public good. Thank you.

Steve and Lynn Sullivan
Seattle, Washington

206-227-2519