

PLANNING COMMISSION AGENDA ITEM COVER SHEET

Meeting Date		Staff Contact	
July 15, 2010		Kathy Bell, Planner II	
Subject:			
Public hearing to consider a comprehensive plan amendment and site-specific rezone for a portion of Area 1 of the Meridian Neighborhood.			
Meeting Type		Category	
<input checked="" type="checkbox"/> Public Hearing		<input checked="" type="checkbox"/> Legislative	
<input type="checkbox"/> Public Meeting		<input type="checkbox"/> Quasi-judicial	
<input type="checkbox"/> Work Session		<input type="checkbox"/> Information Only	
<input type="checkbox"/> Briefing			
Clearances		Initials	Date
Kurt Nabbefeld, Sr. Planner		KNM	7-2-10
Kathy Bell, Planner II		KB	7.2.10
Previous Commission Meeting or Action:			
June 24, 2010 – Work session concerning comprehensive plan amendments to the Guide Meridian/Cordata and Meridian Neighborhoods and a site-specific rezone for Area 1 of the Meridian Neighborhood.			
Recommended Action:			
Approve the proposal with conditions.			

1 **Existing Meridian Neighborhood Narrative**

2
3 **Area 1 (Formerly Area 23, GMCN)**

4
5 The area is located adjacent to Interstate-5 and Pacific Highway on the west. Division
6 Road (unimproved) forms the northern boundary. Pacific Highway provides access to
7 the area, linking the area with industrial and commercial areas to the north and with
8 West Bakerview/I-5 Intersection to the south. The topography ranges from generally flat
9 to rolling hills. Portions of the area are forest covered with wetlands associated with the
10 Bear Creek tributaries towards the interior portions of the parcels.

11
12 Currently, the area is characterized by scattered single family housing along Pacific
13 Highway under separate ownership. As industrial development occurs, site planning
14 should incorporate natural topographical features, vegetation, and wetland areas. The
15 area is not within a billboard sign overlay zone. Adult entertainment uses are prohibited
16 in this area.

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19 **Proposed Neighborhood Plan Land Use Designation**

20
21
22 AREA 5 LAND USE DESIGNATION: COMMERCIAL/INDUSTRIAL
23
24

25
26 **Proposed Meridian Neighborhood Plan Narrative**

27
28 **Area 5 (Formerly Area 19, GMCN)**

29
30 The area's location adjacent to I-5, with two freeway interchanges lends this site as a
31 gateway to the regional Bellis Fair/Guide Meridian/Cordata mixed-use urban
32 development center. This area provides industrial/commercial employment and services
33 on a regional basis and to the surrounding residential neighborhoods.

34
35 The topography is generally flat with portions of the area being forested. Wetland areas,
36 associated with the Bear Creek corridor, are present.

37
38 Development within this subarea has occurred south of West Bakerview Road. The
39 Fred Meyer shopping center is the newest development. Jerry Chambers and those
40 uses along Home Road have been established since the last planning period. A few
41 single family homes remain within the subarea.

42
43 Design standards have been established to insure that development along West
44 Bakerview Road continues to create a positive first impression to the community and
45 coordinated development. These standards identify West Bakerview as a gateway to
46 the City and include site planning elements such as complementary landscaping along
47 the West Bakerview corridor, dispersed surface parking lots by landscaping to avoid the

- 1 appearance of large paved parking areas, coordinated internal circulation, and linked
- 2 open space/trails.
- 3
- 4 This area is not in a Billboard Overlay zone. Adult entertainment uses are prohibited in
- 5 this area.
- 6
- 7

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Existing Zoning: Guide Meridian/Cordata Neighborhood

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
1	Industrial	Planned (Uses limited to those in Whatcom County's Light Impact Industrial zone as of April 1996, and shown in Attachment #4). Heavy industrial uses are not allowed. Adult entertainment uses are prohibited in this area.	N/A	Access; internal circulation; wetlands; buffers separating industrial from residential uses	<p>Sign No Protest LID Agreement for possible future improvements to Pacific Highway; contiguous road from Northwest to Pacific Highway generally along the northern boundary of Area 23 (extension of Division Road unimproved). Evaluation of development proposals for compatibility with airport operations. Preservation of existing natural drainage ways and wetlands. Mitigation of stormwater impacts from development.</p> <p>General water system improvements will be made by the City to provide the pressure and volume necessary for full development density. Properties abutting on a City owned water or sewer system must extend that system as condition of development. Preservation of existing natural drainage ways and wetlands. Mitigation of stormwater impacts from development.</p>	See Attachment 4 – Whatcom County LII Zoning Uses.

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Proposed Zoning: Meridian Neighborhood

Area	Zoning	Use Qualifier	Density	Special Conditions	Prerequisite Considerations	Special Regulations
5	Industrial/Commercial	Planned Mixed Uses listed in Attach. #1A are allowed, as well as uses permitted in the City's Planned Industrial and Planned Commercial zones (Attach. #1B). (Attach. #1A is intended to include all uses allowed in Whatcom County's Gateway Industrial zone as of April 1996.) Heavy industrial uses are not allowed. Adult entertainment uses are prohibited in this area.	N/A	Internal circulation; access; curb-cuts on W. Bakerview should be 300-ft. from intersections and 300 ft. apart, with shared access encouraged. In accordance with Public Works Admin. policy, exceptions to the 300' curb-cut policy may be approved; full access will be allowed to and from driveways; preservation of mature trees and vegetation whenever possible; required yards may be reduced to achieve pedestrian orientation; landscaping buffer between industrial/commercial and residential.	Utilities; <u>Contiguous road from Dover Street to Pacific Highway.</u> Formation of a Local Improvement District for West Bakerview from Deemer Road to Interstate-5. Evaluation of development proposals for compatibility with airport operations, and for impacts on the I-5 corridor, and on the I-5/West Bakerview and I-5/Northwest Interchanges. A No-Protest LID Agreement signed by property owners adjacent to Northwest Avenue and a 10-foot right-of-way dedication for future improvements to Northwest Avenue; Home Road shall be realigned to connect to Northwest Avenue and serve as a central access road to the properties within this area. It shall be closed at West Bakerview. Sewer service on West Bakerview Road will be extended by the City with the improvement of the roadway. Abutting property owners will be required to reimburse the City for their proportionate share of sewer and water installations upon connection to the system(s). General water system improvements will	Development standards: a. The building masses, open spaces around them, landscaping, and signage are integrated in a manner that recognizes the area's visibility from I-5. b. Portals, service loading areas, automobile access points, exterior public activity locations, parking areas and similar features are located in a manner that both maximizes the efficient use of these facilities and recognizes and addresses the development's visibility from Interstate-5, Bakerview, and Northwest Ave. c. Individual developments are designed to accommodate additional development on adjacent property in an integrated manner. <u>With the exception of the 4 platted lots abutting Division Road,</u> This Area is exempt from retail size limits subject to conditions in BMC 20.10.025.

					<p>be made by the City to provide the pressure and volume necessary for full development density, concurrent with construction of West Bakerview Road with a tentative completion date at the end of 1998. Properties abutting on a City-owned water or sewer system must extend that system as a condition of development. Property owners along West Bakerview Road may extend and/or improve public utilities as approved by Public Works to allow for immediate development of their property, and may recover costs by latecomers agreement. Preservation of existing natural drainage ways and wetlands. Mitigation of stormwater impacts from development.</p>	
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II. PLANNING COMMISSION ROLE

The proposal before the Commission is a legislative neighborhood plan amendment and rezone requiring a Type VI process established under BMC 21.10.150. The Planning Commission must hold a public hearing and issue findings of fact and conclusions along with a recommendation to the City Council. Draft findings and conclusions are included in the staff report as **Attachment B**. The Commission should adopt or modify these draft findings as needed to support their final recommendations. The Council will also hold a public hearing later this year to consider the proposed amendments. Comprehensive Plan amendments can only be approved once a year. At the end of the year, the Council will adopt a package of plan amendments that have been reviewed throughout the year.

Staff recommends the Planning Commission forward to the City Council a recommendation to approve the attached ordinance, **Attachment C**, that authorizes an amendment to the Meridian Neighborhood Plan and the Meridian Neighborhood Table of Zoning Regulations (BMC 20.10.110) by incorporating the subject site into Area 5 of the Meridian Neighborhood.

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3 **III. BACKGROUND**
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5 **Binding Site Plan – Attachment D**

6 Three of the four parcels within this proposal are included in a general binding site plan,
7 known as the Bakerview Gateway General Binding Site Plan, recorded under Whatcom
8 County Auditor’s Office file number 2050502777. This binding site plan also includes
9 property fronting West Bakerview Road and establishes the standards for development
10 within the binding site plan area. As a condition of the binding site plan, 30 feet of property
11 was dedicated for Dover Road and 60 feet of property through the site was dedicated to
12 satisfy the zoning prerequisite condition to provide a road from Northwest Road to Pacific
13 Highway.
14

15 **Zoning in the County to URMX**

16 The area immediately north of the subject site is in Whatcom County and zoned URMX. The
17 property was rezoned from UR4 to the current zoning in the late 1990s. This zone is a
18 single family land use area with an allowance for some multifamily uses.
19

20 **2009 Comprehensive Plan Amendment Docket**

21 The City Council initiated this Comprehensive Plan Amendment/Rezone for consideration in
22 2010.
23

24 **Application**

25 Heather Wolf, agent for Richard and Janis Gray, submitted a comprehensive plan and
26 rezone applications on March 15, 2010.
27

28 **Neighborhood Meeting**

29 A neighborhood meeting was held on April 27, 2010 concurrently with the neighborhood
30 meeting for the proposed revisions to the GMCN and Meridian Neighborhood boundaries.
31
32

33 **IV. ISSUES**
34

35 **Critical Areas**

36 The wetland delineation prepared with the Binding Site plan only identified wetlands on
37 those parcels within the site plan area. Neither the buffers nor delineation of off-site
38 wetlands were established with the binding site plan and will require additional analysis as
39 development is proposed. Since the original delineation was prepared more than 5 years
40 ago, it may no longer be valid and require the completion of a subsequent delineation under
41 the current critical areas ordinance.
42

43 The total square footage of critical areas within this rezone site is not known at this time.
44 Additional analysis will be required with development applications.
45

46 **Binding Site Plan**

47 A majority of the subject site is currently governed by the Bakerview Gateway general
48 binding site plan, **Attachment D**. The general binding site plan includes provision for
49 access of those properties included in the rezone with the exception one parcel. As a

1 condition of the binding site plan, a 60 foot road was dedicated to fulfill the through road
2 requirement in the event that constructing Division Road is determined to be not feasible
3 due to the presence of wetlands.

4
5 Approval of this rezone would void the binding site authority and require additional land use
6 permitting through either the planned permit or binding site plan processes. As a result,
7 consideration should be given to how the subject site would be accessed.

8
9 Transportation

10 Traffic impacts from this proposal will be determined based on the amount of land that can
11 be developed. This cannot be determined until the amount of area affected by critical area
12 regulations is known.

13
14 The level of traffic mitigation will be based on future environmental and transportation
15 concurrency reviews for the development.

16
17 Given the uncertainty of the total developable area of the proposal, a traffic study for this
18 development's impacts should be prepared and considered with development permit
19 applications. The traffic mitigation required for this proposal would be implemented through
20 a planned development permit or binding site plan to ensure that mitigation is provided to
21 adequately address the impacts.

22
23 This subarea has a prerequisite consideration that development within this area must provide a
24 contiguous road from Northwest Avenue to Pacific Highway generally within the Division Road
25 right of way. The wetlands within the Division Road right of way alignment make construction of
26 this connector challenging. Also, there are additional land dedications required to provide a full
27 right of way for Division Road from Northwest to Pacific Highway. Alternative alignments
28 resulting in less environmental impact that would have less environmental impact and serve
29 areas of similar land uses should be considered during the development review process.

30
31 Ownership – Attachment E

32 Currently, the property within the rezone area is owned by three separate owners. Jack
33 Webster and Bruce and Suzette Merrick each own one platted lot and Richard and Janice
34 Gray own two platted lots. The parcel owned by the Merrick's is not included in the binding
35 site plan discussed above. As development occurs, siting and construction of the connector
36 road discussed above will be important for these lots to access the Dover/West Bakerview
37 intersection.

38
39 Without the binding site plan, the only legal access to these parcels is Division Road. As
40 discussed above, the critical areas within and adjacent to the current alignment of the
41 Division Road right of way present challenges to improving this road for access.

42
43 Commercial and Industrial Land Supply

44 The proposal must be consistent with the land supply goals and policies for infill strategies
45 identified in the Comprehensive Plan and should provide sufficient land available to achieve
46 the estimated employment lands as identified in the City of Bellingham Employment Lands
47 Report (2008).

1 The rezone area would be subject to the retail size limits per BMC 20.10.025. The inclusion
2 of this property into Area 5 does not exempt the property from those standards. Staff
3 recommends that the zoning table be revised to clarify this issue.

4
5 Buffer between land uses

6 The land use designation of the properties to the north and east is residential. Appropriate
7 buffering between incompatible land uses within this subarea and adjacent properties
8 should be considered with development proposals. The existing critical areas may also
9 contribute some natural buffer between subareas.

10
11 Urban Center – Attachment F

12 This portion of the neighborhood is not designated in the Comprehensive Plan as an Urban
13 Center. The nearest center is at the Northwest/West Bakerview intersection.

14
15 Under the proposed zoning, residential uses would be permitted in conjunction with
16 permitted commercial uses. If residential uses are proposed, they should be developed in a
17 manner that provides a transition from existing residential developments.

18
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20 V. COMPREHENSIVE PLAN GOALS AND POLICIES

21
22 *(See Attachment F for a full list of relevant goals and policies)*

23
24
25 VI. ANALYSIS

26
27 **NEIGHBORHOOD PLAN AMENDMENT CRITERIA**

28 **BMC 20.20.060 C**

29 According to Bellingham Municipal Code 20.20.060, the following factors should be
30 considered when reviewing comprehensive plan and neighborhood plan amendment
31 proposals:

- 32
33 **1. Is the proposed amendment to the plan supported by or consistent with the**
34 **existing goals and policies of the comprehensive plan and the State Growth**
35 **Management Act?**

36
37 **Applicant's response:** Yes. The amendment is consistent with the following goals
38 and policies of the Comprehensive Plan and the State's Growth Management Act

- 39
 - 40 • *GF Infill Strategy: Include commercial or institutional uses in or near new*
41 *large multi-family projects – the subject property is adjacent to dense*
42 *residential developments and thus allowing commercial uses here promotes*
43 *this infill strategy*
 - 44 • *Bellingham's Infill Strategy – the amendment would make more efficient use*
45 *of the remaining developable land in the City*
 - 46 • *FLU-9 Successful commercial and industrial areas and a strong and diverse*
economy should be promoted by encouraging office, retail, high technology,

- 1 *light and heavy industrial uses in appropriate locations.* The subject property
2 is more appropriate for commercial uses than industrial uses
3 • *LU-100 Infill developments that are sized and designed to fit their*
4 *surroundings are encouraged.* The amendment would allow for multiple
5 properties to be planned together to provide for development that better fits
6 with the surrounding area
7 • *TP-1 Consider revision of land use plans to allow densities and mixes of uses*
8 *that reduce number and length of vehicle trips and increase the opportunity to*
9 *use public transportation and non-motorized modes of travel.* The
10 amendment would allow for commercial uses in close proximity to existing
11 residential and commercial development thereby reducing the length of
12 vehicle trips and expanding opportunities for transit use
13 • *RCW 36.70A.020 Encourage development in urban areas where adequate*
14 *public facilities and services exist or can be provided in an efficient manner.*
15 The amendment will allow for development to actually occur on the subject
16 property, where adequate public facilities already exist
17 • *RCW 36.70A.020 Encourage economic development.* The amendment will
18 promote economic development on the subject properties with regard to jobs
19 and business development opportunities

20 **Staff's Response:** Staff concurs that the proposed amendment is generally
21 consistent with the comprehensive plan goals and policies. The proposal would
22 continue to provide the opportunity for employment lands.
23

24 The Comprehensive Plan identifies land supply needs for commercial and industrial
25 zoned property. The city further refined these estimates in the Employment Lands
26 Report by dividing the city into employment land areas. The employment capacity
27 estimates the actual number of jobs that could be accommodated within the
28 allowable floor area ratio (FAR).
29

30 Since there is not a proposal with this request, an estimate of the employment
31 opportunity was not possible. It can be assumed that those uses permitted under
32 current zoning typically require large, regular shaped building envelopes to provide
33 the building scale and the necessary loading and parking areas. The on-site and
34 adjacent critical areas reduce the opportunity for these industrial uses to occur. The
35 uses allowed under the proposed zoning have site design flexibility since they
36 typically have smaller footprints.
37

38 This is supported by development patterns of similar zoned properties in the City.
39 Properties in the Irongate industrial park are zoned similar as the subject site. The
40 development pattern in this industrial park contains large, rectangular sites
41 developed with single story structures and large parking areas for maneuvering semi
42 truck and/or construction equipment.
43

- 1 **2. Have circumstances changed sufficiently since the adoption of the**
2 **comprehensive plan and/or neighborhood plan to justify the proposed**
3 **change? If so, the circumstances that have changed should be described in**
4 **sufficient detail so that a finding of changed circumstances can be made and a**
5 **decision as to appropriateness of the proposed neighborhood plan**
6 **amendment can be reached based on information in the record.**
7

8 **Applicant's Response:** Both circumstances and Underlying assumptions have
9 changed since the subject property was annexed and brought into the Guide
10 Meridian/Cordata Neighborhood in 1996. Dense residential and commercial
11 development has occurred in the surrounding area, which makes industrial
12 development on the property unattractive. Additionally, the city is currently focusing
13 on creating dense mixed use development within the city limits and creating
14 commercial opportunities close to where people live. Allowing a mix of uses,
15 including commercial uses, on the subject property is consistent with the City's
16 recently adopted urban infill goals. Moreover, given the surrounding uses, there is
17 little demand for industrial use on the subject property. The demand is now for a mix
18 of uses, including commercial uses, compatible with existing nearby residential
19 development.
20

21 **Staff's Response:** Staff concurs with the applicant's justification and would like to
22 reemphasize that the critical areas play a significant role of how much of the land is
23 available for suitable development.
24

- 25 **3. Have the underlying assumptions found in the comprehensive plan and/or**
26 **neighborhood plan upon which the land use designation, density or other**
27 **provisions are based changed, or is new information available which was not**
28 **considered at the time the plan was adopted? If so, the changed assumptions**
29 **or new information should be described in sufficient detail to enable the**
30 **Planning Commission and City Council to find that the land use designation or**
31 **other sections of the plan should be changed. Examples of the underlying**
32 **assumptions include expected population growth, utility or roadway**
33 **capacities, available land supply, or demand for land zoned with the existing**
34 **or proposed land use designation.**
35

36 **Applicant's response:** Same response as #2 above.
37

38 **Staff's Response:** Same response as #2 above.
39

- 40 **4. Does the proposed amendment promote a more desirable land use pattern for**
41 **the community as stated in the goals and policies in the comprehensive plan?**
42 **Are there environmental constraints (such as wetlands, steep slopes,**
43 **significant stands of trees, etc.) present on the site to such a degree that**
44 **development of the site is economically or physically unfeasible under the**
45 **existing land use designation? If so, a description of the qualities of the**
46 **proposed plan amendment that would make the land use pattern more**
47 **desirable and/or would result in less environmental impact should be provided**
48 **in sufficient detail to enable the Planning Commission and City Council to find**

1 that the proposed neighborhood plan amendment is in the community's long
2 term best interest.

3
4 **Applicant's response:** Wetlands do exist on a portion of the subject property, which
5 makes it infeasible for stand-alone industrial development. The environmental
6 constraints likely require that the property be developed in conjunction with the
7 property to the south. Thus, a consistent zoning for all of these properties is needed
8 to ensure that development can occur. Allowing commercial uses on the subject
9 property will allow for better planning with the properties to the south such that
10 environmental impacts can be mitigated without losing all of the development
11 potential of the property.

12
13 **Staff's Response:** Yes. Industrial development does not by nature have the design
14 flexibility that residential and commercial development has to cluster around the
15 critical areas. The wetlands, with or without impact, create challenges for achieving
16 maximum use of this land for industrial purposes. It is anticipated that mass grading
17 would be necessary to provide suitable industrial pads.

18
19 The mixed use proposal has the flexibility to provide smaller clusters of development
20 in and around the environmental features. Residential and commercial buildings can
21 be modulated and increased in height to provide the floor area necessary to create a
22 viable development, both economically and physically.

23
24 Retention of this area for industrial development may hinder the City from meeting its
25 identified employment land goals. Given the physical restraints and the lack of
26 major attributes associated with high quality industrial land, use of the site cannot be
27 maximized without causing impacts on the physical environment.

28
29
30 **5. What impacts would the proposed amendment to the plan have on the current**
31 **use of other properties in the vicinity? What measures should be taken to**
32 **ensure compatibility with the uses of other property in the area?**

33
34 **Applicant's response:** The amendment will not likely have an impact on the current
35 use of other properties in the vicinity. Rather, commercial uses on the subject
36 property will be more compatible with existing uses in the vicinity. Any development
37 on the subject property, whether industrial or commercial in nature, will likely need to
38 take measures to ensure a sufficient buffer exists between development on the
39 subject property and the adjacent residential neighborhood.

40
41 **Staff's Response:** Staff concurs with the applicant's justification and would add that
42 development of these parcels should be accessed through Area 1. Having similar
43 zoning would increase the likelihood that the interrelation between the parcels is
44 compatible. The incorporation of residential uses into a development plan could also
45 provide a buffer to existing developments.

1 **REZONE CRITERIA**

2 **BMC 20.19.030 A**

3 In evaluating proposed rezones, the Planning Commission and City Council should consider
4 the following criteria:

- 5
- 6 **1. It is consistent with the comprehensive plan or corresponds to a concurrent**
- 7 **comprehensive plan amendment application**

8 **Applicant's Response:** The proposal is concurrent with a Comprehensive Plan
9 Amendment Application.

10
11 **Staff's Response:** The proposed amendment is generally consistent with the
12 comprehensive plan and corresponds to a neighborhood plan amendment
13 application. The rezone meets the adopted criteria for neighborhood plan
14 amendments (see above statements).

- 15
- 16 **2. The proposed rezone will not adversely affect the public health, safety and**
- 17 **general welfare.**

18 **Applicant's Response:** The proposed rezone will not adversely affect the public
19 health, safety or general welfare and is in the best interests of the community. The
20 rezone will allow for the use of the land for which it is best suited; it will allow for
21 commercial development to occur near to and compliment residential uses and other
22 similar commercial uses in the area. It is highly unlikely that there would be any
23 adverse effects from the proposed rezone given that the area is already highly
24 developed with commercial and residential uses.

25
26 **Staff's Response:** Staff concurs with the applicant's response.

- 27
- 28 **3. It is in the best interests of the residents of Bellingham.**

29 **Applicant's Response:** Same as #2 above.

30
31 **Staff's Response:** The proposal would provide the opportunity to increase
32 employment in the City and provide a land use with a more compatible development
33 pattern for sites that have challenges due to critical areas, access, etc. It implements
34 the goals and policies of the comprehensive plan, which promotes development
35 strategies with Bellingham citizen's best interests at the forefront. It allows for the
36 addition of commercial development to occur near to and compliment residential
37 uses in the vicinity.

38
39

1 **4. The subject property is suitable for development in general conformance with**
2 **zoning standards under the proposed zoning district.**

3
4 **Applicant's Response:** Commercial use on the subject property would conform to
5 general zoning standards in the district, which are already suited for regulation of
6 both industrial and commercial development.
7

8 **Staff's Response:** The subject property is suitable for development in general
9 conformance with the proposed zoning. The zoning contains design standards
10 specific to the site location as a 'gateway' to Bellingham. The planned designation
11 also contains criteria for site planning.
12

13
14 **5. Adequate public facilities and services are, or would be, available to serve the**
15 **development allowed by the proposed zone.**

16
17 **Applicant's Response:** The subject property and surrounding area is already
18 serviced by transit and city services. Any development on the property, whether
19 industrial or commercial in nature will be required to ensure adequate facilities and
20 services are in place at the time development occurs.
21

22 **Staff's Response:** Adequate public facilities and services are in place or will be
23 upgraded. The property is located on a transit corridor and additional commercial
24 facilities are located close by.
25

26 Conditions of approval of the General Binding Site established an east/west road
27 that the majority of subject property would have the ability to access. Should the
28 rezone be approved, it will be important to ensure that any development within the
29 subarea north of West Bakerview Road would have legal access to this road for
30 purposes of accessing a signalize intersection.
31

32
33 **6. It will not be materially detrimental to uses or property in the immediate**
34 **vicinity of the subject property.**

35 **Applicant's Response:** The proposed rezone will not have any discernable impact
36 on the current use of other properties in the vicinity. Commercial uses on the
37 property are more compatible with the neighboring residential and commercial areas
38 than strictly industrial uses would be. In fact, residents, business owners, and
39 employees in the immediate vicinity will benefit by having additional commercial
40 opportunities within walking and transit distance.
41

42 **Staff's Response:** Staff concurs with the applicant's justification.
43

1 **7. It is appropriate because either:**

- 2
- 3 **a. Conditions in the immediate vicinity have changed sufficiently since the**
4 **property was classified under the current zoning that a rezone is in the**
5 **public interest; or**
- 6 **b. The rezone will correct a zone classification or zone boundary that was**
7 **inappropriate when established; or**
- 8 **c. The rezone will implement the policies of the comprehensive plan.**
- 9

10 **Applicant's Response:** Conditions in the immediate vicinity have changed
11 sufficiently since the property was classified under the current zoning that a rezone
12 is in the public interest. The property was annexed to the City of Bellingham in 1996
13 and at that time, it was given a zoning designation comparable to its zoning
14 designation in Whatcom County, which was light industrial. Since that time, the
15 zoning for this area has not been reexamined although the immediate vicinity has
16 seen a great deal of commercial and residential development. Consequently,
17 allowing a range of uses, including commercial uses, is in the public interest given
18 the recent development patterns in the area.

19

20 Additionally, the subject property is part of the Bakerview Gateway General Binding
21 Site Plan and the other properties within this Binding Site Plan are zoned to allow for
22 commercial uses in addition to industrial uses. It is in the public interest for all of the
23 properties within this Binding Site Plan to have a consistent zoning designation so
24 that these properties can be master planned and developed in a unified manner.
25 Finally, the rezone is in the public interest in that it will provide for infill and
26 development of property that would otherwise likely remain vacant under the current
27 zoning.

28

29 (G)(3) As detailed in the concurrent comprehensive plan application, the proposal
30 will implement the policies of the comprehensive plan.

31

32 **Staff's Response:** Staff concurs that conditions in the immediate vicinity have
33 changed sufficiently since the property was classified under the current zoning and
34 that a rezone is in the public's best interest. The rezone will not be detrimental to
35 property in the area. Design standards are in place to ensure that the development
36 of any residential, commercial, or industrial use will be compatible with the
37 residential uses surrounding development.

38

39 The proposed rezone is consistent with the comprehensive plan. It promotes the
40 efficient use of land through infill that reflects the character of the existing
41 neighborhood. It is near other commercial facilities and located on a designated
42 arterial and transit corridor.

1 **VIII. PUBLIC COMMENT**

2 Notice of this hearing was mailed to property owners, neighborhood representatives and
3 associations and other interested parties. Notice was also published in the Bellingham
4 Herald.

5
6 Any comments received will be transmitted to the Planning Commission.
7

8
9 **IX. STATE ENVIRONMENTAL POLICY ACT (SEPA)**

10
11 A non-project SEPA determination of Non-Significance was issued on June 14, 2010. See
12 **Attachment H**. Project specific environmental threshold determinations will be issued at the
13 time of development.
14

15 **X. STAFF RECOMMENDATION**

16
17 Staff recommends the Planning Commission approved the proposal and adopt the Findings,
18 Conclusions and Recommendations, as shown in **Attachment B**, which recommends the
19 City Council approve the ordinance, attached as **Attachment C**, that authorizes an
20 amendment to the Meridian Neighborhood Plan and the Meridian Neighborhood Table of
21 Zoning Regulations (BMC 20.10.110) by incorporating the subject site into Area 5 of the
22 Meridian Neighborhood.
23

24 The applicant has demonstrated that the proposed comprehensive plan amendment and
25 rezone satisfies the criteria. The requests are consistent with the Comprehensive Plan and
26 the Growth Management Act. The proposal will further the goals and policies by
27 establishing an opportunity for a range of uses that are better suited for lands containing
28 critical areas.
29

30
31 **X. LIST OF ATTACHMENTS**

- 32 A. Submittal from Applicant
 - 33 B. Draft Findings of Fact, Conclusions and Recommendations
 - 34 C. Draft Ordinance
 - 35 D. Bakerview Gateway Binding Site Plan
 - 36 E. Parcel Ownership
 - 37 F. Figure 7, 2005 Comprehensive Plan – Urban Villages
 - 38 G. Applicable Comprehensive Plan Goals and Policies
 - 39 H. Determination of Nonsignificance – dated June 14, 2010
 - 40 I. Public Comment
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