



Diana Fewing
<dianafew@comcast.net>
07/03/2008 07:08 AM

To <ssundin@cob.org>, <mayorsoffice@cob.org>
cc
bcc
Subject Description of Proposal - Squalicum Lofts

SQUALICUM LOFTS

I do not approve the current plans for the development of four buildings that a TOTAL floor area of approximately 128,500 square feet with the potential for mix of commercial and light industrial uses on a 7.5 acre site. Storm water run off will include industrial, automobile and other toxic wastes even under the best of conditions. This run off SHOULD NOT be directed toward any creeks or water areas (we are just starting to get the Eldridge Springs, restored as salmon spawning habitat at the new Squalicum Creek Park. The Squalicum Lofts plan must have plans for filtering the storm water runoff before it goes into any pipeline carrying it to a water source.

Thank you,
Diana Fewing

--
Diana Fewing
2427 Williams Street
Bellingham WA 98225
NEW PHONE: 360-393-1571



Michael Reinke
<Michael.Reinke@wwu.edu>
07/03/2008 12:15 PM

To "ssundin@cob.org" <ssundin@cob.org>
cc Flip Breskin <flip@breskin.com>, Holly Folk
<Holly.Folk@wwu.edu>
bcc
Subject Comments on Squalicum Lofts

Hi Steve,

Here's some comments on Squalicum Lofts.

I'm an avid dog walker and walk both by Squalicum creek and the proposed development almost daily. I am very concerned about the proposed pipe discharging into the creek. While the creek runs low after several dry days, any time there is rain the water level rises immediately, it appears a significant amount coming from runoff of I5. Dumping additional runoff directly into the creek without first being filtered by grass and soil will not be helpful for the stream's ecology. Additionally, the work taking place to restore the more permanent sources of water, such as the restoration work underway with the naturally occurring springs in the park will be for naught.

Squalicum Creek is a beautiful creek with so much potential. In the past couple of years, salmon have been seen swimming up its waters during spawning season. It would be a tragedy for proposed development to continue the march towards making it Squalicum Drainage Ditch.

On a different note, I would like to voice opposition to any proposed amendment to the existing agreement regarding business hours. Sunday is the only day Squalicum Parkway sees any reduction in traffic. The majority of businesses along the harbor are closed for Sunday and Bellingham Technical College does not offer classes on Sunday. There is no reason to allow for an exception with the proposed development. Allowing for amended hours will only allow for the current project to morph into a 24/7 shopping center right in the middle of two very residential neighborhoods.

Thank you for your consideration,

Michael

Michael Reinke
Director of Development
Woodring College of Education
Western Washington University Foundation
Miller Hall 253, 516 High Street
Bellingham, WA 98225-9088
360 650-2368
360 303-4381 (cell)
360 650-4845 (fax)



Mary Gray
<marygray@microsoft.com>
06/25/2008 02:44 PM

To "ssundin@cob.org" <ssundin@cob.org>
cc
bcc

Subject Squalicum Lofts comment

Regarding the SQUALICUM LOFTS, LLC - SEP2007-00047 notice at
<http://www.cob.org/cob/Pubnot.nsf/frmNotice/A0E7641409EA7B4288257467007F3246?OpenDocument>:

I am concerned about the following:

- Is any regulation planned regarding the temperature of water entering the stormwater system, not just that that it come from non-polluting point sources? If the outfall water is temperature is too warm it will affect salmon spawning.
- If this property can contain light industrial uses then are there mitigation requirements in the event of polluting spills?
- What is being specified to deal with non-point pollution such as run-off from parking and roads?
- What is being done to protect trail access?
- If the site can include commercial businesses, this has the potential to bring in a lot more traffic and to include businesses that can run on weekends. It would be preferable to the residential neighborhood if the site only included low-traffic generating businesses that do not run on weekends.
- Certain businesses would potentially constitute a threat to land values in the nearby neighborhood. What are the limitations on types of businesses that will be allowed?
- Will the number of entrances and exits onto Squalicum Way be limited?

Thanks for your time.

Mary Gray

Tools and models content
Management Model Authoring Tools Team
425-706-8557



"Bruce Reid"
<bruce.reid@comcast.net>

06/24/2008 01:55 PM

Please respond to
<bruce.reid@comcast.net>

To <ssundin@cob.org>

cc

bcc

Subject Squalicum Lofts

History:

 This message has been replied to.

Steve,

I have seen your name mentioned in the CNA Update email newsletter as being in the Planning and Community Development Department and involved with Squalicum Lofts. I have lived on Cherry Street since '92. I'm glad to hear that Allsop is moving ahead with development of the property. While I like to walk my dogs around it, the space is not used very effectively and in it's current state may encourage delinquent activities. No one wants to see anything again like that Michael Busby murder. I support urban infill, even though that means a bit more traffic in my neighborhood. I would prefer to see Condominiums developed at the location over storage or other businesses as residential use would be using the land in the same way as the surrounding area. Having impervious surfaces drain into the pond at the East corner of the property sure makes sense to me. That pond does not currently get enough water to provide a decent habitat for birds or other animals.

Thank you for working on this difficult project.

Bruce Reid

2608 Cherry Street,
Bellingham, WA

Bus. Phone: (360) 647-4119
Bus. Fax: (360) 647-6921
Home Phone: (360) 756-6993
Mobile: (360) 201-0307
e-mail: <mailto:bruce.reid@comcast.net>

Mr. Steve Sundin
Planning and Community Development Department
Planning Division
City of Bellingham
219 Lottie Street
Bellingham, WA 98225

RECEIVED

JUN 24 2008

City of Bellingham
Planning

June 24, 2008

Re: Squalicum Lofts MDNS comments

Dear Mr. Sundin,

This letter presents our concerns about the MDNS issued for the Squalicum Lofts proposed development on 905 Squalicum Way in Bellingham. We appreciate the opportunity to comment on this project, and the time and consideration of the Bellingham City staff in assisting us in accessing city documents related to the project. We feel the City staff did an excellent job in their review and part of our concerns are a repeat of their concerns.

We believe that the MDNS for this project is not adequately conditioned. The project impacts, as they are proposed, to the nearby stream, its aquatic habitat and the estuarine habitat at the mouth Squalicum Creek are significant. The mitigating conditions listed in the MDNS do not present the detail necessary to ensure that the measures adopted will in fact measurably reduce the impacts that they are intended to address. A SEPA determination of significance, and an Environmental Impact Statement would ensure that these impacts are adequately analyzed and mitigated. Alternatively, a more substantive delineation of the mitigating measures in order to reduce the impacts listed above would improve the likelihood that the project impacts are reduced. An EIS would also facilitate more public participation in the project design. A 14 day comment period on this MDNS is not sufficient length for the public to gain an understanding, think through and compose substantive comments to the project.

We agree with the Department of Ecology and the Department of Fish and Wildlife that the installation of a stormwater pipe is not the best solution; that the use of an LID based system using detention and enhanced water quality treatment is the better method. This said, we will comment on the purposed stormwater pipe.

The project components that should be better described:

- Compliance with dept of Ecology requirements for transfer of water to a different discharge basin has not been demonstrated. The measures for mitigation or other compliance approach should be subject to public review and comment.
- The stormwater outfall location will impact the already degraded habitat of Squalicum estuary. The coordination mentioned with the Port of Bellingham and the Bellingham Bay Action Team is not formalized, and the actual review and

approval of protective measures for fish, shellfish and other habitat in the outfall vicinity has not been described.

- Given the fact that stormwater discharge pipeline is going to convey more runoff than what is generated from this site, the outfall design and construction must be structured to improve fish habitat in the sensitive estuarine environment. The ongoing efforts by the State Department of Natural Resources, Department of Fish and Wildlife, Department of Ecology, Port of Bellingham and other local jurisdictions to reverse the habitat degradation in then Squalicum creek estuary should not be reversed by the construction of this stormwater discharge drain. This is an opportunity to improve the stormwater discharge affects on the shoreline habitat.
- Criteria for the determination of minimization of habitat degradation has not been identified, as a basis for determination of compliance with the MDNS.
- List the point source discharges that are approved for release in eldridge springs.
- How will compliance of water quality be assessed?
- What plans would be in place if a violation occurs; where will stormwater be routed; what treatment measures will be taken?

The mitigation measures would be improved if the following conditions were included in the permit requirements:

- Temperature monitoring of water discharging to Eldridge springs during summer months (i.e. June, July, August, September), and not just March and October. March and October are typically cooler temperature months, that when sampled would not reveal whether significant thermal loading was occurring.
- Water quality treatment of all water discharged from the property through surface conveyance. Infiltration of as much runoff from the site as possible is preferred.
- Raingardens preferred.
- Fish screens or another fish passage deterrent should be required on the stormwater outfall.
- The Hydraulic Permit Authority conditions should be incorporated into the MDNS, ensuring that the stormwater discharge impacts to fish and wildlife are minimized or mitigated.

We are aware that a variance is required for the stormwater discharge from the site, and that a public process is required for such a variance, we hope this will be before any permits are given. Please keep us informed if in fact a variance is considered, so that we may contribute to the development and approval of any measures that are incorporated into the project design. There have been two public hearings on Squalicum Lofts, but they were on a different variance, and not related to this one. The variance also requires an HPA; the application for that would be useful in the public hearing.

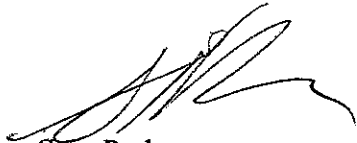
Conditions for project compliance with the Shoreline master permit conditions are not adequately described in the MDNS. Shorelines health and access have an impact on the entire community, and not only those property owners within 500 feet of the project boundaries. All residents in the Squalicum Creek watershed (in fact, all residents of the

City of Bellingham) have a stake in the health the Creek, and should have an opportunity to comment on the project design and impacts to the Creek. We request that the Shoreline hearing be open to input from the residents of the entire Squalicum Creek watershed within the City of Bellingham limits.

Thank you for your consideration of these comments, and the recognition of the importance of this project to the residents of the Columbia neighborhood and the Squalicum Creek watershed. If there are questions or clarification needed regarding these comments, please contact me at:

Stan Parker
738-0770
Parkerstan1@yahoo.com
2520 Jefferson st.
Bellingham 98225

Sincerely,



Stan Parker
Members, Columbia Neighborhood association

Reesa Latorra

Reesa Latorra
2615 Jefferson St.

Kevin Latorra
2615 Jefferson St.

Birchwood Neighborhood Association

2611 Lafayette Street, Bellingham WA 98225

March 23, 2008

Steve Sundin
City of Bellingham
Planning Department
210 Lottie Street
Bellingham, WA 98226

RECEIVED

MAR 25 2008

City of Bellingham
Planning

Re: Squalicum Lofts, LLC Planned Industrial development (parcel #380224
117193 in Area 15, Birchwood Neighborhood)

Mr. Sundin:

On behalf of the Birchwood Neighborhood Association Board (BNAB) I respectfully submit the following comments regarding the Planned Industrial development proposed by Squalicum Lofts, LLC for parcel #380224 117193 in Area 15 of the Birchwood Neighborhood.

BNAB would like to meet with the property owner or their designee, City of Bellingham, Planning Director, Tim Stewart and you to discuss our comments prior to the next public meeting regarding this proposal.

We recognize this project will help the City meet projected needs for Light Industry. We also support the applicant's quest for LEED certification and encourage them to apply it to each building built on the site.

The following comments pertain to specific sections of Planned Contract #94-11:

Section 8 - Grading and Landscaping:

The landscape screening should be native vegetation dense enough to screen any perimeter security fencing with in 3-5 years and be of the maximum width allowed by code.

The planting of the Lafayette Street hillside should be planted with respect to the views of upslope properties along Lafayette. Native vegetation should be used. The taller trees should be planted at the toe of the slope and be of a species not to exceed 50' in height. Shrubs and other low growing species should be planted on the remainder of the slope.

Section 9 – Signage:

Give the unobstructed view and lack of business competition we request that any signage be mounted or installed as low to the ground as possible.

Section 10 – Streets, Utilities, Access and Pedestrian facilities:

The property owner should coordinate with the Birchwood Neighborhood Association and the City Parks and Recreation Department to fulfill the Planned Contract provision to “provide a means of pedestrian connection from Lafayette Street to Squalicum Parkway.” This plan should be illustrated on any site plans submitted to the City for review.

We would request that International Dark Sky Association approved fixtures be used for lighting throughout the project.

HVAC systems should be installed inside a structure or at ground level to mitigate ambient noise from the site.

Section 11 – Drainage:

We have been told by City Staff that the site has limited potential for infiltration due to the fill placed on the property in the past. Even so the potential to excavate and create storage/ recharge areas below Pollution Generating Surfaces (parking) should be explored as part of the required drainage plan.

The Wilson Motors Site at 1100 Iowa Street has similar soil characteristics yet engineered permeable parking surfaces been designed into their project. Due to the proximity to Squalicum Creek Low Impact Development (LID) techniques such as permeable parking surfaces should be used wherever possible to maintain and enhance subsurface flow to the creek. LID techniques should be used for water quality treatment for all parking areas. This should occur even if rooftop run off is piped directly to salt water or released to Squalicum Creek via a traditional detention system.

Section 12 – Wetland Creation/ Enhancement:

According to City Staff there is lack of clarity as to the specific details of this section and ultimately the Planning Director may decide how it applies to the project. The current site plan does not address this aspect of the Planned Contract nor does there appear to be space available for wetland creation/ enhancement.

The property owner should coordinate with the City Parks Department and Environmental Resources Staff to enhance the Squalicum Creek Park and efforts to improve salmon habitat along Squalicum Creek.

Section 15 – Hours of Operation, Special Conditions:

We request that no changes be made to the stated hours of operation (7:00 AM – 6:00 PM Monday through Saturday) with out a public hearing.

Additionally, the *Notice of Application and Pending Action* states, “ Planned Contract #94-11 for this site is still valid and the applicable portions shall apply.” Our research indicates that a Planned Contract with the City is not a “menu.” It is a binding agreement and **all** portions apply unless amended.

After close review of the document it appears that all of the sections can still reasonably be applied. There may be instances where certain names, City codes or standards have changed and the contract will need modification to reflect the changes. *BMC 20.38.040 B.2.* provides for these types of changes.

BMC 20.38.040 C. – Amendments addresses more significant changes such not enforcing a specific section of the contract. It states:“

“Subsequent changes to the approved site plan and approval shall be processed as an original application.”

Processing as an “original application” requires formal public participation including a public hearing.

We request that the City apply Planned Contract #94-11 as it is written or adhere to the provisions of *BMC 20.38.040* to initiate updates or more significant changes.

Thank you for the opportunity to provide these comments on behalf of the Birchwood Neighborhood Association Board.

Sincerely,

Kurt R. Baumgarten



Kurt Baumgarten
BNAB President

Columbia Neighborhood Association
PO Box 921
Bellingham WA 98227

RECEIVED

MAR 11 2008

City of Bellingham
Planning

Steve Sundin
City Of Bellingham
Planning Department
210 Lottie Street
Bellingham WA 98225

March 10, 2008

*Re: Squalicum Lofts LLC
(Parcel # 380224 117193 Birchwood Neighborhood Area 15.
Planned Industrial. Conservancy/ Shoreline Designation)*

Dear Mr Sundin,

The Columbia Neighborhood Association Board would like to submit the following comments and concerns relating to the above proposed development. As you probably know, we have been closely following the proposed development in this highly valued green-belt between our neighborhood and Birchwood. Maintaining the integrity of this natural area as much as possible, enhancing connectivity between our neighborhoods and preserving their character as well as the new Squalicum Creek Park, have all been high priority for our Neighborhood Association. Both Columbia and Birchwood Neighborhood Plans have listed the whole ravine as a valued area to be protected and preserved since 1980.

The following are comments and concerns relating to the existing Planned Contract - #94-11 for this site, which is noted as still valid and applicable on the Notice Of Application & Pending Action. After which we will include comment on aspects not covered by the Planned Contract.

**Planned Contract # 94-11
Dated August 8, 1995**

Section 1

"Land use restrictions and the approved site plan, Exhibit A...SHALL apply to subsequent development...."

The application of these restrictions is not optional.

Section 2 - Permitted Uses

If in the future, owners choose to lease to a variety of small business as a light industrial business park, how will they supervise and track compliance regarding the use, manufacture and storage of industrial chemicals? These substances are of concern with regard to the creek and our neighborhoods. Multiple businesses on a site make it difficult to supervise and track compliance.

The Retail section permits outright fuel dealers. Under Services, there are outright permitted uses that could be of concern. Auto repair, for example, uses solvents and petroleum products. Such uses could have major impacts on the creek and on our neighborhoods. How will these concerns be addressed?

As the uses of the site expand (adding other buildings), how will the City verify that new uses are compatible (or incompatible) with Shoreline Master Plan? Further conditions may need to be put into the contract on future uses to protect watershed & neighborhoods.

BOAT STORAGE

One designated use of the proposed developed is for boat storage. There are a variety of problems with this. First and foremost is the fact that the boat washing facility shows on the plans in the second phase of development, but boat storage on site is shown in the first phase. What happens with boat washing discharge in the meantime?

1. We understand that discharges of wastewater directly into Squilicum Creek from boat washing activities is a direct violation of Washington State's Water Pollution Control Act (RCW 90.48.080), just as washing your car and allowing the wastewater to flow into the storm drains is a violation anywhere in the city.
2. We understand that all boat wash water must be contained and directed to the City of Bellingham's sanitary sewer system. The thing that makes boat washing much worse than washing cars is the discharge of copper, which has an extremely high aquatic toxicity. Copper is found in bottom paints as an algacide/anti-fouling agent.
3. What are their plans for containment & treatment of waste from ballast tanks, sewage, and salt? We are concerned about both the drainage from the future boat washing facility and from any boats stored there before the washing facility is built.

Section 7 – Parking

“Areas between parking & property line shall be bermed to a height of five feet (5’) and screened.”

Berming is not obvious on the application. It appears the entire site is paved as much as physically possible. We are concerned that berming be carried out as specified.

BMC 20.36.000 “Drainage systems for parking facilities shall be designed and approved in accordance with City Ordinance # 8827.

What ARE the treatment requirements for drainage? We would like to see pervious paving with good gravel underlayment to filter water onsite.

Section 8 – Grading and Landscaping

Management of the Lafayette Berm, hillside and other berms: The contract required substantial planting of trees and erosion control seed mix and wildflower seed mix.

Who will monitor that planting is completed per the contract? Who is required to maintain these plantings? What mechanisms are in place to enforce maintenance?

Section 9 – Signage

We would request that signage be low to the ground and in accordance with Dark Sky standards.

Section 10 – Streets, Utilities, Access and Pedestrian Facilities

We are concerned about preservation of the pedestrian easement and public access as spelled out in a letter from Patricia Decker dated March 15, 2002. (See attached letter.) We would appreciate a copy of her prior letter dated November 1, 2000, which addressed *“...establishing a public access easement across the perimeter of your industrial property.”* And *“...tree replacement, public access from Lafayette Street to Squalicum Parkway, and extension/verification of a valid Planned Contract.”* We would also appreciate copies of current planning documents in conjunction with the Parks

Department. This route up the hillside provides important and historic trail connectivity between Birchwood & Columbia.

From the Planned Contract: "...said access must be approved by the Parks And Recreation Department..."

Does this mean this trail must meet ADA requirements for slope and safety?

Neighbors from both sides of the ravine want the proposed fence around the site to be inside of the emergency access road to preserve the existing use of the road as a public trail.

Protect against the possibility of eventually pushing through Lafayette Street. This road must go through for fire response. Keep posts to block top end. MINIMAL development standards should be adopted, for emergency access only. Gravel would be best to protect against any possibility of eventually pushing the road through, and would also minimize runoff.

Section 11 – Drainage

"Clean stormwater runoff from the Lafayette Street hillside shall be collected and discharged to Eldridge Springs. ... All other site runoff shall be treated onsite..."

How will the hillside runoff get under the pedestrian easement and into the Springs? It is our understanding that the Springs are very pure, and are needed to recharge the back-channel salmon enhancement area planned for the new Park and Squalicum Creek. Eldridge Springs are named in honor of the Eldridge family who first settled the Columbia Neighborhood in the early 1900s – as the First Addition to New Whatcom.

This valley is the last stretch of Squalicum Creek before it enters Bellingham Bay. Prior to Squalicum Parkway and the drainage from Bellis Fair, it was rich salmon habitat. Uncounted volunteer hours and public and private monies have been spent working to restore and enhance habitat in the creek. Salmon still struggle to migrate through this stretch of the creek all the way up to the Mount Baker Highway, surmounting many obstacles along the way. We want this area protected.

SALMON PROTECTION - "Wetland Creation and Enhancement / Stream Setbacks/Protection"

"Reference Columbia Neighborhood Plan Section #2, Open Space: Squalicum Creek forms the Northern and Western boundary of the Columbia Neighborhood. It is a resource of City-wide significance, being one of four fish-bearing streams flowing through the City to Bellingham Bay.... The desirability of this area along Squalicum Creek for open space and trails has been recognized by the community and in City policy and planning documents for years."

"The Shoreline Management Master Program (1974), designates this portion of Squalicum Creek as Conservancy I, a classification in which most development is not permitted within 100 feet of the shoreline and clearing is restricted to 50 feet from the shoreline. The purpose of the Conservancy I designation is to protect areas which are intolerant of intense modification."

Reference four related paragraphs in the Columbia Neighborhood Plan, Section II. Open Space, relating to concerns for this area:

"A greenway and trail system along Squalicum Creek should be established and maintained to protect wildlife habitat, water quality, and provide a positive trail experience. Any development of this area should be minimal, such as a trail or way-side park, due to the shoreline's sensitivity to modification."

Paved surfaces cover almost all of this proposed development. Run-off from rooftops and paving will carry significant pollutants. The notice states that there will be on-site and off-site stormwater management with no details other than a stormwater outfall pipe to a point downstream.

"All other site runoff shall be treated onsite..."

We understand that the proposed outfall pipe exists as previously installed by Pacific Concrete, with the outfall at the mouth of Squalicum Creek. Is this a good idea for the salmon and the creek, not to mention Bellingham Bay? What protections are proposed and are they adequate? What regulations exist in regard to this proposed activity? How does this relate to this requirement:

Section 12 – Wetland Creation/Enhancement

We are concerned that wetland creation and enhancement be ensured. This work should be done in such a way that there is no risk of contaminating the salmon enhancement area planned for Squalicum Creek Park, and the existing creek. Parks & Recreation, City Environmental staff, Department of Ecology & other regulatory bodies should have primary input on this.

Section 15 – Hours Of Operation

Hours of operation shall be from 7 AM to 6 PM Monday through Saturday.

Limitation of hours of operation was deliberately placed in this contract to protect the needs and interests of neighbors and these limitations are binding. Limits on hours of operations are typical in planned contracts and remain critical to livability for neighbors. This industrial development is being wedged between two of the oldest (and one of the most densely settled) residential neighborhoods in the city.

ISSUES NOT ADDRESSED IN THE PLANNED CONTRACT

What IS the phased approach - what exactly are the phases?

To minimize the impact on neighbors and Park users, HVAC should be located on the ground or within buildings.

We request that buildings be finished with camouflage, earth tones, or soft colors to fit in with surroundings to minimize the aesthetic impacts.

The developer described his buildings as “for lease or for sale” in the recent Bellingham Herald article – but there is nothing in the development proposal as submitted to the City that mentions subdividing (or condo converting) the property. What is being sold and what is the process that would allow them to do that? At what point would public comment be allowed? The Planned Contract makes no mention of such a process. With the establishment of multiple owners through condo conversions, what management issues or concerns will be created regarding environmental and operational impacts?

We sincerely thank you for your consideration of all our concerns.



Edie Norton
President, Columbia Neighborhood Association
On behalf of the entire Board

Cc: Birchwood Neighborhood Association
Cornwall Park Neighborhood Association



Jackie Lynch/planning/cob
03/26/2008 08:51 AM

To Steve C Sundin/planning/cob@cob
cc
bcc

Subject Fw: CNA: Squalicum Lofts

History:  This message has been replied to.

Steve,

If you're not on this list: FYI.

Jackie

----- Forwarded by Jackie Lynch/planning/cob on 03/26/2008 08:50 AM -----



Flip Breskin
<flip@breskin.com>
03/25/2008 07:57 PM

To flip@breskin.com
cc

Subject CNA: Squalicum Lofts

Dear Neighbors -

Email flip@breskin.com to add or remove yourself from this list. If you wish to be added, please include your name, address & phone. Opinions expressed by contributors to this update [including mine!] are not necessarily the official position of the Columbia Neighborhood Association.

You can now check old Updates on the CNA Website. We're gradually getting up to speed and connecting all the dots. We may still be out of date on the Updates until I get some coaching and can put them up there myself.
www.NorthernNeighbors.org

CONTENTS
Squalicum Lofts .

Dear Neighbors -

This is nowhere near as coherent as I wish it were. A variety of people have worked very hard for a long time on it, doing research and trying to clearly state what we've figured out. We've run out of time as a group, and so have I tonight. This is the best I can do at this point. Slog through what you can, and write Brian if you feel moved to do so. Try to be polite. If you have questions, you can call Susan Gardner at 671-2518 for further information.

Our CNA Board has sent a letter with about this content to Steve, and Birchwood Neighborhood Association has sent one as well. We do what we

can. Try to write by this coming Saturday, whatever your concerns or hopes or fears or thoughts. There have been articles in the Bellingham Herald, which included a drawing of a lovely little business park nestled in a deep green forest. Unfortunately, no more than 6 of the pictured trees are on the property owner's land. The rest don't exist. It's not going to be unobtrusive, and it may turn out to be quite damaging. Read what you can, and I'm sorry I got overwhelmed and didn't do as thorough a job as I often manage to do.

Read on:

Squalicum Lofts Light Industrial Park will be built next to our new Squalicum Creek Park, down on Squalicum Parkway, most likely this coming summer.

The land it will be built upon remains in private ownership, and the owners are proposing developing it within their current legal rights, which were put into writing by the City of Bellingham in a 1995 Planned Contract.

Because they are not requesting a rezone, the owners' development proposal will not go before City Council. Instead, the proposal will be examined by Bellingham city planners, hydrologists, and other technical workers from City and other government offices, who will decide what may or may not be built.

We have been researching the issues involved in the current proposal. We are sending this information to you in hopes that you will be able to read it, ask your own questions, and make important comments. This is our opportunity to remind City officials of the need to protect our salmon habitat, greenbelt, and neighborhoods.

Please submit comments about "Squalicum Lofts" on or before Saturday, March 29 to:

Steve Sundin
City Of Bellingham
Planning Department
210 Lottie Street
Bellingham WA 98225
360-778-8359
<mailto:ssundin@cob.org>ssundin@cob.org

It would be helpful if you sent copies of anything you write to your neighborhood association via this email or to our PO Box:
Columbia Neighborhood Association
PO Box 921
Bellingham WA 98227

The Columbia Neighborhood Association Board has been closely following the proposed Squalicum

Lofts development proposed for the highly valued green-belt between our neighborhood and Birchwood. High priorities for our Neighborhood Association include maintaining the integrity of this natural area as much as possible, enhancing connectivity between the two neighborhoods, preserving their character, and protecting the new Squalicum Creek Park.

Both Columbia and Birchwood Neighborhood Plans have, since 1980, listed the whole ravine as a valued area to be protected and preserved.

We understand that the existing Planned Contract (No. 94-11) for this site is still valid and applicable. We urge City and other government officials to consider the following points while reviewing in what ways the proposed development do or do not follow the provisions of the Planned Contract.

Shoreline Master Plan
New version-----
ISSUES-----

Our overriding concern is how the City of Bellingham or other government entities will monitor compliance with the Planned Contract, once the development is completed. Will Bellingham's Planning Department be responsible for ensuring compliance, or will responsibility pass to a different government office? Who can residents call if we have evidence that either owners or tenants on the site are not in compliance?

We are especially concerned that if the owners choose to lease to a variety of small business in a light industrial business park, government officials will find that monitoring compliance will be complicated, time-consuming and expensive. Is the City of Bellingham committed and prepared-financially and otherwise-to monitor compliance as long as this development exists?

In particular, we have comments or concerns regarding the following sections of the Planned Contract:

Section 1:

We note that this section states that land use restrictions "shall apply to subsequent development, from which we understand that application of these restrictions is not optional.

Section 2-Permitted Uses

Because of the permitted uses, it will be necessary for government officials to conduct ongoing monitoring that be needed to monitor the use, manufacture and storage of industrial chemicals.

For example, the Planned Contract allows outright

fuel dealers and auto repair-both of which involve the use of solvents and petroleum products. Such uses could have major impacts on Squaticum Creek and on our neighborhoods. How will these concerns be addressed?

As the uses of the site expand and change, how will the City verify that new uses are compatible (or incompatible) with the Planned Contract and the Shoreline Master Plan?

Further conditions may need to be put into the contract on future uses to protect watershed & neighborhoods.

BOAT STORAGE:

One designated use of the proposed developed is for boat storage. There are a variety of problems with this. First and foremost is the fact that the boat-washing facility is shown on the plans in the second phase of development, but boat storage on site is shown in the first phase. What happens with boat-washing discharge in the meantime, before the second phase is built?

1. We understand that discharges of wastewater directly into Squaticum Creek from boat-washing activities is a direct violation of Washington State's Water Pollution Control Act (RCW 90.48.080), just as washing your car and allowing the wastewater to flow into the storm drains is a violation anywhere in the city.

2. We understand that all boat-wash water must be contained and directed to the City of Bellingham's sanitary sewer system. The thing that makes boat-washing much worse than washing cars is the discharge of copper, which has an extremely high aquatic toxicity. Copper is found in bottom paints as an algaecide/anti-fouling agent.

3. What are the plans for containment and treatment of waste from ballast tanks, sewage, and salt? We are concerned about both the drainage from the future boat-washing facility and from any boats stored there before the washing facility is built.

Section 7--Parking

Although the Planned Contract states that "areas between parking & property line shall be bermed to a height of five feet (5') and screened," berming is not obvious on the application. It appears the entire site is paved as much as physically possible. We want City officials to make sure berming is built as specified.

BMC 20.36.000 states that "Drainage systems for parking facilities shall be designed and approved in accordance with City Ordinance # 8827." We expect this will be required.

We would like to see pervious paving with good

gravel underlayment to filter water onsite.

Section 8-Grading and Landscaping

For management of the Lafayette Berm, hillside and other berms, the Planned Contract requires substantial planting of trees and erosion control seed mix and wildflower seed mix. Who will monitor that planting is completed per the contract? Who is required to maintain these plantings? What mechanisms are in place to enforce maintenance?

We are particularly concerned about this provision, because in many developments elsewhere, we have seen required plantings being allowed to die and not being appropriately replaced.

Section 9-Signage

We request that signage be low to the ground and in accordance with "Dark Sky" standards.

Section 11-Drainage

"Clean stormwater runoff from the Lafayette Street hillside shall be collected and discharged to Eldridge Springs. All other site runoff shall be treated onsite."

Section 11 - Drainage

The Planned Contract says "Clean stormwater runoff from the Lafayette Street hillside shall be collected and discharged to Eldridge Springs. ... All other site runoff shall be treated onsite..."

The plan for the adjacent park, which includes state-of-the-art methods to support salmon, was not created when the Planned Contract was written. Yet, it is the responsibility of City officials to make sure that the Planned Contract is interpreted in ways that support rather than undermine those methods.

How will the hillside runoff get into the Springs in ways that maintain the water's purity and cold temperature?

It is our understanding that the Springs are very pure, and are needed to recharge the back-channel salmon enhancement area planned for the new Park and Squalicum Creek.

This valley is the last stretch of Squalicum Creek before it enters Bellingham Bay. Prior to Squalicum Parkway and the drainage from Bellis Fair, it was rich salmon habitat. Uncounted volunteer hours and public and private monies have been spent working to restore and enhance habitat in the creek. Salmon still struggle to migrate through this stretch of the creek all the way up to the Mount Baker Highway, surmounting many obstacles along the way. We want this area protected.

The Columbia Neighborhood Plan Section #2, Open

Space says, "Squalicum Creek forms the Northern and Western boundary of the Columbia Neighborhood. It is a resource of City-wide significance, being one of four fish-bearing streams flowing through the City to Bellingham Bay... The desirability of this area along Squalicum Creek for open space and trails has been recognized by the community and in City policy and planning documents for years."

The Shoreline Management Master Program (1974), designates this portion of Squalicum Creek as Conservancy I, a classification in which most development is not permitted within 100 feet of the shoreline and clearing is restricted to 50 feet from the shoreline. The purpose of the Conservancy I designation is to protect areas which are intolerant of intense modification."

The Columbia Neighborhood Plan, Section II. Open Space, also addresses this area:

"A greenway and trail system along Squalicum Creek should be established and maintained to protect wildlife habitat, water quality, and provide a positive trail experience. Any development of this area should be minimal, such as a trail or way-side park, due to the shoreline's sensitivity to modification."

Paved surfaces cover almost all of this proposed development. Run-off from rooftops and paving will carry significant pollutants. The official notice about the proposed development states that there will be on-site and off-site stormwater management, with no details other than a stormwater outfall pipe to a point downstream.

Is this consistent with the Planned Contract requirement that "All other site runoff shall be treated onsite...?"

We understand that the proposed outfall pipe has an outfall near the mouth of Squalicum Creek. Is this a good idea for the salmon and the creek, not to mention Bellingham Bay? What protections are proposed and are they adequate? What regulations exist in regard to this proposed activity? How does this relate to this requirement:

Section 12 - Wetland Creation/Enhancement

We are concerned that wetland creation and enhancement be ensured. This work should be done in such a way that there is no risk of contaminating the salmon enhancement area planned for Squalicum Creek Park, and the existing creek. Parks & Recreation, City Environmental staff, Department of Ecology & other regulatory bodies should have primary input on this.

Section 15 - Hours of Operation

The Planned Contract says "Hours of operation shall be from 7 AM to 6 PM Monday through Saturday."

Limitation of hours of operation was deliberately placed in this contract to protect the needs and interests of neighbors. These limitations are binding. Limits on hours of operations are typical in planned contracts and remain critical to livability for neighbors. This industrial development is being wedged between two of the oldest (and one of the most densely settled) residential neighborhoods in the city.

We expect these hours of operation to be strictly enforced. To ensure this, the development agreement must include an after-hours phone number for the government office residents can notify if the hours of operation are violated-and a mechanism to keep this responsibility current despite future governmental reorganizations.

OTHER ISSUES--

-- We need a clarification of the phased approach: How and when will decisions be made about development plans that are not included in the first phase. In other words, when will neighbors have a chance to influence development not included in the first phase?

-- To minimize the impact on neighbors and Park users, HVAC should be located on the ground or within buildings.

-- We request that buildings be finished with camouflage, earth tones, or soft colors to fit in with surroundings to minimize the aesthetic impacts.

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