

# CITY OF LYNDEN

## EXECUTIVE SUMMARY - PLANNING COMMISSION



<b>Meeting Date:</b>	August 13, 2020
<b>Name of Agenda Item:</b>	Public Hearing for Site Specific Rezone Application 20-01
<b>Type of Hearing:</b>	Quasi-Judicial
<b>Attachments:</b>	<ul style="list-style-type: none"><li>• Rezone application</li><li>• TRC Report dated August 4, 2020</li><li>• Proposal exhibit packet – includes exhibits related to proposed Master Planned Res District</li></ul>
<b>Summary Statement:</b>	<p>AVT Consulting, as agent for the property owner, has requested a site-specific rezone of the 22-acre property located at the northeast corner of the intersection of the Guide Meridian. Formerly part of the City Bible Church campus the current project proposal is known as Lions Gate.</p> <p>The zoning request is to shift the property from an RS-100 zoning category, which is single family residential homes on lots a minimum of 10,000 square feet, to the RMD category. RMD stands for Residential Mixed Density. This zone encourages a blend of single family and cottage lots of various sizes. Attached housing is permitted in the form of paired homes (zero lot line) or duplexes. Development standards associated with RMD require, among other things, that the lots adjacent to existing single family housing be similar in size.</p> <p>The shift in the zone would create approximately 135 homes on a variety of lot sizes according to a corresponding Master Planned Residential Development application. Current zoning would allow for approximately 95 large lot homes. The goal in creating a variety of lot sizes is to provide a range of housing product. Small lots and cottages are in high demand as housing at a more attainable price point than large lot single family homes averaging at prices well over \$500,000.</p> <p>The project, if approved, will fill a demand for housing on the west side of Lynden. It is adjacent to shopping, bus routes, and some of the City's largest employment centers. The corresponding MPRD concept indicates how green space and recreational trails will be provided internally to the project.</p> <p>The applicant has provided detailed responses and supporting data to the approval criteria associated with a site-specific rezone. City staff has worked closely with the applicant to bring forward a project that is consistent with the municipal code and goals of the Comprehensive Plan. See the Technical Review Committee report for detailed staff review and advisory comments.</p>
<b>Recommended Action:</b>	Motion to recommend approval of the Site-Specific Rezone application 20-01 subject to the requirements of the TRC report dated August 4, 2020.

# A motion made....

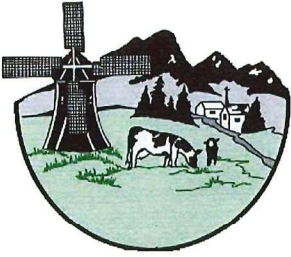
The following text is to help Planning Commissioners frame their motions in a consistent and organized fashion. This is a template only and Commissioners should be comfortable modifying the format and content as needed for each specific application.

*I move to recommend approval/denial of the **Lions Gate Rezone #20-01** subject to the requirements of the Technical Review Committee Report dated August 4, 2020.*

*Note - conditions may be considered for a rezone but are difficult to track and enforce in the future. Conditions:*

1. \_\_\_\_\_  
\_\_\_\_\_
2. \_\_\_\_\_  
\_\_\_\_\_
3. \_\_\_\_\_  
\_\_\_\_\_

*A friendly amendment is a request from another Commissioner to add to or modify the motion before discussion takes place. It may also occur before the motion is supported. Any friendly amendment must be acceptable to both the original motion maker, and, if the motion is supported, the supporter.*



RZ# \_\_\_\_\_

# City of Lynden

## Rezone Application

### **Applicant Information**

**Name:** Francine St Laurent / AVT Consulting LLC**Address:** 1708 F St, Bellingham, WA 98225**Telephone Number:** 360-527-9445 **Fax Number:** \_\_\_\_\_**E-mail Address:** francine@avtplanning.com

### **Application is hereby made for a rezone as follows:**

#### **Type of Rezone Requested:**

Current Zoning Designation: RS-100 Proposed Zoning Designation: RMD**Attach narrative explaining the reason for the request / zoning change**

### **Property Information**

**Address:** 0 Main Street**Legal Description:** (Attach Additional Sheets if Necessary)Please see attached legal description.**Property Size:** 902' **X** 1,282'**Total Square Footage:** 950,915 SF **Total Acreage:** 21.83 acres

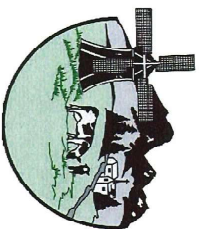
By signing this application, I certify that all the information submitted is true and correct. I also understand that no final approval will be issued until all final review costs are paid in full.

**Applicant's Signature:** Francine St Laurent **Date:** 4/24/2020☒ Pre-application meeting date: July 5, 2018

(Applications will not be accepted without a pre-application meeting)

☒ Fee's (RZ \$375.00 or Final Review Cost) date paid: 7/25/18 receipt # \_\_\_\_\_





# City of Lynden

## Rezoning

### Application Requirements

1. Completed application form for the rezoning request.
2. All applicable fees.
3. Property site map showing the following:
  - ☒ property dimensions
  - ☒ street and alley dimensions
  - ☒ footprint and dimensions of existing buildings
  - ☒ setbacks
  - ☒ other existing physical features
  - ☒ north point and scale
  - ☒ topography
4. Area map showing the following:
  - ☒ adjacent properties
  - ☒ zoning of adjacent properties
  - ☒ nearby structures and buildings
  - ☒ streets/highways
  - ☐ watercourses
  - ☒ easements
5. Project drawings showing the following (if applicable):
  - N/A ☐ building / site elevations of the proposed project
  - N/A ☐ floor plans
  - N/A ☐ landscaping plans
6. ☒ Legal description of the property. Please see attached narrative.
7. ☒ Names and addresses of all persons, firms and corporations holding interest in the property. Please see attached deed.
8. ☒ SEPA checklist.
9. ☒ A narrative regarding the background, the reason for seeking the proposed rezoning, and the effect of the proposal on adjacent areas.
10. ☒ A statement explaining changed circumstances in the area since adoption of the current zoning or a mistake in the current zoning.
11. ☒ A statement explaining how the proposed rezoning is consistent with the City's comprehensive plan, applicable sub-area plans, and with protecting the public health, safety, and welfare.
12. ☒ Critical Areas Ordinance Checklist.



Site Address: 0 Main Street

Please answer the following questions concerning Critical Area indicators *located on or within 200-feet of the project area*:

- I grant permission to the field inspector to enter the building site to determine the presence or absence of critical areas.

Travis J. Jones  
Applicant's Signature

Date \_\_\_\_\_

# CITY OF LYNDEN

## TECHNICAL REVIEW COMMITTEE Development Project Report



Date Issued:	August 4, 2020
Project Name:	Lions Gate RZ #20-01
Applicant:	AVT Consulting, LLC. Francine St Laurent
Property Owner:	Mannahouse Church, Robert Jameson & Bruce Wood
Site Address:	1990 Main Street, Lynden
Parcel Number:	400319-051539 and 400319-034471 (The Property)
Zoning Designation:	RS-100
Application Type:	Site Specific Rezone
Parcel Size:	21.83 Acres
Hearing Type:	Quasi - Judicial
Hearing Objective:	.
Date application determined complete:	March 10, 2020
Date of Publication:	March 25, 2020
SEPA Determination:	March 18, 2020
Project Description:	The applicant is requesting to rezone approximately 21.83 acres from RS-100 to a mix of RMD and RM-3 zoning.

In accordance with Chapter 17.15 LMC, the proposed action was reviewed for concurrency and should the conditions listed within this report be met, a finding of concurrency will be made in accordance with Section 17.15.060(C)(3).

### Summary

The proposed rezone, after revision, is requesting a new zone designation of RMD – Residential Mixed Density for the entire 21.83 acre property. RMD zoning is intended to provide a zone which supports a variety of single family housing types within a single neighborhood. The rezone proposal does not include the parcel of land recently created for the Ridnour Activities Center. See staff comments below regarding the proposed zoning designations.

Other applications: Running concurrently with the site-specific rezone request is a request to subdivide the Property with a master planned residential development (MPRD). The intent of the MPRD request is to allow for additional variety in single family housing types and street layouts.



The applicant is approaching the MPRD in two steps. The first is to bring the concept for the development forward with the rezone request. Later, with approval of the concept in hand, the applicant would propose specific development standards and a development contract for the MPRD.

Proposed parcels within this development range in size from 8,000 square feet to as small as 3,000 square feet. These are designed to accommodate a range of housing types including traditional single-family homes, paired (zero lot line homes) or cottages on small lots, and duplexes. No lots have been proposed for development with more than two attached units, either duplex or zero lot line. Based on preliminary design concepts the Property is anticipated to accommodate approximately 135 residential units.

*Criteria for Approval:* The site-specific rezone should be reviewed in light of the City's Comprehensive planning goals. This includes increasing residential density throughout the City to an average of 5 units per acre. The housing element of the Comprehensive Plan also calls for a variety of housing types including those aimed at providing first time home buyer opportunities. Care should also be taken to consider and provide mitigation for potential impacts to the surrounding properties and the City as a whole. This includes the potential for additional traffic demands, building scale, and potential conflicts in land use. To grant this request, the Planning Commission and City Council must find that the application satisfies the criteria listed within Section 17.09.050 of the Lynden Municipal Code:

- a. The current zoning was either approved in error or that a significant change in circumstances since approval of the current zoning warrants reclassification of the subject property as proposed; and
- b. The proposed site-specific rezone is consistent with the City's comprehensive plan and applicable sub-area plan(s); and
- c. The project proposal is consistent with the City's development codes and regulations for the zoning proposed for the project.
- d. The proposed site-specific rezone is compatible with existing uses and zoning in the surrounding area; and
- e. The proposed site-specific rezone will promote the health, safety, and general welfare of the community.

Staff recognizes that the applicant has included detailed written responses to each of these criteria within the application package.

## Planning Department Comments

1. *Proposed Zoning Designation:* Staff acknowledges that the applicant has revised the rezone request to be more consistent with unit density proposed in the Master Planned Residential Development (MPRD). This revision altered the rezone request to drop the RM-3 designation and use the RMD zoning category throughout.

Because the MPRD indicates a build out of only 135 units (an overall density of 6.2 dwelling units per acre) staff had recommended the entire site be rezoned as RMD, RM-1, or RM-2.

Due to buffer requirements staff acknowledges that the units adjacent to the Guide Meridian may be fourplexes rather than duplexes. Be advised, this variation of the RMD zoning category, which typically permits only 2 attached units, must be addressed and approved through the MPRD process.

## Advisory Comments – Planning Department

2. *Design Review:* Be advised, attached housing including zero lot line housing types and duplexes, are subject to Design Review Board approval prior to permit approval.
3. *Zoning Buffers and Street Trees:* Be advised, per LMC 19.61 a Type IV landscape buffer, 10 feet in width, is required at the perimeter of multi-family properties which may border single-family properties. In addition, future development will require compliance with Chapter 18.14.130 regarding street trees and planting strips. These aspects of design must appear in the Design Review Board submittal package.
4. *Transportation Impact Fees:* Be advised, transportation impact fees will be due at the time of final approval (subdivision). The current rate of this fee is \$1309.00 per unit for multi-family and \$2111.00 for single family development.
5. *Landscape Bonding:* Be advised, performance and maintenance bonding will be required for the landscape installed at the time of development. This relates to street trees and any required landscape buffer. Bonds are due prior to issuance of final building occupancy.
6. *Environmental Review:* Conditions associated with the phased SEPA review (SEPA 20-04) which was conducted concurrently with this application will apply to the proposed development.



### **Advisory Comments - Public Works Department**

7. *Infrastructure Improvements:* Be advised, at the time of future development, all public improvements must be constructed to the current standards as noted in the City of Lynden Manual for Engineering Design and Development Standards or as otherwise approved through the MPRD process.
8. *Stormwater Management:* At the time of future development, all plans must be designed and constructed in compliance with the Department of Ecology's Best Management Practices and the standards approved in the Manual for Engineering Design and Development Standards. Storm drainage report per the City of Lynden and the Department of Ecology standards required.
9. *Stormwater Management:* Be advised, at the time of future development, a stormwater management plan prepared by a professional engineer will be required for this development and must be approved by the City of Lynden prior to approval of construction plans. An erosion control plan must be included in the drainage plan and construction plans as necessary.
10. *Access:* A transportation/traffic study shall/needs to be initiated to provide data for future development in-depth traffic analysis.
11. *Water:* If future plans include the creation of a condominium, the City recommends that each unit must be individually metered. The City Water comprehensive plan did not look at the area with the units proposed and will need to be reviewed.
12. *Sewer:* The City Sewer Comprehensive Plan did not look at the area with the units proposed and will need to be reviewed.

### **Advisory Comments - Fire and Life Safety**

13. *Fire Code:* Future Development will require full compliance with the Fire Code.
14. *Fire Impact Fees:* Be advised, half of fire impact fees will be due at the time of final MPRD approval (subdivision) and the second half are due at the time of each residential building permit. The current rate of this fee is \$389.00 per multi-family unit and \$517.00 per single family home.

### **Advisory Comments - Parks and Recreation**

15. *Park and Trail Amenities:* Staff acknowledges that the proposed development includes open space and trail features. Connections to trails and parks will be reviewed in more detail at the second step of the MPRD approval and at the time of Design Review Board approval. Public access easements will be required for trails that connect to a larger network.
16. *Park Impact Fees:* Be advised, half of park impact fees will be due at the time of final MPRD approval (subdivision) and the second half are due at the time of each residential permit. The current rate of this fee is \$546.00 per multi-family unit and \$936.00 for single family home.