

Planning Commission Remand Hearing February 27, 2020

Director Memo

Revised Applicant Submittal



PLANNING DEPARTMENT
Heidi Gudde, Planning Director
(360) 354 - 5532

Planning Department Memorandum

To: Planning Commission
From: Heidi Gudde, Planning Director
Meeting Date: February 27, 2020
Re: Proposed PRD Amendment – RB Development: Council Remand

Background: The RB Development Planned Residential Development (PRD) was originally approved in 1994. It encompassed 28.7 acres of property located between Badger Road and Aaron Drive and stretched from Bender Road to Vinup Road.

The development was planned to accommodate apartments, an assisted care facility (Lynden Manor), town home units, and 4-plex condominiums for a total of up to 437 units. Since its original approval in 1994 the PRD was amended a number of times. Amendments addressed a variety of issues including the inclusion of the Christian Healthcare Center rather than apartments, street construction, setback revisions, and height limit revisions.

Amendment Application: In October 2019 an application to amend the RB Development PRD came before the Planning Commission. The amendment sought to establish a new perimeter (front) setback for the Parkview Apartments parcel, revise an existing storage requirement,



CITY OF LYNDEN

PLANNING DEPARTMENT

Heidi Gudde, Planning Director
(360) 354 - 5532



reestablish a previously approved height limitation of 45 feet, and decrease the open space requirement from 30% to 25%. These amendments were proposed in order to facilitate the construction of a 50 unit apartment building geared specifically to senior living.

As required by the City's parking code, the proposal provided one parking space for each senior unit and two spaces for each non-senior unit already existing within the complex. The building has a central elevator and shared amenities. The existing apartments on the site will be maintained as well as the shared green space at the center of the project. The applicant proposes that the project could provide support housing for residents of the next-door Christian Health Care Center. The applicant asserts that all types of senior housing is badly needed in the Lynden area.

The Planning Commission agreed that senior housing was needed. However, at the conclusion of the public hearing the group recommended denial of the proposal.

Not wanting to abandon the project, the applicant took the proposal to the City Council on December 2, 2019. The staff recommendation that accompanied the application to Council noted the support for senior housing and provided potential design concessions to address concerns raised in the public hearing.

Rather than decide on a revised application the City Council opted to remand the application to the Planning Commission. A remand order (attached) outlines the Council's request to the Planning Commission.

The revised request now has a unit count of 41 units rather than 50. The maximum building height has been reduced to 41 feet rather than 45 feet. The front setback has been increased to 20 feet rather than 15 feet. Additionally, pedestrian improvements along Aaron Drive have been suggested by staff which could include enhanced crosswalks and traffic calming measures.

Given the revision to the project, a new public hearing was set, and notices sent to the surrounding property owners. It should be noted that along with the legal notice the applicant opted to provide a thorough description of the project and how it's been redesigned (see attached notice). On February 27th the Planning Commission will be asked to reconsider the revised PRD amendment and hold a public hearing on the proposal.

As a reminder, PRD's and their amendments are reviewed according to specific criteria and recommendations made by the Planning Commission should be tied to these criteria. Applicable criteria for PRD's seeking site specific standards can be found in LMC 19.29.060(J) and LMC 19.29.110. **The entirety of these sections have been attached for your reference.**

CITY OF LYNDEN

PLANNING DEPARTMENT

Heidi Gudde, Planning Director
(360) 354 - 5532



Staff Conclusions: Section 19.29 of the LMC states that the purpose of Planned Residential Developments (PRD) is to allow flexibility in the application of the standard zoning requirements so that, among other things:

- PRD's facilitate the construction of a variety of housing types and densities, serving the housing needs of the Lynden community and meeting the goal and policies of the Comprehensive Plan;
- The code also encourages infill within areas of the City which are characterized by existing development; and
- Allows for development which preserves critical areas and other natural amenities.

Staff's review of code concludes that the addition to the Parkview Apartments is consistent with the goals and purposes of the City's PRD code. The project seeks to fill a housing need. It's infill which is not just permitted but *encouraged* by the code and the City's Comprehensive Plan. The additional units would be within the scope of the original PRD contract and locates them in an area that does not impact Fishtrap Creek - the most valuable natural amenity within the larger PRD development.

The City's code does not dictate minimum unit sizes. Smaller, more affordable units may not be attractive to all seniors, however, it is a housing type that expands offerings within the City. Nearby amenities that include commercial uses, health services, public transportation, recreational trails and green spaces promote a high quality of life despite smaller living spaces.

The proposal falls within the parameters of the minimum standards of a PRD design with the exception of the front setback. Here the proposal requests a 20 foot setback rather than a 25 foot setback. This request, staff believes, could be mitigated by street enhancements such as improved pedestrian crossings and / or other street amenities.

A significant amount of discussion was had related to on-street parking and nearby uses. It is staff's conclusion that the popularity of nearby uses, such as Bender Park, should not penalize the development potential of an adjacent property owner. If the park is creating an unsafe pedestrian environment or significant traffic congestion at certain times of the day then this should be addressed cooperatively by all contributors. Construction of the Parkview addition along with associated street enhancements could be viewed as a net improvement to pedestrian safety.

Likewise, parking concerns in the area may be related to a variety of contributors. Fundamentally, on-street parking is available to all users. Private development is held to a code required parking standard which the pending application has met. Parking standards that

CITY OF LYNDEN

PLANNING DEPARTMENT

Heidi Gudde, Planning Director
(360) 354 - 5532



exceed code requirements by an arbitrary number would be subjective expectations on the City's part.

Undoubtedly, the new addition would impact the existing Parkview residents. Notably, the addition does not displace residents and, when complete, may offer additional rental options for residents wishing to downsize. Impacts to residents are always important to consider. However, in this case the residents have the option to allow their leases to expire or negotiate a lower rent rate if impacts of the new project warrant a decrease.

Staff recognizes that the project may be more urban in nature than previous development within the City. However, given the goals of the PRD code, the Comprehensive Plan, and the nature of the revised proposal staff has concluded that the proposal warrants approval.



February 20, 2020

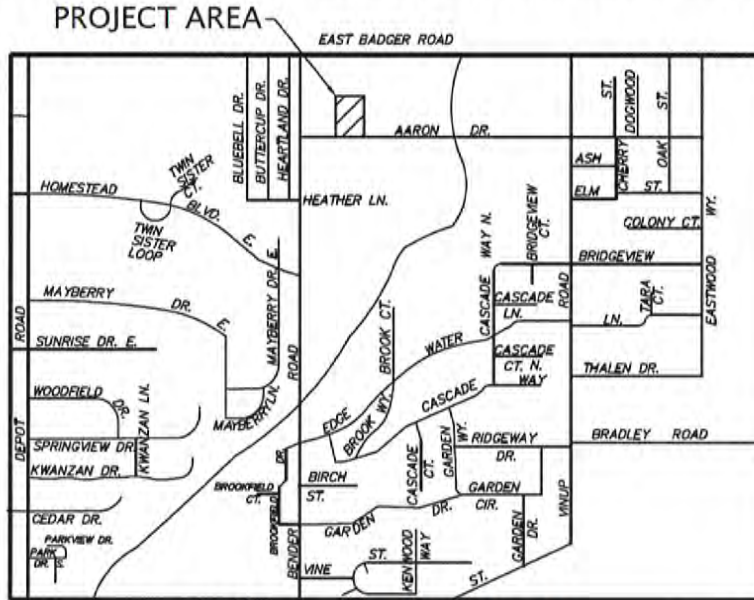
City of Lynden Public Works Department
300 4th St
Lynden, WA 98264

RE: Proposed Amendment to the RB Development / Heritage Park PRD
Revised Project Narrative

As a requirement of the Planned Residential Development (PRD) Amendment to the existing RB Development and Heritage Park PRD, a Project Narrative has been updated based on changes to the site plan and project.

Project Location

This PRD amendment is proposed to facilitate the construction of the Parkview West Senior Housing Expansion at 801 Aaron Drive in Lynden. This will be an age-restricted apartment facility constructed on the Parkview West Apartments parcel. See vicinity map:



VICINITY MAP

The overall goal of this project is to provide affordable senior housing to our community. Whatcom County is in a housing shortage for single bedroom apartments. This can be seen by very low vacancy rates and long wait lists. For seniors living on a fixed income, single bedroom apartment availability is important. Single bedroom apartments can provide a housing

solution in situations where two and three bedroom apartments may not be affordable. Our project will provide affordable senior housing in a desirable location with access to nearby amenities such as Bender Plaza and public parks.

A Planning Commission Meeting was held on October 10, 2019 to discuss this PRD Amendment. The Planning Commission voiced concerns about the proposed building height, parking count, front yard setback and size of the development. As requested by the City Council, the proposal has been revised to address the concerns of the Planning Commission.

Existing Conditions

The project site has been predominantly developed. Two existing multifamily apartment buildings, with 45 total units, have been constructed on the site. The site also contains carports, storage lockers, utilities and parking to serve the development. A green space between the building is also included with amenities for tenants.



Existing Site Conditions

Type and Size of Development

The proposed building expansion will be an age-restricted senior housing facility including 41 additional units in a 4-story apartment building. This is a reduction from 50 units and five stories in the original proposal. The proposed building is approximately 5,097 square feet. This expansion is proposed as an infill development to increase density within the existing RB Development and Heritage Park Planned Residential Development. These infill projects result in reduction in environmental impacts from development in currently undeveloped parcels, such as nearby farmland.

Proposed Development Restrictions

The Development Contract for the RB Development and Heritage Park was approved by Lynden City Council in 1994. The applicant proposes to keep the existing development restrictions set forth in the Development Contract (File Number 941227078) with minor exceptions.

Building and Land Use Modifications

Development over the years has differed slightly from the phased development approach outlined in the Development Contract. Parkview West Apartments were constructed as the area designated for the "RB Development Apts" described in

the development contract. These apartments were constructed with a different site plan and size of development, but with the same building setbacks and parking requirements.

The proposed project is an age-restricted senior housing facility that will be developed in Area B of the parcel. This proposal will fit the existing function of the RB Development, which includes several Assisted Care Facilities including the Christian Health Care Center and Lynden Manor. This age-restricted senior housing facility can provide is housing for spouses of the nearby tenants of the Assisted Care Facilities.

The setbacks and parking requirements allowed in the Revised Development Contract for the "RB Development Apts", located in Section 14.a, are as follows:

	Front	Side	Rear	Height	Parking
RB Development Apartments	30 ft	10 ft	25 ft	2 stories 30 units maximum per building	2/unit ≤ 25 units 1.5/unit > 25 units

The applicant proposes to keep the side and rear setbacks. However, the applicant proposes to reduce the front setback, height limits and addend the parking requirements as shown in this table:

	Front	Side	Rear	Height	Parking
Parkview West Apartments	<u>20 ft</u>	10 ft	25 ft	<u>41 ft</u>	<u>Existing Multifamily:</u> 2/unit ≤ 25 units 1.5/unit > 25 units <u>Proposed Retirement Housing:</u> <u>1 per unit</u>

Front Yard Setback

The front yard setback of 30' included in the existing RB Development PRD for the RB Development Apartments is proposed to be reduced to 20'. This setback reduction is justified as is necessary to provide the density originally proposed for this development in the PRD and will include a more attractive curbside architectural design. The original setback request of 15' was increased to 20' based on comments from the Planning Commission. The minimum standard for building setbacks for PRD's under LMC 19.29.060,D.1 is 15 feet, which is met by this front yard setback.

The proposed setback is 6 inches greater than the setback for the nearby 8850 Bender Road (Bender Plaza at the intersection of Bender Road and Aaron Dr.) This building which is currently occupied by Edward Jones and Oltman Insurance is six inches closer to the sidewalk than the proposed Parkview West Senior Housing Expansion building.

Height Limitation and Building Unit Count

The RB Development PRD for the RB Development Apartments originally implemented a 45' height restriction and no unit count limitation. An amendment to the PRD reduced this height limitation to 2-stories and maximum 30-unit count to accommodate a reduced front yard setback. The applicant proposes to increase the height restriction to 41 feet and eliminate the maximum unit count per building. The maximum height of structures in PRD's when the underlying zoning is multifamily is 45 feet per LMC 19.29.060.B, which is met here.

The proposed building height is **two feet less** than the adjacent building to the west (8862 Bender Rd) in Bender Plaza, which is 43 feet at the peak. This additional height and unit count will provide enough units to justify the cost of an elevator in the building as an elevator is a necessity for a senior housing facility.



Open Space Modifications

The applicant proposes to reduce the existing open space requirement of 30% to 25% to allow for the additional parking area to facilitate the parking requirements and provide additional visitor parking above and beyond the City of Lynden Municipal Code requirement. The property is located near a considerable amount of existing recreational open space. Bender Fields and a community garden are across the street, which compose nearly 40 acres of open space, which is larger than the PRD in itself. There is no maximum lot coverage for PRD's per LMC 19.29.060.G.

Parking Modifications

The applicant proposes to comply with City of Lynden Municipal Code parking requirements for the additional 41 units proposed on the property with no exceptions. The amendment to the PRD will be to follow the code for the Retirement Housing parking requirements on the parcel.

The Parkview West Housing Expansion will be an age restricted senior housing apartment building. Per COL 19.51.040, Off-street Parking Spaces Required, Retirement Housing, 1 stall per unit is required. The project proposes to install 47 parking spaces, which results in 136 total stalls including the previously constructed parking stalls. The required parking stalls for the aggregate development is 121 stalls (80 existing required stalls + 41 units x 1 stall/unit = 121 stalls). This will allow for (15) visitor parking stalls. Visitor parking was also requested by the Planning Commission.

Storage Space Modification

Section 14.h of the original Development Contract for the "RB Development Apts" requires that apartment units in Area B must be provided with a minimum of 32 square feet of storage space per unit. This storage space is connected to the existing carport structures at Parkview West Apartments.

To meet the density requirements of the proposed apartment project, there is not sufficient available land to construct the storage spaces as in the original Parkview West Apartment design. No additional carports are being proposed on the new senior housing expansion to facilitate the storage spaces. Development on the remainder of the parcel is limited by existing private and public utility easements.

The modification to the existing PRD is to remove this requirement for the new housing expansion project to meet the original density contemplated by the PRD.

Open Space Calculation

Per Section 12.c of the original RB Development and Heritage Park PRD, 40% private open space must be maintained across the entire PRD (not including park dedication). Per COL 17.01.030, "Open space" means land areas not covered by buildings, parking structures, or accessory structures, except recreational structures. It includes land which is accessible and available to all occupants of dwelling areas for whose use the space is intended. Section 12.c of the original PRD amends this definition to not allow parking areas to count as open space.

After the development of the proposed housing expansion, 13.7 acres of open space will remain. This greater than the 11.5 acres (40% of 28.7 acres) required by Section 12.c of the existing PRD. This open space was calculated by determining the area of the non-open space (15 acres - shown in magenta on the next page) and subtracting that from the total 28.7-acre PRD. This excluding the park dedication as discussed in Section 12.c is not included in this analysis.



Proposed Open Space

Minimum Standards

This PRD amendment does not deviate from the minimum standards for PRD's per LMC 19.29.060. Minimum setback, height restriction and maximum lot coverage are all within the requirements of LMC 19.29.060.

Criteria for Approval

Per LMC Section 19.29.110, the Planning Commission shall approve or deny the PRD Amendment based on the following criteria:

- A. **Design Criteria:** The design of the PRD or MPRD shall achieve two or more of the following results:
 1. High quality architectural design, placement, relationship or orientation of the structures;
 2. Achieving the allowable density for the subject property;
 3. Providing housing types that effectively serve the affordable housing needs of the community;
 4. Improving circulation patterns;
 5. Minimizing the use of impervious surfacing materials;
 6. Increasing open space or recreational facilities on-site;
 7. Preserving, enhancing or rehabilitating the natural features of the property such as significant woodlands, or critical areas;

The following section will address each of these criteria in detail and how the PRD Amendment, as it relates to the construction of the Parkview West Senior Housing Expansion, meets these criteria, making it approvable by the Planning Commission. Not only does the project achieve the two required criteria; it meets all of them:

High quality architectural design, placement, relationship or orientation of the structures



The architectural scale and high aesthetics of the proposed building will improve the character of the surrounding neighborhood. Most of the existing commercial buildings in the PRD are above average aesthetic appeal, but that is not the case of the existing Parkview Apartments. The existing façade is lacking in appeal with vinyl siding and gable façade and fenestration. The proposed building will be vastly superior in aesthetics with high end finishes, glazing and fenestration. Landscaping and lighting, though with a smaller footprint, will also be higher quality and much more visually inviting daytime and nighttime.

Achieving the allowable density for the subject property

The original RB Development / Heritage Park PRD contemplated 437 total units over the 29.1 acre area between Aaron Drive and Vinup Road. The unit count of each section of the PRD is shown below as it was built out:

Development	Unit Count
Heritage Park Estates Condominium	64
Lynden Manor Townhomes	40
Lynden Manor	109
Christian Health Care Center	85
Parkview West Apartments	45
Total Existing Units:	343
<i>Proposed Parkview Senior Housing Expansion</i>	<i>41</i>
Total Unit Count:	384
Originally Contemplated:	437

The existing PRD contains 343 existing units. The unit count for the Christian Health Care Center was determined by City of Lynden legal counsel to be 85 units in the PRD Amendment #19-01 Official Remand Order. This is based on 57 semi-private suites and 28 private suites per LMC 17.01.030. As can be seen, there is capacity for 94 additional units in the development. The Parkview West Senior Housing Expansion Project will provide 41 more units, allowing for 53 more units in the future. This is likely one of the last development opportunities in the PRD to increase the density closer to the allowable and originally contemplated level.

Providing housing types that effectively serve the affordable housing needs of the community

Affordable senior housing is the goal of this project. The building expansion will provide studio and one-bedroom units, which are much more affordable than large two and three bedroom units. Many seniors who are on fixed incomes need affordability and are drawn to downsizing and seek efficient spaces. Apartment rents will be kept reasonable for tenants. Parkview West Apartments consistently have a waiting list for seniors requiring a no-step rise to their units. This project will be an important asset to the surrounding neighborhood and answers a lacking or undersupply in no-step serviced senior housing.

Improving circulation patterns

This project proposes a pedestrian crossing from the north side of Aaron Drive to Bender Fields. This will help to alleviate congestion and increase pedestrian circulation in this part of town.

Minimizing the use of impervious surfacing materials

This project will minimize impervious surface by providing a very efficient design for the construction of 41 additional units. This building would take up twice as much space if the existing PRD height restrictions were upheld. Amending the height restriction reduces the impervious footprint dramatically. Designing this building on the Parkview West parcel greatly reduces the impervious surface footprint associated with development on a new parcel. A building design on an undeveloped parcel would be require new access roadways, curb cuts, and other impervious surface which are shared on this parcel. Pervious pavement is expected to be used for all new parking stalls as feasible.

Increasing open space or recreational facilities on-site

The existing open space on the parcel will be improved. This will include a community garden for tenants, or possibly a fenced dog park area.

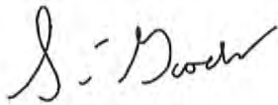
Preserving, enhancing or rehabilitating the natural features of the property such as significant woodlands, or critical areas

The Parkview West parcel property is already developed with no critical areas or woodlands. This project is designed as an infill development will result in no environmental impacts to critical areas or farmland, which would be likely if the project was constructed on an undeveloped property.

Conclusion

In conclusion, the proposed Parkview West Senior Housing Expansion will provide additional density for the RB Development and Heritage Park PRD which was originally contemplated but never completed. The age-restricted senior housing is an appropriate land use for the area based on the nearby Assisted Living land use and serves the needs of the community. Slight modifications to the existing PRD restrictions will allow for architecturally attractive, infill development which reduces environmental impacts associated with construction on previously undeveloped land.

Sincerely,



Scott Goodall, MS, PE
Principal

Impact Design, LLC



1 VICINITY MAP
Scale: 1"=175'

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

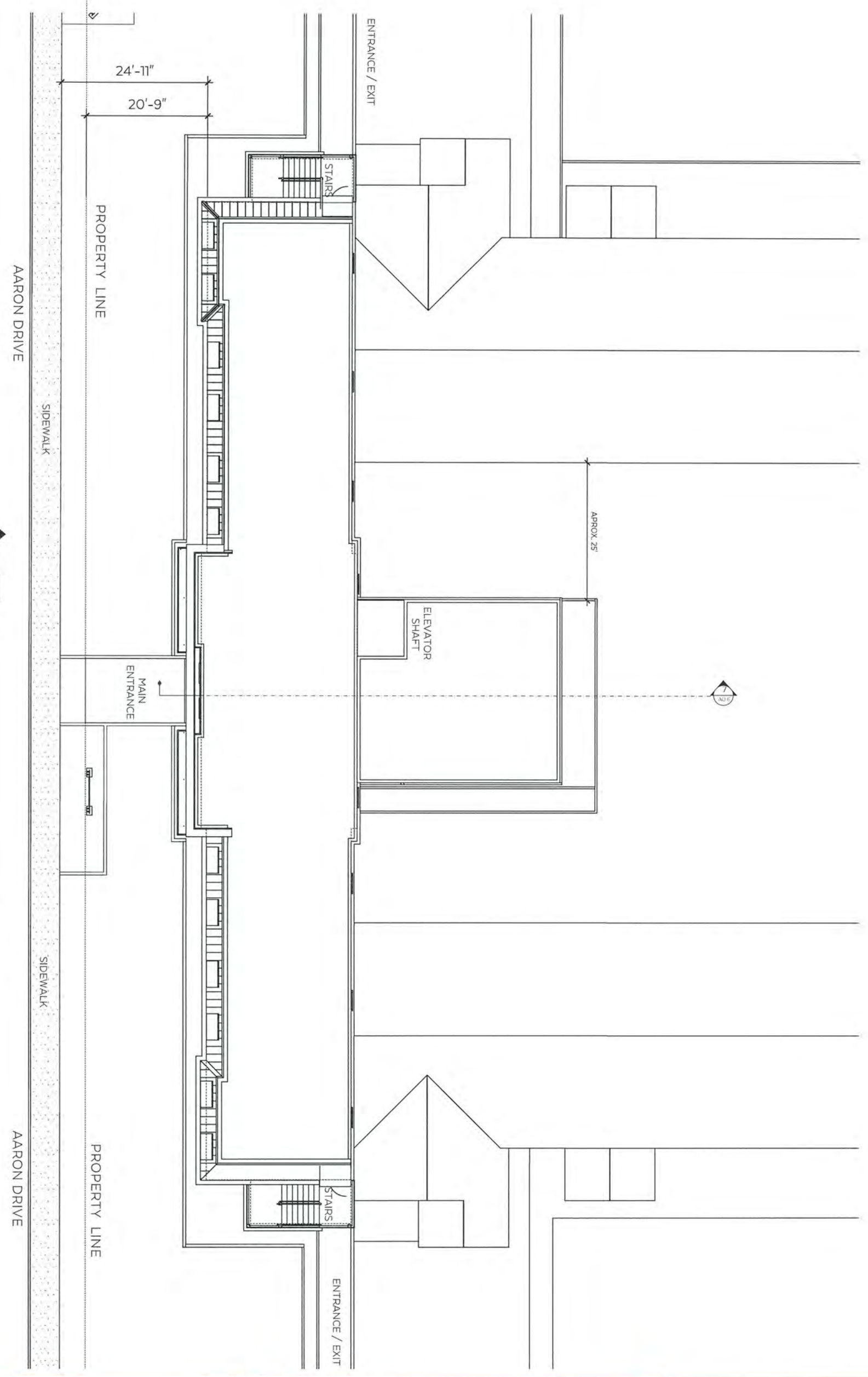
1910_Parkview Housing / Hollander Hospitality

801 Aaron Drive
 Lynden, WA 98264

Document Date:
 February 20, 2020
 Document Phase:
 Schematic Design
 rev. date remark

Site Location

AO.O



FALCONWORKS The full or partial plan and/or elevation of a building or structure for which the owner has not obtained the necessary permits or approvals from the local authority is not to be used for any purpose other than that for which it was prepared. Falconworks Design is not responsible for any errors or omissions in this drawing. © Falconworks Design 2020

PLAN
Scale: 1/8" = 1'-0"
2

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

801 Aaron Drive
 Lynden, WA 98264

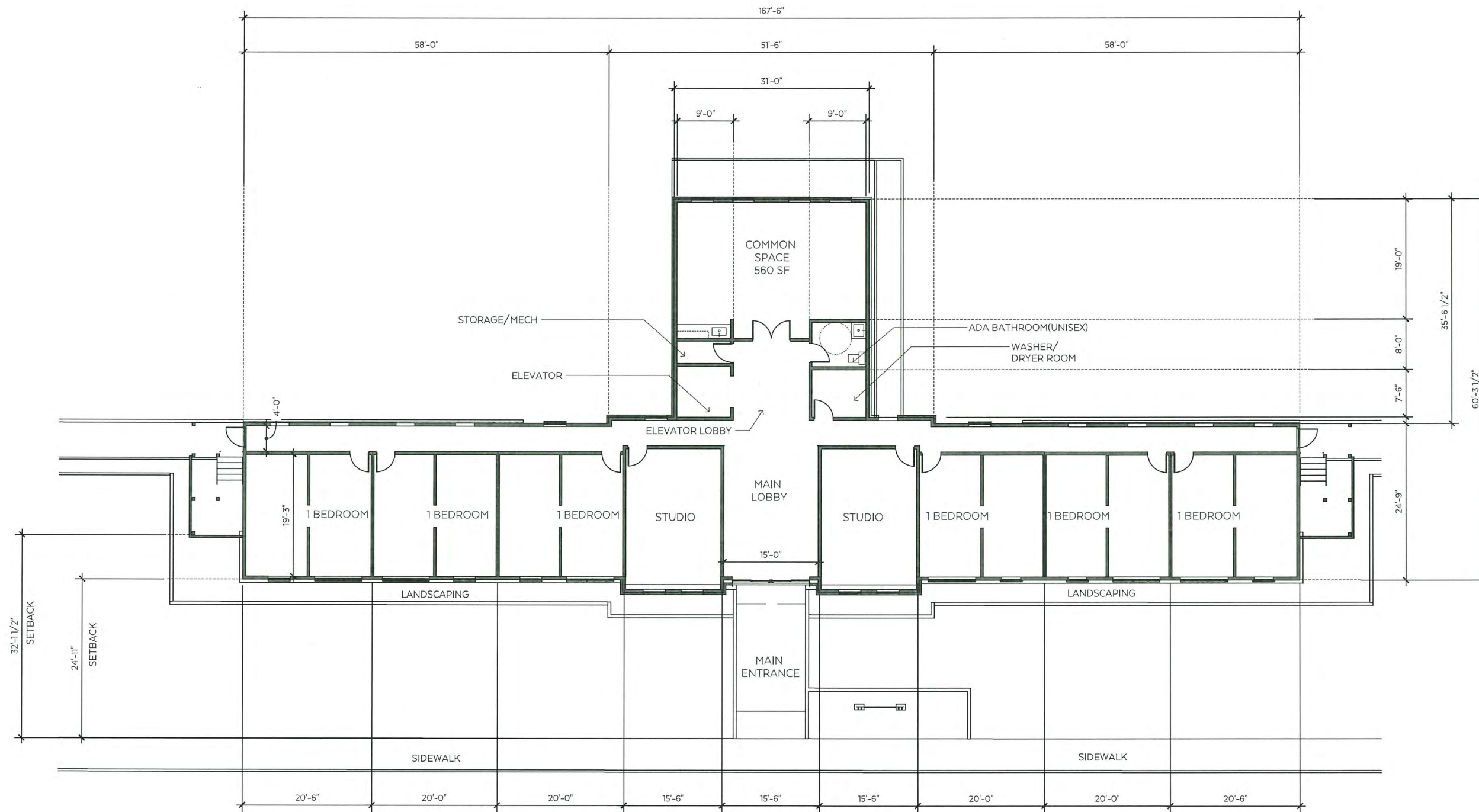
1910_Parkview Housing / Hollander Hospitality

Document Date:
 February 20, 2020
 Document Phase:
 Schematic Design
 rev. date remark

Site Plan

AO.1





3

GROUND FLOOR PLAN
scale: 1/8" = 1'-0"

5,097 sq/ft

APARTMENT UNIT COUNT

GROUND FLOOR : 8 UNITS
SECOND FLOOR : 11 UNITS
THIRD FLOOR : 11 UNITS
FOURTH FLOOR : 11 UNITS

TOTAL UNITS : 41 UNITS

1 - BEDROOMS : 24
STUDIOS : 17

Document Date:
February 20, 2020

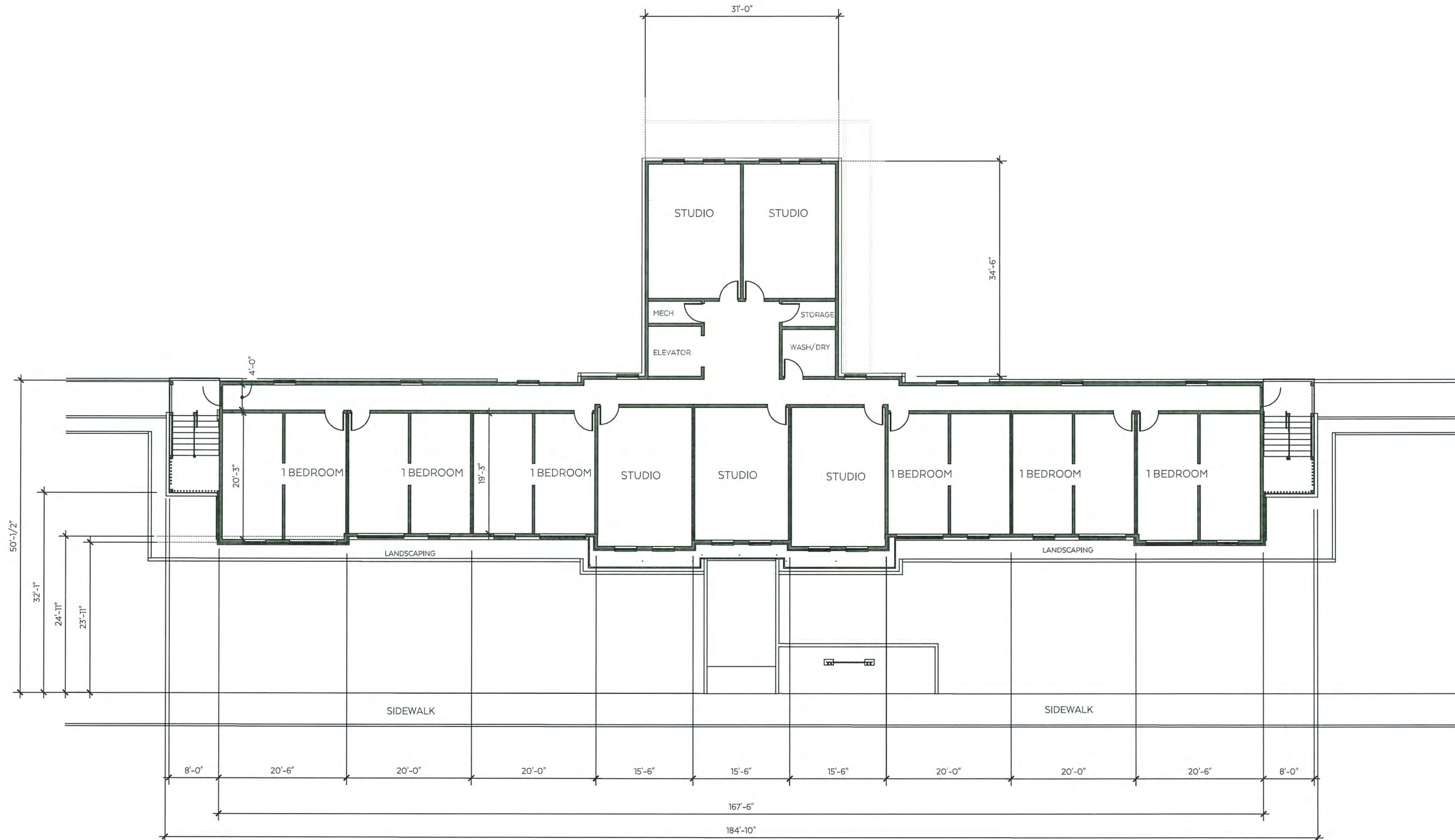
Document Phase:
Schematic Design

rev.	date	remark

Ground Floor Plan

A0.2





4

TYPICAL PLAN
scale: 1/8" = 1'-0"

5,155 sq./ft.

APARTMENT UNIT COUNT

GROUND FLOOR :	8 UNITS
SECOND FLOOR :	11 UNITS
THIRD FLOOR :	11 UNITS
FOURTH FLOOR :	11 UNITS
<hr/>	
TOTAL UNITS :	41 UNITS
<hr/>	
1 - BEDROOMS :	24
STUDIOS :	17

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

801 Aaron Drive
 Lynden, WA 98264

1910_Parkview Housing / Hollander Hospitality

Document Date:
February 20, 2020

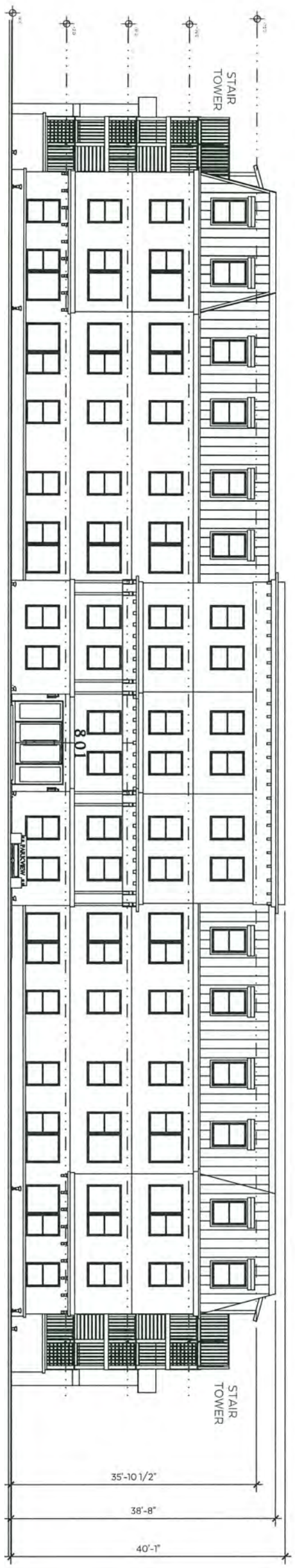
Document Phase:
Schematic Design

rev.	date	remark

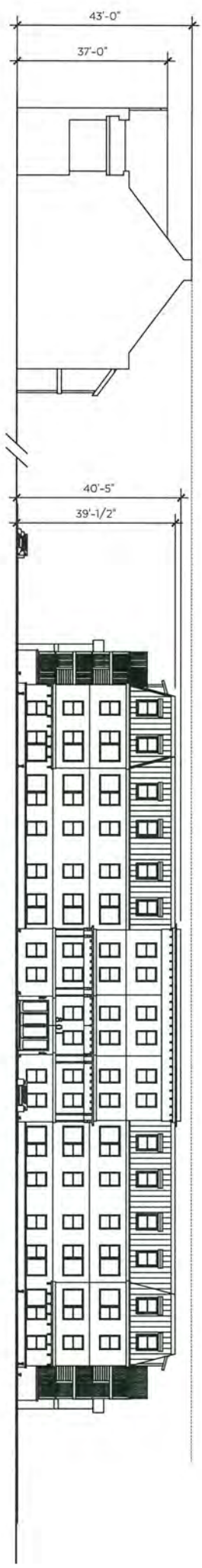
Typical Floor Plan

A0.3





5 SOUTH ELEVATION
Scale: 1/8" = 1'-0"



6 SOUTH ELEVATION-2
Scale: 1/8" = 1'-0"

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

1910_Parkview Housing / Hollander Hospitality

801 Aaron Drive
 Lynden, WA 98264

Document Date:
 February 20, 2020
 Document Phase:
 Schematic Design

rev. date remark

South Elevation

A0.4





7 NORTH ELEVATION
 1/20/20 11:18:13 AM

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

1910_Parkview Housing / Hollander Hospitality

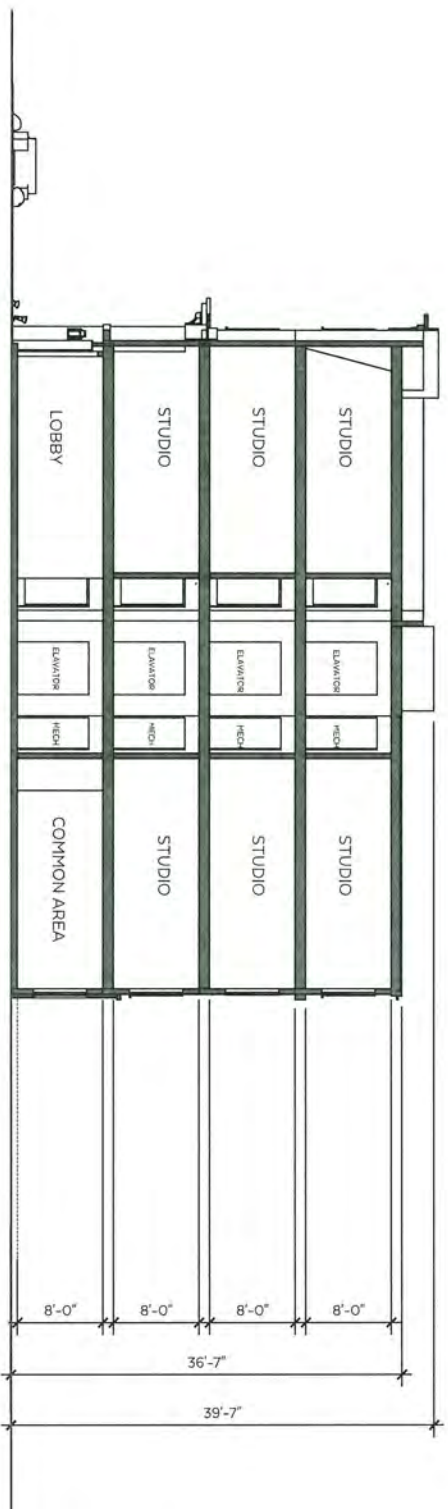
801 Aaron Drive
 Lynden, WA 98264

Client:	Hollander Hospitality	
Project Name:	1910_Parkview Housing	
Document Phase:	Schematic Design	
rev.	date	remark

North Elevation

A0.5





8 CROSS SECTION
 scale: 1/8" = 1'-0"

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

1910_Parkview Housing / Hollander Hospitality

801 Aaron Drive
 Lynden, WA 98264

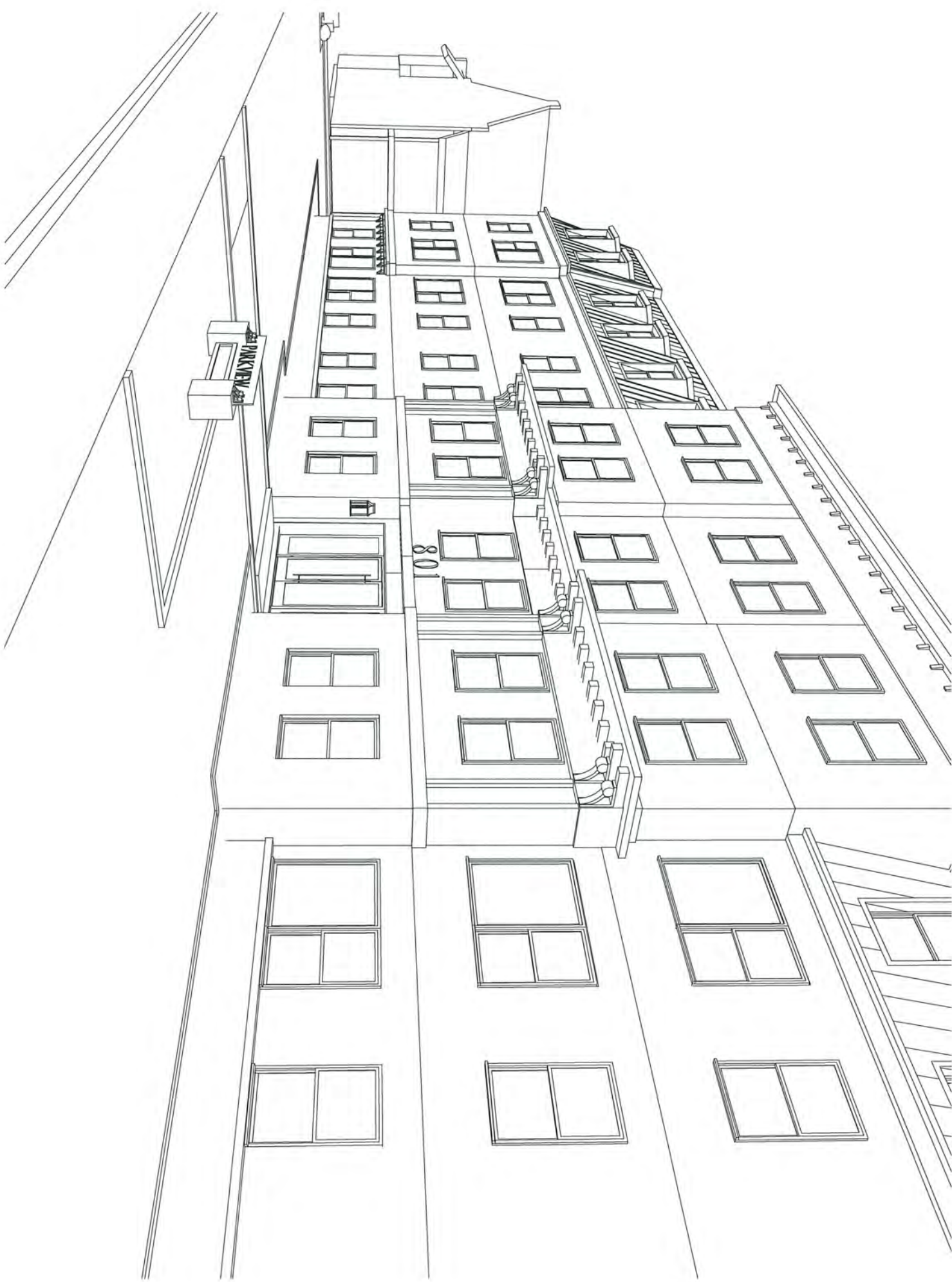
Document Date:
 February 20, 2020
 Document Phase:
 Schematic Design

rev. date remark

Cross section

A0.6





FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

801 Aaron Drive
 Lynden, WA 98264

1910_Parkview Housing / Hollander Hospitality

Document Date:
 February 20, 2020

Document Phase:
 Schematic Design

rev.	date	remark

Entry

A0.7





A SOUTH VIEW
scale: 1/16"

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

801 Aaron Drive
 Lynden, WA 98264

1910_Parkview Housing / Hollander Hospitality

Document Date:

February 20, 2020

Document Phase:

Schematic Design

rev. date remark

View

A0.8





B SOUTH VIEW
scale: N175

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

801 Aaron Drive
 Lynden, WA 98264

1910_Parkview Housing / Hollander Hospitality

Document Date:
 February 20, 2020

Document Phase:
 Schematic Design

rev.	date	remark
-	-	-

View

A0.9





C 5 STORY SOUTH VIEW
 scale: 1/125

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

1910_Parkview Housing / Hollander Hospitality

801 Aaron Drive
 Lynden, WA 98264

Document Date:	February 20, 2020	
Document Phase:	Schematic Design	
rev.	date	remark

Old Version

AO.10





D SOUTH VIEW-2
11/19/20

FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E: JON@FALCONWORKSDESIGN.COM
 P: 360.319.2076

Parkview Housing

1910_Parkview Housing / Hollander Hospitality

801 Aaron Drive
 Lynden, WA 98264

Document Date:
 February 20, 2020
 Document Phase:
 Schematic Design

rev. date remark

View

AO.11



PARKVIEW WEST SENIOR HOUSING EXPANSION
PLANNED RESIDENTIAL DEVELOPMENT AMENDMENT



RB DEVELOPMENT AND HERITAGE PARK PLANNED RESIDENTIAL DEVELOPMENT - CURRENT DEVELOPMENT MAP



NOTE: THIS MAP WAS PREPARED USING 2013 AERIAL IMAGERY AND GIS PARCEL INFORMATION. IT DOES NOT REPRESENT A SURVEY AND NO GROUND OR BOUNDARY SURVEY WAS PERFORMED.

PARKVIEW WEST
SENIOR HOUSING EXPANSION
PLANNED RESIDENTIAL
DEVELOPMENT AMENDMENT
LYNDEN, WASHINGTON



5426 BARRETT ROAD, SUITE A103
 360-389-8138 WWW.BOLD-IMPACT.COM

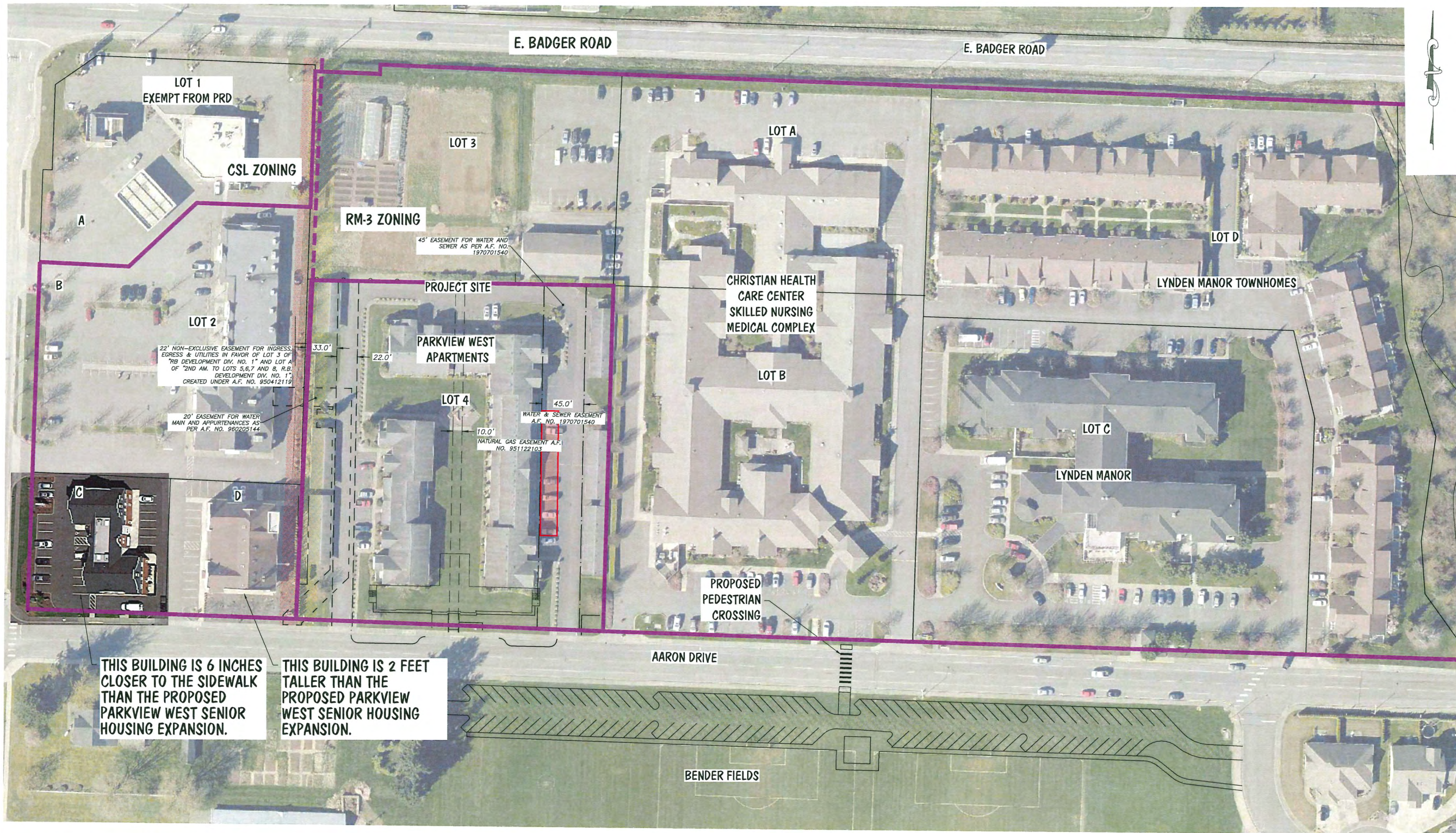
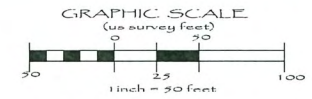
REV	DATE	BY	DESCRIPTION

PROJECT NUMBER: 19041
 DESIGNED/DRAWN BY: KIB
 CHECKED BY: SIG
 ISSUE DATE: 1.22.20

OF: 1

PARKVIEW WEST SENIOR HOUSING EXPANSION

PLANNED RESIDENTIAL DEVELOPMENT AMENDMENT



THIS BUILDING IS 6 INCHES CLOSER TO THE SIDEWALK THAN THE PROPOSED PARKVIEW WEST SENIOR HOUSING EXPANSION.

THIS BUILDING IS 2 FEET TALLER THAN THE PROPOSED PARKVIEW WEST SENIOR HOUSING EXPANSION.

PARKVIEW WEST
SENIOR HOUSING EXPANSION
PLANNED RESIDENTIAL
DEVELOPMENT AMENDMENT
LYNDEN, WASHINGTON

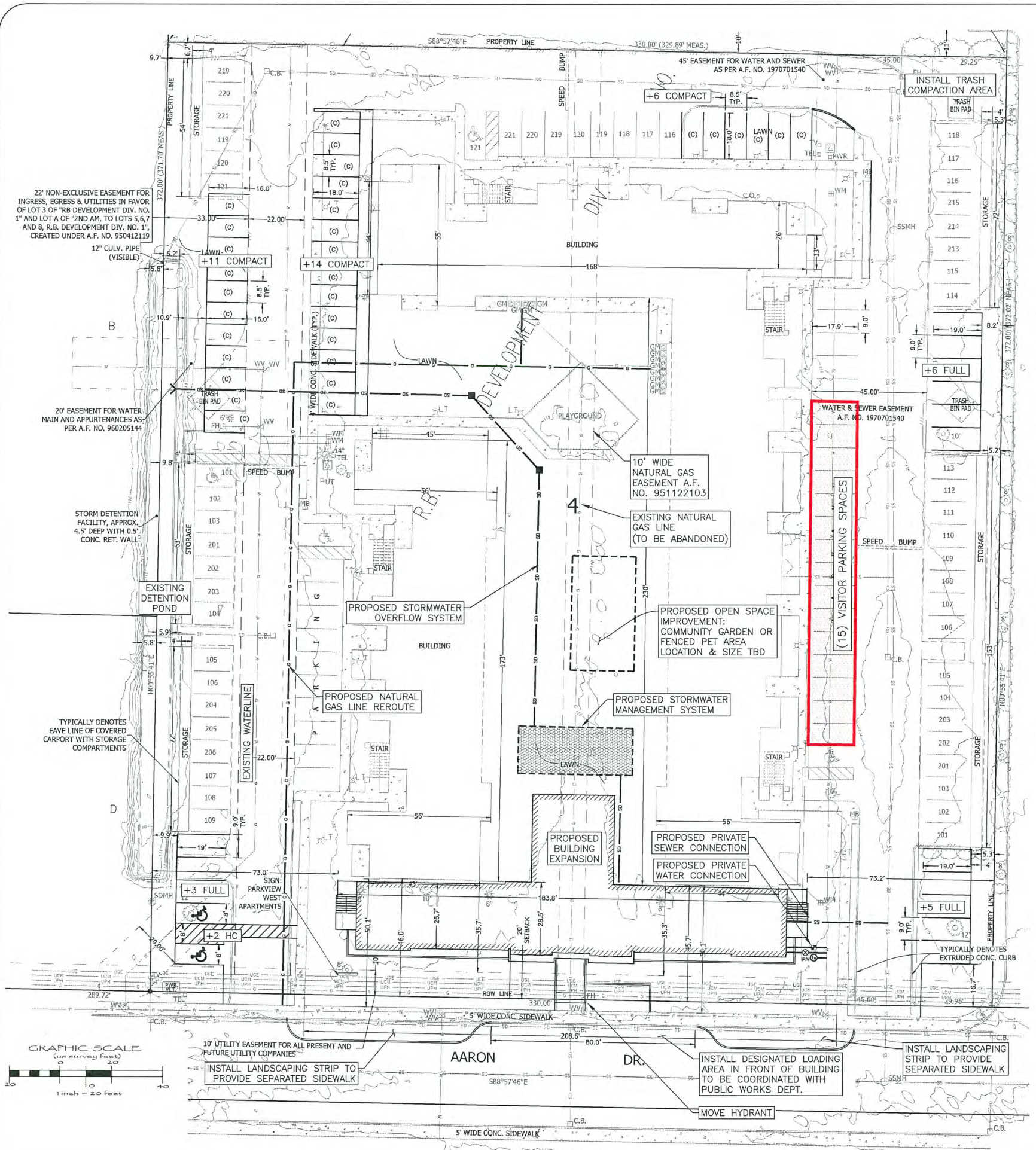
REV	DATE	BY	DESCRIPTION

PROJECT NUMBER:
19041

DESIGNED/DRAWN BY:
KIB

CHECKED BY:
SIG

ISSUE DATE:
1.22.20



PARKVIEW WEST SENIOR HOUSING EXPANSION

PLANNED RESIDENTIAL DEVELOPMENT AMENDMENT

SYMBOL LEGEND

- FOUND 5/8" REBAR/CAP (AS NOTED)
- SET 1/2" REBAR/CAP (LS #18897)
- ± SET NAIL/SHINER (LS #18897)
- ⊕ FIRE HYDRANT
- WV WATER VALVE
- WM WATER METER
- SSMH SAN. SEWER MANHOLE
- C.B. STORM CATCH BASIN
- C.O. 6" PVC CLEANOUT
- ⊞ IRRIGATION CONTROL BOX
- FENCE LINE (CHAIN-LINK)
- ARBOR VITAE HEDGE
- ☀ DECIDUOUS TREE LABELED W/ INCH DIA.
- ☀ CONIFEROUS TREE LABELED W/ INCH DIA.
- ⊞ MAIL BOX
- ⊞ YARD LIGHT
- ⊞ POWER TRANSFORMER (CONC. PAD MOUNTED)
- ⊞ PWR POWER JUNCTION BOX
- ⊞ UT UTILITY BOX (UNKNOWN TYPE)
- TEL TV COMMUNICATIONS J-BOX
- ⊞ GAS METER
- ⊞ HANDICAP ACCESS
- ⊞ PROPOSED WATER METER
- ⊞ PROPOSED POST INDICATOR VALVE

LINE LEGEND

- 12' = EXISTING GRADE INDEX CONTOUR
- 12' = EXISTING GRADE INTERVAL CONTOUR
- — — — — EXISTING STORM DRAIN LINE
- — — — — EXISTING SANITARY SEWER GRAVITY LINE
- — — — — EXISTING WATER LINE
- — — — — EXISTING UNDERGROUND POWER
- — — — — EXISTING UNDERGROUND COMMUNICATIONS LINE
- — — — — EXISTING UNDERGROUND TELEPHONE LINE
- — — — — EXISTING UNDERGROUND NATURAL GAS LINE
- — — — — PROPOSED STORM DRAIN LINE
- — — — — PROPOSED SANITARY SEWER LINE
- — — — — PROPOSED WATER LINE
- — — — — PROPOSED NATURAL GAS LINE
- ⊞ = PROPOSED STORMWATER MANAGEMENT FACILITY

GENERAL NOTES

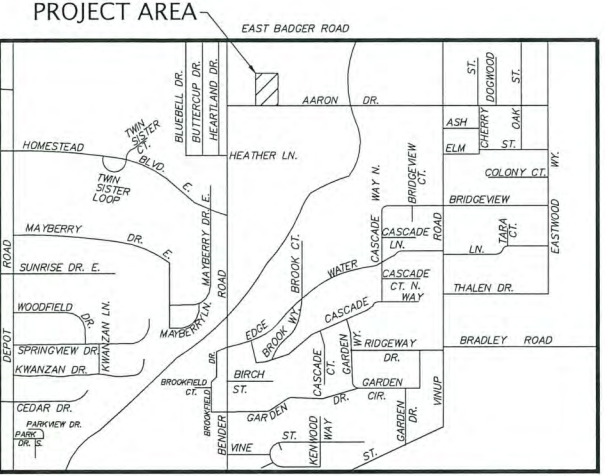
- A. SURFACE FEATURES ARE BASED ON ALTA/ACSM SURVEY PREPARED BY CHRISTIE & CHRISTIE LAND SURVEYING INC. DATED NOV. 3, 2015. NO VERIFICATION OF THIS SURVEY WORK HAS BEEN PERFORMED BY PACIFIC SURVEYING AND ENGINEERING.
- B. THIS MAP SHOWS EASEMENTS OF RECORD AS PER TITLE REPORT FILE NO. 4272-2526317 BY FIRST AMERICAN TITLE INS. CO. EASEMENTS NOT PLOTTED ON MAP ARE BLANKET IN NATURE. EASEMENT FOR CASCADE NATURAL GAS UNDER A.F. NO. 951122103 IS NOT SHOWN DUE TO THE AMBIGUITY OF "EXHIBIT A". IT RUNS GENERALLY THROUGH CENTER OF PROPERTY N-S AND IS 10 FEET IN WIDTH.
- C. SITE ADDRESS IS 801-817 AARON DRIVE E., LYNDEN, WA 98264. ASSESSOR'S PARCEL NUMBER IS 400316 049520 0000.
- D. UNDERGROUND UTILITIES WERE DETERMINED BY RECORD DRAWINGS AND SITE VISIT. NO UNDERGROUND UTILITY LOCATE WAS PERFORMED ON THIS PROPERTY TO PREPARE THIS MAP. CALL FOR LOCATES BEFORE DIGGING.
- E. JOGS IN BUILDING AND UTILITY FEATURES NOT SHOWN IN DASHED LINE PORTION (NOT ACCESSIBLE BY SURVEYOR).
- F. STORM DETENTION FACILITY OWNERSHIP AND MAINTENANCE NOT LISTED IN TITLE REPORT DOCUMENTS.

LEGAL DESCRIPTION

LOT 4, RB DEVELOPMENT, DIV. NO. 1, A PLANNED RESIDENTIAL DEVELOPMENT, ACCORDING TO THE MAP THEREOF, RECORDED IN VOLUME 19 OF PLATS, PAGE 21, RECORDS OF WHATCOM COUNTY, WASHINGTON.

PARKING CALCULATIONS

EXISTING PARKING REQUIREMENTS			
EXISTING UNITS:	45		
REQUIRED PARKING SPACES			
25 UNITS x 2 SPACE/UNIT:	50 SPACES		
20 UNITS x 1.5 SPACE/UNIT:	+30 SPACES		
	80 SPACES REQUIRED		
(MULTI-FAMILY DWELLING UNITS LAND USE - 19.51.040 LCC)			
EXISTING SPACES:	89 SPACES		
PROPOSED PARKING REQUIREMENTS			
PROPOSED UNITS:	41		
REQUIRED PARKING SPACES			
41 UNITS x 1 SPACE/UNIT:	41 SPACES REQUIRED		
(RETIREMENT HOUSING LAND USE - 19.51.040 LCC)			
TOTAL SPACES REQUIRED:	121		
PROPOSED + EXISTING PARKING SPACES:			
	EXISTING	PROPOSED	TOTAL
HANDICAP	5	2	7
FULL SIZE	39	14	53
FULL SIZE CARPORT	45	0	45
COMPACT	+0	31	31
TOTAL	89	47	136
31 COMPACT STALLS / 136 TOTAL = 23% < 30% MAX PER 19.51.050-B			



VICINITY MAP



5426 BARRETT ROAD, SUITE A05
360-869-858 WWW.IMPACT-DESIGN.COM



PARKVIEW WEST
SENIOR HOUSING EXPANSION
PLANNED RESIDENTIAL
DEVELOPMENT AMENDMENT
LYNDEN, WASHINGTON

REV	DATE	DESCRIPTION

PROJECT NUMBER:
19041

DESIGNED/DRAWN BY:
KIB

CHECKED BY:
SIG

ISSUE DATE:
1.22.20

City Council December 2, 2019

Director Memo

Findings of Fact / Remand Order



Planning Department Memorandum

To: City Council

From: Heidi Gudde, Planning Director

Meeting Date: December 2, 2019

Re: PRD Amendment – RB Development Potential Conditions of Approval

Given the support for this housing type proposed at this location and the support for infill development within the City's Comprehensive Plan, the City Council may wish to consider conditions of approval for the PRD amendment.

The following conditions have been vetted with the applicant and are meant to address the concerns of the Planning Commission while providing a path forward for additional senior housing within the City of Lynden. These include:

- Requiring the off-site installation of a pedestrian crosswalk over Aaron Drive that includes curb bump outs to provide pedestrian refuge and traffic calming. This would help to address concerns related to pedestrian safety and improve visibility for vehicles using the Christian Healthcare Center main entrance. (see attached graphic)
- Require parking spaces located on Aaron Drive to be striped to facilitate more efficient on-street parking.
- Increase the minimum setback from Aaron Drive from 15 feet to 20 feet. This would result in a space of 24.4 feet from the edge of sidewalk to the closest point of building frontage. This compares to a setback of approximately 30 feet from the sidewalk at the adjacent building at Bender Plaza. (see attached graphic)
- Reduce the height of the building to a maximum of 41 feet. This would lower the height to less than the adjacent building at Bender Plaza which is 43 feet tall at its peak. (The maximum height of buildings within a PRD is typically 45 feet in association with a 25 foot setback.)
- Reduce the proposed unit count from 50 to 43. This also reduces the ratio of studio apartments to one-bedrooms.

CITY OF LYNDEN

PLANNING DEPARTMENT

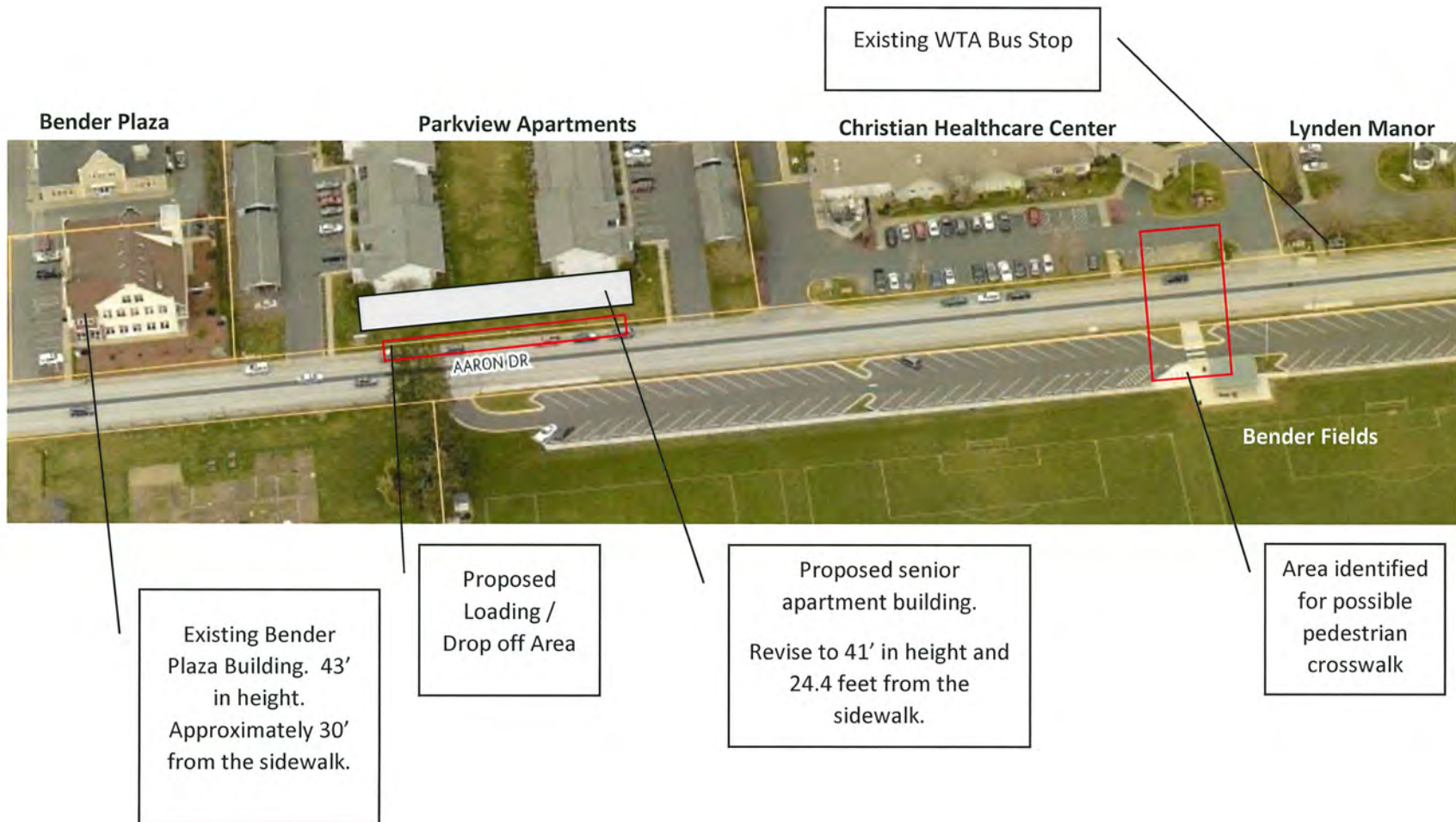
Heidi Gudde, Planning Director
(360) 354 - 5532



- Maintain the proposed number of parking spaces. The number of spaces provided would meet the City's parking code and in addition, provide 7 guest spaces. Parking would be assigned to units as a condition of each lease. (Code requires one parking space for each senior unit and two parking spaces for every other unit. Guest parking is not required per code).
- Clarify the bed count to unit count ratio within the PRD to specific that 4 beds within a group quarters (such as the Christian Health Care Center) being equal to 1 residential unit.
- Coordinate with the Lynden Fire Department to provide the fire safety measures of call buttons at each stairway landing. This is more than required by current fire code.

It is important to note that LMC 19.29 requires the applicant to return to City Council with detailed CC&R's. Compliance with these or other conditions would be confirmed within the CC&R approval and detailed findings related to any conditions of approval brought forward to the City Council for review.

Potential Conditions of Approval for the Parkview Apartments Expansion



CITY OF LYNDEN
FINDINGS OF FACT, CONCLUSIONS OF LAW, and ORDER

REGARDING the PROPOSED AMENDMENT OF PRD #94-1 by AARON DRIVE PROPERTIES, LLC	PRD Amendment #19-01 FINDINGS OF FACT, CONCLUSIONS OF LAW, CONDITIONS and ORDER
Petitioner	

I. SUMMARY OF DECISION

PRD Amendment #19-01, the requested amendment to PRD #94-1, is **REMANDED** to the Planning Commission, subject to this Order.

II. FINDINGS OF FACT AND CONCLUSIONS OF LAW

AARON DRIVE PROPERTIES, LLC ("Property Owner") is owner of the premises known as:

LOT 4, RB DEVELOPMENT, DIV. NO. 1, A PLANNED RESIDENTIAL DEVELOPMENT, ACCORDING TO THE MAP THEREOF, RECORDED IN VOLUME 19 OF PLATS, PAGE 21, RECORDS OF WHATCOM COUNTY, WASHINGTON.

COMMONLY DESCRIBED AS: 801 Aaron Drive, Lynden, WA

(Hereafter "Property").

Pacific Surveying and Engineering has filed an application on behalf of the Owner to amend PRD # 94-1, RB Development and Heritage Park PRD ("PRD #94-1"). The amendment would allow for the construction of a senior housing complex on the Property, which is already improved with an apartment building.

Said application having come before the City Council of the City of Lynden on December 2, 2019, and the Council having fully and duly considered said application, hereby find as follows:

1.01 Application. Pacific Surveying and Engineering filed an application on behalf of Aaron Drive Properties, LLC which was accepted by the City as complete and containing all information required by LMC 17.19.010 July 31, 2019.

1.02 Location. The property is located on Aaron Drive east of its intersection with Bender Road.

1.03 Ownership. Aaron Drive Properties, LLC is the Property Owner.

1.04 Request. To amend PRD # 94-1, RB Development and Heritage Park PRD.

1.05 Reason for Request. To allow for the construction of a 50-unit age-restricted housing building on the Property.

1.06 Planning Commission Recommendation. An open record hearing was held before the Planning Commission on October 10, 2019, at the City Hall Annex located at 205 4th Street, Lynden, WA. The Lynden Planning Commission recommended denial of the rezone application in Resolution 19-04.

1.07 Staff Comments. The Council considered the memorandum of staff attached as Attachment A hereto. Staff recommended the Council consider approval of the application subject to conditions.

1.08 SEPA Threshold Determination. PRD #94-1 was issued a Mitigated Determination of Non-Significance. This application is within the scope of the original determination.

1.09 Existing PRD Development.

Density. PRD #94-1 is presently developed with a total of 341 dwelling units. Of these, 85 are in the Christian Healthcare Center (based on 57 semi-private suites and 28 private suites per LMC 17.01.030), a skilled nursing facility, 109 are in Lynden Manor, an assisted care facility, 40 are in the Lynden Manor Townhome Condominiums, 64 are in the Heritage Park Estate Condominiums, and 45 are in the Parkview West Apartments. PRD #94-1 was originally allocated 437 dwelling units, leaving the potential for up to 96 additional dwelling units for future development.

Setbacks and Bulk. Other buildings in PRD #94-1 are set back 25 feet from the right of way.

1.10 Existing Development on the Property. The Property is improved with the Parkview West Apartments. The Parkview West Apartments are in two buildings, each two stories tall. There is a total of 45 units between the two buildings, which have one, two, or three bedrooms. The one-bedroom units are over 680 square feet; two- and three- bedroom units are larger. Aside from the apartment buildings, the Property is developed with covered and uncovered parking, storage lockers, and green spaces. The Parkview West Apartments are not age-restricted.

1.11 Proposed Project. The applicants proposed to amend PRD #94-1 to allow development of a 50-unit, 5-story, age-restricted senior housing apartment building. Units would be a combination of one bedroom and studio apartments. The building would be constructed on the Property between the existing apartment building and the street. Amenities would include a central elevator. The building would be set back from Aaron Drive only 15 feet, but the applicant proposed to design the building with bays that are set further back and to install landscaping with small canopy trees, evergreens, shrubs, and low ground covers. Aside from the requested amendments to PRD #94-1, the

applicants proposed to fully comply with the Lynden Municipal Code, including by providing the requisite amount of parking per 19.51.040 LMC.

1.12 Proposed Amendments. The applicants proposed the following amendments to PRD #94-1:

1. Reduce the front setback from 30 feet as currently required to 15 feet.
2. Increase the current permissible height from two stories to 45 feet.
3. Remove the cap on the number of residential units per building allowed on the Property.
4. Remove the requirement that each unit on the Property be provided with a 32-square-foot storage space. The applicant did not propose to eliminate existing storage, but cannot provide it for the 50 new units.

1.13 History of Amendments. A number of amendments have already been made to PRD #94-1. Some elements of PRD #94-1 that the applicants seek to amend now were previously amended:

1. The front setback was originally 45 feet. City records indicate that it was subsequently reduced to 30 feet.
2. The height of buildings on the Property was originally limited to 45 feet. On October 7, 1996, the City Council approved Amendments B1 and B2, but imposed the condition that the buildings be only two stories tall.
3. Originally, 152 units were assigned to be shared among Lots 3, 4 (the Property), and 5 and 6 of PRD #94-1. A note indicates that 32-44 units were anticipated per building, but it is unclear whether that was intended to be a hard cap. Later, also in its approval of Amendments B1 and B2, the City Council limited each building on the Property to 30 units, but did not change the allocation of the number of densities for the Property or PRD #94-1 as a whole.

1.14 Applicable Code Provisions. PRDs are governed by Ch. 19.29 LMC. LMC 19.29.120 lays out when a PRD may be amended and the procedure for amendment. This application meets the criteria in LMC 19.29.120(B). The process for amending it is in LMC 19.29.100, which is the same process for approving a new PRD. An application to amend a PRD must meet the minimum development standards in LMC 19.29.060(A) through (I) or one of the exceptions listed in LMC 19.29.060(J). In addition, it must meet the approval criteria in LMC 19.29.110, specifically at least two criteria in subsection (A) and both subsections (B) and (C).

1.15 Process. The Council cannot locate specific findings as to whether the application meets the minimum requirements in LMC 19.29.060(A)-(I) or LMC 19.29.110(A)(1)-(7) and (B) and (C).

1.16 Conditions. Planning staff did not supply a recommendation to the planning commission, so the planning commission could not have considered staff's conditions which were proposed to the Council. Council would substantially benefit from planning commission review of staff's proposed conditions, and the planning commission's recommendation on whether or not

such conditions should result in approval of the application, prior to Council review of the application.

The foregoing Findings of Fact and Conclusions of Law are not labeled. Those sections which are most properly considered Findings of Fact are hereby designated as such. Those sections which are most properly considered Conclusions of Law are also designated as such.

III. DECISION

Based upon the preceding findings and conclusions, PRD Amendment #19-01 is hereby **REMANDED** to the planning commission for further proceedings consistent with the following order:

1. The planning commission shall consider the conditions of approval suggested by staff in the staff memo at Attachment A, and shall make findings as to the import and desirability of the conditions and whether the application meets those conditions. The planning commission may also consider and recommend additional conditions.
2. The planning commission shall hold an open record hearing on the application subject to said conditions, after which the planning commission shall make specific findings as to the application's compliance with:
 - a. LMC 19.29.060, including subsections (A) through (I) and subsection (J) if applicable; and
 - b. LMC 19.29.110(A) through (C), including individual findings as to each subsection of 19.29.110(A)(1)-(7); and
 - c. Each element of LMC 19.09.040, if applicable.
3. The planning commission shall pass a resolution with its new findings and recommendation to grant or deny the application as so modified by the conditions in Attachment A, and any other conditions, on or before March 31, 2020.

Done by the Lynden City Council by a vote of 7 to 0.

DATED: 4/7/2020



Scott Korthuis, Mayor

CITY OF LYNDEN
PLANNING COMMISSION RESOLUTION #19-04

ORIGINAL

A resolution of recommendation for denial of the PRD Amendment # 19-01 for RB Development, to the Lynden City Council.

WHEREAS, Pacific Surveying and Engineering, Inc, hereinafter called the "Proponent," submitted a complete application to the City of Lynden, hereinafter called the "City," for an amendment to the RB Development Planned Residential Development.

WHEREAS, the Proponents have provided the City with an affidavit of posting for the notice of application and public hearing in three locations near the subject property, and the receipts for the certified mailing of said notice to all property owners within three hundred feet of the subject property; and

WHEREAS, the application was determined to be complete on July 31, 2019, and the notice of application was published in the Lynden Tribune on August 14, 2019; and

WHEREAS, the subject parcel is approximately 3.17 acres and is located within the RB Development Planned Residential Development.

WHEREAS, the PRD Amendment request is asking to amend the RB Development / Heritage Park PRD to allow a building expansion that includes an age-restricted senior housing facility including 50 additional units in a 5-story apartment building. The proposed building is approximately 23,375 square feet excluding the exposed stair, elevator shaft and roof top deck.

WHEREAS, the Lynden Planning Commission held a public hearing on October 10, 2019, at the City of Lynden, City Hall Annex, 205 4th Street, Lynden, Washington, to accept public testimony on the proposed PRD Amendment request, and that meeting was duly recorded;

WHEREAS, the City's Technical Review Committee has reviewed the request for the Amendment and has provided findings, conditions and recommendations to the Planning Commission in a report dated September 17, 2019.


WHEREAS, the Lynden Planning Commission has reviewed the request for the proposed PRD Amendment as required under LMC 19.29.060(J) and LMC 19.29.110 and has found that the request *does not* satisfy the criteria listed below:

1. The modification of minimum standards protects or improves the character of the surrounding neighborhood in terms of architectural scale, view corridors, the aesthetic character or provision of services;
2. The modification of minimum development standards protects critical areas and the environmental quality of the parcel(s) to be developed;
3. The modification of minimum standards is necessary to permit reasonable development as a result of unique characteristics of the property or the proposed uses;

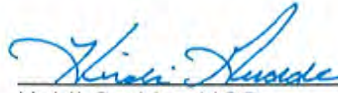
4. The modification of building height (subject to 19.29.060(2)) or building setbacks where reasonably necessary due to arrangement of buildings and open spaces as they relate to various uses within or adjacent to the planned development; provided that any such modification shall be consistent with subsection (A) herein;
5. The modification of minimum standards is adequately mitigated by reasonably related public improvements proposed in connection with the planned development.

NOW THEREFORE, BE IT RESOLVED by the Lynden Planning Commission to recommend *denial* of the request to amend the RB Development Planned Residential Development.

PASSED by the Planning Commission of the City of Lynden, Whatcom County, at their meeting held the 10th day of October 2019.



Diane Veltkamp, Chairperson,
Lynden Planning Commission



Heidi Gudde, AICP
Planning Director

Planning Commission Hearing October 10, 2019

Director Memo

TRC Report with Applicants Response

Elevations / Site Plan

PC Minutes

PC Resolution



PLANNING DEPARTMENT
Heidi Gudde, Planning Director
(360) 354 - 5532

Planning Department Memorandum

To: Planning Commission
From: Heidi Gudde, Planning Director
Date: October 4, 2019
Re: Proposed PRD Amendment – RB Development

Background: The RB Development Planned Residential Development (PRD) was originally approved in 1994. It encompassed 28.7 acres of property located between Badger Road and Aaron Drive and stretched from Bender Road to Vinup Road.

The development was planned to accommodate apartments, an assisted care facility (Lynden Manor), town home units, and 4-plex condominiums for a total of up to 437 units. Since its original approval in 1994 the PRD was amended a number of times. Amendments addressed a variety of issues including the inclusion of the Christian Healthcare Center rather than apartments, street construction, setback revisions, and height limit revisions.

Amendment Application: The pending amendment to the RB Development PRD seeks to establish a new perimeter (front) setback for the Parkview Apartments parcel, revise an existing storage requirement, and reestablish a previously approved height limitation of 45 feet.



CITY OF LYNDEN

PLANNING DEPARTMENT

Heidi Gudde, Planning Director
(360) 354 - 5532



These amendments are needed to facilitate the applicant's proposal of a 5-story building geared specifically to senior living. The apartments are planned to be studio and one-bedroom units. The proposed building has a central elevator and shared amenities. The existing apartments on the site will be maintained as well as the shared green space at the center of the project. The applicant proposes that the project could provide support housing for residents of the next-door Christian Health Care Center. On a larger scale, the applicant asserts that senior housing of this scale is needed in the Lynden area.

Staff has concluded that the intent of the proposed amendment of the RB Development PRD may be consistent with the original RB Development PRD in that:

- It does not exceed the original approved number of units.
- It provides housing which compliments the adjacent skilled health care facility.
- Amenities are available nearby in that the proposed housing can benefit from the commercial services of Bender Plaza, recreational space at Bender Park, and the WTA bus line along Aaron Drive.

Staff has concerns related to the impacts of the project. Mitigating factors related to these impacts should be considered:

- The number of new units proposed at this location is likely to have off-street impacts to parking on Aaron Drive, parking lots intended for Bender Park users, and the parking lots of adjacent properties.
- The proposed building's physical relation to the streetscape. Specifically, having a 45-foot-tall structure within 15 feet of the property line. And,
- The proposed building's impacts to the existing site. This includes temporary and permanent impacts to the existing residents and the site. Including, but not limited to parking availability, garbage service, traffic interior to the site, and the literal shadow cast on the site and its recreational area.

In an October 10th public hearing the Planning Commission will be asked to consider and make a recommendation on the amendment to the PRD.

The applicable criteria for PRD's seeking site specific standards can be found in LMC 19.29.060(J) and LMC 19.29.110. **The entirety of these sections have been attached for your reference. Areas specific to the requested amendment have been highlighted.**

City of Lynden Municipal Code

Chapter 19.29 – Planned Residential Development Overlay

19.29.010 - Purpose.

The primary purpose of a planned residential development (PRD) or master planned residential development (MPRD) is to promote creativity in site layout and design, allowing flexibility in the application of the standard zoning requirements and development standards. More specifically, it is the purpose of this chapter to:

- A. Permit developers to use innovative methods including low impact development (LID) techniques and approaches not available under conventional zoning methods to facilitate the construction of a variety of housing types and densities serving the housing needs of the Lynden community and meeting the goals and policies of the comprehensive plan;
- B. Provide for the economic provision of public facilities and services by allowing choices in the layout of streets, utility networks and other public improvements through superior site design and the use of clustering;
- C. Allow development of land with physical constraints while preserving the natural characteristics of the site, including topography, native vegetation, critical areas and other natural amenities of value to the community;
- D. Encourage infill within areas of the city which are characterized by existing development;
- E. Create and/or preserve open space for recreation and the aesthetic enjoyment of residents; and
- F. Provide for the management and control of stormwater under current state and local regulations.

19.29.060 - Minimum development standards for PRD or MPRD.

While development under a PRD or MPRD provides measures for flexibility and creativity in the development of new home sites, there are certain minimum standards that must be met to protect Lynden's character, aesthetic values and health and safety. Additional conditions or requirements more stringent than these minimum standards may be imposed as a condition of approval. The following are minimum standards applicable to all PRD and MPRD proposals; provided that, said minimum standards may be reduced for an MPRD subject to subsection J herein:

- A. Density: The density shall be the same as the density for the underlying zone; except where the application qualifies for a density bonus under Section 19.29.070. The area included in a floodplain or floodway identified by FEMA shall not be included in the gross land area for the calculation of density. The base density for projects that include land in two or more zoning designations shall be calculated for the land area in each zone and added together for the total number of units.
- B. **Height:** Maximum height of structures when the underlying zoning is a single family or mixed density zone is thirty-five feet. The maximum height of structures when the underlying zone is a multi-family zone is forty-five feet. Building height may be extended above these limits under a master planned residential development when approved in the master plan. Considerations for approval of extension of the height limit include the size of the parcel, the character of the surrounding parcel(s) and neighborhood, protection of view corridors and the existence of adequate infrastructure to supply necessary services.
- C. Parking requirements: Two parking stalls are required for each residential unit. Each twelve feet x twenty-five feet space, whether inside or outside the garage shall count as a parking stall.

These are the minimum requirements and additional parking may be required as a condition of approval.

- D. **Building setbacks:** All PRD's and MPRD's are subject to the following minimum setbacks:
1. 15-feet between the front of the house and the front property line;
 2. 25-feet between garage doors and the front property line;
 3. A setback of twenty-five feet around the perimeter of the development;
 4. There is no minimum building separation, except as provided by the International Building and Fire Codes, but such separation may be required as a condition of approval.
 5. Other setbacks may be required as a condition of approval.

For purposes of this section, where the "front property line" borders on a public right-of-way, said "front property line" shall be the edge of the public right-of-way.

- E. **Street widths:** Arterial or collector streets or streets shown within the transportation plan must be constructed to full city standards. Within a PRD or MPRD, a reduced street section for a residential access street that is not included in the transportation plan may be permitted as follows:
1. Thirty feet from face of curb to face of curb, allowing two driving lanes and room for on-street parking.
 2. A minimum five-foot sidewalk fronting all residences with a four-foot buffer or planting strip between the curb and sidewalk.
 3. Rolled curbs are not allowed.
- F. **Pedestrian Connectivity:** In addition to sidewalks fronting residential lots, there must be logical pedestrian connections throughout the project including trails within or adjacent to open space areas.
- G. **Maximum lot coverage:** There is no maximum lot coverage established by this overlay zone; provided that, a maximum lot coverage limitation may be imposed as a condition of approval based on consideration of the size of the parcel, the character of the surrounding parcel(s) and neighborhood, protection of view corridors and the existence of adequate infrastructure to supply necessary services.
- H. **Unit Distribution:** When a PRD or MPRD is used in a single family zone for development of single family residences, at least twenty-five percent of the dwelling units must be detached single family units.
- I. **Minimum lot size:** For detached single family residences within a PRD or MPRD, the minimum lot size shall be no less than five thousand square feet; provided that, smaller lots or detached condominiums may be approved under a MPRD subject to consideration of the factors identified in subsection J herein.
- J. **Where the applicant seeks to depart from the above minimum standards** in the MPRD process, the planning commission and council shall consider the following factors and the council may in its sole discretion approve departure from one or more of said minimum standards upon finding that the MPRD proposal clearly **satisfies one or more of these factors:**
1. The modification of minimum standards protects or improves the character of the surrounding neighborhood in terms of architectural scale, view corridors, the aesthetic character or provision of services;
 2. The modification of minimum development standards protects critical areas and the environmental quality of the parcel(s) to be developed;

3. The modification of minimum standards is necessary to permit reasonable development as a result of unique characteristics of the property or the proposed uses;
4. The modification of building height (subject to Section 19.29.060(2)) or building setbacks where reasonably necessary due to arrangement of buildings and open spaces as they relate to various uses within or adjacent to the planned development; provided that any such modification shall be consistent with subsection A herein;
5. The modification of minimum standards is adequately mitigated by reasonably related public improvements proposed in connection with the planned development.

19.29.110 - Criteria for approval.

In addition to the findings of fact required for approval within Section 17.09.040, the following criteria shall be met for approval of a PRD or MPRD.

- A. **Design Criteria:** The design of the PRD or MPRD shall achieve two or more of the following results:
 1. High quality architectural design, placement, relationship or orientation of the structures;
 2. Achieving the allowable density for the subject property;
 3. Providing housing types that effectively serve the affordable housing needs of the community;
 4. Improving circulation patterns;
 5. Minimizing the use of impervious surfacing materials;
 6. Increasing open space or recreational facilities on-site;
 7. Preserving, enhancing or rehabilitating the natural features of the property such as significant woodlands, or critical areas;
- B. **Perimeter Design.** The perimeter of a PRD or MPRD shall be appropriate in design, character and appearance with the existing or intended character of the development adjacent to the subject property and with the physical characteristics of the property.
- C. **Streets and Sidewalks.** Existing and proposed streets and sidewalks within a PRD or MPRD shall be suitable to carry the anticipated traffic within the proposed development and the vicinity. The design of the circulation system shall be consistent with the requirements of Chapter 18.14 LMC.

CITY OF LYNDEN



TECHNICAL REVIEW COMMITTEE Development Project Report

Date Issued:	September 17, 2019
Project Name:	PRD Amendment #19-01, RB Development / Heritage Park
Applicant:	Pacific Surveying and Engineering, Inc.
Property Owner:	Aaron Drive Properties
Site Address:	801 Aaron Drive, Lynden
Parcel Number:	400316-049520
Zoning Designation:	PRD
Application Type:	Planned Residential Development - Amendment
Parcel Size:	2.82 Acres
Hearing Type:	Quasi - Judicial
Hearing Objective:	The objective of this public hearing is to determine whether the proposed subdivision meets the requirements found within the development contract and the required findings listed within Section 17.09.040 and 19.29 of the Lynden Municipal Code.
Date application determined complete:	July 31, 2019
Date of Publication:	August 14, 2019
SEPA Determination:	N/A
Project Description:	The applicant is requesting to amend the RB Development / Heritage Park PRD to allow a building expansion that includes an age-restricted senior housing facility including 50 additional units in a 5-story apartment building. The proposed building is approximately 23,375 square feet excluding the exposed stair, elevator shaft and roof top deck.

Background

The RB Development PRD was originally approved in 1994. It encompassed 29.1 acres of property located between Badger Road and Aaron Drive and stretched from Bender Road to Line Road.

The development was planned to accommodate apartments, an assisted care facility (Lynden Manor), town home units, and 4-plex condominiums for a total of up to 437 units. Since its original approval in 1994 the PRD was amended a number of times. Amendments addressed a variety of issues including the inclusion of the Christian

Healthcare Center rather than apartments, fencing, street construction, setback revisions, height limit revisions, and changes to the Conditions Covenants and Restrictions (CC&R's).

Application Summary

The pending amendment to the RB Development PRD seeks to establish a new front setback for the Parkview Apartments parcel, revise an existing storage requirement, and reestablish a previously approved height limitation of 45 feet.

Staff has determined that the application is technically complete but additional information is requested below so that the amendment requests and corresponding justifications are more clearly defined. 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).

Additionally, the application was reviewed against the applicable chapters of the LMC and the Engineering Design and Development Standards and generated the requested revisions and advisory comments found in the report.

Staff acknowledges that the RD Development PRD Amendment has addressed the following requirements according to the Lynden Municipal Code:

- 1. *Intent:* Planned Residential Development's (PRD's) provide opportunities to develop land with physical constraints while preserving the natural characteristics of the site and encourage infill within areas of the City which are characterized by existing development. The intent of the proposed amendment of the RB Development PRD appears consistent with the original RB Development PRD in that it does not exceed the original approved number of units and provides a service which appears consistent with adjacent uses. However, staff has concerns related to the points listed below. These are discussed in more detail later in the report.
 - a. The scale of the project. The number of new units proposed at this location is likely to have impacts to on-street parking and parking lots intended for Bender Park users.

There is a need for a senior housing facility within the RB Development PRD. Whatcom County currently has less than 1% apartment vacancy and nearly 0% for single bedroom apartments. This indicates a housing shortage. The intent of this project is work to solve this housing shortage by providing a senior housing facility adjacent to the Lynden Health Care Center and Lynden Manor. One benefit of this project is to provide a

housing solution for spouses of the patients of Christian Health Care Center. Other one-bedroom apartments options in Lynden are limited, often with long wait lists, and this location is far more desirable. Spouses could simply walk out of their door and share meals or visit instead of having to commute from across town, Bellingham, or elsewhere.

An elevator is a necessity for a senior housing facility. Our studies show that seniors don't prefer stairs, and, in some cases, even two steps are too many. An elevator capable of transporting an EMT and gurney is important to provide the highest level of safety for tenants. To economically viable, an elevator must service at least 50 units.

- b. The proposed building's physical relation to the streetscape. Specifically, having a 45 foot tall structure within 15 feet of the property line.

To accommodate the 50 units, required by the elevator to be feasible, the structure must be 45 feet tall and situated 15 from the property line. The unit sizes are 1 bedroom and studios between 325-420 sf, which is smaller than average. It is not feasible to decrease the size of these units. The geometry associated with fitting these units between the existing buildings with an access stairway places the front of the existing building requires the 15' from the property line.

- c. The proposed building's impacts to the existing site. This includes impacts to the existing residents and the site. Including, but not limited to parking availability, garbage service, traffic interior to the site, and the literal shadow cast on the site and its recreational area.

The impacts to the existing site will be mitigated. Existing residences will not be displaced, except for what is required for temporary construction. Garbage services will not be interrupted. The existing garbage services will be upgraded to trash compactors to reduce the footprint of the garbage enclosures. The parking standard for the site will meet current City of Lynden Code for multifamily and retirement housing. The recreation areas for the site will be improved. This will include a community garden for tenants, or possibly a fenced dog park area.

- 2. Housing Types: The market study provided by the applicant states that occupancy in the existing Parkview Complex has been 100% for the last 5 years. And, that countywide the vacancy rate is less than 1% for standard housing, low-income subsidized housing, and for age-restricted senior housing. These numbers appeared to hold true of the 200 one bedroom and studio units studied within Lynden.

3. Onsite Parking Requirements: The applicant has indicated that they will meet parking standards as outlined per code. Chapter 19.51 of the LMC requires that 2 stalls per unit be provided for the first 25 units, 1.5 stalls for units over 25, and 1 stall for each of the age restricted units. The total stall count is 130. Be advised, minimum standard parking stalls dimensions are 9' wide by 21' deep and compact spaces are 8.5' wide by 18' deep. Two feet of the length (vehicle overhang) may extend into landscape or sidewalk areas but at no time may sidewalk width be compromised to less than 5 feet clear. Wheel stops may be required to prevent sidewalk encroachment.

The proposed development will not deviate from Chapter 19.51 of the LMC in any way.

4. Site Specific Amendments - Storage Requirement: The original Development Agreement for the RB Development PRD required that 32 square feet of storage space be provided for each apartment unit. This is not a requirement of the LMC. The applicant is requesting that the storage space requirement not placed on the proposed units. Code typically does not place specific outside storage requirements on proposed development.

Specific Project Comments from the Technical Review Committee:

Planning and Development

5. Parkview Ownership: Please provide information related to the composition of Aaron Drive Properties LLC and the signing authority of the applicant for that LLC.

This information will be provided by the owner.

6. Application Materials: Please provide a digital copy of the original application package with accurate page numbers. Currently all of the pages of the application are labeled as "Page 2".

This error has been corrected.

7. Response Required: Staff will provide the applicant with a digital copy of this report. Please provide responses to each of the staff comments. Note that the applicant's response may generate additional requests for information.
8. PRD Document: As discussed at a recent meeting with the agents for the applicant, staff recommends the applicant provide a complete revised PRD document which maintains relevant sections of the original document and adds

sections relevant to how the PRD was actually constructed as well as the proposed development standards specific to the Parkview Apartments.

We have submitted a draft of the requested document for your review.

9. CC & R's: Per LMC 19.29.130 the PRD shall have a homeowners association and enforceable covenant to fund and effectively collect fund for such and organization. Associated agreements and covenants shall apply to all the property with the PRD, shall be recorded and shall run with land. Note that covenants for the PRD may impose more restrictive conditions on the property but not less restrictive than City of Lynden development code. Be advised, enforcement of neighborhood covenant documents is the responsibility of the developer and/or neighborhood association.

Prior to final approval of the proposed PRD amendment, covenants, conditions, and restrictions (CC&R's) – both the existing document and any proposed amendment to the document – must be provided. Per LMC 19.29, amendments to the PRD's CC&R's require City Council review.

Initial staff review of the CC&R's indicate that at a minimum Sections 2.3, 2.4, 10.4, 12.12 and the signatures page will need to be updated. Alternatively, the applicant may choose to explore the option of providing copies of each division's CC&R's as applicable.

Be advised, the process by which the CC&R's will be updated and the stakeholders for the PRD's revised CC&R's should be carefully considered as this may require a significant effort on the applicant's part.

It appears that the CCR's will need to be updated. A draft is being prepared for review and approval by the stakeholders.

10. Development Maps / Exhibits: Staff understands that the amendments to the RB Development PRD are proposed to affect only tax parcel 400317-446116. The original PRD included this parcel, or a version of this parcel, as B1 - one of four parts of "Area B". Area B was originally intended to be developed as apartments however, various amendments to the PRD resulted in a revised build-out of these areas.

Please provide updated development maps / exhibits which document the original development plan and predicted unit counts for Areas A-F of the PRD. Additionally, also illustrate how the PRD was actually built out to date. Include revised lot lines, lot areas, housing types or property uses, and unit counts (or bed count for the skilled nursing facility).

We have submitted a draft of the requested document for your review.

11. Site Specific Standards Criteria – Perimeter Setback: The City's municipal code provides minimum standards for Planned Residential Developments. However, Planning Commission recommendation and City Council approval can be sought in areas where the applicant seeks to depart from the minimum standards (LMC 19.29.060(10)).

The proposed PRD amendment seeks an alternate standard to the required perimeter setback of 25 feet. On the Parkview Apartments application this perimeter setback has been identified as the 'front setback' (the south property line). The application proposes the perimeter setback be reduced to 15 feet rather than 25 feet as required by code. Please provide a written response to each of these criteria and/or reference relevant sections of the application to support the request.

- a. The modification of minimum standards protects or improves the character of the surrounding neighborhood in terms of architectural scale, view corridors, the aesthetic character or provision of services;

The architectural scale and high aesthetics of the proposed building will improve the character of the surrounding neighborhood. Most of the existing commercial buildings in the PRD are above average aesthetic appeal, but that is not the case of the existing Parkview Apartments. The existing façade is lacking in appeal with vinyl siding and gable façade and fenestration. The proposed building will be vastly superior in aesthetics with high end brick, high end glazing and fenestration. Landscaping and lighting, though with a smaller footprint, will also be higher quality and much more visually inviting daytime and nighttime.

The design of the proposed building facade is intended to undulate and minimize the closeness of the building to the street. Less than half of the building is 15' setback from Aaron Dr., with the remainder varying from 20' to 30'. This is intentional to provide depth to the building and curbside appeal. Other nearby buildings in Bender Plaza do not undulate at all at with a straight 25' setback.

- b. The modification of minimum development standards protects critical areas and the environmental quality of the parcel(s) to be developed;

This expansion is proposed as an infill development to increase density within the existing RB Development and Heritage Park Planned Residential Development. These infill projects result in reduction in environmental impacts from development in currently undeveloped parcels, such as nearby farmland, and which often includes impacts

wetland, shorelines, etc. This project disturbs no critical areas, has no shorelines impacts, does not displace farmland and is an environmentally responsible project in this way. The building cannot be built in this location without reducing the setback. If this building was built in an undeveloped nearby parcel, it would come with much greater environmental impacts.

- c. The modification of minimum standards is necessary to permit reasonable development as a result of unique characteristics of the property or the proposed uses;

Existing senior housing demand is high and will continue to grow in this community. Additional senior housing is needed, especially in this immediate neighborhood. Many seniors who are on fixed incomes need affordability and are drawn to downsizing and seek efficient spaces. The senior housing is particularly valuable in this neighborhood with the nearby Christian Health Care Center and Lynden Manor facilities.

Two of the most desirable features of senior housing are elevator access and modern fire sprinkler system. To justify the cost of an elevator, a minimum of 50 units needs to be included in the building. The units are as small as the developer will consider. These units have many efficient features such as centralized hot water, common laundry room and efficient kitchens and bathrooms.

To meet the needs of a growing senior housing demand in this neighborhood, this project will require the modifications to the setbacks, and building height to be constructed. Parkview West Apartments consistently have a waiting list for seniors requiring a no-step rise to their units. This project will be an important asset to the surrounding neighborhood and answers a lacking or undersupply in no-step serviced senior housing.

- d. The modification of building height (subject to Section 19.29.060(2)) or building setbacks where reasonably necessary due to arrangement of buildings and open spaces as they relate to various uses within or adjacent to the planned development; provided that any such modification shall be consistent with subsection (a) herein;

The original plan for this RB Development and this property started with a lower density. However, the city and neighborhood has changed in 20 years. Pushing more efficient and higher density "taller" housing is appropriate urban planning especially when close to other developed complimentary private and public investment. This project makes the public infrastructure more efficient and more accessible, including Bender Fields across the street.

This project adds more tax base to help roads and schools while adding minimal additional infrastructure. The added housing supply compliments the neighboring uses making their businesses better.

- e. The modification of minimum standards is adequately mitigated by reasonably related public improvements proposed in connection with the planned development.

This project will a great benefit to the community by filling a need for senior housing adjacent to existing assisted living facilities. Additional senior housing is needed, especially in this immediate neighborhood.

12. Building Height. Per LMC 19.29.060(2) the maximum height of structures within a PRD, where the underlying zoning is multi-family, is 45 feet. The original 1994 RB Development PRD development agreement reflected this height limitation of 45 feet. However, a subsequent amendment, which reduced internal setbacks, was approved with the condition that apartment building heights be kept to 2 stories. The pending proposal, that the height limitation of 45 feet be reestablished, generates concerns when considered in the context of the existing site. Please respond in writing to concerns and questions related to the proposed height amendment, specifically:

- The height of the project and its physical relation to the streetscape create a relatively imposing structure so close to Aaron Drive and especially the pedestrians using these public sidewalks. How will this be mitigated?

The landscape along Aaron Drive will use a mix of small canopy trees and narrow columnar evergreens to provide a more human scale to both pedestrians and motorists. The trees, mixed with medium height shrubs and low ground covers will provide an aesthetically pleasing, year-round landscape buffer for the proposed building addition.

- Discuss how the existing apartment buildings will relate to the proposed structure. For example, what is the architecture of the north elevation? Will the existing apartment units have access to the new structure? Will tenants be displaced temporarily or permanently due to the proposed addition?

The street exposed portions of the existing buildings will be modified with higher quality materials that complement the new building. An elevation view of the north side has been provided to demonstrate the high level of aesthetics contemplated.

The current plan is to build some common heated space for the existing units. This space would have exterior stairs allow ADA access to some

existing units from the proposed elevator. The bathroom on the main floor would be shared by all tenants. More efficient and convenient features will be built for garbage, recycling, bike storage and general storage for the site.

The room count of the existing complex stays the same, so no tenants will be permanently displaced because of the new construction. The windows facing South on the existing building adjacent the new building will be eliminated but these are all one of the two bedroom windows in these units. Tenants will be slightly impacted with short term construction. More parking in the complex will be created and there will be a higher need for management to "police" parking use.

- Indicate how the property owner will manage parking to ensure that vehicles related to Parkview will not negatively impact surrounding properties. Staff has concerns that overflow residential parking could negatively impact the parking lot of Bender Park, on street parking opportunities, and other off-site parking lots.

We are not asking for a parking variance as our parking plan meets City of Lynden code parking requirements. A strict parking enforcement policy will be enacted and included on future leases. We have not "policed" our parking in the past and some tenants have too many vehicles. This will change and only one car will be allowed per unit for the new building.

13. Loading Area: Staff cannot support the proximity of the building to the street and its associated parking unless accommodations are made for loading and drop-off. If the PRD amendment is approved, a pull-off for a designated loading area at the entrance to the building to be used by delivery vehicles, resident drop-off / pick-up, and emergency response vehicles will be required as part of the building design. Coordination with the Public Works Department for the design and layout will be required. Public sidewalks may be altered but an access, a minimum of 5 feet wide and fully ADA accessible, must be maintained along Aaron Drive. This may require a public access easement on the Parkview Apartments parcel.

A designated loading and drop-off zone are now shown on the plans. ADA access will be provided for pedestrians and tenants. We will work with the Public Works Department to determine the best design if modifications need to be made.

14. Amenities and Open Space: Open space standards have been discussed generally in the application. Please provide information regarding potential

improvements and amenities to the existing green space which will serve the senior tenants of the proposed building.

The recreation areas for the site will be improved. This may include a community garden for tenants, or possibly a fenced dog park area. Rooftop vegetation will be provided for the proposed building addition including raised planters. Additional carports may also be provided to provide

15. Lot Coverage: The PRD was initially approved with an open space requirement (pervious areas) of 40% or greater. This was not to include the parcel dedicated to the City of Lynden. A subsequent amendment appears to reduce the required open space requirement to 30% while decreasing the maximum building height to 2 stories. Provide the revised lot coverage (impervious area) of the Parkview parcel which include the proposed building and parking lot additions.

The open space calculation for the entire PRD has been updated in the Project Narrative. The 40% open space requirement for the entire PRD has been met, which does not include the parcel dedicated to the City of Lynden.

However, the open space requirement for the Parkview West Apartments parcel is proposed to be reduced from 30% to 25%. The additional parking space area required for the proposed unit count will necessitate this reduction. The PRD narrative has been revised and reissued to include an exhibit with the requested lot coverage number as requested.

The existing open space on the parcel will be improved to justify this reduction in open space requirements. This will include a community garden for tenants, or possibly a fenced dog park area. Additionally, the project is located next to nearly 40 acres of open space directly across Aaron Drive in Bender Fields. A community garden is across the street as well. The tenants in the Parkview West parcel will be in proximity to a far greater area of open space than many other locations in Lynden.

16. PRD Area Break-down: Whatcom County and the City of Lynden have been mandated to participate in an annual report provided to the State which tracks achieved housing density. In an effort to track accurate data for this program all PRD's will be required to provide supporting data. Please provide on the face of the development maps a table which breaks down the total area of the PRD into the categories shown below. Note that in some instances the area may be zero and that "other infrastructure" could refer to area used for sewer pump station, stormwater ponds, etc.

	PRD Area (in square feet)
Gross PRD area	
Reserve tracts (open space dedications)	
Critical areas including buffers	
Public Right of ways (ROWs)	
Other infrastructure	
Net developable	
Percent ROW and Infrastructure	%

– This table is included in the revised PRD Map.

Public Works

17. Public Improvements: 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 an equivalent approved through the Planned Residential Development process. A plan review deposit of \$2000 or 2% of civil construction costs is required prior to any civil plan review. Any work within public right of way or involving exiting public facilities shall have a bond in place at 150% of construction costs. A maintenance bond of 10% of the certified construction costs is required for all public facilities.
18. Transportation Study: The traffic study provided with the application speaks to the number of added trips but does not discuss level of service (LOS). Address the effects of this proposal on the LOS on Aaron Drive and the intersection of Aaron and Bender Road. No accesses to East Badger Road (SR-546) are allowed.
19. Stormwater
 - a. 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.

- b. 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.
- c. Stormwater from public streets may be infiltrated within the dedicated right-of-way, or within a separate dedicated tract, but may not be within the street prism. Infiltration areas and street trees should have adequate separation to insure the proper functioning of the drainage system and survival of the tree.
- d. A Construction National Pollutant Discharge Elimination System (NPDES) permit may be needed.
- e. All private storm systems shall be inspected yearly per approved Operation and Maintenance plans. Inspection shall be submitted to the City for review and acceptance.
- f. The storm drainage report will need to include all existing and proposed properties that utilize common drainage facilities.
- g. Site indicated to be within ¼ mile of Fishtrap Creek and will require additional stormwater requirements.

20. Water

- a. As per 6.2 (M) of the City of Lynden Project Manual for Engineering Design and Development Standards.
- b. A 20-foot utility easement is required for all public utilities.
- c. Water meters and fire lines shall have appropriate backflow prevention installed that meets the Department of Health and City of Lynden standards.
- d. A booster pump station may be needed depending on fire system requirements.
- e. Fire hydrants are to be placed a maximum of 300 feet apart (clear distance).

- f. The proposed building will impact existing hydrant placement(s).
- g. The proposed project will impact water service to existing building.

21. Sanitary Sewer

- a. Sanitary sewer and water system design and construction must meet the requirements of the City of Lynden Engineering Design and Development Standards.
- b. Existing sewer pump station and force-main that the site discharges to may not adversely impact the existing system. This must be reviewed and confirmed.
- c. The proposed sewer connection shall be tied into existing manhole.
- d. The proposed trash compactor shall be covered. Drainage from the covered compactor area shall discharge to sewer after first going through an approved oil-water separator.

Fire and Life Safety

- 1. Impact Fees: Fire impact fees will be due at the time of building permit. The current fee is \$389 per unit.
- 2. Access: Revise site layout to provide a designated loading (“no parking”) area at the entrance to the building to be used by emergency response vehicles. Coordinate with the Public Works Department for the design and applicable standards.
- 3. Elevator Requirements: Be advised, per the International Building Code the elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher of 24 inches by 84 inches with not less than 5-inch radius corners, in the horizontal, open position as well as the accompanying EMTs. Generally, this means an elevator that is 4 feet deep by 8 feet wide.
- 4. Fire Load: Be advised, the installation of an FDC within 50 feet of a hydrant is required. Total fire load will be assessed at the during the permit review process. Applicant must ensure coverage throughout the site. These requirements may result in the installation of an additional hydrant. Early analysis of the fire load is recommended.
- 5. Fire Suppression: Be advised, a fire suppression system will be required throughout the proposed building.

6. Structural Review Required: Be advised that the weight load for the top of building must be able to support emergency responders and equipment if necessary. Load ratings for all roof top equipment will be required at the time of building permit.

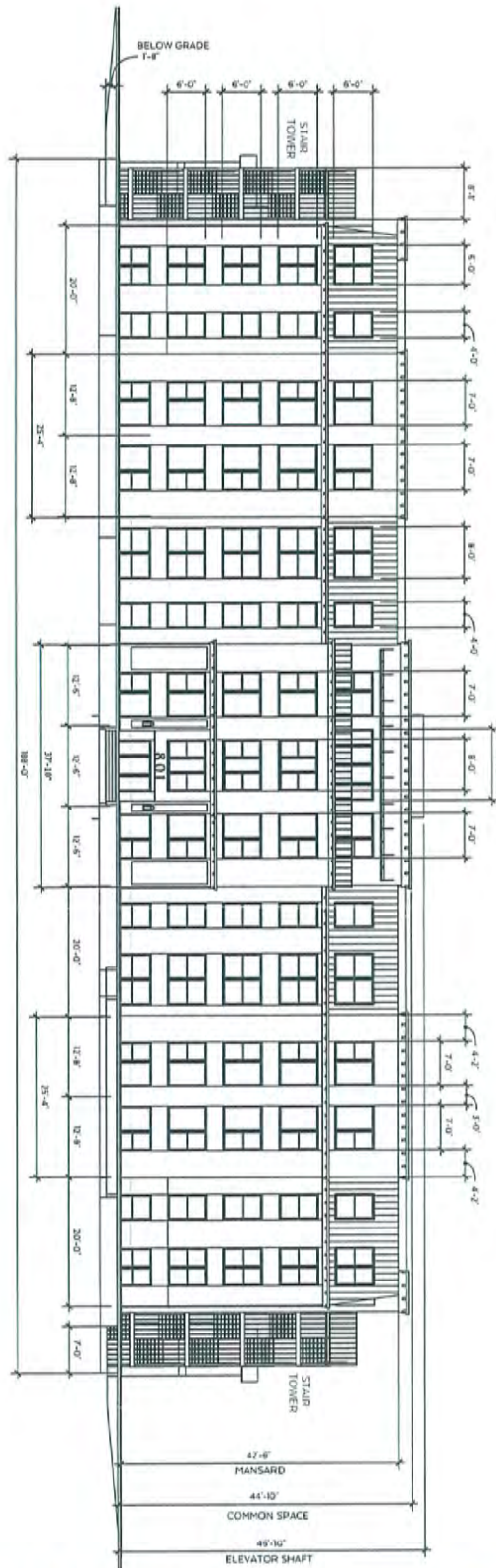
Parks and Recreation

7. Park Impact Fees: Park impact fees will be due at the time of building permit. The current rate is \$546 per senior residential unit.


Advisory Requirements

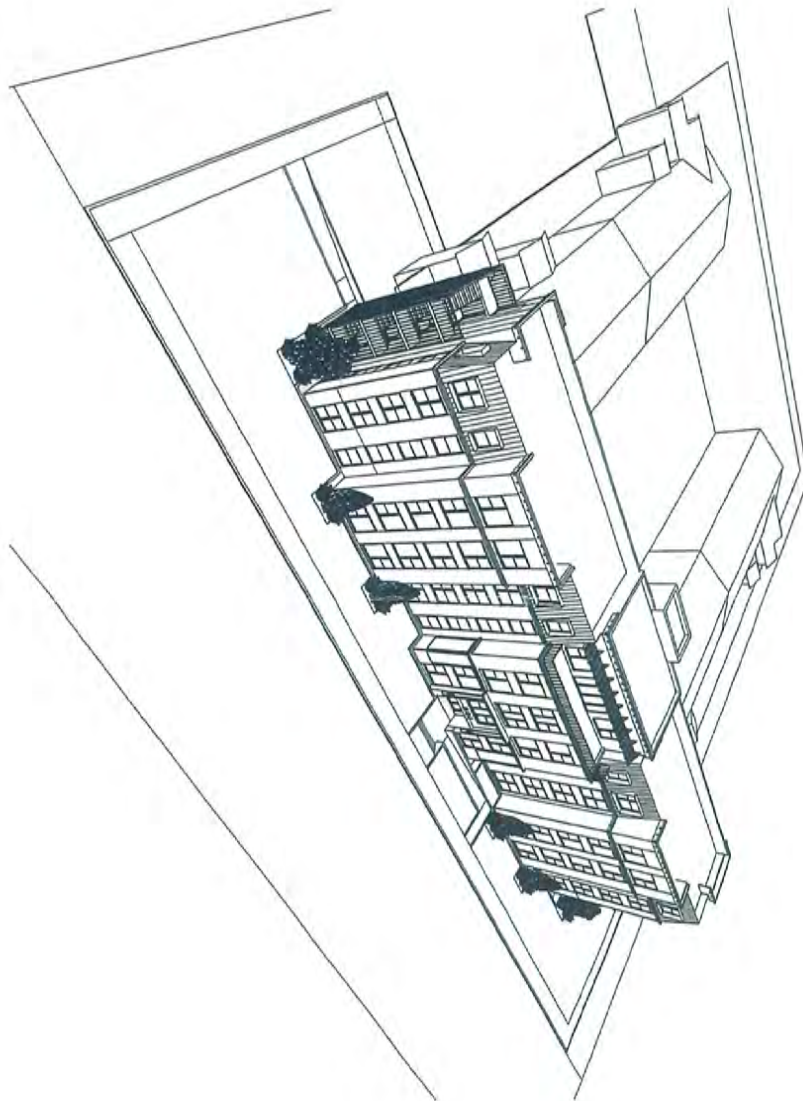
8. Design Review Board: Be advised, approval of the City's Design Review Board is required prior to issuance of the building permit. The DRB review focuses on specifics of building architecture, exterior lighting, the screening of service areas and roof-top equipment, site circulation, and the landscape plan.
9. Architectural Standards Committee: Section 5 of the current CC&R's indicate that approval from the developments Architectural Standards Committee is required. Applicant will be required to provide proof of Committee approval prior to review by the City's Design Review Board.
10. Civil Drawings: The construction drawings for any civil and utility improvements must be submitted for review and approval prior to construction. These drawing must illustrate that the utility improvements and extensions meet the standards listed within the Project Manual for Engineering Design and Development Standards, unless they have been specifically varied by the approval of the plat. It is the project engineer's responsibility to be aware of these standards.
11. Transportation Impact Fee: Be advised, transportation impact fees will be due at the time of building permit. The current rate is \$570 per Senior Housing Unit.
12. Civil Review Deposit Required: Be advised, a review deposit of \$200 per lot, \$2,000 minimum, to review the construction plans and a plat / PRD construction inspection deposit of \$350 per lot, \$5,000 minimum, is due prior to review and construction respectively.
13. Maintenance Bonding Requirements: A post construction maintenance bond for public infrastructure in the amount of 10% of the construction costs will be required prior to final plat approval. Bond to be in place for 2 years from the date of project completion.


14. Landscape Bonding: Be advised, performance and maintenance bonding will be required for the plat. This relates to street trees and any required mitigation planting. Bonds are due prior to final plat approval. Performance bond shall be at 100% of installation costs and be in place through establishment period approval. Upon acceptance of establishment the maintenance bond shall be in place for 2 years at 10% of costs.
15. Surveying: All surveying work and engineering design must be based on the City of Lynden survey control monuments. AutoCAD files for all improvements must be provided to the City in digital format approved by the City. A copy of the City's control monuments is available to the project consultant for their use.
16. Document Recording: Petitioner shall record the final amended PRD Development Agreement with Whatcom County following City Council approval and provide a copy, with the auditor's file number, to Planning Staff.
17. Street Trees: Be advised, per Sec. 18.14.120, the developer will be required to provide street trees within the dedicated public utility easement adjacent to the street. Without blocking view triangles, there shall be a maximum spacing of fifty feet between trees. Maintenance of street trees shall be the responsibility of the adjoining property owner.
18. Property Addressing: Be advised, all street addressing must follow the requirements of the Lynden Municipal Code.



1 SOUTH ELEVATION

	A0.5 South Elevation	Document Date June 1, 2018	Parkview Housing	FALCONWORKS
		Document Project Schematic Design		
		801 Aaron Drive Lynden, WA 98264		
B300_Parkview Housing / Holander Hospitality				



 A0.6	View	Document Date June 5, 2018	Parkview Housing	FALCONWORKS
		Document Phase Schematic Design		
		<small>BID_Parkview Housing / Hollards Hospitality</small>	<small>119 NORTH COMMERCIAL STREET SUITE 1504 BELLINGHAM, WASHINGTON 98225 E: JON@FALCONWORKSDESIGN.COM P: 360.319.2076</small>	



FALCONWORKS

119 NORTH COMMERCIAL STREET SUITE 1504
 BELLINGHAM, WASHINGTON 98225
 E. JONG@FALCONWORKSDESIGN.COM
 P. 360.319.2076

Parkview Housing

803 Austin Drive
 Lynden, WA 98264

190_Parkview Housing / Haberdash Hospitality

Document Date
 June 3, 2019

Document Phase
 Schematic Design

rev.	date	remark

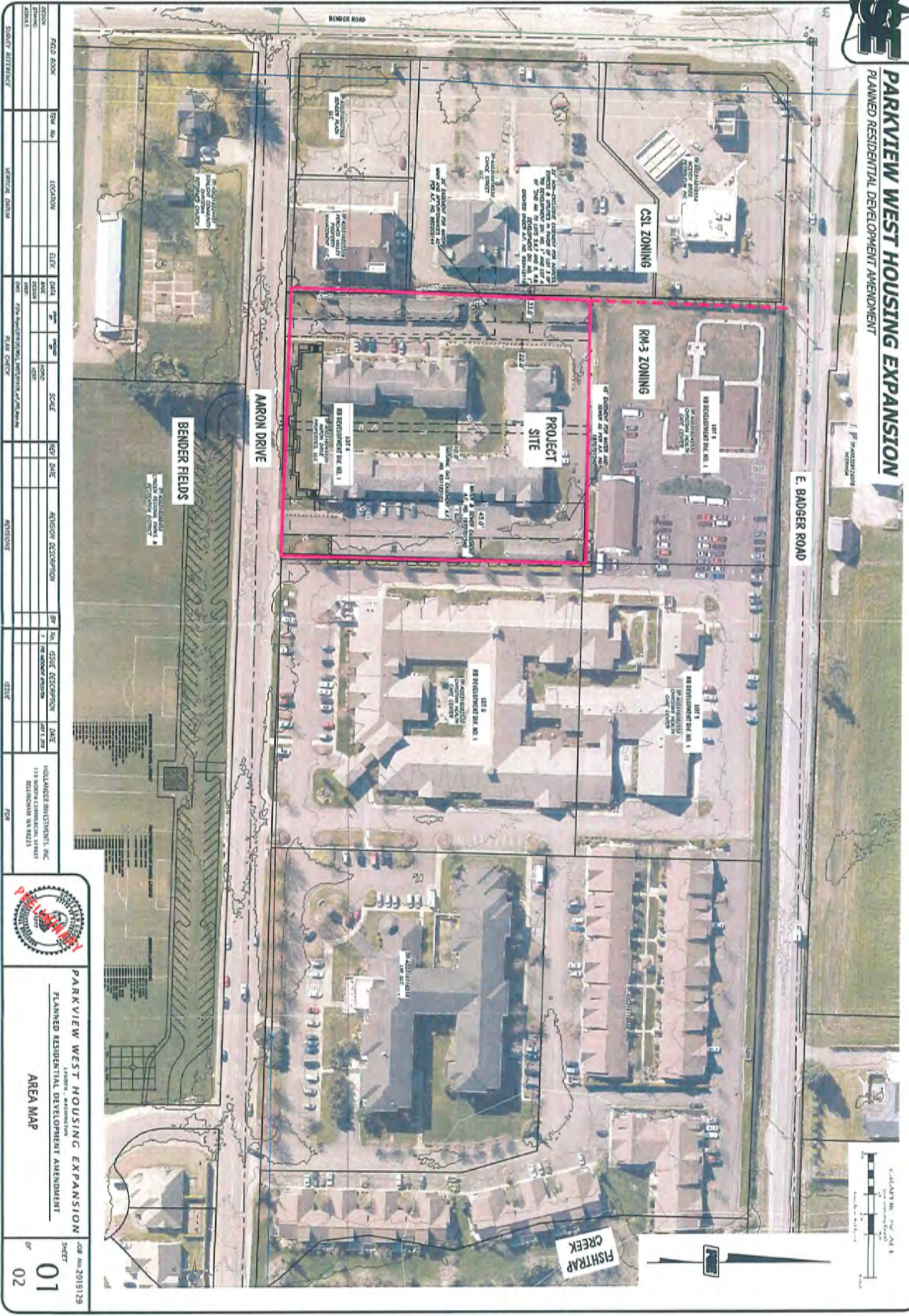
View

A0.7





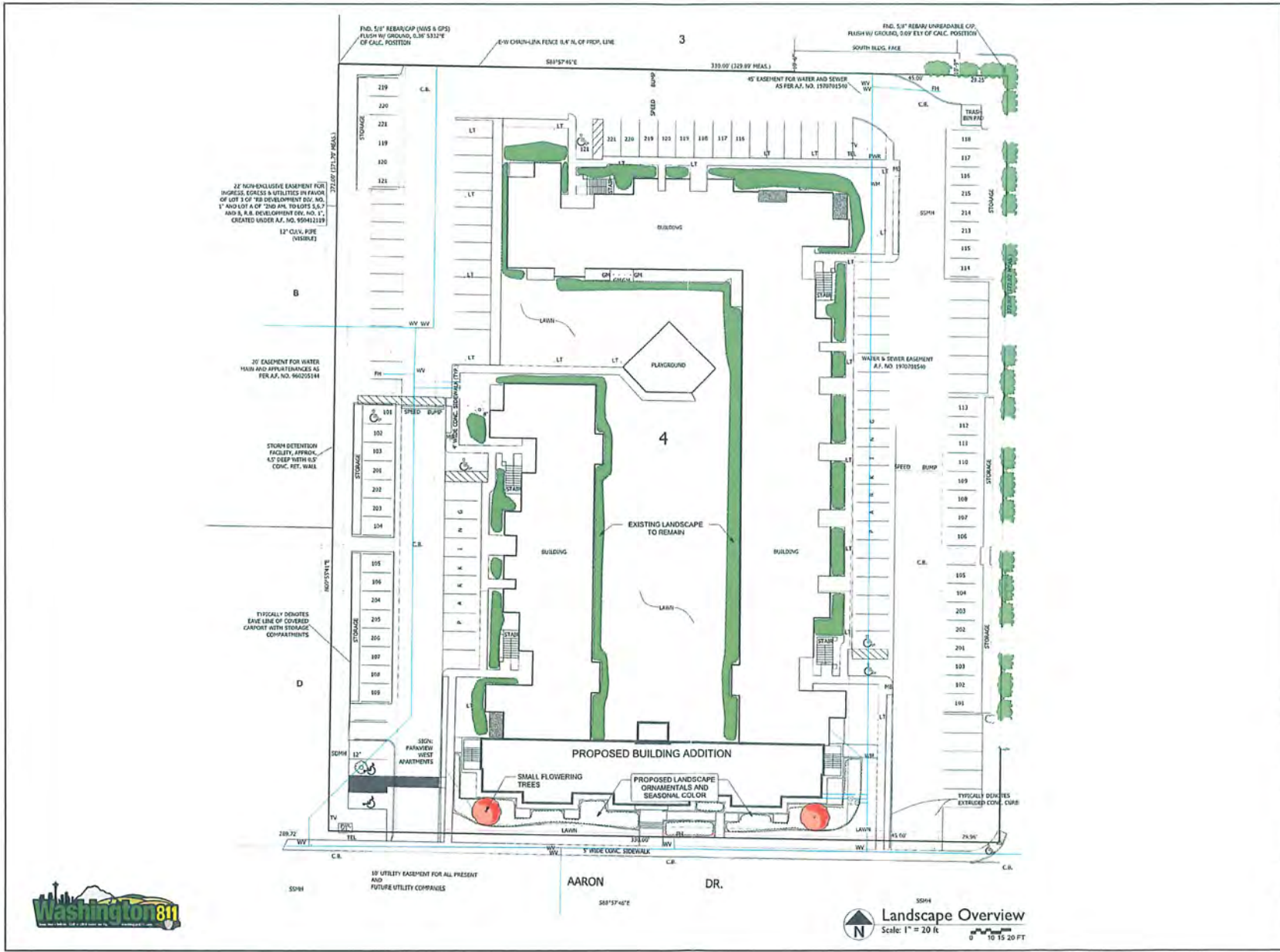
PARKVIEW WEST HOUSING EXPANSION
 PLANNED RESIDENTIAL DEVELOPMENT AMENDMENT



FIELD BOOK	PAGE No.	DATE	BY	SCALE	BY	DATE	REVISION



PARKVIEW WEST HOUSING EXPANSION
 PLANNED RESIDENTIAL DEVELOPMENT AMENDMENT
 AREA MAP
 SHEET 01 OF 02
 JOB No. 2019129



Landscape Overview
 Scale: 1" = 20 ft
 0 10 15 20 FT



Cascade Design Group
 P.O. Box 5938
 Bellingham WA 98227
 Paul George
 Landscape Architect
 360-715-2119
 paul@casadedesigngroup.net

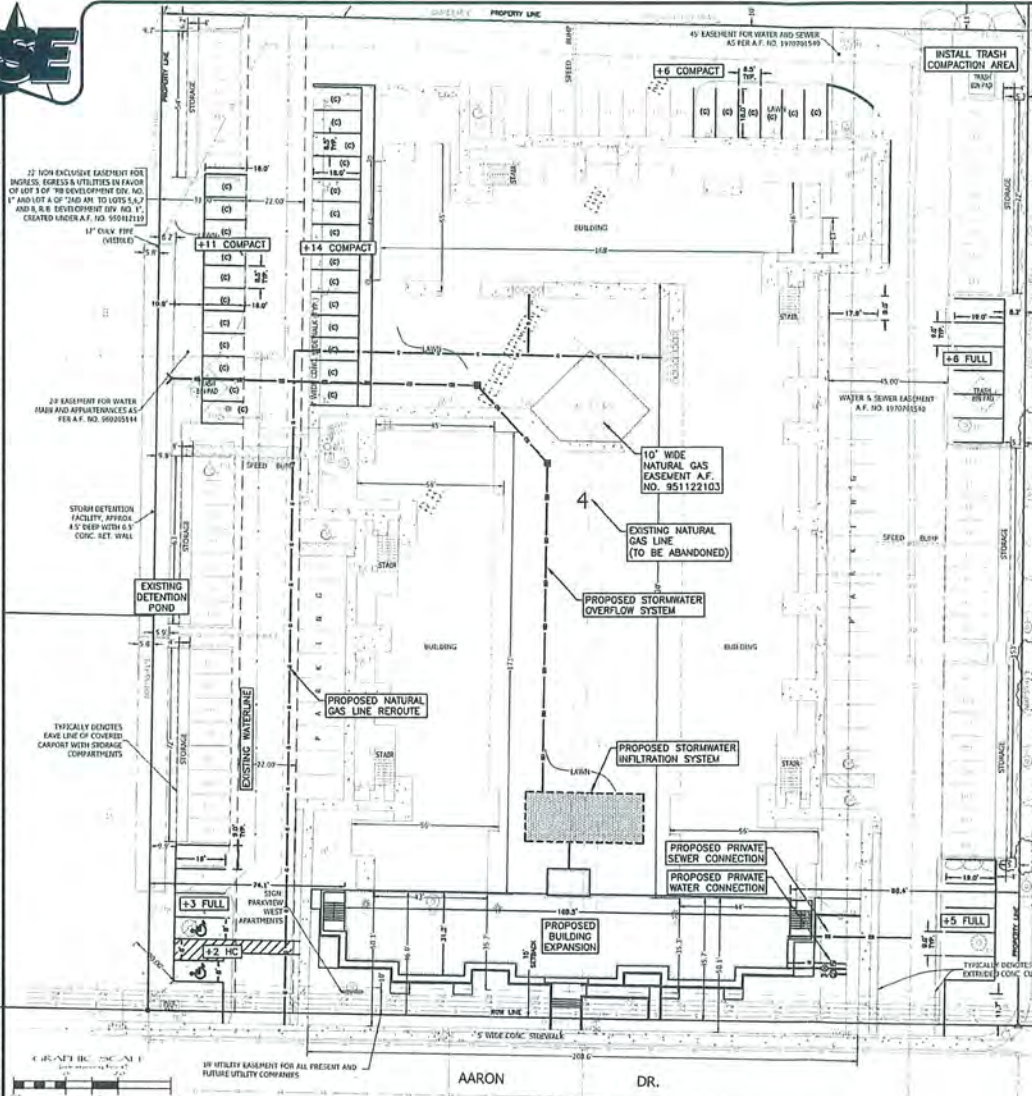
PARKVIEW WEST HOUSING EXPANSION
 801 Aaron Dr., Lynden, WA 98264

PROJECT START DATE June, 26th, 2019
REVISIONS

L1



PACIFIC SURVEY & ENGINEERING INC
 909 SQUALICUM WAY, SUITE 111 • BELLINGHAM, WA 98225 PHONE: 360.671.7387 FAX: 360.671.4685 EMAIL: info@pseurvey.com
 www.pseurvey.com



PARKVIEW WEST HOUSING EXPANSION

PLANNED RESIDENTIAL DEVELOPMENT AMENDMENT

SYMBOL LEGEND

- FOUND 3/8" REBAR/CAP (AS NOTED)
- SET 1/2" REBAR/CAP (LS #18027)
- SET HAIL/SHEER (LS #18027)
- FIRE HYDRANT
- WATER VALVE
- WATER METER
- SAN SEWER MANHOLE
- STORM CATCH BASIN
- 6" PVC CLEAFOUT
- IRRIGATION CONTROL BOX
- FENCE LINE (CHAIN-LINK)
- ARBOR VITAE HEDGE
- DECIDUOUS TREE LABELED W/ INCH DIA.
- CONIFEROUS TREE LABELED W/ INCH DIA.
- MAIL BOX
- YARD LIGHT
- POWER TRANSFORMER (CONC. PAD MOUNTED)
- POWER JUNCTION BOX
- UTILITY BOX (UNKNOWN TYPE)
- COMMUNICATIONS J-BOX
- GAS METER
- HANDICAP ACCESS
- PROPOSED WATER METER
- PROPOSED POST INDICATOR VALVE

LINE LEGEND

- EXISTING GRADE INDEX CONTOUR
- EXISTING GRADE INTERVAL CONTOUR
- EXISTING STORM DRAIN LINE
- EXISTING SANITARY SEWER GRAVITY LINE
- EXISTING WATER LINE
- EXISTING UNDERGROUND POWER
- EXISTING UNDERGROUND COMMUNICATIONS LINE
- EXISTING UNDERGROUND TELEPHONE LINE
- EXISTING UNDERGROUND NATURAL GAS LINE
- PROPOSED STORM DRAIN LINE
- PROPOSED SANITARY SEWER LINE
- PROPOSED WATER LINE
- PROPOSED NATURAL GAS LINE
- PROPOSED STORMWATER MANAGEMENT FACILITY

GENERAL NOTES

- A. SURFACE FEATURES ARE BASED ON ALTA/ACSM SURVEY FILE NO. 4272-202317 BY FIRST MERICAN TITLE INC. CO. CASEMENTS NOT PLOTTED ON MAP ARE BLANKET IN NATURE. DEDIMENT FOR GASEOUS NATURAL GAS UNDER A.F. NO. 951122103 IS NOT SHOWN DUE TO THE AMBIGUITY OF "EXHIBIT A". IT RUNS GENERALLY THROUGH CENTER OF PROPERTY N-S AND IS 10 FEET IN WIDTH.
- B. THIS MAP SHOWS EASEMENTS OF RECORD AS PER TITLE REPORT FILE NO. 4272-202317 BY FIRST MERICAN TITLE INC. CO. CASEMENTS NOT PLOTTED ON MAP ARE BLANKET IN NATURE. DEDIMENT FOR GASEOUS NATURAL GAS UNDER A.F. NO. 951122103 IS NOT SHOWN DUE TO THE AMBIGUITY OF "EXHIBIT A". IT RUNS GENERALLY THROUGH CENTER OF PROPERTY N-S AND IS 10 FEET IN WIDTH.
- C. SITE ADDRESS IS 801-817 AARON DRIVE E. LYNDEN, WA 98264. ASSESSOR'S PARCEL NUMBER IS 400316 048520 0000.
- D. UNDERGROUND UTILITIES WERE DETERMINED BY RECORD DRAWINGS AND SITE VISIT. NO UNDERGROUND UTILITY LOCATE WAS PERFORMED ON THIS PROPERTY TO PREPARE THIS MAP. CALL FOR LOCATES BEFORE DIGGING.
- E. JOGS IN BUILDING AND UTILITY FEATURES NOT SHOWN IN DASHED LINE PORTION (NOT ACCESSIBLE BY SURVEYOR).
- F. STORM DETENTION FACILITY OWNERSHIP AND MAINTENANCE NOT LISTED IN FILE REPORT DOCUMENTS.

LEGAL DESCRIPTION

LOT 4, R20 DEVELOPMENT, DIV. NO. 1, A PLANNED RESIDENTIAL DEVELOPMENT, ACCORDING TO THE MAP THEREOF, RECORDED IN VOLUME 119 OF PLATS, PAGE 21, RECORDS OF WHATCOM COUNTY, WASHINGTON.

PARKING CALCULATIONS

EXISTING PARKING REQUIREMENTS

EXISTING UNITS: 40
 REQUIRED PARKING SPACES: 25 UNITS x 2 SPACE/UNIT = 50 SPACES
 20 UNITS x 1.5 SPACE/UNIT = 30 SPACES
 (MULTI-FAMILY DWELLING UNITS LAND USE = 19.51040 LOC)
 EXISTING SPACES: 89 SPACES

PROPOSED PARKING REQUIREMENTS

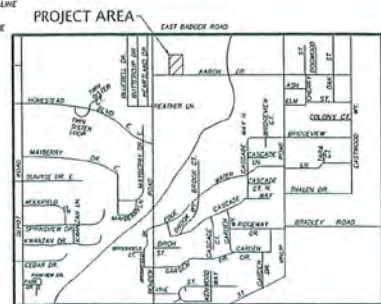
PROPOSED UNITS: 50
 REQUIRED PARKING SPACES: 50 UNITS x 1 SPACE/UNIT = 50 SPACES REQUIRED
 (RETIRED HOUSING LAND USE = 19.51040 LOC)

TOTAL SPACES REQUIRED: 130

PROPOSED + EXISTING PARKING SPACES

	EXISTING	PROPOSED	TOTAL	(2 WAY)
HANDICAP	5	2	7	
FULL SIZE	39	14	53	
FULL SIZE CARPORT	45	0	45	
COMPACT	0	31	31	
TOTAL	89	47	136	

31 COMPACT SPACES / 130 TOTAL = 23% C. 30% MAX PER 19.51.050-B



VICINITY MAP

FIELD BOOK	TRM. No.	LOCATION	ELEV.	DATE	BY	SCALE	REV.	DATE	REVISION DESCRIPTION	BY	NO.	ISSUE DESCRIPTION	DATE
DESIGN													
STAMPING													
CONV. REF.													

HOLLANDER INVESTMENTS, INC
 119 NORTH COMMERCIAL STREET
 BELLINGHAM WA 98225



PARKVIEW WEST HOUSING EXPANSION
 LYNDEN, WASHINGTON
 PLANNED RESIDENTIAL DEVELOPMENT AMENDMENT
 GENERAL UTILITY PLAN

JOB No. 2019129
 SHEET

02
 OF
 02

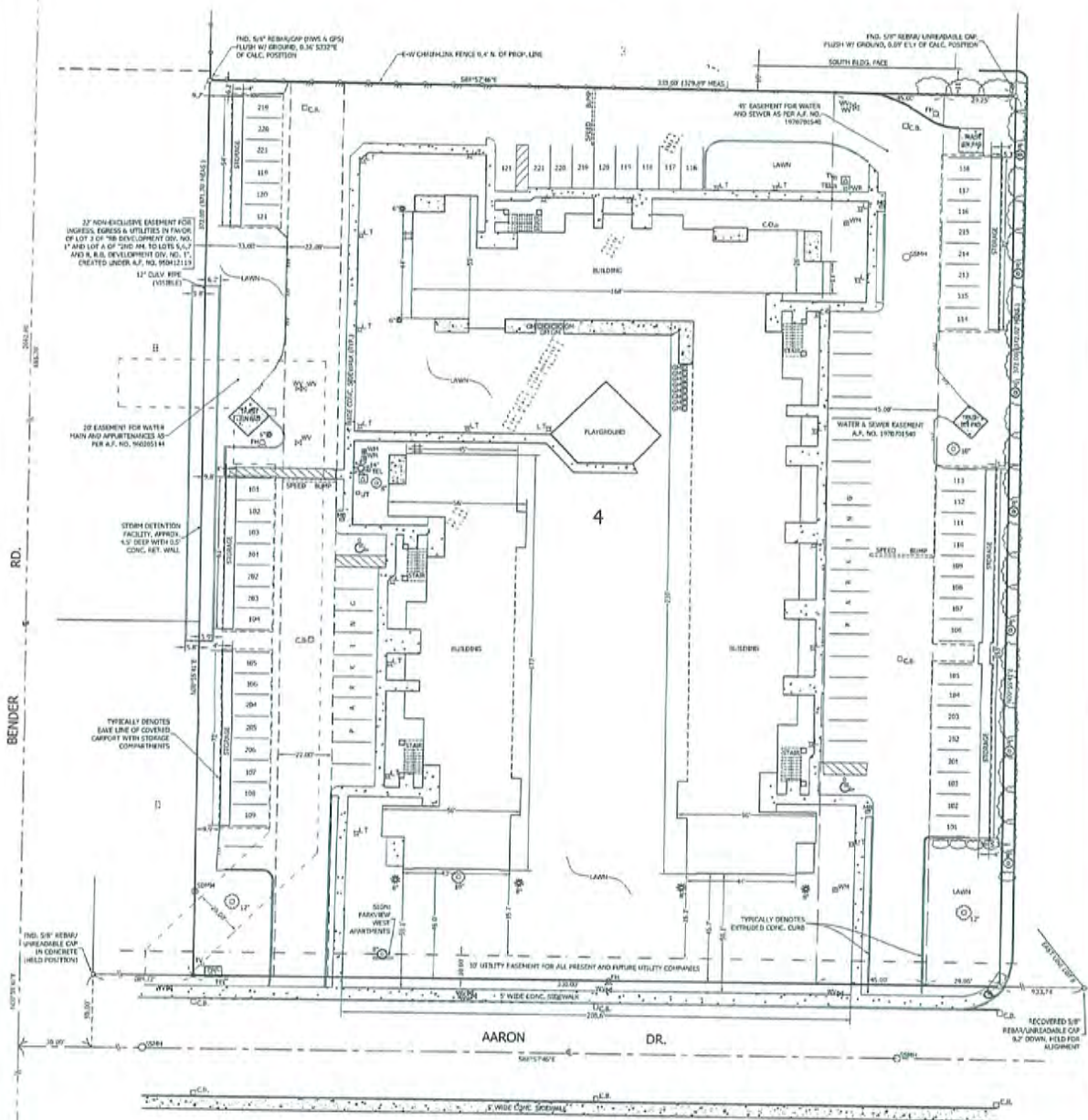
9 17 17 NW COR. SEC. 16-49-2E
 16-49-2E
 RECORD POSITION



GRAPHIC SCALE
 0 10 20
 (IN FEET)
 1 inch = 20 ft.

BASE OF BEARING
 NORTH 88°01'30" WEST ANGLE 88°01'30" AS PER
 THE DEVELOPMENT DIV. NO. 1 UNDER WHATCOMB COUNTY
 AUDITOR'S FILE NO. 99812111.

DATE OF SURVEY
 OCT. 13, 14 & 25, 2015



- LEGEND**
- FOUND 5/8" REBAR/COP (AS NOTED)
 - SET 1/2" REBAR/COP (AS NOTED)
 - △ SET HALF-INCHER (AS NOTED)
 - FIRE HYDRANT
 - WVH WATER VALVE
 - WMH WATER METER
 - CSM SAN. SEWER MANHOLE
 - SCM STORM CATCH BASIN
 - CD 6" PVC CLEANOUT
 - TRC TRIBUTION CONTROL BOX
 - FENCE LINE (CHAIN LINK)
 - ARBON METAL VERGE
 - DECIDUOUS TREE LABELED BY TYP. DIA.
 - CONIFEROUS TREE LABELED BY TYP. DIA.
 - MAIL BOX
 - YARD LIGHT
 - POWER TRANSFORMER (CONC. PAD MOUNTED)
 - POWER FUNCTION BOX
 - UTILITY BOX (UNDERGROUND TYPE)
 - TELECOMMUNICATIONS BOX
 - GAS METER
 - HANDICAP ACCESS

LEGAL DESCRIPTION
 LOT 4, 1/2 DEVELOPMENT, 102, 101, 1, A, PLANNED RESIDENTIAL DEVELOPMENT, ACCORDING TO THE MAP THEREOF,
 RECORDED IN VOLUME 17 OF PLATS, PAGE 21, RECORDS OF WHATCOMB COUNTY, WASHINGTON.

- REFERENCES TO ITEMS OF TABLE**
1. IMPROVEMENTS EXISTING AT ALL PLATS PROPERTY CORNERS.
 2. UTILITIES ON SITE. EXTERIOR DIMENSIONS SHOWN AT GROUND LEVEL (TO NEAREST FOOT). SEE GENERAL NOTE D.
 3. SUBSTANTIAL FEATURES SHOWN.
 4. LOCATION OF UTILITIES BY OBSERVED EVIDENCE ONLY.

GENERAL NOTES

- A. THIS MAP SHOWS EVIDENCE OF RECORDS AS PER TITLE REPORT FILE NO. 172, 200337 BY FIRST AMERICAN TITLE INS. CO. EVIDENCE NOT NOTED ON MAP ARE BLANKLY IN NATURE. EVIDENCE FOR CASCADIA NATURAL GAS UNDER A.P. NO. 9112285 IS NOT SHOWN DUE TO THE AMBIGUITY OF "TOMBST" IT ALSO GENERAL THROUGH CENTER OF PROPERTY AND IS 10 FEET IN WIDTH.
- B. SITE ADDRESS IS 383-417 ANTON DRIVE E., LINDEN, WA 98048. ADDRESS' PARCEL NUMBER IS 40030484000000.
- C. UTILITIES SHOWN ON THIS MAP ARE VISIBLE ONLY. UNDERGROUND (E.G. LINES) MAY EXIST BUT ARE NOT KNOWN OF BY THIS SURVEYOR. CALL FOR LOCATES BEFORE DIGGING.
- D. BOYS IN BUILDING AND UTILITY FEATURES NOT SHOWN IN CHAINED LINE POSITION, NOT ACCESSIBLE BY SURVEYOR.
- E. STORM DETENTION FACILITY OVERFLOW AND PAVEMENTS NOT LOCATED IN TITLE REPORT DOCUMENTS.

SURVEYOR'S CERTIFICATE
 I DO HEREBY CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2013 PROFESSIONAL STANDARDS DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS, IDENTIFY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 4, 5, 6, 8 AND 11(a).
 THE FIELD WORK WAS COMPLETED ON OCTOBER 20, 2015.
 DATE OF PLAT OR MAP: OCTOBER, 2015

BRAND, CHRISTIE, P.L.L.C. (LS 11997)
ALTA/ACSM SURVEY
EXISTING CONDITIONS

CHRISTIE & CHRISTIE
 LAND SURVEYING INC.
 232 GRAND AVE., SUITE 107
 BELLINGHAM, WASHINGTON 98225
 PH. # 360.671.8855 FAX # 360.671.8823
 chris@ccsland.com

PREPARED FOR: HOLLANDER INVESTMENTS, INC.
 119 N. COMMERCIAL ST., SUITE 165
 BELLINGHAM, WA 98225

DATE: NOV. 3, 2015 DRAWN BY: JCA JOB NO. 201510205
 SCALE: AS SHOWN CHECKED BY: BDC ALTA-ACSM SURVEYING SHEET 1 OF 1

16-49-2E NW COR. SEC. 16-49-2E
 16-49-2E
 RECORD POSITION



PLANNING COMMISSION MEETING MINUTES

7:30 PM October 10, 2019

City Hall Annex

1. CALL TO ORDER

2. ROLL CALL

Present: Diane Veltkamp, Gerald Veltkamp, Blair Scott, Lynn Templeton, Brett Kok and Bryan Korthuis

Absent with notice: Tim Faber

Staff Present: Gudde, Planning Director and Samec, City Planner.

3. APPROVAL OF MINUTES

A. September 12, 2019

Scott motioned to approve the September 12, 2019, Planning Commission Minutes as submitted. Seconded by Korthuis and the motion passed 5-0.

4. PUBLIC HEARING

A. PRD Amendment #19-01, RB Development, 801 Aaron Drive, Lynden

Chairperson Veltkamp opened the public hearing.

Gudde addressed her memo dated October 4, 2019 and stated that the RB Development Planned Residential Development (PRD) was originally approved in 1994. It encompassed 28.7 acres of property located between Badger Road and Aaron Drive and stretched from Bender Road to Vinup Road. The request is specific to the Parkview West Apartments, however, will affect the PRD in whole.

The development was planned to accommodate apartments, an assisted care facility (Lynden Manor), town home units, and 4-plex condominiums for a total of up to 437 units. Since its original approval in 1994 the PRD was amended a number of times. Amendments addressed a variety of issues including the inclusion of the Christian Healthcare Center rather than apartments, street construction, setback revisions, and height limit revisions.

The pending amendment to the RB Development PRD seeks to establish a new perimeter (front) setback for the Parkview Apartments parcel, revise an existing storage requirement, and reestablish a previously approved height limitation of 45 feet.

These amendments are needed to facilitate the applicant's proposal of a 5-story building geared specifically to senior living. The apartments are planned to be studio and one-bedroom units. The proposed building has a central elevator and shared amenities. The existing apartments on the site will be maintained as well as the shared green space at the center of the project. The applicant proposes that the project could provide support housing for residents of the next-door Christian Health Care Center. On a larger scale, the applicant asserts that senior housing of this scale is needed in the Lynden area.

Staff has concluded that the intent of the proposed amendment of the RB Development PRD may be consistent with the original RB Development PRD in that:

- It does not exceed the original approved number of units.
- It provides housing which compliments the adjacent skilled health care facility.
- Amenities are available nearby in that the proposed housing can benefit from the commercial services of Bender Plaza, recreational space at Bender Park, and the WTA bus line along Aaron Drive.

Staff has concerns related to the impacts of the project. Mitigating factors related to these impacts should be considered:

- The number of new units proposed at this location is likely to have off-street impacts to parking on Aaron Drive, parking lots intended for Bender Park users, and the parking lots of adjacent properties.
- The proposed building's physical relation to the streetscape. Specifically, having a 45-foot-tall structure within 15 feet of the property line.
- The proposed building's impacts to the existing site. This includes temporary and permanent impacts to the existing residents and the site. Including, but not limited to parking availability, garbage service, traffic interior to the site, and the literal shadow cast on the site and its recreational area.

Scott Goodall, PSE Engineering, 909 Squalicum Way, #111, Bellingham

Goodall is representing the property owners. Goodall stated that the PRD Amendment was originally approved in 1994 and has been amended several times since then. The PRD has predominately been built out, however, there is some opportunity for infill.

Goodall stated that the original PRD contemplated 437 units total, however, to-date only 258 have been constructed. The beds within the Christian Health Care Center were excluded from the total unit count.

The applicants are proposing a 50-unit 5 story senior housing facility which will include studio and 1-bedroom units, centralized hot water, common laundry and efficient kitchens and bathrooms. The building will also have an elevator and a modern fire sprinkler system. The elevator is a need for a retirement facility. Goodall stated that 50-units is really the breakeven number to off-set the cost of the elevator.

Parkview West Apartments consistently has a waiting list for seniors requiring a no-step rise to their units. In addition, many seniors who are on a fixed income are drawn to downsizing and seek efficient spaces. Goodall stated that there is a housing shortage for this type of development and vacancy is very low. Multi-family units are needed and this project will help with the shortage.

The location is great as it sits next to Bender Plaza which offers many amenities within walking distance as well as its proximity to Bender Fields.

Goodall stated that there are a lot of architectural features associated with the proposed building. This addition will update the area and will be a benefit to the community. Most of the existing commercial buildings near by are above average aesthetically, but that is not the case of the existing Parkview Apartments. The existing façade is lacking in appeal and the proposed remodel will vastly improve the buildings appearance.

The request for the setback reduction is necessary to infill in the area. Only half of the building will be within 15-feet as the building elevation steps forward and back. The setback for the other half of the building will vary from 20–30 feet. The units are as small as they can be. As for tenants, there are no plans to displace any existing tenants.

In addition, the amendment is asking to go back to the original height of 45-feet. The height is needed to house the 50-units. The requested open space reduction is to accommodate the additional parking necessary. The applicants are also asking to remove the requirement to have storage units in the parking area as the LMC does not require it.

As mentioned above, this is a great location for infill. The proposed expansion / infill will result in a reduction of environmental impacts compared to development on a vacant piece of land. The project as proposed disturbs no critical areas, has no shoreline impacts and does not displace farmland. It is a responsible project.

No parking variance is necessary as the plan meets the City of Lynden Parking Code.

The project is also proposing to include a designated loading and drop-off zone along Aaron Drive.

D. Veltkamp asked Goodall to clarify the unit count within the PRD, specifically why the Christian Health Care Facility was not included? D. Veltkamp stated, if you included the HC Center you would be at 406 units plus what you are requesting which would actually be over the allowable count. Goodall replied that skilled nursing facilities are not typically treated as the same. D. Veltkamp stated that she is not comfortable with the units not being counted. The residents at that location do live there fulltime and it is their home.

Templeton asked about the underlying zone. Staff replied, the underlying zone is RM-3.

Templeton asked for clarification regarding the storage requirement. Goodall stated that each unit within the Parkview Apartments was required to have a 32 square foot storage unit. Staff stated that the proponents are asking to not continue that requirement for the new units as code does not place specific outside storage requirements on developments.

Templeton also asked about the request to re-establish the height at 45-feet. Gudde replied, one of the amendments that occurred reduced the interior setbacks at the Parkview Apartments as long as the setback was limited, and height was to remain at 2 stories.

Templeton asked about 11 (e) of the Staff Report and asked what are "reasonably related public improvements?" Guide replied, reasonably related public improvements are bus stops, drop off area, replacement of any street trees etc.

Mark Hollander, 359 E Wisner Lake Road, Lynden

Hollander is the owner and developer of the proposed project and stated that the number of units within the entire 30-acre PRD is extremely low density. 30 years ago that was an appropriate density, however, today infill is acceptable. No one can deny that the City needs more multi-family development. Infill of land and providing multi-family development is a mandate for the City. This is an amazing opportunity to create very special housing in a great location. This is a tight spot and getting an elevator in a building with 50-units is a challenge, however, it can be done. The building has been designed to minimize the impact. We have looked at several options and there is not much more that can be done to manipulate the building.

Hollander stated that this is not over densifying the area, it is a very appropriate use. Would like to see even more density across the street, near Sonlight Church.

Hollander mentioned that the building will be restricted to 55 plus. There will be a secured area at the entrance as well as a common area on the top floor for the residents to share. There will also be a common laundry facility.

Hollander stated that the existing units within the complex include 1, 2 and 3 bedroom units. The unit sizes are larger than most in the area with an average size of 1000 square feet. There are many families in this building and this is an ideal location for seniors.

There was brief conversation about impacts to the existing units. As an owner and developer, Hollander stated that he has to weigh the pros and cons of a few units losing a couple of windows vs. the creation of 50 new units for the community.

Regarding the front setback, it is easy enough to say just move the building back, however, moving the building back will require me to take out units and it becomes very expensive and this type of use is best with an elevator.

Adding the extra units is not dense for this area. It is comfortable living for everyone. In addition, reducing the green space by only 5% from (30%-25%) is remarkable. The proposed request is very efficient in every way.

Scott asked about parking. Hollander stated that we are meeting the parking code.

Speaking in favor

Len VanderVelden, 1225 Front Street, Lynden

VanderVelden appreciates the time that the Commission gives to the community.

VanderVelden stated that he has no interest in the project other than the fact that he thinks it is a good fit for Lynden. The location is great. The building would no doubt be a great place for seniors. VanderVelden is in favor of good planning and hopes that the City looks favorably upon the request.

Speaking in opposition

Robin Walker, 801 Aaron Drive, Lynden

Walker handed out information to the Commissioners. Walker stated that it is very clear that this proposed plan is not in line with the existing PRD. Over the years, the City of Lynden has been diligent to the development and growth of the City. City Planning efforts have been great and the neighborhood surrounding Bender Fields is a great example. To allow this proposal would bring a halt to the careful planning of the PRD.

This proposed development will bring more negatives than positives to the quality of life of the neighborhood. The greatest impact of this project will be felt by the residents. The project will result in the loss of privacy and access to Aaron Drive and Bender Field. The blocking of the south end will create a canyon like courtyard decreasing privacy and sunlight. The residents on the south end will also lose a window and will have an increase in noise from the outer stairwell.

The multi-story project will overshadow and obstruct views while creating a hotel like environment. On-site parking will increase with the loss of shrubbery and landscaping. There will be additional concern for on-site traffic creating a safety concern for children, there will be an increase to the already busy traffic flow on Aaron Drive, there will be an increase in street parking which is a safety concern and the new building will be a detriment to views etc.

If approved as proposed, it will set a very deliberate precedent and change the direction of planning management for the future of Lynden.

Karen Jimison 817 Aaron Drive, Lynden

Question regarding access to the Fire Hydrants. Gudde replied that the new development will meet all fire requirements.

Patrick O'Neill, 12823 South Fairway Ridge Lane, Spokane

O'Neill is the CEO of the Christian Healthcare Center. O'Neill stated that he is neither in favor or opposed to the project.

O'Neill would like to confirm that there are 142 licensed beds in the center. Thank you for clarifying that we have residents not patients.

For clarification, O'Neill asked if the max unit count was 50 or 51. Goodall replied, 50 is the max. Gudde stated that the original application did note 51 units, however, that was in error.

O'Neill stated that he likes the concept and there are a lot of positives to this type of use. O'Neill expressed concerns regarding the evacuation procedure of elderly people located within a 5-story building, parking for guests of the additional 50 apartments as well as concerns for parking lot safety.

The center and the apartments do have a difficult time getting in and out of their parking lots when there are activities at Bender Field. If the project is approved, there will be a need for some sort of relief to help with the safety.

Ron Hendricks, 923 Aaron Drive Unit 110, Lynden

Hendricks lives less than 100 yards from the proposal. A 5-story building does not fit into the neighborhood. A 2-story building would be a better fit. There is a definite need for senior housing, however, this is not the best location for something of its size.

Lynn Hicks, 801 Aaron Drive, Lynden

Hicks has lived in this location for 10 years and her unit is one that will be impacted by the new addition. The area is already so busy, safety is a concern for the children.

Hicks asked how long it will take to build the proposed building. There is not enough parking now, how will it be if the request is approved?

Hicks loves living at the apartments, there is a neighborhood feel and she does not want to see it change.

Pat Young, 801 Aaron Drive, Lynden

Young has lived there for 17 years and has been waiting for a one bedroom to become available. It is home now and if this is approved it won't be anymore.

Hollander addressed the Commission and stated that the south side units will be impacted by losing one of the two windows located in the bedroom.

Hollander is in favor of better security and safety and is willing to do what he can to make it better.

Hollander agreed that there is a lot of activity across the street and yes there can be congestion in the area, however, maybe a pedestrian crossing would help the situation. Parking is a solvable concern and we are willing to do what it takes. As for a safety plan for the residents, it is a must and we will provide that.

Hollander addressed the construction timeline and stated that he would like to begin roughly during the Spring of 2020 and will take about one year to construct.

Hollander addressed the noise and traffic concerns and stated that it could be argued that the proposed building will create a buffer for the people in the courtyard. With regards to privacy, the windows proposed at the back of the building is a hallway and the views and eyes are to the south. There will not be too many privacy issues. Hollander will do his best to address everyone's concerns and will try to solve problems and opposition as best as he can.

Templeton motioned to close the public hearing. Seconded by Scott, and the motion passed 5-0.

D. Veltkamp gave some history as she was on the Planning Commission in 1994. The PRD was designed for multiple buildings to house a number of different uses. The applicants originally wanted 3 story buildings at 45-feet in height with a 45-foot setback. The preference was to have a decent setback and a lower building height all in proportion with the neighborhood. Through all of the amendments, the setbacks and heights were held tight and consistent. If the units were going to ever go back to 45-feet in height, then the setback would need to remain at 45-feet. The reason storage units were required was because there are no garages and the Commission wanted to allow for a place to store any additional equipment to keep the complex neat.

The Commission reviewed the minimum standards outlined in LMC 19.29.060(J) and has found that the request *does not* satisfy the criteria listed below:

1. The modification of minimum standards protects or improves the character of the surrounding neighborhood in terms of architectural scale, view corridors, the aesthetic character or provision of services. The Commission replied, no.
2. The modification of minimum development standards protects critical areas and the environmental quality of the parcel(s) to be developed. The Commission has not been given any information that says the proponents are not.
3. The modification of minimum standards is necessary to permit reasonable development as a result of unique characteristics of the property or the proposed uses. Templeton stated, other than wanting to add 50-units, there are no unique characteristics of the

property? G Veltkamp stated that there is not a unique characteristic here, that would be a creek or critical area, something that you do not have control over.

4. The modification of building height (subject to 19.29.060(2)) or building setbacks where reasonably necessary due to arrangement of buildings and open spaces as they relate to various uses within or adjacent to the planned development; provided that any such modification shall be consistent with subsection (A) herein. The Commission replied, no.
5. The modification of minimum standards is adequately mitigated by reasonably related public improvements proposed in connection with the planned development. The Commission replied, no.

In addition, the Commission reviewed LMC 19.29.110, and found that the request does not meet the design criteria.

G. Veltkamp understands the concept, however, feels that the proposed building is too high and too close to the street. G. Veltkamp hesitates to give much more than a 25-foot setback and feels that 32-feet in height is enough.

Scott appreciates the need however, it feels forced and does not feel like it is adding to the neighborhood, feels more like it is cramming something in.

Kok stated that it is impressive that they can build and additional 50-units with only losing 5% open space. Does agree that the request would serve a huge need. For Kok, the height is not a concern, however, is a bit concerned with how close it is to the street. Requiring storage units is not an issue as that requirement is not a city code. It was unique to the PRD and it seems strange to require it now.

Templeton stated that the application does not meet the requirements of the PRD.

Korthuis stated that this is tough as there is an overwhelming need for something like this in our community. Agrees that the location is a plus. Does not like that it blocks the existing apartment complex and it is very different than what is existing. The flow of the uses make sense, however, may not meet the requirements of a PRD.

If the City needs to infill somewhere, is this the best place? It poses an excellent opportunity in the proposed location, the transition of housing all makes sense, its just difficult.

D. Veltkamp hopes that there is a way to do this without the magnitude. Could it be on a smaller scale, located behind the existing building? Too bad that there is an empty building behind this parcel. D. Veltkamp is concerned with setting a precedent.

Templeton motioned to recommend denial of the RB Development PRD Amendment #19-01, as presented, according to the findings, conditions and recommendations of the Technical Review Committee Report dated September 17, 2019. Seconded by Scott, and the motion passed 5-0.

The Commission agreed that intent is good. Scott indicated that it needs a better flow with the surrounding area. The building looks nice it is just too large.

Kok stated that the height is reasonable, his only concern is how close it is to the front setback.

5. COMMISSIONERS CORNER

Next meeting will be on October 24th and will be looking at a Conditional Use Permit and Development Agreement.

The November 7th or November 21st agenda will include the Flood Hazard Overlay and the Pepin Creek Sub-Area Plan. Staff to confirm November date with the Commission.

6. ADJOURNMENT

Motion to adjourn by Kok / Second by G. Veltkamp. Meeting adjourned at 9:35 pm.

CITY OF LYNDEN
PLANNING COMMISSION RESOLUTION #19-04

ORIGINAL

A resolution of recommendation for denial of the PRD Amendment # 19-01 for RB Development, to the Lynden City Council.

WHEREAS, Pacific Surveying and Engineering, Inc, hereinafter called the "Proponent," submitted a complete application to the City of Lynden, hereinafter called the "City," for an amendment to the RB Development Planned Residential Development.

WHEREAS, the Proponents have provided the City with an affidavit of posting for the notice of application and public hearing in three locations near the subject property, and the receipts for the certified mailing of said notice to all property owners within three hundred feet of the subject property; and

WHEREAS, the application was determined to be complete on July 31, 2019, and the notice of application was published in the Lynden Tribune on August 14, 2019; and

WHEREAS, the subject parcel is approximately 3.17 acres and is located within the RB Development Planned Residential Development.

WHEREAS, the PRD Amendment request is asking to amend the RB Development / Heritage Park PRD to allow a building expansion that includes an age-restricted senior housing facility including 50 additional units in a 5-story apartment building. The proposed building is approximately 23,375 square feet excluding the exposed stair, elevator shaft and roof top deck.

WHEREAS, the Lynden Planning Commission held a public hearing on October 10, 2019, at the City of Lynden, City Hall Annex, 205 4th Street, Lynden, Washington, to accept public testimony on the proposed PRD Amendment request, and that meeting was duly recorded;

WHEREAS, the City's Technical Review Committee has reviewed the request for the Amendment and has provided findings, conditions and recommendations to the Planning Commission in a report dated September 17, 2019.

WHEREAS, the Lynden Planning Commission has reviewed the request for the proposed PRD Amendment as required under LMC 19.29.060(J) and LMC 19.29.110 and has found that the request *does not* satisfy the criteria listed below:

1. The modification of minimum standards protects or improves the character of the surrounding neighborhood in terms of architectural scale, view corridors, the aesthetic character or provision of services;
2. The modification of minimum development standards protects critical areas and the environmental quality of the parcel(s) to be developed;
3. The modification of minimum standards is necessary to permit reasonable development as a result of unique characteristics of the property or the proposed uses;


4. The modification of building height (subject to 19.29.060(2)) or building setbacks where reasonably necessary due to arrangement of buildings and open spaces as they relate to various uses within or adjacent to the planned development; provided that any such modification shall be consistent with subsection (A) herein;
5. The modification of minimum standards is adequately mitigated by reasonably related public improvements proposed in connection with the planned development.

NOW THEREFORE, BE IT RESOLVED by the Lynden Planning Commission to recommend *denial* of the request to amend the RB Development Planned Residential Development.

PASSED by the Planning Commission of the City of Lynden, Whatcom County, at their meeting held the 10th day of October 2019.



Diane Veltkamp, Chairperson,
Lynden Planning Commission



Heidi Gudde, AICP
Planning Director