



Date Issued:	June 18, 2019, Updated June 24, 2019
Project Name:	Rezone - Rosewood
Project Description:	The applicant is requesting a rezone from Single Family Residential (RS-100) to Multi-Family (RM-2)
Applicant:	Gene Bouma
Property Owner:	Gene Bouma
Site Address:	The northwest corner of 19th Street and Main Street
Parcel Number:	400319-103461
Parcel Size and Zoning Designation:	0.69 acres currently zoned single-family RS-100
Hearing Objective:	To determine whether the proposal meets the criteria listed for a site specific rezone.
Date application determined complete:	May 16, 2019
Date of Publication:	May 29, 2019
SEPA Determination:	MDNS Issued June 14, 2019

Summary

The property owner is seeking to rezone this property from Single-Family Residential (RS-100) to Multi-Family (RM-2) and has conceptually proposed the construction of two 4-unit multi-family buildings.

Staff recognizes the following opportunities associated with the proposed shift from single-family residential to multi-family residential zoning:

- a. The rezone action would recognize the unique characteristics of this corner parcel which was formerly part of the adjacent church campus and shares no property lines with lots which are or will be used for a single-family home. Additionally, the property is constrained by an existing utility easements.
- b. The rezone provides an opportunity for infill within the City of Lynden and offers a housing type which has been successfully integrated into the Main

Street corridor. Examples include Wood Creek Manor and Oak Wood Apartments, both of which are in close proximity to the subject property.

- c. Establishment of a low-density multi-family (RM-2) on this parcel acts as transitional zoning adjacent to an arterial street.
- d. Locating multi-family housing on an established transit route (WTA bus route) is supported by the City's Comprehensive Plan - transportation goals.

However, additional information related to the following aspects of the application should be provided:

Planning Department Comments

1. *Criteria for Approval: 6-24-19 update. Applicant has responded to this comment with written justifications for the proposed rezone. Please see attached.* Care should be taken to consider potential impacts to the surrounding properties and the City as a whole and mitigate as needed. This includes additional the potential for additional traffic demands, building scale, and potential conflicts in land use.

To grant this request, the Planning Commission and City Council must find that the application satisfies each of the criteria listed within Section 17.09.050 of the Lynden Municipal Code:

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

Provide a written response to each of these criteria. Responses will be included in the application package reviewed by Planning Commissioners and the City Council.

2. *Public Input:* Please note that a number of neighboring property owners have provided written comments on the proposed rezone and are available for review.

Staff recommends the applicant be prepared to respond to these comments at the public hearing.

Advisory Comments – Planning Department

3. *Zoning Designation - Permitted Uses:* Be advised, Residential Multi-Family (RM-2) allows up to 4-units per building and is subject to the permitted uses and standards as described in LMC 19.17 including a maximum building height of 32 feet.
4. *Design Review:* Multi-family construction is subject to Design Review Board approval prior to permit approval.
5. *Zoning Buffers and Street Trees:* Per LMC 19.61 a Type IV landscape buffer, 10 feet in width, is required at the perimeter of multi-family properties which border single-family properties. In addition, future development will require compliance with Chapter 18.14.130 regarding street trees and planting strips. These aspects of design must appear in the Design Review Board submittal package.
6. *Transportation Impact Fees:* Be advised, transportation impact fees will be due at the time of permit. The current rate of this fee is \$1309.00 per unit.
7. *Landscape Bonding:* Be advised, performance and maintenance bonding will be required for the landscape installed at the time of development. This relates to street trees and any required landscape buffer. Bonds are due prior to issuance of final building occupancy.
8. *Environmental Review:* Conditions associated with the SEPA review (SEPA 19-06) which was conducted concurrently with this application will apply to the proposed development.

Advisory Comments - Public Works Department

9. *Infrastructure Improvements:* Be advised, at the time of future development, all public improvements must be constructed to the current standards as noted in the City of Lynden Manual for Engineering Design and Development Standards.
10. *Stormwater Management:* At the time of future development, all plans must be designed and constructed in compliance with the Department of Ecology's Best Management Practices and the standards approved in the Manual for Engineering Design and Development Standards. Storm drainage report per the City of Lynden and the Department of Ecology standards required.
11. *Stormwater Management:* Be advised, at the time of future development, a stormwater management plan prepared by a professional engineer will be required for this development and must be approved by the City of Lynden prior

to approval of construction plans. An erosion control plan must be included in the drainage plan and construction plans as necessary.

12. *Access:* Access will be permitted to/from 19th Street only. No access on Main Street allowed.
13. *Water:* If future plans include the creation of a condominium, the City recommends that each unit must be individually metered.
14. *Sewer:* The existing sewer easement which cuts diagonally across the corner of the property may not be impacted, obstructed or reduced in any manner.

Advisory Comments - Fire and Life Safety

15. *Fire Code:* Future Development will require full compliance with the Fire Code.
16. *Fire Impact Fees:* Be advised, fire impact fees will be due at the time of permit. The current rate of this fee is \$389.00 per multi-family unit.

Advisory Comments - Parks and Recreation

17. *Park and Trail Amenities:* Future development may require participation and or easements for trail system and parks. Connections to trails and parks will be reviewed at the time of Design Review Board approval.
18. *Park Impact Fees:* Be advised, park impact fees will be due at the time of permit. The current rate of this fee is \$546.00 per multi-family unit.

Korene Samec

From: Gene Bouma <boumagene@gmail.com>
Sent: Tuesday, June 18, 2019 2:46 PM
To: gene bouma; Korene Samec
Subject: Re: Emailing: Rosewood TRC Report

Korene,

This is an outline of my presentation for the Rezone request.

I have answered your questions of 17.19.050 at the bottom of this page.

If you need it in any other format or I have overlooked some points, please let me know.

I will stop by soon to look at neighborhood comments and to make sure everything is right in my application.

Thank for support and help.

Gene

My name is Gene Bouma

I have been a real estate developer for over 45 years, beginning with my first duplex at 1711 Front Street. Oakwood Apts was developed by my firm over 35 years ago. Some of you live nearby and I am sure you don't even know it exists. For a number of years it has been one of the most desirable housing projects within the City.

I have also developed and built numerous single family homes and multifamily projects and subdivisions. An example of my work would be Bellaire Estates, Smith Road; Silverado one- acre estates, Bayview Plaza Blaine, Washington Plaza Ferndale.

I am here tonight requesting the City of Lynden rezone a small parcel of land at the corner of 19th and Main St. The reasons for the rezone are compelling, fitting well into the City's comprehensive plans for housing within the City.

REASON 1

The parcel is located on a corner with main arterial street to the South, providing natural buffers to the surrounding homes.

REASON 2.

There is a storm sewer drainage pond to the North providing a buffer to the single family lots to the North. Single family homes to the North and East will not be impacted by the increased density.

REASON 3.

There are several large and small multifamily units/rezones in the neighborhood, across the street and along Main Street. These multifamily housing projects and rezones have been successfully and deliberately integrated into the single family community throughout the City of Lynden for decades.

Our project fits exactly into the City's plans and patterns.

REASON 4.

A large multi-use adjoining property to the West and North contain a Community/Church/School/Service Center.

Multifamily is a perfect transition and buffer when adjoining such uses.

REASON 5.

The site has a large sewer easement cutting through the South end, requiring some kind of variance to fully utilize the property.

REASON 6.

This is a ideal "in-fill" property for increasing density.

According to the Growth Management Act, the City of Lynden has many mandates to increase densities and development/construction of multifamily units within the City. The city is required to make efforts to increase the "overall" densities within the City, supporting multifamily development. The City is to increase their density goals moving towards 40% multifamily. The UGA (urban growth area) stated that the City "has capacity to hold that many homes and units." One of the challenges is to attempt to maintain neighborhood character and "promote" increased density. (3.5 Housing density and design). This project meets this goal, providing multi-units and requiring a design that fits in with the neighborhood.

The City of Lynden's Comp Plan also has goals and mandates that the City's overall density is to increase to meet UGA goals.

On page 10 of the Comp Plan the housing goals and policies are set forth. Our project meets nearly all the goals and policies of this plan.

Goal H-1 "Maintain and enhance the quality of existing neighborhoods."while increasing density and the number of units with in the City.

Policy 1.1 Establish standards for "in-fill" development that ensure compatibility with the character of existing neighborhoods.

This project would have very little impact on the surrounding homes. There is NO direct contact with any homes or yards.

Policy 1.3 Provide buffers between commercial, industrial or high density land uses and existing residential neighborhoods.

We have natural buffers such as a pond and streets.

Goal H-2 Provide a mix of single-family and multifamily homes that achieves the density necessary to accommodate the projected population growth over the 20 year planning period. We are adding to the much needed housing supply with this rezone.

Policies

2.1 "Zoning should be applied to ensure that future residential development over the planning period is composed of approx 60% single family and 40% multifamily". This project is helping to accomplish that mandate.

Goal H-3 "Provide for a wide variety of housing types..."

Policy 3.1 "Allow multifamily to be dispersed throughout the City." Our project meets this goal exactly.

Policy 3.3 "Provide zoning that allows for mixed density neighborhoods". Our project meets this goal exactly

Policy 3.4 "adequate reasons for such designation" There are a number of reasons outlined in our application that provides reasons the City should allow the density increase.

Policy 3.9 " Redevelopment or infill development that creates new multifamily housing should be permitted at the fringes of

existing industrial and commercial areas" Our project meets this goal exactly.

Goal 4 "Establish standards to ensure its compatibility..."

We will meet this goal and policies by working with the City to develop and design the project to integrate into the neighborhood, provide buffers, fences, green belts and architectural elements that accomplish enhance the neighborhood.

Criteria for approval of Site-specific rezone.

A. The neighborhood has changed since original zoning with the development of the Church/School/Offices complex and the development of the single family near by. The neighborhood has become more of a commercial center and introduction of multi-family housing would be a natural and desirable change.

B. The site is with in the Sub Area planned for residential.

C. The proposal is consistent with the City's development codes and regulations for the zoning proposed. The RM 2, Medium density zone will allow the 2 four-plexes to easily fit on the site with all the building requirements

D. The site-specific rezone is totally compatible with the surrounding commercial uses, adjacent busy streets, drainage pond and other multi-family projects in the neighborhood.

E. The proposed rezone will promote the general welfare of the community by providing much needed multifamily homes on a site that meets all the goals and policies of Urban Growth Area plan and the City's Comprehensive Housing Plan.

On Tue, Jun 18, 2019 at 9:56 AM Korene Samec <Sameck@lyndenwa.org> wrote:

Hi Gene,

Here is the TRC Report for your Rosewood Rezone request. Please review and bring with you to TRC on Thursday. Please feel free to call if you have any questions. We can be reached at 354-5532.

Also, you are third on the agenda for Thursday's TRC, so you can show up closer to 9:30-9:40.

Thanks!
Korene

Your message is ready to be sent with the following file or link attachments:

Rosewood TRC Report



City of Lynden

Rezone Application

RZ# 19-01
RND9262

Applicant Information

Name: Gene Bouma
Address: 4600 Guide Meridian Rd, B'ham, WA
Telephone Number: 360-220 6508 Fax Number: _____
E-mail Address: boumagene@gmail.com

Application is hereby made for a rezone as follows:

Type of Rezone Requested:

Current Zoning Designation: SF 10K Proposed Zoning Designation: Rm 2

Attach narrative explaining the reason for the request / zoning change
see attached 'A'

Property Information

Address: Corner of 19th + Main St

Legal Description: (Attach Additional Sheets if Necessary)

see attached 'B'

Property Size: 100 x 300

Total Square Footage: 30,000 Total Acreage: 3/4 acre 0.69

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

Applicant's Signature: G Bouma Date: 2-20-19

rec.
4/19/19

Pre-application meeting date: 3-7-19

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

Fee's (RZ \$375.00 or Final Review Cost) date paid: _____ receipt # _____

REASONS FOR REZONE Attachment "A"

The property is ideally located and situated for multifamily property. A drain pond flanks and buffers the property on the North side. Single family owners to the North and East will not be impacted with the increased density.

There are many multifamily units in the immediate neighborhood to the South and East.

A large adjoining property to the North and West contain a large Community/Church/Service Center/School Building. The Commerical/Community use makes multifamily housing an ideal buffer between the single family to the North and West.

A large sewer easement cuts diagonally across the South end of the property requiring some kind of variance to fully utilize the property.

This is an ideal "in-fill" property for high density.

CITY BIBLE LOT LINE ADJUSTMENT / LOT CONSOLIDATION

A PORTION OF GOVERNMENT LOT 1, SECTION 19, TOWNSHIP 40 NORTH, RANGE 3 EAST OF .W.M. WITHIN THE CITY OF LYNDEN, WASHINGTON

SURVEYOR'S NOTES:

1. "O" DENOTES 5/16 INCH REBAR WITH 1 INCH PLASTIC CAP MARKED "COMPASS POINT LS 32430" SET BY THIS SURVEY IN JANUARY OF 2016.
2. "•" DENOTES LOT CORNERS FOUND BY THIS SURVEY IN JANUARY OF 2016.
3. "⊙" DENOTES BRASS DISC IN CONCRETE FOUND BY THIS SURVEY IN JANUARY OF 2016 AND HELD FOR STREET INTERSECTION MONUMENTS.
4. THIS SURVEY WAS PERFORMED BY STANDARD FIELD TRAVERSE USING A LEICA TCPRP 1203 TOTAL STATION WITH AN ALLEGRO CX DATA COLLECTOR/FIELD COMPUTER IN JANUARY OF 2015.
5. THIS SURVEY TIED INTO STREET MONUMENTATION AS SHOWN AND RELIED UPON "LYNDEN BUSINESS PARK AND WORD OF LIFE SHORT PLAT" FILED UNDER A.F. No. 1488046 AND "O'NEIL'S ADDITION - DIVISION 1" FILED UNDER A.F. No. 901130041 FOR DIMENSIONS. THE BASIS OF BEARING FOR THIS SURVEY IS THE CITY OF LYNDEN SURVEY MONUMENT NETWORK AS PER 19TH STREET LOT LINE ADJUSTMENT FILED UNDER A.F. No. 1980802228.
6. THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND MAY NOT SHOW ALL EASEMENTS THAT A CURRENT TITLE REPORT MIGHT REVEAL.



BASIS OF BEARING =
CITY OF LYNDEN SURVEY
MONUMENT NETWORK
AS PER 19TH STREET LOT LINE ADJUSTMENT
A.F. No. 1980802228

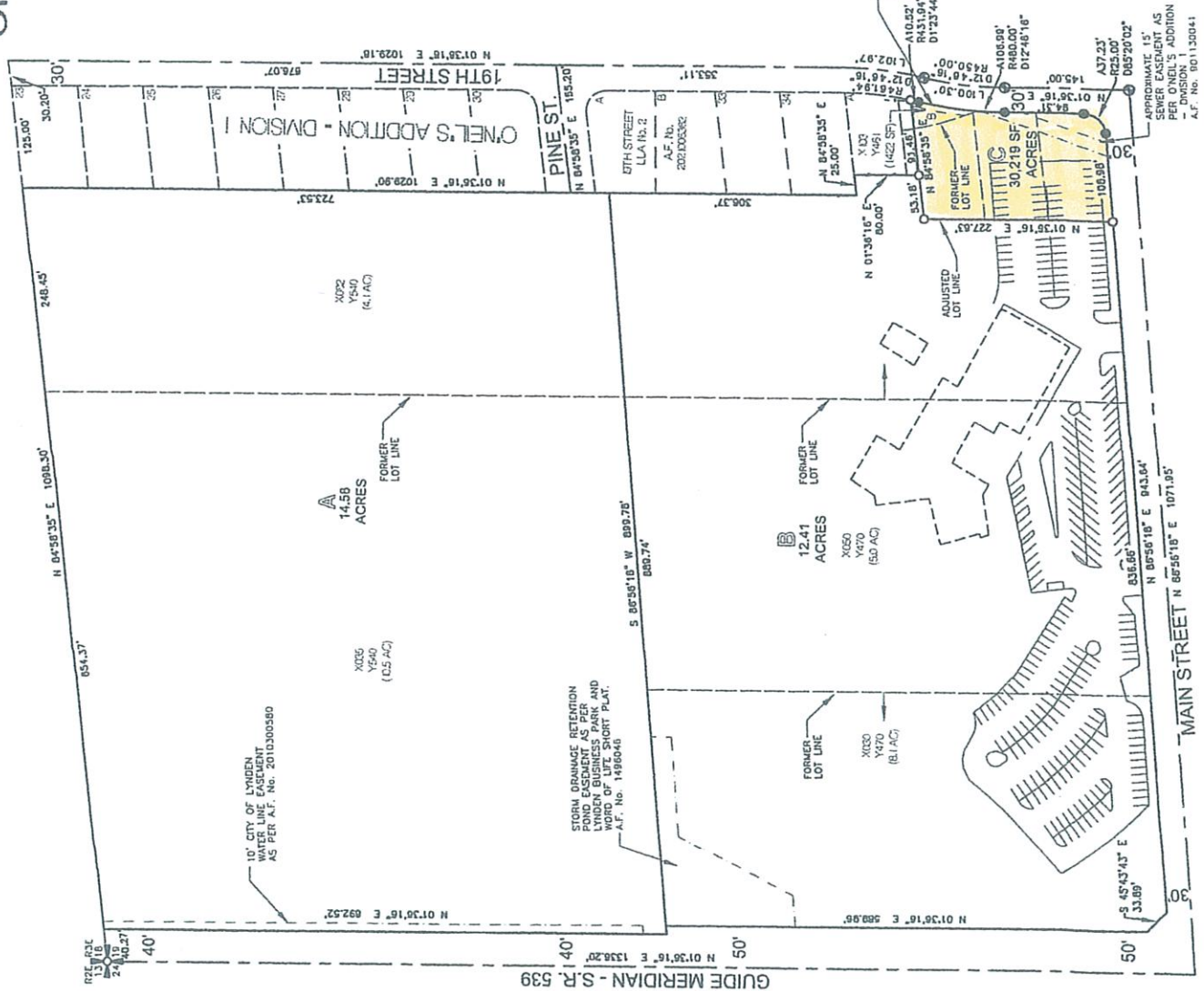
MAP NOTE:
PARKING, EDGE OF ASPHALT AND BUILDINGS ARE SHOWN FOR REVIEW PROPOSE ONLY. THESE ITEMS WILL NOT BE SHOWN ON FINAL RECORDED MAP.



SCOTT HARKSELL, L.S. 32430
523 FRONT STREET, LYNDEN, WA 98264
PH. 360.354.8320 FAX. 360.354.8321



Sheet: 2 of 2	Date: 01/04/16
Drawn by: RL	Drawing: CITY BIBLE Lot Line
Reviewed by: SH	Drawn by: EVA/AD/SH 07/11/14
	Cr. by: DHE/LS/CDD



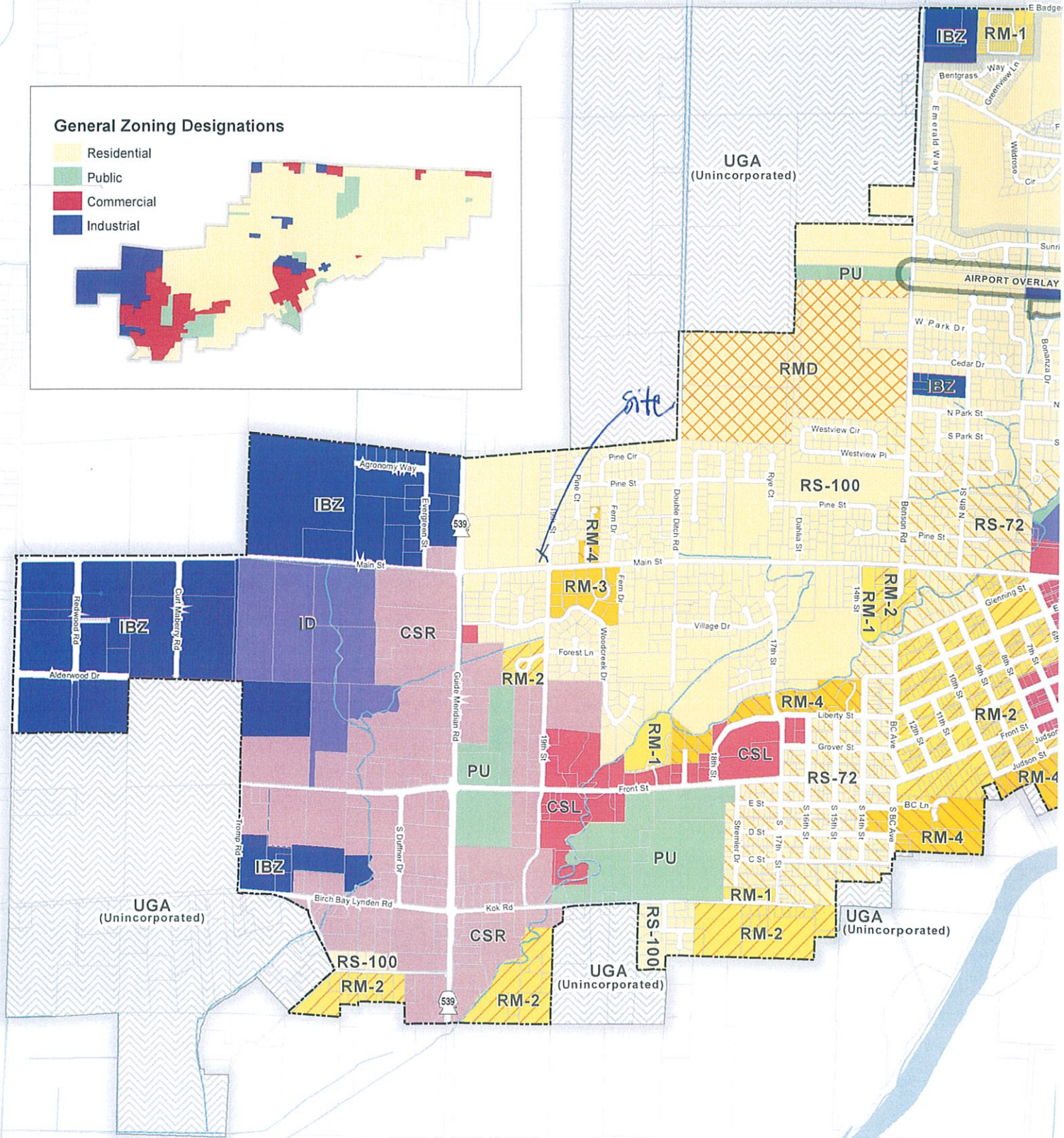
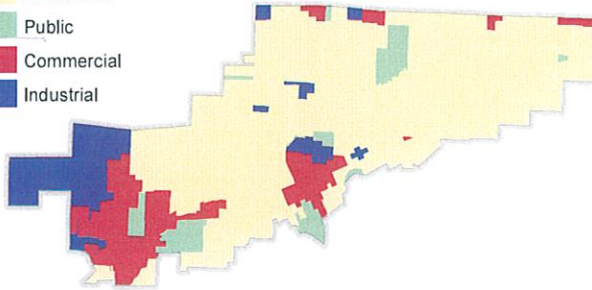
GUIDE MERIDIAN - S-R 539

Zoning

City of Lynden

General Zoning Designations

- Residential
- Public
- Commercial
- Industrial





Whatcom Land Title

2011 Young Street Bellingham, WA 98225
Ph. (360) 676-9484 Toll Free: (800) 334-6314

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

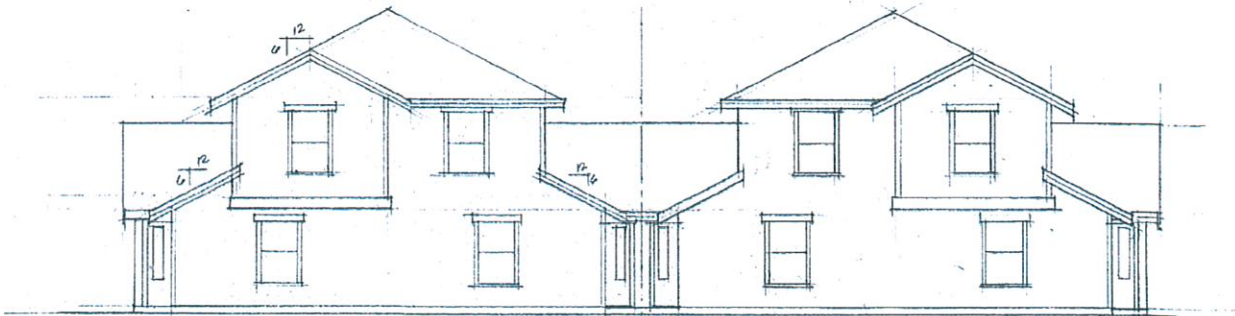
geoAdvantage
www.sentrydynamics.net

GENE BOUMA

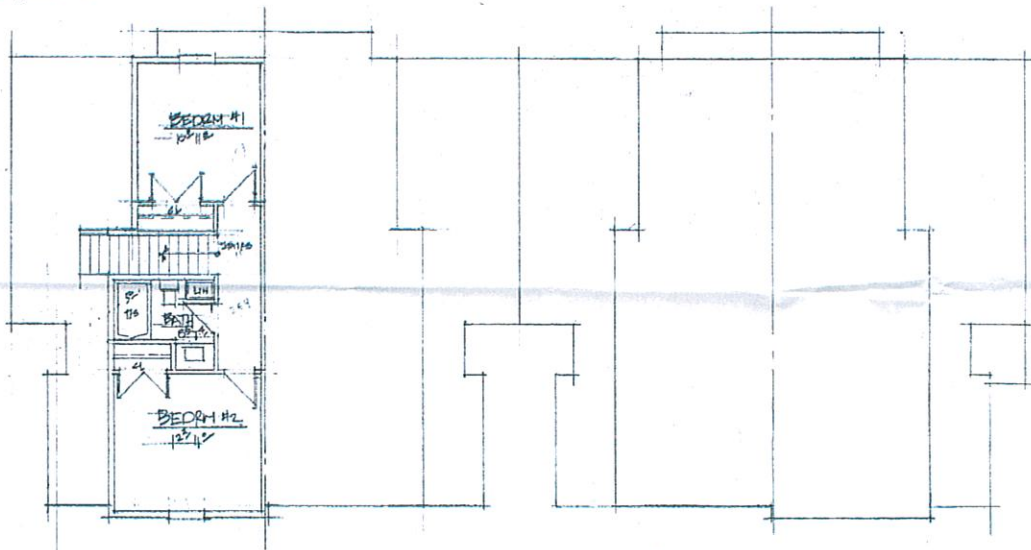
19TH STREET

JOB # 18.116

4.8.19



FRONT ELEVATION



SECOND FLOOR PLAN



6/10/19

Heidi Gudde,
City of Lynden Planning Director
300-4th St.
Lynden, WA 98264



Re: Request of rezone of 19th & Main Sts.

Living in the affected neighborhood, I am opposed to putting the two four-plexes at that corner and would like to see either two single family dwellings or two duplexes.

1. Traffic is already busy at that intersection and 8-16+ more vehicles using that intersection on a regular basis will have a significant impact. Plus single family homes and duplexes are more in keeping with the surrounding neighborhood.
2. City Bible Church will most likely further develop their large property, adding more to traffic and utilities usage.
3. This rezone with subsequent increase in traffic will likely necessitate need for a stop light or expensive roundabout at 19th and Main, especially since Meridian is in such close proximity and cars can easily back up.

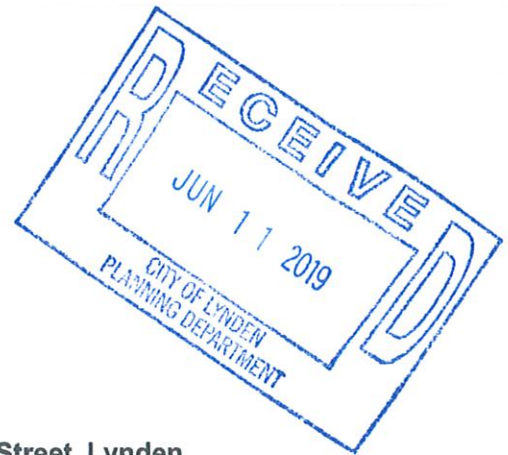
Development in this area, done wisely, can be an asset to our community. I urge caution in keeping density such that expensive traffic and utility adjustments are not required in the near future.

Thank you for your time and efforts on this project.

Sally Mickley
709 Woodview Ct.
Lynden, WA 98264

June 9, 2019

City of Lynden
Heidi Gudde, Planning Director
300 4th Street
Lynden, WA 98264



RE: Rezone of northwest corner of 19th Street and Main Street, Lynden

I'm writing to express concerns about the proposed rezone of the northwest corner of 19th Street and Main Street.

The provided "project description" is laughable in its lack of detail and in most of the assertions made, specifically that *"The proposed will have minimal impact on neighboring single family homes, due to the buffering by streets, commercial buildings and drainage pond."*

"Streets" are considered a buffer? The ability of a street to provide the benefits most would desire from a buffer (visual and sound) is negligible. "Commercial buildings" are considered a buffer? One can only assume that the "commercial buildings" in question are the former City Bible Church facility. This is truly a case of grasping at straws as these buildings provide absolutely zero buffer to any of the residential properties in the adjacent neighborhoods. A drainage pond is a buffer? Sadly, the fact that this is the most effective buffer outlined in the project description, yet consists of a seasonal pond surrounded by a short chain link fence, is quite telling.

Further, the assertion that the *"Building design will be in keeping with neighborhood character..."* completely misses the point that very little about the project itself matches the character of the neighborhood in any way.

RM-2 zoned property most commonly results in the construction of rental units and, based on the minimal documentation provided, in this instance it seems likely to entail two-story/apartment-style construction (again, please correct me if I'm wrong on either of these points).

Directly across the street ("buffer") from the property in question is 812 19th Street, currently valued by Zillow at around \$612,000. By contrast, the proposed development on the rezoned property will include, for example, carports - a design feature that's a complete mismatch with this home and even less valuable homes in the surrounding area. Using a rezone to devalue a home that's been part of the neighborhood for a generation to maximize the profit that can be squeezed out of a piece of land isn't right.

Is it a common and accepted practice in city planning to locate two such disparate types of residential properties in such close proximity?

I don't know the people who reside at 812 19th Street but I hope the City of Lynden takes into account the very real negative consequences this rezone will have on their property.

There is much proof in and around Lynden that demand continues to exist for single-family homes on property zoned RS-100, RS-84 and RS-72, including at busier, higher-traffic locations like the northwest corner of 19th Street and Main Street. MORE RM-1, RM-2, RM-3 and RM-4 zoning is not needed in Lynden, especially in established areas of the city. If/when more RM zoning is needed, there is (and will be for decades to come) ample opportunity to put it in areas where it was part of the bigger, long-term plan. Piecemeal changes in zoning result in a piecemeal feeling to a town and there seems to be little need to move further in this direction.

Finally, the increasingly heavy traffic at the intersection of 19th and Main needs to be addressed. Adding eight residences in a space zoned for three puts additional strain on an already overstrained intersection.

The City's clear desire to encourage high-density housing on the property that abuts the 19th Street neighborhood north of Main Street (and also impacting the neighborhood south of Main and West of 19th) is tiring. Penalizing long-time residents of a neighborhood generally made up of owner-occupied single family homes by relentlessly encouraging higher-density housing that's generally not owner-occupied is unfortunate. Even common sense ideas like locating RS zones closest to 19th Street and gradually transitioning to RM zones closer to Guide Meridian seem to have little support.

A more comprehensive and complete approach to the development of ALL of the property between Main, 19th and Guide Meridian would be appreciated by everyone in Northwest Lynden. There are plenty of solutions that could make all parties happy. Rezoning the property at the corner of 19th Street and Main isn't a good start and isn't part of a satisfactory solution.

Thank you for your time and consideration.

Respectfully,

Luke Wyatt
836 19th Street
lukewyatt@gmail.com



Mr & Mrs R.J. Tangeman
1961 Main Street,
Lynden, Washington
June 7, 2019

Heidi Gudde,
City of Lynden Planning Director,
300 4th Street,
Lynden WA 98264

Regarding the Gene Boma rezoning request for his lot at the corner of 19th & Main Street.

We strongly object to the rezone of this property from RS-100 to RM-2.

Our home is located directly across from the old City Bible Church .We support the existing uses of the old church buildings for school and amateur athletic purposes as this benefits Lynden . However, those uses have greatly increased the traffic flow on Main Street in front our house when school starting and letting out. Adding two 4-Plex's to a lot zoned for 2 single families, at the most, will certainly increase the traffic levels at the already busy intersection at the corner of his property. Getting on to Main street coming from either the North or the South right now can be a real challenge without the additional traffic this rezone would create. This would certainly hurt those of us who live close Mr Boma's lot.

Main Street is busy with a mix of commercial and residential traffic, which by the way may or may not be willing to stop when we cross Main Street on our daily walks. We, and others, walk the roads just east of there almost daily. Because there is no park in this area, these residential streets are used heavily for walking older people like us as well as by runners, and pet walkers. Their safety is important.

This rezone may well set a president for a future rezone of Lot1 City Bible Church Short Plat from RS-100 to RM-2 or RM-3. Such a rezone would certainly greatly increase the traffic load on 19th & Main Streets. driving up the noise level and chance of accidents. At that point traffic lights will be needed at the 19th & Main Street intersection. The safety of the small children who live on either side of us is also a concern to us if the traffic load on Main Street is increased. Also, school busses stop for children all along Main Street and 19th Street and their safety is also a concern to us.

Much work and thought went into Lynden's Comprehensive Zoning Plan and it is wrong to change it just to make it easier for someone to make more money in developing their property. If you do that you will be obligated to do the same thing for anyone who wants a rezone just to make it easier to sell or develop their property.

Thank you for considering our concerns in this rezone request.

Ronald J. Tangeman
Carolyn J. Tangeman

Ronald J. & Carolyn J. Tangeman