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January 4, 2023

Via Email and Delivery

City of Lynden

Attn: Public Works Committee

300 4th Street

Lynden, WA 98264

Re: Four ‘S’ Investments U.S., Inc. Conditional Use Permit

To the Members of the Public Works Committee:

I am writing to you on behalf of my client, Four ‘S’ Investments U.S., Inc. (“Four ‘S’”) in anticipation of your upcoming committee meeting on Wednesday, January 11, 2023. As you may be aware, Four ‘S’ received a conditional use permit (CUP) to expand the nonconforming use known as Duffner Mobile Home Park. The mobile home park is located on West Front Street, a road we understand will continue to be improved in the coming years.

The mobile home park was at one time owned by Wilmina Vellema, who made an agreement with the City of Lynden (“City”) in 2007 as part of the City’s realignment of Tromp Road and Front Street (see attached agreement). In that agreement, Mrs. Vellema agreed, essentially, that if she or a future property owner developed the mobile home park so that it contained more than 32 units the owner would pay for road improvements fronting a portion of the park property. Four ‘S’ inherited this agreement when they bought the property, and—as they intend to exceed 32 units—the City required compliance with the Vellema agreement as part of the Duffner Mobile Home Park CUP.

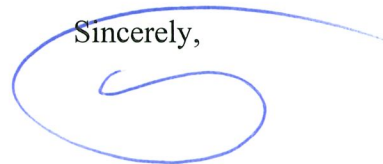
Based on our discussions with the Public Works Department, the improvements to the Four ‘S’ street frontage may be more appropriate in two to three years, after the City Duffner Creek culvert project is complete. The time is not ripe for improvements from my client’s perspective, either. Four ‘S’ negotiated a phased approach to their mobile home park development, adding a few units in the near term and progressively adding more as time goes on. Starting an incremental development of their mobile home park would not be economical if it opened immediate road improvements to West Front Street.

With these issues in mind, the Vellema agreement should be amended to better align with both the City’s long-term objectives and efficient development. Two simple solutions arise:

- a. **Delay the Front Street improvements.** Four 'S' currently has 32 units in its mobile home park. In its first phase of development, Four 'S' could add up to four units (a total of 36). The *second phase* of additions is set to occur in two or three years, aligning with the Front Street improvements. That would mean raising the trigger number in the 2007 agreement from 32 to 36 units.
- b. **Give the City the trigger for the Front Street improvements.** Using this solution, we would get rid of the trigger number from the 2007 agreement entirely. Four 'S' could add as many units as their CUP allows. In exchange, Four 'S' would give the City the option to impose on Four 'S' to fulfill their improvement obligation whenever the City is ready to go ahead with its project. Four 'S' could put up a bond or a set-aside account as a security for the City's option, if desirable.

Either of these solutions is amenable to Four 'S,' so we look forward to discussing either one with the City. This project would add much-needed lower income housing to Lynden, and my client is excited to move the project forward. Should you have any questions or require more information, please feel free to contact my office.

Sincerely,



Lesla Starkenburg-Kroontje

enc: 2007 Vellema Agreement, Whatcom County Auditor's File No. 2070202655
cc: client