BEFORE THE LAND USE HEARING EXAMINER
FOR THE CITY OF BATTLE GROUND, WASHINGTON

Regarding an application by Sally I Etal, et al	)	**FINAL ORDER**
for approval of a preliminary plat to divide 43.2-	)	
acres into 146 lots in the R-5 zone at 818 and	)	**SUB: 02-18**
518 NW 25th Street, in the City of Battle Ground	)	**(North Battle Ground Subdivision)**

A. SUMMARY

1. The applicant, Sally I Etal, et al, requests approval to divide the 43.2-acre site into 146 residential lots and open space tracts for wetlands/open space, stormwater facilities, and private streets. The site is located at 818 and 518 NW 25th Street; also known as Tax Assessor Parcels 226929-000, 226939-000, 226949-000 (the "site").

a. The site and abutting properties to the north, south, and east, are zoned R-5 (Residential, 5 units per acre maximum density). Properties to the west, across SR 503, are located in unincorporated Clark County and zoned County R-5 (Rural, five-acre minimum lot size). The site is bisected by an east-west aligned wetland near the center of the site and "an ephemeral stream" crossing the northeast corner. The applicant proposed to retain the wetland, stream, and associated buffers within open space tracts. Impacts to the wetland are limited to two road crossings, located at the narrowest portions of the wetland. No impacts are proposed to the stream with this development.

b. The site is currently developed with two single-family residences and associated outbuildings. The applicant proposed to remove all existing structures and develop a new single-family detached dwelling on each of the proposed lots. All proposed lots comply with the dimensional requirements of the R-5 zone.

c. The applicant will construct half-width frontage improvements along the site's NW 25th Street frontage. The applicant will extend two new public streets into the site from NW 25th Street: proposed NW 6th and 9th Avenues. The applicant will extend additional interior public and private streets from NW 6th and 9th Avenues to serve the proposed lots within the site. The applicant will extend stub streets to the north, east, and northwest boundaries of the site to allow for further extension and cross-circulation when abutting properties redevelop. In addition, the applicant will construct a pedestrian trail around the wetlands.

d. The City of Battle Ground will provide domestic water and sanitary sewer service to the site. The applicant will collect storm water from all impervious areas on the site and convey it to one of two proposed storm water facilities located in proposed Tract E in the southwest corner of the site and proposed Tract G in the northwest corner for treatment and detention. The applicant will discharge treated stormwater to the on-site wetlands at less than predevelopment rates.

2. The City issued a Determination of Nonsignificance ("DNS") for the subdivision pursuant to the State Environmental Policy Act ("SEPA"). The SEPA determination was not appealed and is now final.

3. City of Battle Ground Hearing Examiner Joe Turner (the "examiner") conducted a public hearing to receive testimony and evidence about the application. City staff recommended the examiner approve the preliminary plat subject to conditions. See the Staff Report to the Hearing Examiner dated November 28, 2018 (the "Staff Report"), as modified by Exhibit 21 and handed out at the hearing. The applicant accepted those findings and conditions, as modified, without exceptions. Seven persons testified orally with questions and concerns about the proposed development. Other persons testified in writing. Disputed issues or concerns in the case include the following:

a. Whether the applicant can be required to mitigate existing congestion issues at the NW 25th Street/SR 503 intersection and cut-through traffic on local streets to the south;

b. Whether the applicant can be required to mitigate traffic noise;

c. Whether the applicant is required to locate streets stubbed to abutting properties to avoid existing homes; and

d. Whether impacts to the privacy of existing residents is relevant to the applicable approval criteria.

4. Based on the findings provided or incorporated herein, the examiner approves the revised preliminary plat (Exhibit 22) subject to the conditions at the end of this final order.

B. HEARING AND RECORD HIGHLIGHTS

1. The examiner received testimony at a public hearing about this application on December 5, 2018. All exhibits and records of testimony are filed at the City of Battle Ground. At the beginning of the hearing, the examiner described how the hearing would be conducted and how interested persons could participate. The examiner disclaimed any *ex parte* contacts, bias or conflicts of interest. The following is a summary by the examiner of selected testimony and evidence offered at the public hearing.

2. City planner Sam Crummett summarized the Staff Report.

a. He noted that the City rezoned the site from EC (Employment Campus) to R-5 (Residential, 5 units per acre maximum density) two years ago.

b. There is a large wetland near the center of the site, which will be preserved in an open space tract. The applicant proposed to construct a public pedestrian trail around the perimeter of the wetland to provide an opportunity for recreation.

c. He noted that two new exhibits were submitted into the record. City staff request the examiner add three new conditions of approval, Exhibit 21. The applicant submitted a modified plat to address concerns raised by the City, Exhibit 22. The revised plat makes minor adjustments to the proposed lot sizes and the location of the trail, in order to avoid impacts to the wetlands and to provide logical connections between the trail and sidewalk/street system.

d. The wetland classification changed from Category 4 to Category 3, based on comments from the state Department of Ecology ("ECY"). This change increased the size of the required buffers. The applicant will mitigate impacts to the wetland and buffers as outlined in the applicant's critical areas mitigation report.

e. The applicant will construct a center median on a portion of NW 25th Street to provide traffic calming and reduce speed on this street. In addition, the applicant will provide a landscaped buffer between NW 25th Street and the proposed lots in order to avoid creating double frontage lots.

f. He requested the examiner add another condition of approval requiring the applicant to locate the street stub for NW 9th Place where future extension of the street will not impact Ms. Morrison's existing residence.

3. Bart Catching, wetland scientist Taya McClean, civil engineer John Meier, and traffic engineer Will Farley appeared on behalf of the applicant.

a. Mr. Catching accepted the findings and conditions in the Staff Report, as modified by Exhibit 21, without objections. He noted that the revised plat, Exhibit 22, did not make any significant changes to the character of the subdivision. The applicant revised the plat to reduce wetland impacts and reflect the proposed mitigation plan. The applicant is willing to adjust the alignment of proposed NW 29th Street to allow extension of this street without impacting Mr. Dhanens' residence.

b. Mr. Meier agreed to conditions of approval requiring the applicant to locate the street stubs at the northwest corner of the site, proposed NW 9th Place and NW 29th Street, to allow for extension of these streets without impacting existing homes on the abutting parcels.

c. Mr. Farley testified that the traffic from this development will increase congestion at the NW 25th Street/SR 503 intersection. However, the intersection will continue to operate at an acceptable overall Level Of Service ("LOS"). LOS is determined based on the overall traffic volume. Delays on the minor street approach, NW 25th Street, are offset by higher traffic volumes on SR 503. A left turn lane will be warranted at this intersection in the near future. But traffic from this development does not create the need for a turn lane at this time.

4. Jim Dhanens noted that the applicant proposed extend NW 29th Street to the east boundary of his property to allow for extension of this street when his property redevelops. However, future extension of the proposed street stub would require the

removal of his existing residence. He requested the applicant relocate the street stub to the north or south to allow extension of this street without impacting his residence.

5. Lori Morrison noted that proposed NW 9th Place is stubbed to the south boundary of her property. She expressed the same concerns at Mr. Dhanens, that the future extension of this street will require removal of her existing home. In addition, she noted that the proposed development will change the character of her property. The view from the rear of her home is currently over a vacant field, which will be replaced by numerous houses.

6. Len Crawford summarized his letter on behalf of the residents of the Golden Hills Estates development south of the site, Exhibit 16. He noted that the intersection of NW 25th Street and SR 503 is congested under existing conditions. Westbound traffic on NW 25th Street frequently backs up past NW 9th Avenue under existing conditions. Some drivers cut through the Golden Hills Estates development in order to avoid the congestion at this intersection. Traffic from this development will exacerbate this problem and increase the amount of cut-through traffic. This development will also increase noise impacts for existing homes abutting NW 25th Street. The applicant should be required to mitigate these impacts.

7. John McClintock echoed Mr. Crawford's concerns regarding congestion and cut-through traffic. His observations conflict with the applicant's traffic analysis. A significant number of drivers use NW 6th and 8th Streets to travel south to Onsdorff Boulevard, in order to avoid congestion at the NW 25th Street/SR 503 intersection. Many drivers ignore the posted 20 mph speed limit on 6th and 8th Streets.

8. Gail Berntson testified that traffic backups from the NW 25th Street/SR 503 intersection prevent her from turning left onto NW 25th Street from NW 9th Avenue. She must travel east to NW 6th Avenue in order to access travel west on NW 25th Street. Additional traffic from this development will exacerbate the congestion issues, encouraging drivers to cut through the neighborhood south of NW 25th Street.

9. Jos Presley noted that the Staff Report does not address neighbor's concerns regarding congestion at the NW 25th Street/SR 503 intersection. Page 19 of the Staff Report notes that these concerns are addressed on page 6. However, page 6 of the Staff Report addresses the intersection of NW Onsdorff Boulevard and SR 503 intersection, not the NW 25th Street/SR 503 intersection that is a concern for this development.

10. Karmen Presley agreed with prior witnesses concerns regarding congestion and cut-through traffic. Congestion on NW 25th Street often forces her to travel south through the Golden Hills Estates neighborhood under existing conditions. Additional traffic from this development will exacerbate that problem.

11. City associate civil engineer Marit Ernst testified that the reference to the NW Onsdorff Boulevard/SR 503 intersection on page 6 of the Staff Report is a typographical error. That section should refer to the NW 25th Street/SR 503 intersection. That intersection is projected to operate at LOS B in the AM peak hour and LOS C in the PM

peak hour with traffic from this development. The Code requires that signalized intersections operate at a minimum LOS D or better. A left turn lane is not warranted. An eastbound left turn lane will be warranted at this intersection in the future. She noted that the Golden Hills Estates development was established before the City adopted traffic calming requirements. The City has no funds for the installation of traffic calming measures on existing streets. She suggested that area residents reach out to the applicant to request the installation of traffic calming measures to discourage cut-through traffic.

12. The examiner closed the record at the end of the hearing and took the matter under advisement.

C. DISCUSSION

1. City staff recommended approval of the revised preliminary plat (Exhibit 22), based on the affirmative findings and subject to conditions of approval in the Staff Report, as modified by Exhibit 21 and at the hearing. The applicant accepted those findings and conditions, as modified, without exceptions.

2. The examiner concludes that the affirmative findings in the Staff Report show that the revised preliminary plat (Exhibit 22) does or can comply with the applicable standards of the Battle Ground Municipal Code (the "BGMC") and the Revised Code of Washington, provided that the applicant complies with recommended conditions of approval as modified herein. The examiner adopts the affirmative findings in the Staff Report as his own, except to the extent they are inconsistent with the following findings.

3. There is no dispute that existing congestion issues at the NW 25th Street/SR 503 intersection causes westbound traffic backups on NW 25th Street. However, the NW 25th Street/SR 503 intersection is projected to continue operating at an acceptable LOS with additional traffic from this development and an eastbound left turn lane is not warranted. Therefore, the applicant cannot be required to construct improvements to this intersection as a condition of approval of this development, because the development will not create the need for such improvements.

a. Congestion at this intersection may encourage some drivers to use the local streets within the Golden Hills Estates development to the south as a cut-through route. That is unfortunate. However, the noted congestion issues are largely caused by existing development in the area. Traffic from this development will contribute to congestion at this intersection, but it is only responsible for a portion of the problem. Therefore, the City cannot require the applicant to bear the full cost of remedying the problem. In addition, there are no standards in the Code that define or regulate "cut-through" traffic. The examiner cannot find any applicable approval criteria in the BGMC or state law that would authorize denial of this application or the imposition of conditions of approval due to concerns about increased cut-through traffic.

b. The examiner acknowledges that more traffic on area streets, including the local streets south of the site, creates a proportionally higher risk for drivers, pedestrians and bicyclists. In response reasonably prudent people exercise more care

personally and with family members. Those risks are consistent with the location of the site in the urban area where City plans call for the sort of development being proposed. Reasonably prudent drivers will observe the posted speed limit and if necessary, further reduce their speed to accommodate other road conditions. Unfortunately, not all drivers are prudent enough to observe posted speed limits and road conditions. However, there is no evidence that the development proposed in this application will contribute a disproportionate share of imprudent drivers. If speeding problems occur, the examiner encourages area residents to contact the City to request enhanced enforcement of traffic laws in this area to reduce speeds on these streets.

4. Neighbors also expressed concerns with traffic noise. While those concerns are understandable, the examiner has no authority to deny or condition this development based on those concerns. Noise from motor vehicles operated on public streets is exempt from the maximum noise limits of WAC 173-60-040. NW 25th Street is designated a Major Collector street, which is intended to carry higher volumes of traffic. Homes located near higher volume streets can expect greater traffic noise impacts; higher traffic volumes will result in greater noise impacts.

5. As discussed at the hearing, proposed NW 29th Street, stubbed to the west boundary of Mr. Dhanens' property, is directly aligned with Mr. Dhanens' residence. As currently proposed, this street cannot be further extended without removing Mr. Dhanens' residence. Proposed NW 9th Place, stubbed to the south boundary of Ms. Morrison's property, may pose a similar issue for Ms. Morrison's residence. The applicant agreed to review the location of these street stubs and relocate them as necessary to allow the future extension of these streets without removal of the existing homes. A condition of approval is warranted to that effect.

6. Development of this site will also cause an incremental loss of privacy for existing residents in the area. What is now largely a pasture will be developed with 146 new homes. But the Code does not prohibit development from having an impact on privacy. The intensity of the proposed development is consistent with the current zoning of the site. The examiner understands residents' displeasure with the growth around them, but this growth was foreseeable and is in the broader public's interest. As large lots are sold, presumably they will be developed to the maximum extent allowed.

D. CONCLUSION

Based on the above findings and discussion, the examiner concludes that the revised plat (Exhibit 22) of SUB: 02-18 (North Battle Ground Subdivision) should be approved, because it does or can comply with the applicable standards of the Battle Ground Municipal Code and the Revised Code of the State of Washington, subject to conditions of approval necessary to ensure the final plat and resulting development will comply with the Code.

E. DECISION

Based on the findings, discussion, and conclusions provided or incorporated herein and the public record in this case, the examiner hereby approves the revised plat (Exhibit 34) of SUB: 02-18 (North Battle Ground Subdivision), subject to the following conditions of approval:

Conditions of Approval

A. Prior to Engineering Plan Approval:

1. Submit final engineering plans, for review and approval by staff, pertaining to transportation, sewer, water, grading, erosion control, stormwater, driveways, street lighting, and landscaping prepared and stamped by a registered engineer in the state of Washington.

2. Submit final engineering plans:

   a. Showing full width improvements to NW 26th Way, NW 9th Place, NW 8th Place, NW 29th Street, NW 8th Avenue, NW 29th Street, NW 7th Avenue and NW 30th Street, NW 27th Way(Private) and NW 7th Court(Private) per Local "A" standards, including sidewalk, planter strip, curb & gutter, and asphalt.

   b. Showing full width improvements to NW 6th Avenue, NW 9th Avenue and NW 28th Street per Neighborhood Collector standards, including sidewalk, planter strip, curb & gutter, and asphalt.

   c. Showing adequate half-street improvements, for NW 25th Street, a Major Collector- Option 1, including sidewalk, planter strip, curb and gutter, and asphalt and necessary right-of-way dedications.

   d. Showing adequate half-street improvements, for NW 30th Street, a Local A, including sidewalk, planter strip, curb and gutter, and asphalt and necessary right-of-way dedications or provide documentation from the wetland consultant, acceptable to the City Engineer, that it is infeasible to construct NW 30th Street.

   e. Showing Lots 17-19 and Lots 10-12 served by a private road meeting the applicable private street requirements as outlined in the road modification. In lieu of the required turnarounds, automatic sprinkler protection can be provided for homes on lots 10-12 and 17-19.

   f. Showing street names as listed in the Staff Report.

   g. Showing temporary and permanent IFC fire apparatus turnarounds.

   h. The cul-de-sac shown at the intersection of NW 29th Street and NW 8th Place is required to have a minimum drivable radius of 45 feet.

i. Required fire lanes shall be kept clear at all times and shall be marked with signs, striping, or painted curbs stating "No Parking- Fire Lane".

j. Clearly identify the location of all fire lane signage/striping to include all fire access turnarounds.

k. Showing an approved fire apparatus turnaround located on the north end of NW A Drive (Near lots 67 and 68).

l. Showing a public east-west pedestrian pathway from NW 8th Avenue to NW 8th Place in the location of the proposed storm pipe.

m. Showing the Tract B pedestrian pathway in a 12-foot pedestrian easement.

n. Containing a combined landscaping and driveway plan.

o. Showing sight distance triangles.

p. Containing a signing and striping plan.

q. Containing a street lighting plan meeting IES.

r. Showing traffic calming devices on all public streets.

s. Showing driveways that meet the requirements of BGMC 12.116.243.

t. Showing a shared driveway for Lots 1 and 2.

u. Showing 8-inch minimum diameter water lines looped throughout the subdivision, extending to the extreme property lines and connecting to existing water mains in NW 25th Street.

v. Showing hydrant locations.

w. Showing each residential lot having its own individual water service.

x. Showing construction of Pump Station PS B.

y. Showing an 8-inch gravity sewer line throughout the subdivision.

z. Showing the 4-inch force main FM-B connecting to the proposed sanitary sewer connection near the intersection of NW 9th Avenue and NW 24th Street.

aa. Showing each residential lot having its own sanitary lateral.

bb. Showing fire hydrants meeting spacing requirement throughout the

subdivision and along the frontage of NW 25th Street.

cc. Showing traffic mitigation at the intersection of SR 502 and NW 29th Avenue meeting WSDOT approval.

dd. Showing traffic mitigation at SE Grace Avenue & E Main Street, SW Eaton Boulevard & SR 503, SW Eaton Boulevard & SW 20th Avenue and SR 503 & NW Onsdorff Boulevard or indicating that mitigation fees will be paid in lieu of the improvements.

ee. Showing construction of the additional mitigation measure at SR 503 & SW Eaton, pay the applicable proportionate share after obtaining Council approval or submit additional information to demonstrate that the additional mitigation measure is not needed.

ff. Showing a stormwater facility, which meets the requirements of BGMC 18.250.

gg. Showing the stormwater facilities in separate tracts.

hh. Showing a 6-foot high black vinyl fence around the perimeter of the stormwater facility.

ii. Showing grading and erosion control in conformance with applicable city standards and standard construction details.

3. Submit a hydrology report that addresses all requirements found in BGMC 18.250 and meets the approved Department of Ecology criteria.

4. Submit and have approved a road modification for NW 25th Way (Tracts H and K) for a private road which is acceptable to the City Engineer.

5. Submit the traffic study revisions and any potential mitigations.

6. Submit a construction cost estimate for required public improvements for review and approval by the City Engineering Department.

7. Following the City Engineer's acceptance and approval of the construction cost estimate, pay the required engineering plan review and construction inspection fee which is two (2) percent of the estimated costs of construction.

8. Coordinate with the Department of Ecology and Army Corps of Engineers in finalizing the *Critical Areas Assessment and Mitigation Plan.*

9. Determine if it is feasible to adjust proposed NW 29th Street north or south to

accommodate Mr. Dhanens' request to preserve his ability to keep his house if he decides to subdivide his property (24717 NE Lewisville Highway, Serial #226960-000) and continue the street and whether it is necessary and feasible to adjust proposed NW 9th Place east or west to preserve Ms. Morrison's ability to keep her house if she decides to subdivide his property (24615 NE Lewisville Highway, Serial # 226964-000).

B. <u>Prior to Final Plat Approval</u>:

1. Construct all required public improvements and gain engineering acceptance or provide appropriate bonding.

2. Construct any mitigation measure identified in the revised traffic study due to evaluation of the crash data.

3. Construct the mitigation measures for the failing intersection of SR 503 & SW Eaton Boulevard or pay the mitigation fee of $52,133.22.

4. Construct the additional mitigation measure at SR 503 & SW Eaton, obtain Council approval and pay the applicable proportionate share or submit additional information to demonstrate that the additional mitigation measure is not needed.

5. Construct the mitigation measures for the failing intersection of SW 20th Avenue & SW Eaton Boulevard or pay the mitigation fee of $6,874.20.

6. Construct the mitigation measure for the failing intersection of NW 29th Avenue & SR 502.

7. Construct the mitigation measures for the failing intersection of SR 503 & NW Onsdorff Boulevard or pay the mitigation fees of $338,641.02.

8. Construct the mitigation measures for the failing intersection of SE/NE Grace Avenue & E Main Street or pay a mitigation fees of $22,383.01.

9. If LID improvements are incorporated into the project, provide appropriate stormwater covenants.

10. Submit a final plat:
    a. That shows easements for public utilities not located in the right-of-way.

    b. Showing a 12-foot perpetual pedestrian access easement for the pedestrian path in Tract B.

c. Showing a shared access easement over NW 26thy Way, NW 7th Court and NW 25th Way with a note describing the maintenance responsibilities of each lot owner for the private streets.

d. Showing the stormwater facilities in separate tracts.

e. With the following note: "No fences are allowed in the sight distance triangle."

f. With the following note: "All utilities are to be located outside of the sidewalk section and to be underground where possible."

g. That shows where any control monuments have been placed.

h. That shows the dedication of any public roads or alleys.

i. Showing a shared driveway easement for Lots 1 and 2.

j. With the following note: "The fire turnaround at the end of NW 9th Place is temporary and once the public street is extended the easement will automatically be relinquished."

k. With the following note: "No curb cuts shall be allowed onto NW 25th Street."

l. With the note: "All new structures shall conform to the setbacks and building heights of the R5 zoning district."

m. With the note: "All houses shall conform to the neighborhood design standards as listed in BGMC 17.106.040."

n. With a note: "Wetland buffer demarcation shall comply with 18.270.050."

o. Showing a 15-foot pedestrian/storm tract or right-of-way between NW 8th Place and NW 8th Avenue.

p. With a plat note specifying that sprinkling of homes shall be required for lots 10, 11, and 17, unless an adequate turn-around is provided.

q. The approximate mitigation measures shall be noted on the final plat as identified in the final *Critical Areas Assessment and Mitigation Plan.* This shall include, but not limited to, such things as lighting, screening, noise, stormwater runoff, pesticide use, fencing, and signage as specific mitigation for the buffer reduction.

11. Submit a two-year stormwater facility maintenance agreement for review and/or approval.

12. Submit a private road maintenance agreement for all of the private streets.

13. Submit documentation, acceptable to City, demonstrating that the pedestrian path maintenance and liability responsibilities have been met for the path in Tract B.

14. Submit documentation, that the parkway buffer, and all common areas, will be adequately maintained.

15. Submit a Bill of Sale for water, storm and sanitary.

C. <u>Prior to Engineering Acceptance</u>:

1. Construct all public improvements, if applicable, and go on a walkthrough with City of Battle Ground Engineering Staff and correct any deficiencies as determined by City staff.

2. Provide certification that the private roads have been constructed in accordance of the adopted standard.

3. Submit letter shall be provided by the applicant showing that fire flow requirements per BGMC 15.105.180 and 15.105.190 can be met.

4. Submit to the City of Battle Ground a two-year/20-percent maintenance bond for all completed and accepted public improvements.

5. Submit complete sets of as-built drawings for all required public improvements for streets and roads, stormwater drainage and control, sanitary sewer and water services, as applicable prior to the issuance of the occupancy permit for review and approval by the Engineering Department. Upon acceptance by the Engineering Department, submit prior to the issuance of the occupancy permit, one (1) Mylar set, one (1) full size paper set, two (2) 11x17 paper sets of As-Built record drawings and one (1) 3.5-inch disk (s) or compact disc version of the as-built drawings in AutoCAD, PDF and TIF formats.

D. <u>Prior to Construction</u>:

1. Receive signed and approved engineering plans from the City of Battle Ground.

2. Submit a surety bond for right-of-way construction.

3. Submit a certificate of liability meeting the requirements of BGMC 12.118.120.

4. Erect and conduct erosion control measures consistent with the approved Erosion Control Plan and City of Battle Ground erosion control standards.

5. Submit evidence that an individual on-site has successfully completed formal training in erosion and sediment control by a recognized organization acceptable to the City.

6. Conduct a pre-construction conference with City engineering and planning staff. Contact the Planning Customer Service Clerk at (360) 342-5047 to schedule an appointment.

E. Prior to Creation of Impervious Surface:

1. Except roofs, the stormwater treatment and control facilities shall be installed in accordance with the approved final engineered plans and in accordance with the City of Battle Ground stormwater regulations.

F. Prior to Building Permit Issuance:

1. All required fees, including Transportation, Park and School Impact fees shall be paid.

2. Fire hydrants shall be tested and approved and fire flow letter shall be submitted to the City showing the minimum fire flow has been attained.

3. Per BGMC 18.270.050, permanent marking of all buffer areas shall occur. Such demarcation may consist of logs, a tree or hedge row, fencing made of wood only, or other prominent physical marking approved by the director. Additionally, a sign measuring no more than six square feet in area and no shorter than four feet and no higher than six feet in height shall be posted at approximately every one hundred feet, along the outer perimeter of the wetland buffers, or where practical.

G. Other:

1. If any cultural resources are discovered in the course of undertaking the development activity, the State of Office of Historic Preservation and Archaeology and the City of Battle Ground Planning Department must be notified.

2. Adhere to all recommendations in the final *Critical Areas Assessment and Mitigation Plan* prepared by AKS Engineering.

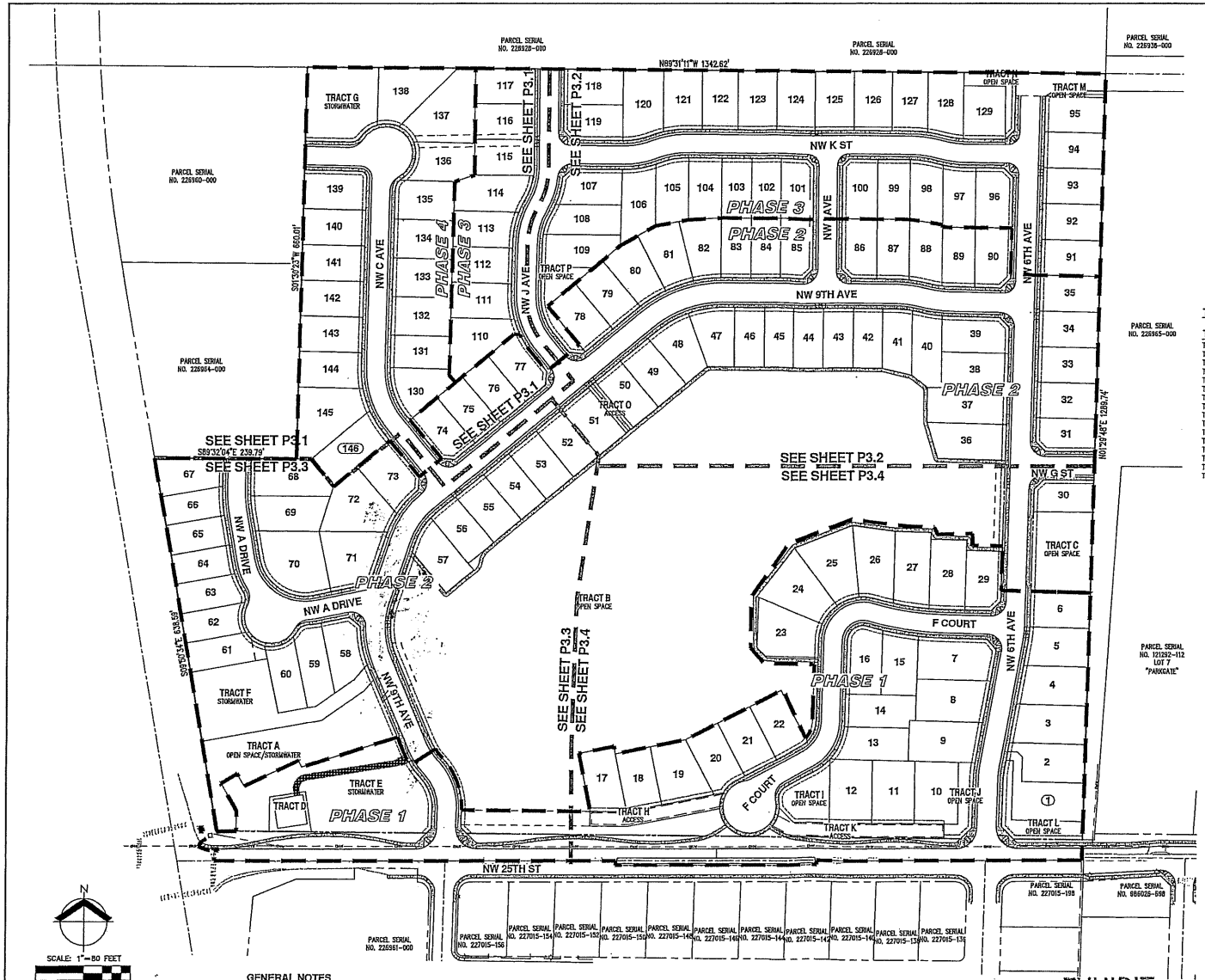
3. Coordinate any water quality recommendations in reference to Ecology's October 16, 2018 letter.

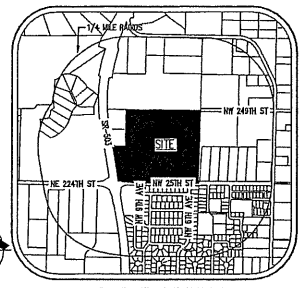
APPEAL

This Final order may be appealed to the Washington Superior Court per RCW 36.70C within 21 calendar days after the issuance of the decision.

DATED this 19th day of December 2018.

Joe Turner, AICP
City of Battle Ground Land Use Hearing Examiner





VICINITY MAP
N.T.S.

TRACT TABLE

TRACT	PURPOSE	AREA	OWNERSHIP
TRACT A	OPEN SPACE/STORMWATER	28,568 SF	CITY
TRACT B	OPEN SPACE	420,897 SF	HOA
TRACT C	OPEN SPACE	13,464 SF	CITY
TRACT D	SANITARY PUMP STATION	4,138 SF	CITY
TRACT E	STORMWATER	30,468 SF	CITY
TRACT F	STORMWATER	20,214 SF	CITY
TRACT G	STORMWATER	14,484 SF	CITY
TRACT H	PRIVATE ACCESS	5,550 SF	PRIVATE
TRACT I	OPEN SPACE	6,338 SF	HOA
TRACT J	OPEN SPACE	3,570 SF	HOA
TRACT K	PRIVATE ACCESS	7,544 SF	PRIVATE
TRACT L	OPEN SPACE	5,636 SF	HOA
TRACT M	OPEN SPACE	884 SF	HOA
TRACT N	OPEN SPACE	3,351 SF	HOA
TRACT O	PEDESTRIAN ACCESS	1,500 SF	HOA
TRACT P	OPEN SPACE	5,189 SF	HOA

ZONING INFORMATION

SITE ZONING:	R-5 DISTRICT
GROSS SITE AREA:	±1,881,812 SF = ±43.20 AC
SITE OPEN SPACE AREA:	±574,891 SF = ±13.20 AC
SITE RIGHT-OF-WAY DEDICATION AREA:	±372,464 SF = ±8.55 AC
NET SITE DEVELOPABLE AREA:	±934,457 SF = ±21.45 AC

RESIDENTIAL LOT REQUIREMENTS

MINIMUM AVERAGE LOT AREA	5,300 SF
MINIMUM LOT AREA	4,000 SF
MAXIMUM UNITS PER GROSS AREA	5
PROPOSED NUMBER OF LOTS:	146 LOTS
SITE AVERAGE LOT AREA	6,400 SF
SITE MINIMUM LOT AREA	5,000 SF
SITE UNITS PER GROSS AREA	3.4

APPLICANT
SARKELA II, LLC
CONTACT: RODNEY SARKELA
2433 QUANTUM BOULEVARD
BOYNTON BEACH, FL 33426

OWNER
SALLEY I ETAL
516 NW 25TH STREET
BATTLE GROUND, WA 98604
CONTACT: RODNEY SARKELA
2433 QUANTUM BOULEVARD
BOYNTON BEACH, FL 33426

CLARENCE & PATRICIA SOMDALEN TRUSTEES
516 NW 25TH STREET
BATTLE GROUND, WA 98604
CONTACT: RODNEY SARKELA
2433 QUANTUM BOULEVARD
BOYNTON BEACH, FL 33426

CONTACT
AKS ENGINEERING & FORESTRY, LLC.
CONTACT: JOHN MEIER
9600 NE 126TH AVENUE, SUITE 2520
VANCOUVER, WA 98682
PH: 360-882-0419
FAX: 360-882-0426
E-MAIL: JOHNOAKS-ENG.COM

SINGLE FAMILY DETACHED	
MINIMUM LOT FRONTAGE	25 FT
MAXIMUM LOT COVERAGE	45%
MAXIMUM HEIGHT	35 FT.
FRONT YARD SETBACK	10 FT.
REAR YARD SETBACK	20 FT.
SIDE YARD SETBACK	5 FT.
STREET SIDE YARD SETBACK	10 FT.
GARAGE SETBACK	20 FT.

GENERAL NOTES

1. REFER TO SHEETS P3.1 THRU P3.4 FOR PROPOSED LOT AND TRACT DIMENSIONS.
2. REFER TO SHEET P3.1 FOR PROPOSED STREET AND EASEMENT SECTIONS.
3. NO STREETS SERVING THE SITE ARE IN EXCESS OF 15% GRADE.
4. ALL PROPOSED INTERNAL ROADS ARE TO PAVED WITH ASPHALT.
5. STORMWATER TO BE DETAINED ON-SITE PRIOR TO DISCHARGE TO WETLANDS.
6. SEE TRACT TABLE ON THIS SHEET FOR TRACT OWNERSHIPS.
7. THE PURPOSE OF THIS PRELIMINARY PLAT IS TO SHOW THE PROPOSED LOT DIMENSIONS FOR PLANNING PURPOSES ONLY. THIS IS NOT AN OFFICIAL PLAT AND IS NOT TO BE USED FOR SURVEY PURPOSES
8. REFER TO THIS SHEET FOR BOUNDRY BEARINGS AND DISTANCES.
9. NO EXISTING STRUCTURES WILL BE RETAINED

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NORTH BATTLE GROUND SUBDIVISION
BATTLE GROUND — WASHINGTON
TAX ID 226928-000, 226929-000, 226961-000, 226964-000 — SE 1/4 SEC 17, T5N, R2E, W.M.

PRELIMINARY PLAT COVER SHEET

DESIGNED BY: ATH
DRAWN BY: ATH
CHECKED BY: JMM
SCALE: AS NOTED
DATE: 8/29/2016

PRELIMINARY NOT FOR CONSTRUCTION

REVISIONS

JOB NUMBER 5783

SHEET P3.0

AKS DRAWING FILE: S:\5783-BATTLE GROUND\LAYOUTS\P3.0