EXHIBIT A.1

Permit Center
210 Lottie Street, Bellingham, WA 98225
Phone: (360) 778-8300 Fax: (360) 778-8301 TTY: (360) 778-8382
Email: permits@cob.org Web: www.cob.org/permits

Land Use Application

Check all permits you are applying for in the boxes provided. Submit this application form, the applicable materials listed in the corresponding permit application packet(s) and application fee payment.

☐ Accessory Dwelling Unit	☐ Parking Adjustment Application	**Office Use Only**
☐ Binding Site Plan	☐ Planned Development	Date Rcvd:_____
☐ Clearing Permit	☐ Rezone	Case #:_____
☐ Conditional Use Permit	☒ SEPA	Process Type: _____
☒ Critical Area Permit	☐ Shoreline Permit	Neighborhood: _____
☐ Minor Critical Area Permit	☐ Shoreline Exemption	Area Number: _____
☒ Design Review	☐ Subdivision-Short Plat/Lot Line Adjustment	Zone: _____
☐ Grading Permit	☒ Subdivision-Preliminary Plat	Pre-Ap. Meeting:_____
☐ Home Occupation	☐ Subdivision-Final Plat	Concurrency: _____
☐ Institutional	☐ Variance	
☐ Interpretation	☐ Wireless Communication	
☐ Landmark – Historic Certificate of Alteration	☐ Zoning Compliance Letter	
☐ Legal Lot Determination	☒ Other: Infill Housing	
☐ Nonconforming Use Certificate		

Project Information

Project Address 3615 Chandler Parkway Zip Code 98226

Tax Assessor Parcel Number (s) 380316 372176 0000

Project Description Residential Multi-Family Planned Development of townhouses and single-family residences on an undeveloped 492,344 sqft (11.303 Acre) lot. Development will include an extension of Sussex Drive.

Applicant / Agent ▣ Primary Contact for Applicant

Name Tony Freeland, Freeland & Associates, Inc.

Mailing Address 220 West Champion Street; Suite 200

City Bellingham State WA Zip Code 98226

Phone 360-650-1408 Email tfreeland@freelandengineering.com

Owner (s) ☐ Applicant ☐ Primary Contact for Applicant

Name Dominion Sustainable Development

Mailing Address P.O. Box 31548

City Bellingham State WA Zip Code 98228

Phone 360-319-0898 Email david@ebenal.com

Property Owner(s)

I am the owner of the property described above or am authorized by the owner to sign and submit this application. I grant permission for the City staff and agents to enter onto the subject property at any reasonable time to consider the merits of the application and post public notice. I certify under penalty of perjury of the laws of the State of Washington that the information on this application and all information submitted herewith is true, complete and correct.

I also acknowledge that by signing this application I am the responsible party to receive all correspondence from the City regarding this project including, but not limited to, expiration notifications. If I, at any point during the review or inspection process, am no longer the Applicant for this project, it is my responsibility to update this information with the City in writing in a timely manner.

Signature by Owner/Applicant/Agent Tony Freeland, Date 01-04-2021

City and State where this application is signed: Bellingham (City), Washington (State)

Freeland and Associates, Inc.

220 West Champion Street
Suite 200
Bellingham, Washington
360.650.1408

January 4, 2021

City of Bellingham
Planning & Community Development
210 Lottie Street
Bellingham, WA 98225

Attention: Kathy Bell, Senior Planner

Subject: Plat of Barkley Heights
Response to Request for Improved Information

Dear Ms. Bell:

We have reviewed the requests for improved information dated December 4, 2020 regarding the Plat of Barkley Heights permit submittal. Below is a summary of significant changes.

- One infill toolkit lot has been removed to meet FAR and Open space requirements
- Small house drawings have been updated to reflect grade change between Sussex and Chandler, basement now included
- All site plans have been reconciled and latest plat drawings have consolidated into one PDF file within the "Site Plans" folder
- Housing Code Analysis and Decision criteria documents have additional detail
- Departure and variance requests are now included
- Applications have been updated
- Wetland mitigation report has been updated (see comments below on trail impacts)
- Traffic report memo has been included

Below are the original comments followed by our response to each comment.

1. <u>Application Material Completeness:</u>
   - It is the applicant's responsibility to demonstrate the proposal meets code.
   - As presented, it is the city's opinion that the responses to the preliminary plat decision criteria is insufficient for the either the hearing examiner or staff to determine the proposal satisfies code.
   - As requested in the previous requests, response must state and demonstrate how a criteria is met.

Response: The decision criteria document now includes specific examples demonstrating how the project meets code. A project narrative has also been added.

2. Application Material Inconsistencies:
   - Application materials need to be reconciled to ensure the information is consistent. This is mostly related to critical areas.

Response: Site plans have been reconciled. It is expected additional updating will be required after the City and Parks make a decision on the trial connections.

3. Retaining Wall:
   - The proposal did not include any details related to the design of the wall (height, thickness, finish materials, etc.).
   - The cross sections suggest the wall is around 30 feet tall;
   - The critical area delineation states the wall will be 15 feet tall.

Response: See revised site sections. The wall proposed will typically be 15' high, but a little higher in some cases depending on final grades. Detention vaults will be cast-in-place as part of the wall. Concrete gravity blocks may be used between some cast-in-place sections where detention vaults are not located.

4. Critical areas: The application drawings need to be reconciled to consistently show the proposal's impacts and mitigation concerning the wetlands and associated buffers. Revise the "date drawn" on all revised drawings.

Response: Wetland exhibits have been updated to include impacts from the stairs. Further updates will likely be required after the City and parks make a decision on the trails.

5. Infrastructure:
   - Would a reduced 50-foot right of way dedication reduce critical area impacts;

Response: This has now been studied in detail. Reducing the ROW will not be feasible because the townhome lots depend on the ROW space to back-of-walk to meet FAR and the small house lots depend on it for the second parking space in front of the detached garages.

   - Wall details will help inform the city if the alley should be public;

Response: Noted. See above.

   - Submittal of a variance from the requirement to construct Desborough is required.

Response: As discussed with Kathy Bell, the city is offering to take on this task.

6. Stormwater:
   - There is not sufficient information to demonstrate the overall stormwater plan will meet code;

Response: The cast-in-place detention tanks shown have been conservatively sized based on preliminary modeling. The storm design will be very complicated so note realistic to do a complete design for preliminary plat.

- The stormwater plan doesn't address soils or wetland hydrology.

Response: Wetland hydrology will be maintained per code. Currently the drainage ditch cuts off most flow to the wetlands as noted in the mitigation report. The storm outfall is proposed into the same ditch. Final design will involve more detailed modeling of this.

- Vaults need to be constructed to meet aerial point loading requirements.

Response: Noted.

7. Fire:
   - The alley must have an uninterrupted width of 16 feet, not the 15 feet shown;

Response: Updated on section. (although Infill Toolkit code notes 15' alleys)

- Building code will require the TH to be sprinklered if more than 4 units are attached in a cluster;

Response: Noted.

- Sussex exceeds allowed 12% grade on north end and would require all units to be sprinklered. Max 15% grade allowed with sprinklers.

Response: Noted. Final grading will be very tricky; maintain drop across townhouses, avoid bedrock, and maintain wetland buffer. During final design it will be a goal to reduce grade so houses are not sprinkled, but unlikely to be successful.

8. Open Space/Trail:
   - The city will not accept dedication of the open space. The notations regarding dedication of these open space areas should be removed;

Response: Noted. Open space is now proposed to be dedicated to a non-profit corporation.

- Relocation of the trail alignment at Bristol is not supported and as shown appears to conflict with the proposed critical area mitigation plan.

Response: The line this comment refers to is the toe of the 2:1 slope and limits of wetland buffer restoration. The trail alignment is proposed to remain on the existing alignment.

9. Trail/Critical Areas:
   - The city is still assessing the proposed trail alignments. As necessary, revisions to the critical area documents will be needed to address the impacts resulting from the east-west trail.

Response: Call scheduled for week of 1/19/2021

- Improvements to the north-south trail will likely require some grading and clearing in the wetland buffer. Revisions to the critical area documents should be made accordingly.

Response: Critical area documents to be revised after decision on tail is made.

- Show the proposed location of the 30' wide public trail easement to be dedicated to the City as required by the Parks, Recreation, and Open Space chapter of the City's Comprehensive Plan.

Response: This has been noted on the plans.

- Any trail segments to be improved or constructed by the applicant as part of this project shall be reviewed and approved by the Parks & Recreation Department and built to City standards.

Response: Noted.

10. Land Use:
    - Setbacks shown for the SF cluster lots are incorrect, the front yard setback is 15 feet, not 10 feet.

Response: Variance has been submitted on this. The project is trying to push the buildable area as close to the ROW as possible to limit impact on neighbors to the east.

11. Infill Housing (ITK):
    - The ITK applications need to be reconciled as it appears both small and smaller housing units are proposed;

Response: Application has been updated to only include small houses.

- Additionally the house square footage exceeds the allowable FAR for all smaller lots that have site areas less than 3,000 sf in area;

Response: Proposal has been updated to only include small houses because open space did not work. See revised FAR and open space calculations. One lot was removed.

- Need to demonstrate the parking requirements for each housing type and if only one space is provided for the small houses, then a departure must be requested;

Response: Dimensions will be added to show greater than 20' between garage door and back of walk. This will make 2 parking spaces for each lot. A departure request has been included with this submittal.

- FAR for small and smaller lots are calculated on a per lot basis;

Response: This has been revised.

- Revise the FAR calculation and exhibit to show only the TH lots-the alley and open space is not included in the FAR calculation.

Response: This has been revised.

12. Design Review:
    - Staff has minor design comments that can be discussed at a later time.

Response: Noted.

Please feel free to contact me if you have any questions about these responses.

Sincerely,

Freeland and Associates, Inc.

Tony Freeland

Tony Freeland, P.E.

Encl.

Freeland and Associates, Inc.

220 W. Champion St., Suite 200
Bellingham, Washington
(360) 650-1408

January 4, 2021

City of Bellingham
Planning & Community Development
210 Lottie Street
Bellingham, WA 98225

Attention: Kathy Bell, Senior Planner

Subject: Plat of Barkley Heights
Preliminary Plat Application
Project Overview
Performance & Decision Criteria

Dear Ms. Bell:

This letter is in regards to the Preliminary Plat Application submittal requirements for the proposed Plat of Barkley Heights. Please see Property Information, Property Description, Project Narrative, review of the Performance Standards criteria pursuant to BMC 23.08.030, and review of the Decision Criteria pursuant to BMC 23.168.030.

Property Information:

Address: 3615 Chandler Parkway, Bellingham, WA 98229
Tax Parcel Number:380316372176
Owner: Dominion Sustainable Development
Applicant: David Ebenal
Agents: Tony Freeland, Freeland and Associates, 2020 West Champion Street

Property Description:

The subject property is comprised of a single tax parcel and is located south of Bristol Way, north of Sussex Drive, and west of Chandler Parkway. The parcel is approximately 11.303 acres in size.

The property is in the Barkley Area 2 neighborhood and zoned Residential Multi, Planned. The average overall density is 10,000 square-feet/unit before density bonuses.

The property is currently undeveloped and is characterized by sloped topography to the east and 3 wetlands to the west. The Wetlands A, B, and D are categorized III, III, and IV respectively. The wetland system extends south off the property and ultimately forms the headwaters of Fever Creek to the south. A 30' access and utility easement is located on the western portion of the property running north-south through the wetland buffers, and a 20' trail easement runs east-west aligned with North Ridge park.

Recent single family development has occurred north and south of the property, leaving a dead-end connection from Sussex Drive to Bristol Way. Utilities are present in both of these rights-of-way (ROW). Less recently, Chandler parkway east of the site has been developed, leaving undeveloped frontage on Chandler Parkway to the northeast, and developed lots between the property and Chandler Parkway to the southeast.

Project Description:

The proposed project seeks to develop a tasteful infill of diverse housing types strategically located between dedicated open space and existing development. Careful consideration has been taken to minimize environmental impacts, integrate existing topography, create a natural extension of surrounding neighborhoods, and provide a dense and diverse housing stock.

The proposal consists of single family cluster lots (southeast region), infill toolkit single family lots (northwest region), and infill toolkit townhomes (central region, east of the wetlands). The wetlands and associated buffers to the west will be preserved within dedicated open space and a dedicated ROW will run north-south through the property connecting Sussex Drive and Bristol Way.

The project team has held multiple neighborhood meetings with the surrounding property owners and has stayed in close contact with neighborhood leaders to facilitate a project that is sensitive to all surrounding stakeholders. The design team has worked through many design iterations while thoughtfully considering neighborhood input, Bellingham comprehensive plan, and environmental impacts of the project.

The single family cluster lots have been intentionally chosen to limit impact to existing lots above on Chandler Parkway by utilizing their setback flexibility. The infill toolkit Small House lots are nestled into the sloping topography and curved boundaries between Chandler Parkway and proposed Sussex Drive due to their lot size flexibility. The infill toolkit Townhomes lots have been strategically placed at the east end of the wetland buffers to take advantage of their compact footprint to reduce buffer impacts and provide parking accessed from an alley.

The proposed cluster long plat layout has considered surrounding trail connections as required by the Comprehensive Plan. The informal north-south trail connection that currently utilizes a utility access

easement has been preserved and will be formally dedicated to the city as a trail easement. Also, space has been allocated for an east-west connection from Northridge park through the existing trail easement. It is important to note the proposal does not recommend constructing a trail connection within this easement between Sussex Drive and Chandler Parkway because of the severe grade change and proximity to existing houses. Instead, the existing east-west tail connection from Bristol Way to Chandler Parkway serves this purpose with less impacts. The proposal is open to a connection between Sussex Drive and the existing north-south trail assuming the design will be inviting to users and have minimal impact to wetland buffers.

The project will include engineered stormwater management facilities designed to meet Bellingham and Department of Ecology code requirements. Stormwater will be captured, treated, and detained before being released to the downstream storm network and maintaining existing hydrology to the wetlands.

Title 23 of the Bellingham's Municipal Code describes the Land Division regulations that are applicable to this project. Section 23.08.030 identifies performance standards that must be considered. Responses to the performance criteria are described within the following paragraphs.

BMC 23.08.030 Performance Standards:

B. *Community Design. The city of Bellingham has adopted neighborhood plans for each of its 25 unique neighborhoods. Each applicant for a subdivision must make reference to the applicable policies for the neighborhood as outlined in the appropriate neighborhood plan and describe how the proposed adjustment or land division addresses the policies within the neighborhood plan.*

Response: **The proposed cluster long plat lies within Area 2 of the Barkley Neighborhood. The zoning designation is Residential Multi Planned with a density of 10,000 sq. ft. min per unit average overall density. The proposed project mix is single-family and multi-family units, utilizing Infill Toolkit and Single-Family Clustered Lots. There are a variety of Goals and Policies from this Plan that are applicable**

Goal No. 1: *An integrated open space and trail system should continue to be implemented as defined in the Parks, Recreation and Open Space chapter of the Bellingham Comprehensive Plan and the North Bellingham Trail Plan.*

AND

Goal No. 4: *Landscaping and passive recreation areas may be developed within the buffers if specifically approved through the planned development process. Development in buffers should not be allowed if it can result in a decline of vegetation in the buffer or reduce the effectiveness of the buffer. Development adjacent to the buffers should consider stormwater and buffer impacts.*

AND

<u>Goal No. 5:</u> *A trail network that provides connections to existing trails or creates pedestrian connections to neighborhood amenities should be planned for and provided as development occurs. The Open Space, Parks and Recreation element of the comprehensive plan recommends the construction and maintenance of trails as a citywide network of trail corridors and greenways.*

Response: **The proposed long plat development has considered the existing trail in the 30' utility and access easement, and will dedicate it as a trail easement to the City. The City and Parks are still determining at the time of this narrative who will be responsible for trail improvements within. These trail improvements would complete trail access north to Bristol Way and east to Northridge Park.**

The development has also been designed to account for the existing trail easement that runs East-West through the property. Planning and Parks Department are also currently working to determine if a trail connection should be built through the easement. The development is open to a trail connection heading west from Sussex drive (if it can be constructed in a manor that limits wetland buffer impacts and is inviting to users). Conversely, the development is against constructing a connection from Sussex Drive to Chandler Parkway because of the severe grade change and proximity to adjacent houses. The existing east-west connection from Bristol Way to Chandler Parkway is sufficient and the proposed Sussex Drive sidewalks will connect to this route.

The existing wetlands and a portion of the surrounding buffers will be transferred to Bellingham Land Trust, a non-profit corporation, preserving the land for public use and protection of the wetlands. This area includes the north-south trail easement mentioned above.

A portion of the wetland buffers are proposed to be impacted by the development. A mitigation plan is proposed that will add additional buffer area, enhanced existing buffer area, and restore buffer temporarily impacted during construction. The proposed stormwater site plan will be required to consider impacts on the buffers per Bellingham stormwater code. Also, as part of the wetland mitigation plan, certain design features, such as light reduction strategies, are proposed to reduce impact on the adjacent buffers.

<u>Goal No. 2:</u> *New development should implement strategies to preserve healthy trees on hillsides where views are desired.*

The project is proposing a 30' rear setback for the single-family clustered lots (standard setback distance is 10') to preserve the west facing views from the existing residences on Chandler Parkway. Trees will be preserved or planted to the maximum extent feasible within the increased setback area.

C. Natural features, that may or may not be regulated by other code provisions, including but not limited to trees, topography, shorelines, streams, wetlands, habitat, geologically hazardous areas, and associated critical area/shoreline buffers, should be incorporated into the overall land division design through preservation to the extent feasible.

Response: **Large portions of the site containing the wetlands, and associated buffers containing mature forest, are proposed to be preserved and will continue to function and serve the environment. The proposed lots are arranged in a manner that is sensitive to the natural landscape features. A retaining wall is proposed along the western edge of the lots to minimize the impact on the buffer by minimizing grading westward. Behind the retaining wall, the proposed buildings will be benched into existing grade to minimize bedrock impact and follow the existing topography. A geotechnical assessment has determined that the hillside is sufficiently stable and poses low risk for the proposed development.**

D. Clearing and Grading.

1. In addition to demonstrating compliance with the land clearing (Chapter 16.60 BMC), grading (Chapter 16.70 BMC) and Lake Whatcom Reservoir (Chapter 16.80 BMC) regulatory provisions, as applicable, the proposed layout of a land division should include the following standards:

a. Clearing and grading limits are established to avoid impacting critical areas and/or their associated buffers, natural features as identified in subsection (A) of this section and adjacent properties;

b. Good engineering practices have been implemented to ensure the proposed grading:

i. Is the least necessary to protect slope stability and prevent erosion;

ii. Will not result in the excessive use of retaining walls and/or rockeries along lot lines, project's exterior boundaries, streets and the exterior boundaries of the plat;

iii. Establishes suitable building sites, driveways, public streets, pedestrian corridors, and utilities that are not located on fill. The city may impose a condition of preliminary approval requiring the submittal of a geotechnical report prepared by a Washington State licensed geologist or geotechnical engineer for city review and approval; and

iv. Will not distribute site material resulting from grading to areas within the land division that would cause additional clearing or grading that would otherwise be unnecessary.

Response: **The contractor will be required to establish clearing limits as shown on future permit documents. Clearing limits will restricted to only areas of road and home construction. The proposed ROW follows the existing contours of the hillside, minimizing the need**

for grading and retaining walls within the ROW and adjacent lots. Retaining walls are not required along exterior boundaries. Housing will be stepped up the hillside to minimize excavation and fill. This effort reduces the amount of land disturbance, removal of existing trees and reducing the need for excessive retaining walls. Plans have been prepared by a civil engineer using best engineering practices and under consultation with the geotechnical engineer that has prepared the included geotechnical reports.

E. Dedication. Land dedicated for public infrastructure, including but not limited to right-of-way, utility, and parks and recreation purposes, is incorporated in the land division as necessary to:

1. Rights-of-Way and Utilities. Serve all lots proposed within the subdivision and to provide for orderly extension of public infrastructure for anticipated development in accordance with BMC Title 13 and the comprehensive plan; except this requirement may be waived if the city engineer determines that additional right-of-way will not be necessary for the future traffic circulation of the city, or for future road widening to accommodate anticipated development in the vicinity.

Response: The proposed ROW is located through the center of the development and it provides a frontage for all proposed lots. Utilities are proposed within this ROW to serve all lots and connect to existing utility networks surrounding the project. The proposed road provides a clear and direct connection between two existing neighborhoods and completes the connection between two existing roads that currently dead-end.

2. Parks and Recreation. Provide open space, trail, and recreation facilities pursuant to the adopted parks, recreation, and open space plan of the comprehensive plan and construct the facilities according to the city's design standards for park and trail development, as amended.

Response: The proposed plat layout has considered the existing trail easement. It allocates space for a trail to be constructed west from the proposed Sussex Drive ROW to the existing trail running north-south, and east to Chandler Parkway and the trail within Northridge Park (see commentary on the feasibility of this connection above). Also, as part of the development, the existing trail running north-south through the access easement will be improved to meet park standards.

F. Pedestrian Features. Incorporate pedestrian features into the overall plat design that provide for networks of walking and bicycle facilities that create access to community services and amenities such as schools, parks, shopping centers, public transportation stops, bicycle and pedestrian corridors identified in the city's bicycle and pedestrian master plans within the proposed land division and to adjoining property that is not subdivided. Pedestrian features should be spaced at 500-foot intervals unless such an interval is not feasible due to a physical hardship that is not a result of the overall plat design.

Response: The proposed cluster long plat includes sidewalks and trails that connect to the surrounding neighborhoods. From these points pedestrians can navigate the existing neighborhoods to nearby shopping, dining, movie theater, public transportation stops and schools. The proposed vehicle and pedestrian connections have an accessible driving and walking surface with sufficient lighting for security.

G. Streets. In addition to demonstrating compliance with BMC Title 13, Streets and Sidewalks, and the city's development guidelines and public works standards, the overall street layout for a division of land should incorporate the following:

1. Compliance with Comprehensive Plan and Neighborhood Plan. The alignment of arterial streets should be included in a location as nearly as possible with that shown in the most recently adopted city of Bellingham comprehensive plan, the appropriate neighborhood plan and zoning table (Chapter 20.00 BMC).

Response: The proposed cluster long plat completes the connection of Sussex Drive to Bristol Way in compliance with the comprehensive and neighborhood plans.

2. Vehicular and Pedestrian Circulation. Streets and trails proposed within a land division should:

a. Extend to and connect with existing streets abutting its perimeter to provide for the logical extension of streets and utilities for coordinated development of contiguous tracts or parcels of undeveloped land.

b. Include a street network that provides multiple routes within and in/out of a proposed division of land with a grid pattern or a network modified grid of curvilinear streets and/or alleys unless there are physical limitations including critical areas, significant natural features, conflicts with the existing built environment, or adverse topography that prevents such a street pattern.

c. Avoid single points of access, cul-de-sacs, and dead-end streets, unless the city determines such extension is not necessary due to physical conditions that exist on or adjacent to the site.

d. Public and private trails should also be considered in the design of a street network.

Response: The proposed cluster long plat completes the vehicular and pedestrian connection of Sussex Drive and is a logical extension of the existing street and utilities. The proposed connections allow access from the north and south and do not create dead-ends or cul-de-sacs. The proposed connection is located in a manner that is consistent to the natural features of the site, including the maximum preservation of the existing wetland. Trail access to the east and west have also been considered.

3. Access to Local and Arterial Streets. The land division should show all access locations for all lots and proposed streets to maximize safety consistent with BMC Title 13.

Response: **Each lot will have access to the proposed streets. Access is shared where possible to limit the number of driveways. The proposed multi-family residential development is located near two significant arterial streets, Barkley Boulevard and Sunset Drive. Thus, improving the circulation within the neighborhood.**

4. *Safety. Street layouts shall be designed to maximize safety for all modes of transportation. The applicant shall provide, to the extent feasible, a street layout that promotes visibility and reduces user conflicts through the placement of parking areas and the use of curb bulb-outs, landscaping strips, meandering sidewalks and other means of ensuring pedestrian safety and reducing vehicular speed through residential areas.*

Response: **The proposed cluster long plat includes alleys and shared driveways to maximize safety for vehicles backing out of driveways and garages; for pedestrians and bikers and for children playing in front yards and on sidewalks. This has been achieved with a direct, and visually unobscured, new street extension between the existing two neighborhoods. The street extension is relatively straight and does not have abrupt turns or changes in grade. Parallel parking is proposed on one side, which will radius to pedestrian bulb-outs where the proposed alley entrances intersect Sussex Drive. Sidewalks are proposed on both sides of the road.**

5. *Street Trees. The overall street network is designed to accommodate street trees that can be evenly spaced through all existing and proposed street frontages. To ensure the location of these trees will not conflict with proposed utilities, the required street tree permit and landscape plan shall be reviewed concurrently with the public facility contract application for the required infrastructure. If a location conflict arises, the priority is to redesign the utility location first to ensure a consistent planting schedule for the required street trees. An alternative planting plan should only be allowed if the city determines that there are no other alternative utility designs that would avoid a conflict between the utilities and trees. [Ord. 2018-12-036 § 2 (Exh. A)].*

Response: **Street trees will be planted along the Sussex Drive right-of-way as proposed in the Landscape Plan and in accordance with the City of Bellingham Public Works Department. The ROW width provides adequate space to route utilities without conflicting with the proposed trees.**

23.16.030 Decision Criteria

A. Preliminary plats shall be given approval, including preliminary plat approval subject to conditions, upon finding by the hearing examiner that all of the following have been satisfied:

1. It is consistent with the applicable provisions of this title, the Bellingham comprehensive plan and the Bellingham Municipal Code;

Response: **The Plat has been designed to be consistent with the applicable provisions, Comprehensive Plan, and all applicable sections of the BMC.**

2. It is consistent with the applicable provisions of Chapter 23.08 BMC;

Response: **The Plat is consistent with the provisions of Chapter 23.08 BMC, see criteria addressed in the proceeding section of this narrative, all plans, reports and other relevant information provided with this application.**

3. The division of land provides for coordinated development with adjoining properties or future development of adjoining properties through, where appropriate, the extension of public infrastructure, shared vehicular and pedestrian access, and abutment of utilities;

Response: **The Plat is designed so the road is to full standard and is aligned with existing connection points to the north and south, completing Sussex Drive. Utilities will connect to the north and south as well.**

4. Each lot in the proposal can reasonably be developed in conformance with applicable provisions of the BMC, including but not limited to critical areas, setbacks, and parking, without requiring a variance that is not processed concurrently with the subdivision application pursuant to Chapter 23.48 BMC;

Response: **Each lot can be reasonably developed and meet applicable development criteria. Please see requested departures and variances included with this application.**

5. There are adequate provisions for open spaces, drainage ways, rights-of-way, sidewalks, and other planning features that assure safe walking conditions for pedestrians, including students who walk to and from school, easements, water supplies, sanitary waste, fire protection, power service, parks, playgrounds, and schools; and

Response: **All provisions listed are adequately met. See attached civil plans for details and design features. See relevant project information, plans, studies and reports for analysis of project compliance with all listed criteria.**

6. It will serve the public use and interest and is consistent with the public health, safety, and welfare. The director shall be guided by the policy and standards and may exercise the powers and authority set forth in Chapter 58.17 RCW, as amended.

Response: **The proposed Plat will serve the public use and interest and is consistent with public health, safety, and welfare.**

B. Notwithstanding approval criteria set forth in subsection (A) of this section, in accordance with RCW 58.17.120, as amended, a proposed subdivision may be denied because of flood, inundation or presence of environmentally sensitive areas as regulated by Chapter 16.55 BMC. Where any portion of the proposed subdivision lies within both a flood control zone, as established pursuant to Chapter 86.15 RCW, and the area of special flood hazard as defined in Chapter 17.76 BMC, the city shall not approve the preliminary plat unless it imposes a condition requiring the applicant to comply with the applicable regulations in Chapters 16.55 and 17.76 BMC and any written recommendations from the Washington Department of Ecology. In such cases, no development permit associated with the proposed subdivision shall be issued by the city until flood control problems have been resolved.

Response: **The project site is not located within a flood control zone and does not require any additional approval from the Washington Department of Ecology.**

C. An applicant for a preliminary plat may request that certain requirements established or referenced by this title be modified. Such requests shall be processed according to the procedures and criteria for administrative modification or variances in Chapter 23.48 BMC. [Ord. 2018-12-036 § 2 (Exh. A)].

Response: **See requested departures and variances submitted with this application.**

Please let us know if you have any questions regarding this response.

Sincerely yours,

Tony Freeland

Tony Freeland, P.E

Freeland and Associates, Inc.

220 West Champion Street
Suite 200
Bellingham, Washington
360.650.1408

January 4, 2021

City of Bellingham
Planning & Community Development
210 Lottie Street
Bellingham, WA 98225

Attention: Kathy Bell, Senior Planner

Subject: Plat of Barkley Heights
Response to Request for Improved Information

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Response: The decision criteria document now includes specific examples demonstrating how the project meets code. A project narrative has also been added.

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   - Application materials need to be reconciled to ensure the information is consistent. This is mostly related to critical areas.

Response: Site plans have been reconciled. It is expected additional updating will be required after the City and Parks make a decision on the trial connections.

3. Retaining Wall:
   - The proposal did not include any details related to the design of the wall (height, thickness, finish materials, etc.).
   - The cross sections suggest the wall is around 30 feet tall;
   - The critical area delineation states the wall will be 15 feet tall.

Response: See revised site sections. The wall proposed will typically be 15' high, but a little higher in some cases depending on final grades. Detention vaults will be cast-in-place as part of the wall. Concrete gravity blocks may be used between some cast-in-place sections where detention vaults are not located.

4. Critical areas: The application drawings need to be reconciled to consistently show the proposal's impacts and mitigation concerning the wetlands and associated buffers. Revise the "date drawn" on all revised drawings.

Response: Wetland exhibits have been updated to include impacts from the stairs. Further updates will likely be required after the City and parks make a decision on the trails.

5. Infrastructure:
   - Would a reduced 50-foot right of way dedication reduce critical area impacts;

Response: This has now been studied in detail. Reducing the ROW will not be feasible because the townhome lots depend on the ROW space to back-of-walk to meet FAR and the small house lots depend on it for the second parking space in front of the detached garages.

   - Wall details will help inform the city if the alley should be public;

Response: Noted. See above.

   - Submittal of a variance from the requirement to construct Desborough is required.

Response: As discussed with Kathy Bell, the city is offering to take on this task.

6. Stormwater:
   - There is not sufficient information to demonstrate the overall stormwater plan will meet code;

Response: The cast-in-place detention tanks shown have been conservatively sized based on preliminary modeling. The storm design will be very complicated so note realistic to do a complete design for preliminary plat.

- The stormwater plan doesn't address soils or wetland hydrology.

Response: Wetland hydrology will be maintained per code. Currently the drainage ditch cuts off most flow to the wetlands as noted in the mitigation report. The storm outfall is proposed into the same ditch. Final design will involve more detailed modeling of this.

- Vaults need to be constructed to meet aerial point loading requirements.

Response: Noted.

7. Fire:
   - The alley must have an uninterrupted width of 16 feet, not the 15 feet shown;

Response: Updated on section. (although Infill Toolkit code notes 15' alleys)

- Building code will require the TH to be sprinklered if more than 4 units are attached in a cluster;

Response: Noted.

- Sussex exceeds allowed 12% grade on north end and would require all units to be sprinklered. Max 15% grade allowed with sprinklers.

Response: Noted. Final grading will be very tricky; maintain drop across townhouses, avoid bedrock, and maintain wetland buffer. During final design it will be a goal to reduce grade so houses are not sprinkled, but unlikely to be successful.

8. Open Space/Trail:
   - The city will not accept dedication of the open space. The notations regarding dedication of these open space areas should be removed;

Response: Noted. Open space is now proposed to be dedicated to a non-profit corporation.

- Relocation of the trail alignment at Bristol is not supported and as shown appears to conflict with the proposed critical area mitigation plan.

Response: The line this comment refers to is the toe of the 2:1 slope and limits of wetland buffer restoration. The trail alignment is proposed to remain on the existing alignment.

9. Trail/Critical Areas:
   - The city is still assessing the proposed trail alignments. As necessary, revisions to the critical area documents will be needed to address the impacts resulting from the east-west trail.

Response: Call scheduled for week of 1/19/2021

- Improvements to the north-south trail will likely require some grading and clearing in the wetland buffer. Revisions to the critical area documents should be made accordingly.

Response: Critical area documents to be revised after decision on tail is made.

- Show the proposed location of the 30' wide public trail easement to be dedicated to the City as required by the Parks, Recreation, and Open Space chapter of the City's Comprehensive Plan.

Response: This has been noted on the plans.

- Any trail segments to be improved or constructed by the applicant as part of this project shall be reviewed and approved by the Parks & Recreation Department and built to City standards.

Response: Noted.

10. Land Use:
    - Setbacks shown for the SF cluster lots are incorrect, the front yard setback is 15 feet, not 10 feet.

Response: Variance has been submitted on this. The project is trying to push the buildable area as close to the ROW as possible to limit impact on neighbors to the east.

11. Infill Housing (ITK):
    - The ITK applications need to be reconciled as it appears both small and smaller housing units are proposed;

Response: Application has been updated to only include small houses.

- Additionally the house square footage exceeds the allowable FAR for all smaller lots that have site areas less than 3,000 sf in area;

Response: Proposal has been updated to only include small houses because open space did not work. See revised FAR and open space calculations. One lot was removed.

- Need to demonstrate the parking requirements for each housing type and if only one space is provided for the small houses, then a departure must be requested;

Response: Dimensions will be added to show greater than 20' between garage door and back of walk. This will make 2 parking spaces for each lot. A departure request has been included with this submittal.

- FAR for small and smaller lots are calculated on a per lot basis;

Response: This has been revised.

- Revise the FAR calculation and exhibit to show only the TH lots-the alley and open space is not included in the FAR calculation.

Response: This has been revised.

12. Design Review:
    - Staff has minor design comments that can be discussed at a later time.

Response: Noted.

Please feel free to contact me if you have any questions about these responses.

Sincerely,

Freeland and Associates, Inc.

Tony Freeland

Tony Freeland, P.E.

Encl.

Plat of Barkley Heights
Code Compliance for Proposed Housing Types
January 2021

Freeland & Associates, Inc.

BMC 20.28.050 General Standards	Project Application
A. *Density.* Density shall be as specified in the associated area in the zoning table. If there is more than one density listed in the table, the maximum density applies.	The project is zoned Area 2 – Residential Multi, Planned. Overall lot size is 492,344 SF which allows for 50 units at 1:10,000 SF density + 25% density increase. The project proposes 63 units which meets this requirement.
B. *Lot Requirements.* There are no minimum lot dimensions, lot sizes or minimum street frontage requirements unless otherwise specified in this chapter. Up to eight dwelling units may take access from a single private lane in place of public street frontage.	There are no private lanes proposed.
C. Subdivision. Infill housing units approved as part of a cluster subdivision in single-family zoning subareas with a cluster, cluster detached, and cluster attached shall be located on separate, fee simple lots. All cluster subdivisions that include infill housing types shall comply with the lot transition provision pursuant to BMC 23.08.060(F)(1). Sites with cottage, shared court, garden court, and townhouse types in all other zoning areas permitting infill housing types may be subdivided into lots that do not comply with development standards in BMC Title 23 individually, as long as the parent site as a whole complies with this chapter. The plat shall contain notice of any associated land use approvals. Subsequent alterations to buildings are subject to review and approval of plans such that they are consistent with the regulations in this chapter that were previously applied to this site.	Proposed kits are separate fee simple. Per 23.08.060(F)(1) the proposed clustered lots are no located adjacent to single family zoning so this provision does not apply (although proposed lot sizing would likely comply). Proposed townhouse lots will be subdivided, and the parent site complies with this chapter.
D. Common Facilities. Legal documents identifying the rights and responsibilities of property owners and/or the homeowners' association for use and maintenance of common facilities shall be submitted for approval by the planning director and recorded. When part of a subdivision they shall be noted on the plat.	Any necessary legal documents will be submitted for approval to the planning director.

BMC 20.28.050 General Standards	Project Application
E. Encroachments into Required Setbacks. The following architectural features are permitted to project two feet into the required setback: bay windows, chimneys, porches, balconies, facade treatment and other architectural features approved by the planning director.	Only architectural features as noted are proposed to encroach into setbacks, although rarely proposed.
F. Private Lanes and Alleys.	
1. Each lot must abut a street or lane except lots for individual units in cottage, shared court, and garden court.	All proposed lots abut a street
2. Private lanes and alleys must be surfaced with a hard material such as concrete or asphalt. The use of permeable pavement shall be used for hard surface ground cover areas unless infeasible per the infeasibility criteria listed within BMP T5.15 of the Ecology Manual. Projects that include less than 2,000 square feet of new or replaced impervious surface are exempt from this requirement. Gravel or loose material is prohibited.	The proposed alley will be surfaced with asphalt.
3. Lanes and alleys must be maintained to city standards, and legal documents regarding common facilities and maintenance must be submitted for approval by the planning director and recorded.	The proposed alley will be constructed to city standards and legal documents will be submitted as necessary to the planning director.

BMC 20.28.050 General Standards	Project Application
4. Lanes and alleys must be constructed to the following improvement standards:	The alley is proposed to be 16' wide travel lane and 20' of total width.

	Travel Lane Width	***Pedestrian Path Width***	***Total Width***
Small Lane (one to two dwelling units)	*9 feet*	*N/A*	*9 feet*
Medium Lane (three to five dwelling units	*11 feet*	*4 feet, one side*	*15 feet*
Large Lane (six plus dwelling units and lanes over 100 feet long)	*12 feet*	*4 feet, both sides*	*20 feet*
Alleys	*15 feet*	*N/A*	*20 feet*

5. Pedestrian paths must be delineated with a change in material, color or pattern.	Pedestrian paths will be delineated by curbed sidewalks.
6. No single lane may serve more than eight dwelling units.	No lanes are proposed.
7. Parking is not allowed within the lane width but may be allowed in a pocket abutting a lane.	Pocket parking is proposed within the Sussex Drive ROW

BMC 20.28.050 General Standards	Project Application
8. Lanes longer than 150 feet must either connect to an improved public street or provide a turnaround sufficient for emergency access.	No lanes are proposed.
9. Private lanes shall be considered streets for frontage, setback and design purposes.	No lanes are proposed.
10. Private lanes and alleys are not included in FAR and Open Space calculations. [Ord. 2018-12-036 § 28; Ord. 2017-03-009 § 18; Ord. 2009-08-047].	No lanes are proposed.

BMC 20.28.070 Small House	Project Application
A. Description. Small houses consist of detached single-family dwelling units on lots over 3,000 square feet and up to 5,000 square feet.	11 small house lots are proposed.
B. Site Requirements and Setbacks.	
1. Lot size: minimum 3,001 square feet and maximum 5,000 square feet.	Lots meet the area requirements; they are typically about 3,500 SF
2. The required setbacks are as shown in Figures 20.28.070(A) and (B), except garage and carport setbacks from an alley shall be as needed to provide a 20-foot parking backup distance (including alley width). Buildings shall be placed within the shaded areas shown in the figures.	Buildings are placed within 10' front and back, and 5' side setbacks as shown on the proposed typical lot site plan.
C. Bulk and Massing.	
1. Maximum floor area ratio (FAR): 0.35, or 0.5 with an accessory dwelling unit (ADU) pursuant to BMC 20.10.036. Attached garages are included in FAR. Detached garages up to 220 square feet, or 440 square feet with an ADU, are exempt from FAR	Maximum FAR for each lot is 0.35 (no ADU, detached garages of less than 220 SF proposed). See FAR exhibit.
2. No single floor shall be greater than 800 square feet.	Proposed floors are 600 SF.
3. Maximum height is 25 feet under BMC 20.08.020, height definition No. 1 and 15 feet under definition No. 2.	Some small house lots do not meet height definitions. Typically, less than 5' discrepancy due to topography. **See submitted departure request.**

BMC 20.28.070 Small House	Project Application
D. Open Space. *1. A minimum of 60 percent of the site area shall be in landscaping and permeable materials (may include permeable paving, landscape-based LID BMPs, and green roofs). Exceptions may be made in erosion hazard zones or areas with shallow bedrock as determined by the planning director.*	Proposed small house lots have greater than 60% open space. See individual lot summary on FAR exhibit.
E. Parking.	
1. Dwelling units less than 1,000 square feet shall provide one on-site parking stall. Units of 1,000 square feet or larger shall provide two on-site parking stalls. The planning director may reduce parking requirements based on applicant's demonstration of site-specific factors that justify a lower standard. Parking stalls shall be at least nine feet by 18 feet, unless adjacent to landscaping, as specified in Figure 20.12.030(A).	Proposed small house lots have proposed units of greater than 1,000 SF, thus require two on-site parking stalls. One stall is proposed between back of walk and garage door, which is not on-site. **See submitted departure request.**
2. Tandem parking is allowed (may be exterior or interior).	Tandem parking is proposed, see above.
3. If an alley exists, parking shall be accessed via the alley unless the planning director determines that alley access is impractical or environmentally constrained.	Alley is not proposed for small house lots.
4. If a lane exists, but no alley, parking shall be accessed via the lane.	No lane is proposed for small house lots.

BMC 20.28.070 Small House	Project Application
5. *Adjacent properties may share a driveway upon approval of a shared access and maintenance agreement.*	No shared driveways are proposed for small house lots.
6. *Detached garages may share a common wall along a property line if a shared maintenance agreement is in place.*	Detached garages are not proposed to share a wall.
7. *Parking accessed from the public street shall be limited to one driveway of 20 feet maximum width.*	Proposed driveways are less than 20' wide.
8. *Parking setbacks from property line:* *Front: 25 feet* *Side street: 10 feet*	Small house lots propose parking in front within 25' setback. **See submitted departure request.**
9. *All common shared driveway, common wall or any common facility needs to be approved by the planning director. Final documents are required to be recorded.*	No common areas proposed at this time.
F. Design Standards 1. *Shall have a covered front porch with an area of 60 square feet or more, with no dimension less than five feet.*	Proposed front porches are 60 SF and 5' wide.
2. *Dwelling units that front the public street or lane shall have entrances facing the public street or lane.*	Entrances are proposed facing public street.
3. *All fences in the front and side street setbacks are limited to 42 inches in height and may be no more than 60 percent opaque.*	Fences will meet these requirements if proposed during final design.

BMC 20.28.070 Small House	Project Application
Chain link or cyclone fencing is not allowed in the front or side street setback.	
G. Design Guidelines. Use context-sensitive site design and building details to help ensure that new infill development will enhance the neighborhood and respect the scale and character of the existing houses on a street.	See architectural plans and narrative. It is the architect's opinion that these requirements are met.
1. Building Design.	
a. Single story massing elements should be emphasized on the front facades, using porches and bays seen from the street or lane.	Porches and
b. Gable roofs emphasize vertical proportions, create modulation and are strongly encouraged.	Gabled roofs are proposed.
c. The massing should be varied with elements such as bays, dormers, etc.	Bays are proposed.
d. A change of materials, colors or textures on different elements is encouraged to provide further articulation and adds variety and character.	Various colors and textures are proposed.
e. Homes should minimize the impact of the garage on the streetscape by minimizing blank garage doors, through the use of windows and/or architectural detail on the garage door.	Architectural detail is proposed for garage doors.

BMC 20.28.070 Small House	Project Application
2. Site Design.	
a. Front yard parking aprons are not allowed.	Parking aprons are not proposed.
b. Back yards should be designed for privacy from neighbors.	Proposed yards will feature natural topography and retaining walls to provide privacy.
c. Fencing, especially when seen from the street, should be designed to integrate into the architecture of the building and add visual interest in its detail, materials or color. [Ord. 2018-05-009 § 10; Ord. 2017-03-009 § 20; Ord. 2009-08-047].	If fencing is proposed it will be designed to integrate with building architecture.

BMC 20.28.140 Townhouse	Project Application
A. Description. A townhouse is one of a row of homes sharing common walls, each with its own front and rear access to the outside.	Proposed townhouses share common walls and have both front and rear access.
B. Site Requirements and Setbacks.	
1. Townhouses may be located on a separate (fee simple) lot or several units may be located on a common parcel.	Proposed townhouses are located on separate lots.
2. The required setbacks are as shown in Figures 20.28.140(A) and (B), except garage and carport setbacks from an alley shall be as needed to provide a 20-foot parking backup distance (including alley width). Buildings shall be placed within the shaded areas shown in the figures.	Proposed townhouses feature 10' setback at front and 20' alley in the rear.
C. Bulk and Massing.	
1. Maximum attached dwelling units is eight.	Groups of 8 attached units are proposed
2. Maximum Floor Area Ratio (FAR) is 0.75.	Proposed aggregate FAR for all townhouse lots is 0.73, see FAR exhibit.
3. The height limit is 35 feet under BMC 20.08.020, definition No. 1 or 20 feet under definition No. 2.	Some small house lots do not meet height definitions. Typically, a 10' discrepancy due to topography. **See submitted departure request.**
D. Open Space.	
1. Each dwelling unit shall have 200 square feet of private open space with no dimension less than five feet. Up to 100 square feet of deck or structure may be included.	Proposed townhouses feature decks to the rear, typically of about 90 SF. Additional private open space is proposed in the front.

2. Private open space must be screened from public right-of-way, paths, and lanes.	Open space in front will be screened by grade change, plants, and/or fences.
3. Private open space must be directly accessible from the dwelling unit.	Open space is proposed directly adjacent to each unit.
4. A green factor landscaping score of 0.6 is required (see BMC 20.12.030).	Green factor greater than 0.6 is proposed, see landscape plan.
E. Parking.	
1. Dwelling units less than 1,000 square feet shall provide at least one on-site parking stall. Units of 1,000 square feet or larger shall provide two on-site parking stalls. The planning director may reduce parking requirements based on applicant's demonstration of site-specific factors that justify a lower standard. Parking stalls shall be at least nine feet by 18 feet, unless adjacent to landscaping, as specified in Figure 20.12.030(A).	Proposed townhouse units are greater than 1,000 SF and propose double parking garages below each unit.
2. Parking may be consolidated.	Consolidation not proposed.
3. Parking accessed from a street or lane shall be limited to one driveway with a maximum width of 20 feet. Individual driveways may access a private lane.	Proposed parking is accessed from the alley.
F. Design Standards.	
1. Each townhouse unit shall front a street or lane, and have an entrance that faces a street or lane	Front entrances face Sussex Drive

2. *Entrances for each unit shall be separate.*	Separate entrances are proposed.
3. *Each unit shall have direct access to both the public street or lane and parking.*	Direct access is provided to Sussex Drive and the alley.
4. *Each unit must have a covered, main entry-related porch or stoop area of at least 50 square feet with no dimension less than five feet.*	A covered main entry porch is proposed for each unit.
5. *Buildings must be modulated along the public street at least every 30 feet. Building modulations must step the building wall back or forward at least four feet.*	Each unit modulates greater than 4' back and forward.
6. *All fences in the front and side street setbacks, or between the common areas and the units, are limited to 42 inches in height and may be no more than 60 percent opaque. Chain link or cyclone fencing is not allowed in the front or side street setback.*	If fences are proposed with final design, they will satisfy these requirements.
7. *Garbage/recycling areas shall be consolidated and screened from public view.*	Garbage and recycling areas will be designed to satisfy these requirements.
G. Design Guidelines.	

1. Building Design. *a. Reduce the potential impact of new townhouse development on established and historic neighborhoods by incorporating elements and forms from nearby buildings of character. This may include reference to architectural details, building massing, proportionality, and use of high-integrity materials such as wood, brick, and stone. References to period architecture can be made in a contemporary manner.* *b. Use lines and rhythms to create a human scale streetscape. These may include vertical and horizontal patterns as expressed by bays, belt lines, doors and windows.*	
2. Site Design. *a. Front yard parking aprons are not allowed.* *b. Provide generous use of planting materials and landscape structures such as trellises, raised beds and fencing to unify the overall site design. [Ord. 2017-03-009 § 25; Ord. 2009-08-047].*	Front yard parking aprons are not proposed. Final site design will provide ample opportunity for unified and creative site design by utilizing natural site topography.

BMC 20.30.020 Single Family Cluster	Project Application
B. Detached/Cluster Designation. *1. The residential single-family "detached" designation is intended to accommodate unattached, individual dwelling units located upon a single lot or parcel. The detached designation has generally been applied in those areas of the city which are currently developed in this fashion and in other areas best suited for this type of development.* *2. The residential single-family "cluster" designation is intended to accommodate individual dwelling units located upon a single or multiple lots. Generally the same overall density is maintained; however, cluster lots may be reduced in size and street frontage requirements in order to retain open space or preserve environmentally sensitive areas. These regulations have been adopted to provide for reduced or eliminated setbacks, and in some areas common wall construction, where desired in order to provide design flexibility and promote a more desirable living environment.*	
G. Minimum Yards – Cluster Subdivisions. *1. Unless more stringent setbacks have been delineated upon a cluster plat as part of an approval requirement, the following setbacks as shown on Table 20.30.045 – Cluster Residential Single Minimum Yards shall be required for main buildings on lots created through the subdivision process:*	Proposed single family cluster lots have a 10' front setback due to steep topography of the site. **See submitted variance request.** Proposed side yard setbacks are 5' per code. Proposed rear setback is 30', which is greater than code 10'. This is proposed as a curtesy to the existing uphill neighbors to help reserve their view to the west by keeping the proposed houses lower down the slope.

Table 20.30.045 Cluster Residential Single Minimum Yards

Table 20.30.045 –

Yards	***Setbacks***	***Measurements***
Front Yard Setback	*15 feet PL*	*Setback measure from the front property line (PL).*
Side Yard on a Flanking Street	*10 feet PL*	*Setback measured from the property line (PL) abutting the side flanking street.*
Side Yard Setback	*Five feet PL*	*Setback measured from each side property line (PL).*
Side Yard Setback (attached)	*0 feet PL*	*Setback measured from the side property line (PL).*
Rear Yard Setback	*10 feet PL*	*Setback measured from the rear property line (PL).*

Note:

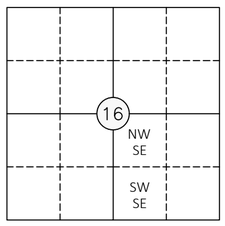
1 Exception: *Permitted yard encroachments identified in BMC 20.10.080(B) may extend into a standard required yard; provided, that the encroachments meet the adopted building codes and minimum vision clearance triangle on a corner lot.*

ATTACHMENT A1

PLAT OF BARKLEY HEIGHTS

PLAT NO._____

BEING A PORTION OF THE NW 1/4 OF THE SE 1/4 & SW 1/4 OF THE SE 1/4 OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 3 EAST OF W.M.
CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON



TWP. 38 N., RGE. 3 E., W.M.

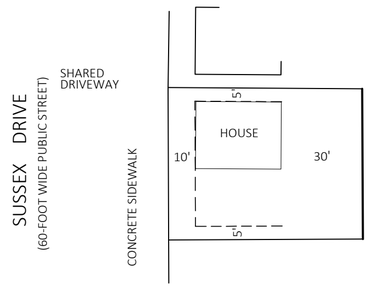
LEGAL DESCRIPTION

(PER DEED FILED UNDER A.F. NO. 2131201907)

LOT 4, AMENDED FORM OVER SUBSTANCE SHORT PLAT #1997, ACCORDING TO THE SHORT PLAT THEREOF, RECORDED JANUARY 31, 2003, UNDER RECORDING NO. 2030106542, RECORDS OF WHATCOM COUNTY, WASHINGTON.

TOGETHER WITH AND SUBJECT TO EASEMENTS AND AGREEMENTS OF RECORD.

TRADITIONAL STANDARD LOTS 1-12



LOT SIZE: 4,000 SQ.FT. (MINIMUM)
BUILDING SET-BACKS: 10' FRONT, 5' SIDE, 30' REAR (PER ENG.)

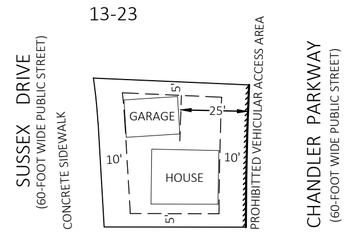
VICINITY MAP
NOT TO SCALE

DECLARATION AND DEDICATION

KNOW TO ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED, BEING OWNERS IN FEE SIMPLE OF THE LAND HEREIN PLATTED, HEREBY DECLARE AND ACKNOWLEDGE THIS "PLAT OF BARKLEY HEIGHTS" AND DEDICATE TO THE PUBLIC FOREVER ALL PUBLIC TRACTS AND PUBLIC EASEMENTS SHOWN ON THIS PLAT; ALSO, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUT AND FILL UPON LOTS AND TRACTS IN ANY REASONABLE GRADING OF EASEMENTS, AND HEREBY WAIVE ALL CLAIMS FOR DAMAGES AGAINST ANY GOVERNMENTAL AUTHORITY WHICH MAY BE OCCASIONED TO ADJACENT LAND BY ESTABLISHED CONSTRUCTION, DRAINAGE AND MAINTENANCE OF SAID EASEMENTS.

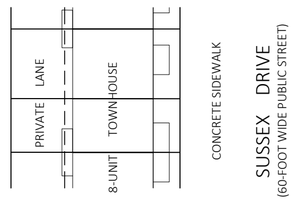
_____ _____
XX DATE

COB INFILL TOOLKIT - TYPICAL "SMALL" LOTS 13-23



"SMALL" INFILL LOTS 13-23
LOT SIZE: 3,001 - 5,000 SQ.FT.
BUILDING SET-BACKS: 10' FRONT, 5' SIDE, 10' REAR
GARAGE SET-BACKS: 25' FRONT, 5' SIDE, 10' REAR
FLOOR AREA RATIO (FAR): 0.35
NO FLOOR PLATE GREATER THAN 800 SQ.FT.
DETACHED GARAGES UP TO 220 SQ.FT. EXEMPT FROM FAR
MINIMUM OF 60% OF SITE AREA IN PERVIOUS MATERIALS
MINIMUM OF 60 SQ.FT. COVERED FRONT PORCH

COB INFILL TOOLKIT - TYPICAL "TOWNHOUSE" LOTS 24-63



"TOWNHOUSE" INFILL LOTS 24 - 63
LOT SIZE:
BUILDING SET-BACKS: 10' FRONT, 5' SIDE, 10' REAR
GARAGE SET-BACKS: 25' FRONT, 5' SIDE, 10' REAR
FLOOR AREA RATIO (FAR): 0.75
NO FLOOR PLATE GREATER THAN 600 SQ.FT.
ONE GARAGE FOR EACH LOT UP TO 220 SQ.FT. EXEMPT FROM FAR
MUST HAVE 200 SQ.FT. (MINIMUM) OF PRIVATE OPEN SPACE PER LOT
MINIMUM OF 50 SQ.FT. MAIN ENTRY COVERED PORCH EACH LOT

ACKNOWLEDGEMENT

STATE OF WASHINGTON }
COUNTY OF WHATCOM } SS

I HEREBY CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT _____ IS THE PERSON WHO APPEARED BEFORE ME, AND SAID PERSON ACKNOWLEDGED THAT (HE/SHE) SIGNED THIS INSTRUMENT, ON OATH STATED THAT (HE/SHE) WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE _____ OF _____, TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THE INSTRUMENT.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____ , 20_____.

_____
NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON

RESIDING AT _____

CITY OF BELLINGHAM DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

EXAMINED AND APPROVED BY THE CITY OF BELLINGHAM DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

THIS _____ DAY OF _____, 20____.

_____ _____
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT TITLE

CITY OF BELLINGHAM DEPARTMENT OF PUBLIC WORKS

EXAMINED AND APPROVED BY THE CITY OF BELLINGHAM DEPARTMENT OF PUBLIC WORKS

THIS _____ DAY OF _____, 20____.

_____ _____
DEPARTMENT OF PUBLIC WORKS TITLE

CITY OF BELLINGHAM MAYOR

I HEREBY CERTIFY THAT THE "PLAT OF BARKLEY HEIGHTS" IS DULY APPROVED BY THE CITY OF BELLINGHAM CITY COUNCIL

THIS _____ DAY OF _____, 20____.

_____ _____
KELLI LINVILLE, MAYOR, CITY OF BELLINGHAM ATTEST: ANDREW ASBJORNSEN, FINANCE DIRECTOR, CITY OF BELLINGHAM

CITY OF BELLINGHAM FINANCE DIRECTOR'S CERTIFICATE

I, ANDREW ASBJORNSEN, THE UNDERSIGNED FINANCE DIRECTOR OF THE CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON, DO HEREBY CERTIFY THAT I AM THE OFFICER IN CHARGE OF THE COLLECTION OF SPECIAL ASSIGNMENTS LEVIED BY THE CITY OF BELLINGHAM ON ALL LAND EMBRACED WITHIN THE "PLAT OF BARKLEY HEIGHTS", AND THAT ALL DELINQUENT SPECIAL ASSIGNMENTS FOR WHICH THE PROPERTY EMBRACED WITHIN THIS PLAT WHICH MAY BE LIABLE AT THIS DATE HAVE BEEN PAID, AND THAT ALL SPECIAL ASSESSMENTS AGAINST THE PROPERTY IN THIS PLAT WHICH UNDER SAID PLAT BECOMES STREETS AND RECREATION AREAS HAVE BEEN PAID IN FULL.

THIS _____ DAY OF _____, 20____.

_____
ANDREW ASBJORNSEN, FINANCE DIRECTOR, CITY OF BELLINGHAM

WHATCOM COUNTY TREASURER'S CERTIFICATE

I, THE UNDERSIGNED TREASURER OF WHATCOM COUNTY, WASHINGTON, DO HEREBY CERTIFY THAT ALL TAXES REQUIRED BY LAW TO BE PAID UPON THAT PORTION OF REAL ESTATE EMBRACED WITHIN THE "PLAT OF BARKLEY HEIGHTS" AND ALL DELINQUENT ASSESSMENTS HAVE BEEN PAID IN FULL AS SHOWN IN THE RECORDS OF MY OFFICE.

THIS _____ DAY OF _____. 20____.

_____
STEVEN N. OLIVER, TREASURER, WHATCOM COUNTY, WASHINGTON

COVENANTS, CONDITIONS AND RESTRICTIONS

THE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND RESERVATIONS FOR "PLAT OF BARKLEY HEIGHTS" ARE RECORDED UNDER AUDITOR'S FILE NO. _____.

STORMWATER NOTE

STORMWATER MANAGEMENT IS REQUIRED TO BE IMPLEMENTED IN ACCORDANCE WITH THE STORMWATER SITE PLAN FOR _____ PREPARED BY _____, DATED _____. ANY LOT WITHIN THIS PLAT MAY EXCEED THE DESIGNATED SQUARE FOOTAGE / FLOW IF AN ALTERNATIVE STORMWATER MITIGATION PLAN IS APPROVED AND IMPLEMENTED IN ACCORDANCE WITH BELLINGHAM MUNICIPAL CODE, AS AMENDED.

PLAT NOTES:

SURVEYOR'S NOTES:

1. STANDARD FIELD TRAVERSE PROCEDURES, A TOPCON GR-5 GPS BASE STATION AND ROVER UTILIZING GLOBAL POSITIONING, AND A NIKON 652 TOTAL STATION WERE USED TO ACCOMPLISH THIS SURVEY, ALL OF WHOSE ACCURACY MEETS OR EXCEEDS THOSE PRECISION STANDARDS STATED IN WAC 332-130-090.
2. THE FIELD WORK PERFORMED FOR THIS SURVEY WAS CONDUCTED IN _____. ALL MONUMENTS SHOWN HEREON WERE VISITED DURING THE COURSE OF THIS SURVEY UNLESS OTHERWISE NOTED.
3. **BASIS OF BEARINGS:** BEARINGS AND TRACT DIMENSIONS DERIVED FROM THE AMENDED FORM OVER SUBSTANCE SHORT PLAT, ACCORDING TO THE MAP THEREOF, RECORDED UNDER AUDITOR'S FILE NO. 2030106542, RECORDS OF WHATCOM COUNTY, WASHINGTON.

   HELD: **N 88°27'18" W** ALONG THE WESTERLY PORTION OF THE SOUTH LINE OF SAID LOT 4, AS SHOWN.

EASEMENTS DEPICTED ON FACE OF PLAT:

AUDITOR'S CERTIFICATE

I CERTIFY THAT THIS LONG PLAT WAS FILED FOR RECORD IN THE OFFICE OF THE AUDITOR OF WHATCOM COUNTY, WASHINGTON THIS _____ DAY OF_____, 20_____ AT _____ ____M, AT THE REQUEST OF _____, AND IS RECORDED UNDER

AUDITOR'S FILE NO. _____.

_____
AUDITOR OF WHATCOM COUNTY DEPUTY AUDITOR

SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT AT THE REQUEST OF _____, _____ IN _____, _____.

_____
CHRISTOPHER MICHAEL JEPSON, DATE
CERTIFICATE NO. 55832

CHRISTOPHER MICHAEL JEPSON
STATE OF WASHINGTON
55832
REGISTERED
PROFESSIONAL LAND SURVEYOR
PRELIMINARY

PLAT OF BARKLEY HEIGHTS
PTNS. NW 1/4 SE 1/4 & SW 1/4 SE 1/4, SECTION 16, TOWNSHIP 38 N., RANGE 3 E., W.M.
CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON

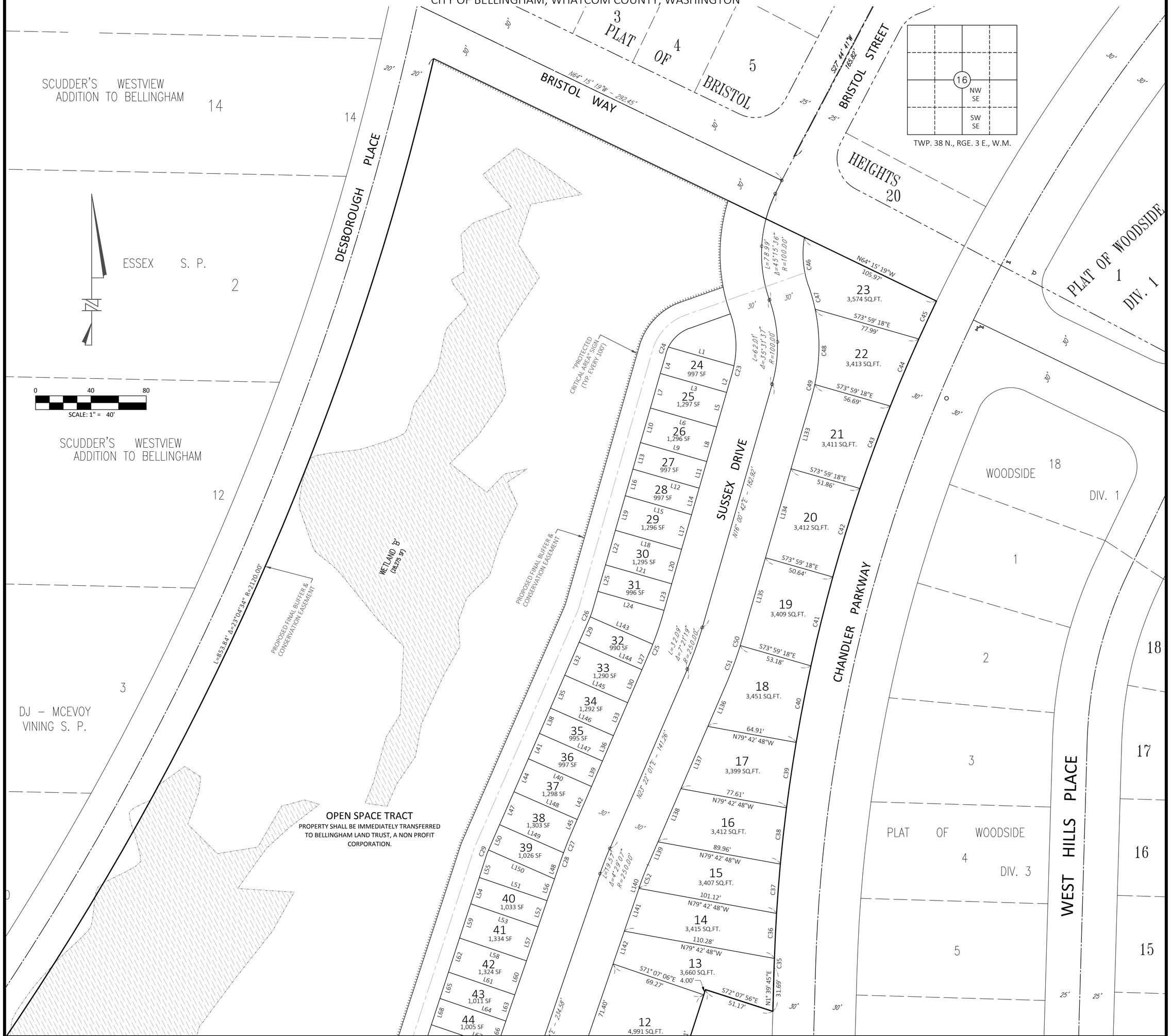
JEPSON & ASSOCIATES
REGISTERED PROFESSIONAL ENGINEERS AND LAND SURVEYORS
222 GRAND AVE., SUITE C, BELLINGHAM, WA 98225
PHONE: (360) 733-5760 | FAX: (360) 647-8939 | EMAIL: CMJEPSON@JEPSONENGINEERING.COM

CLIENT:	DAVE EBENAL		
DATE:	12/29/2020		
DWG. NO.:	18054-PRELIM-PLAT.dwg		
JOB NO.:	18054	F.B. NO.	DB-02 MAP-05
DRAWN BY:	SMF	SHEET:	1 of 3
CHECKED BY:	CMJ		

PLAT OF BARKLEY HEIGHTS

PLAT NO._____

BEING A PORTION OF THE NW 1/4 OF THE SE 1/4 & SW 1/4 OF THE SE 1/4 OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 3 EAST OF W.M.
CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON



CHRISTOPHER MICHAEL JEPSON
STATE OF WASHINGTON
55832
REGISTERED PROFESSIONAL LAND SURVEYOR
PRELIMINARY

PLAT OF BARKLEY HEIGHTS
PTNS. NW 1/4 SE 1/4 & SW 1/4 SE 1/4, SECTION 16, TOWNSHIP 38 N., RANGE 3 E., W.M.
CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON

JEPSON & ASSOCIATES
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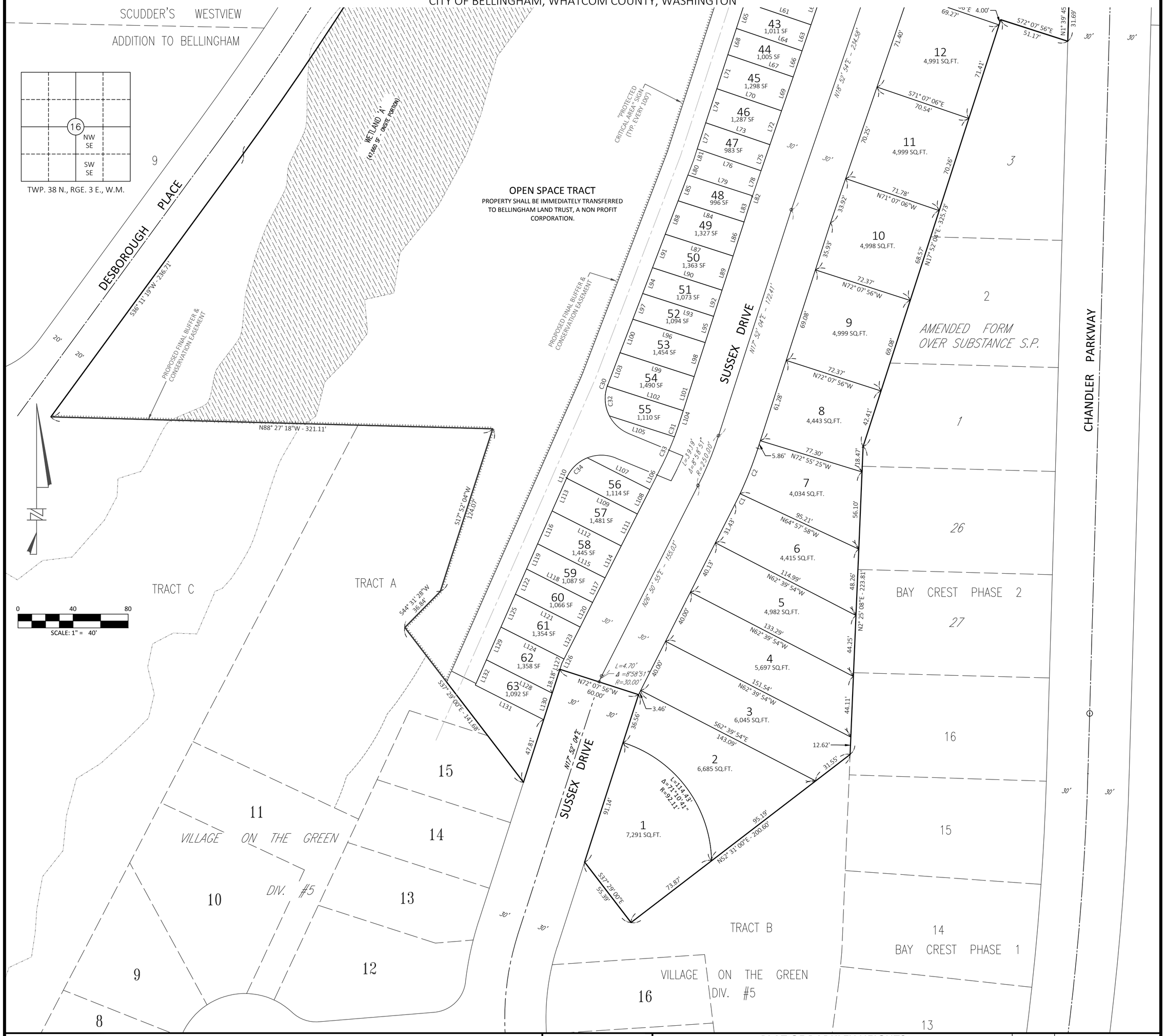
CLIENT:	DAVE EBENAL		
DATE:	12/29/2020		
DWG. NO.:	18054-PRELIM-PLAT.dwg		
JOB NO.:	18054	F.B. NO.	DB-02 MAP-05
DRAWN BY:	SMF	SHEET:	2 of 3
CHECKED BY:	CMJ		

PLAT OF BARKLEY HEIGHTS

PLAT NO._____

BEING A PORTION OF THE NW 1/4 OF THE SE 1/4 & SW 1/4 OF THE SE 1/4 OF SECTION 16, TOWNSHIP 38 NORTH, RANGE 3 EAST OF W.M.
CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON



PLAT OF BARKLEY HEIGHTS
PTNS. NW 1/4 SE 1/4 & SW 1/4 SE 1/4, SECTION 16, TOWNSHIP 38 N., RANGE 3 E., W.M.
CITY OF BELLINGHAM, WHATCOM COUNTY, WASHINGTON

CHRISTOPHER MICHAEL JEPSON — STATE OF WASHINGTON — 55832 — REGISTERED PROFESSIONAL LAND SURVEYOR — PRELIMINARY

JEPSON & ASSOCIATES
REGISTERED PROFESSIONAL ENGINEERS AND LAND SURVEYORS
222 GRAND AVE., SUITE C, BELLINGHAM, WA 98225
PHONE: (360) 733-5760 | FAX: (360) 647-8939 | EMAIL: CMJEPSON@JEPSONENGINEERING.COM

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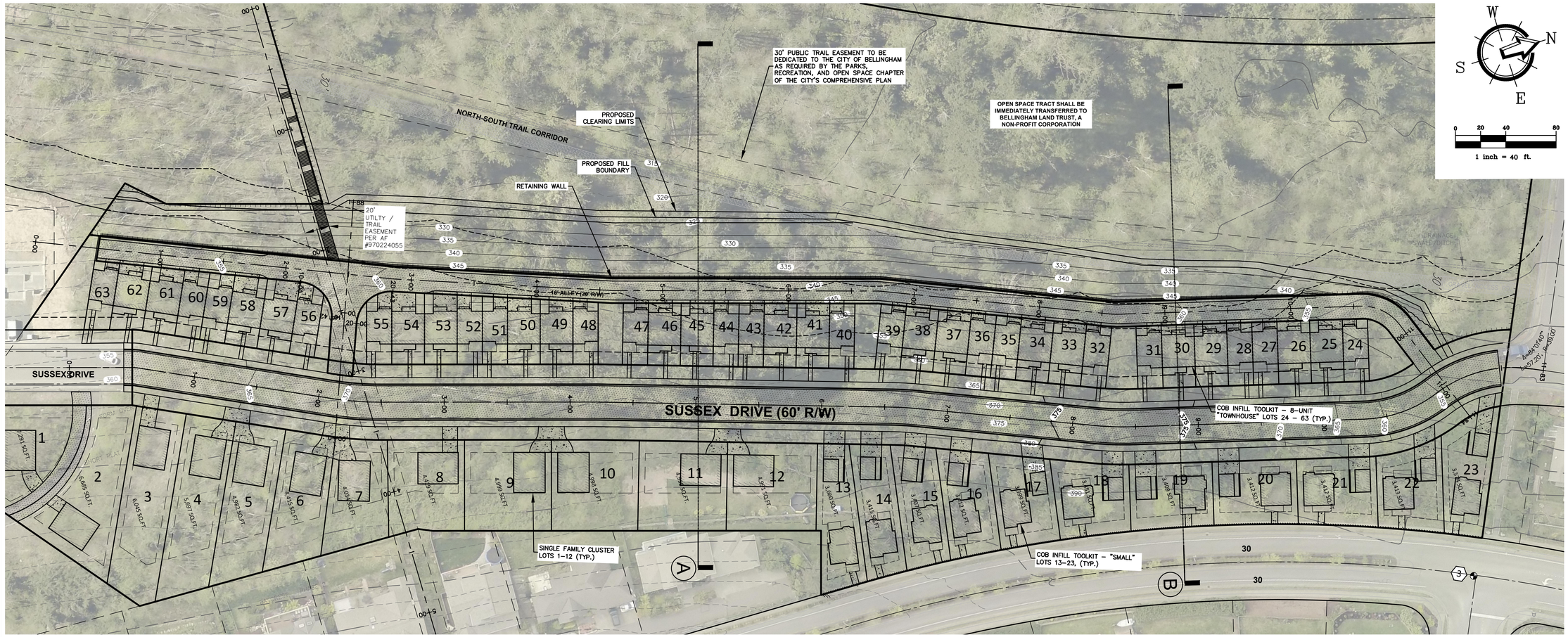
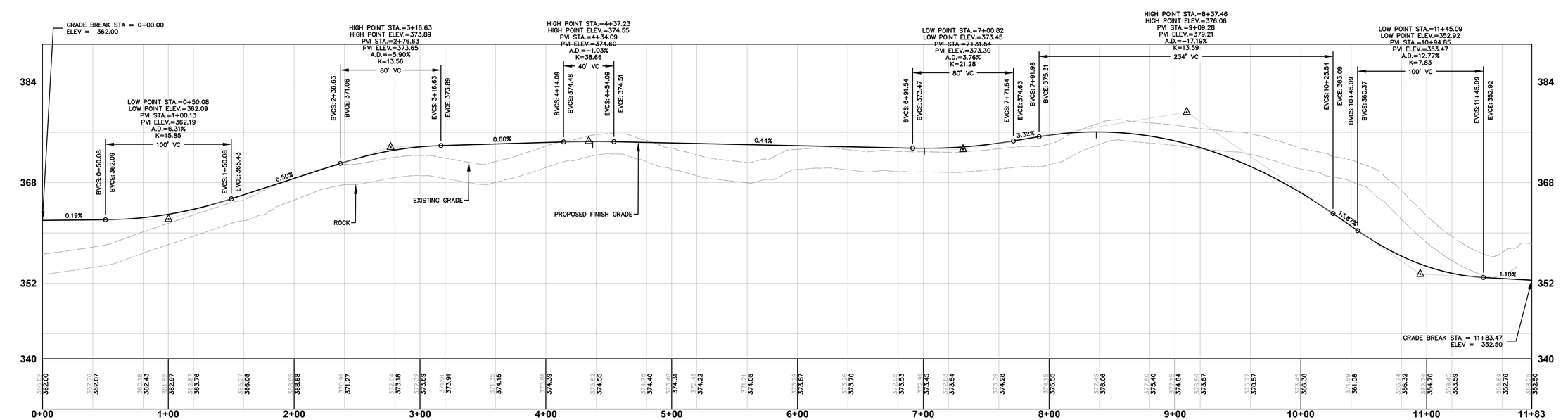
JOB NO.:	18054	F.B. NO.	DB-02 MAP-05
DRAWN BY:	SMF	SHEET:	3 of 3
CHECKED BY:	CMJ		





A SUSSEX DRIVE PROFILE
SCALE: 1" = 40'

220 West Champion Street, Suite 200 t: 360.650.1408
Bellingham, WA 98225 f: 360.650.1401
FREELAND & ASSOCIATES

REV:	DATE:	DESCRIPTION:	BY:

CLIENT:
DOMINION SUSTAINABLE DEVELOPMENT CORP.
PO BOX 31548
BELLINGHAM, WA 98228

CALL BEFORE YOU DIG
FOR BURIED UTILITY LOCATIONS
1-800-424-5555

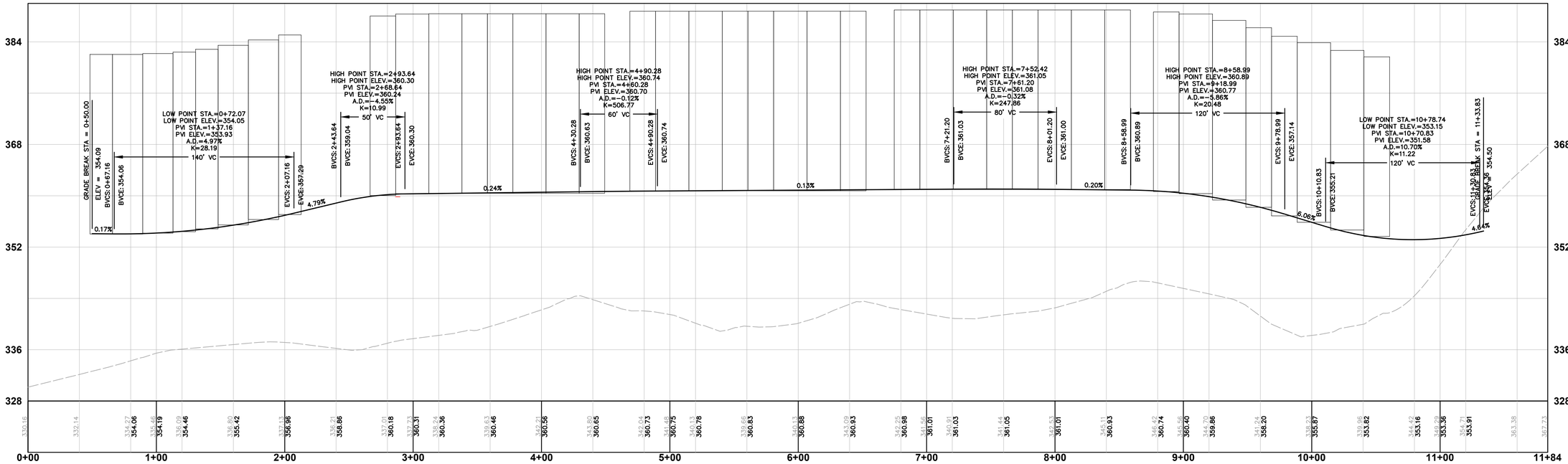
PROJECT LOCATION:
PLAT OF BARKLEY HEIGHTS
3615 CHANDLER PARKWAY
BELLINGHAM, WA 98229

DRAWING #: 18107SP37_LOCAL.DWG
DRAWN BY: NSP
DESIGNED BY: HAF
CHECKED BY: HAF

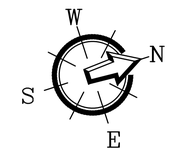
SHEET CONTENTS:
PRELIMINARY SITE PLAN & ROAD PROFILE

HAROLD A. FREELAND III
STATE OF WASHINGTON
28519
REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY

JOB #:	DATE:
18107	1-4-2021
SCALE: HORIZ: 1"=40' VERT: 1"=8'	SHEET: SP1



A ALLEY PROFILE
SCALE: 1" = 40'



0 20 40 80
1 inch = 40 ft.

220 West Champion Street, Suite 200 t: 360.650.1408
Bellingham, WA 98225 f: 360.650.1401
FREELAND & ASSOCIATES

REV:	DATE:	DESCRIPTION:	BY:

CLIENT:
DOMINION SUSTAINABLE DEVELOPMENT CORP.
PO BOX 31548
BELLINGHAM, WA 98228

CALL BEFORE YOU DIG
FOR BURIED UTILITY LOCATIONS
1-800-424-5555

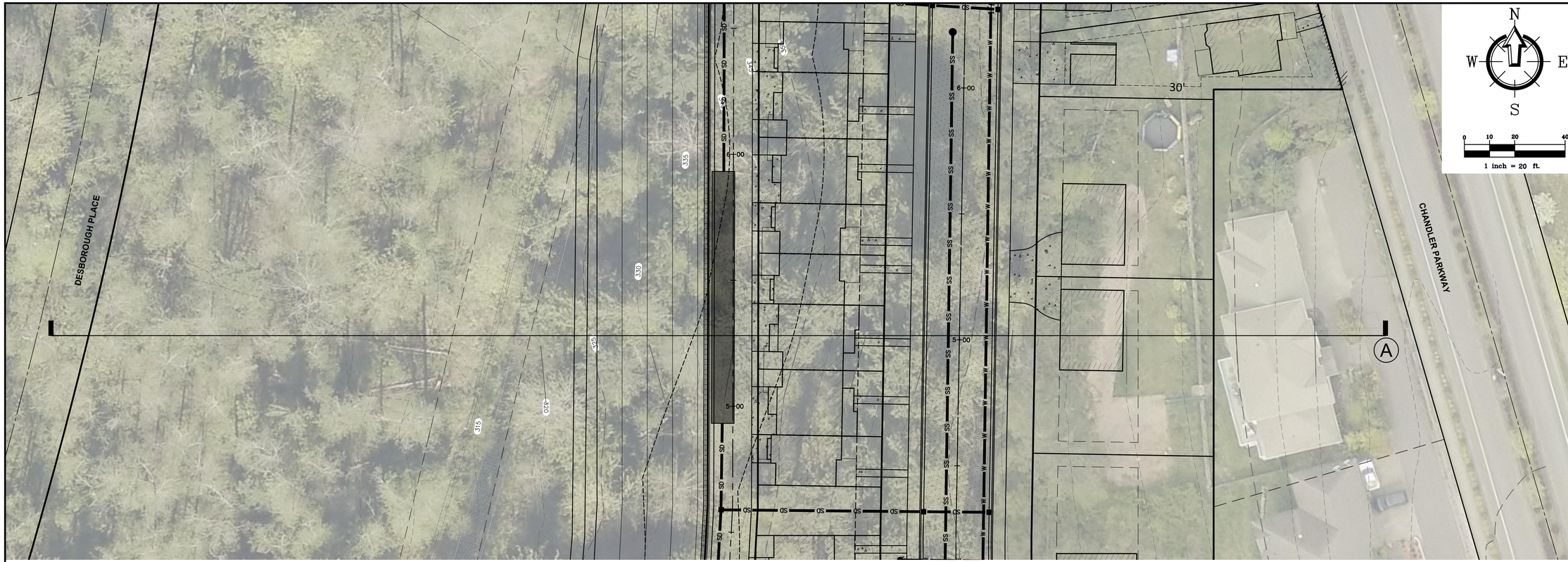
PROJECT LOCATION:
PLAT OF BARKLEY HEIGHTS
3615 CHANDLER PARKWAY
BELLINGHAM, WA 98229

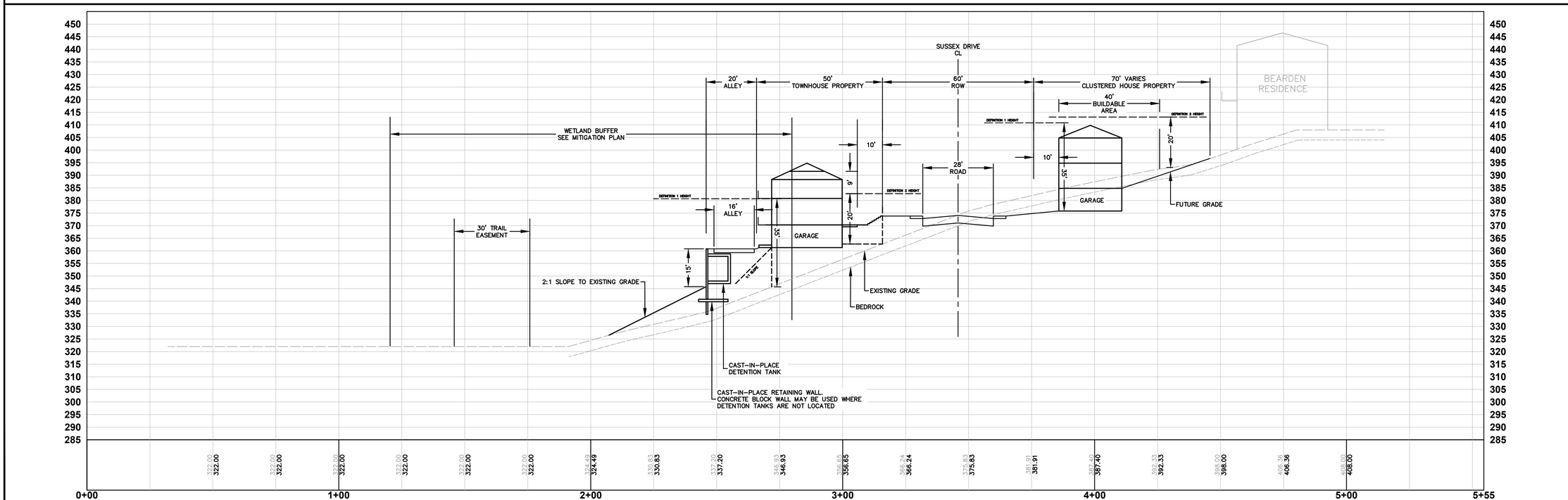
DRAWING #: 18107SP37_LOCAL.DWG
DRAWN BY: NSP
DESIGNED BY: HAF
CHECKED BY: HAF

SHEET CONTENTS:
PRELIMINARY ALLEY PROFILE

HARRILL A. FREELAND III
STATE OF WASHINGTON
28519
REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY

JOB #: 18107
DATE: 1-4-2021
SCALE: HORIZ: 1"=40' VERT: 1"=8'
SHEET: **SP2**





A SITE SECTION
SCALE: 1" = 20'

220 West Champion Street, Suite 200 t: 360.650.1408
Bellingham, WA 98225 f: 360.650.1401
FREELAND & ASSOCIATES

REV:	DATE:	DESCRIPTION:	BY:

CLIENT:
DOMINION SUSTAINABLE DEVELOPMENT CORP.
PO BOX 31548
BELLINGHAM, WA 98228

CALL BEFORE YOU DIG
FOR BURIED UTILITY LOCATIONS
1-800-424-5555

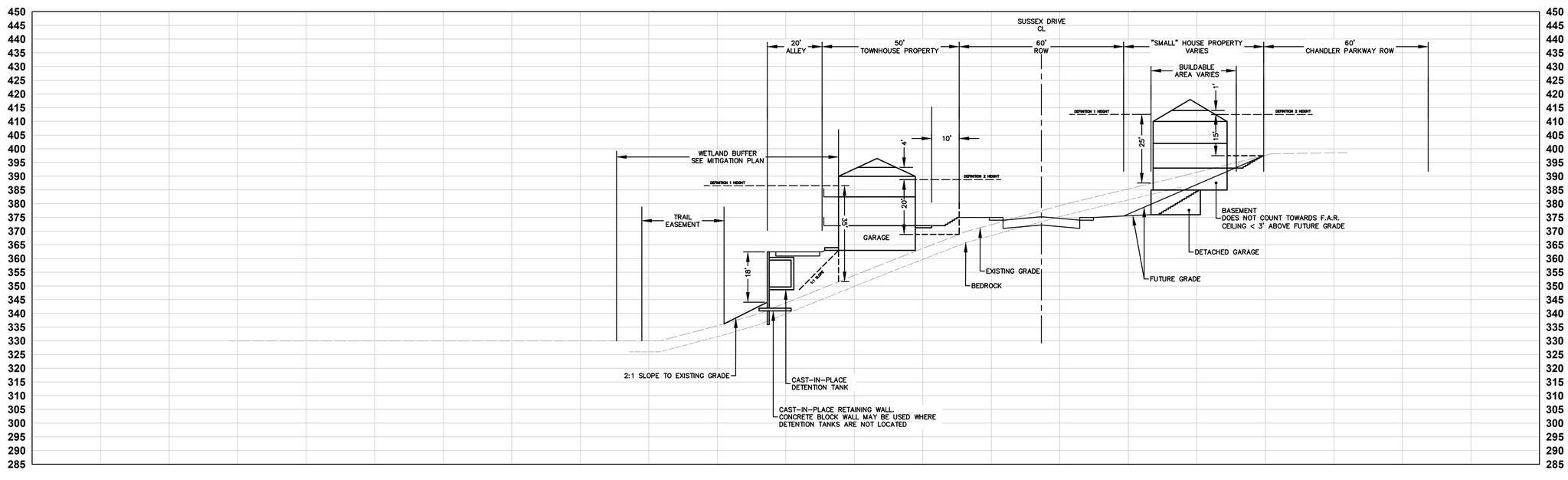
PROJECT LOCATION:
BARKLEY HEIGHTS MULTI-FAMILY HOUSING
3615 CHANDLER PARKWAY
BELLINGHAM, WA 98229

DRAWING #: 18107SP3-T_LOCAL.DWG
DRAWN BY: NSP
DESIGNED BY: HAF
CHECKED BY: HAF

SHEET CONTENTS:
SITE SECTION CLUSTER LOTS

PRELIMINARY
DANIELL A. FREELAND III
STATE OF WASHINGTON
28519
REGISTERED PROFESSIONAL ENGINEER

JOB #:	DATE:
18107	1-4-2021
SCALE: HORIZ: 1"=20' VERT: 1"=20'	SHEET: SP3



B SITE SECTION
SCALE: 1" = 20'

220 West Champion Street, Suite 200 t: 360.650.1408
Bellingham, WA 98225 f: 360.650.1401
FREELAND & ASSOCIATES

REV:	DATE:	DESCRIPTION:	BY:

CLIENT:
DOMINION SUSTAINABLE DEVELOPMENT CORP.
PO BOX 31548
BELLINGHAM, WA 98228

CALL BEFORE YOU DIG
FOR BURIED UTILITY LOCATIONS
1-800-424-5555

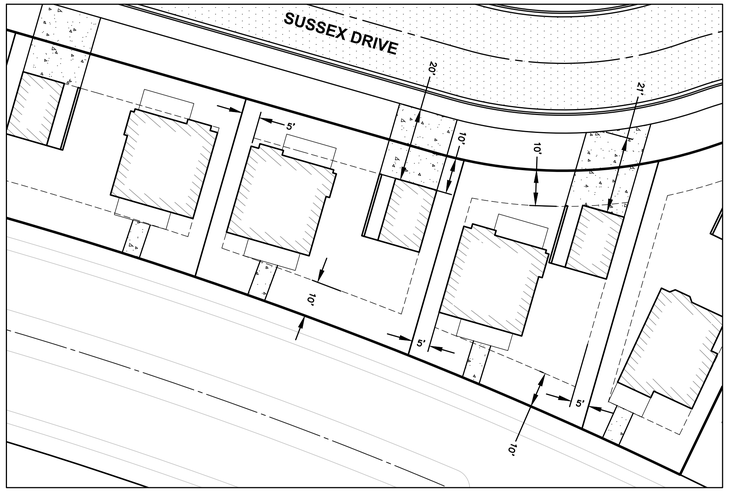
PROJECT LOCATION:
BARKLEY HEIGHTS MULTI-FAMILY HOUSING
3615 CHANDLER PARKWAY
BELLINGHAM, WA 98229

DRAWING #: 18107SP-37_LOCAL.DWG
DRAWN BY: NSP
DESIGNED BY: HAF
CHECKED BY: HAF

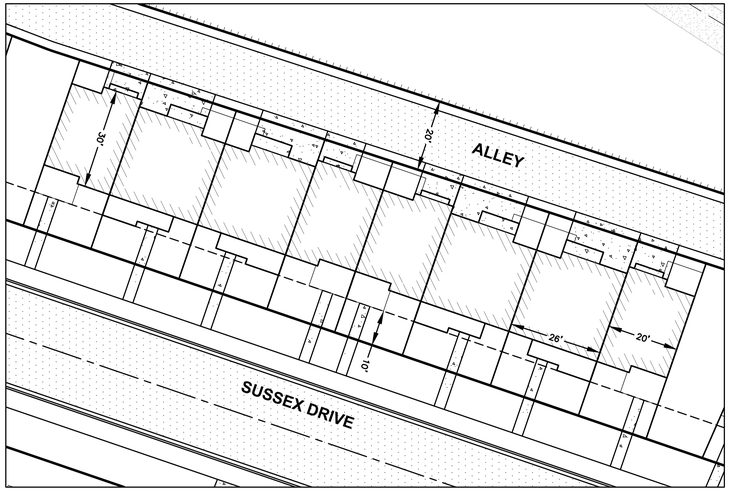
SHEET CONTENTS:
SITE SECTION
SMALL HOUSE LOTS

HAROLD A. FREELAND III
STATE OF WASHINGTON
28519
REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY

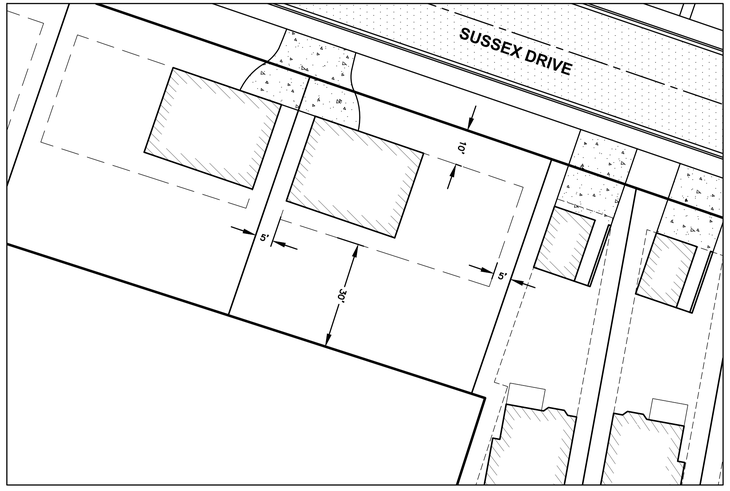
JOB #:	DATE:
18107	1-4-2021
SCALE: HORIZ: 1"=20' VERT: 1"=20'	SHEET: SP4



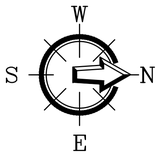
A SMALL HOUSE
SCALE: 1" = 20'



B TOWNHOUSE
SCALE: 1" = 20'



C CLUSTER SINGLE FAMILY
SCALE: 1" = 20'



0 10 20 40
1 inch = 20 ft.

220 West Champion Street, Suite 200 t: 360.650.1408
Bellingham, WA 98225 f: 360.650.1401
FREELAND & ASSOCIATES

REV:	DATE:	DESCRIPTION:	BY:

CLIENT:
DOMINION SUSTAINABLE DEVELOPMENT CORP.
PO BOX 31548
BELLINGHAM, WA 98228

CALL BEFORE YOU DIG FOR BURIED UTILITY LOCATIONS 1-800-424-5555

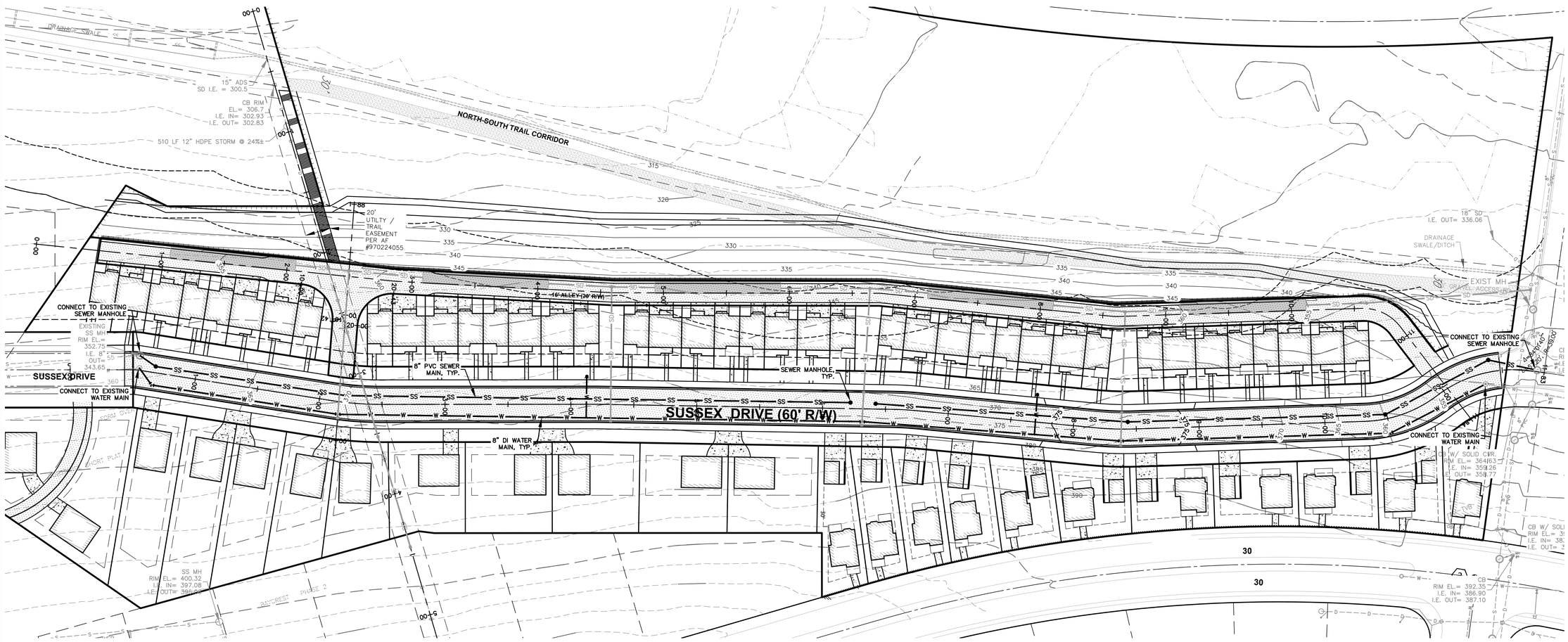
PROJECT LOCATION:
PLAT OF BARKLEY HEIGHTS
3615 CHANDLER PARKWAY
BELLINGHAM, WA 98229

DRAWING #: 18107SP37_LOCAL.DWG
DRAWN BY: NSP
DESIGNED BY: HAF
CHECKED BY: HAF

SHEET CONTENTS:
TYPICAL MINIMUM SETBACKS

HARRILL A. FREELAND III
STATE OF WASHINGTON
28519
REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY

JOB #: 18107
DATE: 1-4-2021
SCALE: HORIZ: 1"=20' VERT: N/A
SHEET: **SP5**



W N S E

0 20 40 80

1 inch = 40 ft.

220 West Champion Street, Suite 200 t: 360.650.1408
Bellingham, WA 98225 f: 360.650.1401

FREELAND & ASSOCIATES

REV:	DATE:	DESCRIPTION:	BY:

CLIENT:
DOMINION SUSTAINABLE DEVELOPMENT CORP.
PO BOX 31548
BELLINGHAM, WA 98228

CALL BEFORE YOU DIG
FOR BURIED UTILITY LOCATIONS
1-800-424-5555

PROJECT LOCATION:
PLAT OF BARKLEY HEIGHTS
3615 CHANDLER PARKWAY
BELLINGHAM, WA 98229

DRAWING #: 18107SP37_LOCAL.DWG
DRAWN BY: NSP
DESIGNED BY: HAF
CHECKED BY: HAF

SHEET CONTENTS:
PRELIMINARY WATER & SEWER PLAN

HARVILL A. FREELAND III
STATE OF WASHINGTON
28519
REGISTERED PROFESSIONAL ENGINEER

PRELIMINARY

JOB #:	DATE:
18107	1-4-2021
SCALE: HORIZ: 1"=40' VERT: N/A	SHEET: SP6

220 West Champion Street, Suite 200 t: 360.650.1408
Bellingham, WA 98225 f: 360.650.1401
FREELAND & ASSOCIATES

REV:	DATE:	DESCRIPTION:	BY:

CLIENT:
DOMINION SUSTAINABLE DEVELOPMENT CORP.
PO BOX 31548
BELLINGHAM, WA 98228

CALL BEFORE YOU DIG FOR BURIED UTILITY LOCATIONS 1-800-424-5555

PROJECT LOCATION:
PLAT OF BARKLEY HEIGHTS
3615 CHANDLER PARKWAY
BELLINGHAM, WA 98229

DRAWING #: 18107SP7_LOCAL.DWG
DRAWN BY: NSP
DESIGNED BY: HAF
CHECKED BY: HAF

SHEET CONTENTS:
PRELIMINARYSTORMWATER PLAN

HAROLD A. FREELAND III
STATE OF WASHINGTON
28519
REGISTERED PROFESSIONAL ENGINEER
PRELIMINARY

JOB #: 18107	DATE: 1-4-2021
SCALE: HORIZ: 1"=40' VERT: N/A	SHEET: SP7