

Type II Site Plan and Environmental Review Staff Report and Decision

Project Name: Alderbrook Apartments

Case Number: PSR2016-00015; BLA2016-00033; SEP2016-00030; WET2016-00042

Location: The subject site is located north of NE 94th Avenue and west of NE 20th Place. The site is comprised of two (2) parcels, numbered 144964-000 & 145106-000, which are located within the NW ¼ of Section 02, T2N, R1E of the Willamette Meridian.

Request: The applicant requests approval for the construction of a 274 unit apartment development along NE 94th Street. The development proposal includes a stacked apartment product, townhomes and the conservation of delineated wetlands, approximately 43,760sf in size.

Applicant: JT Smith Companies
Jesse Nemec, contact
5285 Meadows Road, #171
Lake Oswego, OR 97035
Phone: (503) 657-3402
Email: jnemec@jtsmithco.com

Contact Person: 3J Consulting, Inc.
Andrew Tull, contact
5075 SW Griffith Drive, Suite 150
Beaverton, OR 97005
Phone: (503) 545-1907
Email: Andrew.tull@3j-consulting.com

Property Owner: SMM Properties LLC ETAL
203 E Reserve Street
Vancouver, WA 98661

Decision

Approved subject to Conditions of Approval

Land Use Review Manager's Initials:  Date issued: October 19, 2016

Revised 2/5/15



Community Development
1300 Franklin Street, Vancouver, Washington
Phone: (360) 397-2375 Fax: (360) 397-2011
www.clark.wa.gov/development



For an alternate format,
contact the Clark County
ADA Compliance Office.
Phone: (360)397-2322
Relay: 711 or (800) 833-6384
E-mail: ADA@clark.wa.gov

County Review Staff

Department/Program	Name	Phone Ext.	Email Address
Community Development			
Land Use Review Manager	Susan Ellinger	5122	susan.ellinger@clark.wa.gov
Land Use Review Planner	Amy Wooten	5683	amy.wooten@clark.wa.gov
Fire Marshal's Office	Curtis Eavenson	3320	curtis.eavenson@clark.wa.gov
Environmental Services			
Biologist	Keith Radcliff	4180	keith.radcliff@clark.wa.gov
Public Works			
Transportation and Stormwater Engineering Supervisor	Tom Grange P.E.	4449	tom.grange@clark.wa.gov
Engineering Team Leader	Ali Safayi P.E.	4102	ali.safayi@clark.wa.gov
Engineer	Jennifer Reynolds	4630	jennifer.reynolds2@clark.wa.gov
Concurrency Engineer	David Jardin	4354	david.jardin@clark.wa.gov

Comp Plan Designation: UH

Parcel Number(s): 145106-000, 144964-000

Applicable Laws

Clark County Code: Title 15 (Fire Prevention), Chapter 40.200 (General Provisions), Section 40.220.020 (Residential & Office Residential District), Section 40.250.050 (Highway 99 Overlay District), Chapter 40.260 (Special Uses & Standards), Chapter 40.310 (Signs), Chapter 40.320 (Landscaping), Chapter 40.330 (Crime Prevention & Safety), Chapter 40.340 (Parking & Loading), Chapter 40.350 (Transportation & Circulation), Section 40.350.020 (Transportation Concurrency), Chapter 40.360 (Solid Waste and Recycling), Chapter 40.370 (Sewer & Water), Chapter 40.386 (Storm Water & Erosion Control), Chapter 40.450 (Wetland Protection), Chapters 40.500 and 40.510 (Procedures), Section 40.520.010 (Legal Lot Determination), Section 40.520.040 (Site Plan Review), Chapter 40.540 (Boundary Line Adjustments & Land Divisions), Chapter 40.570 (SEPA), Section 40.570.080 (SEPA Archaeological), Chapter 40.610 (Impact Fees), Title 24 (Public Health), and the Clark County Comprehensive Plan.

Neighborhood Association and Contact

NE Hazel Dell Neighborhood Association
 Doug Ballou, president
 Phone: (360) 573-3314
 Email: dougballou@comcast.net

Vesting

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report. Contingent vesting does not apply to stormwater or concurrency standards.

A pre-application conference on this matter was held on January 21, 2016. The pre-application was determined contingently vested as of December 31, 2015, the date the fully complete pre-application was submitted.

The fully complete application was submitted on June 14, 2016, and determined to be fully complete on August 2, 2016. Given these facts, the application is vested on August 2, 2016. This vesting does not apply to stormwater or concurrency standards.

There are no disputes regarding vesting.

Time Limits

The application was determined to be fully complete on August 2, 2016. Therefore, the code requirement for issuing a decision within 78 days lapses on October 19, 2016.

Public Notice

Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, the NE Hazel Dell Neighborhood Association and property owners within 300 feet of the site on August 16, 2016.

Public Comments

Public comment letters were received from Robert Card (1805 NE 94th Street, Unit 60), Velma Heckman (1805 NE 94th Street, Unit 54), Jerry Botts (1805 NE 97th Street), Suzy Kerns (1805 NE 94th Street, Unit 15), Marilyn & Richard Erickson (2003 NE 94th Street), Ila Stanek (Exhibit #12), Bela Hollosy (Exhibit #14) and Warren Neth (Exhibit #16).

Robert Card, Velma Heckman, and Suzy Kerns live within the same development (Cypress Point Mobile Home Park). Their letters identified issues related to off-site parking along NE 94th Street, increased traffic and density, a loss in the valuation of homes within the MHP due to additional apartments, noise, and the potential for the inclusion of low-income housing.

Marilyn and Richard Erickson also live near the proposed development, on NE 94th Street. They shared similar concerns their neighbors in the MHP described and additional thoughts about the changing nature of their neighborhood and how it feels less "residential".

A letter was received from Jerry Botts, a neighbor located to the north of parcel number 144964-000. Mr. Botts described his concerns about site drainage and how his lot will be impacted, and he discussed his presumed loss of privacy and additional noise. And, due to the proximity of the apartment buildings to his home, he has requested that the applicant construct a high retaining wall with mature plantings between the subject property and his lot.

Letters were also received from interested parties Bela Hollosy, Ila Stanek and Warren Neth who do not neighbor the proposed development but do have a vested interest. They inquired about on-site and off-site parking, proposed 94th Street improvements, and any off-site improvements the development would be required to make to roadways and parks.

Staff response: Overflow parking along NE 94th Street appears to be an inconvenience to all of the commenters. The applicant will improve NE 94th Street, the length of the project's frontage, to current standards for an "Urban Neighborhood Circulator" and Highway 99 Standards. These standards allow for on-street parking, should there be a need. The existing problem to the west of the subject development cannot be addressed through off-site improvements imposed on the subject development; however, should concerns arise in the future residents can contact the County's Code Enforcement Department (360-397-2408, ext.4184).

Even though the changes to the neighborhood seem extreme, the proposed development is in-line with the County's vision and comprehensive plan. The subject site is located within the County's highest-density residential zone (R-43) and the Highway 99 Overlay District.

The proposed development will be constructed near the lower-end of allowed density in the R-43 district and designed to provide parking and amenities to meet current development standards. The applicant's response indicates that although internal, on-site parking is provided at a ratio of 1:1.46, on-street parking along NE 119th Avenue (proposed) and the improved section of NE 94th Street will raise the ratio of available parking to 1:1.5 as prescribed in Section 40.340 (Parking and Loading); although, Highway 99 Standards release developers from any minimum numerical standard for parking.

Mr. Botts requested a privacy wall and additional landscaping in order to mitigate negative impacts he anticipates from the proposed development. The plans and response to comment letters provided by the applicant indicates an L3 buffer along Mr. Bott's property line. The L3 buffer is an upgraded feature which will include a combination of trees and high shrubs that create a 6-foot high screen with 95% opacity year-round. According to Table 40.320.010-1, this buffer is only required to be 5-feet with L1 plantings. Additionally, the applicant has proposed a system in compliance with the County's proposed stormwater and erosion control standards for stormwater management through the implementation of a detailed drainage collection, treatment and detention system.

Staff finds that the applicant has submitted a complete application that addresses criteria contained within Clark County's Development Code, including uses and density in conformance with the urban residential districts, transportation and circulation, sewer and water, stormwater and erosion control, procedures, land divisions, and the state

environmental policy act. All of the above concerns have been considered; and, through mitigation or design, and the proposal has been reviewed for code compliance by county review staff.

Project Overview

The subject site is comprised of two (2) lots, 12.41 acres in size, located north of NE 94th Street and east of Highway 99. The subject site and all surrounding parcels are zoned R-43 (with a Highway 99 Overlay) and are intended for high density residential development.

This application proposes to construct a 274-unit apartment complex, comprised of one (1), two (2), and three (3) bedroom units. The complex will be comprised of eleven (11) apartment buildings and five (5) buildings with townhome-style units. This application proposes 401 on-site parking spaces and the preservation of 43,760sf of delineated wetland area.

The subject site is located within the Vancouver School District, Fire District 8, Clark Regional Wastewater District and Clark Public Utilities district.

The subject property is vacant but is encumbered with a 43,760sf delineated wetland.

Comprehensive Plan, Zoning and Current Land Use

Compass	Comp Plan	Zoning	Current Land Use
Site	UH	R-43	Vacant land
North	UH	R-43	Detached & attached single family development
East	UL	R1-6	Attached single family development
South*	UH	R-43	Apartments and Mobile Home Park
West	CC	C-3	Vacant land

* There is a parcel, approximately 2 acres in size that is zoned P/OS & P/WL, and is owned by Clark County's Clean Water program.

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Staff then reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues

Only the major issues, errors in the development proposal, or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this proposed development comply with the applicable code requirements and, therefore, are not discussed below.

Land Use

Finding 1 – Uses & Density

According to Table 40.220.020-1, multifamily dwellings are permitted outright in the R-43 zone, subject to Special Uses Standards contained in CCC 40.260.150.

In accordance with Table 4-3 of the Highway 99 Subarea Manual (HOD), walk-up apartments and townhomes with common yard frontage are permitted housing types in the multifamily residential overlay.¹

The prescribed density for the R-43 zone ranges from twenty (20) units/acre to forty-three (43) units/acre. The minimum density is calculated based on the lot's developable² area, based on Staff's calculations, the developable area of the site is 6.24 acres. Therefore, a minimum of density of 124 units is required. Pursuant to Section 4.4, there are no maximum density limits prescribed for permitted housing types within the Multifamily Overlay areas. This application proposes 247 units, which meets density provisions for developments within the R-43 District within the Highway 99 Overlay District.

Finding 2 – Highway 99 Overlay District

Only the sections of the Highway 99 Overlay District (HOD) that apply to this development will be included in the findings below. Where there is a conflict, provisions within the HOD shall prevail.

Finding 3 - Frontage Type Standards (Chapter 3)

According to the Sub-Area Regulatory Map in Section 2.0.3 HOD, the subject site is located within the Multifamily Overlay. And, according to Section 3.2 HOD allowed frontages for the subject site are: Stoop (3.5), Light Court (3.6), Terrace yard (3.7) or Common Yard (3.8).

The proposed development is designed in compliance with *Common Yard* standards; and is therefore required to comply with the following design criteria:

¹ Pursuant to Regulatory Maps in Section 2.3 and Section 3.2 permitted Frontage Types.

² Land devoted to public or private roads or alleys, common parking areas and required sight distance triangles required for narrow lots under Section 40.260.155, public parks and trails, required landscaping and drainageways.

1. At least one building entry shall be visible and accessible from the street.
2. A minimum of fifteen percent (15%) of the vertical street-facing surface shall be transparent.
3. Buildings shall be set back a minimum of ten (10) feet and a maximum of twenty (20) feet.
4. Each entryway shall be equipped with an awning at least eight (8) feet above grade and three (3) feet deep.

According to the architectural plans provided with the plan set, the applicant proposes two doors on the main floor (on the rear or side) of each building facing the street. The site plan also portrays a 10-foot setback line around the development indicating compliance with setback standards above. And, each building is designed with two (2) stairwells, equipped with awnings, meeting *Weather Protection* standards put forth in 3.8.1 HOD.

Transparency requirements apply to all vertical surfaces of the façade facing the street. In the case of this development, this standard will apply to the side elevations of buildings 1, 3, 4, 11, and the townhome abutting NE 94th Street; side and rear elevations for buildings 5, and 6; and, the rear elevation for building 9.

According to Staff's calculations, all buildings, except the townhome adjacent to NE 94th Street and the clubhouse, meet transparency requirements for residential units put forth in Table 3-1 HOD. The clubhouse and townhome depict 11% and 7% transparency, respectively. Therefore, prior to final site plan approval, architectural elevations shall be provided that portray the minimum required 15% transparency for the clubhouse west elevation and townhome south elevation along NE 94th Street. [See Condition A-1.a]

Finding 4 - Overlay Standards (Chapter 4)

Development standards for projects located within the Multifamily Overlay are put forth in Section 4.4 HOD, and are portrayed in the table below.

Multifamily Overlay Standards					
Building Setbacks (feet)				Maximum Building Height	Minimum Open Space
General	Between Structures	Garage (Adjacent to Alley)	Rear (Adjacent to SF zone)		
10/20 ³	10	0	25	4 stories	10% ⁴

The site is not adjacent to a single family zoning district along the rear (north) property line, so the general setbacks shown above apply. According to the County's definition of "Building Height" (meaning: the vertical distance from grade plane to the average height of the highest roof surface, excluding overhanging eaves...) Given that definition, and according to the architectural drawings provided, proposed buildings A1 and A2 scale at 36 1/2 feet high. And, in accordance with Section 4.4.C, an additional ten (10) –foot setback is

³ The general setback in the Multifamily Overlay is 10-feet; however, structures over 35-feet tall require an additional 10 feet. (See HOD 4.4.B)

⁴ Of livable floor area

required for buildings above thirty-five (35) feet tall. Building 2 is setback the minimum 20-feet to the rear (north) property line. Building 11 is setback 20-feet to the rear, but only 10 feet on the street side. Buildings 5 and 6 do not meet the minimum 20 foot setback. Therefore, prior to final site plan approval, buildings 5, 6 and 11 shall be repositioned such that a minimum 20-foot setback is provided along all property lines or modified to meet the 35 foot height limitation reduced in height. [See Condition A-1.b]

According to Section 4.4(E), internal open space shall be provided at a rate of ten (10) percent of the development's livable floor area. According to open space calculations included on Sheet C200 of the applicant's plan set, the development will have 221,387sf of livable floor area, requiring 22,139sf of internal open space. The calculations also indicate that 33,167sf (15%) of internal open space is provided within the development, which meets this criterion.

Parking in the Multifamily Overlay shall not exceed more than fifty (50) percent of the site's street frontage. Parking within the development is proposed largely behind or beside buildings located along site right-of-way; therefore, staff finds that the intent of this criterion is met.

The Multifamily Overlay provides exceptions from maximum density provisions set forth in CCC 40.220; provides a mix of permitted housing types; and, limits apartment buildings to four (4) stories.

This application proposes a development that meets minimum density requirements established for the R-43 zone; has proposed two (2) of the permitted housing types (Walk-Up Apartments and Townhomes); and, proposes buildings with a maximum height of three (3) stories. These standards are met.

Finding 5 - Site Design Toolbox (Chapter 5)

Section 5.1, Side and Rear yard Design Options, provides seven (7) design options from which the applicant is required to incorporate one (1) in the overall design. Based on the applicant's narrative, the development will provide a new internal roadway or public street (NE 19th Avenue). Section 5.1.1 HOD provides that the roadway shall be constructed entirely within the subject property, with at least five (5) feet of landscaping provided between the road and the property line. The plans indicate the detached sidewalk and a four (4) –foot landscape strip along the west side of the street, and an attached sidewalk with four (4) –foot planter strip along the east side of the street.

In an email dated October 19, 2016 the applicant requested a departure from the minimum five (5) -foot planter strip requirement and instead proposed the four (4) –foot planter strip with detached sidewalks. Section 9.1.2 provides that sidewalks separated by planting strips are required for all new and redeveloped streets in the Highway 99 Sub-Area, and that sidewalk and planter strip standards shall not be reduced through Departure or Road Modification below standards contained in the Standard Details Manual. Standard Drawing 12, for urban Neighborhood Circulator's, calls out a minimum four (4) –foot planter strip. Therefore, staff **approves** the applicant's request to reduce the width of the planter strips along NE 19th Avenue from five (5) feet to four (4) feet, but **maintains** the requirement for detached sidewalks.

Therefore, prior to final site plan approval, the plan shall be revised to portray a four (4) - foot landscape strips, placed between the roadway and sidewalk, along both sides of NE 19th Avenue. [See Condition A-1.c]

According to Section 5.1.2, buildings or portions thereof containing dwelling units whose solar access is only from the side of the building facing towards the side property line shall be set back a minimum of fifteen (15) feet. The plan portrays a minimum fifteen (15) foot setback along the easterly boundary as required, which shall be maintained. [See Condition A-1.d]

Developments with side and rear yards along natural areas shall orient uses to them and/or provide a trail or shared pathway along the edge of the natural area. This application proposes the protection of a delineated wetland area on the west side of the development. Buildings 7, 8 and 10 are oriented with balconies and rear windows facing toward the wetland area as required.

This application is proposing approximately 33,167sf of common open space. Special requirements and recommendations for common open space are put forth in Section 5.2.2 HOD. This section requires that the space be large enough to function for leisure or recreational activity; be visible from dwelling units; feature paths, landscaping, seating, lighting and other pedestrian amenities; and, provide access from individual entries on ground floor units.

This application proposes a clubhouse featuring outdoor amenities to include a sport court/putting green, splash pad, and a gas fire pit. However, there are several open spaces throughout the development that are proposed as active open space, with no amenities. Section 5.2.2(1)(d) specifies that common open spaces shall feature paths, landscaping, seating, lighting and other pedestrian amenities. Therefore, prior to final site plan approval, the applicant shall revise the plan to indicate amenities in the open spaces provided for common use. [See Condition A-1.e]

Pursuant to Section 5.3.2(2)(b) HOD, all internal walkways shall feature at least one tree for every thirty (30) feet of walkway on average. The plans indicate a network of internal walkways that provide connectivity between on-site uses, parking and the public way. Sheet L101 of the applicant's plan set indicates that each of the walkways is bordered by landscaping and trees as required.

According to Section 5.5.1 HOD, this development is not subject to minimum numerical standards relating to parking put forth in Section 40.340.010(B).

Finding 6 - Building Design Toolbox (Chapter 6). At least three (3) of the modulation and/or articulation features put forth in Section 6.1.3 HOD must be included in each of the structures at intervals of no more than thirty (30) feet along all facades facing a street, park, common open space and common parking areas. Sheets A101 and A102 of the applicant's plan set portrays the incorporation of the following design options in compliance with modulation/articulation design standards: repeating distinctive window patterns; vertical building modulation; and change of roofline.

Facades wider than 120 feet shall include at least one of the features put forth in Section 6.1.6 HOD in order to break up the massing of the building. Sheet A102 portrays articulation for the Type A2 building which is approximately 134 feet long. Proposed building design includes vertical elements that extend through all floors; a change in building material that is used to surround stairwell breezeways and porches; and roofline modulation.

The Highway 99 Overlay district requires that multifamily building facades must incorporate a minimum of four (4) architectural details put forth in Section 6.2.2. The applicant's narrative states that design for Buildings A1 and A2 will incorporate the following architectural details: the buildings will use a distinctive material along the building's entrances, contrasting lap siding with panel siding of a different texture and color; a decorative roofline; the proposed entrances have been provided with a skylight, which is a unique feature allowing daylight to penetrate into the breezeways; and, decorative lighting fixtures will be provided at each building's entry with diffused lighting sources.

Finding 7 – Housing Standards (Chapter 7)

This application proposes “Walk-Up Apartments” (Section 7.3 HOD) and “Townhomes” (Section 7.5 HOD), which are permitted outright in the multifamily overlay.

Standards for “Walk-Up Apartments” are implemented through the application of design standards put forth in the Site Design Toolbox (contained in Chapter 5), and the Building Design Toolbox (contained in Chapter 6).

Section 7.5 HOD provides special standards for Townhomes⁵. Section 7.5.2(2) limits the maximum number of units in one building to six (6). This application indicates structures with five (5) and seven (7) units. The seven (7) unit structures do not meet this standard. Therefore, prior to final site plan approval, architectural and site plans portraying the townhome configurations shall show a maximum six (6) units in any building. [See Condition A-1.f]

Pursuant to Section 7.5.3 (HOD), a minimum of 200sf of private open space shall be accessible from each unit. This may include landscaped front and/or rear yards, porches, patios and balconies, but may not include required landscape buffers. Up to fifty (50) percent of the required private open space can be provided as additional common open space in accordance with Section 5.2.2.

The plans do not indicate landscaping for each unit that meets this requirement. Based on adjacent R1-6 zoning to the east (a single family designation), a minimum 25 foot rear yard setback is required; however, the required buffer width along the eastern boundary is only ten (10) feet; and therefore, open space proposed in the rear yards in excess of the ten (10) foot landscape buffer can be applied toward the 200sf minimum standard. Therefore, prior to final site plan approval, the plans shall be revised to portray the minimum 200sf private open space per unit required for the townhouse units. [See Condition A-1.g]

⁵ Pursuant to Chapter 10 – Definitions, Multifamily refers to a structure housing more than one dwelling unit. This includes stacked flats, apartments, **townhouses**, triplexes, and duplexes.

The minimum building separation along drive aisles for townhomes is twenty (20) feet. The plans indicate separation between garages that do not meet this requirement. Therefore, prior to final site plan approval, the plan shall be revised to provide a minimum separation of twenty (20) feet between buildings, as required. [See Condition A-1.h]

Townhouse developments are required to emphasize pedestrian entrances rather than private garages. In step with this requirement, all dwelling units shall provide a porch or covered entry at least 3 feet wide and 3 feet deep. And, where the primary pedestrian entrance is along the same façade as the private garage, a decorative trellis or other similar architectural feature used to highlight the pedestrian entrance is required.

The plans portray covered entryways, and a brick or stone accent along the lower 3 feet of the garage walkway to the front door, which meets this requirement.

Townhouse developments are also required to employ *repetition with variety* into the overall design scheme. Applicants are required to utilize one or more of the options put forth in Section 7.5.5(2), which include: reversed elevations; differing elevations; differing dwelling design or scale; or, variable use of color.

Sheet A105 of the applicant's plan set portrays the use of differing colors for the first and second stories of the buildings, and different elevations/roof lines for end units, which meets this standard.

Finding 8 - General Provisions (Chapter 8)

Pursuant to Section 8.1.1, all trash/recycling enclosures visible from the public parking area shall be enclosed and screened around their perimeter by a wall or fence at least six feet high and shall use materials and detailing consistent with the primary buildings on-site. The applicant's narrative indicates that service areas for waste and recycling have been located in convenient locations within proposed parking areas in order to serve the maximum number of units per placement. Additionally, structures are proposed as covered and screened with finishes similar to surrounding buildings; and, screened by landscaping that will grow to at least three (3) feet in height that will be at least five (5) feet in width. The plans provided do not include a detail portraying compliance with these standards; therefore, prior to final site plan approval, the applicant shall include a detail for the garbage and recycling enclosures that meets design standards put forth in 8.1.1(3) HOD. [See Condition A-1.i]

According to the applicant's narrative, utility meters and other service utility apparatus shall be located within proposed buildings. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features. [See Condition A-1.j]

Minimum site lighting standards and guidelines are put forth in Section 8.2.1, which requires that all public areas shall be lighted. Site lighting shall be provided as follows: an average minimum of .5 foot candle shall be provided for low or non-pedestrian and vehicular traffic areas; to between one (1) –two (2) foot candles for moderate or high volume pedestrian areas; or four (4) foot candles for high volume pedestrian areas and

building entries. The applicant provided a photometric sight plan (Sheet C290) which meets this standard.

Finding 9 – Landscaping Standards (Section 8.3)

Landscaping materials are required to be drought resistant and native to the Pacific Northwest. Additionally, required street trees shall be a minimum caliper of two inches with a minimum height of 10-feet at time of planting; required deciduous trees (other than street trees) shall be fully branched and have a minimum caliper of 1 1/2 inches and a minimum height of 8 feet at the time of planting; and, required evergreen trees shall be fully branched and a minimum height of 6 feet.

Shrubs, except for ornamental grasses, shall utilize a minimum 2-gallon container size at the time of planting. Sheet L101 of the plan set indicates 1-gallon container size for several of the shrubs proposed, which does not meet this standard. Therefore, prior to final site plan approval, plan sheet L101 shall be revised so that all shrubs utilized in the planting scheme meet the minimum 2 gallon container size requirement. [See Condition A-10.a]

Pursuant to Section 5.1.1 HOD, Type A landscaping at least ten (10) feet deep shall be provided along the side and/or back property lines. Type A Landscaping is intended to provide a dense landscaping screen where a visual separation of uses is warranted. The applicant's narrative indicates that Type B landscaping is provided along the site's boundaries. Type B Landscaping is intended to provide a moderately dense and naturalistic vegetation screen to offer visual relief and integrate built elements into the natural environment.

Based on Landscaping Typology Standards described in Section 8.3.3 HOD, staff finds it would be appropriate for the applicant to landscape to Type A standards along the north and east site boundary. Therefore, prior to final site plan review, the applicant shall revise the landscape plans to reflect Type A landscaping in a ten (10) foot wide buffer, along the north and east site boundary. [See Condition A-10.b]

Internal parking lot landscaping shall consist of twenty (20) square feet of landscaped area utilizing Type C landscaping for each parking space. The plan proposes 339 surface parking spaces which equates to a minimum of 6,780sf of internal parking lot landscaping. Parking lot landscaping shall be provided within islands that are at least six (6) feet wide and contain at least one (1) tree which is considered a "canopy" tree capable of reaching a height of thirty (30) feet. Sheet L101 of the plan set portrays landscape islands approximately five (5) feet wide, each with an *Emerald Green Arborvitae*, which does not meet these requirements. Therefore, prior to final site plan approval, the landscape plan shall be revised to meet Type C landscaping standards by providing a minimum of 6,780sf of interior parking lot landscaping with landscape islands portrayed at a minimum of six (6) wide, each containing one (1) "canopy" tree capable of reaching a height of thirty (30) feet. [See Condition A-10.c]

This applicant shall comply with timing of installation and installation standards put forth in Section 8.3.5 HOD.

Finding 10 – Signage Standards (Section 8.4)

This application did not include an application for sign permit. Any future applications for sign permits shall adhere to standards put forth in Section 8.4 HOD. [See Condition H-2]

Finding 11 – Safe Pedestrian Routes

The subject development is located within the Vancouver School, and specifically within the boundaries of Sarah J. Anderson Elementary, Gaiser Middle School and Skyview High School. According to available GIS information, Sara J. Elementary and Gaiser Middle Schools are located within one (1) mile of the subject site.

Pursuant to 40.220.020(C)(10) safe pedestrian routes, including sidewalks and other planning features shall be provided for students who only walk to and from school. The Vancouver School District's website indicates that students will be bused to Sara J. Anderson and Skyview High schools, and may be walking to Gaiser Middle School from the proposed location. If students will be walking to Gaiser Middle School, there appears to be adequate pedestrian facilities to serve them. Therefore, prior to final site plan approval, the applicant shall provide a letter from the Vancouver School District indicating that students will be bused to school. If students will walk to school, 'safe-walking' conditions shall be provided. [See Condition A-1.k]

Finding 12 - Phasing

The application included a phasing plan which indicates construction of the development in three (3) separate phases. The applicant proposes to construct roadway and stormwater infrastructure and buildings and parking areas within the north eastern portion of the site during the first phase. The second and third phases of construction will include remaining residential buildings and parking areas. Phase 1 of construction will begin upon permit approval. Phases two and three are anticipated to begin in the Spring of 2017.

Each phase of the development is required the meet development standards independently. Therefore, prior to final site plan approval for each phase of development, a Site Data Table shall be provided which indicates that minimum density, landscaping, open/recreational space and solid waste and recycling standards are being met. [See Condition A-1.l]

Finding 13 – Lot Consolidation

The subject site is comprised of two (2) separate parcels, numbered 145106-000 and 144964-000. A shared property line bisects proposed buildings 8 and 10, which is not permitted. Prior to final site plan approval, a lot consolidation shall be recorded with the Clark County Assessor's office, removing the existing property line. [See Condition A-1.m]

Conclusion (Land Use)

Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets land use requirements of the Clark County Code.

Archaeology

Finding 14 – DAHP Review

The applicant has submitted an archaeological pre-determination to the Washington State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application.

DAHP concurs with the recommendation of the pre-determination that no additional studies are necessary; however, a note on the final construction plans will require that if resources are discovered during ground disturbance, work shall stop and DAHP and the county will be contacted. [See Condition A-1.n]

Conclusion (Archaeology)

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets archaeology requirements of the Clark County Code.

Wetland

Finding 15 – Wetland Determination

Modeled National Wetland Inventory wetlands (palustrine emergent wetland which is seasonally flooded) are mapped on parcels 144964-000 and 145106-000 than continue offsite to the northwest. Hydric soils are also mapped and a wetland rated as a Category III depressional wetland in 2008 (WET2008-00033) in the approximate location of the National Wetland Inventory mapping. Historic aerial imagery also suggests the presence of wetlands in this area. The applicant has provided a copy of a wetland delineation conducted by Schott & Associates (January 2016) which indicates a Category IV sloped wetland in approximately the same location as the wetlands indicated in the 2008 report. County Staff conducted a site visit July 19, 2016 to verify the findings of the wetland delineation report. After analyzing the report and conducting field tests, County staff concurs with the Category IV wetland rating and boundaries. The vegetation was primarily emergent vegetation dominated by reed canary grass and small pockets of scrub/shrub.

Finding 16 – Wetland Rating Form

County staff has slightly amended the Wetland Rating Form (see attached) for Western Washington that the applicant has provided for the wetland; however the overall rating and score of fifteen (15) for the Category IV wetland has not changed.

Finding 17 – Wetland Buffers

Per the Wetland Protection Ordinance (CCC 40.450.030.E; Table 40.450.030-5) residential development greater than 1 unit per acre would be considered a high intensity use; a private and/or public road is considered a high intensity use as well. Per Table 40.450-030-2 in the Wetland Protection Ordinance, a Category IV wetland is afforded a fifty (50) foot buffer for high intensity uses to protect water quality functions of the wetland and is also adequate to protect habitat functions. The revised site plan shows an 80 ft. buffer. The Final Site Plan and Engineering Construction Plans need to show the required 50 ft. buffer.

Finding 18 – Wetland Buffer Impacts

The revised site plan shows grading and placement of stormwater facilities within the wetland buffer. These buffer impacts require a Wetland Permit prior to Final Site Plan approval. Stormwater facilities located within the wetland buffer must meet the standards in CCC 40.450.040.C.4 including the protection of native woody vegetation greater than 4" dbh or 20 ft. in height.

Finding 19 – Wetland Impacts

The revised site plan shows approximately 0.04 ac. of wetland to install stormwater conveyance. The plan shows a corresponding wetland mitigation area of 0.06 acre that is presumably for wetland creation (meeting the 1.5:1 mitigation ratio for Category IV wetlands). The proposed impacts may be temporary in nature if wetland functions can be restored, and may not require additional mitigation. If proposed mitigation expands the wetland boundary, all mitigation areas must include the required wetland buffer. If wetland buffers are extended off-site, the required conservation covenant must include those buffers, and must be executed and recorded by the property owner. In either case, the proposed wetland impacts can be mitigated on-site without significant modification of the proposed site plan, and thus is feasible under CCC 40.450. A Type I Wetland Permit with an approved mitigation plan will be required prior to Final Site Plan approval.

Conclusion (Wetlands)

The Wetland and Habitat Review Manager concludes that the proposed preliminary plan, subject to conditions identified in their attached report, meets wetland requirements of the Clark County Code. (See conditions A-2, B-1.a, and E-2)

Transportation**Finding 20 – Pedestrian/Bicycle Circulation Plan**

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act (ADA) are required in accordance with the provisions of CCC 40.350.010(B). Bike lanes are not required for the roadways within and adjacent to this development. The applicant has proposed to construct sidewalks within the rights-of-way of both NE 94th Street and NE 19th Avenue, in addition to the sidewalk network that will be constructed within the development. The proposal meets the pedestrian circulation code. [See Condition A-3.a]

Finding 21 – Road Circulation

The proposed development is bordered by NE 94th Street to the south, the Tenny Creek Park II and Green Manor Subdivision to the north and east, and developable parcels to the west. NE 19th Avenue stubs to the development from the north. The applicant proposes to extend NE 19th Avenue through the site to NE 94th Street to meet east-west block length requirements. The block length interval created between NE 19th and NE 20th Place will be approximately 490 feet and the block length interval created between NE 19th and NE 15th Avenues will be approximately 800 feet. The closest public roadway to the north is NE 97th Street and to the south is NE 94th Street; this equates to a block length of approximately 770 feet. The perimeter formed by NE 19th, NE 94th, NE 97th, and NE 15th will be approximately 3,140 feet. The circulation plan that the applicant has submitted provides adequate cross-circulation to the proposed development and allows subsequent developments to also comply with circulation plan standards.

Finding 22 – Frontage Roads/Improvements

NE 94th Street is classified as a Neighborhood Circulator road. Per the applicant's revised site plan [Exhibit 17, Master Site Plan], the site's frontage along NE 94th Street will be improved with half-street improvements to include a 6.5-foot additional right-of-way dedication to accommodate the pavement widening, along with the 6-foot sidewalk and 4-foot planter strip widths required as part of the Highway 99 standards. This is consistent with the transportation standard requirements; however, the site plan is showing that the sidewalk is attached to the curb. Highway 99 Overlay District Standards require that the sidewalk be detached. Additionally, the Highway 99 standard specifically states that, "departures or road modifications to sidewalk and planter strip standards contained in the Standard Details Manual shall not be approved except under extraordinary circumstances. Standard width sidewalks abutting the curb shall not be considered an equivalent alternative which can accomplish the same design purpose as sidewalk separated from traffic by a planter strip or tree wells." The applicant shall construct a detached 6-foot sidewalk along NE 94th Street. [See Condition A-3.b]

NE 19th Avenue is classified as a Local Residential Access. The roadway will be improved with full-street improvements to include a 49-foot right-of-way, a 28-foot paved roadway width, and curb and gutter, along with 6-foot sidewalk and 4-foot planter strip widths required as part of the Highway 99 standards. The applicant shows that the sidewalk on the west side NE 19th Avenue will be detached, while the sidewalk on the east side of the roadway will be attached to the curb. Similar to the discussion of NE 94th Street, sidewalks in the Highway 99 Overland District must be detached. The applicant shall construct a detached 6-foot sidewalk along both sides of NE 19th Avenue. [See Condition A-3.b]

NE 19th Avenue stubbed to the north property line has an existing total right-of-way width of 35 feet, paved width of 24 feet, and a 5-foot attached sidewalk on the east side of the roadway. The west side of the roadway remains unimproved. The site plan shows that the curb alignment along the proposed extension of NE 19th Avenue where it connects to the stub road will be tapered to conform to the smaller existing 24-foot paved width. Because the existing condition of the stub road is not a final buildout of the roadway due to the unimproved nature of the west side of the road, the applicant will be required to construct the curb line along the east side of NE 19th Avenue in the same horizontal alignment as the existing curb of the stub road and build out to the west from there. [See Condition A-3.c]

Finding 23 – Sight Distance

The approval criteria for sight distances at road intersections and driveways are found in CCC 40.350.030(B)(8). Landscaping, trees, utility poles, and miscellaneous structures will not be allowed to impede required sight distance requirements at all proposed driveways and road intersections. Per Table 40.350.030-8, the applicant is required to have 250 feet of sight distance at the intersection of NE 19th Avenue and NE 94th Street per the posted 25 MPH speed limit along these roads.

The applicant's traffic engineer, Kittelson & Associates, Inc., has evaluated the sight distance for the project. They note that based on the field observations, sight distance in excess of 600 feet was observed at the existing NE 19th Avenue/ NE 99th Street intersection. No modifications to this intersection are proposed and adequate intersection and stopping

sight distance is expected to continue to be available at the NE 19th Avenue/ NE 99th Street intersection upon full buildout of the project.

They further note that the proposed extension of NE 19th Avenue to the south will create a new intersection with NE 94th Street. The new intersection is expected to satisfy both intersection sight distance and stopping sight distance when facing west. Facing east from the proposed intersection location, adequate stopping sight distance exists traveling westbound along NE 94th Street under current conditions; however, there is limited intersection sight distance for a driver on NE 19th Avenue facing east due to the crest vertical curve on NE 94th Street that exists as the roadway approaches the existing southern connection of NE 19th Avenue. The traffic engineer concludes that the sight distance requirement can be met by utilizing one of at least three approaches: (1) raise the elevation of the new intersection (north leg of NE 19th Avenue/NE 94th Street) to achieve the required intersection sight lines, or (2) lower the existing elevation of the NE 19th Avenue/NE 94th Street (south leg) intersection, or (3) both raise the intersection of the new intersection and lower the existing elevation of the NE 19th Avenue/NE 94th Street (south leg) intersection (hybrid). Accordingly, the applicant's narrative indicates that slight adjustments to roadway grades have been proposed at the proposed intersection location in order to provide sufficient intersection and site stopping distances. The applicant will be required to submit additional documentation that shows how sight distance will ultimately be achieved. [See Condition A-3.d]

The applicant shall also show the sight distance triangles on the final construction plans for all road intersections and driveways to ensure that new landscaping, signage and above-ground utilities do not impede sight distance. [See Condition A-3.e]

Finding 24 – Transportation Phasing

The applicant indicates that the subdivision will be completed in three separate phases. The applicant is responsible for providing all necessary transportation improvements required for each individual phase. The required transportation improvements for each proposed phase will be reviewed during final engineering review. [See Condition A-3.f]

Conclusion (Transportation)

Staff concludes that the proposed preliminary transportation plan is feasible, subject to conditions identified above. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Transportation Concurrency

Finding 25 - Trip Generation

County concurrency staff has reviewed the proposed Alderbrook Apartments. The traffic study submitted indicates that the proposed development will construct a 274 unit apartment complex on 12.41 acres. The applicant's traffic study has estimated the a.m. peak hour trip generation at 140, the p.m. peak-hour trip generation at 170 trips and an average daily trip generation (ADT) of 1,822 trips. The trip generation was estimated using the nationally accepted data published by the *Institute of Transportation Engineers Ninth Addition*. The proposed development site is located on parcels numbered 144964-000 and 145106-000 in Vancouver.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).

Finding 26 - Site Access

Traffic conditions are usually expressed using a scale that quantifies the ability of a facility to meet the needs and expectations of the driver. This scale is graded from A to F and is referred to as level-of-service (LOS). A driver who experiences an LOS A condition would expect little delay. A driver who experiences an LOS E condition would expect significant delay, but the traffic facility would be just within its capacity to serve the needs of the driver. A driver who experiences an LOS F condition would expect significant delay with traffic demand exceeding the capacity of the facility with the result being growing queues of traffic.

Congestion, or concurrency, level of service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur in the vicinity of the site.

The traffic study indicates that the proposed development will extend NE 19th Avenue, an urban local access road, through the development, from the north, connecting to NE 94th Street on the south. NE 19th Avenue will provide access to the proposed interior private drive isle network. The applicant's plan shows that there will be a total of four (4) driveways accessing NE 19th Avenue. These proposed driveways are shown to be directly opposing one another in order to minimize turning movement conflicts and awkward offsets between driveways along the NE 19th Avenue extension. NE 19th Avenue connects to the larger arterial road network at NE 99th Street on the north, and NE 94th Street on the south.

The applicant's study evaluated the level of service and found that the site access intersections analyzed will have an estimated LOS D or better, in the 2018 build-out horizon. The study also shows that the LOS was evaluated during the a.m. and p.m. peak hour traffic conditions in existing and build-out scenarios. County Staff concurs with the traffic study findings.

Finding 27 - Clark County Concurrency

The proposed development is required to meet the standards established in CCC 41.350.020(G) for corridors and intersections of regional significance within 2 miles of the proposed development. Typically, the County's transportation model is used to determine what urban area developments are currently being reviewed, approved, or are under construction and in the vicinity of the proposed development. The traffic these developments generate is referred to as "*in-process traffic*" and will ultimately contribute to the same roadway facilities as the proposed development. This "*in-process traffic*" is used to evaluate and anticipate area growth and its impact on intersection and roadway operating levels with and without the proposed development, helping to determine if roadway mitigation necessary to reduce transportation impacts.

Signalized Intersections

The County's model evaluated the operating levels, travel speeds and delay times for the regionally significant signalized intersections. This analysis showed that individual movements during peak hour traffic conditions had approach delays that did not exceed the

maximum 240 seconds, or 2 cycles, of delay in the build-out year.

Therefore, County Staff has determined that this development will comply with adopted Concurrency standards for signalized intersections.

Unsignalized Intersections

County Staff has evaluated the operating levels and standard delays represented in the County's model. The County's model yielded operating levels and standard delay times with a LOS better than the minimum allowable LOS E for unsignalized intersections.

The County has determined that this development can comply with adopted Concurrency Standards for unsignalized intersections.

Concurrency Corridors

Evaluation of the concurrency corridor capacity levels represented in the County Code yielded capacity at acceptable levels.

Summary

The County has determined that this development can comply with adopted Concurrency Standards for corridors, signalized and unsignalized intersections under County jurisdiction.

SAFETY:

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- crash history analysis,
- roadside safety (clear zone) evaluation,
- vehicle turning movements, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 40.350.030(B)(6) The code states that "nothing in this section shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Section 40.350.020 or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development; provided, that the applicant may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020."

Finding 28 - Turn Lane Warrants

Turn lane warrants are evaluated at unsignalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway.

Staff's review of the traffic study found that with the low right and left turning traffic volumes, turn lanes would not be warranted at the proposed site access locations onto the proposed NE 19th Avenue. Further, staff's review of the proposed intersection of NE 19th Avenue/NE 94th Street found that due to low left and right turning volumes, an anticipated good level of

service and no reported crash history at, or along the NE 94th Avenue property frontage, turn lanes would not be warranted.

Finding 29 - Historical Accident Situation

The applicant's traffic study analyzed the crash history as obtained from Clark County for the period January 1, 2010 through December 31, 2014.

The studied intersections are as follows:

- NE Hazel Dell Avenue/NE 99th Street
- NE Highway 99/NE 99th Street
- NE Highway 99/NE 15th Avenue
- NE 19th Avenue/NE 99th Street
- NE 25th Avenue/NE 99th Street
- NE 15th Avenue/NE 96th Way
- NE Highway 99/NE 96th Way
- NE Highway 99/NE 88th Street
- NE 13th Avenue/NE 88th Street
- NE 25th Avenue/NE 88th Street
- NE 15th Avenue/NE 88th Street
- NE 15th Avenue/NE 94th Street

The intersection crash rates, for the study intersections do not exceed thresholds that would warrant additional analysis. Staff concurs with the applicant's finding.

Finding 30 - Roadside Safety (Clear Zone) Evaluation

The *Institute of Transportation Engineers (ITE) Traffic Engineering Handbook 6th Edition*, states that "The *clear roadside concept*...is applied to improve safety by providing an unencumbered roadside recovery area that is as wide as practical...". Further, this concept "allows for errant vehicles leaving the roadway for whatever reason and supports a roadside designed to minimize the serious consequences of roadway departures."

Further, as adopted by Clark County Code (CCC) 40.350.030(C)(1)(b), the *Washington State Department of Transportation (WSDOT) Design Manual, Chapter 1600* states that "A clear roadside border area is a primary consideration when analyzing potential roadside and median features. The intent is to provide as much clear, traversable area for a vehicle to recover as practicable given the function of the roadway and the potential tradeoffs. The Design Clear Zone is used to evaluate the adequacy of the existing clear area and proposed modifications of the roadside. When considering the placement of new objects along the roadside or median, evaluate the potential for impacts and try to select locations with the least likelihood of an impact by an errant vehicle."

"For managed access state highways within an urban area, it might not be practicable to provide the Design Clear Zone distances shown in Exhibit 1600-2. Roadways within an urban area generally have curbs and sidewalks and might have objects such as trees, poles, benches, trash cans, landscaping and transit shelters along the roadside."

The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. [See Condition A-4.b]

Finding 31 - Vehicle Turning Movements

The applicant's narrative does not indicate the types of vehicles that may serve the proposed development. Curb return radii will need to comply with County requirements.

It shall be noted that, the curb return radii listed in the Clark County Code are minimum criteria and are intended for normal conditions, per CCC 40.350.030 (C)(3). CCC 40.350.030 (C)(3) also states, "The responsible official may require higher standards for unusual site conditions."

The applicant will need to submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the development without swinging into opposing or adjacent travel lanes. Please note that applicable design vehicles include, but are not limited to passenger vehicles and waste management vehicles. [See Condition A-4.c]

Finding 32 - Sight Distance

Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion

Transportation Concurrency staff concludes that the proposed preliminary plan, subject to conditions identified herein, meets transportation concurrency requirements of the Clark County Code.

Stormwater

Finding 33 - Stormwater Applicability

The provisions of Clark County Code Chapter 40.386 shall apply to all new development, redevelopment, land disturbing activities, and drainage projects consistent with the Clark County Stormwater Manual (CCSM). The project adds more than 5,000 square feet of new hard surface; therefore, the applicant shall comply with Minimum Requirements #1 through #9 per Section 1.4, Book 1 of the Clark County Stormwater Manual 2015. [See Condition A-6.a]

No new development or redevelopment shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots.

Finding 34 – Stormwater Proposal

The 12.41-acre site is currently undeveloped and consists of high grasses and scattered bushes and trees. The site has a small ridge that runs north to south and divides the property into two different catchment areas. The easterly portion of the site slopes northerly towards NE 19th Avenue. From there existing runoff is directed to the Tenny

Creek Park II storm facility where it is infiltrated with excess flow releasing into the Tenny Creek drainage way. The westerly portion of the site slopes west to the existing wetland drainage way that flows northerly to an existing storm sewer system flowing under NE 97th Street and connects to the existing storm system in Highway 99. Upon crossing Highway 99, the storm system travels northwest where it outfalls north of NE 102nd Street into a drainage way. The drainage way conveys stormwater northeast to converge with Tenny Creek.

The applicant provided a Preliminary Technical Information Report prepared by 3J Consulting, Inc., dated June 3, 2016. Proposed site improvements include the construction of an 11 building, 243-unit, apartment complex with associated parking and sidewalks, a community center with a splash pad, and a 31 townhome complex for a total of 6.79 acres of new hard surface and 3.30 acres of lawn and landscaping.

Due to low measured infiltration capacity and relatively shallow groundwater conditions (see finding below), infiltration was deemed infeasible for the site. Runoff treatment requirements, which include enhanced treatment, will be met by utilizing a Baysaver BayFilter™ vault with 9 cartridges for all on-site runoff. However, the stormwater plan does not show that the street runoff from NE 94th Street is treated prior to being discharged into the proposed detention ponds. The applicant will be required to provide runoff treatment for all pollution generating stormwater runoff from NE 94th Street that is discharged to the detention ponds. [See Condition A-6.b]

Flow control requirements are met by using both above and below ground detention storage by means of ponds and an underground chamber system. The mitigated stormwater will outfall into an existing 36-inch storm pipe which discharges into an offsite wetland northwest of the site. This wetland, along with the on-site wetland have been delineated and categorized as Category III and IV. Stormwater discharges to a wetland triggers Minimum Requirement #8 and, subsequently, an offsite analysis is required. The applicant will be required to provide an Offsite Analysis for this development. [See Condition A-6.c]

The applicant is proposing solid waste storage areas throughout the site. These areas are required to be covered, bermed or diked, paved and impervious. The secondary containment area must be sloped to drain into a dead-end sump. Connection of these drains to the stormwater system is not allowed as the proposed plan shows. [See Condition A-6.d]

Finding 35 – Infiltration and Groundwater

GeoPacific Engineering, Inc. performed infiltration testing and groundwater monitoring in November 2015 and February 2016. The tested rate of infiltration was recorded as 0 to 2.5 inches per hour at a depth of 6 to 25 feet below the existing ground surface. Groundwater was encountered in test pits at depths ranging from 9 to 28 feet below ground surface. Subsequent monitoring recorded the seasonal high groundwater depth as 6.2 feet below existing grade; this corresponds to a peak groundwater elevation of 196 feet. The applicant's stormwater plan and report indicates that the pond's bottom will be at an elevation of 192 feet and the bottom of the underground chamber system will be at an elevation of 190 feet. Construction of the ponds and underground chamber system will result in excavations of 4 feet or more below the static groundwater table elevation and would require an impervious

pond design. GeoPacific has submitted additional geotechnical analysis [Exhibit 17, Geotechnical Review] to evaluate the effect that this will have on the feasibility of the stormwater design. They have concluded that the plan is geotechnically feasible provided adequate study and design is conducted to address the noted issues (hydrostatic buoyant forces) associated with construction of an impermeable structure below the static groundwater level. Additionally, the applicant has proposed retaining walls in order to accommodate for the depth of the ponds. These retaining walls will require a separate building permit but should be shown in detail on the final construction plans. [See Conditions A-6.e & A-6.f]

The proposed stormwater facilities shall be privately owned and maintained. [See Condition A-9.a]

Finding 36 – Stormwater Phasing

The applicant indicates that the subdivision will be completed in three phase. Each individual proposed phase shall be designed with sufficient stormwater management facilities in compliance with CCC 40.386. The required stormwater improvements for each proposed phase will be reviewed during final engineering review. [See Condition A-6.g]

Conclusion (Stormwater)

Staff concludes that the proposed preliminary stormwater plan is feasible subject to the conditions above. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Fire Protection

Finding 37 – Building Construction

Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. [See Condition E-3.a]

Finding 38 – Fire Flow

Fire flow in the amount of 1500 gallons per minute supplied for 120 minutes duration is required for this application. A letter has been provided from the water purveyor indicating that 5000 GPM @ 20 PSI is available from mains in the vicinity. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. Fire Flow is based on approximately 28,000SF type V-B construction. [See Conditions A-12.a, B-1.g & C-2.a]

Finding 39 – Fire Hydrants

Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. No proposed fire hydrants were shown on site plan. [See Condition A-12.b]

Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. [See Condition A-12.c]

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact City of Vancouver Fire Department at (360)487-7260 to arrange for location approval. [See Condition A-12.d]

Provide and maintain a six-foot clear space completely around every fire hydrant. [See Condition C-2.b]

Finding 40 – Fire Sprinklers

Buildings provided with automatic fire sprinkler systems shall be provided with a minimum of two fire hydrants. One fire hydrant shall be within 100 feet of approved fire department connections to the sprinkler systems. [See Condition E-3.b]

An automatic fire sprinkler is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. [See Condition E-3.c]

An approved fire alarm system for fire sprinkler monitoring and occupant notification of water flow is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. Also Buildings in excess of 5000 SF without fire sprinklers require fire alarm system consisting of automatic detection throughout. [See Condition E-3.d]

Finding 41 – Fire Apparatus Access

Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. [See Condition A-12.e]

Conclusion (Fire Protection)

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets the fire protection requirements of the Clark County Code.

Water and Sewer Service

Finding 42 – Service Availability

The site will be served by the Clark Regional Wastewater District for sewer and Clark Public Utilities for potable water. A letter from each of the purveyors confirms that services are available to the site.

Finding 43 – Sewer Service

According to the review letter provided by Clark Regional Wastewater District, there are multiple connection points in NE 94th Street and NE 19 Avenue, and on the western side of parcel 145106-000. Therefore, prior to construction of the development, the applicant shall

procure all required approvals and permits and pay all related fees to Clark Regional Wastewater District pursuant to utility review number 898048. [See Condition B-4.c]

Finding 44 – Water Service

The applicant is required to connect to public water services. General requirements are put forth in the utility review letter provided by the Clark Public Utilities RUR #2016-032. Prior to construction of the development, the applicant shall procure all required approvals and permits and pay all related fees to Clark Public Utilities pursuant RUR #2016-032. [See Condition B-1.d]

Finding 45 – Public Health Department Evaluation

Submittal of a *Public Health Evaluation Letter* is required as part of the Final Construction Plan Review application. If the evaluation letter specifies that an acceptable *Public Health Final Approval Letter* must be submitted, the evaluation letter will specify when the final approval letter must be submitted to the county such as at Final Construction Plan Review, Final Plat Review or prior to occupancy. The evaluation letter will serve as confirmation that Public Health staff conducted an evaluation of the site and will confirm that all existing wells and/or septic systems have been abandoned, inspected and approved by Public Health staff, if applicable. [See Conditions A-11 & B-1.b]

Conclusion (Sewer and Water)

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets water and sewer service requirements of the Clark County Code.

Building Safety Program

Finding 46 – Site Accessibility

Accessible route

See 2012 IBC WAC 1101.2.2 **Clear width of accessible route.** The clear width of an accessible route shall comply with ICC A117.1 Table 403.5. For exterior routes of travel, the minimum clear width shall be 44 inches (1118 mm). Accessible routes meeting this standard are shown on the plans.

Detectable Warning

A standardized surface feature built in or applied to walking surfaces or other elements is required to warn visually impaired persons of hazards on a circulation path. A detectable warning (truncated domes) shall be located on curb ramps and at all crossings, and shall be indicated on the final site plans. [See Condition A-13.a]

ICC A117.1

The Clubhouse, Patio and Splash Pad are required to be accessible. [See Condition A-13.b]

1107.6.2.1.1 Type A units WAC

In Group R-2, occupancies containing more than 10 dwelling units or sleeping units, at least 5 percent, but not less than one, of the units shall be a Type A unit. All units on a site shall be considered to determine the total number of units and the required number of Type A units. Type A units shall be dispersed among the various classes of units, as described in

Section 1107.6. The plans indicate 20 Type A units with all of the other first floor apartments to be type B units. This requirement is met.

Parking – Section 1106.1 Required

Where parking is provided, accessible parking spaces shall be provided in compliance with Table 1106.1, except as required by Sections 1106.2 through 1106.4. For 405 parking spaces 9 ADA spaces will be required. [See Condition A-13.c]

Van accessible parking shall be provided per 1106.5. Of the 20 ADA parking spaces shown, 4 of them will need to be Van Accessible and shall be identified on the final site plan. [See Condition A-13.d]

Each ADA parking space shall have an ADA parking sign installed at the head of each space, and a sign detail indicating the International ADA Symbol of “white on blue” shall be included on the final site plan. [See Condition A-13.e]

1106.2 Groups R-2 and R-3

Two percent, but not less than one, of each type of parking space provided for occupancies in Groups R-2 and R-3, which are required to have Accessible, Type A or Type B dwelling or sleeping units, shall be accessible. This application proposes 20 Type A units, requiring 20 corresponding ADA spaces. A total of 20 accessible parking spaces are shown on the plans, which meets this requirement.

1106.6 Location of Accessible Parking Spaces

Accessible parking spaces shall be located on the shortest accessible route of travel from adjacent parking to an accessible building entrance. In parking facilities that do not serve a particular building, accessible parking spaces shall be located on the shortest route to an accessible pedestrian entrance to the parking facility. Where buildings have multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located near the accessible entrances.

Wherever practical, the accessible route shall not cross lanes of vehicular traffic. Where crossing traffic lanes is necessary, the route shall be designated and marked as a crosswalk.

Provide marked crosswalks with curb cuts and a detectible warning at each location where the accessible route crosses the entries to the parking areas. [See Condition A-13.f]

Provide a marked crosswalk with curb cuts and a detectible warning on NE 19th Avenue between building 1 and 11. [See Condition A-13.g]

Relocate the accessible parking in front of building #1 to be closer to the accessible units in building # 2 or provide accessible parking in front of building # 2. [See Condition A-13.h]

Finding 47 – Fire Separation

Depending on the construction type and distance between buildings and property lines fire rated construction may be required. See 2012 IBC Table 601 and 602 for Fire-resistance rating requirements based on fire separation distance. The plans show that the minimum Fire 20 foot Fire Separation is not met between all buildings (specifically, buildings 6, 7, 8,

and 10 and the clubhouse and building 2). Either fire rated construction will be required per chapter 7 of the 2015 IBC, or the site plan shall be revised to indicate the required minimum separation of 20-feet. [See Conditions A-13.i & E-4.a]

Finding 48 – Group R Occupancies

An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. [See Condition E-4.b]

R-2 occupancies and the Townhouses shall be sprinkled. Depending on the actual footage of each building and the construction type utilized, NFPA 13 sprinklers may be required. NFPA 13 R sprinklers are not allowed to be used for increase of allowable area. [See Condition E-4.c]

Conclusion

Staff finds that the proposed preliminary plan, subject to conditions identified above, meets building requirements of the Clark County Code.

Impact Fees

Finding 49 - Applicability

The additional residential units created by this development will produce impacts on schools, parks, and traffic, and are subject to School (SIF), Park (PIF), and Traffic Impact Fees (TIF) in accordance with CCC 40.610. A total of \$744,751.32 (4,280.18/unit) in impact fees will be assessed to this development. Impact fees will be collected prior to the issuance of the building permits; the per-unit cost is as follows:

- ✓ Hazel Dell sub-area with a TIF of \$2,119.69 per dwelling
- ✓ Vancouver School District, with a SIF of \$ 845.49 per dwelling
- ✓ Park District #8, with a PIF of \$ 1,315.00 per dwelling (\$994.00 for park acquisition / \$321.00 for park development)

If the building permit application is made more than three years following the date of preliminary site plan approval, the impact fees shall be recalculated according to the then-current rate. [See Condition E-1]

SEPA Determination

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** - The impacts cannot be mitigated through conditions of approval and, therefore, require the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** - The impacts can be addressed through conditions of approval; or,

- **DNS = Determination of Non-Significance** - The impacts can be addressed by applying the Clark County Code.

The likely SEPA determination of Non-Significance (DNS) in the Notice of Development Review Application issued on April 1, 2016 is hereby final.

SEPA Appeal Process

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate for probable significant issues not adequately addressed by existing County Code or other law.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

SEPA Appeals must be in writing and contain the following information:

1. The case number designated by the county and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 40.510.030(H) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Community Development Director. All contact with the Community Development Director regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

Refer to the *Appeals* handout for more information and fees.

The decision of the Hearing Examiner is final unless there is:

- A motion is filed for reconsideration within fourteen (14) days of written notice of the decision, as provided under Clark County Code, Section 2.51.160; or,
- An appeal with Clark County Superior Court.

Staff Contact Person: Amy Wooten, (360) 397-2375, ext. 5683

Responsible Official: Marty Snell, Community Development Director

Decision

Based upon the proposed plan known as Exhibit 19, and the findings and conclusions stated above and within the attached reports and decisions, the Land Use Review Manager hereby **APPROVES** this request, subject to the following conditions of approval.

Conditions of Approval

Note: The Conditions of Approval below include those identified above and those contained within Attachments A, B, and C. The letters or numbers may have changed from those in the attachments.

A	Final Construction/Site Plan Review Review and Approval Authority: Development Engineering
----------	---

Prior to construction, a Final Construction Plan shall be submitted for review and approval, consistent with the approved preliminary plan and the following conditions of approval:

- A-1 Final Site Plan** - The applicant shall submit and obtain county approval of a final site plan in conformance to CCC 40.520.040 and the following conditions of approval:
- a. Architectural elevations shall be provided that portray the minimum required 15% transparency for the clubhouse west elevation and townhome south elevation along NE 94th Street. [See Finding 3]
 - b. Buildings 5, 6 and 11 shall be repositioned such that a minimum 20-foot setback is provided along all property lines or modified to meet the 35 foot height limitation. [See Finding 4]
 - c. The plan shall be revised to portray a four (4) -foot landscape strips, placed between the roadway and sidewalk, along both sides of NE 19th Avenue. [See Finding 5]
 - d. The plan portrays a minimum fifteen (15) foot setback along the easterly boundary as required, which shall be maintained. [See Finding 5]
 - e. The applicant shall revise the plan to indicate amenities in the open spaces provided for common use pursuant to Section 5.2.2(1)(d) HOD. [See Finding 5]
 - f. Architectural and site plans portraying the townhome configurations shall show a maximum six (6) units in any building. [See Finding 7]
 - g. The plans shall be revised to portray the minimum 200sf private open space per unit for the townhouse units as required. [See Finding 7]

- h. The plan shall be revised to provide a minimum separation of twenty (20) feet between (garage) buildings, as required. [See Finding 7]
- i. The applicant shall include a detail for the garbage and recycling enclosures that meets design standards put forth in 8.1.1(3) HOD. [See Finding 7]
- j. Utility meters and other service utility apparatus shall be located within proposed buildings. If such elements are mounted in a location visible from the street, pedestrian pathway, common open space, or shared auto courtyards, they shall be screened with vegetation or by architectural features. [See Finding 7]
- k. The applicant shall provide a letter from the Vancouver School District indicating that students will be bused to school. If students will walk to school, 'safe-walking' conditions shall be provided. [See Finding 11]
- l. Prior to final site plan approval for each phase of development, a Site Data Table shall be provided which indicates that minimum density, landscaping, open/recreational space and solid waste and recycling standards are being met. [See Finding 12]
- m. A lot consolidation shall be recorded with the Clark County Assessor's office, removing the existing property line. [See Finding 13]
- n. Archaeology - A note shall be placed on the face of the final construction plans which states, "If any cultural resources and/or human remains are discovered in the course of undertaking the development activity, the Department of Archaeology and Historic Preservation in Olympia shall be notified. Failure to comply with these state requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

A-2 Wetlands –

- a. The required wetland buffers for existing and proposed wetlands shall be shown on the Final Site Plan and Engineering Construction Plans (see Finding 18).
- b. Proposed permanent physical demarcation of wetlands and wetland buffers pursuant to CCC 40.450.030.F.2 shall be shown on the Engineering Construction Plans (Standard Condition).
- c. The applicant shall obtain a Wetland Permit for proposed wetland and wetland buffer impacts. A Fully Complete Wetland Permit application will require a wetland mitigation plan pursuant to CCC 40.450.040.E. [See Finding 19]

A-3 Final Transportation Plan/On-Site - The applicant shall obtain county approval of a final transportation design in conformance to CCC 40.350.

- a. The applicant shall show on the final construction plans that all proposed pedestrian facilities will be constructed to comply with ADA standards. [See Finding 20]

- b. The applicant shall show on the final construction plans that a 6-foot detached sidewalk will be constructed along the site's frontage of NE 94th Street and on both sides of NE 19th Avenue. [See Finding 22]
- c. The applicant shall show on the final construction plans that the new curb line along the east side of NE 19th Avenue will be constructed in the same horizontal alignment as the existing curb where it connects to the existing stub road to the north. [See Finding 22]
- d. The applicant shall submit additional documentation that shows the mitigation measures needed to achieve the required sight distance on NE 94th Street as it relates to the crest vertical curve. [See Finding 23]
- e. The applicant shall show the sight distance triangles on the final construction plans. [See Finding 23]
- f. The applicant is responsible for providing all necessary transportation improvements required for each individual phase. [See Finding 24]

A-4 Final Transportation Plan/Off Site (Concurrency) - The applicant shall submit and obtain county approval of a final transportation design in conformance to CCC 40.350 and the following conditions of approval:

- a. The applicant shall submit a signing and striping plan for review and approval. This plan shall show signing and striping and all related features for required frontage improvements and any off-site improvements. The applicant shall obtain a work order with Clark County to reimburse the County for required signing and striping.
- b. The applicant shall consider the WSDOT Design Manual – Roadside Safety Mitigation Guidance (Section 1600.04) in the final engineering design of all proposed roadways and frontage improvements. [See Finding 30]
- c. The applicant shall submit construction plans that show the design of the intersection geometry will accommodate all applicable design vehicles for review and approval, unless modified by the County Engineer. The plans will also need to show that all applicable design vehicles have the ability to enter and exit the development without swinging into opposing travel lanes. Please note that applicable design vehicles include, but are not limited to passenger vehicles and waste management vehicles. [See Finding 31]

A-5 Transportation –

a. Signing and Striping Plan

The applicant shall submit a signing and striping plan and a reimbursable work order, authorizing county Road Operations to perform any signing and pavement

striping required within the county right-of-way. This plan and work order shall be approved by Public Works prior to final plat or final site plan approval.

d. Traffic Control Plan

Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Public Works for the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system.

A-6 Final Stormwater Plan - The applicant shall obtain county approval of a final stormwater plan designed in conformance to CCC 40.386.

- a. The applicant shall submit final construction plans and a final Technical Information Report that addresses Minimum Requirements #1 through #9. [See Finding 33]
- b. The applicant shall provide runoff treatment for all stormwater runoff from NE 94th Street that is discharged to the proposed detention pond consistent with the requirements of Book 1, Chapter 3 of the 2015 Clark County Stormwater Manual. [See Finding 34]
- c. The applicant shall submit an offsite analysis prepared in accordance with Book 1, Chapter 5 of the 2015 Clark County Stormwater Manual. [See Finding 34]
- d. The applicant shall show on the final construction plans that the solid waste storage areas are designed in accordance with the requirement of Book 3, Chapter 2, Pg. 47 of the 2015 Clark County Stormwater Manual. [See Finding 34]
- e. A building permit is required for all retaining walls taller than 4 feet and for walls supporting a surcharge. The applicant shall show on the final construction plans all retaining walls in sufficient detail for staff to assess their impact on adjacent roads, structures, and public and private utilities. [See Finding 35]
- f. The applicant shall submit geotechnical analysis and design of any impermeable structure that will be located below the static groundwater level. [See Finding 35]
- g. Each individual proposed phase shall be designed with sufficient stormwater management facilities in compliance with CCC 40.386. [See Finding 36]

A-7 Erosion Control Plan - The applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 40.386.

A-8 Excavation and Grading - Excavation/grading shall be performed in compliance with CCC14.07.

A-9 Other Required Documents: – The following documents shall be submitted with the Final Construction/Site Plan:

- a. Developer's Covenant: - A "Developer Covenant to Clark County" shall be submitted for recording that specifies the following Responsibility for Stormwater Facility Maintenance: For stormwater facilities for which the county will not provide long-term maintenance, the developer shall make arrangements with the existing or future (as appropriate) occupants or owners of the subject property for assumption of maintenance to the county's Stormwater Facilities Maintenance Manual as adopted by Chapter 13.26A. The responsible official prior to county approval of the final stormwater plan shall approve such arrangements. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. An access easement to the private facilities for the purpose of inspection shall be granted to the county. If the parties responsible for long-term maintenance fail to maintain their facilities to acceptable standards, the county shall issue a written notice specifying required actions to be taken in order to bring the facilities into compliance. If these actions are not performed in a timely manner, the county shall take enforcement action and recover from parties responsible for the maintenance in accordance with Section 32.04.060.

A-10 Final Landscape Plan - The applicant shall submit and obtain county approval of final landscape plan consistent with the approved preliminary landscape plan and conditions listed below (CCC 40.320). The landscape plan shall include landscaping within the public right-of-ways and on-site, if applicable.

- a. Plan sheet L101 shall be revised so that all shrubs utilized in the planting scheme meet the minimum 2 gallon container size requirement. [See Finding 9]
- b. The applicant shall revise the landscape plans to reflect Type A landscaping in a ten (10) foot wide buffer, along the north and east site boundary. [See Finding 9]
- c. The landscape plan shall be revised to portray Type C landscaping standards by providing a minimum of 6,780sf of interior parking lot landscaping with landscape islands portrayed at a minimum of six (6) wide, each containing one (1) "canopy" tree capable of reaching a height of thirty (30) feet. [See Finding 9]

A-11 Public Health Review - Submittal of a Public Health Evaluation Letter is required as part of the Final Construction Plan Review or early grading application. If the evaluation letter specifies that certain actions are required, the evaluation letter will specify the timing of when those activities must be completed, such as prior to Final Construction Plan Review, construction, Provisional Acceptance, Final Plat Review, building permit issuance, or occupancy, and approved by Public Health. [See Finding 45]

A-12 Fire Marshal Requirements

- a. Fire flow in the amount of 1500 gallons per minute supplied for 120 minutes duration is required for this application. A letter has been provided from the water purveyor indicating that 5000 GPM @ 20 PSI is available from mains in the vicinity. Water mains supplying fire flow and fire hydrants shall be installed,

approved and operational prior to the commencement of combustible building construction. [See Finding 38 & Conditions B-1.g & C-2.a]

- b. Fire hydrants are required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and such that no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. [See Finding 39]
- c. Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. [See Finding 39]
- d. The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact City of Vancouver Fire Department at (360)487-7260 to arrange for location approval. [See Finding 39]
- e. Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access. Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all-weather driving surface and capable of supporting the imposed loads of fire apparatus. [See Finding 41]

A-13 Building Safety Requirements –

- a. A detectable warning (truncated domes) shall be located on curb ramps and at all crossings, and shall be indicated on the final site plans. [See Finding 46]
- b. The Clubhouse, patio and splash pad are required to be accessible. [See Finding 46]
- c. Where parking is provided, accessible parking spaces shall be provided in compliance with Table 1106.1, except as required by Sections 1106.2 through 1106.4. For 405 parking spaces 9 ADA spaces will be required. [See Finding 46]
- d. Van accessible parking shall be provided per 1106.5. Of the 20 ADA parking spaces shown, 4 of them will need to be Van Accessible and shall be identified on the final site plan. [See Finding 46]
- e. Each ADA parking space shall have an ADA parking sign installed at head of each space, and a sign detail indicating the International ADA Symbol is "white on blue" shall be included on the final site plan. [See Finding 46]
- f. Provide marked crosswalks with curb cuts and a detectable warning at each location where the accessible route crosses the entries to the parking areas. [See Finding 46]

- g. Provide a marked crosswalk with curb cuts and a detectible warning on NE 19th Avenue between building 1 and 11. [See Finding 46]
- h. Relocate the accessible parking in front of building #1 to be closer to the accessible units in building # 2 or provide accessible parking in front of building # 2. [See Finding 46]
- i. The plans show that the minimum Fire 20 foot Fire Separation is not met between all buildings (specifically, buildings 6, 7, 8, and 10 and the clubhouse and building 2). Either, fire rated construction will be required per chapter 7 of the 2015 IBC, or the site plan shall be revised to indicate the required minimum separation of 20-feet. [See Finding 47]

B	Prior to Construction of Development Review and Approval Authority: Development Inspection
----------	---

Prior to construction, the following conditions shall be met:

- B-1 Pre-Construction Conference** - Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the county; and,
- a. Prior to construction, demarcation of wetland and/or buffer boundaries shall be established (for example, sediment fence). [Standard Condition]
 - b. Prior to construction, demarcation of existing septic and water well systems, and underground tanks shall be established. [See Finding 45]
 - c. The applicant shall procure all required approvals and permits and pay all related fees to Clark Regional Wastewater District pursuant to utility review number 898048. [See Finding 43]
 - d. The applicant shall procure all required approvals and permits and pay all related fees to Clark Public Utilities pursuant RUR #2016-032. [See Finding 44]
 - e. Prior to site construction, abandonment of septic systems, water wells and underground tanks shall be decommissioned in accordance with the procedures of the Clark County Public Health. [Standard Condition]
 - f. Prior to site construction, structures slated for demolition shall be demolished in accordance with the procedures of the Southwest Clean Air Agency and the Clark County demolition permit. [Standard Condition]
 - g. Prior to construction, Fire flow in the amount of 1500 gallons per minute supplied for 120 minutes duration is required for this application. A letter has been provided from the water purveyor indicating that 5000 GPM @ 20 PSI is available from mains in the vicinity. [See Finding 38]

B-2 Erosion Control - Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

B-3 Erosion Control - Erosion control facilities shall not be removed without county approval.

**C Provisional Acceptance of Development
Review and Approval Authority: Development Inspection**

Prior to provisional acceptance of development improvements, construction shall be completed consistent with the approved final construction/site plan and the following conditions of approval:

C-1 Verification of the Installation of Required Right-of-Way Landscape – Prior to the issuance of an approval of occupancy for a site plan, the applicant shall provide verification in accordance with CCC 40.320.030(B) that the required right-of-way landscaping has been installed in accordance with the approved landscape plan(s).

C-2 Fire Marshal Requirements

- a. Fire flow in the amount of 1500 gallons per minute supplied for 120 minutes duration is required for this application. A letter has been provided from the water purveyor indicating that 5000 GPM @ 20 PSI is available from mains in the vicinity. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. Fire Flow is based on approximately 28,000SF type V-B construction. [See Finding 38]
- b. Provide and maintain a six-foot clear space completely around every fire hydrant. [See Finding 39]

**D Final Plat Review & Recording
Review and Approval Authority: Development Engineering**

Prior to final plat approval and recording, the following conditions shall be met:

D-1 Not applicable

**E Building Permits
Review and Approval Authority: Permit Services**

Prior to issuance of a building permit, the following conditions shall be met:

- E-1 Impact Fees** - Prior to issuance of a building permit, the applicant shall pay Impact fees to Clark County in the amount of \$ 4,280.18 / unit (Hazel Dell TIF: 2,119.69; Vancouver School District SIF: 845.49; Park District #8 PIF: \$1,315.00).

If the building permit application is made more than three years following the date of preliminary site plan approval, the impact fees shall be recalculated according to the then-current rate. [See Finding 49]

E-2 Wetlands –

- a. A conservation covenant shall be recorded in a form approved by the Prosecuting Attorney as adequate to incorporate the requirements of CCC 40.450 and to give notice of the requirement to obtain a wetland permit prior to engaging in regulated activities within a wetland or its buffer (Standard Condition).
- b. A permanent physical demarcation and signage along the upland boundary of the wetland buffer area shall be installed CCC 40.450.030.F.2 (Standard Condition).

E-3 Fire Marshal Requirements –

- a. Building construction occurring subsequent to this application shall be in accordance with the provisions of the county's building and fire codes. Additional specific requirements may be made at the time of building construction as a result of the permit review and approval process. [See Finding 37]
- b. Buildings provided with automatic fire sprinkler systems shall be provided with a minimum of two fire hydrants. One fire hydrant shall be within 100 feet of approved fire department connections to the sprinkler systems. [See Finding 40]
- c. An automatic fire sprinkler is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. [See Finding 40]
- d. An approved fire alarm system for fire sprinkler monitoring and occupant notification of water flow is required at the time of construction for buildings subject to this application. Such systems require separate reviews, permits and approvals issued by the fire marshal's office. Also Buildings in excess of 5000 SF without fire sprinklers require fire alarm system consisting of automatic detection throughout. [See Finding 40]

E-4 Building Safety Requirements -

- a. The plans show that the minimum Fire 20 foot Fire Separation is not met between all buildings (specifically, buildings 6, 7, 8, and 10 and the clubhouse and building 2). Either, fire rated construction will be required per chapter 7 of the 2015 IBC, or the site plan shall be revised to indicate the required minimum separation of 20-feet. [See Finding 47]

- b. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area. [See Finding 48]
- c. R-2 occupancies and the Townhouses shall be sprinkled. Depending on the actual footage of each building and the construction type utilized NFPA 13 sprinklers may be required. NFPA 13 R sprinklers are not allowed to be used for increase of allowable area. [See Finding 48]

F	Occupancy Permits Review and Approval Authority: Building
----------	--

Prior to issuance of an occupancy permit, the following conditions shall be met:

F-1 Land Use and Critical Areas

- a. Landscaping: Prior to the issuance of an approval of occupancy for final site plan, the applicant shall submit a copy of the approved landscape plan(s) with a letter signed and stamped by a landscape architect licensed in the state of Washington certifying that the landscape and irrigation (if any) have been installed in accordance with the attached approved plan(s) and verifying that any plant substitutions are comparable to the approved plantings and suitable for the site.

G	Development Review Timelines & Advisory Information Review and Approval Authority: None - Advisory to Applicant
----------	--

G-1 Site Plans and Other Land Use Approvals - Within seven (7) years of preliminary plan approval, a Fully Complete application for a building permit shall be submitted.

G-2 Department of Ecology Permit for Construction Stormwater - A permit from the Department of Ecology (DOE) is required if:

- The construction project disturbs one or more acres of land through clearing, grading, excavating, or stockpiling of fill material; **AND**
- There is a possibility that stormwater could run off the development site during construction and into surface waters or conveyance systems leading to surface waters of the state.

The cumulative acreage of the entire project whether in a single or in a multiphase project will count toward the one acre threshold. This applies even if the applicant is responsible for only a small portion (less than one acre) of the larger project planned over time. **The applicant shall contact DOE for further information.**

G-3 Building and Fire Safety

Building and fire, life, and safety requirements must be addressed through specific approvals and permits. This decision may reference general and specific items related to structures and fire, life, and safety conditions, but they are only for reference in regards to land use conditions. It is the responsibility of the owner,

agent, tenant, or applicant to insure that Building Safety and Fire Marshal requirements are in compliance or brought into compliance. Land use decisions do not waive any building or fire code requirements.

- G-4 Building Elevation Approvals** – Approval of building elevations submitted for preliminary plan review does not ensure compliance with other requirements (such as building setbacks) under other construction codes. Compliance with other construction codes is the responsibility of the applicant at the time of building permit issuance.

H	Post Development Requirements Review and Approval Authority: As specified below
----------	--

H-1 Outdoor Lighting – Exterior lighting shall be located, shielded, and directed to prevent significant off site glare, in accordance with CCC 40.340.010(A)(7) and RCW 47.36.180.

H-2 Any future applications for sign permits shall adhere to standards put forth in Section 8.4 HOD. [See Finding 10]

Note: The Community Development Director reserves the right to provide additional comment and findings of fact regarding this decision, if appealed.

Decision Appeal Process

An **appeal** of any aspect of this decision may be appealed to the Clark County Hearing Examiner only by a party of record. A "Party of Record" includes the applicant and those individuals who submitted written testimony to the Community Development Director within the designated comment period.

The appeal shall be filed with the Department of Community Development, Permit Services Center, 1300 Franklin Street, Vancouver, Washington, 98660, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record. This decision was mailed on October 19, 2016. Therefore any appeal must be received in this office by the close of business on November 2, 2016.

Any appeal of the final land use decisions shall be in writing and contain the following:

- Case number designated by the County;
- Name of the applicant;
- Name of each petitioner;
- Signature of each petitioner or his or her duly authorized representative;
- A statement showing the following:
 - That each petitioner is entitled to file the appeal as an interested party in accordance with CCC 40.510.030(H);
 - The specific aspect(s) of the decision being appealed;
 - The reasons why each aspect is in error as a matter of fact or law;
 - The evidence relied on to prove the error; and,
- The appeal fee

Refer to the *Appeals* handout for more information and fees.

An appeal of any aspect of the Hearing Examiner's decision, *except* the SEPA determination (i.e., procedural issues), may be appealed to the Superior Court or reconsidered by the Hearing Examiner only by a party of record pursuant to Ordinance 10-19, adopted 10/27/2009 by the Board of County Councilors.

Attachments

- Copy of Proposed Preliminary Plan