Type II Staff Report and Decision Notice to Parties of Record

Project Name: Minnehaha Meadows Site Plan


The attached decision is final unless an appeal is filed with the Department of Community Development.

An appeal of any aspect of this decision may be appealed to the Clark County Hearing Examiner by a party of record only. A Party of Record includes the applicant and those individuals who submitted written testimony or a written request to be a “party of record,” prior to the issuance of the decision.

The appeal shall be filed with the Department of Community Development within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

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.

See the Appeals handout for more information and fees.

Mailed on: May 17, 2019
Type II Site Plan and Environmental Review
Staff Report and Decision

Project Name: Minnehaha Meadows Site Plan


Request: The applicant requests approval for a 49-unit apartment complex comprised of townhouse-style units and related infrastructure. The project site consists of 1 lot totaling approximately 4.57 acres and zoned R-12.

Address: 6000 NE 63rd Street, Vancouver, WA 98661

Parcel number(s): 106270-000

Applicant: Ginn Development, LLC
7223 NE Hazel Dell Avenue
Vancouver, WA 98665
360.768.5032
phil@ginngrp.com

Owner: Richard & Margie Grange Trustees
3725 E Mill Plain Boulevard
Vancouver, WA 98661

Contact Person: PLS Engineering
Travis Johnson, contact
604 W Evergreen Boulevard
Vancouver, WA 98660
360.944.6519
travis@plsengineering.com

Staff contact: Amy Wooten, Planner II
564.397.5683
amy.wooten@clark.wa.gov

Decision
Approved subject to Conditions

Land Use Review Manager's Initials: [Signature] Date issued: May 17, 2019

Revised 5/15/2019

Community Development
1300 Franklin Street, Vancouver, Washington
Phone: 564.397.2375 Fax: 564.397.2011
www.clark.wa.gov/development

For an alternate format, contact the Clark County ADA Compliance Office.
Phone: 564.397.2322
Relay: 711 or 800.833.6384
E-mail: ADA@clark.wa.gov
County Review Staff

<table>
<thead>
<tr>
<th>Department/Program</th>
<th>Name</th>
<th>Phone</th>
<th>Email Address</th>
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<tbody>
<tr>
<td><strong>Community Development</strong></td>
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<td>P.E.</td>
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</tr>
</tbody>
</table>

Comp Plan Designation: Urban Medium Density Residential (UM)

Parcel Number(s): 106270-000

Applicable Laws
Clark County Code: Title 15 (Fire Prevention), Chapter 40.200 (General Provisions), Section 40.220.020 (Residential & Office Residential 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 40.410 (Critical Aquifer Recharge Area), Chapter 40.420 (Flood Hazard Areas), Chapter 40.430 (Geologic Hazard Areas), Chapters 40.500 and 40.510 (Procedures), Section 40.520.040 (Site Plan Review), Section 40.550.010 (Road Modifications), Chapter 40.570 (SEPA), Section 40.570.080 (SEPA Archaeological), Chapter 40.610 (Impact Fees), Title 24 (Public Health).

Neighborhood Association and Contact
Andresen/St. Johns NA
Neil Chambers, contact
360.699.5119
n.chambers@comcast.net

Form DS1201 - Revised 5/15/2019
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 December 6, 2019. The pre-application was determined contingently vested as of November 15, 2018, the date the fully complete pre-application was submitted if a fully complete application for substantially the same proposal were to be submitted on or before June 11, 2019.

The fully complete application was submitted on February 14, 2019, and determined to be fully complete on February 28, 2019. Given these facts, the application is vested on November 15, 2018 for land use and transportation standards, and is vested for transportation concurrency on February 14, 2019. These vesting dates do not apply to stormwater standards.

There are no disputes regarding vesting.

Time Limits
The application was determined to be fully complete on February 28, 2019. Therefore, the code requirement for issuing a decision within 78 days lapses on May 17, 2019.

Public Notice
Notice of application and likely SEPA Determination of Non-Significance (DNS) was mailed to the applicant, the Andresen/St. Johns Neighborhood Association and property owners within 300 feet of the site on March 14, 2019.

Public Comments
The notice for the proposed project generated responses from 3 neighbors: Kimberly Bennett, 5805 NE 64th Street (Exhibit #7); Edie Blakley, 5909 NE 64th Street (Exhibit #8); and, Korina Swift, 5905 NE 64th Street (Exhibit #10).

Some of the concerns they raised include increased traffic, access, construction noise, and available recreation space. The subject property has been zoned for multifamily development since at least 2004. In conformance with the site's zoning designation of R-12, the applicant proposes 49 townhouse style apartment units, which is within the prescribed density range for the parcel. The applicant proposes all access to the site via the extension of NE 64th Street, as access to NE 63rd Street (a primary arterial) is not permitted. Additionally, the applicant is required to provide open space for use by residents at a rate of 300sf per unit. The plan proposes a loop trail within the BPA easement that will provide outdoor recreational opportunity for residents.

All other concerns are not provided consideration under the authority of the Clark County Development Code.
Project Overview
The subject development is located at 6000 NE 63rd Street. The proposed development is comprised of one (1) parcel, totaling approximately 4.57 acres, and is currently improved with a single family structure and several out buildings. The site is zoned R-12 and is intended for multifamily residential development. Available GIS mapping indicates that the site is located within a Category 2 Recharge Area, wetlands, floodway fringe, habitat and species areas, and steep slopes. The site is also encumbered by a BPA easement, which is located to the north of the proposed 64th Street right of way.

To the west is a single family subdivision, east, north, and south of the development site are existing single family residences on underdeveloped parcels.

The project is served by the Vancouver School District, Fire District 6, Clark Regional Wastewater Sewer District and Clark Public Utilities.

The applicant proposes 49-unit townhouse style apartments in 12 buildings. Access to the development will occur via NE 64th Street (proposed) which will be extended from an existing street stub, which is located directly to the west.

Comprehensive Plan, Zoning and Current Land Use

<table>
<thead>
<tr>
<th>Compass</th>
<th>Comp Plan</th>
<th>Zoning</th>
<th>Current Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>Site</td>
<td>UM</td>
<td>R-12</td>
<td>Existing SFR on underdeveloped parcel</td>
</tr>
<tr>
<td>North</td>
<td>UL</td>
<td>R1-6</td>
<td>Existing SFR on underdeveloped parcel</td>
</tr>
<tr>
<td>East</td>
<td>UL</td>
<td>R1-6</td>
<td>Existing SFR / underdeveloped parcels</td>
</tr>
<tr>
<td>South</td>
<td>UM</td>
<td>R-12</td>
<td>Existing SFR's on underdeveloped parcel</td>
</tr>
<tr>
<td>West</td>
<td>UM</td>
<td>R-12</td>
<td>Orchards Place 2 Subdivision</td>
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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
2. Air
3. Water
4. Plants
5. Animals
6. Energy and Natural Resources
7. Environmental Health
8. Land and Shoreline Use

9. Housing
10. Aesthetics
11. Light and Glare
12. Recreation
13. Historic and Cultural Preservation
14. Transportation
15. Public Services
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**
According to Table 40.220.020-1, multifamily dwellings are permitted outright in the R-12 zone, subject to Special Uses Standards contained in CCC 40.260.150.

**Finding 2 - Lot Requirements**
Table 40.220.020-2 prescribes residential density standards for multifamily developments in the R-12 zone. Minimum density is established at 8 units per acre with maximum density\(^1\) of 12 units per acre.

The preliminary site plan provided in the applicant’s submittal indicates a gross project area of 4.57 acres (or, 198,930sf). Based on the project area, that equates to a density range between 36 and 49 units. The development proposes 49 units, which meets this criterion.

Additional dimensional standards are prescribed in Table 40.220.020-3, as follows:

<table>
<thead>
<tr>
<th>R-12 Zone Setbacks, Lot Coverage and Building Height Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Setbacks (feet)</td>
</tr>
<tr>
<td>Front(^2)</td>
</tr>
<tr>
<td>Street</td>
</tr>
<tr>
<td>10(^3)</td>
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</table>

The applicant’s site plan indicates minimum 10-foot setbacks around front and side yards, a 20-foot setback at the rear yard, and building separation which meets dimensional standards as prescribed in the R-18 zone. Therefore, setbacks and building separation proposed on the preliminary site plan shall be retained as portrayed. [See Condition A-1.a] Building elevations were not provided with the application documents and compliance with building height limitations has not been confirmed. In order to ensure compliance with setbacks, lot coverage and building height standards put forth in Table 40.220.020-3, a note shall be placed on the plans denoting the applicable standards. [See Condition A-1.b]

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\(^1\) Maximum density shall be calculated based upon the gross area of the site, excluding public right-of-way or street easements.

\(^2\) Front setbacks shall be measured from the edge of any street right-of-way, street tract, street easement, or driveway easement that provides access to the lot, including any separate pedestrian easement that may exist between a street and the front setback line.

\(^3\) 18 feet to garage front, 10 feet to living space.
Finding 3 - Recreation Space
In accordance with Special Uses Standards (Section 40.260.150), multifamily developments shall provide both private residential outdoor areas and shared outdoor recreation areas for the residents. Each ground-level residential living unit shall have an outdoor private area (patio, terrace porch, yard) containing at least forty-eight (48) square feet and a width of at least four (4) feet. The application did not include architectural drawings or plans that depict how this standard is being met. Therefore, prior to final site plan approval, the applicant shall provide architectural drawings that depict outdoor private areas for each unit that is at least forty-eight (48) square feet in overall area with a minimum width of at least four (4) feet. [See Condition A-1.c]

Additionally, private outdoor areas are required to be screened from view from other residential units, abutting land uses, and public or private streets. Screening can be accomplished with building position, placement of windows, landscaping and screening or natural features. The applicant has not provided plans depicting how the development meets these standards. Therefore, prior to final site plan approval, the applicant shall provide architectural drawings meeting these standards, as contained in Section 40.260.150(B)(2). [See Condition A-1.d]

Shared recreation space shall be provided in residential development for the shared or common use of all residents for developments proposing, three (3) or more bedroom units, at three hundred (300) square feet per unit. This application proposes forty-nine (49) units with three (3) or more bedrooms. Thus 14,700sf of shared recreation space is required. The plans provided do not indicate how much shared recreation space proposed with this development. Therefore, prior to final site plan approval, the plan shall be revised to clearly define how much space will be dedicated for shared outdoor recreation, pursuant to Section 40.260.150. [See Condition A-1.e]

Recreation space shall be improved and maintained for its intended use. Examples of usable recreation space include swimming pools, community buildings, interior gyms, picnic areas, tennis courts, community gardens, improved playgrounds, paths and passive seating areas. In addition to the proposed loop trail, the plans indicate a horseshoe pit and picnic table to the north of NE 64th Street, which meets this requirement.

Finding 4 - Safe Pedestrian Routes
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 subject development is located within the Vancouver School District, and specifically within the boundaries of Walnut Grove Elementary, Gaiser Middle and Fort Vancouver High Schools. According to the letter provided by the Pre-Development Project Manager for Vancouver Public Schools, students will bused from this location, with a stop currently located at NE 58th Avenue and 64th Street; therefore, no ‘safe-walking’ conditions are warranted.

Finding 5 - Landscaping
Section 40.220.020(C)(9) requires that a minimum of twenty percent (20%) of the site be landscaped to an L1 standard. For this development, a minimum of twenty percent (20%) landscaping equates to 39,786sf. Site statistics data provided on Sheet 2/2 indicates more than
20% of the overall site will be landscaped; however, the sheet does not provide the specific amount. Exhibit #11 (the applicant’s response to staff’s early issues email) indicates that this development will provide 20,100sf of open space in landscape buffer and private open space; an additional 16,000sf in shared outdoor recreational space; and, an additional 42,000sf of open space not landscaped to any prescribed standard. Based on the applicant’s explanation, this standard is met. Prior to final site plan approval, site statistics shall be added to the plans which confirm compliance to minimum site landscaping requirements. [See Condition A-2.a]

Pursuant to Table 40.320.010-1, the following landscape buffers are required:

<table>
<thead>
<tr>
<th>Abutting Parcels:</th>
<th>Buffer Type:</th>
<th>Buffer Width:</th>
</tr>
</thead>
<tbody>
<tr>
<td>North (R-1-6)</td>
<td>L3</td>
<td>5 feet</td>
</tr>
<tr>
<td>South (R-12)</td>
<td>L1</td>
<td>5 feet</td>
</tr>
<tr>
<td>East (R-1-6)</td>
<td>L1</td>
<td>5 feet</td>
</tr>
<tr>
<td>West (R-12)</td>
<td>L3</td>
<td>5 feet</td>
</tr>
</tbody>
</table>

L1 general landscaping is comprised principally of groundcover plans, trees, and shrubs. In cases where the planting area is less than ten (10) feet deep, one (1) tree shall be provided per thirty (30) linear feet of landscaped area. The landscape plan indicates a new fence along the westerly boundary and an existing wood fence on the southerly property line and trees spaced 30-feet on-center along the easterly and southerly boundaries as required; therefore, no conditions are warranted.

Where the landscaped area is ten (10) feet deep or greater, one (1) tree shall be provided per 800sf and two (2) high shrubs or three (3) low shrubs shall be provided per 400sf of landscaped area. The applicant’s landscape plan meets this criterion.

The L3 standard requires enough high shrubs to form a screen six (6) feet high and ninety-five percent (95%) opaque year-round. In addition, one (1) tree is required per thirty (30) lineal feet of landscaped area or as appropriate to provide a tree canopy over the landscaped area. Groundcover plants must fully cover the remainder of the landscaped area with the exception of energy dissipation points at the locations of stormwater inlets. A six (6) foot high wall or fence that complies with the F2 standard (Figure 40.320.010-7) with or without a berm may be substituted for shrubs, but the trees and groundcover plants are still required. When applied along street lot lines, the screen or wall is to be placed along the interior side of the landscaped area. The landscape plan indicates landscape screening along the east boundary as required. The northern most property line however, is within the BPA easement. For this reason, the applicant has placed the L3 buffer along the south side of the NE 64th Street right-of-way. Staff finds therefore, that buffer plantings as proposed meets the intent of Chapter 40.320; therefore, no conditions are warranted.

Parking areas that contain at least seven (7) spaces shall contain landscape islands equally distributed at a ratio of one (1) island for every seven (7) parking spaces. The landscape islands shall contain at least twenty-five (25) square feet, shall be at least four (4) feet wide, and contain at least one (1) tree.4 The plans indicate landscaped islands as required; however, the

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4 The trees shall reach a mature height of thirty (30) feet or more, cast moderate to dense shade in the summer, live at least sixty (60) years, require little maintenance (such as by being insect-, disease- and drought-resistant

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site plan does not call out the landscape island locations as clearly; therefore, prior to final site
plan approval, landscape islands shall be clearly depicted on the site plan. [See Condition A-1.f]

Rooftop and ground-level exterior equipment shall be screened from abutting property used or
zoned for residential purposes or from an abutting public road right-of-way to at least an F2 or
L3 standard if visible at grade from the property or right-of-way. Properties along the east
boundary and NE 64th are proposed to be screened to the L3 standard. Architectural drawings
have not been provided confirming that exterior equipment will not be visible from
neighboring residential uses. Therefore, prior to final site plan approval, plans shall be
provided that ensure exterior equipment will be adequately screened, or the landscape buffer
along the west property line shall be improved to meet the L3 standard. [See Condition A-1.g]

Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required
landscaping must be continuously maintained in a healthy manner. Plants that die must be
replaced with in-kind materials unless otherwise authorized by the responsible official.
Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere
with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or
obstruct sight distance at intersections as provided in Section 40.320.020. [See Condition H-2]

Finding 6 - Parking
In accordance with Table 40.340.010-4(3), multifamily dwellings containing more than four
(4) units are required to provide one and one-half (1 ½) on-site parking spaces per unit. This
development proposes forty-nine (49) units, requiring seventy-four (74) spaces. Sheet 2/2 of
the plan set indicates a total of 116 on-site parking spaces, which meets this numerical
standard.

A parking lot that provides between 101 and 150 parking spaces is required to provide a
minimum of five (5) accessible parking spaces, one (1) of which is required to be van accessible.
The Preliminary Site Plan appears to meet this federal requirement. However, formal review
for compliance with accessible standards, including parking and access will be performed at
the time of civil plan approval and/or building permit review. [See Conditions A-13 & E-1]

Section 40.340.010(A)(10) requires that wheel stops or curbs shall be provided at least four (4)
inches high and located three (3) feet back from the front of each perimeter parking space. The
wheel stop/curb functions to prevent vehicles from extending over property lines or sidewalks,
and to protect required landscaping from damage. Sheet 2/2 of the plan set does not portray
the required wheel stops in the visitor parking spaces that are located by the stormwater
facility. Therefore, prior to final site plan approval, the site plan shall be revised to include
wheel stops, located three (3) feet back from the front of each visitor parking space in order to
prevent vehicles from overhanging the sidewalk. [See Condition A-1.h]

Architectural drawings have not been provided for this development. The plan does not
consider pedestrian access from the sidewalk to individual unit entrances. Prior to final site
plan approval, walkways providing access to unit entrances shall be denoted on the site plan.
[See Condition A-1.i]
Where a pedestrian or bicycle route is parallel and adjoining an auto travel lane, the pedestrian or bicycle route must be safely separated from the auto travel lane by using a raised path, a raised curb, bollards, landscaping or other physical barrier. Therefore, sidewalks that are proposed between the drive aisle and the driveways shall be raised, or otherwise be separated as required. [See Condition A-1.j]

Pursuant to Section 40.340.010(A)(11), required parking and loading spaces and associated access and maneuvering drives shall be maintained in good repair at all times. [See Condition H-3]

Finding 7 - Solid Waste & Recycling
Pursuant to 40.360.020(C), this application is required to provide a minimum storage area of fifty (50) square feet, plus an additional five (5) square feet per unit for each unit above ten (10). Therefore, based on the proposed forty-nine (49) units, this application is required to provide a minimum of 245sf for solid waste and recycling. Sheet 2/2 of the plan set indicates two storage areas, each having 400sf of enclosed storage area, which meets this requirement.

Design standards for solid waste storage areas are put forth in Section 40.360.030(B), which prescribes screening to at least an F2 standard, a gate that shall allow access to users and haulers that is capable of being secured in a closed and open position. The applicant’s plan set did not include any plan details that would ensure compliance with this standard. Therefore, prior to final site plan approval, a plan detail shall be provided, portraying compliance with design standards contained within CCC 40.360.030(B). [See Condition A-1.k] Building permits for the trash enclosure are required. [See Condition E-2]

Conclusion (Land Use)
Staff concludes that the proposed preliminary plan, subject to conditions contained herein, meets land use requirements of the Clark County Code.

Archaeology
Finding 8 - Applicability
The development site is located within a moderate to moderate-high probability area for the discovery of archaeological resources, as designated on the Archaeological Predictive Model Map of the Clark County. Therefore, an Archaeological Predetermination is required.

Finding 9 - Pre-determination
The Department of Archaeology confirmed receipt of an archaeological pre-determination to on January 7, 2019. The DAHP was mailed the public notice and a copy of the SEPA checklist and has not provided comment. A note on the final construction plans will require that if resources are discovered during construction, work shall stop and DAHP and the county will be contacted. A note on the final plans will require that if resources are discovered during construction, work shall stop and DAHP and the county will be contacted. [See Condition A-1.l]

Conclusion (Archaeology)
Staff finds that the proposed preliminary plan, subject to the conditions contained herein, meets archaeology requirements of the Clark County Code.
Habitat
Finding 10 - Mapping
County GIS mapping indicates priority riparian habitat as occurring on the northern end of parcel 106270-000, extending offsite to the north, east, and west, although a stream was not mapped onsite or within the riparian habitat area. Reviewing historic aerial imagery shows a ditch on the northern end of the lot which appears it may be a part of Cold Creek.

Finding 11 - Cold Creek Ditch
Past reviews on projects to the West have had determinations that Cold Creek ditch was not a jurisdictional waterbody upstream of St. Johns Road and would subsequently not have priority habitat areas associated with a regulated stream.

Finding 12 - Hydrology
The ditch appears to be connected hydrologically to Cold Creek to the west based on topography and geographic position. Quail Grove Subdivision to the east had an extension of the ditch which was identified as the headwaters for Cold Creek which puts the ditch onsite in line with the identified sections of Cold Creek to the West. County Wetland/Habitat Review staff finds this portion of the ditch to be a portion of Cold Creek.

Finding 13 - Riparian Habitat
Per the Habitat Conservation Ordinance (CCC 40.440.010.C.1.a) streams are considered priority habitat and are protected by a Riparian Habitat Conservation Zone (HCZ) which extends outward on each side of the stream from the ordinary high water mark to the edge of the 100 year floodplain. In this case the mapped riparian habitat does not appear connected to a regulated stream or waterbody, however it appears to have been mapped related to mapped floodplain levels. When the entirety of the riparian habitat area is observed there are no regulated streams or waterbodies present. Because Cold Creek Ditch is non-jurisdictional it would not be afforded the protection of a riparian habitat conservation zone; the mapped riparian habitat is found to be in error. Therefore, no further habitat review is required.

Conclusion (Habitat)
Staff finds that the proposed preliminary plan meets archaeology requirements of the Clark County Code.

Wetlands
Finding 14 - Mapping
County GIS indicates a National Wetland Inventory modeled wetland on the subject parcel identified as a palustrine emergent wetland which occurs in the low area near the ditch on the northern end of the parcel, continuing offsite to the north, west, and east. There are modeled depressional wetlands in the vicinity of the National Wetland Inventory wetlands as well as on the western end of the parcel near the driveway.

Finding 15 - Determination
County Wetland/Habitat Review staff concluded that the wetlands were modeled in error and as such, no further wetland review is required.
Conclusion (Wetlands)
Staff finds that the proposed preliminary plan meets archaeology requirements of the Clark County Code.

Geologic Hazard Area
Finding 16 - Geologic Hazard Areas Applicability & Assessment
Clark County GIS indicates that portions of the site are located in a regulated geologic hazard area. All development activities in or adjacent (within 100 feet) to geologic hazard areas shall comply with the provisions of CCC 40.430. The applicant’s geotechnical engineer, Columbia West Engineering, Inc., provided a geologic hazard review in their Geotechnical Site Investigation, dated January 11, 2019 for the proposed development. The geologic hazard review was based upon physical and visual reconnaissance, subsurface exploration, laboratory analysis of collected soil samples, and review of maps and other published technical literature. Their findings concluded that the on-site slopes and conditions do not meet the definition of steep slope hazards or landslide hazards as defined by the CCC 40.430(C)(1) or 40.430(C)(2)(b). The applicant shall adhere to the design and construction recommendations in the Geotechnical Site Investigation. [See Condition A-9]

The topography of the site may rely on the construction of retaining walls to accommodate the steep slopes across the middle of the site. A building permit is required for retaining walls greater than 4 feet tall or when the wall is surcharged. All retaining walls shall be shown in sufficient detail on the engineering plans for staff to assess their impact on adjacent roads, structures, and public and private utilities. [See Condition A-10]

Conclusion (Geologic Hazard Area)
Staff believes that the applicant has shown compliance with CCC 40.430 by submitting the Geotechnical Site Investigation. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Transportation
Finding 17 - Pedestrian/Bicycle Circulation Plan
Pedestrian circulation facilities in compliance with the Americans with Disabilities Act (ADA) are required for this development. Bike lanes are also required along NE 63rd Street.

The applicant is proposing to construct 5-foot wide sidewalks along their frontage of NE 63rd and NE 64th Streets as well as along both sides of the internal private loop driveway. The applicant is also proposing a sidewalk connection from the private loop driveway to NE 63rd Street. There is also a dedicated 4-foot bike lane along NE 63rd Street. The proposed pedestrian/bicycle circulation plan complies with the provisions of CCC 40.350.010. The applicant will be required to show that all proposed pedestrian facilities will be constructed to comply with ADA standards on the final construction plans. [See Condition A-3.a]

Finding 18 - Circulation Plan
The proposed development is bordered by NE 63rd Street to the south, the Orchards Place II Subdivision to the west, and developable R1-6 residential zoned properties to the north and east. The applicant is proposing to extend NE 64th Street though their site and stub it to their east property line. A private loop driveway off of NE 64th Street will serve all buildings of the
development. The applicant is not proposing a north-south road within their development to meet the 800-foot maximum block length allowed. Staff finds that cross-circulation has not been fully addressed with this proposal. The applicant has submitted a technical road modification to address this issue. [See Finding 23 - Road Modifications]

Finding 19 - Frontage Roads/Improvements
NE 63rd Street is classified as an Urban Minor Arterial (M-4cb). The existing roadway is improved with a half-width right-of-way of 40 feet, a paved roadway half-width of 32 feet, curb and gutter, and 5-foot attached sidewalk. Code requires a minimum half-width right-of-way of 50 feet, a half-width paved roadway of 36 feet, curb and gutter, and a 5-foot detached sidewalk per Clark County Standard Drawing 3. The applicant is proposing to dedicate additional right-of-way and reconstruct the sidewalk to meet the roadway standards. The applicant has submitted a minor deviation road modification to address the substandard pavement width. [See Finding 23 - Road Modifications]

NE 64th Street is classified as an Urban Local Residential Access. Code requires a minimum full-width right-of-way of 46 feet, a full-width paved roadway of 28 feet, and curb and gutter and a 5-foot sidewalk on both sides of the roadway per Clark County Standard Drawing 13. The applicant is complying with the minimum standards.

Any right-of-way dedication for NE 63rd and 64th Streets must be conveyed to the county prior to final construction/site plan approval. [See Conditions A-3.b & A-3.c]

Finding 20 - Access Management
The applicant is proposing two new driveway approaches onto NE 64th Street. They are spaced approximately 140 feet apart. The applicant shall close the existing driveway approach onto NE 63rd Street. [See Condition A-3.d]

Finding 21 - 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 proposed driveway approaches onto NE 64th Street per the posted 25 MPH limit along this roadway.

The applicant's engineer has analyzed sight distance in their Traffic Analysis Report prepared by Charbonneau Engineering, Inc., dated January 2019. The report states, "Intersection sight distance at the proposed access points on 64th Street was reviewed in accordance with Clark County standards. Based on the local street speed of 25 miles per hour (statute speed) Clark County's Municipal Code (Section 40.350.030-8, Street & Road Standards) requires that 250 feet of sight distance be available. It was determined that the standard can be met at both future site access locations. When the development is constructed it will be necessary to maintain the required sight distance. Placement of any objects such as building structures, walls, signage, parking, above ground utilities, or landscaping that obstruct the sightlines is not permitted for safety purposes."
The applicant will be required to show the sight distance triangles for the driveways on the final construction plans. Additionally, the applicant will be required to submit a sight distance certification letter for both driveways prior to construction completion. [See Conditions A-3.e & C-1]

Finding 22 - Cul-de-Sacs & Turnarounds
The applicant is proposing a temporary cul-de-sac at the east stub of NE 64th Street with the cul-de-sac bulb located entirely on the north side of the road. The applicant shall construct concrete sidewalk within the temporary cul-de-sac and a public access easement shall be recorded over the 40-foot radius of the cul-de-sac bulb. [See Conditions A-3.f & A-3.g]

Finding 23 - Road Modifications (EVR2019-00014)
The applicant is requesting a two-part road modification.

1. Relief from meeting cross-circulation requirements. (Technical)
2. To retain the existing half-width pavement along the development's frontage on NE 63rd Street. (Minor)

**Applicant's Discussion:**
The applicant has submitted two road modification narratives prepared by PLS Engineering, dated February 6, 2019 providing justification for the requests. The applicant believes the first road modification request is justified per approval criterion CCC 550.010(C)(2)(a) and the second road modification is justified per approval criteria CCC 550.010(C)(2)(b) and (c).

**Approval Criteria:**
Modifications to the standards contained in Chapter 40.350 may be granted when the applicant demonstrates at least one (1) of the following:

a. Topography, right-of-way, existing construction or physical conditions, or other geographic conditions make compliance with standards clearly impractical for the circumstances;
b. A minor change to a specification or standard is required to address a specific design or construction problem which, if not enacted, will result in an unusual hardship;
c. An alternative design is proposed which will provide a plan that is functionally equivalent or superior to the standards;
d. Application of the standards of Chapter 40.350 to the development would be grossly disproportional to the impacts created;
e. A change to a specification or standard is required to ensure consistency with existing features adjacent to or affected by the site where those existing features are not expected to change over time.

**Staff's Evaluation:**

Road Modification 1 - Cross-Circulation
The east-west block length between NE 58th and NE 64th Avenues is over 1,300 feet. The applicant is proposing to extend NE 64th Street to the east property line to facility east-west circulation; however, a north-south road though the development is not being proposed to meet the 800-foot maximum block length requirement. The applicant instead has proposed a
future road on the adjacent parcel (156655-000) to facilitate cross-circulation. This parcel is also owned by the applicant and a preliminary plan for its development (Minnehaha Meadows 2) has been submitted that shows this future road.

Staff concurs with the applicant’s operational and safety analysis and that physical conditions make compliance with the cross-circulation standards clearly impractical for the circumstances. An alternative circulation plan that is functionally equivalent to the standards has been provided. Approval criterion CCC 40.550.010(C)(2)(a) & (c) have been demonstrated.

Road Modification 2 - Pavement Widening on NE 63rd Street
Per CCC 40.350.030(B)(5)(a), a partial-width road shall be established and constructed to the applicable right-of-way or easement and improvement standards set out in Section 40.350.030 to that portion of a frontage public or private road which abuts a parcel being developed as a condition of development approval.

NE 63rd is classified as an Urban Minor Arterial (M-4cb) and per Table 40.350.030-2, requires a paved roadway half-width of 36 feet and a detached 5-foot sidewalk. Currently, both the pavement width and sidewalk location is substandard along the entire frontage of the site. The applicant is proposing to reconstruct the 5-foot sidewalks to be detached from the curb; however, the applicant is not proposing to widen the 32-foot pavement width to the required 36 feet. The roadway width along this street is not expected to change over time; therefore, staff can support the applicant’s proposal to retain the existing pavement width along NE 63rd Street to ensure consistency with adjacent existing features. Staff believes the applicant’s request meets criterion CCC 40.550.010(C)(2)(e).

Recommendation: Staff recommended an Approval of the road modification requests. The Development Engineering Division Manager has concurred with staff’s recommendation. (See Exhibit 17)

Conclusion (Transportation)
Staff concludes that the proposed preliminary transportation plan is feasible, subject to the conditions contained herein. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Transportation Concurrency
Finding 24 - Trip Generation
County concurrency staff has reviewed the proposed Minnehaha Meadows Townhouse development. The traffic study submitted indicates that the proposed development will construct a 49 unit apartment complex on 4.57 acres. The applicant’s traffic study has estimated the a.m. peak hour trip generation at 22, the p.m. peak-hour trip generation at 26 trips and an average daily trip generation (ADT) of 350 trips. The trip generation was estimated using the nationally accepted data published by the Institute of Transportation Engineers Tenth Edition. The proposed development site is located at 6000 NE 63rd Street in Vancouver.

The applicant has submitted a traffic study under the provisions of Clark County Code section 40.350.020 (D)(1).
Finding 25 - 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 applicant’s plan and narrative indicate that NE 64th Street, an Urban Local Residential Street, will be extended through the site terminating at the easternmost property line of the subject site. The traffic study indicates that the proposed apartment complex will have a looped private drive isle that will have direct access onto the proposed extension of NE 64th Street. The applicant’s study indicates that these direct access locations are proposed as a full movement access location. The applicant’s plan does not propose any access onto NE 63rd Street.

The applicant’s study evaluated the level of service and found that the intersections that provide primary ingress and egress to the subject site will have an estimated LOS D or better, in the 2022 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 26 - Clark County Concurrency
The proposed development is required to meet the standards established in CCC 40.350.020(G) for corridors and intersections of regional significance within 1 miles of the proposed development.

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.
Concurrent 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 27 - 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.

The applicant’s traffic engineer indicated that turn lanes were not warranted under the 2022 total traffic conditions. The warrant evaluation indicates that turn lanes were not necessary because of low turning movement volumes. Staff concurs with the applicant’s finding.

Finding 28 - Historical Accident Situation
The applicant’s traffic study analyzed the crash history for the period January 2013 through December 2017.

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 29 - 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 30 - 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 while minimizing the turning movement impacts to opposing or adjacent travel lanes, which may result in no parking and/or maneuvering areas near the driveway intersections with NE 64th Street. [See Condition A-4.c]

Finding 31 - Sight Distance
Sight distance issues are addressed by other Development Engineering Staff; therefore, this issue will not be addressed here.

Conclusion (Concurrency)
Concurrency Staff approves of the development application, subject to the conditions contained herein.
Stormwater
Finding 32 - 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 Stormwater Management Manual for Western Washington (SMMWW) and the Clark County Stormwater Manual (CCSM) 2015. The project adds more than 5,000 square feet of new hard surface; therefore, the applicant shall comply with Minimum Requirements (MR) #1 through #9 per Section 1.4, Book 1 of the CCSM 2015. [See Condition A-6.a]

No new development shall be allowed to materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. [See Condition A-6.b]

Finding 33 - Stormwater Proposal
The 4.57-acre site currently contains one single family residence and several out buildings which will all be demolished. Site topography generally slopes south to north at less than 5% to a ditch running along the northern property line that then takes stormwater runoff to the west. There is a significant drop running east-west through the center of the site. On-site soils are classified as Hillsboro Loam (Hlb & Hlc), which has a hydrologic soil group classification of "B" and a Clark County WWHM soil group classification of "SG 2". However, based upon site-specific infiltration testing, laboratory analysis, and review of published literature by Columbia West Engineering, Inc., tested site soils mapped as Hillsboro Loam may be appropriately classified as "SG 4".

The applicant provided a Preliminary Technical Information Report (TIR) prepared by PLS Engineering dated January 2019. Proposed site improvements include the construction of public frontage improvements, a private loop driveway, parking areas and 12 residential structures for a total of approximately 2.4 acres of new/replaced hard surface.

On-site Stormwater Management (MR#5) was evaluated using LID Feasibility Check List #2. All infiltration BMPs have been shown to be infeasible due to low infiltration rates. Use of Dispersion BMPs was found to be infeasible due to insufficient flow lengths available. Post-Construction Soil Quality and Depth (BMP T5.13) will be utilized on all other disturbed areas.

Basic Runoff Treatment (MR#6) for all of the pollution generating surfaces is met with an Oldcastle PerkFilter® vault containing 12 media filter. The applicant will be required to submit documentation from the stormwater treatment system manufacturer indicating that the stormwater treatment devices were sited and sized appropriately. [See Condition A-6.c]

Flow control (MR#7) is met utilizing a detention pond (BMP D6.10) and control structure located in the northeast corner of the site with discharge to existing ditch along the northern property line. The pond is approximately 135-feet long, 70-feet wide and 2.5-feet deep. A WHMM hydrologic analysis of the historic (forested) and developed site conditions was completed showing that the proposed facilities can meet the flow control standards. The stormwater pond shall be constructed to meet the design criteria outlined in Chapter 6 (BMP D6.10), Book 2 of the CCSM 2015. To address any downstream impacts on water quality and surface water conditions related to the development, the applicant will be required to perform an off-site analysis in conformance with Chapter 5, Book 1 of the CCSM 2015 because the
project changes the rate, volume, duration, and location of discharges from the project site. [See Condition A-6.d]

The applicant is proposing the detention pond within the BPA easement located along the north property line. In the case that BPA does not permit the detention pond to be located in their easement, the applicant has supplied an alternative stormwater plan [Exhibit 16] and sizing calculations for a location that is outside of the BPA easement. [See Condition A-6.e]

Trash and recycling areas (solid waste storage 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. [See Condition A-6.f]

All the proposed on-site stormwater facilities shall be privately owned and maintained. [See Conditions A-6.g and A-11]

Finding 34 - Infiltration and Groundwater
Columbia West preformed single-ring, falling head infiltration test on December 6, 2018 in three test pits. The tested infiltration rate of the native soil was recorded as <0.1 to 2.0 inches per hour at depths ranging from 1.5 to 8 feet below the existing ground surface. Groundwater was encountered at 8 feet (259 amsl) in one of the test pit (TP-4) located in the vicinity of the proposed detention pond. The bottom of the pond is proposed at 263.5 feet. Infiltration is not being proposed for this site.

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 35 - 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. All comments are based on the occupancy designation of “R3”. [See Condition G-3.b]

Finding 36 - Fire Flow
Fire flow in the amount of 2250 gallons per minute supplied at 20 psi for 120 minutes duration is required for this application. Prior to final approval submit proof from the water purveyor indicating if fire flow is available at the site. A utility review letter from the water purveyor indicates that required flow is not available from hydrants in the vicinity. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval. This fire flow requirement is based on 7000sf of type V-B construction. [See Conditions A-12.a, E-4.a & E-4.b]
Finding 37 - Fire Hydrants
Fire hydrants are required for this application. Provide fire hydrants so that no building is in excess of 300ft from a fire hydrant and so that the distance between fire hydrants does not exceed 300ft as measured along fire apparatus access roads. [See Condition A-12.b]

Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. The local district fire chief approves the exact locations of fire hydrants. Contact Clark Fire District 6 at 360-576-1195 for approval. [See Conditions A-12.c, A-12.d, E-4.c, F-1, & H-4.a]

Finding 38 - Fire Apparatus Access
Fire apparatus access is required for this application. The roadways and maneuvering areas as indicated in the application shall meet the requirements of the Clark County Road Standard. Provide 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 Conditions A-12.e & H-4.b]

Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". [See Conditions A-12.f & H-4.c]

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 39 - Services
The site will be served by the City of Vancouver water and sewer district. A letter from the above district confirms that services are available to the site.

Finding 40 - Public Health
An existing water well was identified by CCPH during the field visit and is required to be decommissioned pursuant to WAC 173-160-381. Therefore, final Health Department approval is required prior to the issuance of grading and/or building permits. [See Condition B-1.a]

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

Impact Fees
Finding 41 - 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. The subject site is located within the following districts: Orchards TIF, Vancouver SIF and Park District #7.
Finding 42 - Impact Fee Calculations
A total of $375,581.10 in impact fees has been estimated for this development, based on the fee districts and number of multifamily units proposed.

<table>
<thead>
<tr>
<th>Fees are estimated / unit</th>
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<tbody>
<tr>
<td>Orchards (TIF)</td>
<td>$2,000.99</td>
</tr>
<tr>
<td>Park District #7 (PIF)</td>
<td>$3,282.00</td>
</tr>
<tr>
<td>Vancouver School District (SIF)</td>
<td>$2,381.93</td>
</tr>
<tr>
<td><strong>Total Due (per unit)</strong></td>
<td>$7,664.92</td>
</tr>
<tr>
<td><strong>Total Due (@ 49 units)</strong></td>
<td>$375,581.10</td>
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The amounts listed above are estimated using the current impact fee rate and are subject to change. As found in CCC 40.610.040, impact fees are calculated using the rates in effect at the time of building permit issuance. [See Condition E-3.a]

Finding 43 - Existing Residence
While the development proposes forty-nine (49) new apartment units, traffic impact fees will receive credit for the one (1) existing single family dwelling that will be removed from the site. Therefore, a note shall be added to the site plan which states, “A traffic impact fee credit equal to the fees associated with one (1) single family dwelling shall be applied to Building 1 at the time of building permit.” [See Conditions A-1.m & E-3.b]

Conclusion (Impact Fees)
Staff finds that the proposed preliminary plan, subject to conditions identified above, meets impact fee requirements of the Clark County Code.

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 March 14, 2019 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, 564.397.5683

Responsible Official: Mitch Nickolds, Community Development Director

Decision

Based upon the proposed plan known as Exhibit 15, 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

**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. Setbacks and building separation proposed on the preliminary site plan shall be retained as portrayed. [See Finding 2]

b. A note shall be placed on the plans denoting setbacks, lot coverage and building height standards put forth in Table 40.220.020-3. [See Finding 2]

c. The applicant shall provide architectural drawings that depict outdoor private areas for each unit that is at least forty-eight (48) square feet in overall area with a minimum width of at least four (4) feet. [See Finding 3]

d. The applicant shall provide architectural drawings meeting standards put forth in Section 40.260.150(B)(2) which ensure screening of the private outdoor spaces. [See Finding 3]

e. The plan shall be revised to clearly define how much space will be dedicated for shared outdoor recreation, pursuant to Section 40.260.150. [See Finding 3]

f. The landscape islands shall be clearly depicted on the site final site plan. [See Finding 5]

g. Plans shall be provided that ensure exterior equipment will be adequately screened, or the landscape buffer along the west property line shall be improved to meet the L3 standard. [See Finding 5]

h. The site plan shall be revised to include wheel stops, located three (3) feet back from the front of each visitor parking space in order to prevent vehicles from overhanging the sidewalk in the visitor parking spaces near the stormwater facility. [See Finding 6]

i. Walkways providing access to unit entrances shall be denoted on the site plan. [See Finding 6]

j. Sidewalks that are proposed between the drive aisle and the driveways shall be raised, or otherwise be separated as required. [See Finding 6]
k. A plan detail shall be provided on the final site plan, portraying compliance with
design standards for trash enclosures contained within CCC 40.360.030(B). [See
Finding 7]

l. Archaeology: A note shall be placed on the face of the final construction plans as
follows:

"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."

m. A note shall be added to the site plan which states, “A traffic impact fee credit
equal to the fees associated with one (1) single family dwelling shall be applied to
Building 1 at the time of building permit.” [See Finding 43]

A-2 Final Landscape Plan - The applicant shall submit and obtain county approval of
final landscape plan consistent with the approved preliminary landscape plan and
Chapter CCC 40.320. The landscape plan shall include landscaping within the public
right-of-ways and on-site.

a. Site statistics shall confirm compliance to minimum site landscaping
requirements. [See Finding 5]

A-3 Final Transportation Plan/On-Site - 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 show on the final construction plans that all proposed
pedestrian facilities will be constructed to comply with ADA standards. [See
Finding 17]

b. The applicant shall record the right-of-way dedication needed along NE 63rd
Street to comply with the 50-foot half-width right-of-way standard. [See Finding
19]

c. The applicant shall record the right-of-way dedication needed along NE 64th
Street to comply with the 46-foot full-width right-of-way standard. [See Finding
19]

d. The applicant shall show on the final construction plans that the existing driveway
access from the subject site onto NE 63rd Street is removed and that curb, gutter and
sidewalk are constructed. [See Finding 20]

e. The applicant shall show the sight distance triangles at the proposed driveway
approaches onto NE 64th Street on the final construction plans. [See Finding 21]
f. The applicant shall show on the final construction plans the construction of a concrete sidewalk within the temporary cul-de-sac bulb on the north side of NE 64th Street in compliance with Clark County Standard Drawing 26. [See Finding 22]

g. The applicant shall record a public access easement to accommodate the 40-foot radius temporary cul-de-sac at the east end of NE 64th Street. [See Finding 22]

A-4 Final Transportation Plan/Off-Site - 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, if necessary. 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 29]

c. The applicant shall submit construction plans that show all applicable design vehicles have the ability to enter and exit the development while minimizing the turning movement impacts to opposing or adjacent travel lanes, which may result in no parking and/or maneuvering areas near the driveway intersection with NE 64th Street. [See Finding 30]

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.

A-6 Final Stormwater Plan - The applicant shall submit and obtain county approval of a final stormwater plan for on and off-site facilities, as applicable, designed in conformance to CCC 40.380 and the following conditions of approval:

a. The applicant shall submit final construction plans and a final Technical Information Report that addresses Minimum Requirements #1 through #9. [See Finding 32]

b. The applicant shall demonstrate that the development will not materially increase or concentrate stormwater runoff onto an adjacent property or block existing drainage from adjacent lots. [See Finding 32]
c. The applicant shall submit documentation from the stormwater treatment system manufacturer indicating that the any stormwater treatment devices were sited and sized appropriately. [See Finding 33]

d. The applicant shall submit an offsite analysis prepared in accordance with Book 1, Chapter 5 of the CCSM 2015 with the final TIR. [See Finding 33]

e. The applicant shall submit documentation from BPA which authorizes the proposed stormwater facilities and other associated improvements within the easement. [See Finding 33]

f. 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 CCSM 2015. [See Finding 33]

g. The applicant shall include on the final construction plans a note stating that the on-site stormwater systems shall be privately owned and maintained. [See Finding 33]

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 Geologic Hazard Areas - The applicant shall adhere to the recommendations set forth by the Geotechnical Site Investigation prepared Columbia West Engineering, Inc., dated January 11, 2019, unless further studies present new or different facts. [See Finding 16]

A-10 Retaining Walls - 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 16]

A-11 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-12 Fire Marshal Requirements -

a. The applicant shall submit plans showing location of water lines for review and approval. [See Finding 36]

b. Plans shall be submitted for review and approval showing fire hydrants such that 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 37]

c. The fire district chief shall sign the engineering construction mylar indicating that the fire hydrant location has been reviewed and approved. [See Finding 37]

d. Plans showing a 3-foot clear space around the circumference of all fire hydrants shall be submitted for review and approval. [See Finding 37]

e. Plans showing roadways and maneuvering areas that meet the Clark County standard shall be submitted for review and approval. [See Finding 38]

f. Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". [See Finding 38]

A-13 Accessibility - Formal review for compliance with accessible standards, including parking and access will be performed at the time of civil plan approval and/or building permit review. [See Finding 6]

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 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.
b. 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.

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.

B-4 Traffic Control Plan - Prior to issuance of any building or grading permits for the development site, the applicant shall obtain written approval from Clark County Department of Public Works of the applicant's Traffic Control Plan (TCP). The TCP shall govern all work within or impacting the public transportation system

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 Transportation (Sight Distance) - The applicant shall provide a sight distance certification letter verifying that sight distance is met at the driveways onto NE 64th Street. [See Finding 21]

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 Accessibility - Formal review for compliance with accessible standards, including parking and access will be performed at the time of civil plan approval and/or building permit review. [See Finding 6]

E-2 Trash Enclosure - Building permits for the trash enclosure are required. [See Finding 7]
E-3  Impact Fees -

a. Prior to issuance of a building permit impact fees for the following districts shall be paid: Orchards (TIF), Park District #7 (PIF), and Vancouver School District (SIF). As found in CCC 40.610.040, impact fees are assessed per dwelling unit, using the rates in effect at the time of building permit issuance. [See Finding 42]

b. A traffic impact fee credit equal to the fees associated with one (1) single family dwelling shall be applied to Building 1 at the time of building permit application. [See Finding 43]

E-4  Fire Marshal Requirements -

a. The applicant shall demonstrate that water mains supplying fire flow have installed, approved and operational prior to the commencement of combustible building construction. [See Finding 36]

b. Prior to issuance of a building permit, the applicant shall submit a current utility review letter from the water purveyor indicating that the required fire flow is available at the site. [See Finding 36]

c. Fire hydrants shall be provided with appropriate ‘storz’ adapters for the pumper connection prior to above-ground combustible construction. [See Finding 37]

F  Occupancy Permits
Review and Approval Authority: Building

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

F-1  Fire Marshal Requirements - A 3-foot clear space shall be provided around the circumference of all fire hydrants. [See Finding 37]

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 (ECY) 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 ECY for further information.**

G-3 Building and Fire Safety -

a. 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.

b. Building construction occurring subsequent to this application shall be in accordance with provisions of the county's building and fire codes. [See Finding 35]

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 Landscaping** - Maintenance of landscaped areas is the ongoing responsibility of the property owner. Required landscaping must be continuously maintained in a healthy manner. Plants that die must be replaced with in-kind materials unless otherwise authorized by the responsible official. Vegetation shall be controlled by pruning, trimming or otherwise so that it will not interfere with the maintenance or repair of any public utility, restrict pedestrian or vehicular access, or obstruct sight distance at intersections as provided in Section 40.320.020. [See Finding 5]

**H-3** Pursuant to Section 40.340.010(A)(11), required parking and loading spaces and associated access and maneuvering drives shall be maintained in good repair at all times. [See Finding 6]
H-4 Fire Protection -

a. A 3-foot clear space shall be maintained around the circumference of all fire hydrants. [See Finding 37]

b. Access roads shall maintain an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13.5 feet with an all-weather driving surface capable of supporting the imposed loads of fire apparatus to within 150 feet of all portions of the building exterior. [See Finding 38]

c. Parking is prohibited on access roads that are less than twenty-four (24) feet wide. Roads that are less than twenty-four (24) feet wide shall be posted "NO PARKING-FIRE LANE". [See Finding 38]

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 by a party of record only. A Party of Record includes the applicant and those individuals who submitted written testimony or a written request to be a "party of record," prior to the issuance of the decision.

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 May 17, 2019. Therefore any appeal must be received in this office by the close of business on May 31, 2019.

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 Preliminary Plan
Minnehaha Meadows Site Plan

Located in the SW 1/4 of Section 07, Township 2 North, Range 2 East, N.W., Clark County, Washington

PROJECT NAME:
Minnehaha Meadows Site Plan

APPLICANT:
Cim Development, LLC
Contact: P.O. Box 382744
Vancouver, WA 98638
Phone: 360-750-5000
Email: info@cimdevelopment.com

PURPOSE:
1. Apartment complex

SITE AREA:
150.33 acres

PRESENT USE:
1. Apartment complex

TRANSPORTATION:
NE 90th Street is the site's only street. Nearest I-5 ramp is NE Andrews Road approximately 1.8 miles.

PUBLIC WATER PURVEYOR:
City of Vancouver

PUBLIC SEWER PURVEYOR:
City of Vancouver

ENVIRONMENTAL/FOSSIL AREAS:
There are no known subsurface karst features within the project site. No known sensitive vegetation or designated endangered areas. There is a small area of deep till at the northeast corner, but further analysis required for the specific site.

Geological Land Services (GLS) indicated no wetlands are present on-site. Clark County GIS wetlands analysis required for the site.

Boundary data shown on this plan was prepared by PLS Engineering.

SITE ADDRESS:
6000 NE 90th Street
Vancouver, WA 98684

Driveway (A) - Typical Section

SITE STATISTICS

ZONE: A-12

Gravel Site Area
160.33 acres

Right-of-Way Exclusion
15.77 acres

Critical Areas
None

Density
REQUIRED
PROPOSED

Maximum Lot Coverage
60%
40%

Bedrock
Forest
30% 20%
Gravel Site
30% 20%
Riparian
30% 20%

Landscape Area
200% 100%
Total Parking Spaces
74/144

EXHIBIT #15
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<td>Amy Wooten</td>
<td>7223 NE Hazel Dell Ave</td>
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<td></td>
<td>3725 E Mill Plain Blvd</td>
<td>Vancouver</td>
<td>WA</td>
<td>98665</td>
<td><a href="mailto:n.chambers@comcast.net">n.chambers@comcast.net</a></td>
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<td>Neil Chambers</td>
<td>604 W Evergreen Blvd</td>
<td>Vancouver</td>
<td>WA</td>
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<td>Vancouver</td>
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<td><a href="mailto:kimberly.bennett@ctt.com">kimberly.bennett@ctt.com</a></td>
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<td>5905 NE 64th Street</td>
<td>Vancouver</td>
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<td>98661</td>
<td><a href="mailto:korina.swift@gmail.com">korina.swift@gmail.com</a></td>
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# EXHIBIT LIST

**Project Name:** MINNEHAHA MEADOWS SITE PLAN  
**Case Number:** PSR2019-0004; EVR2019-00014; FLP2019-00005; GEO2019-00016

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Copies of these exhibits can be viewed at:  
Department of Community Development  
Development Services Division  
1300 Franklin Street  
Vancouver, WA 98666-9810