Type II Staff Report and Decision
Notice to Parties of Record

Project Name: Velendo Industrial Park

Case Number: PSR2018-00032; PLD2018-00023; SEP2018-00035; WET2018-00055 EVR2019-00017

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: June 5, 2019
Type II Site Plan and Environmental Review
Staff Report and Decision

Project Name: Velendo Industrial Park

Case Number: PSR2018-00032; PLD2018-00023; SEP2018-00035; WET2018-00055; EVR2019-00017

Location: 6501 NE 47th Avenue, Parcels 156502, 156468, 156432, 156513, and 156512 in SW Quarter of Sections 27, Township 3, Range 2 east of the Willamette Meridian

Request: Site plan and short plat (8-lots) approval for a phased project of almost 218,000 square feet of manufacturing, warehouse/office, and commercial space on 18 acres in the IL zoning district

Applicant/Contact: Otak, Inc
Attn: Tim Leavitt, PE
700 Washington Street, Suite 300
Vancouver, WA 98660
Phone - 360.906.9432
Email - tim.leavitt@otak.com

Owner: Valendo Real Estate, LLC
Vincent Do
6501 NE 47th Avenue
Vancouver, WA 98661
Email - vincent@evergreenplastic.com

Decision
Approved, subject to Conditions

Land Use Review Manager's Initials: [Signature] Date issued: 4/5/19

County Review Staff

<table>
<thead>
<tr>
<th>Department/Program</th>
<th>Name</th>
<th>Ext.</th>
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<tr>
<td>Community Development</td>
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</tr>
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Revised 5/14/19
Comp Plan Designation: 1

Applicable Laws
Clark County Code: 15 (Fire), 40.230.085 (Industrial Districts), 40.320 (Landscaping), 40.340 (Parking), 40.350 (Transportation), 40.350.020 (Transportation Concurrency), 40.360 (Solid Waste), 40.380 (Stormwater & Erosion Control), 40.440 (Habitat), 40.450 (Wetlands), 40.500 & 40.510 (Procedures), 40.520.040 (Site Plan), 40.540.030 (Short Plats); 40.550 (Road Modifications), 40.570 (SEPA), 40.570.080 (SEPA Archaeological), 40.610 (Impact Fees), 24 (Public Health), and the Clark County Comprehensive Plan.

Neighborhood Association and Contact
Andresen/St. Johns - Neil Chambers (contact)
Phone - 360.699.5119, E-mail - n.chambers@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 was held on this matter on June 1, 2017 and the PAC information was sufficiently complete to qualify for contingent vesting, but a complete application was not submitted within the required 180 days from issuance of the PAC report. Therefore, the application is vested on the fully complete submittal date of October 9, 2018. Applications do not vest for stormwater requirements.

Time Limits
The application was determined to be fully complete on October 25, 2018. The project was on-hold for the submittal of required, wetland, engineering, and land use information. Therefore, the code requirement for issuing a decision within 78 days lapses on June 5, 2019.

Public Notice
Notice of application and likely SEPA determination of non-significance was mailed to the applicant, Neighborhood Association, SEPA Agencies, and property owners within 300 feet of the site on November 19, 2018.

Public Comments
The County has received a significant amount of comment letters (see Exhibits 8, 10 through 30, and 32) from nearby property owners with concerns and opposition to the proposed industrial park.
The main concerns are transportation deficiencies, traffic, noise, odor, light, environmental health/toxic fumes, fire safety, stormwater drainage & control, adequate screening & buffering, and adequate protection of wildlife & wetlands.

See Findings 12 through 26 for more information about transportation and traffic. See Finding 6 for noise, odor, light, and environmental health. See Findings 30, 31, and 32 for fire safety. See Findings 27, 28, and 29 for stormwater drainage & control. See Finding 4 and 5c for screening & buffering. See Findings 10 and 11 for wetland and habitat protection.

**Project Overview**
The subject site is located on the north side of NE Minnehaha Street and the east of NE 47th Avenue and is zoned IL (industrial). There is an existing 53,696 square foot manufacturing and warehousing building on the site along NE 47th Avenue. Primary access for the existing and proposed industrial uses will be from NE 47th Avenue, but the applicant requested a right-in, right-out access from NE Minnehaha Street. The applicant proposes to complete the proposed industrial park with eight new buildings in eight phases. The existing industrial building (A-1) will be in the same lot/phase as building A-2; otherwise, all other buildings will be on a separate lot/phase. The total building area of the existing building plus the proposed buildings is 217,223 square feet.

An eight lot short plat is also proposed that contains eight industrial lots and one wetland tract (Tract A); the proposed lots match the phasing plan. The site contains wetland/buffers in the southern central portions of the site just north of buildings F1, F2, and F3 located in Tract A. There is a 300-foot BPA easement located on the site which mainly contains Tract A.

The following is a land use table of the site and surrounding properties:

<table>
<thead>
<tr>
<th>Compass</th>
<th>Comp Plan</th>
<th>Zoning</th>
<th>Current Land Use</th>
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<tbody>
<tr>
<td>Site</td>
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<td>IL</td>
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<tr>
<td>West</td>
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</table>

**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**

The applicant proposes industrial distribution, warehousing, and manufacturing uses which are allowed in the IL zone subject to site plan review (see CCC Table 40.230.085-1). On the submitted site plan and in the project narrative, the applicant refers to office space. Staff notes that while professional or commercial office space is not allowed on this property, office directly related to the on-site industrial use is allowed. (See Condition A-6)

**Finding 2 - Commercial Uses**

The applicant is also proposing commercial building space under CCC Table 40.230.085-1, footnote #1: These uses shall be limited to a maximum of 10% of the gross floor area of all buildings within the development site. These uses are intended to serve and support the needs of employees, clients, customers, vendors, and others having business at the industrial site, to allow limited retail sales of products manufactured on site, to attract and retain a quality workforce, and to further other public objectives such as trip reduction. A total 21,722 square feet of commercial space is proposed in buildings F1, F2, and F3 along NE Minnehaha Street at NE 47th Avenue. Building F1 is 9,240 square feet and Buildings F2 and F3 are both 8,064 square feet. The applicant proposes all of Buildings F1 and F2 to be commercial and 3,981 square feet of Building F3 will be commercial.

Although the maximum requirement of 10% commercial is met in the proposed industrial park, staff finds it does not comply with footnote #1 of CCC Table 40.230.085-1. Buildings F1, F2, and F3 are located on the corner of a busy Urban Minor Arterial roadway (NE Minnehaha Street) separated from the rest of the site by a large wetland area (Tract A). The applicant has proposed a separate right-in, right-out access on NE Minnehaha Street as well. Staff finds this commercial space is not intended to serve and support the needs of employees, clients, customers, vendors, and others having business at the industrial site, but will be serving the greater Minnehaha Street area. These commercial uses will be more visible to pass by traffic on NE Minnehaha Street than the internal uses at this industrial site. The entrance to the industrial park where the internal industrial uses are located is more the 500 feet north on NE 47th Avenue from NE Minnehaha Street. The applicant even notes in the project narrative that hundreds of employees in nearby existing businesses will be served by this new commercial space and lists these businesses.

Staff finds that commercial uses should be limited in Buildings F1, F2, and F3 to a maximum of 10% of the total area. Based on a total area of 25,368 square feet for Buildings F1, F2, and F3, a
limit of 2,536 square feet can be commercial. The remaining 19,186 square feet of allowed commercial area can be placed in the main portion of the site. (See Condition A-7)

Finding 3 - Parking
Under CCC Table 40.340.010-4 manufacturing uses require one parking space per 500 square feet of building area, warehousing uses require one parking space per 1,500 square feet of building area, and commercial retail uses require one parking space per 350 square feet of building area. Restaurants require one parking space per 250 square feet of building area. Plan Sheets G05 and G06 show the eight proposed lots, the different uses in each building (per square feet), and the amount of parking on each lot. Based this information, staff finds each lot complies with parking requirements except Buildings F1, F2, and F3. The applicant proposes a shared parking agreement to comply with code. However, since staff is not supporting all of the allowed commercial use (which requires more parking than industrial use) in Buildings F1, F2, and F3, there will be adequate parking. Staff finds this criterion is met.

The applicant is proposing landscape islands that comply with CCC 40.320.010 E with two exceptions. A canopy tree shall be planted in the landscape island at the southeast corner of building C (immediately east of the two loading spaces) and the landscape island at the southeast corner of building D. The final landscape plan shall add these two trees (See Condition A-8)

Finding 4 - Building Height/Setbacks
The applicant does not propose any buildings more than 36 feet high. When the application was first submitted, Buildings B and E (along the east property line abutting residential zoned properties and uses) were over 20 feet in height with only a 10 foot setback. Under CCC Table 40.320.010-1 (Footnote 8), the required building setback shall be increased to equal the building height, up to a maximum of 50 feet.

The applicant has revised the site plan and building elevation plans for Buildings B and E that show the height reduced to roughly 18.5 to 20 feet and has increased the building setback to the same 18.5 to 20 feet (see Exhibits 34 and 38). Staff finds the proposed industrial park complies with height and setback requirements.

Finding 5 - Site Plan
a. Under CCC 40.360, solid waste/recycling enclosures are required and to be screened to an F2 standard. The submitted plan shows the required solid waste/recycling enclosures, but does not show the required screening which is sight-obscuring (not chain link w/slats). A cover and stormwater containment are also required. The final site plan should show solid waste/recycling enclosures with the required screening/cover and stormwater containment. (Condition A-9)

b. When pedestrian route of travel crosses a vehicle maneuvering area, a crosswalk is required. The standard requires striping as well as a different paving type, elevation change, or other acceptable method of notifying drivers of a crosswalk pursuant to CCC 40.340.020 A3. The final site plan should identify two methods of the notifying drivers of a pedestrian crosswalk. (See Condition A-10)
c. Under CCC 40.230.085, 10% of industrial sites are required to be landscaped. Also, under CCC Table 40.320.010-1, L3 landscape standards are required along the east property line, L2 landscape buffers are required along the road frontages (NE Minnehaha Street, NE 47th Avenue, and NE 68th Street), and L1 landscape buffers are required along the other property lines. The submitted landscape plan shows compliance with the screening requirements with one exception.

Pursuant to CCC Table 40.320.010-1, L3 landscape standard that contains a wall is required along the east property line. The project narrative lists this standard, does not show a wall. A brick, masonry, or similar wall is required to meet this standard. The final landscape plan should identify the modified L3 landscape standard along the east property line. (See Condition A-11)

d. There is a 300-foot BPA easement located on the site; it mainly contains the wetland tract (Tract A), but there is a small portion of Building B and three loading spaces that is also located in the BPA easement. Prior to final site plan approval, the applicant shall provide an approval from BPA allowing the portion of Building B and loading spaces or revised the site plan to remove all portions of Building B from the BPA easement. (See Condition A-12)

Finding 6 - Performance Standards
Use of this site shall be subject to continuing compliance with the performance standards in CCC 40.230.084(E) regarding noise, venting, odors, light, glare, outdoor storage, vibration, and electromagnetic interference. Noise is subject to the maximum allowable environmental levels in WAC 173-60-040. Between the hours of 10:00 p.m. and 7:00 a.m., noise limits shall be reduced by ten (10) dBA for receiving property within Class A EDNAs. (See Condition H-2)

The applicant must ensure that lighting from the development does not cast significant light or glare off-site on adjacent properties or public roadways. 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. (See Condition H-1)

Finding 7 - Short Plat/Platting Standards (RCW 58.17)
The applicant proposes an eight lot short plat with the smallest lot at .52 acres and the largest at 6.3 acres. The wetland tract (Tract A) is 5.9 acres. The IL zone does not have minimum or maximum lot size requirements. Construction of proposed site plan improvements cannot occur until final site plan approval. Proposed road improvements may be constructed along with the final plat review. Staff finds that with conditions, the proposed plat can comply with code requirements. (See "Prior to Final Plat" Conditions)

With conditions of approval, staff finds the proposed short plat will make appropriate provisions for public health, safety, and general welfare of the community. Proof of adequate water and sewer service, as well as treatment of any increase of stormwater runoff, will be provided, to protect groundwater supply and integrity. Impact Fees will also be required to contribute a proportionate share toward the costs transportation provisions, maintenance and services.

Finding 8 - Signs
For all proposed identification signs, the applicant shall make application for a separate sign permit under CCC 40.310.
Conclusion (Land Use):
Staff concludes that the proposed preliminary plan, subject to conditions identified above, meets the land use requirements of the Clark County Code.

Archaeology
Finding 9
The proposal is located within a high probability area for containing cultural resources. The applicant has submitted a predetermination report to the Washington State Department of Archaeology and Historic Preservation (DAHP) prior to submittal of the application which indicates that no archaeological resources were identified and no further archaeological work is necessary at this time (see Tab 22 of application packet). DAHP received public notice and a copy of the SEPA checklist and has not provided comment.

A note on the final construction plans will be required that in the event that archaeological or historic materials are discovered during project activities, work in the immediate vicinity must stop and the area secured. The concerned tribes cultural staff, cultural committee, and DAHP shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines. (See Condition A-14)

Wetlands
Finding 10 - Project Overview
The project site is generally flat to mild sloping topography, with localized areas of steeper sloping due to man-made conditions. A surface water drainage ditch, otherwise known as Cold Creek, traverses across the northern portion of the project site, generally flowing from east to west. Cold Creek has been determined in past reports to the west to be non-jurisdictional east of St. Johns Road. Much of the site is field grass which is periodically maintained, with denser and higher quality vegetation located along Cold Creek, along the property lines, and within the wetland mitigation area. Because Cold Creek Ditch is non-jurisdictional it would not be afforded the protection of a riparian habitat conservation zone. Therefore, no further habitat review is required.

County GIS indicates multiple wetland indicators within the proposed project area including modeled depressional wetlands near Cold Creek on the northern end of the project area. There are also modeled National Wetland Inventory wetlands mapped within the wetland mitigation area identified as a seasonally flooded emergent/scrub-shrub wetland. In reviewing historic aerial imagery it appears there are also wetland signatures within the mitigation area.

Finding 11
County Wetland/Habitat Review staff performed a habitat/wetland determination (WET2018-00055) and reviewed a wetland assessment prepared by OTAK. The OTAK assessment provided a pair of wetland determination points and a revised wetland boundary. County Wetland/Habitat Review biologists generally concurred with the revised boundary and provided a map and wetland rating form which found the wetland to be a Category III depressional wetland with primarily emergent vegetation with pockets of scrub/shrub vegetation; the habitat score was found to be 4 points on the habitat section of the rating system.
Stormwater outfalls/ dispersion facilities are proposed in the wetland buffer. Per the Wetland Protection Ordinance (CCC 40.450.040.C.4), stormwater facilities are only allowed in buffers of wetlands with low habitat scores (less than 5 points).

**Conclusion (Wetlands):**
Based upon the development site characteristics and the proposed development plan, staff concludes that the proposed Development application complies with the requirements of Chapters 40.440 and 40.450 (Habitat Conservation & Wetland Protection), PROVIDED that certain conditions are met. Therefore, the requirements of the preliminary plan review criteria are satisfied. See Conditions W 1 through 8, A-16, A-17, C-2, D-3d, D-4, and Exhibit 41.

**Transportation**
**Finding 12 - Pedestrian/Bicycle Circulation**
Pedestrian circulation facilities in compliance with the Americans with Disabilities Act (ADA) are required for this development. Bike lanes are also required along NE Minnehaha Street.

There currently exist 6-foot sidewalks along NE 47th Avenue and NE Minnehaha Street. There is also a dedicated 5-foot bike lane along NE Minnehaha Street. The proposed pedestrian/bicycle circulation 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-1a)

**Finding 13 - Circulation**
The development is bordered by NE 47th Avenue to the west, industrial zoned parcels and NE 68th Street the north, NE Minnehaha Street to the south, and R1-6 single family residential zoned parcels to the east. The north-south block length between NE Minnehaha Street and NE 68th Street is approximately 1,300 feet in length. Code would require a public road be constructed east-west through the development so that the block length would not exceed 800 feet maximum. However, considering that the new road would only serve the parcels that are part of this development and that circulation between industrial and residential zones is typically avoided, staff does not believe additional cross-circulation is warranted.

**Finding 14 - Frontage Roads/Improvements**
NE Minnehaha Street is classified as an Urban Minor Arterial (M-4cb). The existing roadway is improved with a half-width right-of-way of 60 feet, a paved roadway half-width of 34 feet, curb and gutter, and 6-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 not proposing any improvements for the roadway. The applicant shall submit a minor deviation road modification to address the substandard pavement width and attached sidewalk location on this roadway prior to final engineering/site plan approval. (See Condition A-1b)

NE 47th Avenue is classified as a Local Commercial/Industrial roadway. The existing roadway is improved with a 30-foot half width right-of-way, a paved roadway half-width of 22 feet, curb and gutter, and 6-foot attached sidewalk. Code requires a minimum half-width right-of-way of 30 feet, a half-width paved roadway of 21 feet, curb and gutter, and a 6-foot attached or 5-foot detached sidewalk per Clark County Standard Drawing 8. The existing roadway meets the minimum standards.

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NE 68th Street is classified as a Commercial/Industrial Local with Parking roadway. The existing roadway is improved with a varying half width right-of-way and varying pavement width that are substandard. Code requires a minimum half-width right-of-way of 30 feet, a half-width paved roadway of 19 feet, curb and gutter, and a 6-foot attached or 5-foot detached sidewalk per Clark County Standard Drawing 10. The applicant will be required to construct NE 68th Street, along their frontage, to meet these standards. (See Condition A-1c)

Finding 15 - Access Management
The applicant is proposing one new commercial driveway approach onto NE 68th Street. The applicant shall comply with the commercial driveway construction standards when installing this driveway. (See Condition A-1d)

The development will continue to use an existing commercial driveway approach onto NE 47th Avenue that currently serves Building A-1. A second existing un-utilized driveway approach on NE 47th Avenue will now be used to serve proposed buildings F-1, F-2 and F-3. This approach is located outside the BPA easement on the latest site plan.

There is also an existing un-utilized driveway approach onto NE Minnehaha Street that the applicant is proposing to use to provide access to the site. (See Finding 18 - Technical Road Modifications - EVR2018-00017)

Finding 16 - 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 driveway approaches onto NE 47th Avenue and along NE 47th Avenue at its intersection with NE 68th Street per the posted 25 MPH speed limit along NE 47th Avenue. The applicant is also required to have 250 feet of sight distance at the driveway approach onto NE 68th Street per the unposted 25 MPH statutory speed limit along this roadway.

The applicant’s engineer has analyzed sight distance in their Traffic Impact Study prepared by H. Lee & Associates, dated January 25, 2018. The engineer indicates that sight distance at all driveways and intersection discussed above can be achieved as long as the sight distance triangles are properly maintained. The applicant will be required to show the sight distance triangles on the final construction plans. Additionally, the applicant will be required to submit a sight distance certification letter prior to construction completion. (See Conditions A-1e & C-1)

Finding 17 - Off-site Road Improvements
There are portions of NE 68th Street between the development’s west property line and the intersection with NE 47th Avenue that are not 18 feet wide. Per 40.350.030(B)(6)(b)(1), all roads providing access to parcels being developed, whether such roads are to be public or private, shall at a minimum, within the urban area have an unobstructed and paved roadway width of 20 feet, or eighteen 18 feet of pavement with 1-foot wide shoulders. Any pre-existing roadway narrower than 18 feet with 1-foot shoulders shall be widened to the full 20-foot standard.
Additionally, per 40.350.030(B)(6)(a), 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.

The applicant has chosen to volunteer the pavement widening along NE 68th Street in compliance with CCC 40.350.030(B)(6)(b)(1) in a letter dated 04/27/2019 (See Condition A-1f).

Finding 18 - Road Modification Requests (EVR2018-00017)
The applicant is requesting a two-part technical road modification.

1. Relief from driveway corner clearance requirements
2. Relief from direct driveway access onto an arterial limitations

**Applicant’s Discussion:**
The applicant has submitted a technical road modification narrative prepared by H. Lee & Associates, PLLC dated February 22, 2019 providing justification for the requests.

**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 - Driveway Corner Clearance
Per CCC 40.350.030(B)(4)(d)(1)(d), to provide adequate corner clearance, the tangent curb length between the nearest edge of a driveway on an intersecting side street and an arterial roadway shall be 50 feet. Where the intersection is signalized or is planned for signalization, driveways shall be limited to right-turn movements if located within 250 feet on minor and principal arterials. The proposed driveway meets the 50-foot corner clearance standards for the side street, NE 47th Avenue. A road modification is not needed.
Road Modification 2 - Direct Driveway Access onto an Arterial
The applicant is requesting a right in, right-out driveway access onto NE Minnehaha Street, an Urban Minor Arterial (M-4cb) utilizing an existing driveway approach. The site has access to NE 47th Avenue, a Commercial/Industrial Local roadway and this commercial driveway would be the site’s second access.

Per CCC 40.350.030(B)(4)(d)(1), no driveways will be permitted to access onto urban arterials unless no other access to the site exists or can be provided.

Secondly, per CCC 40.350.030(B)(4)(d)(1)(b) where permitted, the number of driveways and driveway lanes on arterials shall be based upon an estimate of site traffic generation in accordance with Table 40.350.030-6.

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<tr>
<td>Industrial</td>
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Allowance of a commercial-use driveway approach onto an arterial is only allowed outright when access opportunity onto a lower classified road, NE 47th Avenue in this case, is not available.

Staff cannot support the request for direct access onto NE Minnehaha Street. Staff does not believe the applicant has demonstrated that allowing a driveway access onto NE Minnehaha Street is functionally equivalent or superior to the standards per approval criterion CCC 40.550.010(C)(2)(c). The applicant shall close the existing driveway approach onto NE Minnehaha Street. (See Condition A-1g)

Recommendation:
Staff recommends a Denial of the technical road modification requesting to allow a direct driveway access onto NE Minnehaha Street. The Development Engineering Division Manager has concurred with staff’s recommendation. (See Exhibit 40)

Finding 19 - Transportation Phasing
The applicant indicates that the industrial short plat subdivision will be completed in 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-1h)

Conclusion (Transportation):
Staff concludes that the proposed preliminary transportation plan is feasible, subject to conditions. Therefore, the requirements of the preliminary plan review criteria are satisfied.
Transportation Concurrency
Finding 20 - Trip Generation
Concurrency has reviewed the applicant’s proposal to develop 18 acres into a mixed-use development that would include eight buildings with industrial park (142,574 square feet) and shopping center (21,800 square feet) uses. The initial review and subsequent findings were based on a traffic study prepared by H. Lee & Associates, PLLC dated July 27, 2018.

As a part of an information request, not related to Concurrency, the applicant submitted a new traffic study prepared by H. Lee & Associates, PLLC dated February 2, 2019. The new traffic study changed the land use proposal to now include a mixed-use development comprised of 9 buildings with industrial park (142,574 square feet), shopping center (18,008 square feet), and convenience market (2,000 square feet). The proposed new mixed-use development increased the total trip generation from the subject site. The trip generation estimates are outlined in the table below:

<table>
<thead>
<tr>
<th>Traffic Study</th>
<th>Land Uses</th>
<th>Size (Square Feet)</th>
<th>Total Trip Generation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>ADT</td>
</tr>
<tr>
<td>July 27, 2018</td>
<td>Industrial Park</td>
<td>142,574</td>
<td>1275</td>
</tr>
<tr>
<td></td>
<td>Shopping Center</td>
<td>21,800</td>
<td></td>
</tr>
<tr>
<td>February 2, 2019</td>
<td>Industrial Park</td>
<td>142,574</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shopping Center</td>
<td>18,008</td>
<td>2612</td>
</tr>
<tr>
<td></td>
<td>Convenience Market</td>
<td>2,000</td>
<td></td>
</tr>
</tbody>
</table>

Because of the unsolicited traffic study revision to add a land use that increases the number of trips generated, staff has used the February 2, 2019 traffic study to base the findings and conditions of the concurrency staff report.

County concurrency staff has reviewed the proposed Velendo Industrial Park. The traffic study dated February 2, 2019 prepared by H. Lee & Associates PLLC indicates that the proposed development will consist of 9 buildings with a mix of uses to include industrial park, shopping center, and a convenience market all on 18 acres. The applicant’s traffic study has estimated the a.m. peak hour trip generation at 199, the p.m. peak-hour trip generation at 151 trips and an average daily trip generation (ADT) of 2,612 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 on parcels numbered 156432-000, 156468-000, 156502-000, and 156513-000 in Vancouver.

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

Finding 21 - 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 there are four access locations onto the public right-of-way proposed. One proposed site driveway will take direct access onto NE 68th Street north of the subject site, an existing driveway will remain onto NE 47th Avenue north of the Bonneville Power Administration (BPA) easement, a new proposed driveway location onto NE 47th Avenue south of the BPA easement, and a new proposed right-in/right-out driveway location onto NE Minnehaha Street (NE 63rd Street).

The applicant’s study evaluated the level of service and found that the ingress and egress locations will have an estimated LOS B or better, in the 2021 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.

It should be noted that the proposed right-in/right-out driveway location onto NE Minnehaha Street (NE 63rd Street) was reviewed for LOS impacts related to this development. Although concurrency staff concurred with the applicant’s LOS findings, it does not approve the access onto NE Minnehaha Street. The proposed right-in/right-out driveway access is subject to the findings and conclusions of the road modification (EVR2019-00017) that requested direct access to an arterial when lessor classified roadway was available.

It should also be noted that the proposed driveway access onto NE 47th Avenue, south of the BPA easement, is located across from a dedicated southbound left-turn transition area. Left turning vehicles accessing or departing the site driveway may increase the potential turning movement conflicts at that location. Because of this, the applicant should acknowledge that the County may at some time in the future, modify or restrict outbound vehicle movements to right-in/right-out from the NE 47th Avenue access location. These access modifications or restrictions could be constructed at any time in the future as roadway volumes increase and/or safety issues become of concern. The access modifications or restrictions could be constructed as development mitigation or as a County project.

Finding 22 - 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.

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 volume/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 23 - 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 used the information presented in the applicant’s traffic study to evaluate the need for left and right turn lanes, at the site access locations. Based on the Washington State Design Manual, staff concluded that turn lanes would not be warranted.

Finding 24 - Historical Accident Situation
The applicant’s traffic study analyzed the crash history for the period January 2012 through November 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 25 - 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-2b)

Finding 26 - 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 existing and proposed driveways 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 minimizing the impact to the opposing or adjacent travel lanes, which may result in no parking and/or maneuvering areas near the driveway intersections with NE 47th Avenue and NE 68th Street. (See Condition A-2c)

Conclusion (Concurrency)
In summary, Concurrency Staff recommends approval of the development application with conditions.
Stormwater and Erosion Control
Finding 27 - 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-3a)

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-3b)

Finding 28 - Stormwater Proposal
The project site is approximately 18 acres and consists of an existing industrial building, a parking lot, 6 acres of wetland, and moderate vegetation. There is an existing ditch that is part of Cold Creek, located just north of the existing industrial building. The ditch runs along the entire length of the property, sloping from the eastern property line to the western property line. The drainage from the vegetation within the northern portion of the site (north of the existing wetland), currently drains to Cold Creek and the existing wetland/detention pond. The runoff from the existing industrial building and parking lot drains to the existing wetland/detention pond. The drainage from the vegetation within the southern portion of the site (south of the existing wetland), currently drains to the existing wetland/detention pond. All the runoff that enters the wetland/detention pond, currently drains to the 12” storm pipe located at the northwest corner of the wetland. The 12” storm pipe discharges to the west end of the existing ditch, where Cold Creek leaves the project site. On-site soils located where the majority of the development are classified as Hillsboro Loam (HIB & HIC), which have a hydrologic soil group classification of “B” and a Clark County Soil Group WWHM classification of “SG2”. On-site soils located within and along the existing wetland are classified as Tisch Silt Loam (ThA), which has a hydrologic soil group classification of “D” and a Clark County Soil Group WWHM classification of “SG5”.

The applicant provided a Preliminary Technical Information Report (TIR) prepared by Otak, Inc. dated June 2018 and revised March 2019. Proposed improvements include public street improvements, 8 buildings and associated parking lots for a total of approximately 8.02 acres of new/replaced hard surface. The site is divided into four drainage basins. All basins are within the same TDA with the point of compliance where the existing 12” storm pipe discharges into Cold Creek from the wetland at the northwest end of the project site.

Basic Runoff Treatment (MR#6) is met for all pollution generating hard surface by utilizing Contech® Stormfilter® cartridges. A total of 21 cartridges with phosphosorb filter media located in a combination of 4 manholes and 2 catch basins are proposed. 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-3c)

On-site Stormwater Management (MR #5) and Flow Control (MR#7) are met utilizing the exiting wetland/detention pond. As part of the Minnehaha Business Park Project (ENG2004-00034), the existing Industrial Building A-1 and associated parking lot were constructed. At
this time, the wetland was modified (including mitigation), to provide detention volume for this proposed development and future development on the parcels that are now part of the Velando project. While the existing wetland/pond was designed to accommodate future expansion area, the engineer was required and has provided updated flow control calculations based on the current Clark County stormwater standards. The 100-year peak elevation of the wetland/pond as originally designed is approximately 257.91 feet. PBS shows that with the addition of a flow control structure needed to manage the post developed flow durations to match the (forested) predeveloped flow durations results in a 100-year peak elevation of 257.81 feet, showing there is a net lowering of 0.10’. Pre-developed and post-developed conditions were modeled using Clark County SG4 based on the analysis of the on-site soil.

A new 60-inch culvert is proposed to convey a portion of Cold Creek as it passes through the northern portion of the site. It was sized to accommodate 565 acres of contributing area. Groundwater was observed 6 feet below ground near the pipe location. The applicant will be required to address the impacts of high groundwater on the proposed stormwater facilities at the time of final construction plan review and submit analysis and design of any facilities needed to mitigate for. (See Condition A-3d)

Additional pavement widening as discussed in Transportation Finding 6 will occur along NE 68th Street that was not addressed with the stormwater plan and TIR. The applicant will be required to include this hard surface when applying the stormwater minimum requirements. Note that all runoff treatment facilities should be sized for the stormwater runoff that is flowing to them, not just the new/replaced hard surface. (See Condition A-3e)

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-3f)

All the proposed on-site stormwater facilities shall be privately owned and maintained. (See Conditions A-3g and D-2d)

Finding 29 - Stormwater Phasing
The applicant indicates that the industrial subdivision will be completed in separate phases. 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-3h)

Conclusion (Stormwater):
Staff concludes that the proposed preliminary stormwater plan is feasible subject to conditions. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Fire Protection
Finding 30 - Fire Marshal Review
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.
Finding 31 - Fire Flow/Hydrants
Fire flow in the amount of 2,750 gallons per minute for 120 minutes duration is required for this application. Prior to obtaining building permits, submit proof from the water purveyor indicating that fire flow is available at the site. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to the commencement of combustible building construction. (See Conditions E-2 and E-3)

Fire hydrants are required such that the maximum spacing between hydrants does not exceed 300 feet and no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads.

When the required fire flow exceeds 2,500 gallons per minute, a minimum of three fire hydrants supplied by a looped water main shall be required. Unless waived by the fire district chief, fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection. The local district approves the exact locations of fire hydrants. As a condition of approval, contact the City of Vancouver Fire Department at (360) 487-7260. A six-foot clear space shall be provided and maintained completely around every fire hydrant. (See Condition A-13)

Finding 32 - Fire Access/Sprinklers
The roadways, maneuvering areas, and fire apparatus turnarounds in the application shall meet the requirements of the Clark County Road Standard. 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 H-3)

Buildings with fire sprinklers shall have a minimum of two fire hydrants. One fire hydrant shall be located within 100 feet of Fire Department Connections. An automatic fire sprinkler system is required at the time of construction proposed for the buildings subject to this application. Fire alarm system is required for the buildings subject to this application. Separate permits from the Fire Marshal's office are required for both fire alarms and sprinklers. (See Condition E-3)

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

Water & Sewer Service:
Finding 33
The applicant has submitted a utility reviews from the City of Vancouver indicating that public water and sewer is available to serves the subject site along NE 47th Avenue. Proposed buildings will be required to connect to approved public water and sewer systems. The applicant needs to comply with all requirements of the purveyor. (Condition F-3)

Impact Fees:
Finding 34
Transportation Impact fees (TIF) will be required for the proposed buildings in the industrial park and the site is located in the Orchards Transportation sub-area. As an example, TIF for
the 55,432 square foot A-2 building would be $113,920.91, TIF for the 48,056 square foot B building would be $98,762.14, and TIF for the 12,884 square foot C building would be $26,478.52 based on current rates.

The amounts listed are an estimate using the current impact fee rates 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 IFC2017-00032)

**Phasing:**
**Finding 35**
The project is proposed in eight phases. The applicant is responsible for providing all necessary parking, landscaping, and other land use requirements for each individual phase. The required improvements for each proposed phase will be reviewed during final site and engineering review. (See Condition A-15)

**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 November 19, 2018 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: Richard Daviau, (360) 397-2375, ext. 4895

Responsible Official: Mitch Nickolds, Community Development Director

Decision
Based upon the proposed plan, 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

| W | General Wetlands Conditions |

These are conditions that are not specifically tied to subsequent review and approval processes that may need to be met at a time specified in each condition or apply generally as described.

1. The remaining wetland and wetland buffer shall be maintained in a natural state. The applicant shall retain all native vegetation on site that is outside of the indicated development area within the wetland and wetland buffers onsite; impact shall only occur in the area shown in the provided plan. Any changes to the development layout causing greater impacts to the wetland and wetland buffer than what is approved herein on the provided plans shall be subject to additional wetland review by County staff and may include additional permits and/or mitigation.

2. Excluding non-native vegetation removal, clearing of native vegetation shall be limited to what is minimally necessary to place the indicated structures. No native trees or shrubs shall be removed for construction within the wetland or wetland buffer shown on the plans and approved in this permit. Invasive species (including non-native blackberries and reed canary grass) may be removed provided that ground disturbing heavy machinery (scraping, ripping, etc.) is not used. Cutting, mowing, and ground disturbance with hand tools is allowed; efforts shall be made to prevent injury to neighboring native vegetation.
3. Incidental damage to surrounding native vegetation shall be mitigated by replanting with native vegetation of like kind.

4. The applicant shall utilize best management practices to control erosion and prevent sediment from entering the adjacent streams, priority habitat areas, wetlands, or wetland buffers.

5. If mitigation plantings are required, the applicant shall submit an as-built report within 60 days of completion of plantings indicating the numbers and types of species planted, as well as mapping indicating the location of the plantings. The applicant shall submit photographs of the planted area as well.

6. The applicant shall address temporary impacts to the wetland and wetland buffers related to construction of the project as follows:
   a. Topsoil shall be retained onsite.
   b. All temporarily disturbed ground shall be reseeded with a native grass mix appropriate for the hydrology of the site upon completion of construction.
   c. The applicant shall maintain the performance standard of 100% herbaceous cover in areas temporarily disturbed and/or restored within the wetland and wetland buffer.
   d. The applicant shall monitor all temporarily disturbed areas for one year. Any areas not meeting this standard shall be replanted, with maintenance and monitoring continuing until the standard has been met.

7. If mitigation plantings are required, routine maintenance of the site is necessary to ensure the integrity and success of any installed plants which includes, but is not limited to, removing invasive species and weeds, irrigation (if required), and plant replacement to meet the performance standards.

8. The Department of Ecology and the U.S. Army Corps of Engineers may regulate wetland impacts over 1/10th of an acre or wetland fills requiring consultation and a 401 water quality certification or a 404 Clean Water permit, respectively.

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**A Final Construction/Site Plan Review**

**Review and Approval Authority: Development Engineering/Land Use**

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 Transportation Plan/On-Site - The applicant shall 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 12).

   b. The applicant shall submit a minor deviation road modification to address the substandard pavement width and attached sidewalk location on NE Minnehaha Street prior to final engineering/site plan approval (see Finding 14).

   c. The applicant shall show on the final construction plans that NE 68th Street will be constructed to meet the Commercial/Industrial Local with Parking roadway standards, per Clark County Standard Drawing 10 (see Finding 14).
d. The applicant shall show on the final construction plans that the driveway approach onto NE 68th Street complies with Clark County Standard Detail F17 or F17a, or approved equivalent (see Finding 15).

e. The applicant shall show on the final construction plans the sight distance triangles at all of the site’s driveway approaches and at the intersection of NE 47th Avenue and NE 68th Street (see Finding 16).

f. The applicant shall show on the final construction plans for building “C”, that any portion of NE 68th Street, from the west end of the applicant’s frontage to NE 47th Avenue, that is narrower than 18 feet of pavement width and 1 foot shoulder, will be widened to a minimum roadway pavement width of 20 feet (see Finding 17).

g. The applicant shall show on the final construction plans that the existing driveway access from the subject site onto NE Minnehaha Street is removed and that curb, gutter and sidewalk are constructed (see Finding 18).

h. The applicant is responsible for providing all necessary transportation improvements required for each individual phase (see Finding 19).

A-2 Transportation:

a. Signing and Striping Plan - 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. WSDOT Design Manual - 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 25).

c. The applicant shall submit construction plans that show all applicable design vehicles have the ability to enter and exit the development minimizing the impact to the opposing or adjacent travel lanes, which may result in no parking and/or maneuvering areas near the driveway intersections with NE 47th Avenue and NE 68th Street. (See Finding 26)

A-3 Final Stormwater Plan - The applicant shall obtain county approval of a final stormwater plan designed in conformance to CCC 40.386 and the following conditions of approval:

a. The applicant shall submit final construction plans and a final Technical Information Report (TIR) that addresses Minimum Requirements #1 through #9 (see Finding 27).

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 27).

c. The applicant shall submit documentation from the stormwater treatment system manufacturer indicating that stormwater treatment devices were sited and sized appropriately (see Finding 28).
d. The applicant shall address the impacts of high groundwater on the proposed stormwater facilities and conveyance systems at the time of final construction plan review and submit analysis and design of any facilities needed to mitigate for with the final TIR (see Finding 28).

e. The applicant shall include on the final construction plans and in the TIR any stormwater facilities needed to manage the new/replaced hard surface resulting from the off-site pavement widening along NE 68th Street. Any treatment facility should be sized for all stormwater runoff draining to it. (See Finding 28)

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 28).

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 28).

h. Each individual proposed phase shall be designed with sufficient stormwater management facilities in compliance with CCC 40.386 (See Finding 29).

A-4 **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-5 **Excavation and Grading** - Excavation / grading shall be performed in compliance with CCC Chapter 14.07.

A-6 Professional or commercial office space is not allowed on this property, but office directly related to the on-site industrial use is allowed (see Finding 1).

A-7 Commercial uses shall be limited to a total area of 2,536 square feet in Buildings F1, F2, and F3 (see Finding 2).

A-8 The final landscape plan shall be consistent with the preliminary plan and add two trees: one canopy tree in the landscape island at the southeast corner of building C (immediately east of the two loading spaces) and another in the landscape island at the southeast corner of building D (see Finding 3).

A-9 The final site plan shall show solid waste/recycling enclosures with the required screening/cover and stormwater containment and will require a building permit (see Finding 5a).

A-10 The final site plan shall identify two methods of the notifying drivers of a pedestrian crosswalk (see Finding 5b).

A-11 The final landscape plan shall show the required modified L3 landscape standard along the east property line that includes a brick, masonry, or similar wall (see Finding 5c).
A-12 Prior to final site plan approval, the applicant shall provide an approval from BPA allowing the portion of Building B and loading spaces or revised the site plan to remove them from the BPA easement (See Finding 5d).

A-13 Fire Marshal Requirements
a. Provide fire hydrants such that the maximum spacing between hydrants does not exceed 300 feet and no portion of the building exterior is in excess of 300 feet from a fire hydrant as measured along approved fire apparatus access roads. The local fire district chief approves the exact locations of fire hydrants. Contact City of Vancouver Fire Department at (360) 487-7260 for location approval. A six-foot clear space shall be provided and maintained completely around every fire hydrant. (See Finding 31)

b. 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 Finding 32)

A-14 Archaeological Resources - A note shall be placed on the face of the final construction plans as follows: "In the event that archaeological or historic materials (e.g. bones, shell, stone tools, beads, ceramics, old bottles, hearths, etc.) are observed during project activities, all work in the immediate vicinity should stop and the State Department of Archaeology and Historic Preservation (360-586-3065), the County planning office, and the affected Tribe(s) should be contacted immediately. If any human remains are observed, all work should cease and the immediate area secured. Local law enforcement, the county medical examiner (360-397-8405), State Physical Anthropologist, Department of Archaeology and Historic Preservation (360-586-3534), the County planning office, and the affected Tribe(s) should be contacted immediately. Compliance with all applicable laws pertaining to archaeological resources (RCW 27.53, 27.44 and WAC 25-48) and human remains (RCW 68.50) is required. Failure to comply with these requirements could constitute a Class C Felony."

A-15 The applicant shall provide all necessary transportation, stormwater facility, utilities, and all land use requirements improvements for each individual phase. The required improvements for each proposed phase will be reviewed during final site and engineering review. (See Findings 35)

A-16 Final Wetland Permit - If the stormwater outfalls exceed the amount allowed in the wetland code exemption, or if there are additional impacts to the wetland or wetland buffer that were not a part of the preliminary plan, then a final wetland permit shall be required.

A-17 The applicant shall delineate the wetland and wetland buffers on the final construction plan as shown in WET2018-00055 and show location of the outer extent of the wetland buffer for marking in the field. Markings shall be installed prior to construction and maintained throughout the duration of construction
Prior to construction, the following conditions shall be met:

B-1 **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.

B-2 **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,

B-3 **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-4 **Erosion Control** - Erosion control facilities shall **not** be removed without county approval.

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

C-1 **Sight Distance** - The applicant shall provide a sight distance certification letter verifying that sight distance is met at the driveways onto NE 47th Avenue and NE 68th Street; and at the intersection of NE 47th Avenue and NE 68th Street (see Finding 16).

C-2 Permanent physical demarcation along the upland boundary of the wetland buffer area shall be installed and thereafter maintained. Such demarcation may consist of logs, a tree or hedge row, fencing, or other prominent physical marking approved by the responsible official. In addition, small signs shall be posted at an interval approved by the Resource Permitting and Enhancement Manager, and perpetually maintained at locations along the outer perimeter of the wetland buffer approved by the responsible official worded substantially as follows:

\[
\text{Wetland and Buffer –} \\
\text{Please retain in a natural state}
\]

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 **Access Easement** - The applicant shall record a reciprocal access/driveway easement agreement benefiting all the lots within this short plat.

D-2 **Developer Covenant** - A “Developer Covenant to Clark County” shall be submitted for recording to include the following:

a. **Private Joint Driveway Maintenance Covenant** - A private joint driveway maintenance covenant shall be submitted to the responsible official for approval and
recorded with the County Auditor. The covenant shall set out the terms and conditions of responsibility for maintenance, maintenance methods, standards, distribution of expenses, remedies for noncompliance with the terms of the agreement, right of use easements, and other considerations, as required under 40.350.030(C)(4)(g).

b. **Critical Aquifer Recharge Areas** - "The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater/drinking supply protection."

c. **Erosion Control** - "Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

d. **Responsibility for Stormwater Facilities 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. Final plats shall specify the party(s) responsibility for long-term maintenance of stormwater facilities within the Developer’s Covenants to Clark County. The county may inspect privately maintained facilities for compliance with the requirements of this chapter. 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. (The covenant will not be required if the stormwater facilities are to be owned and maintained by Clark County.)

D-3 **Plat Notes** - The following notes shall be placed on the final plat:

a. **Utilities:** "An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also, a sidewalk easement, as necessary to comply with ADA slope requirements, shall be reserved upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

b. **Driveways:** "All driveway approaches entering public roads are required to comply with CCC 40.350.” “No direct driveway access onto NE 72nd Avenue will be permitted.”

c. **Privately Owned Stormwater Facilities:** "The following party(s) is responsible for long-term maintenance of the privately owned stormwater facilities: ______."

Revised 5/14/19, DS1201 PSR
d. Habitat/Wetland Covenants: "Clark County Wetland Protection Ordinance (Clark County Code Chapter 40.450) and Habitat Conservation Ordinance (CCC 40.440) requires wetlands and wetland buffers, as well as priority habitat areas, to be maintained in a natural state. Refer to the Conservation Covenant 4320343 for limitations on the maintenance and use of the wetland and wetland buffer areas, as well as priority habitat areas, identified on the face of this plat."

e. Phasing: "The developer of each phase is required to submit and obtain approval of construction plans; And construct the required stormwater and transportation improvements associated with that phase."

D-4 The wetland and buffer boundaries shall be delineated on the face of the Final Plat as shown in WET2018-00055.

E  Building Permits

Review and Approval Authority: Permit Services

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

E-1 Fire flow in the amount of 2,250 gallons per minute for 120 minutes duration is required for this application. Submit proof from the water purveyor indicating that fire flow is available at the site. (See Finding 31)

E-2 Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to combustible building construction. Fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection prior to combustible building construction. (See Finding 31)

E-3 An automatic fire sprinkler systems are required and fire alarm system is required for the buildings subject to this application. Separate permits from the Fire Marshal's office are required for both fire alarms and sprinklers. See fire Marshal Office for more information. (See Finding 32)

E-4 Impact Fees - TIF for the 55,432 square foot A-2 building would be $113,920.91, TIF for the 48,056 square foot B building would be $98,762.14, and TIF for the 12,884 square foot C building would be $26,478.52. The amounts listed are an estimate using the current impact fee rates 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 Finding 34).

F  Occupancy Permits

Review and Approval Authority: Building

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

F-1 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.
F-2 **Fire Marshal** - Automatic Fire sprinklers are required for the buildings. Fire alarm system is required for the buildings provided with fire sprinklers.

F-3 Proposed buildings will be required to connect to approved public water and sewer systems. The applicant needs to comply with all requirements of the purveyor. (See Finding 33)

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 **Concurrency** - The County may, at its sole discretion, sometime in the future, modify or restrict outbound vehicle movements from the southern NE 47th Avenue access location. This access modification or restriction could be constructed at any time in the future as roadway volumes increase and/or safety issues become of concern. The access modification or restriction could be constructed for development mitigation or as a County project.

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 **Performance Standards** - Use of this site shall be subject to continuing compliance with the performance standards in CCC 40.230.084(E) regarding noise, venting, odors, light, glare, outdoor storage, vibration, and electromagnetic interference (see Finding 6).

H-3 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.

H-4 Professional or commercial office space is not allowed on this property, but office directly related to the on-site industrial use is allowed (see Finding 1).

**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 June 5, 2019. Therefore any appeal must be received in this office by the close of business on June 20, 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**

- Proposed Preliminary Plan
- Proposed Short Plat
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<td>Tim Leavitt, PE</td>
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## EXHIBIT LIST

**Project Name:** VELENO INDUSTRIAL PARK  
**Case Number:** PLD2018-00023; PSR2018-00032; SEP2018-00035; WET2018-00055

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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
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