



Clark County Planning Commission

Steve Morasch, Chair
Ron Barca, Vice Chair
Bill Wright
Karl Johnson
Richard Bender
Matt Swindell
Robin Grimwade

PLANNING COMMISSION MINUTES THURSDAY, JUNE 21, 2018

Public Services Center
BOCC Hearing Room, 6th Floor
1300 Franklin Street
Vancouver, Washington

6:30 p.m.

CALL TO ORDER & ROLL CALL

BARCA: Okay. Welcome everybody to the Clark County Planning Commission hearing for Thursday, June 21st. Can we start with a roll call, please.

MORASCH: ABSENT
WRIGHT: HERE
BARCA: HERE
SWINDELL: HERE
JOHNSON: HERE
GRIMWADE: HERE
BENDER: HERE

GENERAL & NEW BUSINESS

A. Approval of Agenda for June 21, 2018

BARCA: Okay. We're going to proceed into the agenda and I'd like to start with approval of the agenda for this evening.

BENDER: I make a **motion** we approve the agenda for June 21st.

GRIMWADE: **Second** it.

BARCA: It's been motioned and seconded. All those in favor?

EVERYBODY: AYE

B. Approval of Minutes for May 17, 2018

BARCA: Okay. And we also have minutes from May 17th that need to be approved.

BENDER: I make a **motion** we approve the minutes from May 17th, 2018.

GRIMWADE: **Second** it.

SWINDELL: I'll second it.

BARCA: Very good. It's been motioned and seconded. All those in favor?

EVERYBODY: AYE

C. Communications from the Public

BARCA: Okay. And now we would like to ask anybody in the audience that has anything they'd like to bring before the Planning Commission unrelated to this evening's agenda, this is your opportunity to come forward to the Planning Commission and discuss any non-agenda items. Is there anybody in the audience who would like to do that?

Okay. Seeing none, we're going to continue to move on.

D. Comments from the Acting Chair

BARCA: Concerning the agenda this evening, I'm going to be asking the Commission, is there anybody who believes that they have conflicts of interest that need to be disclosed?

Okay. Seeing none, we will continue. So I have a small statement that's to be read for the audience, and we have a procedure that we go through. We're going to begin with hearing from the staff report. The Planning Commission members will be able to ask staff questions at that time.

After that, we're going to open it up for public testimony. Members of the audience who wish to testify on the hearing item should sign in on the sheets in the back. Anybody wishing to give oral testimony is to come forward to the front of the room based on the calls from the sheet back there, and when you come to the podium, please state your name and spell your name slowly so we can get it into the record. Anything that's relevant that you have in the way of written testimony, please hand it in before you begin your testimony so it can get



distributed.

So there are times in which we would find that we would need to limit testimony because of the nature of the crowds or the items, but we don't have any of that this evening, so we're hoping that you're willing to come forward, have any kind of testimony adding to the agenda items. And at that point in time we will close public testimony, create a record of deliberation and then pass our recommendations forward to the County Councilors.

With that being said, I believe we are ready to start. Can we start with the historical preservation item, please.

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION

2018 Annual Reviews and Dockets amending the 20-Year Growth Management Comprehensive Plan Text and Map, Zone Map, and Clark County Code (Title 40):

CPZ2018-0001 Historic Preservation: A proposal to amend Clark County Historic Preservation Code Chapter 40.250.030 to add new definitions, clarify processes related to nominating, amending, delisting, and appealing properties on the Clark County Historic Register, update references to other sections of code, and ensure consistency with the Washington State Model Historic Preservation Code.

Staff Contact: jacqueline.kamp@clark.wa.gov or (564) 397-4913

KAMP: Sure. Good evening. My name is Jacqui Kamp. I'm presenting CPZ2018-00012, Clark County Unified Development Code Title 40.250.030 amendments to the Historic Preservation.

The Clark County Historic Preservation Commission is requesting an amendment to Clark County Code 40.250.030, Historic Preservation, to add new definitions, clarify processes related to nominating, amending, delisting and appealing properties on the Clark County Heritage Register, provide editorial changes and update references to other sections of Clark County Code, the RCW and the WACs.

In order to kind of give some context for those that may not know the Historic Preservation Program, I gave this presentation to the Planning Commission June 7th, but I'm going to briefly kind of go through those again.

So the Historic Preservation Program's mission is to identify, evaluate and protect historic and prehistoric resources, preserve and rehabilitate eligible, historic and/or cultural resources for future generations.

We have a combined City of Vancouver and County Historic Preservation Commission and have



inter-local agreements to provide the Commission to all the other local jurisdictions in the county. We are also a certified local government which means that we maintain our local Clark County Heritage Register and that we have a Historic Preservation Commission that enforces and maintains preservation laws.

So here in Clark County we have several registers that property owners can nominate their properties to. The Clark County Heritage Register is the only register that requires certain reviews by the Historic Preservation Commission that are provided for in the code such as nominating their property and a request for a certificate of appropriateness for changes to a property. Properties must always have owner consent to be listed on the Clark County Heritage Register.

So the reasons for the updates. The last update to this code was in 2009 and it was very minor changes, and recent cases have highlighted some needs for revisions to the code. So the goal is to update, streamline and provide clear directions for applicants, the staff and commission members.

So a summary of the updates include updating code references, the naming conventions of certain bodies or review process names, definitions either adding or relocating definitions from within the code to a definition section, fixing inconsistencies and clarifying requirements with existing processes.

We looked at the code language versus the Commission's rules and procedures to make sure they were correct and what should be in code is in code and what's in the rules and procedures should be in rules and procedures, and we made some editorial changes to the entire code such as capitalization, breaking up large pieces of text, making sure it was clear on who was to do what and certain processes.

So the public process so far has been the County Council work session in April. The Historic Commission had multiple work sessions to work through these revisions, had their hearing on May 1st and has forwarded this amendment to you for consideration. We had the work session before you on June 7th and today we're at the hearing. And the Council is scheduled for work session again to review the revisions on August 15th and then we'll be before the Council on August 28th for hearing. So that's my presentation. If there's any questions, I'm happy to answer.

BARCA: Any questions for staff? None? All right then. Do we have a sign-in list of anybody interested in testifying? Is there anybody back there that wants to testify? Probably not on this one, Sonja. Sorry.

KAMP: That's okay.

BARCA: Okay. Don't take it personally. All right. Seeing no public input, then we're going



to go ahead and close public testimony and bring it back to the Commission for deliberation or a motion.

GRIMWADE: Yeah. Firstly, I'd like to congratulate you on the work you've done, I think you've done a great job on cleaning up a lot of anomalies in the various code documents, so well done. And with that, I think this is something that is well-deserved, long overdue.

I'd move a motion that it be accepted as the staff recommendation.

HOLLEY: I missed some of that, I'm sorry. The last I got was that is well-deserved, long-overdue.

GRIMWADE: Long-overdue. Long-overdue in making the amendment. Long-overdue in making the amendments, and I would move a **MOTION** that the staff recommendation be accepted.

JOHNSON: **Second** that motion.

BENDER: Second both of them.

BARCA: What?

BENDER: Second both of them.

BARCA: Both of them. Okay. All right. It's been **MOTION** to approve staff report and it's been seconded. Any discussion at all? Roll call, please.

ROLL CALL VOTE

WRIGHT: AYE

SWINDELL: AYE

JOHNSON: AYE

GRIMWADE: AYE

BENDER: AYE

BARCA: AYE

BARCA: All right. Motion approves. We're moving forward.

KAMP: Thank you.



PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION, continued

CPZ2018-00010 Shoreline Master Program Amendment

A proposal to amend the Clark County Shoreline Master Program to: incorporate the 2018-01-03 critical areas ordinance; address a state law regarding special procedures for local review of WSDOT projects; incorporate a rule regarding local procedures approving/amending shoreline master programs; address a law that clarifies developments not required to obtain shoreline permits or local review; address statutes regarding EFSEC projects; add clarifying language regarding the forest practices and archeological, cultural and historic resources sections of code; revise and add definitions to align with state statutes; and, clean-up text and reference errors.

Staff Contact: Jenna Kay, jenna.kay@clark.wa.gov or (564) 397-4968

BARCA: And now the one everybody's been waiting for, the Shoreline Master Program Amendments CPZ2018-00010.

KAY: Good evening. For the record, my name is Jenna Kay with Community Planning. And as you noted this is annual docket item CPZ2018-00010, and this is regarding a proposed amendment to the Shoreline Master Program section of Clark County Code Chapter 40.460.

So as you know, the Shoreline Management Act was passed by the legislature in 1971 in response to a citizen initiative to protect shoreline resources. The Act regards an overarching framework of goals and policies which emphasize water dependent uses, environmental protection and public access. Implementation of the Shoreline Management Act is through Shoreline Master Programs developed and adopted locally and also approved and adopted by the Department of Ecology.

As we discussed at our work session a few weeks ago, the proposal in front of you is to address compliance and housekeeping items. Staff's recommended changes fall into four categories.

The first category is to incorporate Critical Areas Ordinance 2018-01-03. This ordinance updated the code sections on critical aquifer recharge areas and flood hazard areas, and there are few proposed edits that would incorporate this ordinance into the Shoreline Master Program.

The second category of changes are regarding the Department of Ecology's revised WACs which became effective in September of 2017. The adopted rules reflect procedural and process updates and they also incorporate recent State laws and other housekeeping changes. The proposed amendment includes a handful of updates that would bring the County's Shoreline Master Program into alignment with the revised rules and RCWs.

The third type of proposed changes are regarding feedback we've received from our



Community Development staff to clarify language in a few areas that they found unclear when trying to implement the code. And, finally, there are also some text cleanup items being recommended that we identified through the process of working on the other changes.

Since our work session in May, I've had the opportunity to meet with the Development and Engineering Advisory Board to review the amendment, proposed amendment and to solicit their feedback. They primarily asked clarifying questions about the changes and asked for examples of how some of the new statutes might apply, but did not express any concerns with the proposed amendment. They are however eager to provide feedback in the upcoming 2020 review process to address other shoreline concerns that they have but not related to this amendment. No other public comments have been received on the proposal.

And as far as the process moving forward, Council is expected to review this item this fall. And if they approve an ordinance, it will then go to the Department of Ecology for their approval before it will become effective. So that's it. Do you have any questions?

BARCA: Any questions for staff? Do we have a time frame in which Department of Ecology expects us to make this update?

KAY: We've been working with them sort of through the process, so they are expecting us to basically follow the timeline we've proposed. And then because Ecology has their process after the County finishes theirs, I think we're all expecting by early next year is when this would actually go into effect.

BARCA: Okay. All right. Without any other questions, let's open it up to public testimony. The sign-up sheet was vacant, but if there's anybody that wishes to come forward, this is the time. And seeing nobody coming forward, we will close public testimony then. And deliberation from the Commission or motion.

Return to Planning Commission

WRIGHT: I'd make a **MOTION** that we adopt CPZ2018-00010, Shorelines Master Program Amendment as presented.

BENDER: I **second** it.

BARCA: Okay. It's been motioned and seconded. No other discussion? Roll call, please.



ROLL CALL VOTE

SWINDELL: AYE
JOHNSON: AYE
GRIMWADE: AYE
BENDER: AYE
WRIGHT: AYE
BARCA: AYE

BARCA: Motion passes, goes forward. And we are moving to CPZ2018-00003, Faith Center.

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION, continued

CPZ2018-00003 Faith Center – A proposal to amend the comprehensive plan and zoning from Mixed Use Comp Plan designation (MU with Mixed Use zoning (MX) to Urban Low Density Residential Comp Plan Designation with Residential zoning (R-1-6) on three parcels as follows: 200145000, 20008000 and 200080001.

Staff Contact: Sharon.Lumbantobing@clark.wa.gov or (564) 397-4909

LUMBANTOBING: Good evening, Planning Commission. My name is Sharon Lumbantobing with Clark County Community Planning for the record. I have three annual reviews before you tonight.

The first is CPZ2018-00003, Faith Center. The Faith Center Fellowship of Vancouver initiated this annual review application on January 23rd, and at that time they owned approximately 8.43 acres near the intersection of SR-503 and N.E. 107th Street. From that 8.43 acres, two and a half acres is designated MX, mixed use, and the remainder of the property is urban low density residential R1-6. The property wants to co-locate the church and grades K through 12 on one integrated campus.

While Faith Center Fellowship initiated the annual review on January 23rd, approximately 4.8 acres was transferred to Cornerstone Christian Academy for their Learning and Leadership on May 4th under a quitclaim deed. And on May 8th the County entered into a Development Agreement with Faith Center Fellowship and Cornerstone Christian Academy regarding phasing of the project from temporary portable classrooms to a permanent K through 12 school.

The Cornerstone Christian Academy for Learning and Leadership is requesting to amend the comprehensive plan designation and zoning on the two parcels from mixed use with MX zoning to urban low residential with R1-6 zoning. MX zoning allows preschool to elementary school, but it does not allow grades 6 through 12.

The proposed zone change to R1-6 would allow for grades 6 through 12 with a conditional use



permit. And it would make this zoning consistent on this eight-acre property to allow for the development of the integrated campus for religious and educational purposes.

Last year the three-acre parcel just to the north of this received approval to amend the comp plan and zoning from MX to industrial with light industrial zoning.

And staff finds that this request meets the applicable criteria and is recommending approval.

BARCA: Sharon, would you put this into presentation mode, please.

LUMBANTOBING: Yes. Excuse me.

BARCA: Thank you. Any questions for staff? Anybody want to see any of the other maps? Okay. That's the way it's going to be. All right. Then we are going to open it up for public testimony. Can I have Jamie Howsley come forward.

Public Testimony

HOWSLEY: Yes. Good evening, Planning Commissioners. For the record, Jamie Howsley, 1499 S.E. Tech Center Place, Suite 380, Vancouver, Washington. I'm the attorney on the project and the applicant for this request.

I think Sharon said it very, very nicely. We're trying to have an integrated campus out here at this site with the existing Faith Center Church and then Cornerstone Christian Academy is actively moving to this site right now.

We spent the better part of this last year working very closely with Community Development and Engineering to get a post-decision review and a Development Agreement on this parcel to allow the construction of a temporary campus on this site, which that has received approval from the hearing's examiner and the temporary facility is under construction as we speak.

The hope is is again to move to a permanent building for a K through 12 campus. We need this plan amendment and zone change to help facilitate that. In entering into a Development Agreement with the Board in early May, we had made them aware that this request was already pending and it, you know, again this is sort of furtherance of that vision to allow that use to exist out there.

I'm really here to answer any questions that you may have in terms of this request, the Development Agreement or anything that we may be doing out there.

BENDER: What is your timeline for temporary to permit?



HOWSLEY: So I'm glad you asked that. In the Development Agreement, which I believe should be in your packet, we have a two-year obligation, well, we only have two years to have the portable units and move that to a permanent facility.

As part of the consideration for the agreement also, we are doing some temporary mitigation measures out on SR-503 and 107th and we have to do a permanent signal there within two years also and we are currently working with WDOT on that.

JOHNSON: How many students do you have there right now?

HOWSLEY: Pardon me?

JOHNSON: How many students are there now?

HOWSLEY: Currently the revised conditional use permit will allow for 400 students. The intent would be once we get the permanent K through 12, up to 700 would be there.

BENDER: What kind of TIF are you looking at, Traffic Impact Fee?

HOWSLEY: Well, the TIF out there I believe it's in the \$353 range, but again part of the consideration for this Development Agreement is we are doing the temporary mitigation out there and we are basically building a signal.

The County had been collecting fees out there to do a signal which, you know, was sort of in the \$1.2 million realm, our school is volunteering as their mitigation and consideration for the agreement to make up the difference between that and what they've collected, and I believe they've only collected a little more than 300,000, so we're bringing in a significant amount of dollars.

BENDER: I want to ask a question to one of my cohorts here. What is the price tag for a full signalized intersection approximately?

WRIGHT: Anywhere from 300,000 on up depending on the complexity, the number of lanes, the number of movements.

BARCA: We got to get this on the record. So if you guys are going to have this conversation, please put it into the record.

BENDER: My question was what is the approximate cost of a full lighted intersection, Bill?

WRIGHT: I'd say generically 300,000 for a small intersection, a basic signal on up depending on the complexity and the number of lanes involved, the movements and the traffic volumes,



and I believe the counselor here mentioned in excess of a million dollars for the signal, and that's not surprising.

BENDER: So there are other property owners that have mitigated and contributed to the intersection already?

HOWSLEY: There's some development that's my understanding that occurred to the west of that that has put in a proportionate share, but again our client is basically guaranteeing the rest of the money that that signal will be built.

BENDER: Thank you.

BARCA: And I believe the intersection will then take care of any of the concerns that WSDOT put in on their letter of concern?

HOWSLEY: Yes. And, again, I have to thank Community Development staff and WDOT for working with us on this very complicated project.

BARCA: Any more questions for Jamie?

HOWSLEY: Thank you.

Return to Planning Commission

BARCA: Thank you. Anybody else in the audience who didn't get on the sign-up sheet but wishes to comment on this development? Okay. Seeing none, we're going to go ahead and close public testimony and bring it back to the Planning Commission. Not a thing, huh? Okay. All right. Roll call.

BENDER: You need a motion first.

BARCA: All right. I'm so used to that, yes. Not even a motion.

JOHNSON: I make a **MOTION** we accept staff recommendation on CP- -- let me make sure I get this right -- on CPZ2018-00003, Faith Center.

SWINDELL: I'll **SECOND** it.

BARCA: Please, roll call.



ROLL CALL VOTE

WRIGHT: AYE

SWINDELL: AYE

JOHNSON: AYE

GRIMWADE: AYE

BENDER: AYE

BARCA: I hate voting for another intersection on the 503. I think it's miserable. AYE

BARCA: That's it. And we will move to CPZ2018-00004, Strawberry Hill.

PUBLIC HEARING ITEMS & PLANNING COMMISSION ACTION, continued

CPZ2018-00004 Strawberry Hill – A proposal to amend the comprehensive plan and zoning from Commercial Comp Plan designation with Neighborhood Commercial zoning to Low Density Residential Comp Plan Designation with Residential zoning (R 1-6) on two parcels as follows: 18983500 and 18981000.

Staff Contact: Sharon.Lumbantobing@clark.wa.gov or (564) 397-4909

LUMBANTOBING: Okay. This is CPZ2018-00004, Strawberry Hill. These two parcels total approximately 1.5 acres. They're located at the intersection of N.E. 119th Street and N.E. 47th Avenue.

In 1994 the parent parcel was approximately five acres and it was split zoned. In 2007 the parent parcel was platted into 21 single-family residential lots, so an R1-6, and two parcels were zoned neighborhood commercial.

As part of the Strawberry Hill II subdivision, conditions were placed on these neighborhood commercial parcels to restrict the access from N.E. 119th Street and N.E. 118th Street. This slide shows you where they're accessing the lots from N.E. 47th.

The applicant is requesting to amend the comp plan designation and zoning from neighborhood commercial to urban low density residential with R1-6 zoning on these two parcels which would allow these two parcels to develop consistently with the existing land use patterns to the north, south and west of the site.

The applicant's narrative states that despite a decade of marketing efforts, the past and current owners have been unable to attract prospective tenants and buyers due to the access restrictions, the abundance of commercial retail in the area and the emergence of e-commerce.

The proposed re-designation of this land for more residential uses is consistent with the type and intensity of uses expected in the urban growth area, and the parcels are in an area of



existing urban development surrounded by residentially zoned and developed land.

Staff finds this request meets the applicable criteria and is recommending approval.

BARCA: Questions for staff? Okay. Then we're going to go ahead and open it up to public testimony.

Public Testimony

HOWSLEY: Yes. For the record again, Jamie Howsley, attorney for the applicant. I think Sharon did a very nice job of summarizing the request.

The only addition that I would add is immediately to the east of that eastern most red dot, there also used to be some property I believe zoned commercial that the County acquired for a stormwater facility as part of the 119th Street widening project which further cuts off these parcels from the intersection in terms of their ability to eventually maybe do something larger there.

But, again, our client has spent the better part of a decade trying to market this site for commercial. And what we're being told is given the plat condition that requires access basically on a residential street to use it, there's no user that would like to do that.

We've also had conversations with several of the neighbors and I believe you may have gotten an e-mail from one that also seems supportive of this change over to residential rather than commercial.

So with that, I'm really just here to answer any questions that you may have this evening on this request.

BARCA: Questions for the applicant?

WRIGHT: So when the parcels are platted, will they run north/south from 119th to the residential road on the south side or will any of them have direct access onto 119th?

HOWSLEY: No. I believe the thought is that they'll have that north/south orientation but take their driveway off 118th.

WRIGHT: Very good. Thanks.

BARCA: Any other questions? Thank you. Anybody else in the audience wish to speak on this matter? Okay. Seeing none, we're going to go ahead and close public testimony.



Return to Planning Commission

Bringing it back to staff for deliberation. I do have a question, Sharon. The way that the map looks it appears that there's still a parcel on the north side of 119th that's going to remain in this commercial --

LUMBANTOBING: Yes.

BARCA: -- zoning --

LUMBANTOBING: Yes. Correct.

BARCA: -- which makes it another small parcel for us to have to deal with at a separate time. Did we reach out to the landowners?

LUMBANTOBING: We did not because that's still viable commercial, it could be developed as commercial.

BARCA: It's as viable as the property we're changing.

LUMBANTOBING: It is on the intersection.

BARCA: Okay. Any other questions for staff? Anybody interested in a motion?

WRIGHT: I'd make a **MOTION** that we adopt CPZ2018-00004, Strawberry Hill, as presented.

BENDER: **Second** it.

BARCA: Motion and seconded. Roll call, please.

ROLL CALL VOTE

BENDER: AYE

GRIMWADE: AYE

JOHNSON: AYE

SWINDELL: AYE

BARCA: AYE

WRIGHT: AYE

BARCA: Oh, we mixed it up that time, didn't we.

BENDER: Sonja changed the order.



BARCA: Yeah.

WISER: I won't do that again.

BENDER: It's okay. It keeps me on my toes.

BARCA: Yeah, Richard will be on the ball next time. All right. And Sharon's hanging in with us. And we have the Gaither Development, CPZ2018-00006, and we have a lot of sign-ins this time, so I'm looking forward to that.

PUBLIC HEARING ITEMS, continued

CPZ2017-00006 Gaither: A proposal to amend the comprehensive plan and zoning map from General Commercial zoning (GC) to Urban Medium Density Residential comp pan designation with Office Residential zoning (OR-22) on the following four parcels: 144534000, 144492000, 144514000, and 144516000.

Staff Contact: Sharon.Lumbantobing@clark.wa.gov or (564) 397-4909

LUMBANTOBING: Okay. Thank you. This is CPZ2018-00006, Gaither. This applicant owns Four adjacent properties that are currently zoned general commercial. It's underutilized vacant land totaling approximately 14 acres located west of N.E. St. Johns Road on the south side of N.E. 78th Street directly across from Luke Jensen Sports Complex.

The applicant is requesting to amend the comp plan designation and zoning from commercial with general commercial zoning to urban medium density residential with office residential zoning OR-22 on the four adjacent parcels.

In 2008, a preliminary site plan for the Gaither Commercial Center was approved. The applicant later found the site was not economically feasible or desirable for a commercial use in this area. The applicant submitted a market analysis that indicates that commercial retail development does not represent a viable use of the site due to retail restructuring nationally coupled with a limited local market for added retail at this site.

The market analysis states that there is a strong demand for multi-family residential. OR-22 is intended to provide for residential and professional office development. It's intended that office developments within these districts will be of a higher standard in recognition of the residential setting.

Development within these districts will be -- sorry -- the proposed change from general commercial to OR-22 would increase the existing housing stock in the county. It would address the need for more multi-family by permitting between 206 to 303 new apartments



and/or office uses. It's adjacent to commercial, light industrial and business park properties. And the OR-22 zoning is compatible with other nearby land uses.

And staff finds that it meets all the applicable criteria and is recommending approval.

BARCA: Can you take a moment and go through the traffic analysis with us, please.

LEBOWSKY: For the record, I'm Laurie Lebowsky with Community Planning. So the recent proposal is to go from a general commercial zone to a medium density residential, so the trip generation is going to be a lower generation rate. Usually commercial has a higher trip generation rate than residential.

So what I saw from the analysis is the existing zoning is general commercial as I said, so the net daily trips for general commercial is 9,993, this is a kind of a more mixed use or mixed-type zone of office and residential, so it's projected to generate 1,996 net new trips a day.

So if you do the comparison, there are going to be approximately 8,000 fewer trips per day, so much less of an impact on 78th Street than the existing general commercial zoning.

And then also another, there's been some questions, and I know this comes up when we do comp plan amendments and zone changes, what we're looking at in this process is just the use, what is the impact of the use on 78th Street. And in terms of the code, we have to see if we have adequate public facilities, in this case transportation, can it support the comp plan amendment and the zone change.

Since we're going from a use that's more intensive to one that's less intensive in terms of trip generation, then definitely this comp plan amendment and zone change does meet the code requirement that there are adequate public facilities available.

And then I'd also like to say, I know there are questions about access and signals and lanes and that sort of thing, and typically in terms of our process that is when the applicant comes in with a specific development application. They have to do another traffic study that looks at the specific impacts of the use on 78th Street and that's typically where we develop the conditions of approval for the road, road improvements, signals and that sort of thing.

So in terms of my review of this application, I believe it meets the standards for adequate public facilities for transportation. That concludes my report and I'm happy to take any questions.

BARCA: Thank you.

WRIGHT: Laurie, I read part of this some weeks ago and I thought I heard something about a Development Agreement between the owners and the County, and I may be mistaken. Has



that been finalized or am I totally off base on whether that's happened?

LEBOWSKY: That I don't recall. I thought it was with the other application, I thought that was with the Faith Center, but I could be mixing them up.

WRIGHT: That could be. That could be.

LUMBANTOBING: But I think there is a Development Agreement for the light signal at the intersection with Jensen Sports Center.

WRIGHT: That was it. That was it. So there will be an access at that point, that's been determined, but that seems kind of a no-brainer, so...

LEBOWSKY: So when this -- because you do have the park across the street, and as this site develops, then there will be an agreement for the signal.

WRIGHT: Very good. Thank you.

BENDER: There are three lots west, Laurie, of the ones in question, have we heard from the owner of those three lots?

LUMBANTOBING: We have not. They did not -- no, there was no comment received.

BENDER: So it's zoned as the lots in question are zoned right now then.

LUMBANTOBING: (Nods head affirmatively.)

BARCA: Other questions for staff? All right. Thank you. And we are then going to go ahead and open it up for public comment. The first one on the list is LeAnne Bremer.

Public Testimony

BREMER: Good evening, Commissioners. My name is LeAnne Bremer, I'm representing the applicant, that's 500 Broadway, Suite 400, Vancouver, 98660.

Thank you for this opportunity to present. We were at the work session and we heard some comments there that we want to kind of weave into our presentation and answer those questions and I can address the Development Agreement issue too.

So this is like the Strawberry Hill application. This is property that's been zoned commercial for ten years or more and there really has not been any serious interest in the property over that time period. Even though the property has preliminary site plan approval, which gives it



a lot of value that a buyer wouldn't have to go through that process, and even with that value added, it's still, there's no interest in developing this property as commercial.

The request is to -- for a comp plan change and rezone to OR-22 as we heard at the workshop. There's very little OR-22 in the county, so this provides some variety in zoning within the county. And the purpose for OR zones are or where they're located ideally is proximity to major streets, available capacity in these streets, adequate public water and sewer, vehicular and pedestrian traffic circulation in the area, proximity to commercial services, proximity to public open space and recreation opportunities, so we have all of those features. This is OR land, we have all of those features applicable to this site. We have the recreation site across the street, we have commercial to the west in Hazel Dell and to the east at Andresen, so this property is ideal for OR.

And so why else is this change appropriate? The question came up at the workshop, is this a question of jobs versus housing, and we don't view it that way. We believe both are important in the county obviously, both jobs and housing, but the question is the county needs to look at the county as a whole and strategically decide where it's more appropriate to put housing and where it's more appropriate to have job creating lands. And so it's not a question of jobs versus housing, we need both.

And I want to submit into the record a letter from Max Ault, the interim president of CREDC who, and I'll just read one snippet from his letter but I'll submit it. Where they -- they have no opposition to this change. They are very protective of job producing land and employment producing land, so we went to them to ask their opinion on this piece and Max said quite a few things in his letter, but one I want to highlight is he said, "After recent review, the CREDC Lands for Jobs Committee does not consider the parcels in question to comprise a key employment site. Due to its current General Commercial zoning, we do not anticipate that the site would attract strategic traded sector employers." So I would encourage you to read the remainder of this letter. So we have CREDC supporting the change or at least not opposing the change to OR-22.

And on the housing side, there is a recent editorial in the Columbian where obviously we hear we need more housing, we need more affordable housing, and one of the things from this editorial that was said is we can appreciate that thinking, but from our view it is clear that something has to give. Demand fueled by population growth throughout Clark County is pricing too many people out of the market, contributing to homelessness crisis and leading toward what could become a housing bubble that is destined to burst. The editorial board went on to say that that was a reason to expand their urban growth boundary, but here's an opportunity to provide more housing and density without expanding the urban growth boundary, we have a perfect site for that.

And importantly the applicant in this case volunteered to do an economic study, it's not



required for the application when you're going from commercial to residential, it's required when you're going to commercial, so this was a voluntary effort. And the key conclusions in the economic study, and we heard this earlier on the other case, retail, there's retail restructuring nationally, there's limited local market for added retail at this site according to our economist, there's strong demand for apartments and the property will contribute to the county economy and help support housing needs. These were the key findings in the economic report.

I also want to point out that the proposal meets the comp plan policies. It reduces sprawl and concentrates growth. It responds to housing need. There are no resource lands affected by this proposal. Housing will be provided close to jobs and reducing trip length. As we heard from Laurie, there's quite a bit less traffic with this proposal than there would be if it was built out as commercial, 7,000 plus less trips, daily trips, and adequate public facilities exist. There are other higher density residential areas zoned in the area to the north, but these lands are used for school and church and field, so they won't develop as residential.

And then one question that came up at the workshop about compatibility with the industrial land next to the east that the County Code actually accounts for that and makes sure that this residential will be compatible with the industrial development to the east and vice-a-versa and it requires that, it states, this is in the County Code, "aspects of the development that will not be utilized for residential purposes should be located adjoining to the industrially zoned property where possible."

So it's saying that you should put your parking, your garages, your access roads, your required open space next to the industrial uses to create that buffer between residential and industrial, and so the Code accounts for that compatibility.

So on the Development Agreement, there was a Development Agreement in place for this property, it was between the owner of the subject property we're talking about, the owner to the east and Clark County was the three party agreement. And it provided for, and this is when everybody thought that there would be a business park next door and these properties would develop as commercial, and it provided for the construction and funding for a signal on 78th Street. That Development Agreement is no longer valid, it really expired because nothing happened, none of the triggers in the Development Agreement happened.

There's still a plan to access 78th Street at the, you know, it's right across from the where the entrance is to Luke Jensen Park. We don't know yet whether a signal will be triggered with this, with the resi- -- or whatever development gets done on this OR land, and as Laurie said, that will be done in the development review process. So if warrants are triggered, then we look at that, but that's for the future.

So with that, I'm available to answer questions.



WRIGHT: Yeah, I have a quick question, LeAnne. We're seeing a couple of similar type applications tonight, is this a new paradigm for commercial? I'm a little slow on the uptake, but it looks to me like the traditional model that our comp plan was built on for the last 20, 30, 40 years is rapidly fading into a new paradigm.

BREMER: I think it is with these isolated commercial spots. I mean, I would like to think we don't have any analysis on it, but, you know, the larger areas the, you know, the Hazel Dell Avenues and the Highway 99 will still be developed as commercial. CREDC is still interested in making sure that there are job producing lands within the county, but finding that something like this it's just a little pocket isn't viable, but, so I think there's still probably is a need, just not, it can't be met by something like this.

WRIGHT: Okay.

BARCA: Other questions for the applicant? Okay. We'll go on to the next one, and thank you, LeAnne. Ott Gaither, are you interested in testifying?

GAITHER: Oh, I'm sorry.

BARCA: It's not a problem.

GAITHER: It's, no, I'm good. She did a great job.

BARCA: Samuel Moss.

MOSS: No, thank you.

BARCA: All right. And Gary Vance.

VANCE: I'll pass.

BARCA: Okay. That takes us to Leeann, no, it's a different one but she doesn't appear to be here anyway, so I'm not going to try and butcher her name. All right. I'm having a little trouble with this one, is it 4707 N.E. 118th Street? All right. We'll move on. Stephen Hughes. No? David Baughman.

Okay. So that's the list unless I missed somebody. Is there anybody else from the audience that wishes to come forward?

Okay. Seeing none, we're going to close public testimony, bring it back to the Planning Commission. Are there additional questions for staff?



Return to Planning Commission

BENDER: A comment. This would create an island in an industrial area even though it's got the designation office, and you've got the beautiful river lying nearby, and to the east and to the west you also have industrial properties plus other buildable properties to the southwest side.

My concern is that if the Portland legislature gets permission from the Feds to toll both bridges, it's my opinion you're going to see a lot of industrial activity and business activity moving over to Vancouver because of the expense to the workers crossing that bridge. They already pay percent tax to the State without any representation, then you put on top of that the tolls, value added tolling. I really think that the industrial land which we've been trying to develop is important.

BARCA: Okay. Richard, I think I understand what you're saying, but I just want to be clear, this is zoned commercial at the moment so --

BENDER: Yes, it is.

BARCA: -- it's not industrial.

BENDER: Well, commercial then. Okay. I understand.

BARCA: Okay. Do we have other discussion?

SWINDELL: Well, I'd like to make a comment. I think my initial assessment of the -- in our study session about jobs and the concern over jobs, really thinking about the apartments that would be built there, apartments and some other things would be built there, actually that will create quite a bit of jobs and will support a lot of other jobs, all the maintenance and, you know, all that kind of stuff that goes along with apartments. And so my initial concern over jobs I don't have, I wanted to make sure I stated that for the record just because I think it will create some jobs there.

BARCA: Okay. Anybody else? All right. Well, my interest in this is two-fold. One, I do think that especially in the Hazel Dell area the idea of additional housing is a valuable commodity for the community. An intersection that would allow pedestrian crossing safely on 78th Street to access Luke Jensen and the school that's over there, King's Way I think, is also very positive to be able to go from north to south safely on 78th Street.

I appreciate the thought process that we could get the infrastructure in place to do that. I don't think it's in our best interest to actually discuss these apartments and the office development as any type of safety valve for homelessness because I'm anticipating that the



type of client you're going to be attracting would not satisfy any of the homeless requirements as far as getting people in at the bottom end, perhaps I'm wrong, and the Development Agreement might show that that's the case, but there's definitely a need for all types of housing and I think this area can support that.

Hazel Dell has a lot of commercial area in my opinion that can be redeveloped to higher and better use. Closer to 78th and Highway 99, I think there's just, there is a lot of opportunity, it's not going to be greenfield, but as I drive by this particular set of parcels, it's not a real easy area to do any kind of large scale commercial on anyway. So I think the change will not have a big impact to the landscape of commercial development in the area.

So I'm ready for roll call after we get a motion.

SWINDELL: I'll make a **MOTION** to approve CPZ2018-00006, Gaither.

JOHNSON: **Second.**

BARCA: Motioned and seconded. Roll call, please.

ROLL CALL VOTE

WRIGHT: AYE
BARCA: AYE
SWINDELL: AYE
JOHNSON: AYE
GRIMWADE: AYE
BENDER: AYE

BARCA: All right. Motion's been approved. I believe that carries us through all the new business in the agenda.

OLD BUSINESS

None.

NEW BUSINESS

None.

COMMENTS FROM MEMBERS OF THE PLANNING COMMISSION

None.



ADJOURNMENT

The record of tonight's hearing, as well as the supporting documents and presentations can be viewed on the Clark County Web Page at:

<https://www.clark.wa.gov/community-planning/planning-commission-hearings-and-meeting-notes>

Proceedings can be viewed on CTVV on the following web page link:

<http://www.cvtv.org/>

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