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CLARK COUNTY  
WASHINGTON

## COMMUNITY PLANNING

### STAFF REPORT

TO: Clark County Planning Commission  
FROM: Matt Hermen, Planner III  
DATE: January 15, 2015  
SUBJECT: CPZ2014-00010 NE 139<sup>th</sup> St North

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#### Background

This staff report serves as the response to the applicant's letter suggesting reconsideration of the proposed mitigation measures as a means to meet the level of service standards for concurrency. Staff has previously recommended denial for the application based on the failure to meet the concurrency standards. Should the planning commission recommend approval, the following mitigation measures are recommended to be included in the amended concomitant rezone agreement:

- A west bound right turn lane on NE 139<sup>th</sup> Street at NE 10<sup>th</sup> Avenue with an overlap phase.
- Modify the southbound NE 10<sup>th</sup> Avenue approach to NE 139<sup>th</sup> Street to provide either: (1) a second southbound left turn lane; or (2) a shared through-left center lane and split phasing with the northbound approach.
- Modify the southbound NE 23<sup>rd</sup> Avenue approach to NE 134<sup>th</sup> Street to provide either: (1) a shared left-right lane with the existing exclusive right turn lane; or (2) an overlap phase for the existing right turn lane.
- Install a traffic control device at the site access to 10<sup>th</sup> Avenue, opposite NE 141<sup>st</sup> Street: either a traffic signal or a roundabout
- Modify the northbound NE 10<sup>th</sup> Avenue between NE 139<sup>th</sup> Street and the site access to include turn lane(s) for the entire street segment

#### Mitigation Consideration

The segment of northbound and southbound NE 10<sup>th</sup> Ave, between NE 139<sup>th</sup> St and the proposed site access has been projected to fail concurrency in the 20 year planning horizon. This street segment is classified as a two-lane collector with a center turn lane and bike lanes (C-2cb). The concurrency ordinance assigns a capacity of 900 vehicles to this classification during the PM peak period. The segment is approximately ~500 feet. The segment is expected to exceed capacity in the planning horizon under the existing IL zoning, and worsened under the proposed GC zoning. The applicant is not proposing to change the classification, but contend that the additional turn lanes in both the north and southbound approach add capacity to the segment; and should be considered in staff's evaluation.

The applicant's future year forecast with the proposed GC zoning estimate 408 vehicles turning right on northbound NE 10<sup>th</sup> Ave to the site, 784 vehicles continuing northbound past the site and 32 vehicles turning left to the residential neighborhood; totaling 1,224 vehicles on the segment. When evaluated with the classification, the volume-to-capacity ratio equals 1.36. If the proposed right turn lane were to be considered in the concurrency evaluation the volume-to-capacity ratio would equal 0.68; meeting concurrency for northbound NE 10<sup>th</sup> Ave., between NE 139<sup>th</sup> St. and the site access.

Southbound NE 10<sup>th</sup> Ave., from the site access to the NE 139<sup>th</sup> St., per the applicant forecast, is projected to have 526 vehicles turning left onto eastbound NE 139<sup>th</sup> St., 383 vehicles continuing to travel southbound and 342 vehicles turning right onto westbound NE 139<sup>th</sup> St., for a total of 1,251 vehicles on the segment. When evaluated with the classification, the volume-to-capacity ratio equals 1.39. If the proposed dual left turn lanes were to be considered in the concurrency evaluation the volume-to-capacity ratio would equal 0.70; meeting concurrency for southbound NE 10<sup>th</sup> Ave, between the site access and NE 139<sup>th</sup> St.

Staff acknowledges that the proposed mitigation improvements add capacity to the segment of NE 10<sup>th</sup> Ave., between NE 139<sup>th</sup> St and the site access, while the classification remains and C-2cb. The mitigation which is being proposed for this application, does not limit the mitigation that may be necessary during the development review process.

North of the site there is a considerable amount of land north of NE 154<sup>th</sup> St. in urban holding. A project identified in the six-year transportation improvement program constructs a two lane bridge on NE 10<sup>th</sup> Ave., over Whipple Creek. Once this project is completed it will attract additional vehicles on NE 10<sup>th</sup> Ave. NE 10<sup>th</sup> Ave., from NE 139<sup>th</sup> St. to NE 149<sup>th</sup> St. is expected to exceed the concurrency thresholds (SB-0.93, NB-0.99) in the planning horizon regardless of this proposed rezone. The lifting of the urban holding overlay is dependent on the infrastructure capacities for serving the area. While the proposed rezone may add capacity to a section of NE 10<sup>th</sup> Ave., the corridor's classification may be undersized south of NE 149<sup>th</sup> St., hampering the ability to lift urban holding under the current street classification. A reclassification of NE 10<sup>th</sup> Ave. may be necessary to facilitate future development.

## **RECOMMENDATION AND CONCLUSIONS**

Based upon the information and the findings presented in this report and in the supporting documents, staff recommends that the Planning Commission forward a recommendation of **Approval with conditions**. . As a condition of amending the PM Peak trip allocation from the parcels subject to this annual review application (#185672000, #185700000, #185726000, #185727000 and #185796000) the property owners shall amend the previously conditioned concomitant agreement with the County to remove the limit of number of trips to the site based on the existing zoning (462 peak PM hours); retain the prohibition of big box retail on the properties (big box development was defined as any one retailer occupying over 100,000 sq. ft. of ground floor area), and add requirements providing that prior to any building permits being issued on any of the subject parcels, the following transportation mitigation measures shall be in place:

- A west bound right turn lane on NE 139<sup>th</sup> Street at NE 10<sup>th</sup> Avenue with an overlap phase.
- Modify the southbound NE 10<sup>th</sup> Avenue approach to NE 139<sup>th</sup> Street to provide either: (1) a second southbound left turn lane; or (2) a shared through-left center lane (converted from the existing through only lane) and split phasing with the northbound approach.
- Modify the southbound NE 23<sup>rd</sup> Avenue approach to NE 134<sup>th</sup> Street to provide either: (1) a shared left-right lane (converted from the existing left only lane) with the existing exclusive right turn lane; or (2) an overlap phase for the existing right turn lane.
- Install a traffic control device at the site access to 10<sup>th</sup> Avenue, opposite NE 141<sup>st</sup> Street: either a traffic signal or a roundabout
- Modify the northbound NE 10<sup>th</sup> Avenue between NE 139<sup>th</sup> Street and the site access to include turn lane(s) for the entire street segment